

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2016, Legislative Day No. 38

Bill No. 83-16

Introduced by Mr. Trumbauer, Mr. Grasso and Mr. Pruski

By the County Council, November 7, 2016

Introduced and first read on November 7, 2016
Public Hearing set for and held on December 5, 2016
Bill Expires February 10, 2017

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Garden Centers
2

3 FOR the purpose of defining “garden center”; allowing garden centers as a conditional
4 use in certain residential districts; establishing conditional use requirements for
5 garden centers; and generally related to Zoning.
6

7 BY renumbering: §§ 18-1-101 (45) through (141) to be 18-1-101 (46) through (142) and
8 §§ 18-10-120 through 18-10-149 to 18-10-121 to be 18-10-150
9 (Anne Arundel County Code, 2005, as amended)
10

11 BY adding: 18-1-101(45) and 18-10-120
12 (Anne Arundel County Code, 2005, as amended)
13

14 BY repealing and reenacting with amendments: § 18-3-104
15 (Anne Arundel County Code, 2005, as amended)
16

17 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
18 *Maryland,* That §§ 18-1-101 (45) through (141) and 18-10-120 through 18-10-149 of the
19 Anne Arundel County Code, 2005 (as amended) are hereby renumbered to be §§ 18-1-
20 101 (46) through (142) and 18-10-121 through 18-10-150, respectively.
21

22 SECTION 2. *And be it further enacted,* That the Anne Arundel County Code (2005,
23 as amended) reads as follows:

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

ARTICLE 18. ZONING

TITLE 1. DEFINITIONS

18-1-101. Definitions.

Unless defined in this article, the Natural Resources Article of the State Code, or COMAR, words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

(45) "GARDEN CENTER" MEANS A FACILITY THAT SELLS PLANTS, BUSHES OR TREES, GROWN ONSITE OR OFFSITE, AS WELL AS OTHER ITEMS CUSTOMARILY USED FOR PLANTS AND GARDENS INCLUDING SEEDS, MULCH, FERTILIZER, SOIL, GARDENING TOOLS, AND POTS, BUT DOES NOT INCLUDE A HARDWARE STORE, A HOME CENTER, OR A BUILDING SUPPLY STORE.

TITLE 3. PARKING, NONRESIDENTIAL, OUTDOOR LIGHTING AND SIGNAGE

18-3-104. Parking space requirements.

The minimum onsite required parking spaces are listed in the chart below. They may be increased based on site development plan review or special exception approval, reduced as provided in § 18-3-105, or superseded by a parking program allowed by this Code. The Planning and Zoning Officer may determine reasonable and appropriate onsite parking requirements for structures and land uses that are not listed on the chart based on requirements for similar uses, comments from reviewing agencies, and the parking needs of the proposed use.

Use	Parking

Dwellings, multifamily	
Efficiency and 1 bedroom	1 space for each dwelling unit
2 bedrooms	2 spaces for each dwelling unit
3 or more bedrooms	3 spaces for each dwelling unit
GARDEN CENTER	4 SPACES FOR EACH ACRE

TITLE 4. RESIDENTIAL DISTRICTS

18-4-106. Permitted, conditional, and special exception uses.

The permitted, conditional, and special exception uses allowed in each of the residential districts are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and

1 structures customarily accessory to the listed uses also are allowed, except that guest
 2 houses as accessory structures are prohibited and outside storage as an accessory use is
 3 limited to the lesser of 10% of the allowed lot coverage or 500 square feet.
 4

Permitted, Conditional, and Special Exception Uses	RA	RLD	R1	R2	R5	R10	R15	R22

Festival, renaissance	SE							
GARDEN CENTER	C	C	C	C				

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TITLE 10. REQUIREMENTS FOR CONDITIONAL USES

18-10-120. Garden Centers.

A GARDEN CENTER SHALL COMPLY WITH ALL OF THE FOLLOWING REQUIREMENTS.

(1) THE FACILITY SHALL BE LOCATED ON A LOT THAT IS AT LEAST TWO ACRES BUT NOT MORE THAN FIVE ACRES.

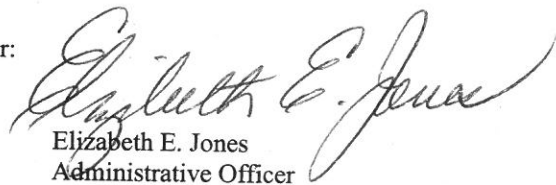
(2) THE FACILITY SHALL BE LOCATED ON AN ARTERIAL ROAD.

(3) ACCESSORY USES INCLUDE THE RAISING OR THE KEEPING OF CHICKENS, IN ACCORDANCE WITH THE REQUIREMENTS OF § 18-4-104 OF THIS CODE, THE RAISING OR THE KEEPING OF BEES, AND THE SALE OF EGGS, HONEY, AND OTHER PRODUCTS RELATING TO CHICKENS AND BEES.

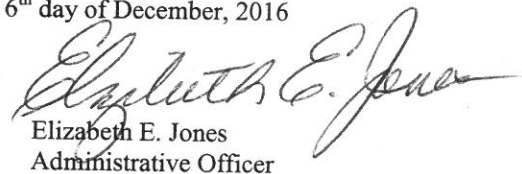
SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days from the date it becomes law.

READ AND PASSED this 5th day of December, 2016


By Order:


 Elizabeth E. Jones
 Administrative Officer

PRESENTED to the County Executive for his approval this 6th day of December, 2016


 Elizabeth E. Jones
 Administrative Officer

APPROVED AND ENACTED this 12th day of December, 2016


 Steven R. Schuh
 County Executive

EFFECTIVE DATE: January 26, 2017

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
83-16 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.


Elizabeth E. Jones
Administrative Officer