



Gregory J. Swain, County Attorney

MEMORANDUM

To: Council Members, Anne Arundel County Council

From: Kelly Phillips Kenney, Supervising County Attorney /s/

Through: Gregory J. Swain, County Attorney /s/

Date: October 19, 2020

Subject: Bill No. 90-20 – Zoning – Data Storage Centers

Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 90-20.

Background. The 1985 Code permitted “data processing service centers” in the C3 and W2 districts, but the provisions were removed in the 2005 rewrite. “Data storage centers” tend to be large structures with very few employees that house computing and networking equipment for the purpose of collecting, storing, processing, or allowing access to large amounts of data. Currently, the use does not fit in any of the use categories in the Zoning Code. This legislation will ensure that there is an appropriate category for the use and that data storage centers are located in areas appropriate for the use.

Purpose. The purpose of the Bill is to define the term “data storage center”, establish the parking requirements for the use, allow it as a conditional use for certain properties in the C2 and C3 commercial districts, and permit the use in all three industrial districts and the MXD-E district.

SECTION 1. of the Bill sets forth the renumbering in the Bill.

SECTION 2.

Section **18-1-101(42)** is new and defines the new term “data storage center” as a facility used primarily for the storage, management, processing and transmission of digital data, which houses computer or network equipment, systems, servers, appliances, and other associated components related to digital data storage and operations.

Note: This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

The parking chart in § **18-3-104** is revised to establish the parking requirements for a “data storage center” as 1 space per 1,000 square feet of floor area for the first 5,000 square feet and 1 space for each additional 5,000 square feet.

The commercial district use chart in § **18-5-102** is revised to add “data storage center” in the BWI/Fort Meade Growth Area as a conditional use in the C2 and C3 zones. In § **18-6-103**, the use chart for industrial zones is revised to add “data storage center” as a permitted use in the W1, W2, and W3 zones. The mixed use district use chart in § **18-8-301(b)** is revised to add “data storage center” in the industrial category as a permitted use in the MXD-E zone.

Section **18-10-119** is new and sets forth the conditions for the “data storage center” use in the C2 and C3 zones. The facility shall be on a lot or continuous lots that total at least 25 acres. The facility shall comply with all bulk regulations for the zone in which it is located, except for the setbacks set forth in paragraph (2). A variance may not be granted to the setbacks in paragraph (2), and neither the lot nor contiguous lots may include any residential units. Outside storage is permitted as an accessory use as long as no more than 15% of the permitted lot coverage is used for outside storage. As set forth in paragraph (6), the facility shall be in the BWI/Fort Meade Growth Area, as shown on the official map adopted by the County Council.

SECTION 3. (uncodified) provides that the bill takes effect 45 days from the date it becomes law.

The Office of Law is available to answer any additional questions regarding this Bill.

Thank you.

cc: Honorable Steuart Pittman, County Executive
Matthew Power, Chief Administrative Officer
Lori Rhodes, Deputy Chief Administrative Officer for Land Use
Dr. Kai Boggess-de Bruin, Chief of Staff
Peter Baron, Legislative Liaison
Steve Kaii-Ziegler, Planning and Zoning Officer