

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2024, Legislative Day No. 11

Bill No. 57-24

Introduced by Ms. Pickard, Chair
(by request of the County Executive)

By the County Council, May 20, 2024

Introduced and first read on May 20, 2024
Public Hearing set for June 17, 2024
Bill Expires August 23, 2024

By Order: Kaley Schultze, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Critical Area Overlay – Resource Conservation
2 Area – Agritourism, Farm or Agricultural Heritage Site Special Events, and Farm or
3 Agricultural Heritage Site Stays

4
5 FOR the purpose of adding certain requirements for temporary, conditional and special
6 exception uses for agritourism, certain farm or agricultural heritage site special events,
7 and farm or agricultural heritage site stays in the Critical Area and the Resource
8 Conservation Area (“RCA”); allowing agritourism, farm or agricultural heritage site
9 special events, and farm or agricultural heritage site stays as uses in the RCA; making
10 the effective date of this Ordinance contingent on the approval of the Maryland Critical
11 Area Commission; and generally relating to zoning.

12
13 BY renumbering: § 18-13-206(2) through (15) and (16) through (46) to be
14 § 18-13-206(3) through (16) and (19) through (49), respectively
15 Anne Arundel County Code (2005, as amended)

16
17 BY adding: §§ 18-10-129(12) and (13); 18-10-130(10) and (11); and 18-13-206(2), (17),
18 and (18)
19 Anne Arundel County Code (2005, as amended)

20
21 BY repealing and reenacting, with amendments: § 18-2-203(b)
22 Anne Arundel County Code (2005, as amended)

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

1 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
2 *That § 18-13-206(2) through (15) and (16) through (46), respectively, of the Anne Arundel*
3 *County Code (2005, as amended) are hereby renumbered to be § 18-13-206(3) through*
4 *(16) and (19) through (49), respectively*

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6 SECTION 2. *And be it further enacted, That Section(s) of the Anne Arundel County*
7 *Code (2005, as amended) read as follows:*

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9 **ARTICLE 18. ZONING**

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11 **TITLE 2. GENERAL PROVISIONS**

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13 **18-2-203. Temporary uses.**

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15 **(b) Farm or agricultural heritage site special events, one to eight annual events.**

16 The Planning and Zoning Officer may authorize up to eight farm or agricultural heritage
17 site special events on a property in the RA, RLD, or R1 zoning districts as a temporary use
18 if:

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20 (1) the Planning and Zoning Officer determines that the event will not adversely
21 affect nearby properties and will not require significant or permanent changes to existing
22 topography, vegetation, or other natural features;

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24 (2) no more than eight events on the same property within a 12-month period are
25 authorized;

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27 (3) authorization is given for each individual event to be held on a property;

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29 (4) an event will not exceed one day;

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31 (5) any outdoor assembly areas are located and designed to shield surrounding
32 residential properties from the effects of noise, hazards, or other offensive conditions;
33 **[[and]]**

34
35 (6) the maximum capacity for an event will not exceed 25 attendees per acre; **[[and]]**

36
37 (7) the owner has owned the property for the immediately preceding two years and
38 has been engaged in active farming for the immediately preceding two years;

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40 (8) FOR PROPERTY IN THE CRITICAL AREA, PROVISIONS OF THIS CODE RELATING
41 TO LOT COVERAGE AND LIMITS ON CLEARING ARE APPLICABLE, AND INCLUDE ACCESS,
42 PARKING REGARDLESS OF SURFACE, TEMPORARY STRUCTURES, TEMPORARY TENTS, AND
43 TEMPORARY PAVEMENT SURFACES; AND

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45 (9) FOR PROPERTY IN THE CRITICAL AREA, NO NEW LOT COVERAGE, INCLUDING
46 FOR ACCESS OR PARKING, IS ADDED IN THE BUFFER TO ACCOMMODATE THE EVENT.

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48 **TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

1 **18-10-129. Farm or agricultural heritage site special event, 9 to 15 annual events.**

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3 A farm or agricultural heritage site special event, 9 to 15 annual events, shall comply
4 with the following requirements.

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8 (12) FOR PROPERTY IN THE CRITICAL AREA, PROVISIONS OF THIS CODE RELATING
9 TO LOT COVERAGE AND LIMITS ON CLEARING APPLY, AND INCLUDE ACCESS, PARKING
10 REGARDLESS OF SURFACE, TEMPORARY STRUCTURES, TEMPORARY TENTS, AND
11 TEMPORARY PAVEMENT SURFACES.

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13 (13) FOR PROPERTY IN THE CRITICAL AREA, NO NEW LOT COVERAGE, INCLUDING
14 FOR ACCESS OR PARKING, MAY ADDED IN THE BUFFER TO ACCOMMODATE THE EVENT.

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16 **18-10-130. Farm or agricultural heritage site stay.**

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18 A farm or agricultural heritage site stay shall comply with the following requirements.

19 ***

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22 (10) FOR PROPERTY IN THE CRITICAL AREA, PROVISIONS OF THIS CODE RELATING
23 TO LOT COVERAGE AND LIMITS ON CLEARING APPLY, AND INCLUDE ACCESS, PARKING
24 REGARDLESS OF SURFACE, TEMPORARY STRUCTURES, TEMPORARY TENTS, AND
25 TEMPORARY PAVEMENT SURFACES.

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27 (11) FOR PROPERTY IN THE CRITICAL AREA, NO NEW LOT COVERAGE, INCLUDING
28 FOR ACCESS OR PARKING, MAY ADDED IN THE BUFFER TO ACCOMMODATE THE EVENT.

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30 **TITLE 11. REQUIREMENTS FOR SPECIAL EXCEPTION USES**

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32 **18-11-125. Farm or agricultural heritage site special event, 16 to 30 events.**

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34 A farm or agricultural heritage site special event, 16 to 30 annual events, shall comply
35 with the following requirements.

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39 (11) FOR PROPERTY IN THE CRITICAL AREA, PROVISIONS OF THIS CODE RELATING
40 TO LOT COVERAGE AND LIMITS ON CLEARING APPLY, AND INCLUDE ACCESS, PARKING
41 REGARDLESS OF SURFACE, TEMPORARY STRUCTURES, TEMPORARY TENTS, AND
42 TEMPORARY PAVEMENT SURFACES.

43
44 (12) FOR PROPERTY IN THE CRITICAL AREA, NO NEW LOT COVERAGE, INCLUDING
45 FOR ACCESS OR PARKING, MAY ADDED IN THE BUFFER TO ACCOMMODATE THE EVENT.

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47 **TITLE 13. CRITICAL AREA OVERLAY**

1 **18-13-206. RCA uses.**

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3 The following uses are the only uses allowed in the RCA and, to be allowed, the use
4 must be allowed in and meet all requirements of the underlying zoning district and, for a
5 residential use, the density allowed is one dwelling unit per 20 acres:

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9 (2) AGRITOURISM SO LONG AS THE LOT COVERAGE FOR THE USE IS LIMITED TO THE
10 LESSER OF 15% OF THE TOTAL SQUARE FOOTAGE OF THE PROPERTY OR 20,000 SQUARE
11 FEET;

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13

14

15 (17) FARM OR AGRICULTURAL HERITAGE SITE SPECIAL EVENT LOCATED IN
16 STRUCTURES EXISTING AS OF DECEMBER 1, 1985, SO LONG AS THE LOT COVERAGE FOR
17 THE USE IS LIMITED TO THE LESSER OF 15% OF THE TOTAL SQUARE FOOTAGE OF THE
18 PROPERTY OR 20,000 SQUARE FEET;

19

20 (18) FARM OR AGRICULTURAL HERITAGE SITE STAY LOCATED IN STRUCTURES
21 EXISTING AS OF DECEMBER 1, 1985, SO LONG AS THE LOT COVERAGE FOR THE USE IS
22 LIMITED TO THE LESSER OF 15% OF THE TOTAL SQUARE FOOTAGE OF THE PROPERTY OR
23 20,000 SQUARE FEET;

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27 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days
28 from the date it becomes law or upon approval of the Maryland Critical Area Commission
29 under the authority granted by § 8-1801 et seq. of the Natural Resources Article of the State
30 Code, whichever is later. If approved in whole or in part after the 45 days, the approved
31 provisions of this Ordinance shall take effect on the date the notice of approval is received
32 by the Office of Planning and Zoning. If disapproved in whole or in part, the disapproved
33 portions of this Ordinance shall be null and void without the necessity of further action by
34 the County Council. The Office of Planning and Zoning, within five days after receiving
35 any notice from the Maryland Critical Area Commission, shall forward a copy to the
36 Administrative Officer for the County Council.