

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2009, Legislative Day No. 1

Bill No. 2-09

Introduced by Mr. Reilly and Mr. Cohen

By the County Council, January 5, 2009

Introduced and first read January 5, 2009
Public Hearing set for and held on February 2, 2009
Bill AMENDED on February 17, 2009
Public Hearing on AMENDED BILL set for March 2, 2009
Expires on April 10, 2009

By Order: Judy C. Holmes, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Roadside Stands and Produce Markets

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3 FOR the purpose of amending the definition for Roadside Stands; establishing Produce
4 Markets as a conditional use in certain residential districts; establishing conditional
5 use requirements for Produce Markets; and generally relating to roadside stands and
6 produce markets.

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8 BY repealing and reenacting with amendments: §§ 18-3-104 and 8-4-106
9 Anne Arundel County Code (2005, as amended)

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11 BY adding: §18-10-138.1
12 Anne Arundel County Code (2005, as amended)

13
14 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
15 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as
16 follows:

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18 **ARTICLE 18. ZONING**

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20 **TITLE 3. PARKING, NONRESIDENTIAL OUTDOOR LIGHTING, AND**
21 **SIGNAGE**

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.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 **18-3-104. Parking space requirements.**

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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be increased based on site development plan review or special exception approval, reduced as provided in § 18-3-105, or superseded by a parking program allowed by this Code.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

Offices, professional and general	1 space for every 200 square feet of floor area except that medical and dental offices shall provide 1 space for every 150 square feet of floor area
PRODUCE MARKETS	4 SPACES FOR EACH ACRE

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TITLE 4. RESIDENTIAL DISTRICTS

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

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

Roadside stands consisting of temporary seasonal structures that sell [only] produce [grown on the premises] AND OTHER AGRICULTURAL GOODS	P	P	P	P				

Planned unit developments (see Title 12)	SE	SE	SE	SE	SE	SE	SE	SE
PRODUCE MARKETS	C	C	C	C				

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

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3 **18-10-138.1 Produce Market**

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5 A PRODUCE MARKET SHALL COMPLY WITH ALL OF THE FOLLOWING REQUIREMENTS.

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7 (1) THE PRODUCE MARKET SHALL BE LOCATED ON A LOT OF AT LEAST ~~ONE~~
8 ~~ACRE~~ TWO ACRES.

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10 (2) THE PRODUCE MARKET SHALL BE LOCATED ON A LOT THAT ACCESSES A
11 MINOR ARTERIAL OR HIGHER ROAD.

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13 (3) STRUCTURES SHALL BE SET BACK AT LEAST 25 FEET FROM THE FRONT
14 PROPERTY LINE.

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16 (4) ADEQUATE OFF-STREET PARKING IS PROVIDED SUCH THAT SIGHT DISTANCE
17 IS NOT AFFECTED BY TRAFFIC AND SHALL COMPLY WITH §18-3-104.

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19 ~~(5) SIGNAGE SHALL COMPLY WITH §18-3-307(i).~~

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21 (5) SIGNS FOR THE PRODUCE MARKET MAY NOT EXCEED 20 SQUARE FEET IN AREA
22 AND A HEIGHT OF FOUR FEET

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24 (6) A PRODUCE MARKET MAY SELL PRODUCE AND OTHER AGRICULTURAL AND
25 HORTICULTURAL PRODUCTS.

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27 (7) ACCESSORY RETAIL ITEMS INCIDENTAL TO SALES OF PRODUCE AND
28 AGRICULTURAL OR HORTICULTURAL GOODS, AND OUTSIDE STORAGE OF RETAIL ITEMS,
29 MAY NOT OCCUPY MORE THAN 20% OF THE LOT.

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31 (8) THE OUTSIDE STORAGE AREA MUST BE SET BACK 25 FEET FROM ALL LOT
32 LINES AND SCREENED FROM ALL ROAD RIGHTS OF WAY AND ADJACENT PROPERTIES BY
33 AN OPAQUE SCREEN, WHETHER A FENCE OR WALL, NOT TO EXCEED SIX FEET IN HEIGHT,
34 OR BERM, AND SHALL HAVE LANDSCAPE PLANTING THAT OBSCURES ALL STORAGE
35 AREAS YEAR ROUND. THE STORED ITEMS MAY NOT EXTEND ABOVE THE HEIGHT OF THE
36 SCREENING AND SHALL BE IN A SIDE OR REAR YARD.

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38 (9) A SITE PLAN HAS BEEN APPROVED BY THE OFFICE OF PLANNING AND ZONING.

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40 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
41 from the date it becomes law.