

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2009, Legislative Day No. 5

Bill No. 10-09

Introduced by Mr. Reilly, Chairman
(by request of the County Executive)

By the County Council, March 3, 2009

Introduced and first read on March 3, 2009
Public Hearing set for April 2, 2009
Bill Expires June 6, 2009

By Order: Judy C. Holmes, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: ~~Zoning~~ Video Lottery Facilities

2
3 FOR the purpose of defining video lottery facility, video lottery terminal, and regional
4 commercial complex; allowing video lottery facilities as a conditional use in the W1
5 Industrial Park zoning district and in regional commercial complexes; and generally
6 relating to zoning.

7
8 BY renumbering: § 18-1-101(80) through (107), and 18-1-101(108) through (115) to be §
9 18-1-101(81) through (109), and 18-1-101(112) through (119), respectively; and § 18-
10 10-136 and 18-10-137 to be § 18-10-137 and 18-10-138, respectively
11 Anne Arundel County Code (2005, as amended)

12
13 BY adding: § 18-1-101(80), (110), and (111); and 18-10-136
14 Anne Arundel County Code (2005, as amended)

15
16 BY repealing and reenacting, with amendments: § 18-3-104; 18-6-103; and 18-12-301
17 Anne Arundel County Code (2005, as amended)

18
19 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
20 *Maryland,* That § 18-1-101(80) through (107) and 18-1-101(108) through (115); 18-10-
21 136; and 18-10-137 of the Anne Arundel County Code (2005, as amended) are hereby
22 renumbered to be § 18-1-101(81) through (109) and 18-1-101(112) through (119); 18-10-
23 137; and 18-10-138, respectively.

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

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

ARTICLE 18 ZONING

TITLE 1. DEFINITIONS

18-1-101. Definitions.

Unless defined in this article, words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

(80) "REGIONAL COMMERCIAL COMPLEX" MEANS A DEVELOPMENT IN EXISTENCE ON SEPTEMBER 7, 2004, THAT WAS CREATED UNDER BILL NO. 62-98 AS AMENDED BY BILL NO. 80-98.

(110) "VIDEO LOTTERY FACILITY" HAS THE MEANING SET FORTH IN THE STATE GOVERNMENT ARTICLE, § 9-1A-01, OF THE STATE CODE.

(111) "VIDEO LOTTERY TERMINAL" HAS THE MEANING SET FORTH IN THE STATE GOVERNMENT ARTICLE, § 9-1A-01, OF THE STATE CODE.

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

Veterinary offices, clinics, and hospitals	1 space for every 200 square feet of floor area, excluding overnight rooms for animals
VIDEO LOTTERY FACILITIES	1 SPACE FOR EVERY 3 VIDEO LOTTERY TERMINALS

TITLE 6. INDUSTRIAL DISTRICTS

18-6-103. Permitted, conditional, and special exception uses.

1 The permitted, conditional, and special exception uses allowed in each of the
 2 industrial districts are listed in the chart in this section using the following key: P =
 3 permitted use; C = conditional use; SE = special exception use; and A = auxiliary use to a
 4 business complex use. A blank means that the use is not allowed in the district. Except as
 5 provided otherwise in this article, uses and structures customarily accessory to permitted,
 6 conditional, and special exception uses also are allowed, except that outside storage as an
 7 accessory use in W1 is limited to 15% of the allowed lot coverage.
 8

Permitted, Conditional, and Special Exception Uses	W1	W2	W4

Veterinary clinics if overnight stays are limited to those necessary for medical treatment, without outside runs or pens	P		
VIDEO LOTTERY FACILITIES	C		

9
 10 **TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

11
 12 **18-10- 136. Video lottery facilities.**

13
 14 (A) **Master plan for development.** THE VIDEO LOTTERY FACILITY LICENSEE SHALL
 15 PROVIDE TO THE LOCAL DEVELOPMENT COUNCIL A MASTER PLAN AS REQUIRED BY
 16 STATE GOVERNMENT ARTICLE, § 9-1A-31, OF THE STATE CODE, AND SHALL ASSIST THE
 17 COUNTY IN PREPARATION OF A TRANSPORTATION MANAGEMENT PLAN THAT DETAILS
 18 INTERNAL CIRCULATION SYSTEMS, EXTERNAL ACCESS POINTS AND PEDESTRIAN FLOWS
 19 TO AND FROM PARKING FACILITIES.
 20

21 (B) **Requirements.** A VIDEO LOTTERY FACILITY SHALL:

22
 23 (1) BE LOCATED IN A W1 INDUSTRIAL PARK DISTRICT OR A REGIONAL
 24 COMMERCIAL COMPLEX AND SHALL BE ACCESSIBLE TO AN ARTERIAL OR HIGHER
 25 CLASSIFICATION ROAD WITHIN TWO MILES OF MD. ROUTE 295;

26
 27 (2) COMPLY WITH ALL APPLICABLE BULK REGULATIONS FOR THE ZONING
 28 DISTRICT IN WHICH THE FACILITY IS LOCATED;

29
 30 (3) COMPLY WITH A TRANSPORTATION MANAGEMENT PLAN THAT IS APPROVED
 31 BY THE OFFICE OF PLANNING AND ZONING;

32
 33 (4) COMPLY WITH A TRAFFIC STUDY THAT ASSESSES THE IMPACTS OF NEW
 34 TRAFFIC GENERATED BY THE PROPOSED USE ON MAJOR ROADS AND INTERSECTIONS AS
 35 REQUIRED BY ARTICLE 17 AND IS APPROVED BY THE OFFICE OF PLANNING AND ZONING;

36
 37 (5) CONFORM TO AN APPROVED SITE DEVELOPMENT PLAN IN ACCORDANCE WITH
 38 THE REQUIREMENTS OF ARTICLE 17;

39
 40 (6) CONFORM TO APPROVED PLANS FOR OFF-STREET PARKING THAT SHOW ALL
 41 DESIGNATED PARKING AREAS, INCLUDING HANDICAPPED SPACES, BUS PARKING,
 42 LOADING AND DELIVERY AREAS;

43
 44 (7) INCLUDE LIGHTING THAT ILLUMINATES ALL PARKING AREAS AND
 45 WALKWAYS AND IS FOCUSED SO AS TO PREVENT GLARE UPON SURROUNDING AREAS;
 46 AND

1 (8) BE LICENSED BY THE STATE AND SUBJECT TO STATE REGULATION AND
2 ENFORCEMENT.

3
4 (C) **Alcoholic beverages.** A VIDEO LOTTERY FACILITY MAY OPERATE ALCOHOLIC
5 BEVERAGE USES ACCESSORY TO OTHER USES IN THE W1 INDUSTRIAL PARK DISTRICT
6 AND IN A REGIONAL COMMERCIAL COMPLEX SUBJECT TO THE REQUIREMENTS OF § 18-
7 10-103 AND STATE LAW AND REGULATION.

8
9 **TITLE 12. SPECIAL USES**

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11 **18-12-301. Permitted uses; applicability.**

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13 A regional commercial complex [in existence on September 7, 2004, created under
14 Bill No. 62-98 as amended by Bill No. 80-98,] may include the uses set forth in § 18-5-102
15 for C2 and C3 Districts and the uses set forth in § 18-6-103 for a W1 District. Other
16 consistent provisions of this article also apply.

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