

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 16

Bill No. 77-23

Introduced by Mr. Volke

By the County Council, September 18, 2023

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Introduced and first read on September 18, 2023  
Public Hearing set for and held on October 16, 2023  
Public Hearing on AMENDED bill set for and held on November 6, 2023  
Bill Expires on December 22, 2023

By Order: Laura Corby, Administrative Officer

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A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Residential and Industrial Districts – Conditional  
2 and Special Exception Uses – Natural Wood Waste Recycling Facilities  
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4 FOR the purpose of allowing natural wood waste recycling facilities as a conditional use  
5 in R1 residential zoning districts; allowing the relocation or expansion of a natural  
6 wood waste recycling facility as a conditional use in a W2 industrial zoning district;  
7 establishing the conditional use requirements for natural wood waste recycling  
8 facilities; providing that certain natural wood waste recycling facilities partially located  
9 in a R1 residential zoning district and a W2 industrial zoning district do not require  
10 approval as a special exception; and generally relating to zoning.  
11

12 BY repealing and reenacting, with amendments: §§ 18-4-106; and 18-6-103  
13 Anne Arundel County Code (2005, as amended)  
14

15 BY renumbering: §§ 18-10-141 through 18-10-170, respectively, to be 18-10-142 through  
16 18-10-171, respectively  
17 Anne Arundel County Code (2005, as amended)  
18

19 BY adding: § 18-10-141; and 18-11-135(17) (as amended by Bill No. 56-23)  
20 Anne Arundel County Code (2005, as amended)

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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.  
Underlining indicates matter added to bill by amendment.  
~~Strikeover~~ indicates matter removed from bill by amendment.

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,* That §§ 18-10-141 through 18-10-170, respectively, of the Anne Arundel County Code (2005, as amended) are hereby renumbered to be §§ 18-10-142 through 18-10-171, respectively.

SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County Code (2005, as amended) (and as amended by Bill No. 56-23) read as follows:

**ARTICLE 18. ZONING**

**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 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.

<b>Permitted, Conditional, and Special Exception Uses</b>	<b>RA</b>	<b>RLD</b>	<b>R1</b>	<b>R2</b>	<b>R5</b>	<b>R10</b>	<b>R15</b>	<b>R22</b>
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Mobile home parks	SE	SE	SE	SE	SE	SE	SE	
NATURAL WOOD WASTE RECYCLING FACILITIES			C					
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**TITLE 6. INDUSTRIAL DISTRICTS**

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

The permitted, conditional, and special exception uses allowed in each of the industrial districts are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use; and A= auxiliary use to a business complex 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 permitted, conditional, and special exception uses also are allowed, except that outside storage as an accessory use in W1 is limited to 15% of the allowed lot coverage.

<b>Permitted, Conditional, and Special Exception Uses</b>	<b>W1</b>	<b>W2</b>	<b>W3</b>
***			
Natural wood waste recycling facilities		SE	SE
NATURAL WOOD WASTE RECYCLING FACILITIES, RELOCATION OR EXPANSION OF EXISTING FACILITY		C	
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**TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

**18-10-141. Natural wood waste recycling facilities.**

NATURAL WOOD WASTE RECYCLING FACILITIES SHALL COMPLY WITH ALL OF THE FOLLOWING REQUIREMENTS.

(1) THE FACILITY SHALL BE LOCATED ON A LOT OF AT LEAST 10 ACRES.

(2) IN AN R1 DISTRICT, THE FACILITY IS PART OF THE EXPANSION OR RELOCATION OF AN EXISTING FACILITY ALLOWED AS A SPECIAL EXCEPTION.

(3) THE FACILITY SHALL BE SCREENED AND BUFFERED IN ACCORDANCE WITH THE COUNTY LANDSCAPE MANUAL.

(4) ALL VEHICULAR ACCESS SHALL BE FROM A COLLECTOR ROAD, AN ARTERIAL ROAD, A FREEWAY, OR A LOCAL ROAD THAT SERVES PROPERTY THAT IS PRIMARILY ZONED INDUSTRIAL OR COMMERCIAL AND IS LOCATED BETWEEN THE FACILITY ENTRANCE AND THE FIRST INTERSECTING COLLECTOR ROAD, ARTERIAL ROAD, OR FREEWAY IN ALL DIRECTIONS.

(5) FOR THE PURPOSES OF FOREST CONSERVATION REQUIREMENTS UNDER ARTICLE 17, TITLE 6, SUBTITLE 3 OF THIS CODE, THE OFFICE OF PLANNING AND ZONING SHALL REVIEW A NATURAL WOOD WASTE RECYCLING FACILITY AS AN INDUSTRIAL SITE IN THE TARGETED GROWTH AREA.

(6) THE FACILITY IS OPERATED BY AN ENTITY THAT WAS OPERATING A NATURAL WOOD WASTE RECYCLING FACILITY ON THE EFFECTIVE DATE OF BILL NO. 77-23.

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

**18-11-135. Natural wood waste recycling facilities.**

Natural wood waste recycling facilities shall comply with all of the following requirements.

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(17) A FACILITY DOES NOT REQUIRE APPROVAL AS A SPECIAL EXCEPTION IF:

(I) IT IS PART OF THE EXPANSION OR RELOCATION OF AN EXISTING FACILITY;

(II) IT IS PARTIALLY LOCATED IN AN R1 AND W2 DISTRICT; AND

(III) THE CONDITIONAL USE REQUIREMENTS LISTED IN TITLE 10 ARE MET.

SECTION 3. *And be it further enacted,* That all references in this Ordinance to “the effective date of Bill No. 77-23”, or words to that effect, shall, upon codification, be replaced with the actual date on which this Ordinance takes effect under Section 307 of the County Charter as certified by the Administrative Officer to the County Council.

~~SECTION 3. 4.~~ *And be it further enacted,* That this Ordinance shall take effect 45 days from the date it becomes law.

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AMENDMENT ADOPTED: October 16, 2023

READ AND PASSED this 6<sup>th</sup> day of November, 2023

By Order:



Laura Corby  
Administrative Officer

PRESENTED to the County Executive for his approval this 7<sup>th</sup> day of November, 2023



Laura Corby  
Administrative Officer

APPROVED AND ENACTED this 14<sup>th</sup> day of November, 2023



Steuart Pittman  
County Executive

EFFECTIVE DATE: December 29, 2023

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF  
BILL NO. 77-23 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

A handwritten signature in black ink, appearing to read "Laura Corby". The signature is fluid and cursive, with the first name "Laura" and last name "Corby" clearly distinguishable.

Laura Corby  
Administrative Officer