

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 20

Bill No. 88-23

Introduced by Ms. Fiedler

By the County Council, November 20, 2023

Introduced and first read on November 20, 2023
Public Hearing set for and held on December 18, 2023
Bill Expires on February 23, 2024

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Accessory Structures in Front Yards

2
3 FOR the purpose of defining certain terms; establishing criteria for an accessory structure
4 to be located in the front yard of a through lot or corner through lot; requiring that the
5 prevailing front yard pattern on adjoining lots be used to determine the front yard under
6 certain circumstances; providing that an alley or easement may not be considered a
7 road for the purposes of assessing a front lot line; and generally relating to zoning.

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9 BY renumbering: § 18-1-101(80) through (167), respectively, to be § 18-1-101(83) through
10 (170), respectively
11 Anne Arundel County Code (2005, as amended)(as amended by Bill Nos. 61-23 and
12 62-23)

13
14 BY adding: §§ 18-1-101(80), (81), and (82); and 18-2-301(h)
15 Anne Arundel County Code (2005, as amended)

16
17 BY repealing and reenacting, with amendments: § 18-2-204(b)
18 Anne Arundel County Code (2005, as amended)

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20 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
21 *That § 18-1-101(80) through (167), respectively, of the Anne Arundel County Code (2005,*
22 *as amended) (and as amended by Bill Nos. 61-23 and 62-23) is hereby renumbered to be §*
23 *18-1-101(83) through (170), respectively.*

24
25 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
26 Code (2005, as amended) (and as amended by Bill Nos. 61-23 and 62-23) read as follows:

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.

ARTICLE 18. ZONING

TITLE 1. DEFINITIONS

18-1-101. Definitions.

Unless defined in this article, the Natural Resources Article of the State Code, or COMAR, words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

(80) "LOT, CORNER" MEANS A LOT THAT HAS FRONTAGE ON MORE THAN ONE INTERSECTING ROAD. FOR PURPOSES OF THIS DEFINITION, A ROAD WITH ANGLES THAT ARE 135 DEGREES OR LESS, MEASURED FROM THE CENTERLINE OF THE ROAD, IS CONSIDERED TWO INTERSECTING ROADS.

(81) "LOT, CORNER THROUGH" MEANS A LOT THAT HAS FRONTAGE ON THREE ROADS.

(82) "LOT, THROUGH" MEANS A LOT OTHER THAN A CORNER LOT OR CORNER THROUGH LOT WITH FRONTAGE ON MORE THAN ONE ROAD.

TITLE 2. USES AND STRUCTURES

18-2-204. Accessory structures.

(b) In front yard.

(1) Access ramps to accommodate a person under disability, driveways, paved or gravel at-grade surfaces, fences, noise barriers or noise walls, signs, walkways eight inches or less above grade, and walls may be located in the front yard.

(2) When a new principal structure is constructed in an RA or RLD District, an existing barn may be retained in the front yard.

(3) (I) AN ACCESSORY STRUCTURE MAY BE LOCATED IN THE FRONT YARD OF A THROUGH LOT OR CORNER THROUGH LOT PROVIDED THAT THE ACCESSORY STRUCTURE IS LOCATED IN THE FRONT YARD THAT DOES NOT PROVIDE ACCESS TO THE LOT.

(II) IF BOTH FRONT LOT LINES PROVIDE ACCESS TO THE LOT, THE PREVAILING FRONT YARD PATTERN ON ADJOINING LOTS SHALL BE USED TO DETERMINE THE FRONT YARD IN WHICH THE ACCESSORY STRUCTURES MAY BE LOCATED.

(4) ~~[[Otherwise, an]]~~ AN accessory structure may not be located in the front yard of a nonwaterfront lot.


18-2-301. Setbacks.

(H) **Setbacks from alleys and easements.** AN ALLEY OR EASEMENT FOR THE PASSAGE OF VEHICLES AND PERSONS MAY NOT BE CONSIDERED A ROAD FOR THE PURPOSES OF ASSESSING A FRONT LOT LINE.


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

READ AND PASSED this 18th day of December, 2023

By Order:


Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 19th day of December, 2023


Laura Corby
Administrative Officer

APPROVED AND ENACTED this 20th day of December, 2023


Steuart Pittman
County Executive

EFFECTIVE DATE: February 3, 2024

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I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 88-23 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 a long horizontal stroke at the end.

Laura Corby
Administrative Officer