

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2024, Legislative Day No. 1

Bill No. 3-24

Introduced by Ms. Fiedler

By the County Council, January 2, 2024

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Introduced and first read on January 2, 2024  
Public Hearing set for and held on February 5, 2024  
Public Hearing on AMENDED bill set for and held on February 20, 2024  
Bill Expires April 6, 2024

By Order: Laura Corby, Administrative Officer

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A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Maritime Districts – Neighborhood Marina  
2 Zoning District

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4 FOR the purpose of defining “dwelling, marina ~~caretakers~~ caretaker’s residence” and  
5 “neighborhood marina”; creating the ~~MA-1B~~ MA1-B Neighborhood Marina zoning  
6 district; establishing bulk regulations for ~~MA-1B~~ MA1-B zoning districts; allowing  
7 certain uses as permitted, conditional, or special exception uses in a ~~MA-1B~~ MA1-B  
8 zoning district; adding the conditional use requirements for marina ~~caretakers~~  
9 caretaker’s residence dwellings, and neighborhood marinas, and storage of watercraft,  
10 outside and dry; and generally relating to zoning.

11  
12 BY renumbering: §§ 18-1-101(47)(ii) through (ix); 18-7-102(b) through (e); 18-10-125  
13 through 18-10-140; ~~and~~ 18-10-141 through 18-10-163; and 18-10-164 through 18-10-  
14 170, respectively, to be §§ 18-1-101(47)(iii) through (x); 18-7-102(c) through (f); 18-  
15 10-126 through 18-10-141; ~~and~~ 18-10-143 through ~~18-10-172~~18-10-165; and 18-10-  
16 167 through 18-10-173, respectively  
17 Anne Arundel County Code (2005, as amended)

18  
19 BY adding: §§ 18-1-101(47)(ii) and (79)(iii); 18-7-102(b); 18-10-125; ~~and~~ 18-10-142; and  
20 18-10-166  
21 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.

1 BY repealing and reenacting, with amendments: §§ 18-2-105; 18-7-106; and 18-7-107  
2 Anne Arundel County Code (2005, as amended)

3  
4 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
5 That §§ 18-1-101(47)(ii) through (ix); 18-7-102(b) through (e); 18-10-125 through 18-10-  
6 140; ~~and~~ 18-10-141 through 18-10-163; and 18-10-164 through 18-10-170, respectively,  
7 of the Anne Arundel County Code (2005, as amended) is hereby renumbered to be §§ 18-  
8 1-101(47)(iii) through (x); 18-7-102(c) through (f); 18-10-126 through 18-10-141; ~~and~~ 18-  
9 10-143 through ~~18-10-172~~18-10-165; and 18-10-167 through 18-10-173, respectively.

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

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14 **ARTICLE 18. ZONING**

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16 **TITLE 1. DEFINITIONS**

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18 **18-1-101. Definitions.**

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

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24 (47) “Dwelling unit” means a single unit, including attached garages and decks,  
25 providing complete, independent living facilities for at least one person, including  
26 permanent provisions for sanitation, cooking, eating, sleeping, and other activities  
27 routinely associated with daily life. The following variations of “dwelling” have the  
28 meanings indicated:

29  
30 \*\*\*

31  
32 (II) “DWELLING, MARINA ~~CARETAKERS~~ CARETAKER’S RESIDENCE” MEANS A  
33 DWELLING FOR THE SOLE PURPOSE OF HOUSING A PERSON DIRECTLY INVOLVED IN THE  
34 CUSTODIAL, MANAGERIAL, OR OPERATIONAL ASPECTS OF A MARINA.

35  
36 \*\*\*

37  
38 (79) “Marina” means a facility located along the shoreline that has docks, moorings,  
39 supplies, and other services for watercraft and watercraft passengers. The following types  
40 of marinas have the meanings indicated:

41  
42 \*\*\*

43  
44 (III) “MARINA, NEIGHBORHOOD” MEANS A MARINA THAT PROVIDES LIMITED  
45 WATERCRAFT SERVICES.

**TITLE 2. GENERAL PROVISIONS**

**18-2-105. Zoning districts created.**

The following zoning districts are created:

Category	District
***	
Maritime Districts	MA1-Community Marina MA1-B NEIGHBORHOOD MARINA MA2-Light Commercial Marina MA3-Yacht Club MB-General Commercial Marina MC-Heavy Commercial Marina
***	

**TITLE 7. MARITIME DISTRICTS**

**18-7-102. Maritime Districts.**

(B) **MA1-B.** THE MA1-B-NEIGHBORHOOD MARINA DISTRICT PROVIDES LIMITED WATERCRAFT SERVICES AND ~~IS APPROPRIATE FOR MAPPING ON PROPERTIES COMPRISING LOTS MAY NOT EXCEED THREE ACRES OR LESS.~~

**18-7-106. Bulk regulations.**

Except as provided otherwise in this article, the following bulk regulations are applicable in a maritime district:

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Maximum coverage by structures and parking in MA1, MA1-B, MA2, and MA3 Districts	70% of gross area
Maximum dry storage area in MA1, MA1-B, MA2, and MA3 Districts	50% of gross area
***	

**18-7-107. Permitted, conditional, and special exception uses.**

The permitted, conditional, and special exception uses allowed in each of the Maritime group 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.

<b>Permitted, Conditional, and Special Exception Uses</b>	<b>MA1</b>	<b>MA1-B</b>	<b>MA2</b>	<b>MA3</b>	<b>MB</b>	<b>MC</b>
***						
Commercial telecommunication facilities for testing purposes or emergency services for a period not exceeding 30 days if the facility is a monopole not exceeding 100 feet in height and is located at least 300 feet from any dwelling	P	P	P	P	P	P
Community structures and club houses	P		P	P	P	P
Construction of watercraft			P		P	P
Construction or sales trailers, temporary, in an approved development actively under construction	P	P	P	P	P	P
Dwellings, [[for the sole purpose of custodial, managerial, or operational aspects of the marina]] <del>MARINA CARETAKERS</del> CARETAKER'S RESIDENCE: one for a marina with less than 250 slips; two for a marina with 250 or more slips		C	P	P	P	P
<del>DWELLING UNIT, ONE</del>		P				
Heliports					SE	SE
Home occupations	C	C	C	C	C	C
Hotels and motels					SE	SE
Ice vending machines	P	P	P	P	P	P
Launching ramps and small hoists with a maximum rated lift capacity of 4,000 pounds for the launching and removal of watercraft	P	P	P			
Launching ramps, marine railways, travel lifts, fork lifts, hoists, hydraulic trailers, and other similar facilities for the launching and removal of watercraft			P		P	P
Maintenance and repair of watercraft	P		P	P	P	P
Marinas, commercial			P		P	P
Marinas, community	P					
MARINAS, NEIGHBORHOOD		C				
Marinas, yacht club				P		
Marine fuel sales			P		P	P
Marine salvage and towing operations						P
Offices and administration facilities	P	P	P	P	P	P

<b>Permitted, Conditional, and Special Exception Uses</b>	<b>MA1</b>	<b>MA1-B</b>	<b>MA2</b>	<b>MA3</b>	<b>MB</b>	<b>MC</b>
necessary for operating the marina						
Outside storage of crab pots, nets, traps, and other similar devices if the total area of storage does not exceed 5% of the marina site			P		P	P
Personal fitness studio, water-based			P		P	P
Pile driving and marine construction operations					P	P
Piers and launching ramps, community	C					
Piers, commercial		P	P	P	P	P
Piers, recreational	C					
Public utility essential services	P	P	P	P	P	P
Public utility uses	SE	SE	SE	SE	SE	SE
Rental of watercraft, including watercraft charter operations			P		P	P
Restaurants			P	P	P	P
Sail making and sail repair					P	P
Sale of groceries, packaged alcoholic beverages, fishing supplies, and watercraft accessories			P	P	P	P
Sale of watercraft, marine engines, and watercraft trailers			P		P	P
Small Cell System	C	C	C	C	C	C
Small wind energy systems or meteorological towers on a lot of at least three acres	C	C	C	C	C	C
One small wind energy system or meteorological tower on a lot less than three acres	SE	SE	SE	SE	SE	SE
Solar energy generating facility – accessory	P	P	P	P	P	P
Staging areas for County capital projects	P	P	P	P	P	P
Storage of watercraft, covered and dry			SE	SE	C	P
Storage of watercraft, covered and wet			SE	SE	SE	P
Storage of watercraft, outside and dry	P	<del>P</del> C	P	P	P	P
Storage of watercraft in excess of 150 feet						P
Storage, multilevel watercraft rack			SE		C	P

<b>Permitted, Conditional, and Special Exception Uses</b>	<b>MA1</b>	<b>MA1-B</b>	<b>MA2</b>	<b>MA3</b>	<b>MB</b>	<b>MC</b>
Swimming pools, tennis courts, and other similar recreational facilities	P		P	P	P	P
Taverns			P		P	P
Volunteer fire stations	P	P	P	P	P	P
Water taxi landings			P		P	P
Water-related uses, including storage of seafood in live boxes, fish cleaning, and structures for the storage of crab pots, nets, traps, and similar devices			P		P	P

**TITLE 10. REQUIREMENTS FOR CONDITIONAL USES**

**18-10-125. Dwelling unit, marina caretaker’s residence.**

~~A MARINA CARETAKERS RESIDENCE DWELLING UNIT SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS:~~

~~(1) THE DWELLING SHALL BE FOR THE SOLE PURPOSE OF CUSTODIAL, MANAGERIAL, OR OPERATIONAL ASPECTS OF A MARINA.~~

~~(2) THE DWELLING SHALL BE LOCATED ON A PROPERTY OF AT LEAST ONE HALF ACRE.~~

~~(3) THE DWELLING SHALL BE OCCUPIED BY AT LEAST ONE PERSON INVOLVED IN THE CUSTODIAL, MANAGERIAL, OR OPERATIONAL ASPECT OF THE MARINA.~~

~~(4) THERE MAY BE NO MORE THAN TWO DWELLING UNITS OF ANY TYPE LOCATED ON THE PROPERTY.~~

A MARINA CARETAKER’S RESIDENCE DWELLING UNIT SHALL BE LOCATED ON A PROPERTY OF AT LEAST ONE-HALF ACRE.

**18-10-141. Neighborhood marinas.**

~~IN A MA-1B ZONING DISTRICT, A NEIGHBORHOOD MARINA MAY NOT HAVE MORE THAN 15 SLIPS.~~

A NEIGHBORHOOD MARINA SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS.

(1) A NEIGHBORHOOD MARINA MAY HAVE NO MORE THAN 20 SLIPS.

(2) IN ADDITION TO A MARINA CARETAKER’S RESIDENCE DWELLING UNIT, A NEIGHBORHOOD MARINA MAY HAVE ONE SINGLE FAMILY DETACHED DWELLING UNIT.

(3) THE LOT SIZE OF A NEIGHBORHOOD MARINA MAY NOT EXCEED THREE ACRES.

1 **18-10-166. Storage of watercraft, outside and dry.**

2

3 OUTSIDE AND DRY STORAGE OF WATERCRAFT SHALL BE LIMITED TO NON-  
4 MOTORIZED WATERCRAFT EXCEPT FOR ONE MOTORIZED WATERCRAFT NOT EXCEEDING  
5 12 FEET IN LENGTH.

6

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

AMENDMENTS ADOPTED: February 5, 2024

READ AND PASSED this 20<sup>th</sup> day of February, 2024

By Order:



Laura Corby  
Administrative Officer

PRESENTED to the County Executive for his approval this 22<sup>nd</sup> day of February, 2024



Laura Corby  
Administrative Officer

APPROVED AND ENACTED this 29th day of February, 2024



Steuart Pittman  
County Executive

EFFECTIVE DATE: April 14, 2024

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF  
BILL NO. 3-24 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" written in a larger, more prominent script than the last name "Corby".

Laura Corby  
Administrative Officer