



ANNE ARUNDEL COUNTY OFFICE OF LAW

Legislative Summary

To: Members, Anne Arundel County Council
From: Gregory J. Swain, County Attorney /s/
Date: September 16, 2024
Subject: Bill No. 74-24 – Subdivision and Development – Zoning – Farm Dual Uses

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 74-24.

Background

Bill No. 62-23 adopted certain changes to Articles 17 and 18 to implement “farm dual uses,” as currently codified in §§ 17-4-101, 18-1-101(56), 18-2-202, 18-4-106, and 18-10-128 of the County Code. Those changes would apply to properties located within the Critical Area¹, so pursuant to State law (§ 8-1801 of the *Natural Resources* Article of the Md. Code), approval of the Bill was contingent on the approval of the Critical Area Commission, as noted in Section 3 of Bill No. 62-23. The Critical Area Commission has reviewed Bill No. 62-23 and approved the Bill contingent on certain changes to limit the application of the farm dual use provisions of the Bill to properties outside the Critical Area. *See attached* August 9, 2024 letter from the Critical Area Commission.

Purpose

The purpose of Bill No. 74-24 is to revise §§ 17-4-101 and 18-2-202 of the County Code to implement the changes requested by the Critical Area Commission.

Bill No. 74-24

SECTION 1.

Subsection 17-4-101(7) of the County Code is revised to provide that the exemption from a site development plan for farm dual uses does not apply to properties located within the Critical Area.

¹ The “Critical Area” consists of “all land and water areas within 1,000 feet beyond the landward boundaries of State or private wetlands and the heads of tides designated under Title 16 of the Environment Article.” § 8-1807(a)(2), *Natural Resources* Article, Md. Code.

Note: This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

Subsection 18-2-202(d) of the County Code is revised to provide that the exemption from the site plan requirement for a zoning certificate of use application for a farm dual use does not apply to properties located within the Critical Area.

SECTION 2.

This section provides that the bill takes effect 45 days after it becomes law.

The Office of Law is available to answer any additional questions regarding this Bill.
Thank you.

cc: Honorable Steuart Pittman, County Executive
Christine Anderson, Chief Administrative Officer
Jenny Proebstle, Chief of Staff
Ethan Hunt, Government Relations Officer
Chris Trumbauer, Budget Officer
Jenny Dempsey, Planning and Zoning Officer