



Anne Arundel Soil Conservation District

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Advancing the Wise Stewardship of Our Natural Resources

Agricultural Structures Checklist and Information Sheet

This document provides quick, general information on the agricultural Structures and how they may be exempt from the building and grading permit. Their exemption still requires following both the Maryland Department of the Environment (MDE) and Anne Arundel County regulations.

Agricultural Structures *may be* exempt from a County issued Building Permit and Grading Permit but not necessarily from obtaining a Sediment and Erosion Control Plan or from addressing Stormwater Management.

Step 1: Definitions: What is an agricultural structure?

(Structure must meet both definitions to be exempt from the Building Permit).

MDE Definition:

A building that is integral to the operation of the farm it is built on and is used for:

- ☐ The storage of equipment or materials used on the farm;
- ☐ The storage of farm products;
- ☐ The basic processing of farm products including cutting, drying and packing necessary to store and market these products.

Anne Arundel County Definition:

Per Anne Arundel County Code 105.2.1.14, agricultural structures are livestock shelters, livestock buildings, shade structures, milking barns, poultry shelters, barns and structures used for storage of farm equipment and machinery, horticulture structures, detached production greenhouses, crop protection shelters, sheds, grain silos, riding arenas not open to the public, stables and building or structure for farm wineries on farms of at least 20 acres with State approved Farm Management Plans where at least 75% of the grapes processed into wine are grown on the farm.

Types of buildings not exempt from Anne Arundel County Code 105.2.1.14:

- ☐ When housing livestock, horses, equipment, machinery or fowl owned by others than the landowner or farm manager, unless covered by terms of a written agreement.
- ☐ Buildings open to the general public for commercial, recreation or other use.
- ☐ A building which exceeds 40 feet in height.
- ☐ A building located within 60 feet from another building unless exempted by Fire Chief or his designee.

If your building is not exempt from obtaining a building permit, contact Inspections and Permits and apply for a building permit.

If you meet the definitions and are exempt, go to step 2.

Step 2: You must also meet one of these zoning requirements in order to be exempt from the building permit under Anne Arundel County Code 105.2.1.14.6:

- ☐ The property on which the building will be placed must be zoned Rural Agriculture (RA) or Residential Low Density (RLD).
- ☐ If zoned other than RA or RLD, the property must be assessed as agricultural by the Maryland State Department of Assessments and Taxation.

If you meet one of the requirements above, go to step 3.

Step 3: Are you constructing a building that meets the above definitions of an agricultural structure and zoning requirements?

- ☐ If yes, complete the *Landowner's Worksheet Guide for Agriculture Structures in Anne Arundel County*, and read below for other requirements that must be addressed regarding land grading and storm water management.

If you meet the above requirements to be exempt from the Building Permit, what is required to construct an agricultural building?

- ☐ A current Soil and Water Quality Plan, also known as a “farm plan” provided by the AASCD.
- ☐ Compliance with MDE Erosion and Sediment Control (See table below).
- ☐ Compliance with MDE Stormwater Management (See table below).
- ☐ National Pollutant Discharge Elimination System (NPDES) General Permit (See table below).

Activity (Area Disturbed*)	Sediment and Erosion Control Plan Required	Stormwater Management Required	NPDES**General Permit for Construction Activity Required
<5000 sq. feet	Standard Plan Only	No	No
≥5000 feet thru 1 Acre	Standard Plan Only	Yes	No
>1 Acre	Yes	Yes	Yes

* Area disturbed includes: access roads, staging areas, parking lots, etc.

** National Pollutant Discharge Elimination System

How do I obtain a sediment and erosion control plan?

Solicit a consultant to develop a Sediment and Erosion Control Plan for the construction of your building. The plan must be signed by one of the following, a professional engineer, landscape architect or land surveyor.

How do I address Stormwater Management?

For 5,000 square feet to 1 Acre of disturbance: Complete the August 2013 Maryland Department of the Environment, Water Management Administration, Standard Stormwater Management Plan for Agricultural Structures. Available at the District.

For disturbance exceeding 1 acre: Stormwater Management must be addressed for all impervious areas in accordance with the 2000 Maryland Stormwater Design Manual or storm water may be addressed through the installation of a pond meeting the Natural Resources Conservation Service (NRCS) standard for ponds (378) or

other ponds approved by the district. *Your consultant that is developing your Sediment and Erosion Control Plan will also address Stormwater Management.*

How do I obtain the NPDES permit requirement?

Submit a Notice of Intent (NOI) to MDE. *Your consultant will do this for you.*

Who do you submit the required information to?

The Landowner's Worksheet Guide for Agriculture Structures in Anne Arundel County, Sediment and Erosion Control Plan and Stormwater Management Plan are all submitted to the Anne Arundel Soil Conservation District (AASCD).

The NOI must be submitted to MDE with a copy submitted to AASCD.

Are trade permits necessary if the structure is exempt from the building?

Yes. Trade permits for water, electric, mechanical or plumbing must be obtained from the Anne Arundel County Permit Center.

You are responsible for contacting the following before you begin construction:

- ☐ Before you dig: Miss Utility 1-800-257-7777
- ☐ Agriculture Land Preservation: Anne Arundel County Recreation and Parks Department 410-222-7317
- ☐ Tree removal: Anne Arundel County Forestry 410-222-7441
- ☐ Septic Field Encroachment: Anne Arundel County Health Department 410-222-7193
- ☐ Easement Encroachment: Anne Arundel County Planning and Zoning 410-222-7437

Before you begin construction:

Did you meet the definition of an agricultural structure? Yes___ No___

Did you meet the zoning requirements? Yes___ No___

If yes to both, did you obtain all the documents for your situation? See below.

- ☐ Do you have a Soil and Water Quality Plan and;
- ☐ Have completed the Landowner's Worksheet Guide for Agriculture Structures form and are you;
- ☐ Exempt from Sediment and Erosion Control Plan; or
- ☐ Need a Sediment and Erosion Control Plan and; are
- ☐ Exempt from Stormwater Management; or
- ☐ Standard Stormwater Management Plan applies; or
- ☐ Stormwater practices need to be designed by a professional from the Maryland Stormwater Design Manual; and
- ☐ Do you need to submit a Notice of Intent to MDE?