



Anne Arundel Soil Conservation District

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Anne Arundel Soil Conservation Board of Supervisors

Resolution 2022-2

PROCEDURE FOR APPROVAL OF A BUILDING PERMIT EXEMPTIONS FOR AGRICULTURAL BUILDINGS

In accordance with Anne Arundel County Code, Subtitle 2. Grading Permit §16-3-201 under Approval Required; Exceptions the Anne Arundel Soil Conservation District shall approve the Agricultural Standard Grading Plans* and Soil Conservation and Water Quality Plans for the purpose of exempting agricultural buildings from obtaining a building permit. Agricultural buildings are defined in the Anne Arundel County Construction Code, §105.2.1.14.

Procedure:

The Anne Arundel Soil Conservation District Board of Supervisors shall review applications for building permit exemptions during their monthly board meetings. Before the scheduled board meeting, a Soil Conservation District employee shall make available to the applicant the Agricultural Standard Grading Plan, and a Cooperator Agreement form. The applicant will need to complete both forms, returning them to the District for review and submittal at the next available monthly board meeting. At this time the District will collect a non-refundable administration fee of \$700.00. The Board of Supervisors shall review the Cooperator Agreement and Agricultural Standard Grading Plan and if all information on both forms is deemed correct, shall approve the Agricultural Standard Grading Plan and Cooperator Agreement. A Soil Conservation and Water Quality Plan commonly known as a Farm Plan, shall be developed with the cooperation of the landowner by a district employee or one of its partners. Once developed, the Farm Plan will be presented to the Board of Supervisors during a scheduled meeting for approval. The new or revised Farm Plan can be approved concurrently with the Agricultural Standard Grading Plan and Cooperators Agreement. Once approved, a copy of the Farm Plan and the above-mentioned documents will be given to the applicant. The District shall send the Agricultural Standard Grading Plan, and a copy of the Farm Plan aerial photo to the Anne Arundel County Department of Inspections and Permits (I&P) and the Office of the Fire Marshal. The Agricultural Standard Grading Plan will be reviewed by the Code Compliance Division of I&P and the Fire Marshal for approval to grade the building site. I&P and the Office of the Fire Marshal will inform the District if there are any code compliance issues. If none, the applicant may start their building construction. This will provide documentation if the landowner wishes to pursue applying for trade permits from the County. The Soil Conservation District does not have the authority to regulate or issue penalties for violations of the County Code and therefore will

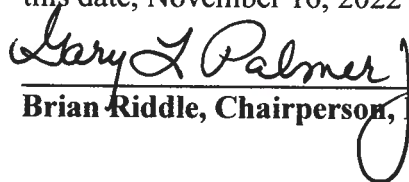
rely on I&P to monitor sediment and erosion control compliance and use of the building as stated in the definition of agricultural buildings.

Requirement:

An Agricultural Standard Grading Plan is required when the construction of, and grading for, an agricultural building of any size greater than 64 square feet that involves disturbing between 5,000 square feet and one acre of land. In addition, an erosion and sediment control plan approved by the District is required in lieu of a standard grading plan or grading permit for agricultural buildings that involve disturbing more than one acre of land. Disturbance shall include a minimum of 15 feet measured perpendicular from the footprint of the building on all sides. The development of a Soil Conservation and Water Quality Plan can be accomplished by District employees and or employees of the Maryland Department of Agriculture or the Natural Resourced Conservation Service.

Above references to the Anne Arundel Code are included in this resolution.

Agricultural Building Permit Exemption
Affirmed by the Anne Arundel Soil
Conservation District Board of Supervisors
this date, November 16, 2022

 FOR

Brian Riddle, Chairperson, Board of Supervisor

*Reference Resolution 2017-2 - Standard Grading Plan for Agricultural Structures

Anne Arundel County Code

SUBTITLE 2. GRADING PERMIT

§ 16-3-201. Approval required; exceptions.

(a) **Approval required.** Except as provided in subsection (b), a person may not:

- (1) grade without a grading permit issued by the Department;
- (2) clear or grade in the critical area buffer, expanded buffer, or buffer modification area described in § 18-13-104 of this Code without a standard grading plan, a grading permit, or an approved vegetation management plan, buffer management plan or forest management plan; or
- (3) do logging without a grading permit issued by the Department.

(b) **Exceptions.** Approval is not required for clearing or grading associated with:

(1) agricultural land management practices or agricultural buildings, as defined in Article 15, except that an approved standard grading plan that is also approved by the Anne Arundel Soil Conservation District is required for agricultural buildings that involve disturbing between 5,000 square feet and one acre of land. In addition, an erosion and sediment control plan approved by the Anne Arundel Soil Conservation District is required in lieu of a standard grading plan or grading permit for agricultural buildings that involve disturbing more than one acre of land;

(2) the laying of water, sewer, gas, electrical, telephone, or cable television lines that disturbs less than 100 linear feet, or 500 linear feet for individual single family residential lots provided the overall disturbance is less than 5,000 square feet;

(3) activities that are subject exclusively to State approval and enforcement under State law;

(4) activities under a standard grading plan approved by the Department under § 16-3-202;
or

(5) disturbing less than 5,000 square feet of land or unless prohibited by subsection (a)(2) of this section or other applicable State or federal law.

Anne Arundel County Construction Code

105.2.1.14 Agricultural buildings, specifically livestock shelters, livestock buildings, shade structures, milking barns, poultry shelters, barns, buildings and structures used for storage of farm equipment and machinery, horticultural structures, detached production greenhouses, crop protection shelters, sheds, grain silos, riding arenas not open to the general public, stables, and buildings or structures 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.