

COUNTY ORDINANCE NO. 09-01

A BILL ENTITLED

AN ACT CONCERNING Agricultural / Equestrian Events and Facilities in the Agricultural (AG) District of Queen Anne's County.

FOR THE PURPOSE of permitting Agricultural / Equestrian Events and Agricultural / Equestrian Facilities in the Agricultural (AG) District, providing regulations pertaining to such uses, adding the term "equine" to the definition of Agriculture, and defining Agricultural / Equestrian activity, Agricultural / Equestrian event, Agricultural / Equestrian facility, Audit fee, and Farm building in Queen Anne's County.

BY AMENDING Section 18:1-14.B., by adding a new section to Section 18:1-58, and by amending Section 18 App-1 Definitions of the Code of Public Local Laws of Queen Anne's County, Maryland.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Section 18:1-14 and the Code of Public Local Laws be amended to read as follows:

ARTICLE V District Standards

§ 18:1-14. *Agricultural (AG) District.*

...

B. Permitted uses.

...

(3) Agricultural / Equestrian Activity.

(4) Agricultural / Equestrian Events as provided in '18:1-58 L.

~~(3)~~ (5) Aquaculture, with up to two ponds created by extraction, that are each less than or equal to five acres in size, on any single lot.

...

SECTION II

BE IT FURTHER ENACTED that a new Section 18:1-58. L. be added to the Code of Public Local Laws of Queen Anne's County, Maryland to read as follows:

Article VII Supplemental Uses

§ 18:1-58. Additional Uses and Regulations.

. . .

L. Agricultural / Equestrian Standards as a Permitted Use in the Agricultural Zone.

(1) Agricultural / Equestrian Events:

(a) The standards of this subsection shall not apply to 4-H, FFA (Future Farmers of America), non-profit youth events, educational events and other agricultural / equestrian activities, as defined in this Chapter 18, provided that fees are not charged for public attendance, unless it is an audit fee for education purposes.

(b) No more than ten (10) agricultural / equestrian events, as defined by this Chapter 18, where an admittance fee is charged for spectators, may take place each calendar year.

(c) A permit must be obtained from the Department for each event which shall limit the event to not more than three (3) consecutive days. A fee for issuance of the permit may be set by the Department. The applicant must specify the following:

[1] The nature of the event;

[2] The anticipated attendance of spectators and participants;

[3] The number of days the event will take place;

[4] The hours during which the event will take place;

[5] The area to be used for parking;

[6] Any traffic control measures intended to be put in place;

[7] Any other information determined by the Department to be relevant to the issuance of the permit.

(2) Setbacks:

(a) Each agricultural / equestrian facility shall be located at least 100 feet from any existing dwelling.

(3) Lighting:

(a) Any outdoor arena lighting shall comply with the §18:1-85 of this Chapter 18:1.

(4) Overnight accommodations are prohibited for spectators.

. . .

SECTION III

BE IT FURTHER ENACTED, that new definitions be added to Section 18 App-1 Definitions of the Code of Public Local Laws to read as follows:

Chapter 18 App Appendix A: Glossary

. . .

§ 18App-1. Definitions

In Chapter 18, the following words have the meanings indicated:

Agriculture: All methods of production or management of

livestock, poultry, crops, vegetation and soil, other than commercial logging and timber harvesting operations; and includes but is not limited to:

- A. Tillage, plowing, seeding, fertilization, pest control, harvesting, maintenance of best management practices, and marketing;
- B. Feeding, housing, grazing, raising, and maintaining animals such as cattle, dairy cow, sheep, hogs, poultry and equine and the handling of their by-products;
- C. Orchards, nurseries, vineyards, cheese making, winery and U-pick operations; and
- D. Silviculture, sod production, and aquaculture.

Agricultural / Equestrian activity: The care, breeding, boarding, rental, riding or training of equines and other farm animals or the teaching of equestrian skill and open houses, clinics and demonstrations.

Agricultural / Equestrian event: A competition, exhibition, or other display of skills on private lands, where an admittance fee is charged for spectators.

Agricultural / Equestrian facility: Any private land area, building or structure that is used for an agricultural / equestrian event.

Audit fee: A fee paid by a participant attending an educational event or activity for instruction who does not bring an animal.

Farm Building: A structure utilized to store farm implements, hay, feed, grain, or other agricultural or horticultural products or to house poultry, livestock, or other farm animals. Such structure shall not include habitable or occupiable spaces, spaces in which agricultural products are processed, treated, or packaged; nor shall a farm building be a place of occupancy by the general public.

SECTION IV

BE IT FURTHER ENACTED that this Act shall take effect on the forty-sixth (46th) day following its enactment.

INTRODUCED BY: Commissioner Gunther

CO-SPONSORED BY: Commissioner Wargotz

DATE: January 27, 2009

PUBLIC HEARING HELD: February 24, 2009 @ 7:00 p.m.

VOTE: 5 Yea 0 Nay

DATE OF ADOPTION: February 24, 2009

DATE EFFECTIVE: April 11, 2009