

**COUNTY ORDINANCE NO. 09-20**

**A BILL ENTITLED**

**AN ACT CONCERNING the location of Shallow Water Areas for Wildlife and Constructed Wetlands in Queen Anne’s County, Maryland.**

**FOR THE PURPOSE of providing setbacks for location of Shallow Water Areas for Wildlife and Constructed Wetlands from property lines in the Agricultural (AG) and Countryside (CS) Districts and from common property lines of parcels containing existing residences;**

**BY ADDING Section 18:1-58 J. and adding a definition of “Shallow Water Areas for Wildlife” to 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 a new Section 18:1-58 J. be added to the Code of Public Local Laws to read as follows:**

**§18:1-58. Additional uses and regulations.**

**...**

**J. Shallow water areas for wildlife and constructed wetlands shall be located:**

- (1) At least 100 feet from any property line in the Agricultural (AG) or Countryside (CS) Districts;**
- (2) At least 300 feet from the common property line when an existing residence, not located on the subject property, is within 300 feet or less of the common property line;**
- (3) At least 300 feet from all other zoning district boundaries; and**
- (4) At least 300 feet from the common property line of any vacant existing lot of record which is less than 5 acres in size.**

**SECTION II**

**BE IT FURTHER ENACTED** that the following definition be added to §18 App – 1. Definitions of the Code of Public Local Laws:

**SHALLOW WATER AREA FOR WILDLIFE** – any earthen structure or empoundment constructed to retain water for the primary purpose of attracting waterfowl or other wildlife.

**SECTION III**

**BE IT FURTHER ENACTED** that upon introduction this Bill shall be referred to the Queen Anne’s County Planning Commission for its review and recommendation.

**SECTION IV**

**BE IT FURTHER ENACTED** that this Ordinance shall be effect on the forty-sixth (46<sup>th</sup>) day following its enactment.

**INTRODUCED BY:** Commissioner Gunther

**CO-SPONSORED BY:** Commissioners Fordonski and Wargotz

**DATE:** July 28, 2009

**PUBLIC HEARING HELD:** \_\_\_\_\_

**VOTE:** \_\_\_\_\_ Yea \_\_\_\_\_ Nay

**DATE OF ADOPTION:** Withdrawn – August 25, 2009