

COUNTY ORDINANCE NO. 08-14

A BILL ENTITLED

AN ACT CONCERNING Agricultural / Equestrian Events and Agricultural / Equestrian Facilities;

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 event-limited, Agricultural / Equestrian event major, Agricultural / Equestrian event- minor, Agricultural / Equestrian facility, 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 be amended to read as follows:

Article V District Standards

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

...

B. Permitted uses.

...

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

(4) Agricultural / Equestrian Facility.

~~(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 Facility Standards as a Permitted Use in the Agricultural Zone.

(1) Agricultural / Equestrian Events:

- (a) Any agricultural / equestrian event that does not involve more than twenty-five (25) participants and spectators may take place on any site that has at least eighteen (18) acres.
- (b) A limited agricultural / equestrian event may take place on Saturdays, Sundays, Holidays and not more than six (6) weekdays in any calendar month on any site that has at least eighteen (18) acres.
- (c) No more than seven (7) minor agricultural / equestrian events may take place each year on any site that has at least twenty-five (25) acres.
- (d) No more than three (3) major agricultural / equestrian events may take place each calendar year on any site that has at least seventy-five (75) acres and that has direct access to a roadway with a minor, arterial or collector classification, as designated by the State Highway Administration or the Comprehensive Plan. A permit must be obtained from the Department for each major event which shall limit the major event to not more than three (3) consecutive days. The applicant must specify the nature of the event, the anticipated attendance of spectators and participants, the number of days the event will take place, the hours

during which the event will take place, the area to be used for parking, any traffic control measures intended to be put in place, and any other information determined by the Department to be relevant to the issuance of the permit. A fee for issuance of the permit may be set by the Department.

(e) A maximum of ten (10) major and minor agricultural / equestrian events may take place each calendar year at any agricultural / equestrian facility.

(f) An agricultural / equestrian event must not be held on a site that does not have the minimum acreage specified in this subsection.

(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.

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 horses and other farm animals or the teaching of equestrian skill, on private lands.

Agricultural / Equestrian event: A competition, exhibition, or other display of skills on private lands.

Agricultural / Equestrian event, limited: A competitive or non-competitive event that involves between twenty-six (26) and fifty (50) participants and spectators, per day.

Agricultural / Equestrian event, major: A competitive or non-competitive event that involves between 151 and 300 participants and spectators, per day.

Agricultural / Equestrian event, minor: A competitive or non-competitive event that involves between fifty-one (51) and 150 participants or spectators, per day.

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

...

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 an

agricultural 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 (46) day following its enactment.

INTRODUCED BY: Commissioner Paul Gunther

CO-SPONSORED BY: Commissioner Wargotz

DATE: September 9, 2008

PUBLIC HEARING HELD: September 23, 2008 @ 7:10 p.m.

VOTE: _____ Yea _____ Nay

DATE OF ADOPTION: Withdrawn - January 27, 2009

FISCAL IMPACT NOTE

Legislation No: 0-08-14 **Hearing Date:** 9-23-08
Date Introduced: 9-9-08 **Note Date:** 9-23-08

Legislation Title: Agricultural/Equestrian Events and Facilities.

Description:

The purpose of this legislation is to permit agricultural/equestrian events and facilities in the Agricultural (AG) District, providing regulations pertaining to such uses, and adding the term "equine" to the definition of Agriculture.

Analysis of Fiscal Impact:

This legislation simply adds another permitted use to the Agricultural District, and is not expected to generate any significant fiscal impact.