

AMENDMENT NO. 1 TO
COUNTY ORDINANCE NO. 08-15

AN AMENDMENT TO
A BILL ENTITLED

AN ACT CONCERNING Minor Extraction and Dredge Disposal Uses
in Queen Anne's County.

FOR THE PURPOSE of amending pending County Ordinance 08-15 to provide that minor extraction and dredge disposal uses are a permitted use in the Agricultural (AG) District on parcels that have not been subject to a cluster subdivision nor area a developed parcel for noncontiguous development, and to provide that minor extraction and dredge disposals uses are a conditional use on parcels that have been subject to cluster subdivision or are a developed parcel for noncontiguous development, provided that such conditional use in not located within required open space.

BY AMENDING Section I of pending County Ordinance 08-15 to modify Sections 18:1-14.B. (19) and 18:1-14.C. (8) .

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Section I of pending County Ordinance 08-15 be amended to read as follows:

ARTICLE IV

. . .

§ 18:1-12. Permitted uses in open space.

- A. *The following are permitted or conditional uses allowed in open space areas required by this Chapter 18:1. Any use not specifically listed below is not permitted in required open space areas. [Amended 6-12-2007 by Ord. No. 06-22]*

	A	B	C		
	<i>Non-contiguous Open Space/TDR</i>	<i>Multifamily/ Manufactured Home Community/ Master Planned Residential Development</i>	<i>Single-Family Cluster Development</i>		
Allowable Uses			AG/CS	NC	All Other
<i>Agricultural uses</i>	Y	N	Y	Y	Y

Fields or pastures	Y	Y	Y	Y	Y
Accessory building	Y	Y	Y	Y	C
Commercial forestry	Y	N	Y***	C	C
Non-commercial forestry	Y	N	Y	Y	Y
Commercial stables	Y	N	Y	C	C
Public recreation	Y*	N	N	N	N
Private stables	Y	N	Y	Y	Y
Nurseries	Y	C	Y	C	Y
Farm employee dwelling	Y/N	N	Y	N	Y
Drainage structures	Y	C	Y	Y	Y
<u>Minor extraction that does not require the issuance of a Surface Mining Permit in accordance with COMAR 26.21.01.08 (C), (D), (E) and (F) and dredge disposal uses</u>	Y	N	Y	C	Y
Shooting clubs	C	N	C	C	C
Outdoor recreation	C	Y**	Y	C	C

NOTES:

* Public recreational uses that include more than 10,000 square feet of enclosed floor area or are greater than one story in height shall be allowed only as a conditional use.

** See § § 18:1-26 to 18:1-33, district regulations, for additional open space requirements.

*** Commercial forestry requires Planning Commission review and approval in accordance with Subsection G of this section and §§ 18:2-16, 18:2-19, and 18:2-23 of this Chapter 18.

...

ARTICLE V District Standards

...

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

...
B. Permitted uses.

...
(19) Minor extraction and dredge disposal uses:

(a) Minor extraction that does not require the issuance of a Surface Mining Permit in accordance with COMAR 26.21.01.08 (C), (D), (E) and (F).

(b) Minor extraction and dredge disposal uses provided that the parcel has not been subject to a cluster subdivision nor is the parcel a developed parcel for noncontiguous development as defined by this Chapter 18

. . .

C. Conditional uses. *[Amended 9-5-2006 by Ord. No. 06-10]*

. . .

(7) Major extraction and dredge disposal.

(8) Minor extraction and dredge disposal uses:

(a) Minor extraction that require a Surface Mining License in accordance with COMAR 26.21.01

(b) Minor extraction and dredge disposal uses on a parcel that has been subject to a cluster subdivision or a parcel that is a developed parcel for noncontiguous development, provided that the use is not located within required open space areas.

~~(8)~~ (9) Fraternal organizations.

. . .

SECTION II

BE IT FURTHER ENACTED that this Amendment shall take effect upon its adoption.

AMENDMENT INTRODUCED BY: Commissioner Gunther

DATE: August 5, 2008

VOTE ON AMENDMENT: 5 Yea 0 Nay

DATE OF VOTE: August 5, 2008