

COUNTY ORDINANCE NO. 08-20

A BILL ENTITLED

AN ACT CONCERNING Major Extraction Operations;

FOR THE PURPOSE of imposing additional standards on Major Extraction Operations in Queen Anne's County and clarifying the definition of "Major Extraction and Dredge Disposal Use".

BY ADDING Section 18:1-95 E. (9) to, and amending Chapter 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 a new Section 18:1-95 E. (9) be added to the Code of Public Local Laws of Queen Anne's County, Maryland to read as follows:

§18:1-95. Additional standards for specified conditional uses.

...

E. Major extraction, major and minor dredge disposal and organic fertilizer storage and transfer operations.

...

(9) Major Extraction Operations.

(a) Major extraction operations shall comply with the performance standards specified in this subsection.

(b) The maximum area disturbed by any major extraction operations shall not exceed twenty (20) acres.

(c) A major extraction operation may not exceed seven (7) years.

(d) No major extraction operation shall be allowed where the actual travel distance to a major highway (a divided highway of 4 lanes or greater) exceeds one (1) mile.

(e) No more than one major extraction operation shall be permitted on any lot of record as of September 9,

2008.

SECTION II

BE IT FURTHER ENACTED that the definition of "Major Extraction and Dredge Disposal Use" in Chapter 18 App. Definitions of the Code of Public Local Laws be amended to read as follows:

MAJOR EXTRACTION AND DREDGE DISPOSAL USE. All extraction operations that disturb more than five acres (including any area disturbed by a prior extraction operation on the same parcel), except extraction associated with aquaculture; dredge disposal uses that disturb more than 10 acres of land; and all non-lateral oil and gas drilling and extraction.

SECTION III

BE IT FURTHER ENACTED that this Bill is and shall be declared an emergency bill affecting the public health, safety and welfare and shall take effect immediately upon its passage or ten (10) days after the date of the public hearing whichever is later.

INTRODUCED BY: Commissioner Wargotz

CO-SPONSORED BY: Commissioners Ransom and Fordonski

DATE: September 9, 2008

PUBLIC HEARING HELD: March 24, 2009 @ 6:45

VOTE: 5 Yea 0 Nay

DATE OF ADOPTION: April 14, 2009

Please refer to the amendment.
This Ordinance was Adopted as Amended.

FISCAL IMPACT NOTE

Legislation No: 0-08-20
Date Introduced: 9-9-08

Hearing Date:
Note Date: 9-23-08

Legislation Title: Major Extraction Operations

Description:

The purpose of this legislation is to impose additional standards on major extraction operations in Queen Anne's County, and to clarify the definition of "major extraction and dredge disposal use".

Analysis of Fiscal Impact:

This legislation expands the definition of "major extraction and disposal area" to include any area disturbed by a prior extraction operation on the same parcel. Fiscal impact resulting from this legislation cannot be estimated at this time.