



*Queen
Anne's
County*

**DEPARTMENT OF LAND USE, GROWTH
MANAGEMENT & ENVIRONMENT**

160 Coursevall Drive
Centreville, MD 21617

Telephone Community Planning: (410) 758-1255
Fax Community Planning: (410) 758-2905
Telephone Land Use: (410) 758-1255
Fax Land Use: (410) 758-2905
Telephone Permits: (410) 758-4088
Fax Permits: (410) 758-3972

County Commissioners:

Eric S. Wargotz, M.D., Commission President
Courtney M. Billups, District 1
Paul L. Gunther, District 2
Gene M. Ransom III, District 3
Carol R. Fordonski, District 4

**ACTION: INTRODUCE AMENDMENT NUMBER 1 TO COUNTY ORDINANCE # 08-14 AS
RECOMMENDED BY THE PLANNING COMMISSION.**

TO: COUNTY COMMISSIONERS
FROM: Robert T. Gunter, Community Planner
DATE: December 11, 2008
RE: TA #08-14 Agricultural / Equestrian Events
Article V. District Standards
§ 18:1-14. B. Agricultural (AG) District - Permitted Uses
Article VII. Supplemental Uses
§ 18:1-58. L. Additional Uses and Regulations – Agricultural / Equestrian
Standards as a Permitted Use in the Agricultural Zone.
Chapter 18 App-1. Definitions. Appendix A: Glossary

BACKGROUND:

In the spring of 2008, the Queen Anne's County Commissioners forwarded a draft ordinance titled *An Act Concerning Permitted Uses in Open Space* to the Planning Commission for review and recommendation. At the May 8th Planning Commission Meeting, staff was requested to review Chapter 18 regulations and provide information for a work session to be held at the June 12th Planning Commission Meeting. The work session was held and the Planning Commission directed staff to draft specific text for agricultural / equestrian facilities and events in the Agricultural (AG) District. On August 19th, TA #08-14 was presented to the Planning Commission and a favorable recommendation was forwarded to the County Commissioners.

On September 23, 2008 the County Commissioners held a public hearing regarding this amendment. Subsequently the County Commissioners returned the Text Amendment to the Planning Commission requesting that modifications be considered.

On October 14, 2008 a meeting was held with staff and members of the local equine community, including Commissioner Gunther. TA #08-14 was discussed and modified. The proposed text, as recommended by the Planning Commission, reflects the outcome of that meeting.

OBJECTIVE:

TA #08-14 proposes to amend Chapter 18 by:

- Modifying the permitted uses in the Section 18:1-14, Agricultural (AG) zoning district.
- Modifying Section 18:1-58, Additional Uses and Regulations.
- Amending the Glossary with an addition to the definition of *agriculture*.

- Amending the Glossary with new definitions for:
 - *Agricultural /Equestrian activity*
 - *Agricultural / Equestrian event*
 - *Agricultural / Equestrian facility*
 - *Audit fee*
 - *Farm building*

PROPOSED AMENDMENTS TO CHAPTER 18 TEXT:

The amendments pertaining to Chapter 18 in TA #08-14 are reflected in the following underlined text for new wording to Chapter 18.

Article V District Standards

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

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B. Permitted uses.

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(3) Agricultural / Equestrian Activity

(4) Agricultural / Equestrian Events as per §18:1-58 (L) of this Chapter 18:1.

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Article VII Supplemental Uses

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

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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.

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**Chapter 18 App
Appendix A: Glossary**

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§ 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.*

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission forwards a favorable recommendation on TA #08-14 as presented herein.

RTG:rtg