

COUNTY ORDINANCE NO. 24-14

A BILL ENTITLED

AN ACT CONCERNING Impact Fees on Farm Employee Dwellings
Constructed on Land Subject to a Conservation Easement.

FOR THE PURPOSE of exempting farm employee dwellings from impact fees on property subject to certain conservation easements, defining the types of conservation easements which qualify for such exemption and generally dealing with and clarifying the imposition of impact fees with respect to farm employee dwellings.

BY AMENDING Section 18:3-5 D(1)(c) 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 18:3-5 D(1)(c) of the Code of Public Local Laws of Queen Anne's County be and is hereby AMENDED to read as follows:

Chapter 18:3. Development Impact Fees.

§18:3-5 Applicability of development of Impact Fees.

...

D. Exempt *development*.

(1) The following land use types shall be exempt, either in whole or in part, from the requirements of this chapter 18:3 as follows:

(a) No development *impact fees* shall be imposed on *nonresidential development* on a farm.

(b) No development *impact fees* shall be imposed upon any applicant for a building permit for residential housing units that are subsidized by an *municipal corporation, County, state, or the federal government* and are intended for low-income owners or tenants.

(c) No development *impact fees* shall be imposed on *farm employee dwellings* that:

[1] Are proposed within an AG Zoning District or CS Zoning District; and

[2] ~~Are either subject to a MALPF easement or are located in a MALPF District.~~

[2] Are subject to a conservation easement, covenant, or restriction, reserved or donated to the Maryland Agricultural Land Preservation Foundation, the Maryland Environmental Trust, a land trust as defined in §3-2A-01 of the Natural Resource Article, Queen Anne’s County or the Department of Natural Resources.

(d) Development *impact fees* imposed on *nonresidential development* within a designated growth area or incorporated town shall be imposed in an amount that is 50% below that required pursuant to §18:3-15 of this Chapter 18:3.

(e) Development *impact fees* imposed on *nonresidential development* outside of a designated growth area or incorporated town shall be imposed in an amount that is 25% below that required pursuant to §18:3-15 of this Chapter 18:3.

(2) On an annual basis, the Finance Director shall transfer funds equal in amount to those exempted or reduced over the previous year, pursuant to Subsection D(1)(d) and (c), above, from a source other than *impact fees* into the appropriate development *impact fee* account.

(3) In no event shall *impact fees* be increased or appropriated to offset the impact of an exempt use on public facilities, and nor shall the adopted level of service be reduced as a result of an exempt use.

SECTION II

BE IT FURTHER ENACTED that this Ordinance shall be effective on the forty-sixth (46th) day following its adoption.

INTRODUCED BY: Commissioner Wilson

DATE: September 24, 2024

PUBLIC HEARING HELD: October 22, 2024

VOTE: 5 Yea 0 Nay

DATE OF ADOPTION: November 12, 2024