

COUNTY COUNCIL

OF

DORCHESTER COUNTY, MARYLAND

2020 Legislative Session,
Legislative Day No. 5

Introduced By: County Council

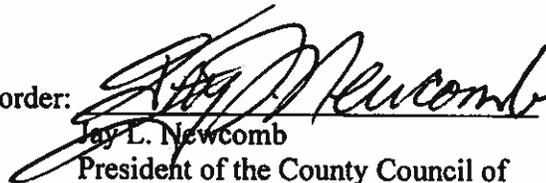
BILL NO. 2020- 4

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND ACTING PURSUANT TO THE LAND USE ARTICLE OF THE MARYLAND ANNOTATED CODE, WHICH ENTRUSTS LOCAL JURISDICTIONS WITH LAND USE PLANNING AUTHORITY TO GUIDE GROWTH AND DEVELOPMENT AND ACTING PURSUANT TO TITLE 27, CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS, SUBTITLE 01, CRITERIA FOR LOCAL CRITICAL AREA PROGRAM DEVELOPMENT, OF THE CODE OF MARYLAND REGULATIONS (COMAR) AND ACTING PURSUANT TO SECTION 8-1808 OF THE NATURAL RESOURCES ARTICLE, PROGRAM DEVELOPMENT FOR THE CHESAPEAKE BAY CRITICAL AREA TO REPEAL AND REENACT SECTION 68-25 ENTITLED "100-FOOT AND EXPANDED BUFFERS", SUBSECTION 68-25C(2) OF CHAPTER 68 OF THE DORCHESTER COUNTY CODE ENTITLED "CHESAPEAKE BAY CRITICAL AREA", PROVIDING FOR EXEMPTIONS TO ESTABLISHING THE BUFFER AREA IN THE CRITICAL AREA FOR AGRICULTURAL ACTIVITIES WHEN SUBDIVIDING PROPERTY.

Introduced, read first time, ordered posted on the official bulletin board of County, County Office Building, 501 Court Lane, Cambridge, Maryland 21613.

Ordered publication for once a week for two (2) successive weeks, and public hearing scheduled on Tuesday, July 21, 2020, Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland at 5:05 p.m.

By order:


Jay L. Newcomb

President of the County Council of
Dorchester County, Maryland

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OF
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SECTION ONE: Be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland, that Section 68-25C(2) of Chapter 68 of the Dorchester County Code be repealed and reenacted to read as follows:

§62-25C(2)

The provisions of this subsection do not apply to:

- (a) The in-kind replacement of a structure; or
- (b) Land that remains in agricultural use after subdivision, provided that the applicant records an approved buffer management plat and implements the buffer management plan when the lot is converted to a non-agricultural use.

SECTION TWO: Be it further ENACTED and ORDAINED, by the County Council of Dorchester County, Maryland, that that this Bill is subject to the approval of the Critical Area Commission.

SECTION THREE: Be it further ENACTED and ORDAINED by the County Council of Dorchester County, Maryland, that upon approval of the Critical Area Commission, General Code Publishers is directed to codify the amendments herein enacted to Chapter 68 of the Dorchester County Code entitled "Chesapeake Bay Critical Area".

SECTION FOUR: Be it further ENACTED and ORDAINED by the County Council of Dorchester County, Maryland, that this Bill shall be known as Bill No. 2020- 4 of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage or upon Critical Area Commission approval whichever is later.

SECTION FIVE: Be it further ENACTED and ORDAINED by the County Council of Dorchester County, Maryland, that the disapproval or invalidity by Critical Area Commission or its Chairman of any provisions of this Bill shall not affect the validity or enforceability of any other provisions of this Bill, which shall remain in full force and effect. Only those portions of this Bill approved by the Critical Area Commission shall be codified in the Dorchester County Code.

SECTION SIX: Be it further ENACTED, pursuant to Section 308 of the Charter of Dorchester County, Maryland, that promptly after enactment of this Act, the County Manager shall cause a fair summary of this Act to be published at least once in a newspaper of general circulation in Dorchester County, Maryland.

PASSED this 21st day of July, 2020.

ATTEST:

COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND

BY:



Keith A. Adkins
County Manager

BY:



Jay L. Newcomb
President

APPROVED this 21st day of July, 2020.

ATTEST:

COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND

BY:



Keith A. Adkins
County Manager

BY:



Jay L. Newcomb
President

Travers - *aye*
Pfeffer - *aye*
Newcomb - *aye*
Nagel - *aye*
Nichols - *aye*