

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2022 Legislative Session, Legislative Day No.: August 9, 2022

Bill No.: 1523

Expiration Date: October 13, 2022

Introduced by: Mr. Leshner, Mr. Pack, Ms. Price

A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) TO ADD A DEFINITION OF "COUNTRY CLUB" AND TO PROVIDE FOR THE EXPANSION AND MAJOR MODIFICATION OF A NONCONFORMING COUNTRY CLUB IN THE RESOURCE CONSERVATION (RC) DISTRICT

By the Council: August 9, 2022

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, September 13, 2022 at 6:30 p.m. at the Bradley Meeting Room, Talbot County Courthouse, South Wing, 11 North Washington Street, Easton, Maryland 21601.

By Order:


Susan W. Moran, Secretary

A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) TO ADD A DEFINITION OF “COUNTRY CLUB” AND TO PROVIDE FOR THE EXPANSION AND MAJOR MODIFICATION OF A NONCONFORMING COUNTRY CLUB IN THE RESOURCE CONSERVATION (RC) DISTRICT

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND that Chapter 190 (Zoning, Subdivision and Land Development) shall be and is hereby amended as follows:

KEY	
Boldface	Heading or defined term
<u>Underlining</u>	Added to law by Bill
Strikethrough	Deleted from law by Bill
* * *	Existing law unaffected

* * *

§ 190.78. Terms defined.

As used in this chapter, the following terms shall have the meanings indicated:

* * *

COUNTRY CLUB

Land area and structures that may contain golf courses, recreational facilities, clubhouses, dining and/or banquet facilities, spa and fitness facilities, swimming pools, tennis and racket sports courts, and other customary and incidental uses and structures open to members and their guests.

* * *

§ 190-48. Nonconforming uses.

48.3 Expansion and major modification of nonconforming uses. Expansion of a nonconforming use, or modifications to site improvements deemed major by the Planning Director, shall be permitted only if approved by the Board of Appeals, subject to the following criteria:

* * *

F. Expansion of the uses and structures of a country club in the RC District, other than the “in-play” area of its golf course which is addressed in § 190-48.3(E) above, shall be permitted provided that:

1. Such expansion does not cause an increase in the impervious surface of the country club's RC zoned lands beyond 15% or its legally nonconforming impervious surface coverage, whichever is greater;
2. Any such new impervious surface shall be set back a minimum of 300 feet from tidal water or tidal wetlands;
3. Any such new impervious surface shall be set back 150 feet from the edge of tributary streams; and
4. All uses and structures shall be designed to minimize environmental impacts.

SECTION TWO: AND BE IT FURTHER ENACTED, that if any provision of this Bill or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Bill which can be given effect without the invalid provision or application, and for this purpose the provisions of this Bill are declared severable.

SECTION THREE: AND BE IT FURTHER ENACTED, that the Talbot County Department of Planning and Zoning and the Talbot County Office of Law, in consultation with and subject to the approval of the County Manager, may make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation included in this Bill, as finally adopted, that are incorrect or obsolete, with no further action required by the County Council. All such corrections shall be adequately referenced and described in an editor's note following the section affected.

SECTION FOUR: AND BE IT FURTHER ENACTED, that this Bill shall take effect sixty (60) days from the date of its passage.

PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. __ having been published, a public hearing was held on Tuesday, September 13, 2022 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the third time.

ENACTED: **October 11, 2022**

By Order *Susan W. Moran*
Susan W. Moran, Secretary

Callahan	-	Abstain
Divilio	-	Aye
Leshner	-	Aye
Price	-	Aye
Pack	-	Aye

EFFECTIVE DATE: **December 10, 2022**