

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2025 Legislative Session, Legislative Day No.: October 28, 2025

Bill No.: 1622

Expiration Date: January 1, 2025

Introduced by: Mr. Leshner, Ms. Mielke

A BILL TO AMEND CHAPTER 190 (ZONING, SUBDIVISION, AND LAND DEVELOPMENT) OF THE TALBOT COUNTY CODE FOR THE PURPOSES OF PROVIDING FOR CLASSES OF SHORT-TERM RENTAL LICENSES AND AMENDING CERTAIN PROVISIONS PERTAINING TO SHORT-TERM RENTAL LICENSES, INCLUDING: 1) THE COMPOSITION AND TERM OF THE SHORT-TERM RENTAL REVIEW BOARD; 2) CONTENTS OF NEW APPLICATIONS; 3) HEARINGS, DECISIONS, AND APPEALS; 4) RENEWAL; 5) GROUNDS FOR DENIAL; AND 6) ADDITIONAL RESTRICTIONS

By the Council: October 28, 2025

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, November 25, 2025, at 5:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

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

A BILL TO AMEND CHAPTER 190 (ZONING, SUBDIVISION, AND LAND DEVELOPMENT) OF THE TALBOT COUNTY CODE FOR THE PURPOSES OF PROVIDING FOR CLASSES OF SHORT-TERM RENTAL LICENSES AND AMENDING CERTAIN PROVISIONS PERTAINING TO SHORT-TERM RENTAL LICENSES, INCLUDING: 1) THE COMPOSITION AND TERM OF THE SHORT-TERM RENTAL REVIEW BOARD; 2) CONTENTS OF NEW APPLICATIONS; 3) HEARINGS, DECISIONS, AND APPEALS; 4) RENEWAL; 5) GROUNDS FOR DENIAL; AND 6) ADDITIONAL RESTRICTIONS

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND that Chapter 190 (Zoning, Subdivision, and Land Development) of the Talbot County Code 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

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§ 190-33. Accessory uses.

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33.20 Short-term rental.

B. Eligibility.

1. A short-term rental license may be issued for a primary residential dwelling unit or for an accessory dwelling unit on a property but not for both.
2. Effective [effective date of bill], only a Class A Short-Term Rental License and a Class B Short-Term Rental License may be issued, as follows:
 - a. A Class A Short-Term Rental License may only be issued for a primary residential dwelling unit or an accessory dwelling unit on a property that is owned by the applicant and is the applicant's principal residence.

b. A Class B Short-Term Rental License may only be issued for a primary residential dwelling unit or accessory dwelling unit on a property that is owned by the applicant but is not the applicant's primary residence.

i. In the RC and RR Districts, no Class B Short-Term Rental License shall be issued for any property located within 1,000 feet of another property for which a current Short-Term Rental License has been issued, as measured from the properties' nearest boundary lines.

ii. In the VM, VH, and VR Districts, no Class B Short-Term Rental License shall be issued for any property located within 500 feet of another property for which a current Short-Term Rental License has been issued, as measured from the properties' nearest boundary lines.

c. For purposes of subsections (a) and (b) above, "principal residence" means the one location where the applicant regularly resides and is the location designated by the applicant for the legal purpose of voting, obtaining a driver's license, and filing income tax returns, and at which the applicant obtains the homestead tax credit.

3. The provisions of § 190-33.20.B.2 above shall not apply to short-term rental license renewals for which the renewal application is received not less than 60 days prior to expiration.

C. Operating guidelines.

* * *

10. The owner of the short-term rental property and/or the resident agent shall immediately investigate any complaint, from whomever received, of a violation of this section. Upon determining that a violation has occurred or is continuing to occur, the owner and/or the resident agent shall request that any occupant of the short-term rental property shall immediately cease and desist from any and all violations. The owner and/or resident agent shall maintain a record of complaints and submit such record to the County with any application for renewal of the short-term rental license.

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§ 190-63. Short-term rental licenses and Review Board.

63.1 Short-Term Rental Review Board.

A. Members. The Short-Term Rental Review Board shall consist of five permanent members with members appointed by the County Council. ~~The Board should be composed of, all of whom shall be qualified by having knowledge or interest relevant to the Board's functions, such as an attorney, a representative from the vacation rental management industry, or a member of a community or civic association from a community containing (a) short-term rental(s), and~~

~~other persons having knowledge or interest relevant to the Board's functions.~~ Three members shall constitute a quorum for the transaction of business. Each member shall be an adult resident of Talbot County. Members shall serve without compensation but shall be entitled to reimbursement for reasonable expenses duly approved by the Finance Officer.

- B. Term. Each member shall serve for a staggered term of up to four years or until a successor is appointed. Members shall be eligible for reappointment ~~twice~~ once. Thereafter, a member may only be considered for reappointment upon the expiration of four years from when their last term ended.

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63.2 New license application process.

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- B. Contents of application. All applications for short-term rental licenses shall be submitted to the Talbot County Department of Planning and Zoning on a form prepared and approved by the Planning Director. A complete application shall include, and the applicant shall provide, without limitation, the following:
1. A statement as to whether the proposed short-term rental dwelling is the applicant's primary residence. For purposes of this subsection, "principal residence" means the one location where the applicant regularly resides and is the location designated by the applicant for the legal purposes of voting, obtaining a driver's license, and filing income tax returns, and at which the applicant obtains the homestead tax credit.
 2. A statement whether the property is ~~or is not~~ located within a homeowners' association, property owners' association, community association, or other similar association and/or is governed by any type of covenants, conditions, and/or restrictions ~~specifically related to the rental of properties or short term rentals~~ recorded among the Land Records of Talbot County that specifically address the use of the property as a short-term rental. A copy of any such covenants, conditions, and/or restrictions shall be submitted with the application.
 3. Proof that the applicant(s) can satisfactorily monitor or has retained the services of a resident agent capable of monitoring the short-term rental property. The applicant or resident agent shall have a home or office within 30 miles of the short-term rental unit and be available to respond from this location during periods of short-term rental.
 4. An address, telephone number, and ~~telephone number~~ e-mail address where the applicant ~~or~~ and, if applicable, their resident agent, may be contacted 24 hours a day during any short-term rental period.

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10. Proof that the applicant has obtained property and liability insurance that specifically covers the applicant's use of the property as a short-term rental.
11. A statement as to whether the property is accessed via a shared private road or driveway and a statement as to whether the applicant has the right to use a shared pier.
12. Any other information as determined by the Planning Director to demonstrate the ability to comply with this section and other provisions in this Chapter 190 related to short-term rentals.

G. Hearing and decision.

* * *

2. Notice of Public Hearing. The applicant must provide notice of the hearing as provided herein.
 - a. The applicant shall provide proof of notice that the public hearing has been provided to the following:
 - i. Owners of properties contiguous to the short-term rental property;
 - ii. Owners of properties across a roadway, easement or right-of-way from the short-term rental property;
 - iii. Owners of all other properties with a property line within 1,000 feet of the property lines of the property for which the applicant seeks a short-term rental license, including in line of sight within 1,000 feet across waterways of the short-term rental dwelling;
 - iv. If applicable, a homeowner's association, property owner's association, community association, or covenant administrator or other authorized representative for the development where the short-term rental property is located; and
 - v. If the short-term rental property ~~has a right of access over a private road~~ is accessed via a shared private road or driveway and/or the applicant has the right to use a shared pier, all other owners of properties who also have a right of access to such private road or driveway and/or private pier.
 - b. Notification shall be by priority mail with delivery confirmation or other shipping carrier with adult signature required, to the address provided on the annual Talbot County tax bill or any other written means, such as e-mail or regular mail, provided receipt is confirmed in writing.

- c. The notice shall include, ~~at a minimum, information as listed in the sample short-term rental notification letter in the application package. This information shall include:~~ the applicant's name, contact information, including mailing address, e-mail address, and telephone number; 24 hour contact information in the event of any problem at the short-term rental property; a statement that any problems or complaints may be referred to the applicant or the applicant's agent and may also be referred to the Code Compliance Officer or other designated County official; contact information for the Code Compliance Officer or other designated County official; proposed number of bedrooms and proposed maximum occupancy for the short-term rental; a statement that a short-term rental application has been filed with the Talbot County Department of Planning and Zoning and that such application is available for public inspection; and state the date for the public hearing on the application before the Short-Term Rental Review Board. If the applicant is an entity (e.g., corporation, partnership, or limited liability company), the notice shall also include the name, e-mail address, and telephone number of at least one individual authorized to act on behalf of the entity.
 - d. The notice required by this section shall be sent out at least 21 days before the public hearing on the application.
 - e. The applicant shall file a certificate of service with the Talbot County Department of Planning and Zoning promptly after sending out the required notice on a form prepared and approved by the Planning Director. The certificate shall be signed by the applicant; certify that the required notices were sent out in accordance with this section; and include a list of all recipients and a copy of the notice that was sent out.
3. The meeting shall also be advertised through posting the property in accordance with § 190.54.5.B. The Code Compliance Officer shall be responsible for posting the property.
 4. If the property is owned by one or more individuals, at least one owner shall appear in person at the public hearing. If the property is owned by an entity, at least one individual authorized to act on behalf of the entity shall appear in person at the public hearing. The Board shall permit such individuals to appear remotely via a videoconferencing platform (e.g., WebEx, Zoom, or Teams) provided that such individual requests to do so appear no less than five (5) business days prior to the hearing, and further provided that the videoconferencing platform is approved by the County and allows for such individual, the Board, and other individuals present at the hearing to clearly see and hear one another and communicate in real time.
 5. The complete application, with all supporting documents, shall be posted on the County's website no less than 15 days prior to the scheduled date of the public hearing and available for public inspection upon request. In the event the applicant submits any changes or supplements to the application within 15 days of the public hearing that the Planning Director, in their sole discretion, considers to be material, the Planning Director may require the applicant to provide notice of such material changes or supplements to all parties who received notice under Section 190-63.2.G.2, in which case the public hearing shall be postponed for a period of not less than 15 days from the scheduled public hearing

date to provide the public with an opportunity to review the same. The applicant shall be solely responsible for any costs associated with rescheduling the public hearing, including any publication fees.

6. The Planning Director and the Code Compliance Officer shall be authorized, but not required, to provide the Board with a recommendation on new license applications, including conditions, limitations, and restrictions to ensure that the short-term rental complies with applicable law. The Board shall consider these recommendations before making a decision on the application.

- ~~5.~~ 7. The Board may impose conditions, restrictions, and limitations on the issuance of a new license that are reasonably related to addressing impacts of the proposed short-term rental. Such conditions may address without limitation the following:

- a. Location and design of site features such as landscaping, screening, fencing or parking;
- b. Design of outdoor lighting such as height, intensity or shielding of lighting fixtures;
- c. Procedures and facilities for waste disposal;
- d. Restrictions on hours of use for outdoor area on the property;
- e. Distance of outdoor recreation areas to neighboring property lines; and
- f. Duration of time prior to license renewal.

- ~~6.~~ 8. The Board shall not approve an application for a new short-term rental license ~~unless the Board if it finds that:~~

- a. The license application is incomplete;
- b. The applicant has made false, inaccurate, incomplete or incorrect statements in connection with the application;
- c. The applicant has not complied with the application notice requirements;
- d. Issuance of the license would unduly disturb the peace of the residents of the neighborhood in which the short-term rental will be located; and/or
- e. There are one or more other substantial reasons in the discretion of the Board why the license should not be issued, ~~in which event the Board shall deny the license.~~

- ~~7.~~ 9. All of the Board's decisions shall be in writing and the hearings shall be recorded so as to allow transcription.

- H. Appeals. Upon the issuance of the Board's decision, the Planning Director shall notify each party that participated on the record (either by written or oral comments). Any party that participated in the hearing and is aggrieved by the Board's decision may file an appeal to the Talbot County Board of Appeals within 30 days of the issuance of the written decision, which shall also be posted on the County's website. Such appeal shall be on the record.

63.3 Renewal.

- A. Applications. A license renewal application must be submitted by the record title holder(s) of the property to the Talbot County Department of Planning and Zoning on a form prepared and approved by the Planning Director at least 60 days prior to expiration. The application shall include without limitation the following:
1. Proof of compliance with the Talbot County accommodation tax;
 2. The number of days that the dwelling was rented during the effective short-term rental license period documented by appropriate receipts or reservation forms, if requested by the Planning Director;
 3. A statement as to whether any information or materials provided with the initial application has changed, with a written explanation of any such changes.
 4. The renewal application shall include, and the applicant shall provide, without limitation, any document required under § 190-63.2.B above that has been revised or amended, to include; house rules, plan to scale, etc. In the event of any modification of the interior of the property that requires the issuance of a building permit or any modifications to the initially issued permit, a new inspection to ensure compliance with § 190-33.20.C.9 shall be required as detailed in § 190-63.2C;
 - ~~4.~~ 5. The applicant must provide notice of the short-term rental renewal application as provided herein.
 - a. The applicant shall provide proof that the notice of application has been provided to the following:
 - i. Owners of properties contiguous to the short-term rental property;
 - ii. Owners of properties across a roadway, easement or right-of-way from the short-term rental property;
 - iii. Owners of all other properties with a property line within 1,000 feet, including in line of sight within 1,000 feet across waterways of the short-term rental dwelling;

- iv. If applicable, a homeowner's association, property owner's association, community association, or covenant administrator or other authorized representative for the development where the short-term rental property is located; and
 - v. If the short-term rental property ~~has a right of access over a~~ is accessed via a shared private road or driveway and/or has the right to use a shared private pier, all other owners of properties who also have a right of access to such private road or driveway and/or private pier.
- b. Notification shall be by priority mail with delivery confirmation or by other shipping carrier with adult signature required, to the address provided on the annual Talbot County tax bill or by any other written means, such as e-mail or regular mail, provided receipt is confirmed in writing.
 - c. The notice shall include, at a minimum, all information ~~as listed in the sample short-term rental notification letter in the application package. This information shall include: the applicant's name, contact information, including mailing address, e-mail address, and telephone number; 24 hour contact information for the Code Compliance Officer or other designated County official; statement that a short term rental application has been filed with the Talbot County Department of Planning and Zoning and that such application is available for public inspection~~ required under Section 190-63.2.G(2)(c) for an initial application.
 - d. The notice required by this section shall be sent out within 21 days of the submittal of the renewal application.
 - e. The applicant shall file a certificate of service with the Talbot County Department of Planning and Zoning promptly after sending out the required notice on a form prepared and approved by the Planning Director. The certificate shall be signed by the applicant; certify that the required notices were sent out in accordance with this section; and, include a list of all recipients and a copy of the notice that was sent out.
- ~~5.~~ 6. If applicable, the Code Compliance Officer shall provide information on the application, including any written or verified complaints and zoning enforcement investigations applicable to the subject short-term rental property.
- B. Timing. If the renewal application is not received 60 days prior to expiration, the application shall be treated as and comply with initial application requirements in effect as of the date of receipt by the County of the renewal application.
- * * *
- E. Grounds for denial. The Planning Director may decline to issue, decline to renew or revoke a short-term rental license based on the following:

1. False, inaccurate, incomplete or incorrect statement in any application or renewal;
2. Any material infraction, disturbance, nuisance, failure to monitor, or other problem or violation occurring during a short-term rental;
3. Violation of any law or ordinance with respect to the short-term rental, or any term, condition, or restriction of the short-term rental license; ~~and/or~~
4. Failure to pay the Talbot County accommodations tax; and/or
5. Failure to comply with the notice requirements set forth in Section 190-63.3.A(5).

* * *

- I. Written decision and appeals. The Planning Director shall issue a written decision approving or denying the renewal application. Any party aggrieved by the Planning Director's decision may file an appeal to the Board of Appeals within 30 days of the date of the decision.

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63.5 Additional restrictions on licenses.

- A. A short-term rental license shall be nontransferable. If a property is transferred a new application is required. For purposes of this section, a property owned by an entity (e.g., corporation, partnership, or limited liability company) shall be considered transferred if there is a change in the controlling interest of such entity and the individual(s) holding such controlling interest were not the individual(s) who were approved as part of the initial application.

* * *

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 Publishers of the Talbot County Code 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, _____, 2025, at 5:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

BY THE COUNCIL

Read the third time.

ENACTED: _____, 2025

By Order _____
Susan W. Moran, Secretary

Callahan -

Stepp -

Leshner -

Mielke -

Haythe -

EFFECTIVE DATE: _____, 2025