

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2011 Legislative Session, Legislative Day No.: February 22, 2011

Bill No.: 1202

Expiration Date: April 28, 2011

Introduced by: Mr. Pack, Ms. Price

A BILL TO AMEND THE TALBOT COUNTY CODE, CHAPTER 190, ZONING, SUBDIVISION AND LAND DEVELOPMENT, §190-30L BED AND BREAKFAST, TO INCREASE, FROM SIX TO TWELVE ANNUAL WEDDINGS, RECEPTIONS OR SIMILAR EVENTS, WITH NO MORE THAN TWO PER MONTH, AND INCREASE THE NUMBER OF PERMITTED GUESTS AT SUCH FUNCTIONS FROM 100 TO 150, AT A LICENSED BED AND BREAKFAST ON A PARCEL FIVE ACRES OR GREATER IN SIZE

By the Council: February 22, 2011

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, March 22, 2011 at 7:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington St., Easton, Maryland 21601.

By Order Susan W. Moran
Secretary

A BILL TO AMEND THE TALBOT COUNTY CODE, CHAPTER 190, ZONING, SUBDIVISION AND LAND DEVELOPMENT, §190-30L BED AND BREAKFAST, TO INCREASE, FROM SIX TO TWELVE ANNUAL WEDDINGS, RECEPTIONS OR SIMILAR EVENTS, WITH NO MORE THAN TWO PER MONTH, AND INCREASE THE NUMBER OF PERMITTED GUESTS AT SUCH FUNCTIONS FROM 100 TO 150, AT A LICENSED BED AND BREAKFAST ON A PARCEL FIVE ACRES OR GREATER IN SIZE

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that § 190 of the Talbot County Code entitled "Zoning, Subdivision and Land Development" is amended as set forth herein.

KEY

<u>Underlining</u>	Added to existing law by applicant.
Strikethrough	Deleted from existing law by applicant.
<u>Double Underlining</u>	Added to existing law by Planning Commission.
Double Strikethrough	Deleted from existing law by Planning Commission.
* * *	Existing law or bill unaffected.

Article III Land Uses

* * *

1 §190-30. Bed-and-Breakfast

- 2 A. A use certificate is required.
- 3 B. The use certificate shall be renewed annually. Renewal may require a site inspection.
- 4 C. In the Chesapeake Bay Critical Area, a bed-and-breakfast shall only be permitted in a
5 principal dwelling existing as of August 13, 1989. Enlargement of the principal dwelling
6 may not exceed 50 percent of the gross floor area which existed as of August 13, 1989.
- 7 D. Minimum lot size in an RC (Rural Conservation) or RR (Rural Residential) Zoning
8 District: two acres.
- 9 E. Bed-and-breakfast uses shall be a minimum of 500 feet apart. For purposes of this
10 subsection the measurement shall not be taken over navigable water and shall be taken
11 between structures used for the bed-and-breakfast use and not between property lines.
- 12 F. A bed-and-breakfast enterprise shall have no more than six guest bedrooms,
13 accommodating no more than 12 guests at any one time. No paying guest shall stay on
14 any one visit for more than 30 days.
- 15 G. Guestrooms shall have no primary outside entrance.
- 16 H. Guest parking shall be provided in a side or rear yard.
- 17 I. Meal service is limited to one daily meal between 4:00 a.m. and 11:00 a.m. per paying
18 overnight guest. Meal service is subject to State Health Department approval of food
19 preparation areas;

- 20 J. Bed-and-breakfast accommodations shall be operated by the property owner who must
21 occupy the residence. Any new owner of a residence in which a bed-and-breakfast is
22 operated must apply for a new use certificate.
- 23 K. Bed-and-breakfast enterprises shall pay the Talbot County Accommodations Tax for each
24 guest bedroom. Should such accommodation tax not be paid for a two-year period, the
25 use certificate will be revoked.
- 26 L. A bed-and-breakfast may be used for weddings, receptions and similar events provided
27 that:
- 28 (1) All areas used for such events shall be at least 500 feet from a primary residential
29 structure on a neighboring property;
- 30 ~~(2) Each event shall be limited to no more than 100-150 guests;~~
- 31 ~~(3)(2) No outdoor music shall be permitted after 10:00 p.m.;~~
- 32 ~~(4) No more than six twelve such events shall be permitted within a calendar year;~~
33 ~~and;~~
- 34 ~~(5)(3) The operator of the bed-and-breakfast must apply for a use certificate at least 30~~
35 ~~days prior to the event.~~
- 36 ~~(6)(4) On parcels less than five acres:~~
- 37 (a) Each event shall be limited to no more than 100 guests; and
- 38 (b) No more than six such events shall be permitted within a calendar year.
- 39 ~~(7)(5) On parcels five acres or greater in size:~~
- 40 (a) Each event shall be limited to no more than 150 guests;
- 41 (b) No more than twelve such events shall be permitted within a calendar
42 year; and
- 43 (c) No more than two events shall be permitted per month.
- 44 M. In the RC district rental of non-motorized watercraft may be permitted as a special
45 exception, accessory to the bed-and-breakfast use, subject to the following:
- 46 (1) Rental shall be limited to guest(s) of the bed-and-breakfast.
- 47 (2) Only structures existing on November 25, 2003, may be used for the rental and
48 storage associated with the use.
- 49 (3) Access to the structure shall be from a collector or arterial highway.
- 50 (4) Maximum number of craft: 12.

* * *

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

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill No. _____ having been published, a public hearing was held on Tuesday, _____ at _____ 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: _____

By Order _____
Secretary

Bartlett -
Hollis -
Pack -
Price -
Duncan -