

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2017 Legislative Session, Legislative Day No. : March 14, 2017

Bill No.: 1354

Expiration Date: May 18, 2017

Introduced by: Mr. Callahan, Mr. Pack, Ms. Price, Ms. Williams

A BILL TO AMEND CHAPTER 190 OF THE *TALBOT COUNTY CODE* TO ADOPT A DEFINITION OF “IN PLAY AREA” FOR NONCONFORMING GOLF COURSES IN THE RURAL CONSERVATION (RC) ZONING DISTRICT

By the Council: March 14, 2017

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, April 11, 2017 at 6:30 p.m. at the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By Order: 
Susan W. Moran, Secretary

A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE TO ADOPT A DEFINITION OF “IN PLAY AREA” FOR NONCONFORMING GOLF COURSES IN THE RURAL CONSERVATION (RC) ZONING DISTRICT

WHEREAS, on September 13, 2016, the Talbot County Council enacted Bill 1349, which limits the expansion of nonconforming golf courses in the Rural Conservation (RC) zoning district existing as of August 13, 1989 to no more than 20%; and

WHEREAS, on December 7, 2016, the Chairman of the Maryland Critical Area Commission approved Bill 1349 as a refinement to the County’s Local Critical Area Program subject to the following condition:

The County shall include a definition of “in play area” in the Talbot County Code within 120 days of approval of this refinement. The definition of “in play area” shall specify typical inbound areas such as the driving range, fairway, tee box, and greens. The definition of “in play area” shall also specify typical out-of-bounds areas such as: forested areas; commercial areas and structures; maintenance areas and structures; parking areas and structures; and club houses, tennis courts, pool, pool houses, and other similar facilities.

WHEREAS, the County desires to adopt a definition of “in play area” consistent with the above condition.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND:

SECTION ONE: Chapter 190 of the *Talbot County Code* shall be and is hereby amended as follows:

* * *

§190-208 Terms defined.

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

* * *

IN PLAY AREA (CA)

Within the boundaries of a parcel that has been improved as a golf course, the in-play area shall include all portions of the property that are dedicated to and customarily used for the activity of playing golf, and that are not beyond the boundaries of the course or associated practice facilities. The following areas shall not be considered “in-play”: areas occupied by commercial structures, areas used for commercial activities other than golf, areas used for storage of materials and equipment, areas used for maintenance and repair, parking facilities, clubhouses, tennis courts, swimming pools, and forests or other natural areas where the activity of golf is not customarily played in, over or through.

* * *

SECTION TWO: BE IT FURTHER ENACTED, that the title and a summary of this Bill shall be published once on the first publication date after enactment of the Bill in accordance with County Charter § 213 (c). The title is not a substantive part of this Bill. If the Bill is amended, the title may be administratively revised if required to conform the title to the content of the Bill as finally enacted.

SECTION THREE: 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 the 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 FOUR: AND BE IT FURTHER ENACTED, that the Publishers of the *Talbot County Code* or 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 FIVE: AND BE IT FURTHER ENACTED, that this ordinance 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. 1354 having been published, a public hearing was held on Tuesday, April 11, 2017 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: April 11, 2017

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

Williams - Aye
Price - Aye
Bartlett - Aye
Pack - Aye
Callahan - Aye

EFFECTIVE DATE: June 10, 2017