

COUNTY ORDINANCE NO. 08-05

A BILL ENTITLED

AN ACT CONCERNING Rural Country Clubs in Queen Anne's County;

FOR THE PURPOSE of providing that lodging facilities accessory to a rural country club shall be a conditional use subject to approval by the Queen Anne's County Board of Appeals; providing that spa facilities be permitted in conjunction with such lodging facilities; providing that non-member guests or guests of the lodging facilities located on the property of a rural country club shall be entitled to use of the facilities of the rural country club; requiring that the Queen Anne's County Planning Commission provide a report and recommendation to the Board of Appeals on applications for conditional use permits for a rural country club; providing for spray irrigative facilities in conjunction with a rural country club use and providing that such facilities be located outside of the Chesapeake Bay Critical Area and shall comply with all applicable setback requirements.

BY AMENDING Sections 18:1-95.0. and Section 18:1-58.K. of the Code of Public Local Laws of Queen Anne's County, Maryland.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Sections 18:1-95.0. and 18:1-58.K. of the Code of Public Local Laws be amended to read as follows (Note - underlining reflects new wording from the original application, ~~strikethrough~~ reflects deletions from the original application, double strikethrough reflects Planning Commission recommendations for deletion of both existing text of Chapter 18 as well as applicants proposed text, and double-underlining reflects text suggested by the Planning Commission):

§ 18:1-95. Additional standards for specified conditional uses.

...

O. Rural country club. **[Amended 1-17-2006 by Ord. No. 05-28]**

...

(2) Permitted accessory facilities.

(a) Permitted accessory facilities for a rural country club, all of which shall be approved by the Board of Appeals, may include the following uses, subject to the floor area ratio (FAR) provisions as set forth in § 18:1-14D(2)(b) and § 18:1-15D(2)(a):

- [1] A clubhouse;
- [2] Swimming pool;
- [3] Tennis courts; ~~and~~
- [4] ~~Country inn(s) and guest lodge(s)~~ Subject to approval by the Board of Appeals as part of the conditional use, lodging facilities that offer overnight accommodations to members as well as the general public, not to exceed thirty (30) consecutive days), may be located on land owned by the country club and within the area approved for a rural country club by the Board of Appeals. The number and character of rooms, such as individual rooms or suites, and ancillary components, to include but not limited to group dining facilities or individual kitchens per suite, shall be determined as part of the conditional use; Country Inns located within a rural country club may have more than twenty (2) guest rooms and shall be subject to approval by the Board of Appeals as a special exception use; and
- [5] Spa facilities operated in conjunction with a Country Inn or guest lodge lodging facilities for overnight accommodations.

. . .

(3) A rural country club may be open to the public and/or may offer both full (golfing) membership subscriptions and social (nongolfing) membership subscriptions. Non-member guests or ~~country inns, guest houses~~ guests of the lodging facilities and spas located on the property of a rural country club shall be entitled to utilize the facilities of the rural country club.

(4) All applications for a rural country club, in addition to what is otherwise required for a conditional use permit, are to be presented to the Planning Commission during a public hearing. The Planning Commission shall forward its report and recommendations to the Board of Appeals within 60 days of the Planning Commission's review. The Board of Appeals shall not render its decision until the Planning Commission recommendations have been received and reviewed.

~~(4)~~ (5) Following Board of Appeals conditional use approval and as part of mandatory site plan review, the Planning Commission shall determine that the proposed development's design standards relating to architecture and building materials are consistent with the character and complement the built environment of the area.

. . .

ARTICLE VII Supplemental Uses

. . .

§ 18:1-58. Additional uses and regulations.

. . .

K. Spray irrigation facilities for sewage disposal. **[Added 2-7-2006 by Ord. No. 05-11]**

- (1) This section applies only to wastewater generated by sewage treatment and not industrial waste.
- (2) Spray irrigation facilities ~~shall be~~ are only permitted only in conjunction with as a public service use or for rural country club use.
- (3) Spray irrigation facilities ~~are~~ shall not be permitted in the Critical Area; provided however, that spray irrigation shall be permitted on a parcel lying partially within the Critical Area as long as all spray irrigation equipment and facilities and all discharge areas shall be located outside of the Critical Area and shall comply with all applicable setback requirements. ~~on properties if the property or any portion of the property is located in the Critical Area.~~
- (4) All lands subject to the application of effluent by spray irrigation shall be in the ownership of the County, ~~or the Municipality or other entity~~ generating the wastewater.
- (5) The property proposed for spray irrigation must be approved by the Sanitary Commission and amended into the Queen Anne's County Comprehensive Water and Sewer Plan.
- (6) ~~The County or the Municipality~~ entity proposing a spray irrigation facility must obtain required permits from Maryland Department of the Environment and any other appropriate State or Federal agency.
- (7) Any spray irrigation facility must meet all buffer standards required by Maryland Department of the Environment and all applicable Federal, State or local regulations.

SECTION II

BE IT FURTHER ENACTED that this Act shall take effect on the forty-sixth (46th) day following its enactment.

INTRODUCED BY: Commissioner Wargotz

DATE: May 27, 2008

PUBLIC HEARING HELD: June 10, 2008 @ 6:30 p.m.

VOTE: _____ Yea _____ Nay

DATE OF ADOPTION: Voted Down - August 25, 2009

FISCAL IMPACT NOTE

Legislation No: 0-08-05 **Hearing Date:** 6-10-08
Date Introduced: 5-27-08 **Note Date:** 6-10-08

Legislation Title: Rural Country Clubs in Queen Anne's County.

Description:

The purpose of this legislation is to provide that lodging facilities accessory to a rural county club shall be a conditional use subject to approval by the Queen Anne's County Board of Appeals, and modifying certain standards for specified conditional uses.

Analysis of Fiscal Impact:

Fiscal impact produced by this legislation cannot be determined at this time, as it simply modifies certain conditional uses.