

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2024 Legislative Session, Legislative Day No.: September 10, 2024

Bill No.: 1579

Expiration Date: November 14, 2024

Introduced by: Mr. Callahan, Ms. Haythe, Ms. Mielke, Mr. Stepp

A BILL TO ADDRESS CONDITIONS OF APPROVAL IMPOSED BY THE MARYLAND CRITICAL AREA COMMISSION (THE "CAC") FOR BILL NO. 1544, A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT), §§ 190-25.2 (TABLE OF LAND USES), 190-29 (COMMERCIAL USES), 190-29.7 (INN), AND 190-78 (TERMS DEFINED) REGARDING HISTORIC INNS, AS ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND ON JULY 25, 2023

By the Council: September 10, 2024

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, October 8, 2024, 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 ADDRESS CONDITIONS OF APPROVAL IMPOSED BY THE MARYLAND CRITICAL AREA COMMISSION (THE “CAC”) FOR BILL NO. 1544, A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT), §§ 190-25.2 (TABLE OF LAND USES), 190-29 (COMMERCIAL USES), 190-29.7 (INN), AND 190-78 (TERMS DEFINED) REGARDING HISTORIC INNS, AS ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND ON JULY 25, 2023

WHEREAS, on July 25, 2023, the County Council of Talbot County, Maryland (the “County Council”) enacted Bill No. 1544, which amended Chapter 190 (Zoning, Subdivision and Land Development) (“Chapter 190”) of the Talbot County Code (the “County Code”) regarding historic inns; and

WHEREAS, the CAC processed Bill No. 1544 as a refinement to the Critical Area Program (the “Program”) for Talbot County, Maryland (the “County”) and, in a letter dated August 7, 2024, communicated its approval thereof subject to the condition that the County Council “formally amend” Bill No. 1544 to add a new subsection § 190-29.7(E)(4) imposing additional restrictions on inns located within the Critical Area; and

WHEREAS, the County Council is desirous of formally amending Bill No. 1544 as aforesaid to address the condition imposed by the CAC.

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
Underlining.....Added to law by Bill
* * *Existing law unaffected

§ 190-29.7 Inn.

* * *

- A. An inn shall have no more than 12 guest rooms and no more than 30 guests.
- B. No guest rooms may be detached from the primary structure except on parcels of two acres or greater, up to six guest rooms may be detached from the primary structure.

C. No cooking facilities shall be permitted in guest rooms.

D. The maximum stay for guests shall not exceed 14 consecutive days.

E. Applicable to Inns in the Conservation Districts:

1. Inns are permitted only when entirely or partially operated within structures located in the Historic Overlay District (HD) or listed on the Department of the Interior National Register of Historic Places.
2. Inns must be located upon parcels of land greater than five acres in size.
3. Inns may be served by a dwelling (single-family, detached) on the same parcel so long as the dwelling is not located within the Critical Area and is utilized by the owner or a full-time employee of the Inn.
4. Inns located within the Critical Area are not permitted to utilize guest rooms within accessory structures that did not exist as of December 31, 2023. Total lot coverage serving an Inn within the Critical Area shall be limited to the lesser of (1) 15% of the total acreage within the Critical Area; or (2) 20,000 square feet.

* * *

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. 1579 having been published, a public hearing was held on Tuesday, October 8, 2024, at 6:30 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: October 22, 2024

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

Callahan	-	Aye
Stepp	-	Aye
Leshner	-	Aye
Mielke	-	Aye
Haythe	-	Aye

EFFECTIVE DATE: December 21, 2024