

COUNTY ORDINANCE NO. 98-09

**A BILL ENTITLED**

AN ACT concerning amendments to the Code of Public Laws of Queen Anne's County, Maryland, Title 18, *Land Use and Development*, particularly Subtitle 1, Part 1. Definitions, to define new terms and word usage: Subtitle 1, Part IV, Use Regulations; Subtitle 1, Part VI, Site Performance Standards; Subtitle 1, Part VIII; Subpart 2. to add to standards for specified conditional uses; and Subtitle 1, Part VIII, Subpart 3. to add rural country clubs to the Non-Residential Performance Standards Table.

FOR THE PURPOSE of amending the Code of Public Laws of Queen Anne's County, Maryland, Title 18, Land Use and Development, to establish rural country clubs and resort country clubs as permitted land uses; to provide definitions for this Land Use; and to establish performance standards and standards for specified conditional uses.

**SECTION I**

BE IT ENACTED by the County Commissioners of Queen Anne's County, Maryland that Section 18-1-001 of the Code of Public Laws of Queen Anne's County, 1996 Edition, be and is hereby amended to add the following definitions:

18-1-001. Definitions.

**RURAL COUNTRY CLUB**

A privately owned or membership owned country club, which may operate on a nonprofit or a for profit basis, which offers to its members, their guests, and the public golfing, social, dining, lodging, meeting and recreational amenities. The amenities which comprise a rural country club may include a clubhouse, swimming pool, tennis courts, lodging (as permitted for a country inn), and other features subject to approval by the Planning Commission. A rural country club is subject to Board of Appeals conditional use approval, with prior concept plan approval by the Planning Commission.

**RESORT COUNTRY CLUB**

A privately owned country club, operated on a for profit basis, which may offer to its members, their guests, and the public, golfing, social, meeting, lodging, dining and recreational facilities. The amenities which comprise a resort country club may include but are not limited to lodging facilities, indoor and/or outdoor sports/exercise facilities, a multi-purpose conference center, an outdoor meeting area, restaurants, lounges and other features associated with a resort or destination country club complex. Note: this use is generally permitted within Planned Development Districts of designated Growth Areas.

## **INSTITUTIONAL USE, NONPROFIT**

An institutional use which is either operated by an agency of government or is operated by a group, agency, foundation, corporation or organization having official nonprofit status with the Internal Revenue Service of the United States Government.

## **FOR PROFIT, INSTITUTIONAL USE**

An institutional use which is operated by a group, agency, foundation, corporation or organization which is not recognized by the Internal Revenue Service of the United States Government as having nonprofit status.

### **SECTION II**

BE IT FURTHER ENACTED by the County Commissioners of Queen Anne's County, Maryland that Section 18-1-030 (2) of the Code of Public Laws of Queen Anne's County, 1996 Edition, be and is hereby amended to add the following term:

18-1-030(2). Institutional Uses.

rural country club

### **SECTION III**

BE IT FURTHER ENACTED by the County Commissioners of Queen Anne's County, Maryland that Section 18-503(a) of the Code of Public Laws of Queen Anne's County, 1996 Edition, be and is hereby amended to add the following:

18-503(a). Permitted Uses.

(8) Resort Country Club

### **SECTION IV**

BE IT FURTHER ENACTED by the County Commissioners of Queen Anne's County, Maryland that Section 18-1-025 of the Code of Public Laws of Queen Anne's County, 1996 Edition, be and is hereby amended to add the following:

18-1-025. Table of Permitted Uses.

C. 2a. Institutional (For Profit)

### **SECTION V**

BE IT FURTHER ENACTED by the County Commissioners of Queen Anne's County,

Maryland that Section 18-1-112(f) of the Code of Public Laws of Queen Anne's County, 1996 Edition, be and is hereby amended to add the following:

18-1-112(f) Off Street Parking Standards.

(16) For Rural Country Clubs the minimum number of parking spaces shall be:

- (i) four parking spaces per each golf hole, plus
- (ii) one space for every four persons of the total maximum rated capacity. Total maximum rated capacity refers to the sum of the rated capacities for all interior public assembly areas, as determined by the State Fire Marshall's office.
- (iii) an overflow parking area shall be designated which can accommodate the same number of cars as required by this subsection. The overflow parking area need not be paved or otherwise improved, but must meet all property line setback and bufferyard requirements.

## SECTION VI

BE IT FURTHER ENACTED by the County Commissioners of Queen Anne's County, Maryland that Section 18-1-132 of the Code of Public Laws of Queen Anne's County, 1996 Edition, be and is hereby amended to add the following:

18-1-132. Additional standards for Specified Conditional Uses.

(p) Rural Country Club

(1) A rural country club shall include at least one 18 hole golf course. Additional golf courses, practice putting greens, and driving ranges may be permitted.

(2) Permitted accessory facilities for a rural country club may include a clubhouse, swimming pool, tennis courts, and lodging (as permitted for a country inn). Additional proposed accessory features or facilities shall require a determination from the Planning Commission and the Board of Appeals that the proposed features or facilities will not materially impact neighboring properties and are appropriate, given site location, site conditions, and zoning classification.

(3) A rural country club may be open to the public and/or may offer both full (golfing) membership subscriptions and social (non-golfing) membership subscriptions.

(4) 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.

(5) Special events which are traditionally associated with a private country club are permitted. These may include private functions such as weddings, parties, and receptions, as well as non-private tournaments and other special events which are held for the benefit of a public agency or a charity, organization or foundation recognized by the Internal Revenue Service of the United States Government as having nonprofit status.

(6) Overnight guest accommodations for a maximum of 40 persons shall be permitted.

(7) One caretaker dwelling unit may be provided as an accessory use or structure provided that:

(i) the structure meets required setbacks applicable to the principal structure or structures.

(ii) the structure is located within the site's landscaped surface area.

(8) A rural country club development proposal may include a residential component. The residential component must satisfy all zoning district requirements, performance standards, and all other applicable State and County regulations. The developer must demonstrate comparability between the residential component and the golf course, in terms of land use, site aesthetics, safety, and all other considerations and conditions specified in this and other sections of the Queen Anne's County Code of Ordinances.

(9) As directed by the Planning Commission, a rural country club shall provide buffers to shield neighboring residential uses from the effects of noise, hazards, and nuisances.

(10) As directed by the Planning Commission, a rural country club shall provide screening to prevent light and glare spillover to adjacent neighboring residential uses.

(11) A proposal to develop a rural country club shall include a traffic study to determine impacts to the surrounding community. The traffic study shall be conducted consistent with guidelines, standards, rates, and methodologies established by the Institute of Transportation Engineers. In addition to considering the traffic which will be generated by regular rural country club operations, the traffic study shall also consider the impact of special events which the development is designed to accommodate. If the traffic study identifies that the proposed development will adversely impact existing traffic conditions, it shall

be the responsibility of the developer to make whatever physical improvements are necessary to keep the traffic study area at the existing level of service.

**SECTION VII**

BE IT FURTHER ENACTED by the County Commissioners of Queen Anne’s County, Maryland that Section 18-1-047 of the Code of Public Laws of Queen Anne’s County, 1996 Edition, be and is hereby amended to add the following:

18-1-047. Nonresidential Performance Standards.

**TABLE OF NONRESIDENTIAL PERFORMANCE STANDARDS**

District and Use	Minimum LSR	Maximum FAR
<b>AGRICULTURE (AG)</b>		
agriculture	-----	-----
agriculture support	.20	.35
all other	.60	.12
Rural Country Clubs	.85	.05
<b>COUNTRY SIDE (CS)</b>		
agriculture	-----	-----
all other (Critical Area)	.85	.10
all other	.70	.10
Rural Country Clubs	.85	.05

**SECTION VIII**

BE IT FURTHER ENACTED that this Bill shall take effect on the forty-sixth (46<sup>th</sup>) day following its passage.

Introduced By: Commissioner Zimmer  
 Date of Introduction: June 21, 1998  
 Hearing Scheduled: July 21, 1998 11:00 a.m.  
 Action: 3 Yea \_\_\_\_\_ Nay \_\_\_\_\_  
 Date: Aug. 4, 1998  
 Effective date: Sept. 18, 1998