

COUNTY ORDINANCE NO. 22-02

A BILL ENTITLED

AN ACT CONCERNING Recreational Vehicle Parking in the Waterfront Village Center (WVC) Zoning District in Queen Anne's County;

FOR THE PURPOSE of providing for the temporary overnight parking of recreational vehicles in the Waterfront Village Center (WVC) Zoning District accessory to a bona fide fraternal organization; regulating and restricting such use and generally dealing with, permitting and regulating overnight parking of recreational vehicles in the WVC Zoning District in Queen Anne's County;

BY AMENDING Sections 18:1-26 and 18:1-53 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 Section 18:1-26 and 18:1-53 of the Code of Public Local Laws of Queen Anne's County be and are hereby AMENDED to read as follows:

§ 18:1-26 Waterfront Village Center (WVC) District.

[Amended 9-7-2004 by Ord. No. 04-16; 5-13-2008 by Ord. No. 08-04; 2-24-2009 by Ord. No. 08-19]

A. Purpose. **[Amended 6-11-2013 by Ord. No. 13-09]**

- (1) The Waterfront Village Center (WVC) District is intended to facilitate orderly mixed-use *commercial, light industrial, marine-oriented, and seafood-industry-oriented uses* at the Kent Narrows in accordance with the Kent Narrows Community Plan.
- (2) The WVC District is intended to preserve the character of the working waterfront in the Kent Narrows area and allow greater freedom, imagination, and flexibility in the *development* of land surrounding the waterfront while insuring excellence in urban design and district appearance. The WVC District allows flexibility in the relationship of *uses, structures, open spaces, water views and vistas, and heights of structures.*
- (3) This section is further intended to encourage more rational and economic *development*, and to encourage consistency with the objectives of the Kent Narrows Development Foundation, and the Community Plan for the Kent Narrows to accomplish the following

objectives:

- (a) To establish the Kent Narrows as a year-round destination by encouraging a mixture of *uses* that will attract visitors to the area.
- (b) To link the quadrants of Kent Narrows for pedestrian access, centralize *parking* and provide for pedestrian circulation throughout the area, preferably along the waterfront, to alleviate the need for vehicular traffic throughout the community.
- (c) To ensure that all new *development* and redevelopment will have architectural design sensitive to the character of Kent Narrows through establishing architectural design standards.
- (d) To establish *County* incentives for *developers* and *property owners* to create *public improvements* on or off their *sites* that will enhance pedestrian access by creating public access boardwalks along the water and creating public plaza areas with pedestrian features such as ornamental lighting, illuminated bollards, benches, trash receptacles, *information kiosks*, *wayfinding signage* and other pedestrian furniture.
- (e) To allow flexibility in *development* standards in order to encourage innovation and creativity in *development* and redevelopment and to discourage underutilization of valuable parcels of land.

B. Permitted *uses*.

- (1) *Live-work units* and *home occupations*.
- (2) *Mixed-use*: Commercial combined with residential components.
- (3) All *temporary uses* as permitted in § **18:1-53** of this Chapter **18:1**.
- (4) Aquariums.
- (5) Community or recreational centers.
- (6) *Conference/convention centers*, *banquet facilities* and *resort hotels*.
- (7) Dredge disposal that disturbs less than 10 *acres* of land.
- (8) Gymnasiums, spas and health clubs.
- (9) Libraries.
- (10) *Multifamily* permitted to continue if *development plans* are approved prior to July 1, 2008.

- (11) Museums.
 - (12) *Public services.*
 - (13) *Retail kiosk.*
 - (14) Visitors and heritage centers.
 - (15) The following *commercial uses*: theaters, business and professional *offices*, medical *offices* and clinics, *offices*, barbershops, ice cream stores and stands, light mechanical repair, liquor stores, retail sales, specialty retail sales, photo shops, tailor shops, boat repair and sales, furniture sales, banks and other financial institutions, service business, travel agencies, restaurants excluding drive-in facilities, bars, *nightclubs*, taverns, *maritime stores*, *convenience stores* provided that the *convenience stores* are part of a larger *development*, *hotels*, motels, *bed-and-breakfast/country inns*, *fraternal organizations*, *commercial apartments*, arts and craft studios and *shopping centers*.
 - (16) The following for-profit indoor recreational *uses*: swimming pools, skating rinks (both ice and roller), tennis courts, miniature golf, soccer, lacrosse, racquetball courts, handball courts, bowling alleys, and other similar indoor athletic facilities.
 - (17) The following *light industrial uses*: boat building, repair, maintenance and ground level boat storage, seafood processing and packing plants, furniture refinishing shops, monument works, scientific research and testing facilities related to marine activities, and trade shops.
 - (18) The following *outdoor recreation uses*: jogging, cycling, tot-lots, playfields, outdoor swimming pools, tennis courts, putt-putt golf and all passive *recreational uses*, such as nature areas, picnic areas and wildlife sanctuaries.
 - (19) The following marine-related *uses*: *marinas*, boat docks, slips, piers, yacht clubs, wharves, anchorages and moorings for yachts and pleasure boats or for boats for hire carrying passengers on excursions, sightseeing, pleasure or fishing trips.
 - (20) Commercial waterman-related facilities including dockage, storage and sales.
 - (21) Public *parking* lots, private *parking* lots and *parking* facilities.
 - (22) Public parks, landings, *open space*, plazas, *amphitheaters* and public space and recreational facilities.
 - (23) Facilities for marine police, harbor master and other marine enforcement and service agencies.
- C. Conditional *uses*.

- (1) *Minor extraction and dredge disposal uses.*
- (2) *Telecommunications facilities.*
- (3) Public or private *parking structures* or garages.
- (4) *High dry storage facilities or rackominiums.*

D. *Accessory uses.*

- (1) *Satellite simulcast facilities.* *Satellite simulcast facilities* are allowed as an *accessory use* in the WVC District, provided that there shall be principal dining areas separate from those areas dedicated to the joint use of dining and *satellite simulcast facilities*.
- (2) *Retail kiosk.* *Retail kiosks* are allowed as an *accessory use* in the WVC District, provided retail sales are restricted to non-food items. A *retail kiosk* is a temporary *structure* that is stored indoors when not in use and considered a *temporary use* in accordance with requirements as outlined in § 18:1-53 of this Chapter 18:1. [Amended 4-12-2016 by Ord. No. 16-01]
- (3) Permanent display of public art and heritage exhibits in public accessways.
- (4) Outside storage and display in accordance with requirements outlined in § 18:1-49.

(5) **RECREATIONAL VEHICLE OVERNIGHT PARKING**

- (a) **SHALL BE ACCESSORY TO AND PERMITTED ONLY ON LAND OWNED BY A BONA FIDE FRATERNAL ORGANIZATION OPERATING AS OF JULY 1, 2022. THIS TEMPORARY USE IS PERMITTED IN ACCORDANCE WITH REQUIREMENTS AS OUTLINED IN §18:1-53 OF THIS CHAPTER 18:1.**
- (b) **OVERNIGHT PARKING SHALL NOT EXCEED MORE THAN FIFTEEN (15) RECREATIONAL VEHICLES.**
- (c) **NO RECREATIONAL VEHICLE MAY BE PARKED OVERNIGHT FOR MORE THAN FOUR (4) CONSECUTIVE DAYS.**
- (d) **OCCUPANTS OF THE RECREATIONAL VEHICLE MAY STAY OVERNIGHT IN THE RECREATIONAL VEHICLE IF THEY ARE MEMBERS OR GUESTS OF THE ORGANIZATION.**
- (e) **NO WASTE DISPOSAL FACILITIES ARE TO BE LOCATED ONSITE. ALL WASTE SHALL BE DISPOSED OF AT A LEGAL AND LICENSED WASTE DISPOSAL FACILITY OFF THE PREMISES OR BY A LEGAL WASTE PUMP AND HAULING VEHICLE.**

(f) SHALL COMPLY WITH ALL OTHER APPLICABLE LAWS AND REGULATIONS.

E. Prohibited *uses*.

- (1) Abandoned or sunken craft.
- (2) Covered piers or roofed *structures* over piers built before July 1, 2008. All existing and replacement of existing covered piers or existing roofed *structures* over piers are permitted to continue and/or be replaced in accordance with applicable state regulations.
- (3) Outside rack storage for boats.

F. *Development* standards.

- (1) Residential *densities*. *Mixed-use development* shall be allowed at a *density* of 10 *dwellings per acre*. [Amended 6-11-2013 by Ord. No. 13-09]
- (2) Bulk standards for all *uses*.
- (a) *Development* in the WVC Zoning District must comply with the following bulk and dimensional standards.

[1] No principal residential *structure* may be located less than 100 feet from any *tidal* waters or *wetland* unless it meets the provisions and criteria of § 14:1-53 of the *County Code*.

§ 18:1-53 **Temporary uses.**

- A. Authorization. *Temporary uses* are permitted only as expressly provided in this section and shall comply with the requirements of Chapter 18:1, Part 7, of this Chapter 18.
- B. *Zoning certificate* required. A *temporary use* may not be established unless a *zoning certificate* has first been issued as provided in Part 7, Article XXIV, of this Chapter 18:1.
- C. *Use* limitations. *Signs* in connection with a *temporary use* are not permitted except in accordance with the provisions of § 18:1-82 of this Chapter 18:1.
- D. Specific *temporary uses* permitted. The following are *temporary uses* that are subject to the following specific regulations and standards, in addition to the other requirements specified in this Chapter 18:1.
 - (1) Christmas tree sales are permitted in any district.
 - (a) The maximum length of a permit for display and open-lot sales shall be 45 days.

- (2) A contractor's *office*, construction equipment sheds, and trailers are permitted in any district where the *use* is incidental to a construction project, provided that an *office* or shed may not contain sleeping or cooking accommodations.
 - (a) The maximum length of a permit shall be one year.
 - (b) *Offices* and sheds shall be removed upon completion of the construction project.
 - (c) Permits shall be renewable at the discretion of the *Planning Director*.
- (3) Events of public interest are permitted in any district. Events of public interest include, but are not limited to, outdoor concerts, *auctions*, and tractor pulls.
- (4) A real estate sales *office* is permitted in any district for any new *development* approved in accordance with this Chapter **18**:1. A model home may be used as a temporary sales *office*.
 - (a) The maximum length of a permit shall be one year.
 - (b) The *office* shall be removed upon completion of the *development* of the *subdivision*.
 - (c) Permits shall be renewable where the *Planning Director* determines that *development* is progressing in accordance with *County* permits and approvals and all such approvals remain in effect.
- (5) When a fire or natural disaster has rendered a single-family residence or nonresidential *structure* unfit for human habitation, the *temporary use* of a *manufactured home* or portable trailer on the *lot* during rehabilitation of the original *structure* or the construction of a new *structure* is permitted.
 - (a) Water and sanitary facilities as required by the County Health Department shall be provided.
 - (b) The maximum length of a permit shall be six months, but the *Planning Director* may extend the permit for a reasonable period of time. Application for the extension shall be made at least 15 days prior to expiration of the original permit. A temporary trailer permit associated with a nonresidential use shall only be extended if the *Planning Director* is satisfied that the applicant is actively pursuing all approvals associated with compliance of Part **3**, Article **VII**, of this Chapter **18**:1 for the rehabilitation of the damaged *structure* or the construction of a new *structure*, and the circumstances which have delayed construction are beyond the applicant's control.
 - (c) The *manufactured home* shall be removed from the property upon issuance of any occupancy permit for the new or rehabilitated residence. The applicant shall be required to provide express consent and authorization to the *County* to remove the shelter at the owner's expense upon termination of the permit.

- (6) A produce or *farm stand* is permitted in all districts.
- (a) A *farm stand* operating as a *temporary use* shall be open for no more than six months of a given year and shall have more than 50% of the products sold grown on *site* or within the *County*.
- (b) A temporary produce stand is allowed a maximum total *sign* area of 32 square feet. A maximum of eight square feet of *sign* area may be used as a temporary on-premise *freestanding sign*. Other *temporary signs* must be affixed to the stand. It may contain the name of the stand, but shall only contain advertising that pertains to the produce sold at the stand. A *sign* allowed under this subsection does not require the issuance of a sign permit.
- (c) The stand shall conform to the clear-view distance requirements set forth in Chapter **23** of the County Code.
- (d) All *structures* and *signs* shall be removed at the time the permit expires.
- (7) *Retail kiosks* are permitted in the WVC District as *accessory uses* where the *use* is incidental to tourism activities with the kiosk permitted to provide information, ticket sales for sightseeing or excursions, small-scale retail incidental to cultural, historic and tourism activities associated with the community and refreshments. Food services are excluded from uses permitted. **[Added 2-24-2009 by Ord. No. 08-19]**
- (a) The maximum length of a permit shall be for no more than six months of a given year. **[Amended 4-12-2016 by Ord. No. 16-01]**
- (b) *Retail kiosks* shall be stored indoors when not in use **[Amended 4-12-2016 by Ord. No. 16-01]**
- (c) *Retail kiosks* are permitted on private property, in public access *easements* and on boardwalks.
- (d) ADA compliance for safe and accessible pedestrian access must be maintained when considering placement of the kiosk.
- (e) Permits are renewable annually at the discretion of the *Planning Director*.
- (8) RECREATIONAL VEHICLE OVERNIGHT PARKING IS PERMITTED IN THE WVC DISTRICT AS AN ACCESSORY USE TO A BONA FIDE FRATERNAL ORGANIZATION IN ACCORDANCE WITH PART 3, ARTICLE V, OF THIS CHAPTER 18:1.**
- (a) THE MAXIMUM LENGTH OF A ZONING CERTIFICATE SHALL BE ONE YEAR.**

- (b) A LIMIT OF ONE CONSECUTIVE FOUR (4) DAY OVERNIGHT PARKING STAY PER OCCUPANT PER ANY ONE WEEK.**
- (c) THERE MUST BE A VACANCY BETWEEN THE NIGHTS IN WHICH NEW RECREATIONAL VEHICLE OCCUPANTS MAY UTILIZE THE SITE. THE METHOD OF TRACKING THE DATES OF CONSECUTIVE RECREATIONAL VEHICLE OVERNIGHT PARKING DAYS MUST BE CAPTURED IN THE ZONING CERTIFICATE APPLICATION.**

SECTION II

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

INTRODUCED BY: Jack Wilson

DATE: August 9, 2022

PUBLIC HEARING HELD: September 27, 2022 @ 6:00 p.m.

VOTE: 5 Yea 0 Nay

DATE OF ADOPTION: September 27, 2022