

COUNTY COUNCIL

OF

DORCHESTER COUNTY, MARYLAND

BILL NO. 2024-10

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND AMENDING CHAPTER 155 (ZONING), SECTION 155-50 (SUPPLEMENTARY USE REGULATIONS) OF THE DORCHESTER COUNTY CODE FOR THE PURPOSES OF PROVIDING FOR GUEST COTTAGES AS AN ACCESSORY USE IN THE RESOURCE CONSERVATION, AGRICULTURAL CONSERVATION, AGRICULTURAL CONSERVATION – RESOURCE CONSERVATION AREA, NEIGHBORHOOD BUSINESS, AND GENERAL BUSINESS ZONING DISTRICTS, PROVIDING FOR RURAL EVENT VENUES AS A SPECIAL EXCEPTION USE IN THE RESOURCE CONSERVATION, RURAL RESIDENTIAL, RURAL RESIDENTIAL – RESOURCE CONSERVATION AREA, AGRICULTURAL CONSERVATION, AGRICULTURAL CONSERVATION – RESOURCE CONSERVATION AREA, SUBURBAN RESIDENTIAL, AND SUBURBAN RESIDENTIAL – RESOURCE CONSERVATION AREA ZONING DISTRICTS AND AS A PERMITTED USE IN THE NEIGHBORHOOD BUSINESS AND GENERAL BUSINESS ZONING DISTRICTS, ADOPTING SUPPLEMENTARY USE REGULATIONS REGARDING THE SAME, DEFINING TERMS ASSOCIATED THEREWITH, AND AMENDING THE TABLE OF PERMITTED USES BY ZONING DISTRICT REGARDING THE SAME; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO GUEST COTTAGES AND RURAL EVENT VENUES IN DORCHESTER COUNTY, MARYLAND.

WHEREAS, pursuant to Md. Code Ann., Land Use § 4-204 and § 155-5(A)(1) of the Dorchester County Code (the “County Code”), the County Council of Dorchester County, Maryland (the “County Council”) is authorized and empowered to adopt and amend the regulations, restrictions, definitions, districts, classifications, and boundaries set forth in Chapter 155 (Zoning) of the County Code (“Chapter 155”); and

WHEREAS, following a public hearing held on October 3, 2024, the Dorchester County Planning Commission (the “Planning Commission”) recommended that the County Council approve a text amendment amending Chapter 155 (Zoning), Section 155-50 (Supplementary Use Regulations) of the Dorchester County Code for the purposes of providing for guest cottages as an accessory use in the Resource Conservation, Agricultural Conservation, Agricultural Conservation – Resource Conservation Area, Neighborhood Business and General Business Zoning Districts, providing for rural event venues as a special exception use in the Resource Conservation, Rural Residential, Rural Residential – Resource Conservation Area, Agricultural Conservation, Agricultural Conservation – Resource Conservation Area, Suburban Residential, And Suburban Residential – Resource Conservation Area Zoning Districts and as a permitted use

in the Neighborhood Business and General Business Zoning Districts, adopting supplementary use regulations regarding the same, defining terms associated therewith, and amending the Table of Permitted Uses by Zoning District regarding the same; and

WHEREAS, on December 17, 2024, the County Council held a public hearing regarding the foregoing text amendment recommended by the Planning Commission, notice of which was published on November 30, 2024, and December 7, 2024, in the Star Democrat, a newspaper of general circulation in the County, in accordance with Md. Code Ann., Land Use § 4-203(b) and § 304(b) of the Dorchester County Charter; and

WHEREAS, having considered the recommendations of the Planning Commission and the Department of Planning and Zoning Staff, as well as the comments made during the October 3, 2024, public hearing, the County Council finds that it is in the best interest of the County to amend Chapter 155 (Zoning), Section 155-50 (Supplementary Use Regulations) of the Dorchester County Code for the purposes of providing for guest cottages as an accessory use in the Resource Conservation, Agricultural Conservation, Agricultural Conservation – Resource Conservation Area, Neighborhood Business, and General Business Zoning Districts, providing for rural event venues as a special exception use in the Resource Conservation, Rural Residential, Rural Residential – Resource Conservation Area, Agricultural Conservation, Agricultural Conservation – Resource Conservation Area, Suburban Residential, And Suburban Residential – Resource Conservation Area Zoning Districts and as a permitted use in the Neighborhood Business and General Business Zoning Districts, adopting supplementary use regulations regarding the same, defining terms associated therewith, and amending the Table of Permitted Uses by Zoning District regarding the same; and

WHEREAS, the County Council finds that the text amendments set forth herein are necessary to promote and protect the public health, safety, and welfare.

SECTION ONE: Acting under Md. Code Ann., Land Use § 4-204 and § 155-5(a)(1) of the Dorchester County Code, be it enacted and ordained by the County Council of Dorchester County, Maryland that Chapter 155 of the Dorchester County Code entitled “Zoning,” § 155-50, entitled “Supplementary Use Regulations” be and it is hereby amended as follows:

Chapter 155

ZONING

* * *

§ 155-50. Supplementary use regulations.

* * *

OO. Guest cottage.

(1) General requirements.

- (a) Guest cottages shall not be used as a permanent residence or for rental other than for guests attending events at the principal structure.**
- (b) Guest cottages shall be located on the same parcel as the principal structure.**
- (c) The parcel must be a minimum of twenty (20) acres in size.**
- (d) Each guest cottage shall be a maximum of four hundred (400) square feet.**
- (e) No more than a total of fifteen (15) guest cottages shall be allowed on a parcel unless otherwise approved as a Special Exception by the Board of Appeals.**
- (f) Site plan approval from the Planning Commission is required.**
- (g) Guest cottages shall be approved for habitation by the Health Department.**

PP. Rural event venue.

(1) General requirements.

- (a) Site plan approval from the Planning Commission is required.**
- (b) All sanitary and health facilities shall be approved by the Health Department.**
- (c) In those districts in which a rural event venue is permitted by special exception, events shall take place no more than twelve (12) days per calendar year, and no outdoor music shall be permitted before 9:00 a.m. or after 10:00 p.m.**
- (d) In those districts in which a rural event venue is permitted by special exception, the Board of Appeals shall decide the number of guests allowed on the property for events, as well as the required setbacks for structures, parking, outdoor areas, and other venue facilities.**

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SECTION TWO: Be it further ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 155 of the Dorchester County Code entitled "Zoning," § 155-13, entitled "Terms defined" be and it is hereby amended as follows:

§ 155-13 Terms defined.

* * *

GUEST COTTAGE

A detached dwelling unit designed to provide temporary lodging accommodations for guests attending events such as weddings, banquets, receptions, and other similar events at the principal structure on the same premises. A guest cottage may include sleeping, bathing, and limited cooking facilities.

* * *

RURAL EVENT VENUE

A facility located in a predominantly rural or agricultural setting, designed and utilized for hosting a variety of gatherings and events. Such gatherings and events may include, but are not limited to, weddings, receptions, parties, meetings, workshops, and retreats. The facility may include indoor and/or outdoor spaces that are suitable for large groups, including barns, pavilions, tents, open fields, gardens, and other structures or areas specifically arranged to accommodate such activities.

SECTION THREE: Be it further enacted and ordained by the County Council of Dorchester County, Maryland that Chapter 155 of the Dorchester County Code entitled “Zoning,” Attachment 1, Table of Permitted Uses by Zoning District, be and it is hereby amended to provide that, subject to the supplementary use regulations set forth above, guest cottages shall be permitted as an accessory use in the Resource Conservation, Agricultural Conservation, Agricultural Conservation – Resource Conservation Area, Neighborhood Business, and General Business Zoning Districts, and to provide that, subject to the supplementary use regulations set forth above, rural event venues shall be permitted as a special exception use in the Resource Conservation, Rural Residential, Rural Residential – Resource Conservation Area, Agricultural Conservation, Agricultural Conservation – Resource Conservation Area, Suburban Residential, and Suburban Residential – Resource Conservation Area Zoning Districts and shall be permitted by right in the Neighborhood Business, and General Business Zoning Districts.

SECTION FOUR: And be it further enacted and ordained that if any section, subsection, sentence, clause, phrase, or portion of this Bill is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Bill, it being the intent of the County Council that this Bill shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION FIVE: And be it further enacted and ordained that all bills, ordinances, or parts thereof inconsistent with the provisions of this Bill are hereby repealed to the extent of such inconsistency.

SECTION SIX: Pursuant to the Acts be it further enacted and ordained by the County Council of Dorchester County, Maryland that General Code Publishers is directed to codify the above amendments to Chapter 155 of the Dorchester County Code accordingly.

SECTION SEVEN: And be it further enacted and ordained pursuant to § 308 of the Charter of Dorchester County, Maryland that promptly after enactment of this Act, the County Manager shall cause a fair summary of this Act to be published at least once in a newspaper of general circulation in Dorchester County, Maryland.

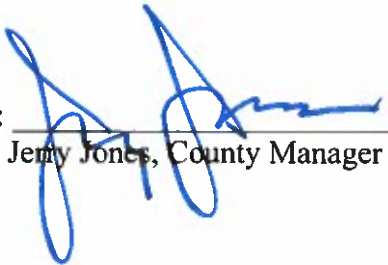
SECTION EIGHT: And be it further enacted and ordained by the County Council of Dorchester County, Maryland that this Bill shall be known as Bill No. 2024-10 of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage.

PASSED this 17 day of December, 2024.

ATTEST:

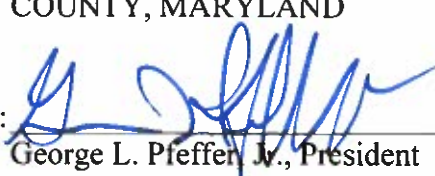
COUNTY COUNCIL OF DORCHESTER
COUNTY, MARYLAND

BY:



Jerry Jones, County Manager

BY:



George L. Pfeffer, Jr., President

Pfeffer – Aye

Detmer – Aye

Kramer – Aye

Nichols – Aye

Travers – Aye