

COUNTY COMMISSIONERS OF CAROLINE COUNTY, MARYLAND

ORDINANCE #2020-1

INTRODUCED BY: COMMISSIONERS PORTER, LEVENGOOD, AND FRANKLIN

INTRODUCED ON: AUGUST 4, 2020

ATTEST: 
LARRY C. PORTER, PRESIDENT

PUBLIC HEARING: SEPTEMBER 1, 2020, 9:00 AM
COURTHOUSE, 109 MARKET STREET, ROOM 106,
DENTON, MARYLAND

HEARING WILL BE HELD OPEN UNTIL SEPTEMBER 15,
2020 AT 9:00 AM

Hearing to be held via Zoom Conferencing. Only written testimony
will be accepted. To submit, email info@carolinemd.org; visit
<http://bit.ly/ccmdtestimony>, or mail to 109 Market Street, room
123, Denton, MD 21629.

To participate in the hearing join online at
<https://zoom.us/j/300062187> or by phone toll free at (888) 475-
4499. Webinar ID: 300 062 187

THIRD READING: SEPTEMBER 15, 2020

FOURTH READING: OCTOBER 6, 2020

ENACTED: OCTOBER 6, 2020

EFFECTIVE: OCTOBER 6, 2020

Chapter 175 – Zoning – *RURAL* Special Event Venues

AN Act concerning supplementary zoning regulations;
FOR the purpose of amending the Code of Public Local Laws of Caroline County, Maryland to
allow special event venues under certain circumstances and subject to certain regulations;
BY adding to Section 175-8.B.; and
BY adding a new Section 175-47 to Article V, Supplementary Regulations.

WHEREAS, the County Commissioners of Caroline County, Maryland (the "County Commissioners") are authorized under Article XI-F of the Maryland Constitution and § 9-308 of the Local Government Article of the Annotated Code of Maryland (the "Local Government Article") to adopt public local laws in general;

WHEREAS, the County Commissioners are authorized under the Land Use Article, Title 4 of the Annotated Code of Maryland to enact and administer zoning and land use ordinances; and

WHEREAS, the County Commissioners have received the positive recommendation of the Planning Commission the staff of the Caroline County Department of Planning and Codes to allow special event venues in the County as proposed in this Ordinance and reflected herein; and

WHEREAS, this Ordinance may also be known by its short title "Chapter 175 – Zoning – Special Event Venues."

NOW, THEREFORE, be it enacted by the County Commissioners of Caroline County, Maryland, that:

SECTION 1. Chapter 175 – Zoning, of the Code of Public Local Laws of Caroline County, Maryland is hereby amended as follows:

Article II. Definitions

§ 175-8. Word usage; terms defined.

B. Terms defined. As used in this chapter, the following terms shall have the meanings indicated:

RURAL SPECIAL EVENT VENUE – A PRIVATELY OWNED FACILITY OR DESIGNATED AREA OF A PARCEL LOCATED IN THE R OR R-1 ZONING DISTRICTS WHERE SPECIAL EVENTS ARE PLANNED AND PERMITTED TO OCCUR FOR COMPENSATION. SPECIAL EVENT VENUES MAY BE FOR PROFIT OR NOT FOR PROFIT. THE VENUE MAY BE ENTIRELY WITHIN A STRUCTURE AND/OR OUTSIDE OF A STRUCTURE. SPECIAL EVENTS INCLUDE PERSONAL, BUSINESS, OR SOCIAL ENGAGEMENTS OR ACTIVITIES WHERE GUESTS ASSEMBLE FOR CEREMONIES, PARTIES, WEDDINGS, REUNIONS, BIRTHDAY CELEBRATIONS, OR OTHER NON-SPECTATOR SIMILAR USES, DURING WHICH FOOD AND BEVERAGES MAY BE SERVED TO GUESTS AND MUSIC AND/OR OTHER ENTERTAINMENT MAY BE PROVIDED TO GUESTS. THIS DEFINITION SHALL NOT INCLUDE PLACES OF WORSHIP.

SECTION 2. Chapter 175 – Zoning, of the Code of Public Local Laws of Caroline County, Maryland is hereby amended to add a new §175-47 as follows:

Article V. Supplementary Regulations

§175-47. RURAL SPECIAL EVENT VENUES

- A. PERMITTED. RURAL SPECIAL EVENT VENUES, AS DEFINED IN ARTICLE II OF THIS CHAPTER ARE PERMITTED SUBJECT TO THE TERMS, CONDITIONS, CRITERIA, AND PROCESSES SET FORTH IN THIS §174-47, UPON THE GRANT OF A SPECIAL USE EXCEPTION PURSUANT TO ARTICLE XVI OF THIS CHAPTER.**
- B. EXEMPTIONS. THE FOLLOWING ACTIVITIES SHALL BE EXEMPT FROM THESE REQUIREMENTS:**
- (1) ACCESSORY USES. USES THAT ARE ACCESSORY TO THE PRIMARY USE OF THE PROPERTY, INCLUDING PRIVATE PARTIES, GATHERINGS, AND SIMILAR ACTIVITIES THAT ARE NOT SUBJECT TO A USE AGREEMENT BETWEEN A PRIVATE PARTY AND THE PROPERTY OWNER.**
 - (2) PLACES OF WORSHIP.**
 - (3) PARKS AND RECREATIONAL FACILITIES.**
 - (4) MUSIC FESTIVALS, OUTDOOR FESTIVALS, CONCERTS, OR OTHER SIMILAR SPECTATOR EVENTS.**
- ~~B~~.C. ALL EVENTS SHALL BE LIMITED TO A SINGLE DAY BETWEEN THE HOURS OF 9:00AM AND 11:00PM. ALL ACTIVITIES RELATED TO THE EVENT, INCLUDING EVENT BREAKDOWN, SHALL CEASE FORTY-EIGHT (48) HOURS AFTER THE SCHEDULED END OF THE EVENT.**
- ~~C~~.D. ALL EVENT ACTIVITIES SHALL BE LIMITED TO THE USE AREAS INDICATED ON THE SITE PLAN SUBMITTED BY THE PROPERTY OWNER AND APPROVED BY THE BY THE PLANNING COMMISSION.**
- ~~D~~.E. EVENT PARKING:**
- (1) SHALL BE LIMITED TO THE AREA SHOWN ON THE APPROVED SITE PLAN.**
 - (2) THERE SHALL BE NO PARKING OR STANDING OF VEHICLES IN ANY PUBLIC RIGHT OF WAY.**
 - (3) THE PARKING AREA SHALL BE ADEQUATELY SCREENED AS DETERMINED BY THE SPECIAL USE EXCEPTION AND APPROVED SITE PLAN.**
 - (4) A DUST CONTROL PLAN MUST BE SUBMITTED FOR APPROVAL FOR UNPAVED PARKING LOTS.**
 - (5) IF PARKING FOR AN EVENT CANNOT BE ACCOMMODATED ON-SITE, THEN SHUTTLE SERVICE MUST BE PROVIDED FOR THAT EVENT.**
- ~~E~~.F. AMPLIFIED MUSIC OR OTHER AMPLIFIED SOUND SHALL ONLY BE ALLOWED PER THE CONDITIONS OF THE SPECIAL USE EXCEPTION. SOUND FROM ANY EVENT, INCLUDING EVENTS WITH MUSIC (AMPLIFIED AND NON-AMPLIFIED), SHALL COMPLY WITH THE REQUIREMENTS OF BOTH STATE OF MARYLAND LAWS AND REGULATIONS AND THE CAROLINE COUNTY CODE, INCLUDING THE ZONING ORDINANCE, WHICH PERTAIN TO THE LIMITATIONS AND PROHIBITIONS ON NOISE IN THE APPLICABLE ZONING DISTRICTS. ~~OUTDOOR MUSIC FESTIVALS MUST OBTAIN ADDITIONAL PERMITTING AS REQUIRED BY STATE LAW.~~**

- ~~F~~G. ALL FOOD SERVED AT EVENTS SHALL BE PREPARED AND SERVED IN ACCORDANCE WITH HEALTH DEPARTMENT REGULATIONS.**
- ~~G~~H. ALL ALCOHOL SERVED MUST BE IN COMPLIANCE WITH BOTH THE STATE OF MARYLAND AND LOCAL CAROLINE COUNTY ALCOHOLIC BEVERAGE RULES AND REGULATIONS. AN ALCOHOLIC BEVERAGE LICENSE MUST BE OBTAINED WHEN REQUIRED.**
- ~~H~~I. ALL APPLICABLE HEALTH DEPARTMENT, BOARD OF LIQUOR LICENSE COMMISSIONERS, MARYLAND DEPARTMENT OF TRANSPORTATION, CAROLINE COUNTY DEPARTMENT OF PUBLIC WORKS, MARYLAND STATE FIRE MARSHAL'S OFFICE, BUILDING AND ZONING PERMITS, SHERIFFS DEPARTMENT, AND ANY OTHER APPLICABLE REQUIREMENTS MUST BE OBTAINED PRIOR TO COMMENCEMENT OF ANY SPECIAL EVENTS.**
- ~~I~~J. THE DESIGN OF ANY STRUCTURES SHALL BE GENERALLY CONSISTENT AND COMPATIBLE WITH OTHER STRUCTURES IN THE AREA.**
- ~~J~~K. ANY RETAIL SALES CONDUCTED ON THE PROPERTY SHALL EITHER BE:**
- (5) ACCESSORY AND INCIDENTAL TO THE PERMITTED ACTIVITY; OR**
 - (6) CONDUCTED BY AND FOR THE BENEFIT OF NONPROFIT, TAX EXEMPT ORGANIZATIONS.**
- ~~K~~L. EVENT MANAGEMENT PLAN. OWNER/OPERATOR SHALL MAINTAIN AN EVENT MANAGEMENT PLAN THAT INCLUDES BUT IS NOT LIMITED TO ALL APPLICABLE CONDITIONS OF APPROVAL, APPROVED USE PERMIT AND PLOT PLAN, TRAFFIC MANAGEMENT PLAN, EXHIBIT MAP SHOWING ALL CLOSEST SURROUNDING SENSITIVE RECEPTORS, *COMPLIANCE WITH APPLICABLE PUBLIC HEALTH RESTRICTIONS OR GUIDELINES*, AND ALL OTHER OPERATIONAL LIMITATIONS. A COPY OF THE EVENT MANAGEMENT PLAN SHALL BE PROVIDED TO THE DEPARTMENT OF PLANNING AND CODES AND MUST BE AVAILABLE FOR ON-SITE INSPECTION AT ALL TIMES.**
- ~~L~~M. MINIMUM ZONING SETBACK SHALL BE 150 FEET UNLESS OTHERWISE DETERMINED BY THE BOARD OF ZONING APPEALS BASED ON THE FOLLOWING FACTORS:**
- (1) SIZE AND SHAPE OF THE PARCEL OR SITE**
 - (2) NATURE OF THE USES ON THE NEIGHBORING PROPERTIES**
 - (3) SIZE, SCOPE, AND CAPACITY OF EVENT VENUE**

SECTION 3. CAROLINE COUNTY TABLE OF USE REGULATIONS, 175 ATTACHMENT 3:1, OF THE CODE OF PUBLIC LOCAL LAWS OF CAROLINE COUNTY, MARYLAND IS HEREBY AMENDED AS FOLLOWS:

Use	Zoning Districts									Additional Regulations
	Primary									
	VC	VN	R	R-1	R-2	C-1	C-2	I-2	MH	
COMMERCIAL BUSINESS AND PERSONAL SERVICES										
<i>RURAL SPECIAL EVENT VENUE</i>			<i>E</i>	<i>E</i>						<i>SEE §175-47</i>

SECTION 34. Matter deleted is shown by ~~striketrough~~. Matter added is shown in **BOLD CAPITALIZATION**. Matter deleted by amendment is shown by ~~double striketrough~~. Matter added by amendment is shown by ***BOLD CAPITALIZED ITALICS***.

SECTION 45. The Recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 56. The provisions of this Ordinance are declared to be severable. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, the same shall be deemed separate, distinct, and independent from, and such holding shall not affect the validity of, the remaining portions of this Ordinance, it being the intent of the County that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

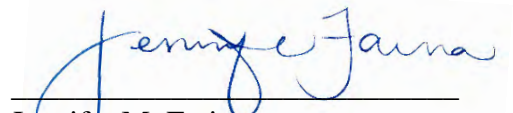
SECTION 67. The Publishers of the Code of Public Local Laws of Caroline County, Maryland (the “Code”) in consultation with and subject to the approval of the County shall make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, organization, and any internal or external reference or citations to the Code that is incorrect or obsolete, with no further action required by the County Commissioners. All such corrections shall be adequately referenced and described in the editor's note following the section affected.

SECTION 78. The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

SECTION 89. This Ordinance shall take effect on October 6, 2020.

Enacted this 6th day of October 2020.

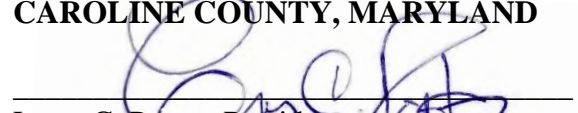
ATTEST:




Jennifer M. Farina
Administrative Coordinator

(SEAL)

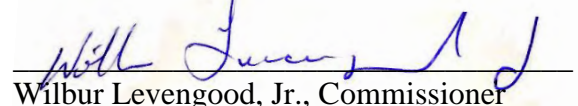
**COUNTY COMMISSIONERS OF
CAROLINE COUNTY, MARYLAND**



Larry C. Porter, President



Daniel J. Franklin, Vice President



Wilbur Levensgood, Jr., Commissioner