

Caroline County Board of Supervisors Agenda Executive Summary

Meeting Date: September 10, 2019

Title: Public Hearing - TXT-10-2019
Proposed Modification to definition of Rural Commercial
Recreational Use

(Check Mark)

<input type="checkbox"/> Consent	<input type="checkbox"/> Closed Meeting
<input checked="" type="checkbox"/> Action	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> No Action (Information Only)	<input type="checkbox"/> Ordinance
<input type="checkbox"/> Resolution	<input type="checkbox"/> PowerPoint Presentation

Summary: Attached for public hearing is a proposed text amendment to modify the definition of “Rural Commercial Recreational Use” to allow hayrides, haunted trails and other similar events.

The Planning Commission forwards the proposed text amendment to the Board with a recommendation of approval.

Budget Impact: None

Action(s) requested of the Board of Supervisors: Conduct public hearing.

Presenter: Michael A. Finchum, Director, Planning & Community Development



STAFF REPORT

CAROLINE COUNTY BOARD OF SUPERVISORS SEPTEMBER 10, 2019 REGULAR MEETING

CASE NUMBER: TXT-10-2019, ARTICLE II, DEFINITIONS
RURAL COMMERCIAL RECREATIONAL USE

REQUEST:

STAFF IS BRINGING FORWARD A TEXT AMENDMENT TO MODIFY THE DEFINITION OF RURAL COMMERCIAL RECREATIONAL USE.

DISCUSSION

STAFF IS BRINGING FORWARD A TEXT AMENDMENT TO MODIFY THE DEFINITION OF RURAL COMMERCIAL RECREATIONAL USE TO ALLOW SEASONAL EVENTS SUCH AS HAYRIDES AND HAUNTED TRAILS.

A RURAL COMMERCIAL RECREATIONAL USE IS PERMITTED BY SPECIAL EXCEPTION IN THE RP ZONING DISTRICT. THERE ARE SEVERAL BUSINESSES CURRENTLY OPERATING UNDER SUCH A SPECIAL EXCEPTION & WE HAVE BEEN CONTACTED BY ONE OF THEM INTERESTED IN HOSTING SEASONAL ACTIVITIES.

THESE TYPES OF ACTIVITIES ARE ALLOWED AS AGRI-TOURISM USES ACCESSORY TO AGRICULTURAL OPERATIONS AND STAFF FEELS THAT THE ACCESSORY USE ASSOCIATED WITH AGRICULTURAL ACTIVITIES SHOULD BE EXTENDED TO RURAL COMMERCIAL RECREATIONAL USES AS THEY ARE SIMILAR IN NATURE.

THE CURRENT DEFINITION OF RURAL COMMERCIAL RECREATIONAL USE IS:

A PRIVATE, FEE-SUPPORTED, INDOOR OR OUTDOOR ACTIVITY WHICH MAY INCLUDE TEMPORARY OVERNIGHT LODGING (DORMITORY) AND/OR OTHER STRUCTURES WHERE INDIVIDUALS TAKE PART IN ACTIVITIES UTILIZING ATHLETIC TRAINING, MASTERED SKILLS, INNATE OR ACQUIRED TALENTS, WITH RECREATIONAL SUPERVISION.

THE MODIFIED DEFINITION BROUGHT TO PUBLIC HEARING AT THE PLANNING COMMISSION'S AUGUST 22ND MEETING READ:

A PRIVATE, FEE-SUPPORTED, INDOOR OR OUTDOOR ACTIVITY WHICH MAY INCLUDE TEMPORARY OVERNIGHT LODGING (DORMITORY) AND/OR OTHER STRUCTURES WHERE INDIVIDUALS TAKE PART IN ACTIVITIES UTILIZING ATHLETIC TRAINING, MASTERED SKILLS, INNATE OR ACQUIRED TALENTS, WITH RECREATIONAL SUPERVISION. TRADITIONAL RURAL RECREATIONAL ACTIVITIES, SUCH AS HAUNTED TRAILS AND HAYRIDES WHICH ARE OTHERWISE PERMITTED AS AN ACCESSORY USE TO A FARM, SHALL BE ALLOWED IN SEASON AS AN ACCESSORY USE TO THE PRINCIPLE USES IDENTIFIED ABOVE.

THE COMMISSION FELT THE WORDING "IN SEASON" WAS UNNECESSARILY RESTRICTIVE SINCE THAT REQUIREMENT IS NOT IMPOSED UPON SIMILAR ACTIVITIES ALLOWED UNDER AGRI-TOURISM USES. A MOTION WAS MADE TO FORWARD THE PROPOSED AMENDMENT TO THE BOARD WITH A RECOMMENDATION OF APPROVAL WITHOUT THE WORDING "IN SEASON". THE MOTION CARRIED ON A 4-0 VOTE.

THE AMENDMENT FORWARDED TO THE BOARD BY THE PLANNING COMMISSION READS AS FOLLOWS:

TXT-10-2019: THAT ARTICLE II, DEFINITIONS, OF THE ZONING ORDINANCE OF CAROLINE COUNTY SHALL BE AMENDED TO MODIFY THE DEFINITION OF RURAL COMMERCIAL RECREATIONAL USE AS FOLLOWS:

A PRIVATE, FEE-SUPPORTED, INDOOR OR OUTDOOR ACTIVITY WHICH MAY INCLUDE TEMPORARY OVERNIGHT LODGING (DORMITORY) AND/OR OTHER STRUCTURES WHERE INDIVIDUALS TAKE PART IN ACTIVITIES UTILIZING ATHLETIC TRAINING, MASTERED SKILLS, INNATE OR ACQUIRED TALENTS, WITH RECREATIONAL SUPERVISION. TRADITIONAL RURAL RECREATIONAL ACTIVITIES, SUCH AS HAUNTED TRAILS AND HAYRIDES WHICH ARE OTHERWISE PERMITTED AS AN ACCESSORY USE TO A FARM, SHALL BE ALLOWED AS AN ACCESSORY USE TO THE PRINCIPLE USES IDENTIFIED ABOVE.