

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION DAY 2015-01**

BILL NO. 2015-01

Title of Bill: Zoning Code - Vacation Rental Homes

Synopsis: A Bill to amend the Cecil County Zoning Ordinance to add a new Section 162, which permits a vacation rental home in certain zones as a Special Exception with conditions.

Introduced by: Council President on behalf of the County Executive

Introduced and ordered posted on: January 6, 2015

Public hearing scheduled on: February 3, 2015 **at:** 7:00 p.m.

Scheduled for consideration: February 17, 2015

By: _____
Council Manager

Public Hearing

Notice of time and place of public hearing and title of Bill have been posted _____ at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on _____, a public hearing was held on _____, and concluded on _____.

By: _____
Council Manager

Explanation: CAPITALS INDICATE MATTER ADDED TO EXISTING BILL
{Brackets} indicate matter deleted from existing law
Underlining indicates language added to a Bill by amendment
Strike through indicates language stricken out of a Bill by amendment.

1 **WHEREAS**, pursuant to Section 402 of the Cecil County Charter (the “Charter”), the County
2 Executive (the “Executive”) shall see that the affairs of the executive branch are administered properly and
3 efficiently, and that employees of the executive branch faithfully perform their duties; and,

4 **WHEREAS**, pursuant to Section 402 of the Charter, the duties and responsibilities of the Executive
5 include, but are not limited to: (a) Supervising and directing offices, agencies and divisions of the executive
6 branch and ensuring that County employees as well as County boards and commissions faithfully perform
7 their duties; and, (b) preparing and submitting to the Council the annual County Budget; and,

8 **WHEREAS**, the Land Use Article (formerly, Article 66B) of the Annotated Code of Maryland
9 empowers Cecil County to adopt a Zoning Ordinance, Zoning Maps, and Subdivision regulations; and,

10 **WHEREAS**, the Land Use Article (formerly, Article 66B) of the Annotated Code of Maryland
11 establishes requirements relative to the adoption of said regulations and maps; and,

12 **WHEREAS**, public hearings were held on 2, 9, and 16 February 2011 by the Cecil County Planning
13 Commission in regard to said regulations and maps; and,

14 **WHEREAS**, the Planning Commission recommended adoption of said regulations and maps to the
15 Board of County Commissioners (now the County Council); and,

16 **WHEREAS**, public hearings were held by the Board of County Commissioners on 2, 9, and 16 March
17 2011 and 5 April 2011 in regard to said regulations and maps; and,

18 **WHEREAS**, said regulations and maps were adopted by the Board of County Commissioners on 19
19 April 2011; and,

20 **WHEREAS**, all requirements of the Land Use Article (formerly, Article 66B) of the Annotated Code of
21 Maryland have been met in regard to the adoption of the Zoning Ordinance, Zoning Maps, and Subdivision
22 Regulations; and,

23 **WHEREAS**, the Director of the Cecil County Department of Planning and Zoning, together with the
24 Cecil County Planning Commission, has recommended that the Zoning Ordinance be amended, as more
25 fully set forth herein; and,

26 **WHEREAS**, the County Executive has submitted the amendments set forth herein to the County
27 Council for consideration and approval.

28 **NOW, THEREFORE, BE IT HEREBY ENACTED** by the County Council of Cecil County, that the Cecil
29 County Zoning Ordinance is amended by adding a new Section 162, as follows:

30 SECTION 162. VACATION RENTAL HOMES

31 VACATION RENTAL HOMES MAY BE PERMITTED IN THE NAR, SAR, RR, MH, LDR, ST, UR, VR, RM, AND RMU
32 ZONING DISTRICTS AS A SPECIAL EXCEPTION PROVIDED:

- 33 1. MAXIMUM OVERNIGHT OCCUPANCY SHALL NOT EXCEED TWO (2) PERSONS PER BEDROOM.
34 FOR PROPERTIES WITH ONSITE SEPTIC SYSTEM, THE MAXIMUM OCCUPANCY SHALL BE
35 LIMITED BY THE DESIGN LOAD OF THE SEPTIC SYSTEM AND APPROVED BY THE CECIL COUNTY
36 HEALTH DEPARTMENT.
- 37 2. ONLY SINGLE FAMILY RESIDENCES SHALL BE USED AS A VACATION RENTAL HOME.
38 ACCESSORY BUILDINGS SHALL NOT BE USED A VACATION RENTAL HOME.
- 39 3. ONE VACATION RENTAL HOME SHALL BE PERMITTED PER PARCEL.
- 40 4. VACATION RENTAL HOME MAY BE RENTED OR LEASED A MAXIMUM OF FOUR (4) WEEKS
41 PER MONTH, AND RENTALS SHALL BE FOR A MINIMUM OF FIVE (5) CONSECUTIVE CALENDAR
42 DAYS.
- 43 5. THE APPLICATION FOR A SPECIAL EXCEPTION SHALL INCLUDE THE FOLLOWING
44 INFORMATION:
 - 45 A. VERIFICATION THAT THE NAME, MAILING ADDRESS, AND 24 HOUR TELEPHONE
46 NUMBER OF THE OWNER OF THE PROPERTY HAS BEEN PROVIDED BY THE APPLICANT
47 TO ALL ADJOINING PROPERTY OWNERS;
 - 48 B. VERIFICATION THAT THE NAME, MAILING ADDRESS, AND 24 HOUR TELEPHONE
49 NUMBER OF THE PROPERTY MANAGER OR DESIGNATED REPRESENTATIVE OF THE
50 OWNER HAS BEEN PROVIDED BY THE APPLICANT TO ALL ADJOINING PROPERTY
51 OWNERS;
 - 52 C. NOTIFICATION FROM THE DEPARTMENT OF PERMITS & INSPECTIONS THAT THE
53 VACATION RENTAL HOME MEETS ALL BUILDING AND SAFETY CODE REQUIREMENTS;
 - 54 D. NOTIFICATION FROM THE DEPARTMENT OF ENVIRONMENTAL HEALTH THAT THE ON-
55 SITE SEPTIC SYSTEM IS ADEQUATE TO HANDLE THE MAXIMUM OCCUPANCY;
 - 56 E. A DIAGRAM INDICATING THAT THERE IS ADEQUATE OFF-STREET PARKING FOR TWO
57 (2) SPACES PER BEDROOM. ALL PARKING SPACES SHALL BE SCREENED FROM
58 ADJOINING PROPERTIES;
 - 59 F. ALL STORAGE AREAS FOR TRASH AND RECYCLING RECEPTABLE SHALL BE SCREENED
60 FROM ADJOINING PROPERTIES;

- 61 G. A FLOOR PLAN OF THE VACATION RENAL HOME INDICATING THE NUMBER OF
- 62 BEDROOMS;
- 63 H. A PLOT PLAN OF THE PROPERTY INDICATING PARKING AREAS, TRASH AND RECYCLING
- 64 RECEPTACLES, AND ALL REQUIRED SCREENING;
- 65 I. FOR ENTITITES INCLUDING, BUT NOT LIMITED TO, CORPORATIONS, LIMITED LIABILITY
- 66 COMPANIES, LIMITED PARTNERSHIPS, LIMITED LIABILITY PARTNERSHIPS, A
- 67 CERTIFICATE OF GOOD STANDING ISSUED BY THE STATE OF MARYLAND DEPARTMENT
- 68 OF ASSESSMENT AND TAXATION NOT MORE THAN 30-DAYS PRIOR TO SUBMISSION
- 69 OF APPLICATION FOR SPECIAL EXCEPTIONS.
- 70 6. EVENTS SUCH AS WEDDINGS, LAWN PARTIES, AND PARTIES USING AMPLIFIED MUSIC SHALL
- 71 NOT BE PERMITTED UNLESS APPROVED AS PART OF THE APPLICATION BY THE BOARD OF
- 72 APPEALS;
- 73 7. SUBLEASING OF THE VACATION RENTAL HOME SHALL NOT BE PERMITTED;
- 74 8. THE USE OF THE VACATION RENTAL HOME FOR COMMERCIAL ACTIVITIES SHALL NOT BE
- 75 PERMITTED.
- 76 9. ARTICLE II. PART I, SECTION 12. DEFINITIONS
- 77 VACATION RENTAL HOME. A TRANSIENT VACATION RENTAL OR USE IN WHICH OVERNIGHT
- 78 ACCOMMODATIONS ARE PROVIDED IN A FAMILY RESIDENTIAL DWELLING UNIT TO GUESTS FOR
- 79 COMPENSATION FOR PERIODS OF LESS THAN 30 DAYS.

CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.

BY: Council Manager