

ORDINANCE NO. 21-05

Introduced by: Thomas B. Willis, Jr.; President

AN ORDINANCE OF THE TOWN OF QUEENSTOWN TO REPEAL AND REPLACE ARTICLE VII, SECTION 89 OF THE QUEENSTOWN ZONING ORDINANCE TO ADOPT DEVELOPMENT STANDARDS APPLICABLE TO THE QRD QUEENSTOWN RESORT DISTRICT AND TO REPEAL AND REPLACE SECTION 90 TO ADOPT DEVELOPMENT STANDARDS APPLICABLE TO THE CS COUNTRYSIDE DISTRICT, AND TO AMEND ARTICLE VIII, SECTION 95 TITLED TABLE OF HEIGHT, AREA AND BULK REQUIREMENTS

WHEREAS, pursuant to Md. Code Ann. Local Government § 5-213, the Commissioners of Queenstown have the authority to adopt regulations concerning zoning; and

WHEREAS, Md. Code Ann. Land Use Article § 4-202 authorizes municipalities to adopt zoning regulations as it determines are in the public health, safety and welfare; and

WHEREAS, the Queenstown Planning Commission has recommended that certain changes be made to the Queenstown Zoning Ordinance, specifically-- to establish development standards applicable to the Queenstown Resort District and Countryside District and to establish height, area, and bulk requirements in the CS; and

WHEREAS, on _____, 2021 the Queenstown Commissioners held a public hearing on Ordinance No. 21-05 and have determined that it is desirable and in the public interest to make certain amendments to the Zoning Ordinance as recommended by the Queenstown Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF QUEENSTOWN AS FOLLOWS:

Section 1. Article VII, Section 89 of Queenstown Zoning Ordinance is hereby repealed in its entirety and replaced as follows:

89. Development Standards in QRD Queenstown Resort District.

- A. The Planning Commission shall approve setbacks, parcel size, signs, parking, and street standards for each development component. These standards shall be internally consistent and implement the district purpose.
- B. Development projects shall conform to the Critical Area Overlay District standards and meet all Queenstown Subdivision Regulations' requirements as applicable.

- C. Except for the development standards outlined in A, all other development aspects shall conform to the Queenstown Zoning Ordinance.
- D. Residential developments shall comply with the standards for R-2 Residential Standards outlined in § 95, Table of Height, Area, and Bulk Requirements.

Section 2. Article VII, Section 90 of Queenstown Zoning Ordinance is hereby repealed in its entirety and replaced as follows:

90. Nonresidential use standards in the CS Countryside District

- A. Maximum floor area: 10% of CS District area.
- B. Maximum impervious surface: 30% of CS District area.
- C. Minimum lot frontage: 35 feet.
- D. Minimum setbacks:
 - 1. Front: 35 feet.
 - 2. U.S. Route 50, 50/301: 100 feet.
 - 3. Arterial: 75 feet.
 - 4. Side and rear: 10 feet.
- E. Maximum building height
 - 1. On-lot agriculture: over 45 feet require special exception approval.
 - 2. Telecommunications facilities: 200 feet.
 - 3. All others: 45 feet.

§ 95. Table of Height, Area and Bulk Requirements.

ZONING DISTRICT	Gross Density Max. (Dus/Ac)	Lot Area Minimum	Lot Width at Building Line Min (ft.)	Lot Frontage Min (ft.)	Front Yard Depth Min (ft.)	Side Yard Width Min (ft.)	Rear Yard Depth Min (ft.)	Maximum Height		
								Principal Structure	Accessory Structure	Playground Equipment
<u>80.</u>										
- Single-family detached	6	NA	40	NA	10	7.5	30	35	16	15
- Single-family semi-detached	6	NA	40	NA	10	7.5	30	35	16	15
- Single-family attached	6	NA	40	NA	10	7.5	30	35	16	15
- Apartment	6	NA	100	NA	10	7.5	30	35	16	15
- Commercial	NA	NA	35	NA	10	7.5	30	35	16	15
HC Highway Commercial	NA	NA	100	NA	40	10/50	10	35	16	NA
RC Regional Commercial <u>§78.</u>	NA	NA	200	NA	30/25	30/25		45	NA	NA
I Industrial	NA	NA	100	NA	40	10	30	45	45	NA

§ 95. Table of Height, Area and Bulk Requirements.

ZONING DISTRICT	Gross Density Max. (Dus/Ac)	Lot Area Minimum	Lot Width at Building Line Min (ft.)	Lot Frontage Min (ft.)	Front Yard Depth Min (ft.)	Side Yard Width Min (ft.)	Rear Yard Depth Min (ft.)	Maximum Height		
								Principal Structure	Accessory Structure	Playground Equipment
<u>§ 79.</u>										
<i>CS Countryside</i>										
<i>- Single-family detached</i>	0.05	20,000	100	NA	35*	10*	30*	35	16	
<i>*Setback from U.S Route 50, 50/301, 100 feet</i>										

Section 4. Unless specifically amended as set forth above, all other provisions of the Queenstown Zoning Ordinance shall remain unchanged.

Section 5. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Commissioners of Queenstown hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

ORDAINED, APPROVED, AND PASSED by the Town Commissioners for the Town of Queenstown on this _____ day of _____, 2021.

WITNESS:

TOWN COMMISSIONERS FOR THE
TOWN OF QUEENSTOWN:

Aaron Horney, Town Clerk

Thomas B. Willis, Jr., President

Aaron Horney, Town Clerk

Alton Hardee, Commissioner

Aaron Horney, Town Clerk

Bryon Callahan, Commissioner

NOTE: ~~Strike through text~~ = deleted text
Bold, italicized text = added text