



Howard County Maryland
Department of Planning and Zoning
3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350
www.howardcountymd.gov

DPZ Office Use only:	
Case No	ZRA-217
Date Filed	7/31/2025

Zoning Regulation Amendment Petition

Description of Proposed Amendment:

The proposed ZRA aims to reduce conflicts in the current zoning code, add opportunities for agritourism, and also implement goals and policies of HoCo By Design by: adding new definitions and amending current definitions, amend Agritourism Special Farm Permit, add Incidental Outdoor Stays and Small-Scale Agritourism as a Special Farm Permit use, amend the Bed and Breakfast Inn use on ALPP properties and allow under Special Farm Permit, amend uses and certain restrictions for ALPP properties, amend Limited Social Assembly use and rename to Rural Venue Space, amend the Farm Winery and Brewery use to Farm Alcohol Producer, and increase the allowable lot coverage for detached accessory structures on RC and RR zoned properties developed with single-family detached dwellings.

Petitioner Information

Name: Lynda Eisenberg

Trading As:

Address: 3430 Courthouse Drive, Ellicott City, MD, 21043

Phone: 4103132350

Email: leisenberg@howardcountymd.gov

Petitioner's Interest in the Property: Other

Representative Information

Name: David Moore

Address: 3450 Courthouse Drive, Ellicott City, MD, 21043

Phone: 4103132100

Email: dmoore@howardcountymd.gov

Profession: Attorney

Property Information

Property Address: 12985 Frederick Road, West Friendship, MD, 21794

Total Site Area: 135.4 acres Use Area (if different): Tax Map: 15 Grid: 10 Parcel: 142

County Council District: 5 Zoning District: RC-DEO

Subdivision Name: SDP #:

Zoning Regulation Amendment Information

Please provide a brief statement concerning the reason(s) the requested amendment(s) to the Zoning Regulations is (are) being proposed:

The intended purpose of the proposed ZRA is to accomplish the following:

1. Implement new relevant policies as outlined in the County's General Plan, HoCo By Design,
2. Address issues and reduce conflicts in the current code to improve clarity, accessibility, and ease of technical administration,
3. Respond to changed market conditions and new industry opportunities to aid in the expansions of traditional farming operations.

The Legislative Intent of the Zoning Regulations in Section 100.0.A. expresses that the Zoning Regulations have the purpose of "...preserving and promoting the health, safety and welfare of the community." Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with this purpose and the other issues in Section 100.0.A.

The proposed ZRA is in harmony with preserving and promoting the health, safety, and welfare of the County as described in Section 100.A. Specifically, this proposed ZRA is described in enumerated intent number 2: "To protect the character, the social and economic stability of all parts of the County; to guide the orderly growth and development of the County, and to protect and conserve the value of land and structures appropriate to the various land use classes established by the General Plan for Howard County, and by these comprehensive Zoning Regulations."

Does the amendment, or do the amendments, have the potential of affecting the development of more than one property, yes or no? If yes, and the number of properties is less than or equal to 12, explain the impact on all properties affected by providing a detailed analysis of all the properties based upon the nature of the changes proposed in the amendment(s). If the number of properties is greater than 12, explain the impact in general terms.

The amendment would impact more than 12 properties. The amendment has a general impact on parcels that are zoned RC, RR, R-ED, R-20, R-12, R-SC, and R-VH. The proposed amendment would change the regulations for uses permitted in the listed districts or add uses not currently permitted in those districts.

Provide the address, Tax Map, and Parcel Number for any parcel of land known to be affected by the amendment(s) that the Petitioner owns or has a legal or equitable interest in.

N/A

Zoning Regulation Amendment Criteria

The compatibility, including potential adverse impacts and consequences, of the proposed zoning regulation amendment with the existing and potential land uses of the surrounding areas and within the same zoning district.

This ZRA would generally have an impact on all parcels that are zoned RC, RR, R-ED, R-20, R-12, R-SC, and R-VH because the proposal would be amending the uses allowed within the districts. The proposed ZRA would not produce adverse impacts on land uses of a specific area within the same zoning district because the ZRA is an encompassing update to multiple zoning districts and uses.

The properties to which the zoning regulation amendment could apply and, if feasible, a map of the impacted properties.

The proposed amendment will largely impact the western part of the County, outside of the Public Service Area. One of the purposes of the amendment is to expand agritourism opportunities for current/future farming operations and provide avenues for different types of uses outside of traditional farming, which for the most part, are in the western part of the County.

The zoning districts this amendment would impact are the RC, RR, R-ED, R-20, R-12, R-SC, and R-VH. The amendment will amend current uses allowed in those districts, introduce new uses that are currently not allowed in the district, or introduce completely new uses in the district that are not currently in the code.

Conflicts in the Howard County Zoning Regulations as a result of the zoning regulation amendment.

If approved, this amendment would not create any conflicts in the Howard County Zoning Regulations. One of the purposes of the proposed legislation is to clear up existing conflicts DPZ has seen and/or experienced administratively.

The compatibility of the proposed zoning regulation amendment with the policies and objectives, specifically including the environmental policies and objectives, of the Howard County General Plan.

The general plan's Economic Prosperity chapter is supportive of continuing to grow opportunities for agricultural diversification and agritourism in the county supported in the Agricultural Land Use ZRA. General Plan Policy Statement EP-10 aims to "Promote and support modern farming initiatives that reflect the changing needs and economic drivers of agriculture in Howard County," which is supported through several new and expanded agricultural use allowances, such as incidental outdoor stays-lodging; small-scale agritourism; expanded Bed and Breakfast allowances; and Festival-Agritourism uses.

General Plan Policy Statement EP-13 states that the County should "Reduce regulatory barriers to diversified agricultural operations in both the Rural West and the East." This ZRA expands and adds new agricultural uses in western and eastern portions of the county to support diversified agricultural operations.

General Plan Implementing Action EP-13.1 calls for updates to "the Zoning Regulations and other policies to promote agricultural expansion and diversification, especially for on-farm processing and other agribusiness opportunities," which is accomplished through this ZRA.

General Plan Implementing Action EP-13.2 calls for the county to "Work with agricultural and community stakeholders to review and update the Zoning Regulations and other regulations to create more opportunities for agritourism." The Agricultural Land Use ZRA has engaged with many community stakeholders in order to develop the proposed changes within the ZRA.

General Plan Implementing Action EP-13.3 calls for the County "Reduce barriers to the burgeoning demand for on-farm breweries, wineries, cideries, meaderies, distilleries, farm stays, event venues, and other agritourism uses." The Agricultural Land Use ZRA includes expanded allowances for winery, brewery, and distilling operations.

The proposed ZRA would not be changing any development requirements for sensitive resource protection, stormwater management, or forest conservation, therefore not impacting environmental policies.

If the zoning regulation text amendment would impact eight (8) parcels of land or less:

- (i) A list of those impacted parcels;
- (ii) The address of each impacted parcel;
- (iii) The ownership of each impacted parcel; and
- (iv) The contact information for the owner, if an individual, or resident agent or owner, if a corporate entity, of each impacted parcel.

The proposed ZRA impacts more than 8 parcels therefore this criterion does not apply.

Signatures

The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition, are true and correct.

Petitioner's Signature

Lynda Eisenberg
DE9E18E4B5B1444...

Date

7/31/2025

Property Owner's Signature

Date

Process information and submittal requirements can be found on the [ProjectDox website](#)



Howard County Maryland
Department of Planning and Zoning
 3430 Courthouse Drive, Ellicott City, MD 21043

dpzzoning@howardcountymd.gov (410) 313-2350

ZONING PETITION AFFIDAVIT

Petitioner Name: Lynda Eisenberg, AICP
 Property Address: _____
 Zoning Petition Type: Zoning Regulation Amendment

Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard County Code as amended.

The undersigned does hereby declare that no officer or employee of Howard County, whether elected or appointed, has received prior hereto or will receive subsequent hereto, any monetary or material consideration, any service or thing of value, directly or indirectly, upon more favorable terms than those granted to the public generally in connection with the submission, processing, issuance, grant or award of the attached application for a zoning petition as requested for the property referenced above.

I we, do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my, our, knowledge, information and belief.

Lynda Eisenberg _____ Petitioner Name	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> DocuSigned by: <small>DE9E18E4B5B1444...</small> </div> _____ Signature	7/31/2025 _____ Date
_____ Witness Name	_____ Signature	_____ Date
_____ Witness Name	_____ Signature	_____ Date

This Affidavit must be signed, scanned and uploaded through the ProjectDox Zoning Petition Application process at <https://howard-md-us.avovecloud.com/ProjectDox/>

For more information or questions, contact DPZ at (410) 313-2350.



Howard County Maryland
Department of Planning and Zoning
3430 Courthouse Drive, Ellicott City, MD 21043

dpzzoning@howardcountymd.gov (410) 313-2350

AFFIDAVIT AND DISCLOSURE OF CONTRIBUTION

For Petitions to Amend the Zoning Regulations, Zoning Maps and Preliminary Develop Plans of Howard County

Zoning Matter: Zoning Regulation Amendment

AFFIDAVIT AS TO CONTRIBUTIONS TO CANDIDATES AND BUSINESS ENGAGEMENTS WITH ELECTED OFFICIALS

**As required by the Maryland Public Ethics Law Annotated Code of Maryland, General
Provisions Article Sections 5-852 through 5-854**

**ALL BOLDDED TERMS ARE DEFINED BY SECTION 5-852 MARK EACH PARAGRAPH AS
APPLICABLE**

1. I, Lynda Eisenberg, the **Applicant** filing an **Application** in the above zoning matter, to the best of my information, knowledge, and belief ☐ HAVE / ☒ HAVE NOT made a **Contribution** or contributions having a cumulative value of \$500 or more to the treasurer of a **Candidate** or the treasurer of a **Political Committee** during the 48-month period before the **Application** was filed; and I ☐ AM / ☒ AM NOT currently **Engaging in Business** with an **Elected Official**.

2. I, the ☒ **Applicant** or a ☐ **Party of Record** in the above referenced zoning matter, acknowledge and affirm that, if I or my **Family Member** has made a **Contribution** or contributions having a cumulative total of \$500 or more during the 48-month period before the **Application** was filed or during the pendency of the **Application**, I will file a disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was made, the amount, and the date of the **Contribution**; and that a **Contribution** made between the filing and the disposition of the **Application** will be disclosed within 5 business days after the **Contribution**.

3. I, the ☒ **Applicant**, acknowledge and affirm that, if I begin **Engaging in Business** with an **Elected Official** between the filing and the disposition of the **Application**, I will file this Affidavit at the time of **Engaging in Business** with the **Elected Official**.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY and upon personal knowledge that the contents of this Affidavit are true.

Lynda Eisenberg

(Print Full Name)

DocuSigned by:

Lynda Eisenberg
DE9E18E4B5B1444...

8/1/2025

(Sign full name & indicate legal capacity, if applicable)

Date

Zoning Matter: _____

DISCLOSURE OF CONTRIBUTION

As required by the Maryland Public Ethics Law Annotated Code of Maryland, General Provisions Article Sections 5-852 through 5-854

ALL BOLDED TERMS ARE DEFINED BY SECTION 5-852

If the **Applicant** or a **Party of Record** or their **Family Member** has made a **Contribution** or contributions having a cumulative value of \$500 or more during the 48-month period before the **Application** is filed or during the pendency of the **Application**, the **Applicant** or the **Party of Record** must file this disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was made, the amount, and the date of the **Contribution**.

For a **Contribution** made during the 48-month period before the **Application** is filed, the **Applicant** must file this disclosure when they file their **Application**, and a **Party of Record** must file this disclosure within 2 weeks after entering the above zoning matter.

A **Contribution** made between the filing and the disposition of the **Application** must be disclosed within 5 business days after the **Contribution**.

Any person who knowingly and willfully violates Sections 5-852 through 5-854 of the General Provisions Article of the Annotated Code of Maryland is subject to a fine of not more than \$5,000. If the person is not an individual, each officer and partner who knowingly authorized or participated in the violation is subject to the same penalty.

Applicant or Party of Record: _____
(Print Full Name)

RECIPIENTS OF CONTRIBUTIONS:

NAME	DATE	AMOUNT

I acknowledge and affirm that any **Contribution** I make between the filing of this disclosure and the disposition of the **Application** must be disclosed within 5 business days of the **Contribution**.

(Print Full Name)

(Sign full name & indicate legal
capacity, if applicable)

Date

This Affidavit must be signed, scanned and uploaded through the ProjectDox Zoning Petition Application process at <https://howard-md-us.avolvecloud.com/ProjectDox/>

For more information or questions, contact DPZ at (410) 313-2350.

Howard County Agricultural Land Use ZRA

Legislative Summary

The intended purpose of the 2025 Howard County Agricultural Land Use Regulation Amendment is to:

- Implement new relevant policies as outlined in the County’s General Plan, HoCo By Design
- Address issues and reduce conflicts in the current code to improve clarity, accessibility, and ease of technical administration
- Respond to changed market conditions and new industry opportunities

Howard County allows farming and other agricultural uses in most of its zoning districts. Whether specific uses are permitted by-right or require additional review and approval, such as through an administrative permit or conditional use process, is dependent on a specific zoning district’s regulation. In addition to these base zoning district rules and regulations, Howard County also has a robust Agricultural Land Preservation Program (ALPP) which makes a property eligible for additional agribusiness opportunities and subject to additional regulations as well as private easement documents.

Summary of Changes

- New and amended definitions
- Amend Agritourism Special Farm Permit and add new small-scale Agritourism Use
- Add Incidental Outdoor Stays as a Special Farm Permit use
- Amend Bed and Breakfast Inn use on ALPP properties and allow under Special Farm Permit
- Amend uses and certain restrictions for ALPP properties
- Amend Limited Social Assembly use and renamed to Rural Venue Space
- Amend the Farm Winery and Brewery use to Farm Alcohol Producer

Legislative Text Changes

Howard County Zoning Regulations

SECTION 103.0: Definitions

AGRIBUSINESS: MEANS THE VARIOUS BUSINESSES ENGAGED IN THE PRODUCING, SHOWCASING, PREPARING, AND SELLING OF FARM PRODUCTS.

AGRICULTURE: THE RAISING OF FARM PRODUCTS FOR USE OR SALE, INCLUDING LIVESTOCK OR POULTRY HUSBANDRY, AND THE GROWING OF CROPS SUCH AS GRAIN, VEGETABLES, FRUIT, GRASS FOR PASTURE OR SOD, TREES, SHRUBS, FLOWERS, AND SIMILAR PRODUCTS OF THE SOIL, AND INCLUDING STABLES FOR BOARDING AND TRAINING HORSES.

Agritourism Enterprise: Activities conducted on a farm and offered to the public or to invited groups for the purpose of recreation, education or active involvement in the farm operation **WITH AN EMPHASIS ON HANDS-ON EXPERIENCES AND EVENTS THAT FOSTER INCREASED KNOWLEDGE OF AGRICULTURE, INCLUDING CULTIVATION METHODS, ANIMAL CARE, WATER CONSERVATION, MARYLAND'S FARMING HISTORY, THE IMPORTANCE OF EATING HEALTHY, AND LOCALLY GROWN FOODS.** These activities must be related to agriculture or natural resources and ~~incidental~~ **RELATED** to the primary operation on the site. This term includes farm tours, farm stays, hayrides, corn mazes, classes related to agricultural products or skills, picnic and party facilities offered in conjunction with the above, and similar uses.

Bed and Breakfast Inn: A historic building, or a building on a farm ~~with an agricultural land preservation easement~~, in which, for compensation, sleeping accommodations are provided to transient guests in not more than six guest rooms. A bed and breakfast inn may include the provision of meals for overnight guests only.

FARM VEHICLE: A SPECIAL USE VEHICLE, AS DEFINED BY THE MARYLAND DEPARTMENT OF TRANSPORTATION AND REGISTERED AS SUCH WITH THE MARYLAND DEPARTMENT OF MOTOR VEHICLES. A FARM VEHICLE IS:

(A) CONTROLLED AND OPERATED BY A FARMER, THE OWNER OR OPERATOR OF A FARM, OR AN EMPLOYEE OR FAMILY MEMBER OF THE OWNER OR OPERATOR AS A PRIVATE MOTOR CARRIER OF PROPERTY;

(B) BEING USED TO TRANSPORT EITHER: (1) AGRICULTURAL PRODUCTS; OR FARM MACHINERY, FARM SUPPLIES, OR BOTH, TO OR FROM A FARM;

(C) NOT BEING USED IN THE OPERATION OF A FOR-HIRE MOTOR CARRIER;

(D) NOT CARRYING HAZARDOUS MATERIALS OF A TYPE OR QUANTITY WHICH REQUIRES THE COMMERCIAL MOTOR VEHICLE TO BE PLACARDED; AND

(E) BEING USED WITHIN 150 AIR-MILES OF THE FARMER'S FARM.

(F) IS EXCLUSIVELY USED FOR AGRICULTURAL PURPOSES.

FARM VEHICLES DO NOT INCLUDE:

- a) SNOWPLOW TRUCKS OR TRUCKS OUTFITTED WITH SNOWPLOW OR OTHER EQUIPMENT DESIGNED FOR THE PRETREATMENT OR CLEARING OF ROADS ASSOCIATED WITH INCLEMENT WEATHER. INOPERABLE VEHICLES OR VEHICLES PARKED FOR THE PURPOSE OF SALVAGING VEHICLE PARTS COMPLIANT WITH SECTION 128.0.D.9.

FARM ALCOHOL PRODUCER: A FARM THAT GROWS AND PROCESSES, STORES, AND/OR SELLS AGRICULTURAL PRODUCTS FOR THE PRODUCTION OF WINE, BEER, BRANDY, JUICE, LIQUOR, CIDER, OR OTHER SIMILAR BEVERAGES ON AN ON-SITE PRODUCING VINEYARD, BREWERY, ORCHARD, HOPYARD, OR SIMILAR GROWING AREA. ACTIVITIES MAY INCLUDE COOKING, FERMENTING, BOTTLING, STORAGE, AGING, SHIPPING, RECEIVING, AND MAY ALSO INCLUDE ACCESSORY FACILITIES FOR LABORATORY WORK, MAINTENANCE, AND OFFICE FUNCTIONS. OTHER ADDITIONAL ACTIVITIES SUCH AS ASSOCIATED PRODUCT TASTING, SALES, SITES TOURS, EDUCATION PROGRAMS ARE INCLUDED BUT NOT LIMITED TO.

~~Farm Brewery: An agricultural processing facility located on a farm with equipment, components and supplies for the processing, production and packaging of beer, ale, porter, stout and similar malt-based or grain based beverages on the premises. Farm brewer activities may include associated cooking, fermenting, bottling, storage, aging, shipping, receiving, and may also include accessory facilities for laboratory work, maintenance, and office functions.~~

~~Farm Brewery—Class 1A: A farm brewery which includes product tasting, product sales, site tours, and educational programs.~~

~~Farm Winery: An agricultural processing facility located on a farm with a vineyard, orchard, hives, or similar area, which consists of vinification equipment, components and supplies for the processing, production and packaging of wine and similar fermented beverages on the premises. Farm winery activities may include associated crushing, fermenting and refermenting, distilling, blending, bottling, storage, aging, shipping, receiving, and may also include accessory facilities for laboratory work, maintenance, and office functions.~~

~~Farm Winery – Class 1A: A Farm Winery which operates for purposes of wine tasting, wine sales, tours, educational programs, meetings and social events.~~

~~Farm Winery – Class 1B: A Class 1A Farm Winery that requires approval as a Conditional Use.~~

~~Farm Winery- Class 2: A Farm Winery which operates on at least 25 acres for the purposes of wine tasting, wine sales, tours, educational programs, meetings, social events and special events.~~

FESTIVAL – AGRITOURISM: A LARGE-SCALE OUTDOOR SEASONAL OR CULTURAL EVENT (1) HELD FOR A LIMITED PERIOD OF TIME, (2) INTENDED TO OR LIKELY TO ATTRACT SUBSTANTIAL CROWDS, (3) IT IS UNLIKE THE CUSTOMARY OR USUAL ACTIVITIES GENERALLY ASSOCIATED WITH THE PROPERTY, AND (4) SUFFICIENTLY DIFFERENTIATED IN ITS OFFERINGS FROM DAY-TO-DAY AGRITOURISM EVENTS AND OPERATIONS IN SCALE AND INTENSITY. FESTIVAL EVENTS MAY INCLUDE ANIMAL SHOWS AND JUDGING, ART AND CRAFT FAIRS/SHOWS, CARNIVAL-LIKE GAMES, HAUNTED HOUSES, LIVE MUSIC, FOOD BOOTHS AND STANDS, AND NON-MOTORIZED RIDES. EXCLUDING RACETRACKS AND MOTORIZED CONTESTS OF SPEED, RODEOS, SALES, AND AUCTIONS.

INCIDENTAL OUTDOOR STAYS – LODGING: SHORT-TERM, ON-SITE LODGING THAT OCCURS IN INDIVIDUAL STRUCTURES OR AT AN ESTABLISHED PARKING SITE THAT PROVIDES OVERNIGHT ACCOMMODATION OF PAYING GUESTS ON A FARM PROPERTY. STRUCTURES MAY CONSIST OF SEMI-PERMANENT OR MOVEABLE DWELLINGS SUCH AS CABINS, TENTS OR YURTS, RECREATIONAL VEHICLES, SHEPHERDS’ HUTS, TINY HOUSES, OR SIMILAR TEMPORARY ACCOMMODATIONS. SUCH ACCOMMODATIONS MAY FEATURE IN-SUITE BATH FACILITIES AND KITCHENETTES. INCIDENTAL OUTDOOR STAYS – LODGING STRUCTURES ARE NOT PERMITTED TO BE UTILIZED AS A DWELLING UNIT. INCIDENTAL OUTDOOR STAYS – LODGING IS NOT CONSIDERED SHORT-TERM

RENTAL OR HOTEL/MOTELS AS DEFINED BY SECTION 103.0. INCIDENTAL OUTDOOR STAYS – LODGING SHALL BE RENTED IN CONJUNCTION WITH VISITORS TAKING PART IN OFFERED AGRICULTURAL OR FARMING USES ESTABLISHED ON THE FARM.

RURAL VENUE SPACE: AN ESTABLISHMENT WHICH IS RENTED BY INDIVIDUALS OR GROUPS TO ACCOMMODATE FUNCTIONS INCLUDING BUT NOT LIMITED TO BANQUETS, WEDDINGS, ANNIVERSARIES, AND OTHER SIMILAR CELEBRATIONS AND ONE-TIME EVENTS, WHICH ARE NOT OPEN TO THE GENERAL PUBLIC WITHOUT AN INVITATION. FOOD MUST BE PROVIDED BY A LICENSED CATERER. THE FACILITY MAY ALSO INCLUDE ON-SITE KITCHEN FACILITIES.

SMALL-SCALE AGRITOURISM: ACTIVITIES CONDUCTED ON A FARM AND OFFERED TO THE PUBLIC OR TO INVITED SMALL GROUPS FOR THE PURPOSE OF COMMUNITY ENGAGEMENT, RECREATION, EDUCATION OR ACTIVE INVOLVEMENT IN GARDENING, FARMING, OR SIMILAR OPERATIONS. THESE ACTIVITIES HAVE LIMITED ATTENDANCE APPROPRIATE TO THE SITE AND OPERATIONS. THIS TERM MAY INCLUDE FARM TOURS, CLASSES RELATED TO AGRICULTURAL PRODUCTS OR SKILLS, PICNIC FACILITIES OFFERED IN CONJUNCTION WITH THE ABOVE, AND SIMILAR USES. SMALL-SCALE AGRITOURISM DOES NOT INCLUDE FESTIVAL EVENTS.

Section 104.0: RC (Rural Conservation) District

C. Accessory Uses

15. Agritourism, **SMALL-SCALE AGRITOURISM**, ~~enterprises~~ and pick-your-own marketing of farm products, subject to the requirements of Section 128.0.I.
16. **FARM ALCOHOL PRODUCER** ~~Winery—Class 1A and Farm Brewery—Class 1A~~, subject to the requirements of Section 128.0.O.
- 27. INCIDENTAL OUTDOOR STAYS – LODGING, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.**
- 28. BED AND BREAKFAST INNS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.**

Section 105.0: RR (Rural Residential) District

C. Accessory Uses

11. **FARM ALCOHOL PRODUCER** ~~Winery—Class 1A or Farm Brewery—Class 1A~~, subject to the requirements of Section 128.0.O.

16. Agritourism, ~~enterprises~~ **SMALL- SCALE AGRITOURISM**, and pick-your-own marketing of farm products, subject to the requirements of Section 128.0.I.

25. INCIDENTAL OUTDOOR STAYS – LODGING, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.

26. BED AND BREAKFAST INNS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.

Section 107.0: R-ED (Residential: Environmental Development) District

C. Accessory Uses

18. INCIDENTAL OUTDOOR STAYS – LODGING, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.

19. BED AND BREAKFAST INNS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.

20. SMALL-SCALE AGRITOURISM, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.

Section 108.0: R-20 (Residential: Single) District

C. Accessory Uses

16. INCIDENTAL OUTDOOR STAYS – LODGING, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.

17. BED AND BREAKFAST INNS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.

18. SMALL-SCALE AGRITOURISM, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.

Section 109.0: R-12 (Residential: Single) District

C. Accessory Uses

15. BED AND BREAKFAST INNS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.

Section 110.0: R-SC (Residential: Single Cluster) District

C. Accessory Uses

14. BED AND BREAKFAST INNS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.

Section 106.1: County Preservation Easements

B. Uses Permitted as a Matter of Right

1. ALPP Purchased Easements and ALPP Dedicated Easements
 - a. Farming.
 - b. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.

- c. One single-family detached principal dwelling unit, if provided for in the Deed of Easement.
 - d. Sales of Christmas trees or other seasonal decorative material, between **NOVEMBER 1ST AND JANUARY 14TH** ~~December 1st and January 1st~~, subject to the requirements given in Section 128.0.D.
 - e. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar utility uses not requiring a Conditional Use.
 - f. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0. and Section 15.516 of the Howard County Code.
 - g. Bed and Breakfast Inns, provided that:
 - (1) The building existed at the time the easement was established, **OR THE USE IS LOCATED WITHIN THE PROPERTY'S DESIGNATED PRIMARY DWELLING.**
 - ~~(2) The Inn is managed by persons residing on the same parcel or in a contiguous parcel that is under the same ownership and part of the same farm.~~
 - (3) THE PARCEL IS A MINIMUM OF 20 ACRES.**
 - (4) THE INN IS MANAGED AND OWNED BY AN INDIVIDUAL RESIDING ON THE SAME PARCEL OR ADJOINING PARCEL AND CLAIMING IT AS THEIR PRIMARY RESIDENCE OR IS MANAGED BY AN INDIVIDUAL THAT RESIDES IN THE STRUCTURE THAT WILL SERVE AS THE ONSITE CARETAKER ON BEHALF OF THE OWNER.**
 - h. Rooftop solar collectors.
2. Other dedicated Easements
- a. Farming.
 - b. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
 - c. One single-family detached dwelling unit on the preserved area of a cluster subdivision, if provided for as required by Sections 104.0.G and 105.0.G.
 - d. Private outdoor recreational facilities, such as parks, athletic fields, swimming pools, basketball courts and tennis courts, reserved for use by residents of a community and their guests. Such facilities shall be located within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities.

- e. Government uses, limited to public schools, conservation areas, parks, and recreational facilities.
- f. Sales of Christmas trees or other seasonal decorative material, **BETWEEN NOVEMBER 1ST AND JANUARY 14TH** ~~December first and January first,~~ subject to the requirements given in Section 128.0.D.

C. Accessory Uses

1. ALPP Purchased Easements and ALPP Dedicated Easements

- a. Any use normally and customarily incidental to any use permitted as a matter of right in the RC and/or RR Districts.
- b. Farm tenant houses on parcels greater than 50 acres, subject to the Deed of Agricultural Preservation Easement and approval by the Agricultural Land Preservation Board. The parcel on which the farm tenant house will be located must be improved with a principal dwelling unless, based on justification of need submitted by the applicant, the Director of the Department of Planning and Zoning authorizes an exception to this requirement.
- c. Accessory apartments, subject to the requirements of Section 128.0.A.
- d. Housing by a resident family of boarders and/or elderly persons subject to the requirements of Sections 104.0.C.4 or 105.0.C.4.
- e. Home occupations, subject to the requirements of Section 128.0.C.
- f. Home care, subject to the requirements of Sections 104.0.C.6 or 105.0.C.6.
- g. Parking of commercial vehicles, subject to the requirements of Sections 104.0.C.7 or 105.0.C.7.
- h. Storage of recreational vehicles or boats, subject to the requirements of Sections 104.0.C.8 or 105.0.C.8.
- i. Commercial services, subject to the requirements of Sections 104.0.C.9 or 105.0.C.9.
 - (1) Blacksmith shop
 - (2) Farm machinery repair
 - (3) Lawn and garden equipment repair
 - (4) Welding
- j. Farm stands, subject to the requirements of Section 128.0.I.
- k. Snowball stands, subject to the requirements of Section 128.0.D.
- l. Value-added processing of agricultural products subject to the requirements of Section 128.0.I.

- m. Agritourism enterprises **AND SMALL-SCALE AGRITOURISM**, subject to the requirements of Section 128.0.I.
- n. Pick-your-own marketing of farm products, subject to the requirements of Section 128.0.I.
- o. **FARM ALCOHOL PRODUCER** winery—Class 1A or Farm Brewery—Class 1A, subject to the requirements of Section 128.0.O.
- p. Small wind energy system, building mounted, subject to the requirements of Section 128.0.L.
- q. Small wind energy system, freestanding tower on properties 5 acres or greater, subject to the requirements of Section 128.0.M.
- r. Riding stables and academies, subject to the requirements of Section 128.0.I.
- s. Community Supported Agriculture (CSA), subject to the requirements of Section 128.0.I.
- t. Food hubs, subject to the requirements of Section 128.0.I.
- u. Accessory ground-mount solar collectors.
- v. Residential chicken keeping, subject to the requirements of Section 128.0.D.
- w. Livestock on residential parcels, subject to the requirements of Section 128.0.D.
- x. **INCIDENTAL OUTDOOR STAYS – LODGING, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.**

2. Other Dedicated Easements

- a. Any use normally and customarily incidental to any use permitted as a matter of right in the RC and/or RR Districts.
- b. Farm tenant houses on parcels greater than 50 acres, subject to the Deed of Easement. The parcel on which the farm tenant house will be located must be improved with a principal dwelling unless, based on justification of need submitted by the applicant, the director of the department of planning and zoning authorizes an exception to this requirement.
- c. Caretaker's dwellings on parcels greater than 50 acres and improved with a principal dwelling, subject to the Deed of Easement.
- d. Accessory apartments, subject to the requirements of Section 128.0.A.
- e. Housing by a resident family of boarders or elderly persons subject to the requirements of Sections 104.0.C or 105.0.C.
- f. Home occupations, subject to the requirements of Section 128.0.C.
- g. Home care, subject to the requirements of Section 104.0.C or 105.0.C.

- h. Parking of commercial vehicles, subject to the requirements of Section 104.0.C or 105.0.C.
- i. Storage of recreational vehicles or boats, subject to the requirements of Sections 104.0.C or 105.0.C.
- j. Commercial services, subject to the requirements of Sections 104.0.C. or 105.0.C.
 - (1)Blacksmith shop
 - (2)Farm machinery repair
 - (3)Lawn and garden equipment repair
 - (4)Welding
- k. Farm stands, subject to the requirements of Section 128.0.I.
- l. Snowball stands, subject to the requirements of Section 128.0.I.
- m. Disposal of off-site land clearing debris, subject to the requirements of Section 128.0.D.
- n. Value-added processing of agricultural products, subject to the requirements of Section 128.0.I.
- o. Agritourism enterprises **AND SMALL-SCALE AGRITOURISM**, subject to the requirements of Section 128.0.I.
- p. Pick-your-own marketing of farm products, subject to the requirements of Section 128.0.I.
- q. **FARM ALCOHOL PRODUCER** winery—Class 1A or Farm Brewery—Class 1A, subject to the requirements of Section 128.0.O.
- r. Small wind energy system, building mounted, subject to the requirements of Section 128.0.L.
- s. Small wind energy system, freestanding tower on properties 5 acres or greater, subject to the requirements of Section 128.0.M.
- t. Riding stables and academies, subject to the requirements of Section 128.0.I.
- u. Community supported agriculture (CSA), subject to the requirements of Section 128.0.I.
- v. Food hubs, subject to the requirements of Section 128.0.I.
- w. Accessory ground-mount solar collectors.
- x. Residential chicken keeping, subject to the requirements of Section 128.0.D.
- y. Livestock on residential lots or parcels, subject to the requirements for such a use in Section 128.0.D.
- z. **INCIDENTAL OUTDOOR STAYS – LODGING, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.**

aa. BED AND BREAKFAST INNS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.I.

D. Conditional Uses

1. ALPP Purchased Easements and ALPP Dedicated Easements

- a. Conditional Uses shall not be allowed on agricultural preservation easements unless they support the primary agricultural purpose of the easement property or are an ancillary business which supports the economic viability of the farm and are approved by the hearing authority in accordance with the applicable provisions of Sections 130.0 and 131.0 of these regulations. On an ALPP purchased or dedicated easement property, the area devoted to Conditional Uses, **EXCLUDING DRIVEWAYS**, may not exceed a cumulative use cap equal to 2% of the easement or up to a maximum of 1 acre for preservation parcels created as part of the Cluster Subdivision process.

The following Conditional Uses may be allowed:

- (1) Animal hospitals
 - (2) Barber shop, hair salon and similar personal services facilities
 - (3) Bottling of spring or well water
 - (4) Communication Towers
 - (5) Farm tenant house on a parcel of at least 25 acres but less than 50 acres
 - (6) Historic building uses
 - (7) Home based contractors
 - (8) Home occupations
 - (9) Kennels and/or pet grooming establishments
 - (10) Landscape contractors
 - (11) ~~Limited outdoor social assemblies~~ **RURAL VENUE SPACE**
 - (12) Sawmills or bulk firewood processing
 - (13) School buses, commercial service
 - (14) Small wind energy systems, freestanding tower
- b. In addition, the following Conditional Uses which may require additional land area may be permitted on agricultural preservation easements:
- (1) Agribusiness, limited to uses itemized in Section 131.0.N.
 - (2) Farm **ALCOHOL PRODUCER, SUBJECT TO THE REQUIREMENTS IN SECTION 131.0.N.57.** ~~winery – Class 2~~
 - (3) Solar collector facilities, commercial ground-mount.
2. Other Dedicated Easements

- a. Conditional Uses shall not be allowed on other dedicated easements unless they support the primary purpose of the easement property and are approved by the Hearing Authority in accordance with the applicable provisions of Sections 130.0 and 131.0 of these Regulations. On these dedicated easements, the following Conditional Uses which do not require the construction of new principal structures or use of an outdoor area that is more than 2% of the preservation parcel acreage up to a maximum of 1 acre may be allowed:

- (1) Animal hospitals
- (2) Antique shops, art galleries and craft shops
- (3) Barber shop, hair salon and similar personal service facilities
- (4) Bottling of spring or well water
- (5) Child day care centers and nursery schools, day treatment and care facilities
- (6) Communication towers
- (7) Country inns
- (8) Historic building uses
- (9) Farm tenant house on a parcel of at least 25 acres but less than 50 acres
- (10) Home based contractors
- (11) Home occupations
- (12) Kennels and/or pet grooming establishments
- (13) Landscape contractors
- (14) ~~Limited outdoor social assemblies~~ **RURAL VENUE SPACE**
- (15) Museums and libraries
- (16) Retreats
- (17) School buses, commercial service
- (18) Shooting ranges—outdoor rifle, pistol, skeet and trap
- (19) Small wind energy systems, freestanding tower
- (20) Two family dwellings, accessory apartments and multi-plex dwellings

- b. In addition, the following Conditional Uses which may require additional land area may be permitted on other dedicated easements:

- (1) Agribusiness, limited to uses itemized in Section 131.0.N.2
- (2) Charitable or philanthropic institutions dedicated to environmental conservation
- (3) **FARM ALCOHOL PRODUCER, SUBJECT TO THE REQUIREMENTS IN SECTION 131.0.N.57.** winery, —class 2

- (4) Golf courses
- (5) Solar collector facilities, commercial ground-mount.

Legislative Text Changes

Section 128.0.

A. Supplementary Bulk Regulations

12. Regulations for detached accessory structures on residentially zoned lots developed with single-family detached dwellings

a. Size restrictions

(1) The maximum cumulative lot coverage permitted for all of the accessory structures located on any given residential lot developed with a single-family detached dwelling is:

(a) 600 square feet for a lot in the planned public water and sewer service area.

(b) 1,200 square feet for a lot in the RC or RR district which is 2 acres or less.

(c) 2,200 square feet for a lot in the RC or RR district which is greater than 2 acres **BUT LESS THAN 5 ACRES.**

(D) 5,000 SQUARE FEET FOR A LOT IN THE RC OR RR DISTRICT THAT IS 5 ACRES OR GREATER.

D. Temporary, Seasonal and Other Uses

6. Sale of Christmas trees

In districts where the use is permitted as a matter of right, sale of cut Christmas trees or other seasonal decorative plant materials between **NOVEMBER 1ST AND JANUARY 14TH** ~~Thanksgiving and January first~~ shall be permitted, provided that:

- a. Adequate off-street parking is provided;
- b. The use will not cause traffic problems in the surrounding area; and
- c. A permit for the use is approved each year by the Department of Planning and Zoning, based upon compliance with the requirements listed above. The permit application shall include a plot plan showing the location and dimensions of structures, parking areas and points of access.

I. Permits for Special Farm Uses

The Department of Planning and Zoning may approve permits for the following categories of uses, which are related to farming and agriculture. A permit shall only be approved if the Department of Planning and Zoning finds that the proposed use conforms with the criteria given below and that are listed for each category. **WHEN REVIEWING APPLICATIONS AND RENEWALS FOR SPECIAL FARM USE PERMITS, DPZ MAY CONSIDER THE CUMULATIVE IMPACT OF OPERATIONS WHERE MULTIPLE PERMITS ARE GRANTED, INCLUDING AN ASSESSMENT OF THE ADEQUACY OF SHARED FACILITIES UTILIZED BY OVERLAPPING PERMITS.**

Except for the value-added agricultural processing category, the Pick-Your-Own Enterprises category, and the small farm stand category, all other categories above shall comply with the requirement that the lot or parcel upon which the operation is located shall have frontage on and direct access to a road classification as an arterial or collector public road, or may front on and have direct access to a local road, if:

- (1) Access to an arterial or collector public road right-of-way is not feasible;
- (2) The access to the local road is safe based on road conditions and accident history;
- (3) That the use of the local road for access will not unduly conflict with other uses that access the local road.

The petitioner shall submit a request for a permit in writing, either in a letter or using a form provided by the Department of Planning and Zoning. The request shall specify the proposed permit category and provide a written description of the use and justification addressing how the proposed use compiles with the criteria applicable to the use. The petitioner shall specify the address of the property for the proposed use, and shall provide a mailing address, if different, a phone number and an email address if used, for purposes of future communication about the request.

For categories which will include visits to the property by customers or participants, the request shall specify the requested hours of operation of the use. In approving a permit, the Department of Planning and Zoning may reduce the hours of operation if it determines that this will reduce adverse impacts on adjacent properties.

The permit request shall include a plan of the property depicting the location and dimensions of structures, parking areas, driveways and landscaping used to buffer any adjacent residential development.

If the Department of Planning and Zoning determines that the proposed use is not in compliance with the applicable criteria, it shall inform the petitioner as to what is necessary to achieve compliance.

Once a permit is approved and is issued, the permit shall be valid indefinitely provided that the operation of the approved use remains in full conformance with all aspects of the use as it was approved. **DPZ MAY ENTER THE PROPERTY LISTED ON THE PERMIT WHERE THE USE IS TAKING PLACE, INCLUDING DURING EVENTS, TO INSPECT AND CONFIRM COMPLIANCE OF OPERATIONS WITH ISSUED PERMITS FOR AGRITOURISM AND SMALL-SCALE AGRITOURISM USES.** The permit holder shall apply for a renewal of the permit if significant changes to the operation are being proposed, including but not limited to new uses or structures, in which case the originally approved plan must be revised to indicate the proposed changes and submitted for a new approval.

5. Agritourism Enterprises

THE FOLLOWING CRITERIA APPLY TO AGRITOURISM AND SMALL-SCALE AGRITOURISM USES:

- a. **THE FOLLOWING FARMING AND/OR AGRICULTURAL USES ALONE DO NOT MEET THE CONDITIONS FOR ESTABLISHMENT OF A FARMING OR AGRICULTURAL USE: SOLAR FARMS, CONSTRUCTION AND MAINTENANCE OF BARNs, SILOS AND OTHER SIMILAR STRUCTURES, OR THE USE OF FARM MACHINERY.**
- A. Agritourism ~~IS enterprises~~ are permitted as ~~AN~~ accessory uses to farming in the RC and RR Districts provided that:
 1. The use is located on a parcel of at least 50 acres, or on a parcel of any size if subject to an ALPP purchased or dedicated easement or other dedicated easement.
 2. The use supports the agricultural use of the property **BY EXPOSING THE PUBLIC TO FARMING AND FARMING PRACTICES BY HIGHLIGHTING AGRICULTURE AND ENCOURAGES TOURISM TO ATTRACT, ENTERTAIN, AND EDUCATE VISITORS,** and will not have significant adverse impacts on neighboring properties. For purposes of this section, adverse impact shall not include any impact normally associated with farms following generally accepted agricultural management practices or farms operating permitted uses under this section.

3. Adequate off-street parking is provided, parking areas and driveways are treated as needed to control dust, and parking areas are screened from neighboring properties.
4. Sight distance and the design of driveway entrances are adequate to accommodate expected traffic. **DRIVEWAY ACCESS THAT IS SHARED WITH OTHER RESIDENTIAL PROPERTIES SHALL NOT SERVE AS THE PRIMARY ENTRANCE FOR VISITORS PARTICIPATING IN AGRITOURISM ACTIVITIES.**
5. Where the areas open to customers are close to the property boundaries, boundaries are clearly marked through fencing or landscaping to protect neighboring properties from unintentional trespassing by visitors.
6. The use will operate only between the hours of 6 a.m. and 10 p.m. **AND FESTIVALS OR SIMILAR EVENTS BETWEEN THE HOURS OF 8 A.M.-8 P.M.** Any outdoor lighting shall comply with the requirements of Section 134.0.
7. Agritourism uses may include festivals or similar events held for the purpose of marketing products grown on the farm or farm-related education or recreation, provided that festivals are limited to **FRIDAY, SATURDAY AND SUNDAY AND NOT MORE THAN TWO CONSECUTIVE DAYS (SEE SECTION 103.0: Definitions.)** ~~no more than 4 per year and no more than 8 days per year.~~
8. **A OWNER OF THE AGRITOURISM BUSINESS MUST MAINTAIN A RESIDENCE ON THE PROPERTY OR AN ADJOINING PROPERTY.**
9. **FOR AMPLIFIED NOISE, THE PROPERTY OWNER MUST KEEP A NOISE LOG OF RECORDED DECIBELS TO SHOW COMPLIANCE WITH COUNTY'S NOISE ORDINANCE. DECIBELS MUST BE RECORDED AT THE PROPERTY LINE AND TAKEN AT LEAST 3 SEPARATE TIMES INCLUDING THE BEGINNING, MIDDLE, AND END OF THE AMPLIFIED MUSIC EVENT. THE LOG MUST BE FURNISHED UPON THE REQUEST OF THE DEPARTMENT OF PLANNING AND ZONING.**
- B. **SMALL-SCALE AGRITOURISM: SMALL-SCALE AGRITOURISM IS PERMITTED AS AN ACCESSORY USE TO FARMING IN THE RC, RR, R-ED, AND R-20 DISTRICTS, PROVIDED THAT:**
 1. **THE USE IS LOCATED ON A PARCEL OR ADJOINING PARCELS THAT OPERATE AS ONE FARM OF AT LEAST 5 ACRES.**

2. THE USE SUPPORTS FARMING BY EXPOSING THE PUBLIC TO FARMING AND FARMING PRACTICES BY HIGHLIGHTING AGRICULTURE AND ENCOURAGES TOURISM TO ATTRACT, ENTERTAIN, AND EDUCATE VISITORS, WHILE REMAINING AN ACCESSORY USE, IN SCALE AND INTENSITY, TO THE PRIMARY FARMING USE, AND WILL NOT HAVE SIGNIFICANT ADVERSE IMPACTS ON NEIGHBORING PROPERTIES. FOR PURPOSES OF THIS SECTION, ADVERSE IMPACT SHALL NOT INCLUDE ANY IMPACT NORMALLY ASSOCIATED WITH FARMS FOLLOWING GENERALLY ACCEPTED AGRICULTURAL MANAGEMENT PRACTICES OR FARMS OPERATING PERMITTED USES UNDER THIS SECTION.
3. ADEQUATE OFF-STREET PARKING IS PROVIDED, PARKING AREAS AND DRIVEWAYS ARE TREATED AS NEEDED TO CONTROL DUST, AND PARKING AREAS ARE SCREENED FROM NEIGHBORING PROPERTIES.
4. SIGHT DISTANCE AND THE DESIGN OF DRIVEWAY ENTRANCES ARE ADEQUATE TO ACCOMMODATE THE EXPECTED TRAFFIC. DRIVEWAY ACCESS THAT IS SHARED WITH OTHER RESIDENTIAL PROPERTIES SHALL NOT SERVE AS THE PRIMARY ENTRANCE FOR VISITORS PARTICIPATING IN AGRITOURISM ACTIVITIES.
5. WHERE THE AREAS OPEN TO CUSTOMERS ARE CLOSE TO THE PROPERTY BOUNDARIES, BOUNDARIES ARE CLEARLY MARKED THROUGH SIGNAGE, FENCING, AND/OR LANDSCAPING TO PROTECT NEIGHBORING PROPERTIES FROM UNINTENTIONAL TRESPASSING BY VISITORS.
6. THE USE WILL OPERATE ONLY BETWEEN THE HOURS OF 8 A.M. AND 8 P.M. ANY OUTDOOR LIGHTING SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 134.0.
7. SMALL SCALE – AGRITOURISM USES MAY INCLUDE SMALL-SCALE EVENTS HELD FOR THE PURPOSE OF MARKETING PRODUCTS GROWN ON THE FARM OR FARM-RELATED EDUCATION OR RECREATION, PROVIDED THAT AT ANY ONE TIME, THE NUMBER OF VISITORS TO THE SITE SHALL NOT EXCEED 50 VISITORS AND NO MORE THAN 25 TIMES PER YEAR. FESTIVAL EVENTS ARE NOT PERMITTED.

9. INCIDENTAL OUTDOOR STAYS – LODGING

INCIDENTAL OUTDOOR STAYS – LODGING IS PERMITTED AS AN ACCESSORY USE TO FARMING IN THE RC, RR, R-ED, AND R-20 DISTRICTS, PROVIDED THAT:

- A. THE INCIDENTAL OUTDOOR STAYS – LODGING IS SUBORDINATE TO AND WILL SUPPORT THE FARMING USE OF THE PROPERTY AND WILL NOT HAVE SIGNIFICANT ADVERSE IMPACTS ON NEIGHBORING PROPERTIES. FOR THE PURPOSES OF THIS SECTION, ADVERSE IMPACTS SHALL NOT INCLUDE ANY IMPACT NORMALLY ASSOCIATED WITH FARMS FOLLOWING GENERALLY ACCEPTED AGRICULTURAL MANAGEMENT PRACTICES FOR FARMS OPERATING PERMITTED USES UNDER THIS SECTION.**
- B. INCIDENTAL OUTDOOR STAYS – LODGING MUST BE IN SEPARATE STRUCTURES FROM THE PRIMARY RESIDENCE.**
- C. THE MINIMUM LOT SIZE IS 20 ACRES, OR ON A PARCEL OF ANY SIZE IF SUBJECT TO AN ALPP PURCHASED OR DEDICATED EASEMENT OR OTHER DEDICATED EASEMENT.**
- D. THE MAXIMUM NUMBER OF STRUCTURES OR ESTABLISHED SITES PERMITTED FOR INCIDENTAL OUTDOOR STAYS – LODGING IS 3 STRUCTURES OR SITES IN ANY COMBINATION.**
- E. A SITE MAY BE USED A MAXIMUM OF 3 CONSECUTIVE DAYS PER STAY.**
- F. STRUCTURES OPERATED AS INCIDENTAL OUTDOOR STAYS – LODGING, SUCH AS CABINS, YURTS, TENTS, TINY HOMES OR SHEPHERD’S HUTS, SHALL NOT BE PERMANENTLY INSTALLED. STRUCTURES SHALL NOT EXCEED 450 SQUARE FEET PER STRUCTURE AND, IF APPLICABLE, SHALL COMPLY WITH INTERNATIONAL RESIDENTIAL CODE STANDARDS FOR TINY HOUSES.**
- G. SITES ESTABLISHED FOR THE PARKING OR INSTALLATION OF INCIDENTAL OUTDOOR STAYS – LODGING STRUCTURES SHALL NOT EXCEED 3,500 SQUARE FEET (EXCLUDING DRIVEWAYS) FOR A SINGLE SITE AND 10,500 SQUARE FEET IN AGGREGATE.**
- H. RECREATIONAL VEHICLES BEING USED AS PART OF THE LODGING USE MUST BE BROUGHT ON-SITE BY THE VISITNG INDIVIDUAL AND ARE NOT PERMITTED TO BE PARKED ON A PERMANENT BASIS OR OWNED BY THE PROPERTY OWNER.**
- I. PLACEMENT: SITES AND STRUCTURES SHALL CONFORM WITH A 100-FOOT MINIMUM SETBACK FROM ADJACENT PROPERTY LINES FOR PROPERTY NOT PART OF THE FARM.**

- J. INCIDENTAL OUTDOOR STAYS – LODGING SHALL MINIMIZE AND AVOID DISTURBANCE TO:
1. FARMLAND CURRENTLY USED FOR FOOD PRODUCTION,
 2. ENVIRONMENTALLY OR HISTORICALLY SENSITIVE AREAS INCLUDING HISTORIC STRUCTURES AND THEIR LANDSCAPE SETTING, FLOODPLAINS, WETLANDS, WETLAND BUFFERS, STEEP SLOPES, STREAMS AND STREAM BUFFERS.
- K. THE LOCATION OF ENVIRONMENTALLY OR HISTORICALLY SENSITIVE AREAS AND FARMLAND CURRENTLY USED FOR FOOD PRODUCTION SHALL BE NOTED ON THE PLAN. THE EXTENT AND QUALITY OF EXISTING VEGETATION, ESPECIALLY TREE COVER, AND ANY SCENIC QUALITIES OF THE SITE SHALL BE NOTED ON THE PLAN.
- L. THE PROPERTY MUST HAVE THE HEALTH DEPARTMENT AND DEPARTMENT OF INSPECTIONS, LICENSES & PERMITS APPROVED SANITATION FACILITIES FOR THIS ACCESSORY USE, IF A NON-RV IS USED AS SHELTER. FOR PRIVATE RV'S THE LANDOWNER WILL MAKE RV CAMPERS AWARE OF NO SEWERAGE DUMPING ALLOWED ONSITE.
- M. THE PROPERTY OWNER AND/OR OPERATOR OF INCIDENTAL OUTDOOR STAYS – LODGING SHALL MAINTAIN LOGS THAT INCLUDE THE RENTERS NAME, DRIVERS LICENSE INFORMATION, RV REGISTRATION, IF APPLICABLE, DATES OF STAY, AND VISITOR SIGNATURE. LOGS MUST BE MAINTAINED FOR A PERIOD OF TWO YEARS AND FURNISHED UPON THE REQUEST OF THE DEPARTMENT OF PLANNING AND ZONING.

10. BED AND BREAKFAST INNS

BED AND BREAKFAST INNS ARE PERMITTED AS AN ACCESSORY USE TO FARMING IN THE RC, RR, R-ED, R-20, R-12, AND R-SC DISTRICTS, PROVIDED THAT:

- A. THE USE IS LOCATED ON A PARCEL OF AT LEAST 20 ACRES.
- B. THE INN IS MANAGED AND OPERATED BY THE OWNER(S) OF THE DWELLING AND THE DWELLING MUST BE THE PRINCIPAL RESIDENCE OF THE PROPERTY OWNER(S) OR A DESIGNATED ON-SITE CARETAKER OPERATING ON BEHALF OF THE OWNER.
- C. NO PUBLIC RECEPTION OR PUBLIC RESTAURANT FACILITIES ARE PROVIDED.

- D. IF THE BUILDING IS A HISTORIC STRUCTURE AS DEFINED IN THESE REGULATIONS, EXTENSIONS OR ALTERATIONS TO THE HISTORIC DWELLING SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE HISTORIC STRUCTURE AS DETERMINED BY THE HISTORIC PRESERVATION COMMISSION PRIOR TO THE APPROVAL OF THE SPECIAL FARM PERMIT.**
- E. IF THE BUILDING IS A HISTORIC STRUCTURE AS DEFINED IN THESE REGULATIONS, EXTENSIONS OR ENLARGEMENT OF THE PRINCIPAL HISTORICAL STRUCTURE AND ALL ACCESSORY STRUCTURES MAY NOT EXCEED 50% OF THE GROSS FLOOR AREA OF EACH INDIVIDUAL BUILDING.**

128.0.O. FARM ALCOHOL PRODUCER ~~Winery—Class 1A or Farm Brewery—Class 1A~~

1. A **FARM ALCOHOL PRODUCER** ~~Winery—Class 1A or a Farm Brewery—Class 1A~~ is permitted as an accessory use to farming in the RC and RR Districts, provided that the use complies with the following criteria:
- d. All **FARM ALCOHOL PRODUCER** ~~winery or brewery~~ related structures and uses associated with the ~~winery or brewery~~ **USE**, excluding cultivation areas shall be at least 75 feet from all lot lines and where possible minimize the impact on surrounding properties.
- e. For a **FARM ALCOHOL PRODUCER** ~~farm winery Class 1A~~ use, the planting of at least two acres of grapes, **AN INGREDIENT USED IN THE BREWING OF MALT-BASED OR GRAIN-BASED BEVERAGES**, or other fruit on the property shall be initiated upon approval and successfully established within two years of approval. ~~For a farm brewery Class 1A use, the planting of at least two acres of a primary ingredient used in the brewing of malt-based or grain-based beverages on the premises shall be initiated upon approval and successfully established within one year of approval.~~
- g. The use shall be consistent with and support the farm and its production, shall not interfere with the implementation of soil conservation and water quality best management practices, and shall not impact floodplains, wetlands, stream buffers, steep slopes or other environmental features on the **FARM ALCOHOL PRODUCER** ~~farm winery~~ property.

i. A Farm **ALCOHOL PRODUCER** ~~Winery or Brewery~~ may produce, serve and sell food to complement wine or beer tasting in accordance with Article 2B of Maryland State Code.

j. In addition to the beverages produced by the use, the retail sale of promotional items identifying the same **FARM ALCOHOL PRODUCER** ~~winery or brewery~~, such as glassware, clothing, bottle openers or similar items, is permitted as an accessory use. Plants or produce grown on-site may also be sold.

k. Visitor hours shall be restricted to between 10:00 a.m. and 7:00 p.m., Sunday through Thursday; and 10:00 a.m. and 10:00 p.m., Friday and Saturday. DPZ may reduce the hours for visitors, but shall not increase them. The hours for **FARM ALCOHOL PRODUCER** ~~winery or brewery~~ processing and production operations are not limited.

l. At any one time, the number of visitors to the ~~winery or brewery~~ **FARM ALCOHOL PRODUCER** shall not exceed **150** ~~50~~ visitors.

M. FOR AMPLIFIED NOISE, THE PROPERTY OWNER MUST KEEP A NOISE LOG OF RECORDED DECIBELS TO SHOW COMPLIANCE WITH COUNTY'S NOISE ORDINANCE. DECIBELS MUST BE RECORDED AT THE PROPERTY LINE AND TAKEN AT LEAST 3 SEPARATE TIMES INCLUDING THE BEGINNING, MIDDLE, AND END OF THE AMPLIFIED MUSIC EVENT. THE LOG MUST BE FURNISHED UPON THE REQUEST OF THE DEPARTMENT OF PLANNING AND ZONING.

2. A zoning permit is required for the use. As part of the approval process, the owner shall submit a site layout, which includes acreage, screening, parking, and building locations. If approved, after the required two-year or one-year time period, as applicable, the owner shall provide documentation to DPZ proving compliance with the planting requirements in Section 128.0.O.1.e and that it remains in compliance with all the other approval criteria. Thereafter, permit renewal is not required unless a violation occurs. It is the responsibility of the **FARM ALCOHOL PRODUCER** ~~winery or brewery~~ owner to obtain any other required Federal, State and County approvals required prior to operating the use.

Section 131.0.N Conditional Uses and Permissible Zoning Districts

Conditional Use
RURAL VENUE SPACE Limited Outdoor Social Assemblies

Winery, Farm – Class 1B
FARM ALCOHOL PRODUCER winery, farm – class 2

Section 131.0.N.8. Bed and Breakfast Inns

A Conditional Use may be granted in the RC, RR, R-ED, R-20, R-12, **AND R-SC DISTRICTS ON FARMS LESS THAN 20 ACRES,** and **THE** R-VH Districts for **A** bed and breakfast inn, provided that:

- a. ~~The building is dwelling which is a historic structure as defined in these Regulations.~~
THE BUILDING IS COMPATIBLE IN SCALE AND CHARACTER WITH THE RESIDENTIAL USES IN THE VICINITY.
- b. The inn is managed and operated by the owner(s) of the dwelling and the dwelling must be the principal residence of the owner(s) **OR A DESIGNATED ON-SITE CARETAKER OPERATING ON BEHALF OF THE OWNER.**
- c. No public reception or public restaurant facilities are provided.
- d. **IF THE BUILDING IS A HISTORIC STRUCTURE AS DEFINED IN THESE REGULATIONS, THE** exterior alterations to the historic dwelling shall be architecturally compatible with the historic structure as determined by the Historic District Commission prior to the approval of the Condition Use.
- e. **IF THE BUILDING IS A HISTORIC STRUCTURE AS DEFINED IN THESE REGULATIONS, THE** extension or enlargement of the principal historical structure and all accessory structures may not exceed 50% of the gross floor area of each individual building above that which existed on August 1, 1989, when ZB 882R was adopted adding the Conditional Use for bed and breakfast inns to these Regulations.
- f. ~~Bed and Breakfast Inns are permitted as a matter of right in the RC and RR Districts on farms that are subject to ALPP purchased or dedicated Easements provided that the building existed at the time the easement was established and the use is managed by persons residing on the same parcel. If these criteria are met, Conditional Use approval is not required.~~

Section 131.0.N.26 Guest House

A Conditional Use may be granted in the R-12 District for a guest house provided that:

- b. Accessory **RURAL VENUE SPACE** ~~limited outdoor social assembly~~ uses are not permitted.

Section 131.0.N.33 Limited Social Assemblies RURAL VENUE SPACE

A Conditional Use may be granted for **RURAL VENUE SPACE** limited social assemblies in the RC District, provided that:

- a. ~~The lot is the site of a historic structure as defined in these Regulations.~~
- b. The minimum lot size is 5 acres or greater.
- c. ~~If the d~~ Driveways providing access to the proposed site **SHALL NOT BE** is shared with other properties. **IF THE SITE HAS** or has direct access to and frontage on a local road, the petitioner shall demonstrate that the use will not **ADVERSELY IMPACT** result in damage to or deterioration of the shared driveway or in increased hazards to other users of the driveway or **USE OF THE** local road **BY DEMONSTRATING ADEQUATE SIGHT DISTANCE AND CAPACITY TO MANAGE THE ANTICIPATED VOLUME OF ROAD USE.** ~~The Hearing Authority shall prescribe appropriate conditions and safeguards to ensure the Conditional Use operator's responsibility for repair of any damage or deterioration of the shared driveway caused by the Conditional Use, including requirements for surfacing of access driveways.~~
- d. The petitioner shall provide a traffic management plan and a sight-distance analysis. The limited social assemblies **RURAL VENUE SPACE** are the following private functions: Picnics, weddings, anniversary/retirement parties, bridal or baby showers, not for profit organization fund raisers, banquets, rehearsal dinners, philanthropic events, or other similar events.
- e. ~~With the exception of restroom facilities, if required by the Health Department, no permanent structures, including catering or restaurant facilities shall be constructed on site.~~
- f. ~~The~~ **ANY** outdoor assembly area is located and designed to shield residential property from noise or nuisance and screened from adjacent residential properties. **FOR AMPLIFIED NOISE, THE PROPERTY OWNER MUST KEEP A NOISE LOG OF RECORDED DECIBELS TO SHOW COMPLIANCE WITH COUNTY'S NOISE ORDINANCE. DECIBELS MUST BE RECORDED AT THE PROPERTY LINE AND TAKEN AT LEAST 3 SEPARATE TIMES INCLUDING THE BEGINNING, MIDDLE, AND END OF THE AMPLIFIED MUSIC EVENT. THE LOG MUST BE FURNISHED UPON THE REQUEST OF THE DEPARTMENT OF PLANNING AND ZONING. ANY AMPLIFIED NOISE AFTER 10PM MUST BE LOCATED INDOORS.**

g. ~~Limited social assembly~~ **RURAL VENUE SPACE** events shall have the following limitations:

1. Maximum capacity **SHALL** is not to exceed:
 - i. 150 attendees **ON A 5-ACRE PARCEL**
 - ii. **250 ATTENDEES ON A 20-ACRE PARCEL**
 - iii. **10 ADDITIONAL ATTENDEES FOR EACH ACRE IN EXCESS OF 20 ACRES NOT TO EXCEED 300 ATTENDEES.**
 2. No more than 25 of these events shall be held within a one-year period, **UNLESS ADDITIONAL EVENTS ARE APPROVED BY THE HEARING AUTHORITY.**
 3. Operation hours shall be restricted to between 9:00 a.m. and 10:00 p.m., Monday-~~thru~~Thursday; between 12:00 p.m. and 12:00 a.m., Friday-Saturday; and between 12:00 p.m. and 10:00 p.m., Sunday.
- h. ~~All event activities shall occur outdoors except that interior spaces in existing structures over 50 years old, limited to barns or other similar farm structures which are existing at the time of the Conditional Use application, may be utilized.~~ Event activities **ARE PERMITTED TO OCCUR OUTDOORS**, within enclosed tents, **AND IN NEWLY CONSTRUCTED FACILITIES OR EXISTING STRUCTURES** ~~are permitted, however.~~
- i. Special events with catered food or food prepared on-site are subject to review by the food protection program of the Howard County Department of Health and may require a special events permit. The Conditional Use may not commence until the applicant has obtained approval of all necessary permits for its operation.
- j. On an ALPP purchased or dedicated easement property, the following additional criteria are required:
- (1) The use shall not interfere with farming operations or limit future farming production.
 - (2) ~~Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards the cumulative use cap of 2% of the easement.~~

Section 131.0.N.37 Nonprofit Clubs, Lodges, Community Halls and Camps

A Conditional Use may be granted in the RC and RR Districts, on properties that are not ALPP purchased or dedicated easement properties, and in the R-ED, R-20, R-12, R-SC, R-SA-8 and R-H-ED Districts for nonprofit clubs, including health or athletic clubs, **NONPROFIT EDUCATIONAL CAMPS**, and similar nonprofit organizations, provided that:

Section 131.0.N.57. Winery, Farm—Class 1B

~~A Conditional Use may be granted for a Farm Winery-Class 1B for a cluster preservation parcel in the RR District existing on July 4, 2011 for which easements have not been donated to the Agricultural Land Preservation Program, that is five acres or more provided that it complies with the following criteria:~~

~~a. The lot or parcel upon which the Farm Winery is located shall have frontage and direct access to:~~

~~(1) A road classified as an arterial or collector public road; or~~

~~(2) A local road, provided that:~~

~~(a) Access to an arterial or collector public road right-of-way is not feasible;~~

~~(b) If the local road is internal to a residential cluster subdivision, the subject property adjoins an arterial or collector highway, the local road access point is within 400 feet of its intersection with the arterial or collector highway, and there are no intervening driveways between the arterial or collector highway and the access to the winery along the local road;~~

~~(c) The access to the local road is safe based on road conditions and accident history; and~~

~~(d) That the use of the local road for access to the winery will not unduly conflict with other uses that access the local road.~~

~~b. The driveway providing access to the proposed site shall not be shared with other properties; however the Hearing Authority may waive this criteria if the petitioner provides affidavits from all persons who also share the driveway that they do not object to the use of the driveway for the farm winery. If the use of a shared driveway is allowed, the petitioner shall demonstrate that the use will not result in damage to or deterioration of the shared driveway or in increased hazards to other users of the~~

~~driveway. The Hearing Authority shall prescribe appropriate conditions and safeguards to ensure the Farm Winery owner's responsibility for repair of any damage or deterioration of the shared driveway caused by the Conditional Use.~~

~~c. All winery related structures and uses excluding cultivation areas shall be at least 75 feet from all lot lines.~~

~~d. Planting of at least two acres of grapes or other fruit on the property shall be initiated upon approval and successfully established within two years of approval.~~

~~e. The Farm Winery shall be consistent with and support the farm and its production, shall not interfere with the implementation of soil conservation and water quality best management practices, and shall not impact floodplains, wetlands, stream buffers, steep slopes or other environmental features on the Farm Winery property.~~

~~f. The Farm Winery shall be compatible with the rural character of the farm and the surrounding area.~~

~~g. The Hearing Authority may require appropriate screening of adjoining parcels, which may include a solid fence, wall, landscaping, or a combination that presents an attractive and effective buffer.~~

~~h. Any accessory retail sales within the Farm Winery, other than the wine and similar fermented beverages produced at the Farm Winery, are limited to items promoting the same Farm Winery, such as glassware, clothing, and wine-related items such as wine openers. A Farm Winery may sell plants and/or produce grown on-site.~~

~~i. Farm Winery visitor hours shall be restricted to between 10:00 a.m. and 7:00 p.m. Sunday through Thursday; and 10:00 a.m. and 10:00 p.m. Friday and Saturday. The Hearing Authority may reduce the hours for visitors, but shall not increase them. The hours for winery processing and production operations are not limited.~~

~~j. At any one time, the number of visitors to the winery shall not exceed 50 visitors.~~

~~k. A Farm Winery may produce, serve and sell food to complement wine tasting in accordance with Article 2B of Maryland State Code.~~

~~l. If approved, the owner shall provide documentation to the Department of Planning and Zoning proving compliance with Section 131.0.N.57.d. It is the responsibility of~~

~~the Farm Winery owner to obtain any other required Federal, State and County approvals required prior to operating the use.~~

Section 131.0.N.578. FARM ALCOHOL PRODUCER Winery, Farm – Class 2

A conditional Use may be granted for a Farm **ALCOHOL PRODUCER** Winery – Class 2 in the RC and RR Districts, provided that it complies with the following criteria:

- a. The use is located on a parcel of at least 25 acres. The use is permitted on any such parcel, including parcels with Agricultural Land Preservation Easements and preservation parcels.
- b. The lot or parcel upon which the **FARM ALCOHOL PRODUCER** Winery is located shall have frontage on and direct access to a road classified as an arterial or collector public road. Unless the Hearing Authority approves access to a local road as provided in Section 131.0.N.56.~~Be~~, the sole access to and from the site shall be from the arterial or collector public road.
- c. The Hearing Authority may approve access to a local road upon findings that access to an arterial or collector public road right-of-way is not feasible, the local road is not internal to a residential cluster subdivision unless the residential cluster subdivision was originally designed, constructed, and marketed as a **FARM ALCOHOL PRODUCER** winery community organized around a **FARM ALCOHOL PRODUCER** winery parcel, the access to the local road is safe based on road conditions and accident history, and that the use of the local road for access to the **FARM ALCOHOL PRODUCER** winery will not unduly conflict with other uses that access the local road.
- d. ~~The d Driveway~~**S DRIVEWAYS** providing access to the proposed site **SHALL NOT BE** is shared with other properties. **IF THE SITE HAS** ~~or has~~ direct access to and frontage on a local road, the petitioner shall demonstrate that the use will not **ADVERSELY IMPACT** ~~result in damage to or deterioration of the shared driveway or in increased hazards to other users of the driveway or~~ **USE OF THE** local road **BY DEMONSTRATING ADEQUATE SIGHT DISTANCE AND CAPACITY TO MANAGE THE ANTICIPATED VOLUME OF ROAD USE.** ~~The Hearing Authority shall prescribe appropriate conditions and safeguards to ensure the Farm Winery owner's responsibility for repair of any damage or deterioration of the shared driveway cause by the Conditional Use.~~
- e. All **FARM ALCOHOL PRODUCER** winery-related structures and uses excluding cultivation areas shall be at least 75 feet from a public road right-of-way and 150

feet from all other lot lines. The Hearing Authority may reduce the setback of 150 feet from the lot lines, but only to a minimum of 75 feet, if:

- (1) The adjoining land is committed to an agricultural or environmental preservation easement or a long term institutional or open space use that provides an equivalent or better buffer; or
 - (2) The petition includes detailed plans for screening. The Hearing Authority may require appropriate screening of adjoining parcels, which may include a solid fence, wall, landscaping, or a combination, that presents an attractive and effective buffer.
- f. Planting of at least two acres of grapes, **AN INGREDIENT USED IN THE BREWING OF MALT-BASED OR GRAIN-BASED BEVERAGES**, or other fruit on the property shall be initiated upon approval and successfully established within two years of approval.
- g. The Farm **ALCOHOL PRODUCER** Winery shall be consistent with and support the farm and its production, shall not interfere with the implementation of soil conservation and water quality best management practices, and shall not impact floodplains, wetlands, stream buffers, steep slopes or other environmental features on the Farm Winery **ALCOHOL PRODUCER** property.
- h. The Farm **ALCOHOL PRODUCER** Finery shall be compatible with the rural character of the farm and the surrounding area.
- i. **THE FARM ALCOHOL PRODUCER** Winery visitor hours shall be restricted to between 10:00 a.m. and 10:00 p.m. daily. The Hearing Authority may reduce the hours for visitors, but shall not increase them. The hours for winery **FARM ALCOHOL BEVERAGE** processing and production operations are not limited.
- j. The **FARM ALCOHOL PRODUCER** Winery shall be limited to two categories of attendee events; Everyday Events and Special Events, each with specific limitations as follows:
- (1) An Everyday Event is one that may occur each day of operation within a calendar year, or as may be further limited by the Hearing Authority, and the number of attendees at any single time shall be as specified by the Hearing Authority, but only up to a maximum of **150** ~~50~~ persons at any given time. The most common type of activity in an everyday event is that of customers visiting a tasting room at the **FARM ALCOHOL PRODUCER** Winery to sample or purchase the products produced therein, but may include other low-intensity

activities such as individual or small group tours, educational programs, meetings, and social events; and

- (2) A Special Event is an indoor and/or outdoor event that may be approved by the Hearing Authority for up to fifteen (15) days within a calendar year. The maximum number of attendees at any given time on a 25 acre farm shall be 150 persons, provided, however, that the Hearing Authority may increase this maximum number of attendees in accordance with Section 131.0.N.5758.k, if the property qualifies for such an increase. For a Special Event that occurs on more than one calendar day, each calendar day is counted as one event.

- k. The standard maximum number of persons permitted to visit the property at any one time for Special Events shall be 150 attendees. The Hearing Authority may increase the maximum number of Special Event attendees by **10.5** people for every acre of land area above the minimum 25 acre parcel size, based upon the gross acreage of the parcel, up to a total maximum of 500 attendees.

If the **FARM ALCOHOL PRODUCER Winery** is located on a farm which is comprised of more than one parcel under the same ownership (the "Overall Farm"), the Hearing Authority may base this potential attendee increase on the gross acreage of the Overall Farm as long as there is a condition to decrease the number of attendees if for any reason the land area of the Overall Farm is reduced after the initial Conditional Use approval.

- l. A **FARM ALCOHOL PRODUCER Winery** may produce, serve and sell food to complement **TASTINGS** in accordance with Article 2B of Maryland State Code.
- m. Any accessory retail sales within the **FARM ALCOHOL PRODUCER winery**, other than the ~~wine, and similar fermented beverages~~ produced at the **FARM ALCOHOL PRODUCER Winery**, are limited to items promoting the same **FARM ALCOHOL PRODUCER Winery**, such as glassware, clothing, and wine-related items such as wine openers. A **FARM ALCOHOL PRODUCER Winery** may sell plants and/or produce grown on-site.
- n. If approved, the owner shall provide documentation to the Department of Planning and Zoning proving compliance with Section 131.0.N.578.f. It is the responsibility of the **FARM ALCOHOL PRODUCER Winery** owner to obtain any other required Federal, State and County approvals required prior to operating the use.
- o. **FOR AMPLIFIED NOISE, THE PROPERTY OWNER MUST KEEP A NOISE LOG OF RECORDED DECIBELS TO SHOW COMPLIANCE WITH COUNTY'S NOISE ORDINANCE. DECIBELS MUST BE RECORDED AT THE PROPERTY LINE AND**

**TAKEN AT LEAST 3 SEPARAE TIMES INCLUDING THE BEGINNING, MIDDLE, AND
END OF AMPLIFIED MUSIC EVENT. THE LOG MUST BE FURNISHED UPON THE
REQUEST OF THE DEPARTMENT OF PLANNING AND ZONING.**

Section 131.0.N.589 Wrecked Vehicle Storage (Temporary)

Section 131.0.N.~~5960~~ Yard Waste Composting Facility

Agricultural Land Use ZRA – Companion Document

Use	What's currently allowed?	What's changing?	Code reference
<i>Agritourism Enterprises</i>	<ul style="list-style-type: none"> • Accessory to farming with Special Farm Permit in RC and RR • 50 acre minimum or any lot size if subject to ALPP or dedicated easement • Hours of operation 6am-10pm • 4 events/year, 8 days/year 	<ul style="list-style-type: none"> • Renaming to "Agritourism" • Owner(s) of agritourism business must reside on the property or abutting property • Festival events: weekends (Fri.-Sun.), not more than two consecutive days, hours 8a.m.-8p.m. • Driveway access shared with other properties cannot serve as primary entrance for Agritourism business 	103.0 104.0.C 105.0.C 106.1.C 128.0.I
<i>Small-Scale Agritourism</i>	<ul style="list-style-type: none"> • Not a current use. New use being added. 	<ul style="list-style-type: none"> • Accessory to farming with Special Farm Permit in RC, RR, R-ED, and R-20. • Minimum of 5 acres • Maximum of 50 visitors • Maximum of 25 events/year • Hours of operation 8am-8pm • No festival events 	103.0 104.0.C 105.0.C 106.1.C 107.0.C 108.0.C 128.0.I
<i>Incidental Outdoor Stays – Lodging</i>	<ul style="list-style-type: none"> • Not a current use. New use being added. 	<ul style="list-style-type: none"> • Accessory to farming with Special Farm Permit in RC, RR, R-ED, and R-20. • Minimum of 20 acres or on any parcel under ALPP or dedicated easement • 3 structures, 3 days/stay • 450sqft/structure, 3,500sqft/site • DILP approved sanitation • RV's being used as part of this use cannot be owned by property owner 	103.0 104.0.C 105.0.C 106.1.C 107.0.C 108.0.C 128.0.I

Table does not serve as official Zoning Regulations*

<i>Detached Accessory Structures Developed with Single Family home (not to include legitimate farm buildings)</i>	Cumulative Lot Coverage: <ul style="list-style-type: none"> • 600 sqft in public water/sewer • 1,200 in RC/RR on 2 acres or less • 2,200 sqft in RC/RR on 2 acres or more 	Cumulative Lot Coverage: <ul style="list-style-type: none"> • 600 sqft in public water/sewer • 1,200 in RC/RR on 2 acres or less • 2,200 sqft in RC/RR on 2-5 acres • 5,000 sqft in RC/RR 5 acres or more 	128.0.A.12.a
<i>Bed and Breakfast</i>	<ul style="list-style-type: none"> • Permitted by right with ALPP easement • Conditional use in historic structures 	<ul style="list-style-type: none"> • Accessory to farming with Special Farm Permit in RC, RR, R-ED, R-20, R-12, R-SC on more than 20 acres • Conditional use may be granted for properties less than 20 acres • No longer has to be a historic structure • B&B does not have to be operated by the property owner but inn manager must reside at the B&B • Delete 131.0.N.8.f. as it pertains to Bed and Breakfasts as an accessory use 	103.0 104.0.C 107.0.C 108.0.C 109.0.C 110.0.C 106.1.C 128.0.I.10 131.0.N.8
<i>Limited Social Assembly</i>	<ul style="list-style-type: none"> • Conditional use in RC or with ALPP or dedicated easement • Minimum 5-acre lot size • 150 attendees maximum • 25 events/year • 9am-10pm Mon.-Thurs. • 12pm-12am Fri.-Sat. • 12pm-10pm Sun. • Site must be historic 	<ul style="list-style-type: none"> • Changing name to “<i>Rural Venue Space</i>” and adding a definition • 150 attendees on 5-acre parcel • 250 attendees on 20-acre parcel • 10 additional attendees for each acre in excess of 20 acres, not to exceed 300 • Hearing Examiner may increase number of events/year over 25 total • The site does not have to be historic • Noise log • Any amplified noise after 10pm must be located indoors 	103.0 106.1.D 131.0.N.26 131.0.N.33
<i>Festival – Agritourism</i>	<ul style="list-style-type: none"> • Not a current use. New use being added. 	<ul style="list-style-type: none"> • Adding definition for new use which encompasses large-scale outdoor events 	103.0

Table does not serve as official Zoning Regulations*

		<ul style="list-style-type: none"> Establishes events are unlike the usual activities associated with the property 	
Farm Winery Class 1A	<ul style="list-style-type: none"> Minimum of 5 acres Accessory to farming in RC and RR 10am-7pm daily Sun.-Thurs., 10am-10pm Fri.-Sat. (DPZ may reduce but not increase hours) 50 visitors max. Permitted on ALPP or dedicated easements 	<ul style="list-style-type: none"> Renaming to “<i>Farm Alcohol Producer</i>” to include winery, brewery, distilling, etc. in one use 150 visitors max. Noise log 	103.0 106.1.C 128.0.O
Farm Winery Class 1B	<ul style="list-style-type: none"> Minimum of 5 acres Conditional use in RR cluster preservation parcels 10am-7pm daily Sun.-Thurs., 10am-10pm Fri.-Sat. (HE may reduce but not increase hours) 50 visitors max. 	<ul style="list-style-type: none"> Removing – no Winery’s currently operating under this Class 	103.0 131.0.N.57
Farm Winery Class 2	<ul style="list-style-type: none"> Minimum of 25 acres Conditional use in RC, RR, ALPP and other dedicated easements 10am-10pm (HE may reduce but not increase) Everyday event – 50 visitors Special event – 15 days/year; 150 visitors and HE may increase by 5 people/every acre over 25 acres up to 500 guests 	<ul style="list-style-type: none"> Renaming to “<i>Farm Alcohol Producer</i>” to include winery, brewery, distilling, etc. in one use Special event – HE may increase by 10 people/every acre over 25 acres, up to 500 guests Noise log 	103.0 106.1.D 131.0.N.58
Farm Vehicle	<ul style="list-style-type: none"> Not a current use. New use being added. 	<ul style="list-style-type: none"> Providing a definition of what farm vehicles are and are not 	103.0

Table does not serve as official Zoning Regulations*