

DEPARTMENT OF PLANNING AND ZONING, * BEFORE THE
PETITIONER * PLANNING BOARD OF
ZRA-217 * HOWARD COUNTY, MARYLAND

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MOTION: Recommend approval of ZRA-217.

ACTION: *Approved with Amendments; Vote 5-0.*

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RECOMMENDATION

On October 9, 2025, the Planning Board of Howard County, Maryland, considered the petition of the Department of Planning and Zoning (DPZ), the Petitioner, for several amendments throughout the Zoning Code to implement new and relevant policies in HoCo By Design, reduce conflicts in the current code, and respond to market conditions and new industry opportunities related to Agritourism. DPZ’s Petition included:

- Amend the Agritourism and Bed and Breakfast Inn definitions under Section 103.0.
- Create new definitions for Agribusiness, Agriculture, Farm Vehicle, Farm Alcohol Producer, Festival – Agritourism, Incidental Outdoor Stays – Lodging, Rural Venue Space, and Small -Scale Agritourism under Section 1030.
- Remove definitions and mentions of Farm Brewery, Farm Brewery – Class 1A, Farm Winery, Farm Winery – Class 1A, Farm Winery – Class 1B, and Farm Winery – Class 2, to replace with Farm Alcohol Producer.
- Amend the Accessory Uses in the Rural Conservation (RC) district under Section 104.0.C. to add Small-Scale Agritourism, Incidental Outdoor Stays – Lodging, and Bed and Breakfast Inns, subject to additional requirements, and rename Farm Winery – Class 1A and Farm Brewery – Class 1A to Farm Alcohol Producer.
- Amend the Accessory Uses in the Rural Residential (RR) district under Section 105.0.C. to add Small-Scale Agritourism, Incidental Outdoor Stays – Lodging, and Bed and Breakfast Inns, subject to additional requirements, and rename Farm Winery – Class 1A and Farm Brewery – Class 1A to Farm Alcohol Producer.
- Amend the Accessory Uses in the Residential: Environmental Development (R-ED) district under Section 107.0.C to add Incidental Outdoor Stays – Lodging, Bed and Breakfasts Inns, and Small-Scale Agritourism, subject to additional requirements.

- Amend the Accessory Uses in the Residential Single R-20 district under Section 108.0.C to add Incidental Outdoor Stays – Lodging, Bed and Breakfast Inns, and Small-Scale Agritourism, subject to additional requirements.
- Amend the Accessory Uses in the Residential-Single R-12 district under Section 109.0 to add Bed and Breakfast Inns, subject to additional requirements.
- Amend the Accessory Uses in the Residential-Single Cluster R-SC district under Section 110.0 to add Bed and Breakfast Inns, subject to additional requirements.
- Amend the timeframe to allow for sales of Christmas trees or other seasonal decorative material under Section 106.1 and Section 128.0.D.6. between November 1st and January 14th, subject to additional requirements.
- Amend regulations for Bed and Breakfast Inns on County Preservation Easements under Section 106.1.
- Amend the Accessory Uses for County Preservation Easements under Section 106.1 to add Small-Scale Agritourism and Incidental Outdoor Stays – Lodging on Agricultural Land Preservation Parcels (ALPP) or Other Dedicated Easements, and Bed and Breakfast Inns on Other Dedicated Easements, subject to additional requirements. Rename Farm Winery – Class 1A and Farm Brewery – Class 1A to Farm Alcohol Producer.
- Amend the 2% cumulative cap devoted to Conditional Uses on ALPP easements to exclude driveway areas under Section 106.1.D.1.
- Rename the Conditional Use for Limited Outdoor Social Assemblies to Rural Venue Space allowed on ALPP or Other Dedicated Easements under Section 106.1.D.
- Rename the Conditional Use for Farm Winery- Class 2 to Farm Alcohol Producer allowed on ALPP or Other Dedicated Easements under Section 106.1.D.
- Amend the detached accessory structure lot coverage requirements under Section 128.0.A.12.a.
- Amend the Special Farm Permit regulations under Section 128.0.I to allow DPZ to consider the cumulative impacts of multiple Special Farm Permits when reviewing a Special Farm Permit application and allow DPZ to enter the property where a Special Farm Permit has been approved for Agritourism and Small-Scale Agritourism.
- Rename the Special Farm Permit for Agritourism Enterprise to Agritourism and amend its requirements, under Section 128.0.I.5.
- Add Small-Scale Agritourism, Incidental Outdoor Stays – Lodging, and Bed and Breakfast Inns as a Special Farm Permit, under Section 128.0.I.
- Rename the Farm Winery – Class 1A and Farm Brewery – Class 1A use to Farm Alcohol Producer

and amend its regulations, under Section 128.0.O.

- Amend the Conditional Use regulations for Guest House to rename the reference to Limited Outdoor Social Assembly to Rural Venue Space under Section 131.0.N.26.
- Rename the Conditional Use for Limited Social Assemblies to Rural Venue Space and amend its regulations, under Section 131.0.N.33.
- Amend the Conditional Use for Nonprofit Clubs, Lodges, Community Halls and Camps to include nonprofit educational camps, under Section 131.0.N.37.
- Remove the Conditional Use for Farm Winery – Class 1B, under Section 131.0.N.57.
- Rename the Conditional Use for Farm Winery – Class 2 to Farm Alcohol Producer, amend its regulations, and renumber the use from Section 131.0.N.58 to Section 131.0.N.57.
- Renumber the Conditional Use for Wrecked Vehicle Storage (temporary) from Section 131.0.N.59 to Section 131.0.N.58.
- Renumber the Conditional Use for Yard Waste Composting Facility from Section 131.0.N.60 to Section 131.0.N.59.

The Planning Board considered the petition and the Department of Planning and Zoning’s (DPZ) Technical Staff Report (TSR).

Testimony

Ms. Lynda Eisenberg, AICP, Executive Chair, explained that ZRA-217 is a product of many years of the County working with the agricultural community to update the Zoning Regulations to benefit and support agriculture as well as meet the policies and goals of the General Plan, HoCo By Design. Ms. Hannah Weber, DPZ staff member, presented the proposed ZRA. She stated the purpose of the ZRA is to respond to changes in market conditions and new industry opportunities related to agritourism, implement new and relevant policies from HoCo By Design, and address issues and reduce conflicts in the current code to improve clarity, accessibility, and ease of technical administration. Ms. Weber went through each text amendment and explained what the current regulations allow, what is proposed, and what code sections are impacted (as summarized above). During the staff presentation, Ms. Lynn Moore, Planning Board member, asked about the definition of a farm vehicle. Ms. Eisenberg explained that the ZRA proposes to add the definition of farm vehicle to differentiate farm vehicles from commercial vehicles to help with code enforcement. Ms. Weber continued her presentation and reviewed the ZRA criteria.

Following DPZ’s presentation of the proposed amendment, Mr. Kevin McAliley, Planning Board Chair, asked the Planning Board if they had questions for DPZ. Ms. Lynn Moore asked why the Agritourism Special Farm Permit requires the owner to reside on the subject property or an adjoining property. Ms. Barbara Mosier, Planning Board member, also asked for clarification about this requirement. Ms. Eisenberg responded

1 that it is a safeguard and a form of self-policing, aiming to keep any larger events under control specifically in
2 regard to the hours of operation and noise levels. Ms. Eisenberg explained an example of self-policing is the
3 noise log requirement, which is intended to make the property owner cognizant of their neighbors and any
4 amplified noise coming from their property. Ms. Moore also expressed concerns with the restriction that a
5 shared driveway could not provide access to the Agritourism, Rural Venue Space, or Farm Alcohol Producer
6 (conditional use) uses. Ms. Eisenberg explained this is also proposed as a safeguard to prevent any future
7 neighbor disagreements with adjoining residents who may be using the shared driveway with an agritourism
8 business. Ms. Mosier asked if the shared driveway restriction is only for the separate adjoining residences or if
9 it includes the residence on the owner's property. Ms. Eisenberg explained that a shared driveway restriction
10 would apply to all uses. Ms. Moore asked for clarification about the construction and maintenance of barns and
11 silos not meeting the establishment of a farm, as related to agritourism and small-scale agritourism. Mr. David
12 Moore, Attorney for the Planning Board, clarified it means the construction and maintenance of barns and silos
13 alone are not sufficient to constitute a farming use, but they can be part of a farm. Ms. Moore and Ms. Mosier
14 asked for clarification regarding the detached accessory structure lot coverage requirements because the ZRA
15 largely discusses agricultural uses which would be exempt from lot coverage. Ms. Eisenberg explained that the
16 lot coverage requirements are for accessory structures, like sheds and pool houses, on residentially zoned
17 properties and does not include agricultural structures. Ms. Eisenberg discussed that the regulation is meant to
18 target large properties in the rural west, not necessarily used as a farm, that want to construct a larger private
19 recreational facility for personal use but are limited by the lot coverage requirements. Ms. Moore asked about
20 the 2% cap for conditional uses on agricultural land preservation properties. Ms. Eisenberg explained that the
21 area for the conditional use cannot exceed 2% of the agricultural easement. Mr. Mason Godsey, Planning Board
22 member, asked about the two consecutive day limit on festival events. Ms. Eisenberg explained the intent is to
23 avoid conflicts within neighbor. Ms. Mosier asked why the Rural Venue Space hours of operation allow an
24 earlier start time on the weekdays than on the weekends. Ms. Weber explained that those are the current hours
25 of operation and the ZRA as written does not propose any changes to the hours. Ms. Mosier asked if there is a
26 limit on the number of people for the Incidental Outdoor Stays. Ms. Eisenberg explained that there are no
27 commercial campgrounds in Howard County, and this use would provide an opportunity for overnight stays.
28 She explained there is no limit on the number of people but there is a limit of three sites. Ms. Mosier asked for
29 clarification if an animal show would be considered a festival event. Ms. Eisenberg explained that festivals are
30 not allowed under small-scaled agritourism and that animal shows may be considered a festival depending on
31 the intensity.

32 Fifteen members of the public testified in support of the proposed ZRA, including the Howard County
33 Farm Bureau, the Administrator of the Howard County Office of Agriculture, Councilman David Yungmann
34 and Maryland State Delegate Natalie Zeigler. They indicated the ZRA would promote long term viability of

1 agriculture in Howard County by allowing alternative revenue opportunities, such as hosting events and
2 allowing overnight stays. Many stated that amendments will help bring people onto farms and allow the public
3 to better understand, appreciate and support agriculture in Howard County. Many stated that Howard County
4 has more restrictions on farming uses than neighboring counties and that adding such uses would stimulate the
5 local economy and stay competitive and strong for generations to come. Many supported the ZRA with a
6 recommendation to reconsider the restrictions for shared driveway access and the restriction that the owner
7 must reside on the property or adjoining property. One person asked for consideration in adding community
8 ponds to private recreation facilities and allowing agritourism festival events to be three consecutive days,
9 especially on a holiday weekend. Another person asked for consideration for small-scale agritourism to increase
10 the number of visitors, expand the hour of operations, and consider a lot size smaller than 5 acres. One person
11 shared her concern with accessory farming uses becoming the primary use and too many visitors allowed with
12 the Farm Alcohol Producer use.

13 14 Board Discussion and Recommendation

15 The Planning Board discussed that they were generally in favor of the ZRA and then discussed the text
16 changes by section of the code. The Planning Board had no objection to most of the changes as written. The
17 Planning Board discussed different scenarios but ultimately did not object to the proposed increase in lot
18 coverage for properties 5 acres or greater. The Planning Board discussed the days for allowing Christmas tree
19 sales. Ms. Eisenberg explained the reason for allowing Christmas tree sales earlier in the year is to be more
20 competitive with larger retail sales. The Planning Board discussed their concern that agritourism and small-
21 scale agritourism is not allowed for farms with shared access. They discussed the options for amending the
22 language to allow shared driveways. Ms. Weber discussed existing language in Section 128.0.O.1.c. which
23 allows the Director of DPZ to waive shared driveway access restriction if the neighbors agree and sign an
24 affidavit. Mr. James Cecil, Planning Board member, shared his concerns about safety with shared use driveways
25 and if a recommendation should be made about driveway standards. The Planning Board discussed the
26 requirement for agritourism uses to require the property owner to live onsite or an adjoining property. They
27 discussed the option of having the owner, or designee, on-site during the event. The Planning Board discussed
28 the hours of operation for the Rural Venue Space conditional use and small-scale agritourism. The Planning
29 Board discussed increasing the day limit for agritourism festival events. The Planning Board discussed special
30 farm permits and when access to an arterial or collector road is required. The Planning Board discussed allowing
31 community fishing ponds. Mr. McAliley asked for suggestions that might encourage cyclists to utilize these
32 agritourism uses.

33 Mr. Cecil motioned to recommend approval of ZRA-217 with amendments. Mr. Mason seconded the
34 motion. The motion passed 5-0.

The amendments are:

1. Remove the restriction of not allowing shared driveway access for the Agritourism and Small-Scale Agritourism Special Farm Permit (Section 128.0.I.5), Rural Venue Space (Section 131.0.N.33), and Farm Alcohol Producer (Section 131.0.N.57) uses and replace it with the language in Section 128.0.O.1.c., which permits the Director of DPZ to waive the shared driveway restriction if the neighbors sign an affidavit agreeing to the proposed access.
2. Remove the restriction that the owner of the Agritourism Special Farm Permit must reside on the subject property or an adjoining property and add the provision that the property owner or a designee of the owner must be on the subject property for all events (Section 128.0.I.5).
3. Amend the hours of operation under the Small-Scale Agritourism Special Farm Permit to 8:00 a.m.-10:00 p.m. (Section 128.0.I.5).
4. Amend the hours of operation for Rural Venue Spaces on Friday and Saturday to be 9:00 a.m.-12:00 a.m. and Sunday to be 9:00 a.m.-10:00 p.m. (Section 131.0.N.33).
5. Add a consideration on the Agritourism Special Farm Permit for festival events to be extended to 3 consecutive days when the festival event falls on a holiday weekend (Section 128.0.I.5).
6. Add community fishing ponds as an allowed private outdoor recreation facility under Section 106.1.B.2.d.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 20th day of October 2025, recommends that ZRA-217, as described above, be APPROVED WITH AMENDMENTS.

HOWARD COUNTY PLANNING BOARD

Signed by:

Kevin McAuley

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Kevin McAuley, Chair

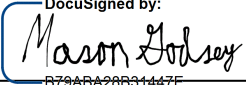
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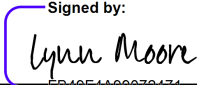
James Cecil

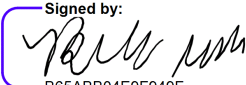
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James Cecil, Vice-chair

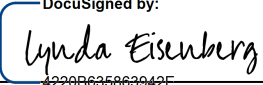
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Lynda Eisenberg, AICP, Executive Secretary