



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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TECHNICAL STAFF REPORT

Planning Board Meeting of October 9, 2025

Case No./Petitioner: ZRA-217; Department of Planning and Zoning

Request: The purpose of this Zoning Regulation Amendment (ZRA) is to implement new relevant policies in HoCo By Design, reduce conflicts in the current code, and respond to changed market conditions and new industry opportunities. The ZRA includes:

- 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 103.0.
- 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 Breakfast 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.C 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.C 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 to 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 the Department of Planning and Zoning (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 Bed and Breakfast Inns under Section 131.0.N.8.
- 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.58 to Section 131.0.N.59.

I. BACKGROUND AND HISTORY OF EXISTING ZONING REGULATIONS

Farm Winery and Farm Brewery:

The Farm Winery use was introduced in the Zoning Regulations with ZRA-130 in 2010. This ZRA defined Farm Winery, Farm Winery – Class 1A, Farm Winery – Class 1B, and Farm Winery – Class 2, specified the zoning districts where the use is permitted as an accessory use or conditional use (RC and RR), and imposed additional regulations. ZRA-130 also permitted Farm Wineries on Preservation Parcels under certain conditions.

The Farm Brewery and Farm Brewery – Class 1A use was added to the Zoning Regulations with ZRA-146 in 2013. This ZRA defined Farm Brewery and Farm Brewery – Class 1A, specified the zoning districts where the use is permitted as an accessory use (RC and RR) and imposed additional requirements.

The table below shows in the current code where Farm Winery – Class 1A, Farm Brewery – Class 1A, Farm Winery – Class 1B, and Farm Winery – Class 2 are permitted. This ZRA proposes to combine these uses and rename the use as Farm Alcohol Producer.

	Class 1A (winery/brewery)	Class 1B (winery)	Class 2 (winery)
Zone	RC and RR	RR Cluster Preservation Parcels existing on July 4, 2011	RC and RR
Allowed on Preservation Easement	Yes	Yes – Cluster Preservation Parcel only.	Yes
Acreage minimum	5 acres	5 acres	25 acres
Permitted Use	Accessory	Conditional	Conditional
Hours Operation of	Sun-Thurs (10-7), Fri-Sat (10-10) DPZ can reduce, not exceed	Sun-Thurs (10-7), Fri-Sat (10- 10) HE can reduce, not exceed	Sun.-Sun. (10-10) HE can reduce, not exceed
Maximum Visitors	50	50	Everyday events: 50 Special events: 150 (HE can exceed)
No. of Events	No limit	No limit	Everyday events: No limit Special events: 15 days/year

HE - Hearing's Examiner

Agritourism Enterprise:

The Agritourism Enterprise use was introduced in the Zoning Regulations with ZRA-33 in 2001. This ZRA defined Agritourism Enterprises and permitted the use as an accessory use to farming in the RC and RR zoning districts, subject to additional regulations. These additional regulations included a minimum parcel size of 100 acres (if not subject to a preservation easement), visitor hours, number of festivals per year, etc. The regulations for Agritourism Enterprises remained unchanged in the 2004 Comprehensive Zoning Plan. The 2013 (current) Zoning Regulations permit Agritourism Enterprises as an accessory use under a Special Farm Permit in the RC and RR districts, subject to additional requirements. The minimum parcel size for Agritourism Enterprises was lowered from 100 acres to 50 acres. The visitor hours of 6 a.m.-10p.m. have remained constant since ZRA-33 as well as the number of festivals (four) per year, not to exceed eight days per year. The table below shows in the current code where Agritourism Enterprises are currently allowed as well as some of the additional regulations.

	Zone	Allowed on Preservation Easement	Acreage	Permitted Use	Hours of Operation	No. of Events
Agritourism Enterprises	RC and RR	Yes	50 acres or any size if on Easement	Accessory, Special Farm Permit	6a.m.-10p.m.	Festivals: 4/year, not to exceed 8 days/year

Bed and Breakfast Inns:

Bed and Breakfast Inns were introduced in the 1985 Zoning Regulations. The 1985 Regulations defined the use, limited the Inn to six guest rooms, and specified the use as a conditional use in the RC, RR, R, R-ED, R-20, R-12, R-SC, R-SA,-8, R-A-15, R-MD, R-HR, R-VH, and HO districts. The Inn was required to be a historic structure as defined by the County as well as other requirements. The 1993 Zoning Regulations amended the Bed and Breakfast Inn use and added regulations for alterations/expansions of the Inn structure to 50% of the total floor area. These regulations also expanded Bed and Breakfast Inn's to be permitted by right in the RC and RR districts if subject to an ALPP or dedicated easement. The table below shows in the current code where Bed and Breakfast Inns are currently allowed as well as some of the additional regulations.

	Zone	Allowed on Preservation Easement	Permitted Use	Historic Structure
Bed and Breakfast Inns	RC, RR, R-ED, R-20, R-12, R-SC, R-VH	Yes, permitted by right	Conditional Use, unless on a Preservation Easement	Yes

Limited Social Assemblies:

The Limited Social Assemblies use was introduced in the Zoning Regulations in ZRA-38 in 2003. ZRA-38 permitted the use as an accessory use to Retreat Centers in the R-ED district (approved by the Board of Appeals) and laid out the maximum number of visitors, events, and hours of operation. The 2004 Zoning Regulations renamed Limited Social Assemblies to *Limited Outdoor Social Assemblies*, and expanded the use to a permitted conditional use in the RC zoning district, subject to additional requirements. This conditional use required all event activities to occur outdoors. The 2013 (current) Zoning Regulations removed the ability of Limited Social Assemblies to be an accessory use to Retreat Centers. Limited Social Assemblies were amended by ZRA-154 in 2015. ZRA-154 removed the word “*outdoor*” from its name and specified the use of indoor spaces for

events, subject to requirements. The table below shows in the current code where Limited Social Assemblies are currently allowed as well as some of the additional regulations. This ZRA proposes to remain Limited Social Assemblies to Rural Venue Space.

	Zone	Allowed on Preservation Easement	Acreage	Permitted Use	Historic	Hours of Operation	No. of Events	Max Visitors
Limited Social Assemblies	RC	Yes, Conditional use	5 acres or greater	Conditional use	Yes	Mon-Thurs: 9am-10pm Fri-Sat: 10am-10pm Sun: 12pm-10pm	25/year	125

Size Restrictions (Section 128.0.A.12)

Prior to the 2004 Zoning Regulations, total lot coverage of detached accessory structures was regulated by a maximum percentage of coverage dependent on the zoning district. ZRA-53 in 2004 provided supplementary zoning regulations that regulated the maximum lot coverage for detached accessory garages. With this ZRA, maximum lot coverage for areas inside the PSA was limited to 600 sq. ft. Properties in the RC and RR district had a limit on lot coverage for accessory garages of 1,200 sq. ft. on a property under two acres and 2,200 sq. ft. on a property over two acres. The adoption of the current regulations in 2013 expanded the lot coverage requirements to all accessory structures which were previously applied only to accessory garages. The table below shows the current regulations for lot coverage for detached accessory structures on residentially zoned properties developed with a single-family detached dwelling.

District	Parcel size	Lot Coverage
Any lot in Planned Service Area	N/A	600 sq. ft.
RC, RR	2 acres >	1,200 sq. ft.
RC, RR	> 2 acres	2,200 sq. ft.

Rural Conservation Zoning District:

The Rural Conservation (RC) zoning district was introduced in the 1985 Comprehensive Zoning Plan. This district is outside of the Planned Service Area and the preferred land use has been agriculture since its creation in 1985. The district's purpose is to encourage preservation, protect natural features, and residential development is permitted only when it is designed to minimize its impact on agricultural and farming operations. Some commercial operations have always been permitted in the RC district, and they largely are

intended to support the purpose of the agriculture operation. The number of commercial operations permitted in the district has increased over time.

Rural Residential Zoning District:

The Rural Residential (RR) zoning district was introduced in the 1954 Comprehensive Zoning Plan. The RR district in these regulations was to primarily be large lot, single family detached homes, outside of the Public Service Area. This is reflected with the current zoning of RR district. Commercial operations were permitted since the inception of the RR district in 1954 which included public facilities and home occupations. Today, the purpose of the district is similar to the 1954 regulations focusing on low-density residential development within a rural environment. The number of commercial operations permitted in the district has increased over time.

Preservation Parcels:

The County's Agricultural Land Preservation Program (ALPP) began purchasing agricultural preservation easements in 1984, called ALPP purchased easements. In 1994, the ALPP began accepting dedicated agricultural preservation parcels to the program referred to as ALPP dedicated easements. Both types of ALPP easements were first mentioned in the 1985 zoning regulations largely pertaining to bulk requirements and location of the easements. The 1993 regulations introduced uses allowed on both ALPP easements such as Bed and Breakfasts, blacksmith shop, lawn and garden equipment repair, etc. The 2004 regulations expanded the uses allowed on ALPP easement properties to allow Agritourism Enterprises, Farm Wineries, and Agribusiness. There was a large re-write with the current regulations specifically adding a new section of code (106.1) specifically for County Preservation Easements. This section lists uses permitted by right, as an accessory use, and a conditional use for easement properties. The current regulations expanded the number of uses permitted on an easement property.

Special Farm Permits:

Prior to the current regulations, there were certain activities permitted as an accessory use to farming called *Direct Farm Marketing and Agritourism Enterprises*. The current code calls these *Special Farm Uses*. *Direct Farm Marketing and Agritourism Enterprises* were first included in code with the 1993 Zoning Regulations. The uses that fell under this title in the 1993 regulations were farm stands, pick-your-own enterprises, and agritourism enterprises. These uses remained unchanged with the adoption of the 2004 regulations. The adoption of the current regulations changed the title to *Special Farm Uses* and now includes farm stands, pick-your-own enterprises, and agritourism enterprises as well as: Community Supported Agriculture, Food Hubs, Riding Academies and Stables, and Class 1A Farm Wineries/Breweries.

Sales of Christmas Trees or Other Seasonal Decorative Plant Materials:

The Sales of Christmas Trees/Season Decorative Plant Materials were first established as a use with the 1985 zoning regulations. The use was permitted by right in the R, RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-A-15, R-MH, R-HR, R-VH, HO, HC, POR, CC, B-1, BR, M-1, M-2, and ID districts between December 1st and January 1st. The adoption of the 1993 and 2004 regulations modified the districts the use was permitted in and amended the time frame of sale to Thanksgiving-January 1st. Currently, the time frame of sales remains Thanksgiving-January 1st. The Sales of Christmas Trees/Season Decorative Plant Materials is permitted by right as a temporary/seasonal use in the RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-H-ED, R-A-15, R-APT, R-MH, R-VH, HO, HC, POR, PEC, BR, CCT, B-1, B-2, SC, M-1, M-2, PGCC, CE, CAC, and TNC.

II. DESCRIPTION OF PROPOSAL

This section contains a summary of the Petitioner's proposed amendment. The Petitioner's proposed amendment text is attached as Exhibit A.

The Petitioner is proposing to add the following new definitions under Section 103.0:

- Agribusiness
- Agriculture
- Farm Vehicle
- Farm Alcohol Producer
- Festival – Agritourism
- Incidental Outdoor Stays – Lodging
- Rural Venue Space
- Small-Scale Agritourism.

The Petitioner is proposing to amend the following definitions under Section 103.0:

- Change the definition of Agritourism Enterprise to *Agritourism* and include experiences and events that increase knowledge of agricultural operations.
- Amend the definition of Bed and Breakfast Inns to remove the provision that an Inn must be located on an ALPP easement.

The Petitioner is proposing to remove the following definitions under Section 103.0:

- Farm Brewery
- Farm Brewery – Class 1
- Farm Winery
- Farm Winery – Class 1, Class 1B, and Class 2.

The Petitioner is proposing to amend the accessory uses in the RC district under Section 104.0.C:

- Rename Agritourism Enterprise to *Agritourism*
- Add Small-Scale Agritourism as a permitted use, subject to Section 128.0.I.
- Rename Farm Winery/Brewery – Class 1A to *Farm Alcohol Producer*
- Add Incidental Outdoor Stays – Lodging as a permitted use, subject to Section 128.0.I.
- Add Bed and Breakfast Inns as a permitted use, subject to Section 128.0.I.

The Petitioner is proposing to amend the accessory uses in the RR district under Section 105.0.C:

- Rename Agritourism Enterprise to *Agritourism*
- Add Small-Scale Agritourism as a permitted use, subject to Section 128.0.I.
- Rename Farm Winery/Brewery – Class 1A to *Farm Alcohol Producer*
- Add Incidental Outdoor Stays – Lodging as a permitted use, subject to Section 128.0.I.
- Add Bed and Breakfast Inns as a permitted use, subject to Section 128.0.I.

The Petitioner is proposing to amend the accessory uses in the R-ED district under Section 107.0.C:

- Add Small-Scale Agritourism as a permitted use, subject to Section 128.0.I.
- Add Incidental Outdoor Stays – Lodging as a permitted use, subject to Section 128.0.I.
- Add Bed and Breakfast Inns as a permitted use, subject to Section 128.0.I.

The Petitioner is proposing to amend the accessory uses in the R-20 district under Section 108.0.C:

- Add Small-Scale Agritourism as a permitted use, subject to Section 128.0.I.
- Add Incidental Outdoor Stays – Lodging as a permitted use, subject to Section 128.0.I.
- Add Bed and Breakfast Inns as a permitted use, subject to Section 128.0.I.

The Petitioner is proposing to amend the accessory uses in the R-12 district under Section 109.0.C:

- Add Bed and Breakfast Inns as a permitted use, subject to 128.0.I.

The Petitioner is proposing to amend the accessory uses in the R-SC district under Section 110.0.C:

- Add Bed and Breakfast Inns as a permitted use, subject to 128.0.I.

The Petitioner is proposing to amend the uses permitted by right on properties with ALPP or Other Dedicated Easements under Section 106.1.B:

- Amend the dates for the sale of Christmas trees or other seasonal decorative material from December 1st-January 1st to November 1st-January 14th
- Amend the requirements for Bed and Breakfast Inns to:
 - Allow an Inn within the primary dwelling
 - A parcel with a minimum of 20-acres
 - Require the property owner to reside on the property or adjoining parcel or require the caretaker to reside in the structure

The Petitioner is proposing to amend the accessory uses on properties under ALPP or Other Dedicated Easements under Section 106.1.C:

- Rename Agritourism Enterprise to *Agritourism*
- Add Small-Scale Agritourism as a permitted use, subject to Section 128.0.I.,
- Rename Farm Winery/Brewery – Class 1A to *Farm Alcohol Producer*
- Add Incidental Outdoor Stays – Lodging as a permitted use, subject to Section 128.0.I.,
- Add Bed and Breakfast Inns as a permitted use on Other Dedicated Easements, subject to Section 128.0.I.

The Petitioner is proposing to amend the Conditional Uses on properties under ALPP or Other Dedicated Easements under Section 106.1.D:

- Exclude driveways from the 2% cumulative cap devoted to Conditional Uses on ALPP Easements
- Rename Limited Outdoor Social Assemblies to *Rural Venue Space*
- Rename Farm Winery – Class 2 to *Farm Alcohol Producer*

The Petitioner is proposing to amend the regulations for detached accessory structures on residentially zoned lots developed with single-family detached dwellings under Section 128.0.A.12:

- Amend the lot coverage permitted for all accessory structures located on a residential lot developed with a single-family detached dwelling to:
 - 2,200 square feet for a lot in the RC or RR district which is greater than 2 acres but less than 5 acres
 - 5,000 square feet for a lot in the RC or RR district which is 5 acres or greater

The Petitioner is proposing to amend the Temporary, Seasonal and Other Uses Sale of Christmas Trees under Section 128.0.D.6:

- Extend the date to sell Christmas trees or other seasonal decorative plan materials to November 1st – January 14th

The Petitioner is proposing to amend Permits for Special Farm Uses under Section 128.0.I:

- Add a provision that DPZ may consider the cumulative impact of multiple Special Farm Permits
- Add a provision that DPZ may enter the property where the use is taking place, including during events, under the permits for Agritourism and Small-Scale Agritourism uses.

The Petitioner is proposing to amend the Agritourism Enterprise regulations for Permits for Special Farm uses under Section 128.0.I.5:

- Rename Agritourism Enterprise to *Agritourism*
- List uses that do not meet the criteria to establish a farming or agricultural use
- Specify that shared driveways cannot serve as the primary entrance for visitors
- Add hours of operation and days of operation for festival and similar events
- Add that the owner of the Agritourism business must reside on the property or an adjoining property
- Add requirements for recording amplified noise
- Add Small-Scale Agritourism as a Special Farm Permit with certain criteria, including but not limited to:
 - Accessory to farming in RC, RR, R-ED and R-20 zoning districts
 - Minimum lot size of 5 acres
 - Include hours of operation
 - Allow small-scale events that include a maximum of 50 visitors and no more than 25 events per year
 - Prohibit festival events

The Petitioner is proposing to amend the Permits for Special Farm uses under Section 128.0.I.9:

- Add Incidental Outdoor Stays – Lodging as a Special Farm Permit with certain criteria, including but not limited to:
 - Accessory to farming in RC, RR, R-ED and R-20 zoning districts
 - Require lodging in separate structures from the primary residence
 - Minimum lot size of 20 acres or any size if ALPP
 - Maximum of three structures for lodging (not including primary residence), not to exceed 400 square feet each
 - A site may be used a maximum of three consecutive days per stay
 - Sites/structures must be at least 100 feet from adjacent property lines

The Petitioner is proposing to amend the Permits for Special Farm uses under Section 128.0.I.10:

- Add Bed and Breakfast Inns as a Special Farm Permit with certain criteria, including but not limited to:
 - Accessory to farming in RC, RR, R-ED, R-20, R-12 and R-SC zoning districts

- Minimum lot size of 20 acres
- Inn managed by owners of the dwelling and the dwelling must be the principal residence of the property owner or on-site caretaker
- No public reception/restaurant facilities provided

The Petitioner is proposing to amend the regulations for Farm Winery – Class 1A or Farm Brewery – Class 1A under Section 128.0.O:

- Rename to *Farm Alcohol Producer*
- Amend the requirements for planting an ingredient used in the beverage
- Increase the number of visitors to 150 visitors
- Add requirements for recording amplified noise

The Petitioner is proposing to amend the Conditional Use regulations for Bed and Breakfast Inns under Section 131.0.N.8:

- Add a maximum lot size of 20 acres for farms in the RC, RR, R-ED, R-20, R-12 and R-SC zoning districts
- Add that the building must be compatible in scale and character with the residential uses in the vicinity
- Remove the requirement that the Inn must be in a historic structure
- Add that the Inn may be managed by a designated on-site caretaker

The Petitioner is proposing to amend the Conditional Use regulations for a Guest House under Section 131.0.N.26:

- Rename Limited Outdoor Social Assembly to *Rural Venue Space*

The Petitioner is proposing to amend the Conditional Use regulations for Limited Social Assemblies under Section 131.0.N.33:

- Rename to *Rural Venue Space*
- Remove the requirement that the use must be in a historic structure
- Prohibit driveway access from a shared driveway and include measures for demonstrating adequate use of the local road
- Add requirements for recording amplified noise
- Amend the maximum number of attendees:
 - 150 attendees on a 5 acre parcel,
 - 250 attendees on a 20 acre parcel,
 - 10 additional attendees for each acre in excess of 20 acres, up to 300 attendees
- Allow the Hearings Examiner to approve additional events over 25 per year

The Petitioner is proposing to amend the Conditional Use regulations for Nonprofit clubs, Lodges, Community Halls, and Camps under Section 131.0.N.37:

- Include nonprofit educational camps

The Petitioner is proposing to remove the Conditional Use for a Farm Winery – Class 1B under Section 131.0.N.57.

The Petitioner is proposing to amend the Conditional Use regulations for Winery, Farm Class 2 under Section 131.0.N.57:

- Rename to *Farm Alcohol Producer*
- Prohibit driveway access from a shared driveway and include measures for demonstrating adequate use of the local road
- Amend the requirements for planting an ingredient used in the beverage
- Amend the maximum number of attendees:
 - Increase the number of attendees for an Everyday Event to 150 attendees
 - Increase the number of Special Event attendees to 10 people for every acre above the minimum 25-acre parcel size requirement, to be approved by the Hearing Examiner
- Add requirements for recording amplified noise

The Petitioner is proposing to renumber the Conditional Use for a Wrecked Vehicle Storage (temporary), under Section 131.0.N.59 to Section 131.0.N.58.

The Petitioner is proposing to renumber the Conditional Use for a Yard Waste Composting Facility, under Section 131.0.N.60 to Section 131.0.N.59.

Sec. 103.0

This section contains the definitions of the Zoning Regulations. The Petitioner proposes to add new definitions for Agribusiness, Agriculture, Farm Vehicle, Farm Alcohol Producer, Festival – Agritourism, Incidental Outdoor Stays – Lodging, Rural Venue Space, and Small-Scale Agritourism. The Petitioner proposes to amend the definitions of Agritourism Enterprise and Bed and Breakfast Inns. The Petitioner is proposing to remove the definitions of Farm Brewery, Farm Brewery – Class 1, Farm Winery, and Farm Winery – Class 1, Class 1B, and Class 2.

Sec. 104.0.C

The section contains the accessory uses in the RC district. The Petitioner proposes to rename Farm Winery and Brewery – Class 1A to *Farm Alcohol Producer*, rename Agritourism Enterprise to *Agritourism*, and add Small-Scale Agritourism, Incidental Outdoor Stays – Lodging, and Bed and Breakfast Inn uses.

Sec. 105.0.C

The section contains the accessory uses in the RR district. The Petitioner proposes to rename Farm Winery and Brewery – Class 1A to *Farm Alcohol Producer*, rename Agritourism Enterprise to *Agritourism*, and add Small-Scale Agritourism use, Incidental Outdoor Stays – Lodging, and Bed and Breakfast Inns uses.

Sec. 106.1

This section contains the uses permitted on a County Preservation Easement in the RC and RR districts.

Under the uses permitted by right, the Petitioner is proposing to amend when the sales of Christmas trees and other seasonal decorative material are permitted as well as the provisions for Bed and Breakfast Inns.

Under the accessory uses, the Petitioner proposes to rename Agritourism Enterprise to *Agritourism*, rename Farm Winery – Class 1A and Farm Brewery – Class 1A to *Farm Alcohol Producer*, and add Small-Scale Agritourism, Incidental Outdoor Stays – Lodging, and Bed and Breakfast Inns uses.

Under the Conditional Uses, the Petitioner proposes to exclude driveways from the 2% cumulative cap for ALPP properties, rename Limited Outdoor Social Assemblies to *Rural Venue Space* and rename Farm Winery – Class 2 to *Farm Alcohol Producer*.

Sec. 107.0.C

The section contains accessory uses in the R-ED district. The Petitioner proposes to add Incidental Outdoor Stays – Lodging, Bed and Breakfast Inns, and Small-Scale Agritourism uses.

Sec. 108.0.C

The section contains accessory uses in the R-20 district. The Petitioner proposes to add Incidental Outdoor Stays – Lodging, Bed and Breakfast Inns, and Small-Scale Agritourism uses.

Sec. 109.0.C

The section contains accessory uses in the R-12 district. The Petitioner proposes to add Bed and Breakfast Inns.

Sec. 110.0.C

The section contains accessory uses in the R-SC district. The Petitioner proposes to add Bed and Breakfast Inns.

Sec. 128.0.A.12

This section contains regulations for detached accessory structures on residentially zoned lots developed with single-family detached dwellings. The Petitioner is proposing to amend the allowable cumulative lot coverage for properties over two acres in the RC or RR district.

Sec. 128.0.D.

This section contains regulations for temporary and seasonal uses. The Petitioner is proposing to amend when Christmas trees or other seasonal decorative plant materials are permitted to be sold. Sales are currently permitted from Thanksgiving – January 1st. The Petitioner is requesting to amend this to November 1st – January 14th.

Sec. 128.0.I.

This section contains regulations for Special Farm Permits. The Petitioner is proposing to add language that DPZ can consider the cumulative impact of multiple special farm permits, and that DPZ can enter the property associated with an Agritourism or Small-Scale Agritourism permit to confirm compliance with the issued permit.

Sec. 128.0.I.5.a

The Petitioner is proposing to add the provision that solar farms, construction and maintenance of barns, silos, etc. do not meet the conditions of farming or agricultural use.

Sec. 128.0.I.5.A

This section contains the additional regulations for the Agritourism Enterprise Special Farm Permit. The Petitioner is proposing the rename the use to *Agritourism*.

The Petitioner is proposing to add language expanding the purposes of the Agritourism permit and specify that access to the Agritourism operation cannot be via a shared driveway with other residential properties.

The Petitioner is proposing to amend the hours of operation for festival events from 6 a.m.-10 p.m. to 8 a.m.-8 p.m.

The Petitioner is proposing to remove the limit on the number of festival events throughout the year and add the provision that festival events can only occur Friday-Sunday and not more than two consecutive days.

The Petitioner is proposing to add the provision that an owner of the Agritourism business or property owner must reside on the property or adjoining property.

The Petitioner is proposing to add the provision for any amplified noise, the owner must keep a noise log that may be furnished upon the request of DPZ.

Sec. 128.0.I.5.B

The Petitioner is proposing to add Small-Scale Agritourism as a Special Farm Permit and its regulations under this section.

This section states Small-Scale Agritourism is permitted as an accessory use to farming in the RC, RR, R-ED, and R-20 districts provided that the farm is at least five acres.

The Petitioner is also proposing provisions, including but not limited to, regulating the hours of operation (8a.m.-8p.m.) and maximum number of visitors (50).

Sec. 128.0.I.9

The Petitioner is proposing to add Incidental Outdoor Stays – Lodging as a Special Farm Permit and its regulations under this section.

This section states Incidental Outdoor Stays – Lodging is permitted as an accessory use to farming in the RC, RR, R-ED, and R-20 districts provided that the parcel is at least 20 acres or located on an County preservation easement.

The Petitioner is also proposing provisions, including but not limited to, maximum number sites (three), maximum size of structures (450 ft), and maximum size of sites (3,500 sq.ft.).

Sec. 128.0.I.10

The Petitioner is proposing to add Bed and Breakfast Inns as a Special Farm Permit and its regulations under this section.

This section states 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 the parcel is at least 20 acres or located on a County preservation easement.

Sec. 128.0.O

This section contains regulations for Class 1 Winery and Breweries, functioning as an accessory use to farming.

The Petitioner is proposing to remove the Farm Winery and Brewery use and rename the use to *Farm Alcohol Producer*.

The Petitioner is proposing to increase the maximum number of visitors from 50 to 150.

The Petitioner is proposing to add the provision for any amplified noise, the owner must keep a noise log that may be furnished upon the request of DPZ.

Sec. 131.0.N

This table depicts the list of Conditional Uses in the County and in which zoning districts the uses are allowed.

In the table, the Petitioner is proposing to rename Limited Outdoor Social Assemblies to *Rural Venue Space*, remove Farm Winery – Class 1B, and rename Farm Winery – Class 2 to *Farm Alcohol Producer*.

Sec. 131.0.N.8.

This section contains the regulations for Bed and Breakfast Inns permitted as a Conditional Use.

The Petitioner is proposing to remove the provision that a Bed and Breakfast Inn must be a historic structure and add that the use shall be operated on a farm.

The Petitioner is proposing to add the maximum lot size of 20 acres, and the Bed and Breakfast Inn must be operated by the owners of the dwelling or a designated on-site caretaker.

Sec. 131.0.N.26

This section contains the regulations for Guest Homes permitted as a Conditional Use. The Petitioner is proposing to rename Limited Outdoor Social Assembly to *Rural Venue Space* to be consistent with other parts of the code.

Sec. 131.0.N.33

This section contains the regulations for Limited Social Assemblies permitted as a Conditional Use.

The Petitioner is proposing to rename Limited Social Assembly to *Rural Venue Space*.

The Petitioner is proposing to add the provision for any amplified noise, the owner must keep a noise log that may be furnished upon the request of DPZ.

The Petitioner is proposing to increase the number of visitors allowed at an event based on the acreage of the Property.

The Petitioner is proposing to add the provision that event activities can occur in newly constructed facilities or existing structures.

Sec. 131.0.N.37

This section contains the regulations for Nonprofit Clubs, Lodges, Community Halls, and Camps permitted as a Conditional Use.

The Petitioner is proposing to expand the type of facilities that fall under this use to include nonprofit educational camps.

Sec. 131.0.N.57

This section contains the regulations for Farm Wineries – Class 1B permitted as a Conditional Use.

The Petitioner is proposing to remove this use.

Sec. 131.0.N.58

This section contains the regulations for Farm Wineries – Class 2 permitted as a Conditional Use.

The Petitioner is proposing to remove the Farm Winery use and rename the use to *Farm Alcohol Producer*.

The Petitioner is proposing to renumber this use to Section 131.0.N.57 with the removal of Farm Winery – Class 1B.

The Petitioner is proposing to amend the maximum number of visitors for Special Events. Specifically, the Hearing Examiner may increase the maximum number of Special Event

attendees (the current maximum is 150 people) by ten (10) for every one (1) acre over 25 acres.

The Petitioner is proposing to add the provision for any amplified noise, the owner must keep a noise log that may be furnished upon the request of DPZ.

III. EVALUATION OF PROPOSAL

This section contains the Department of Planning and Zoning (DPZ) technical evaluation of ZRA-217 in accordance with Section 16.208.(d) of the Howard County Code.

1. The compatibility, including potential adverse impacts and consequences, of the proposed Zoning Regulation Amendment with the existing and potential uses of the surrounding areas and within the same zoning district.

Staff does not anticipate this ZRA would produce adverse impacts that are substantially greater than what the current regulations allow. This amendment would have a general impact on all parcels that are zoned RC, RR, R-ED, R-20, R-12, R-SC, and R-VH. The ZRA would amend, add or remove the permitted and conditional uses in those districts. The legislation focuses on agricultural changes which will impact the western portion of the County more because that is where most of the agricultural uses and preservation easements are located.

2. The properties to which the Zoning Regulation Amendment could apply and, if feasible, a map of the impacted properties.

This ZRA would amend, add or remove the permitted and conditional uses in the RC, RR, R-ED, R-20, R-12, R-SC and R-VH districts. These uses are Agritourism, Small-Scale Agritourism, Bed and Breakfast Inns (allowed as an accessory or conditional use), Incidental Outdoor Stays – Lodging, Rural Venue Space, and Farm Alcohol Producer (allowed as an accessory or conditional use). A map detailing each of these uses and the properties to which the uses could apply are provided in Attachments A-H. The below information indicates the approximate number of impacted parcels and the approximate total acreage of the impacted parcels for the uses that are being amended or added to the code.

- Agritourism Special Farm Permit: 312 parcels; 35,765 acres (*Attachment A*)
- Small Scale Agritourism Special Farm Permit: 3,116 parcels; 69,341 acres (*Attachment B*)
- Bed and Breakfast Inns Special Farm Permit: 711 parcels; 51, 503 acres (*Attachment C*)

- Bed and Breakfast Inns Conditional Use: 608 parcels; 4,309 acres (*Attachment D*)
- Farm Alcohol Producer Accessory Use: 2,716 parcels; 60,459 acres (*Attachment E*)
- Farm Alcohol Producer Conditional Use: 505 parcels; 42,513 acres (*Attachment F*)
- Rural Venue Space Conditional Use: 1,574 parcels; 44,669 acres (*Attachment G*)
- Incidental Outdoor Stays – Lodging Accessory Use: 697 parcels; 50,953 acres (*Attachment H*)

3. Conflicts in the Howard County Zoning Regulations as a result of the Zoning Regulation Amendment.

If adopted, this amendment would not create any conflicts in the Howard County Zoning Regulations. One purpose of the proposed legislation is to resolve existing conflicts that the Department of Planning and Zoning have encountered while administering the Zoning Regulations.

4. 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 within the County supported in the Agricultural Land Use ZRA. The below Policy Statements and Implementation Actions are taken from HoCo By Design and are supportive of the proposed 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 Inn 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 by expanding the number of permitted accessory uses to farming.

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 as well as the Agriculture Preservation Board in order to develop the proposed changes within the ZRA.

General Plan Implementing Action EP-13.3 calls for the County to “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 wineries, breweries, and distilling operations, including an increase in number of visitors and events

Conclusion

Overall, DPZ finds that the proposed amendments described in this TSR and the proposed legislation is consistent with the Policy Statements and Implementing Actions in the General Plan.

Environmental Policies and Objectives

The proposed ZRA-217 is not in conflict with the environmental policies and objectives in HoCo By Design, the County’s General Plan. The proposed ZRA 217 would not change any development requirements for sensitive resource protection, stormwater management or forest conservation.

DocuSigned by:

4220B635863942E... 9/22/2025
Lynda D. Eisenberg, AICP, Director Date

Exhibit A

Petitioner's Proposed Text

(CAPITALS indicate text to be added; text in ~~strike through~~ indicates text to be deleted.)

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, **SMALL- SCALE AGRITOURISM**, enterprises 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.

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 VISITING 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.

1. 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
<u>RURAL VENUE SPACE</u> Limited Outdoor Social Assemblies
Winery, Farm — Class 1B
<u>FARM ALCOHOL PRODUCER</u> 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 Conditional 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.

e. 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~~ **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** Winery 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.**

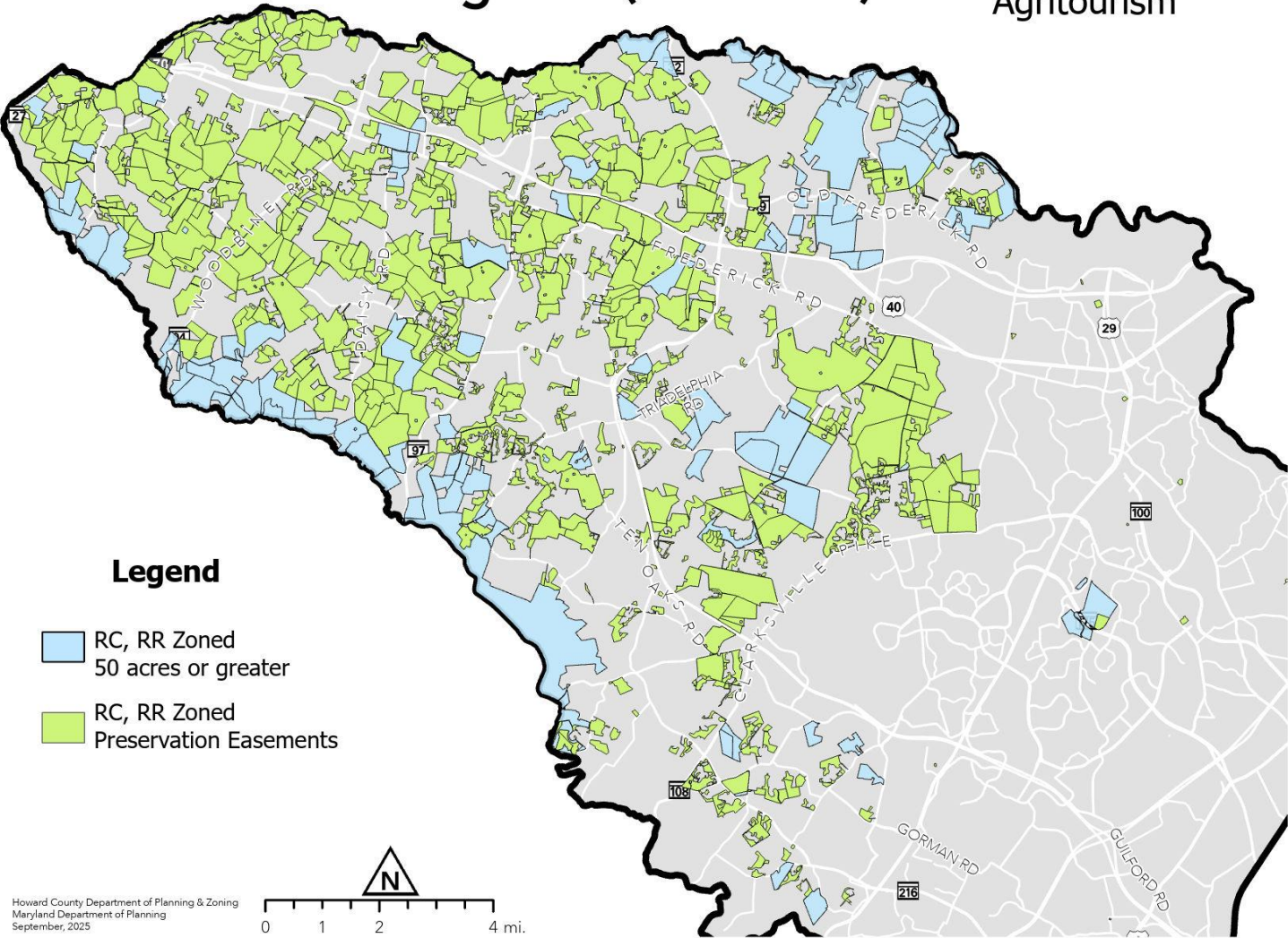
Section 131.0.N.5~~8~~9 Wrecked Vehicle Storage (Temporary)

Section 131.0.N.59~~60~~ Yard Waste Composting Facility

Attachment A

Ag ZRA (ZRA-217)

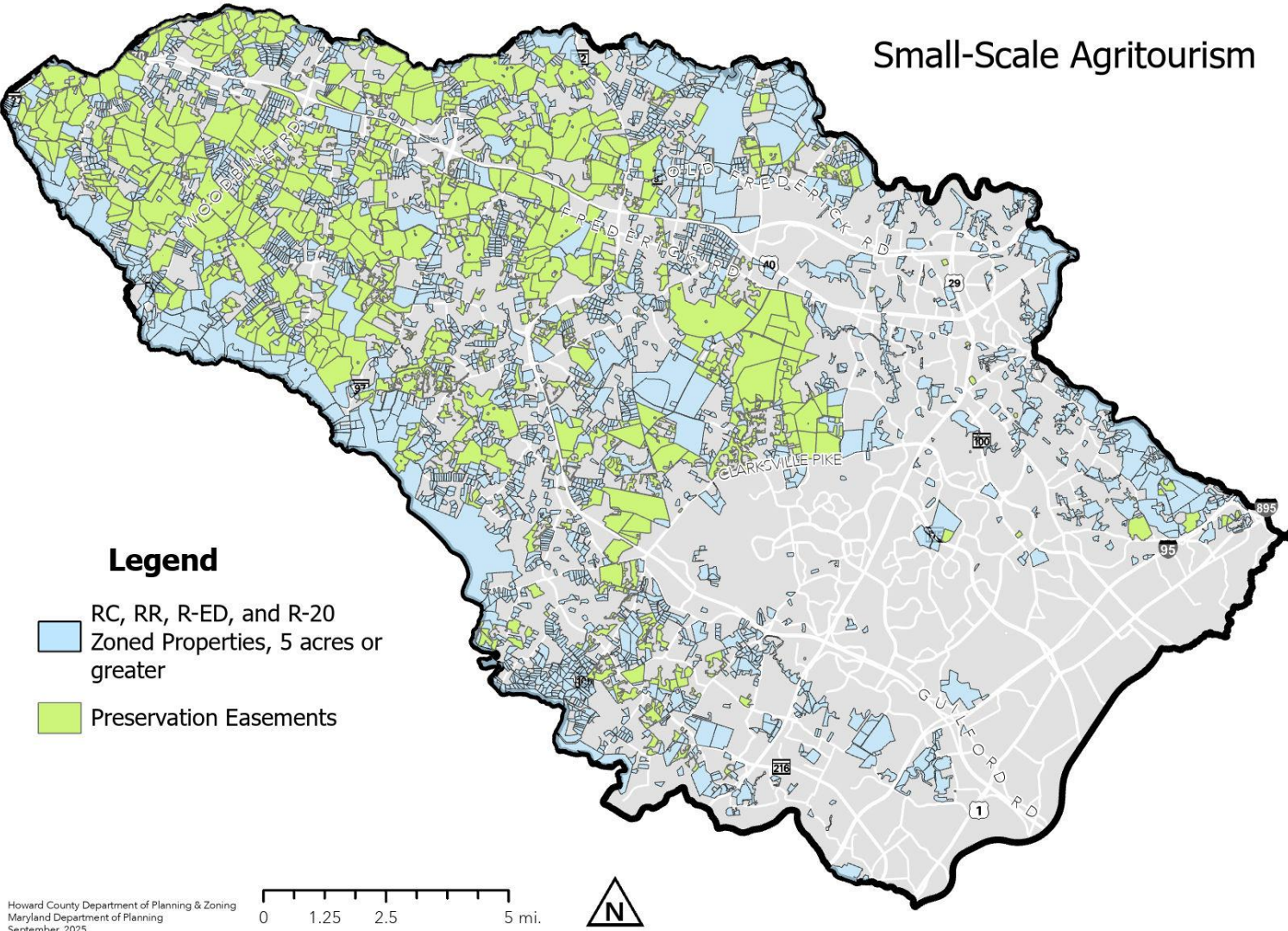
Agritourism



Attachment B

Ag ZRA (ZRA-217)

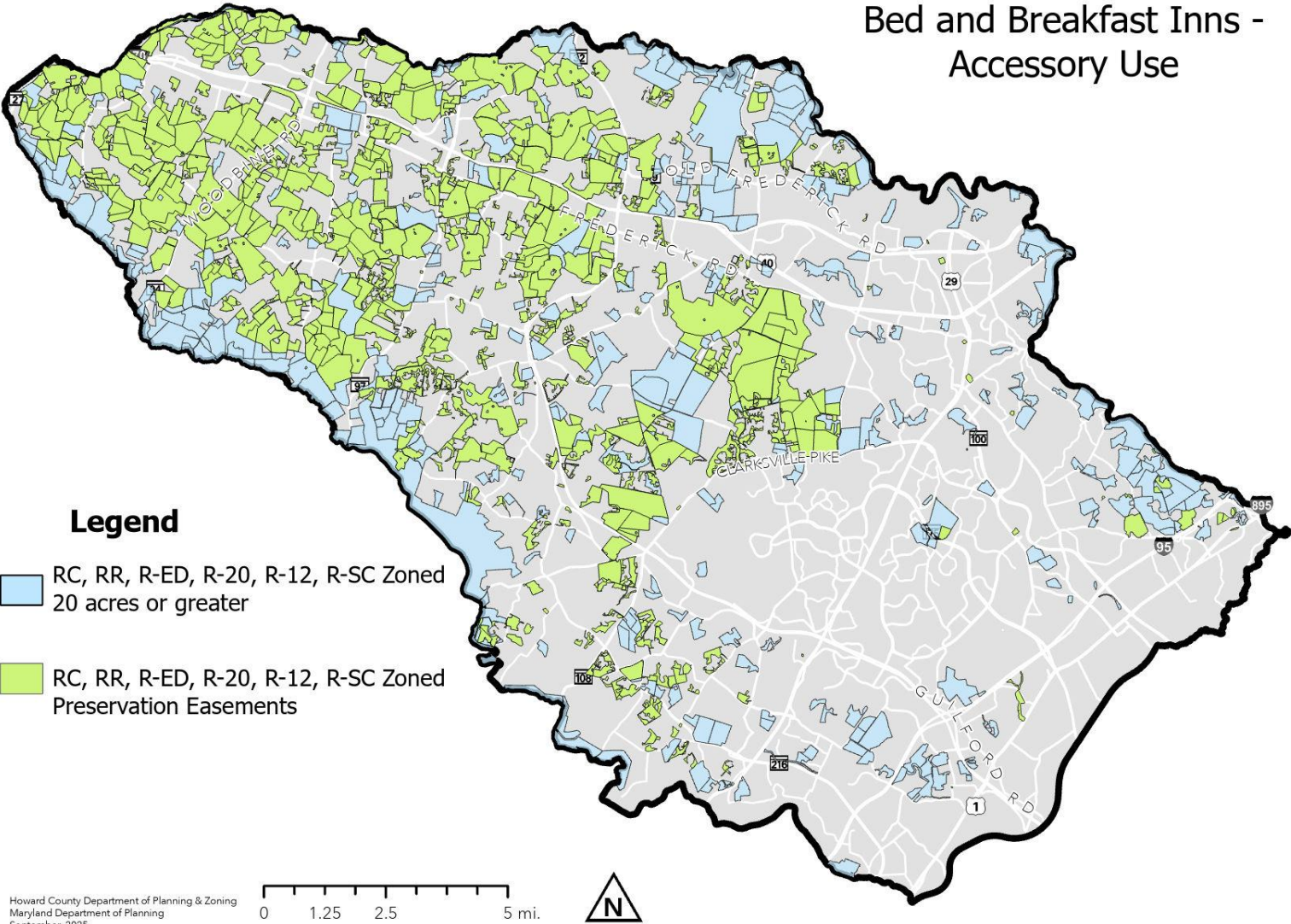
Small-Scale Agritourism



Attachment C

Ag ZRA (ZRA-217)

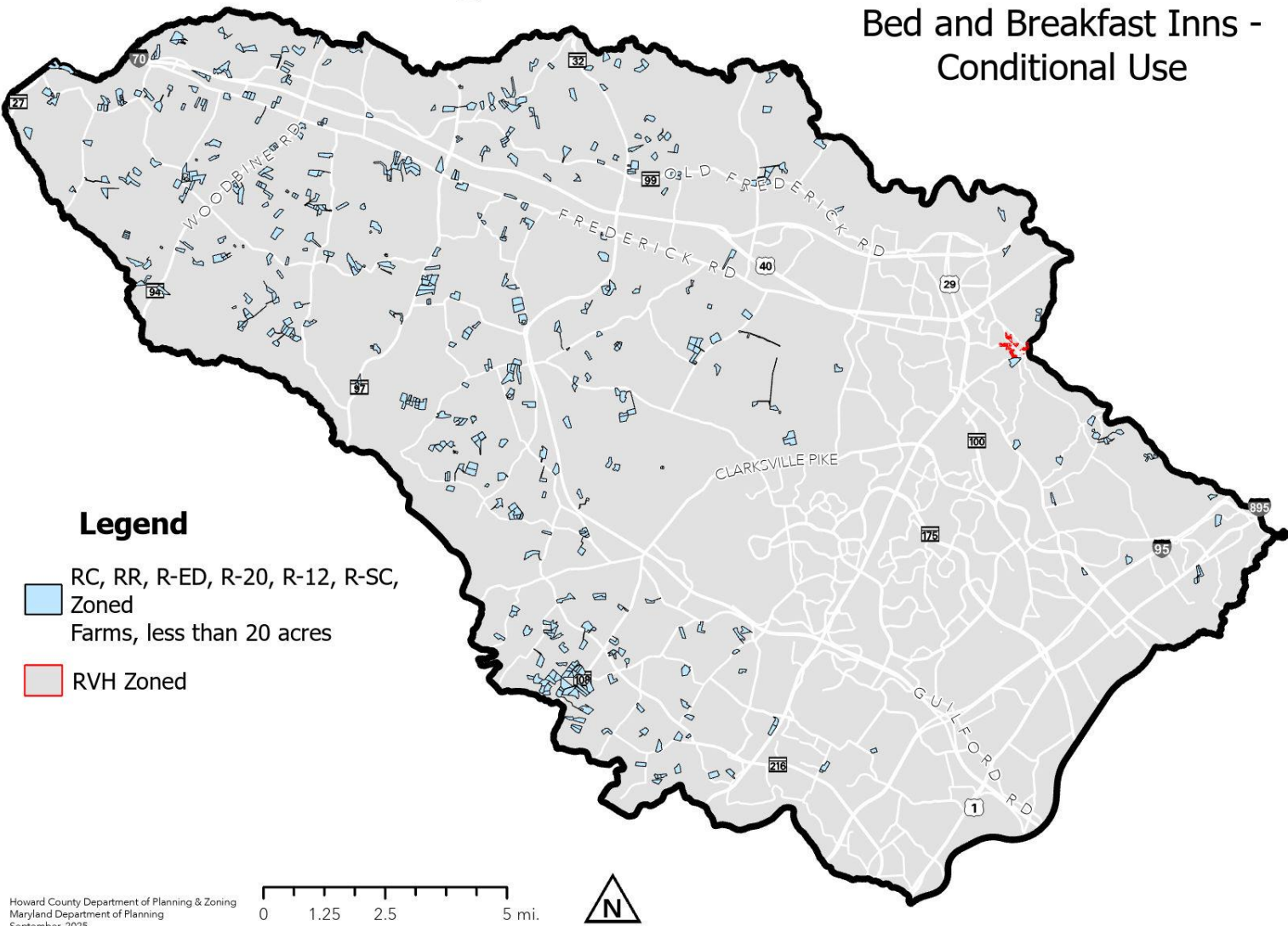
Bed and Breakfast Inns -
Accessory Use



Attachment D

Ag ZRA (ZRA-217)

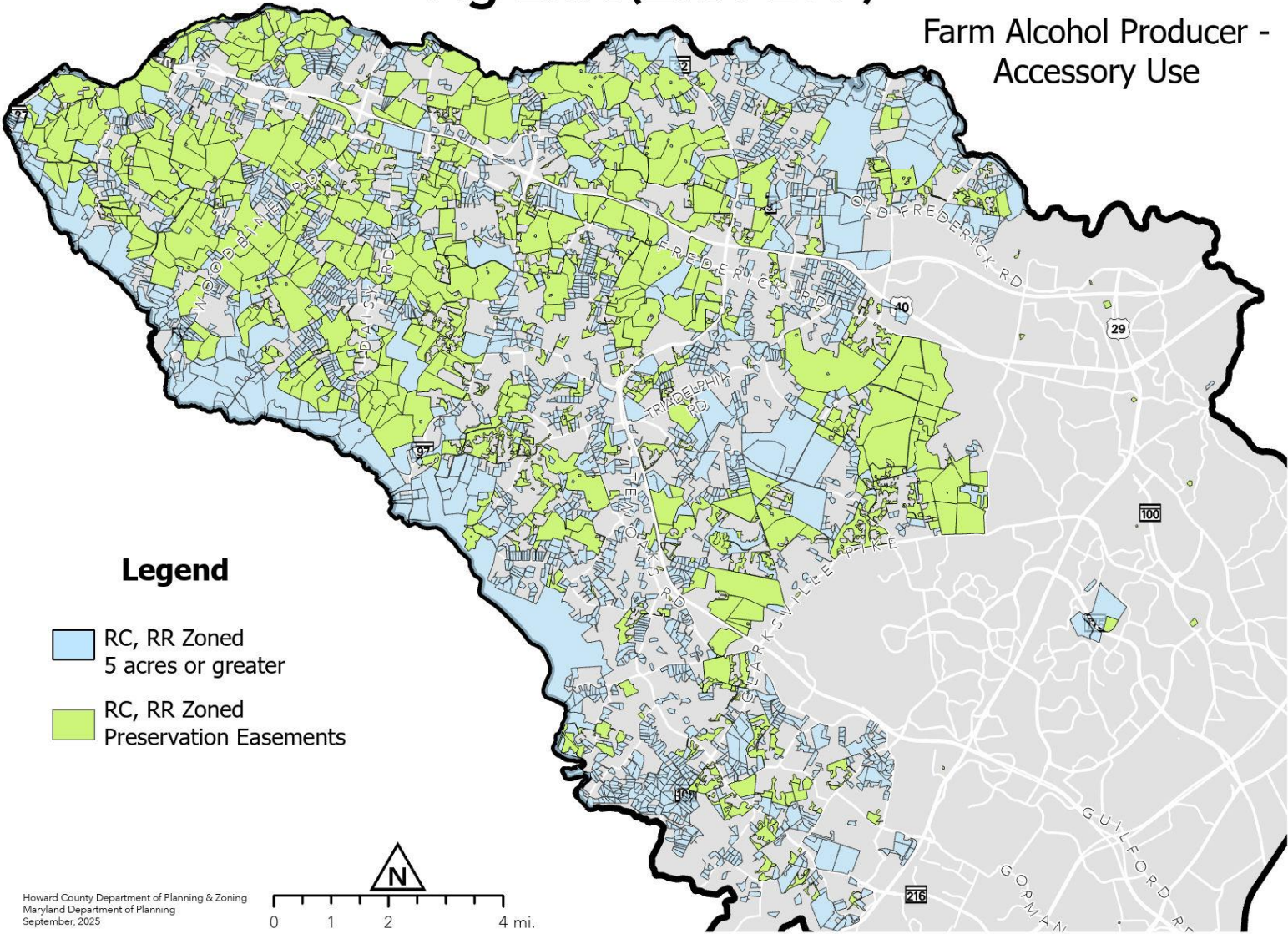
Bed and Breakfast Inns -
Conditional Use



Attachment E

Ag ZRA (ZRA-217)

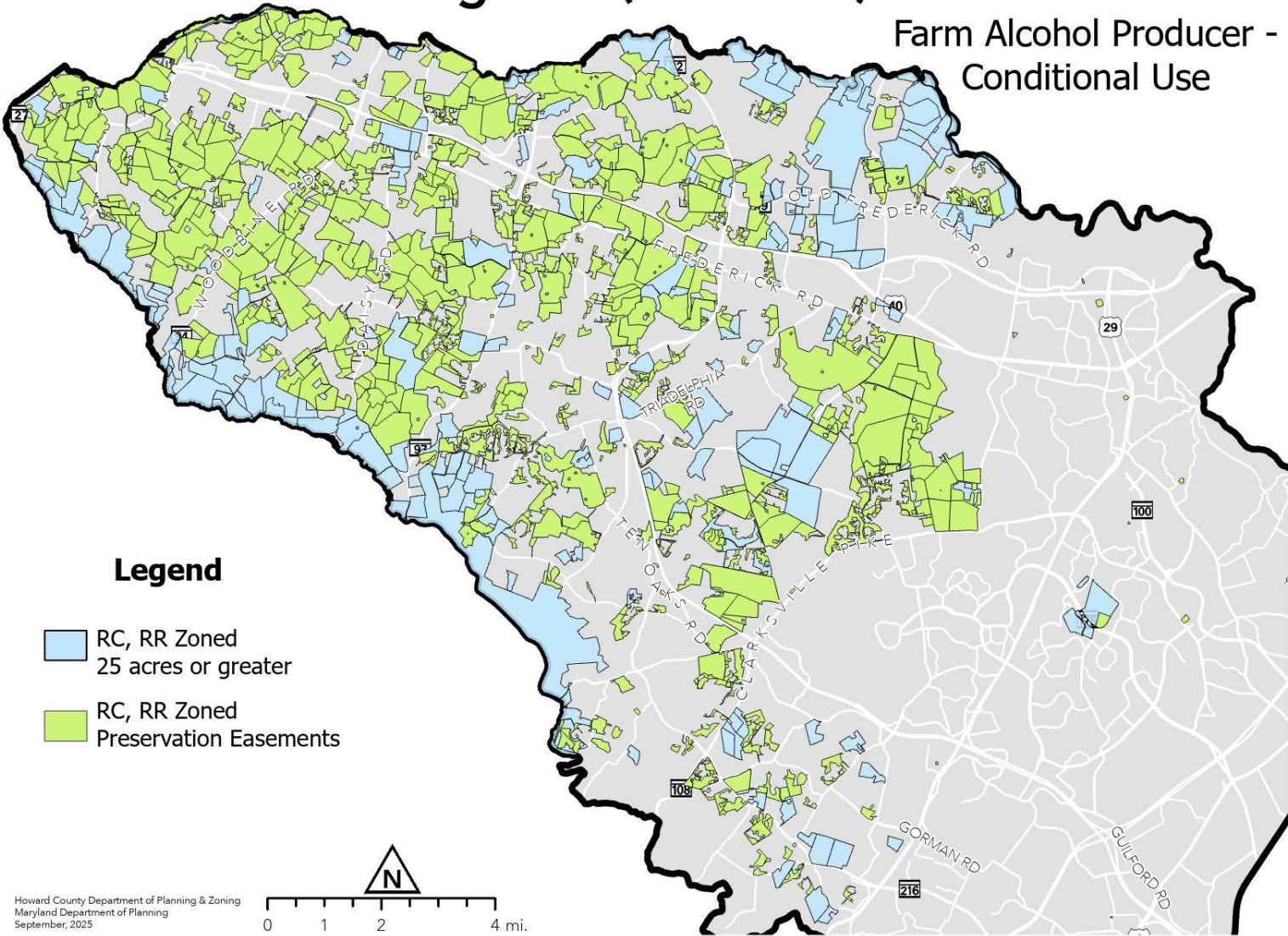
Farm Alcohol Producer -
Accessory Use



Attachment F

Ag ZRA (ZRA-217)

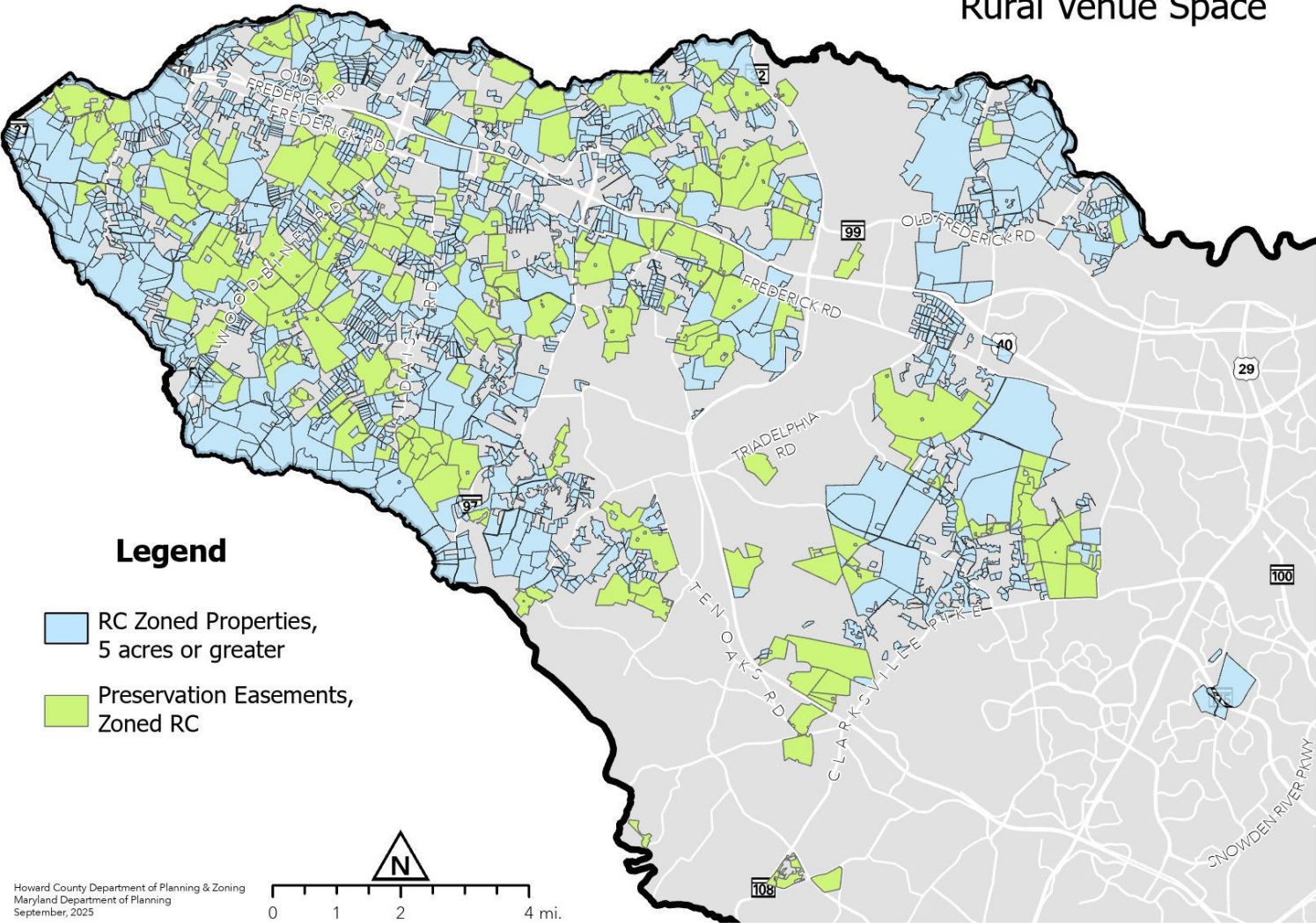
Farm Alcohol Producer -
Conditional Use



Attachment G

Ag ZRA (ZRA-217)

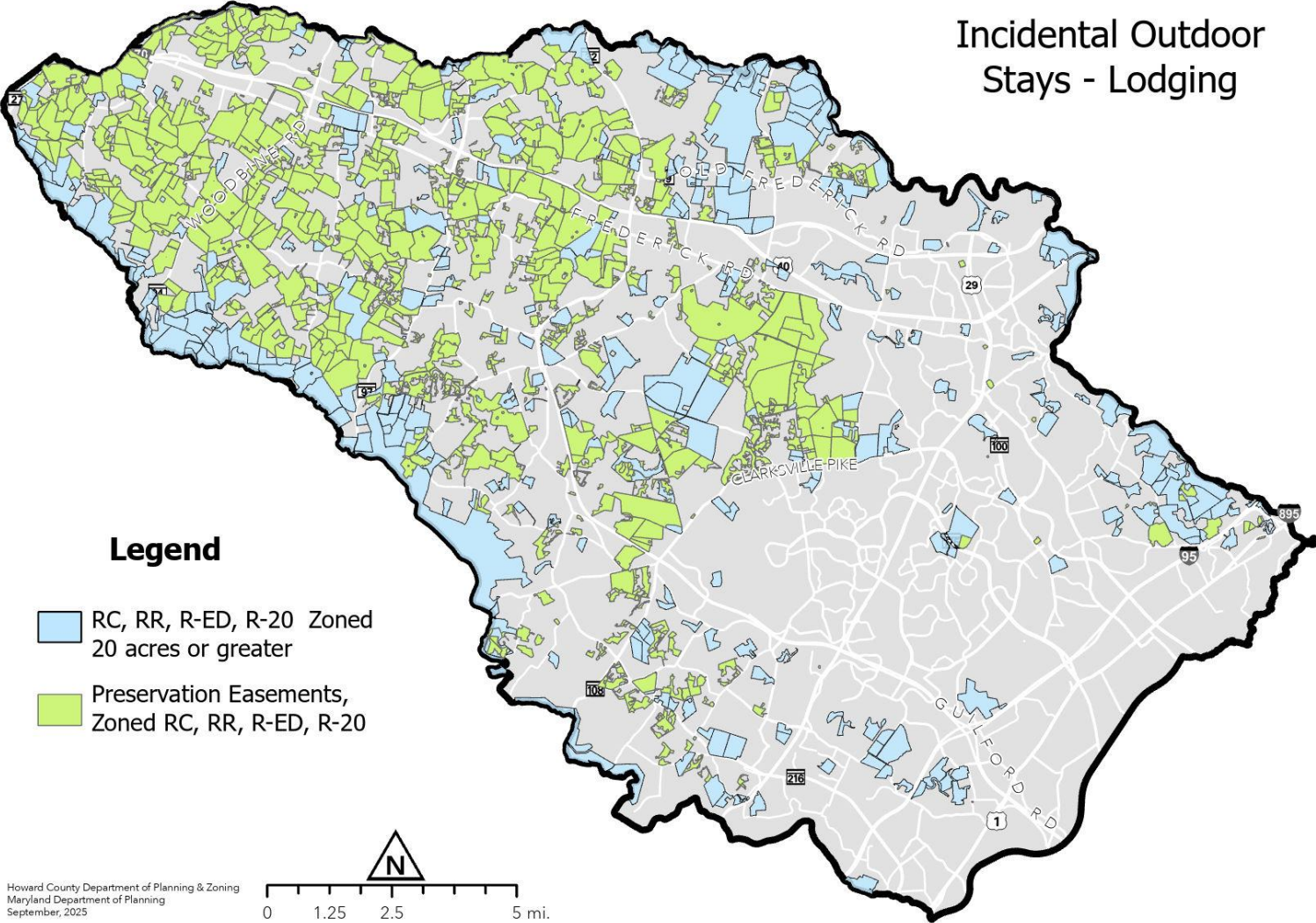
Rural Venue Space



Attachment H

Ag ZRA (ZRA-217)

Incidental Outdoor
Stays - Lodging



Agricultural Land Use ZRA – Companion Document

Use	What's currently allowed?	What's changing?	Code reference
<i>Agritourism Enterprises</i>	• 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	• 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>	• Not a current use. New use being added.	• 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>	• Not a current use. New use being added.	• 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: • 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: • 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>	• Permitted by right with ALPP easement • Conditional use in historic structures	• 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>	• 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	• 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>	• Not a current use. New use being added.	• Adding definition for new use which encompasses large-scale outdoor events	103.0

Table does not serve as official Zoning Regulations*

		Establishes events are unlike the usual activities associated with the property	
<i>Farm Winery Class 1A</i>	- 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	- Renaming to “<i>Farm Alcohol Producer</i>” 150 visitors max. - Noise log	103.0 106.1.C 128.0.O
<i>Farm Winery Class 1B</i>	- 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.	Removing – no Winery’s currently operating under this Class	103.0 131.0.N.57
<i>Farm Winery Class 2</i>	- 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	- Renaming to “<i>Farm Alcohol Producer</i>” - 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
<i>Farm Vehicle</i>	Not a current use. New use being added.	Providing a definition of what farm vehicles are and are not	103.0

Table does not serve as official Zoning Regulations*