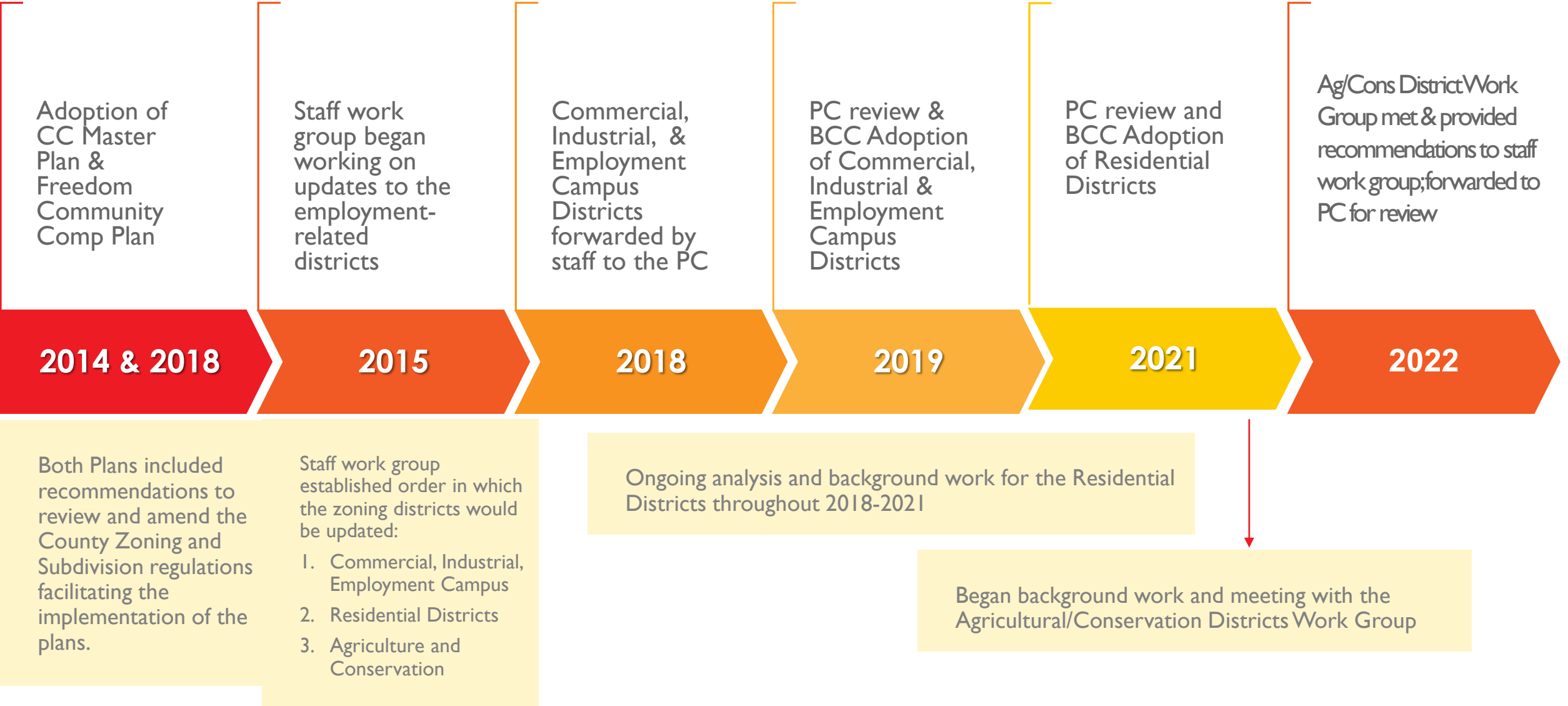


Ag-Conservation Districts Work Session 1


Agriculture and Conservation Zoning Text Workgroup

August 4, 2022

Comprehensive Rezoning Text Revision Timeline



Current Agriculture & Conservation Districts



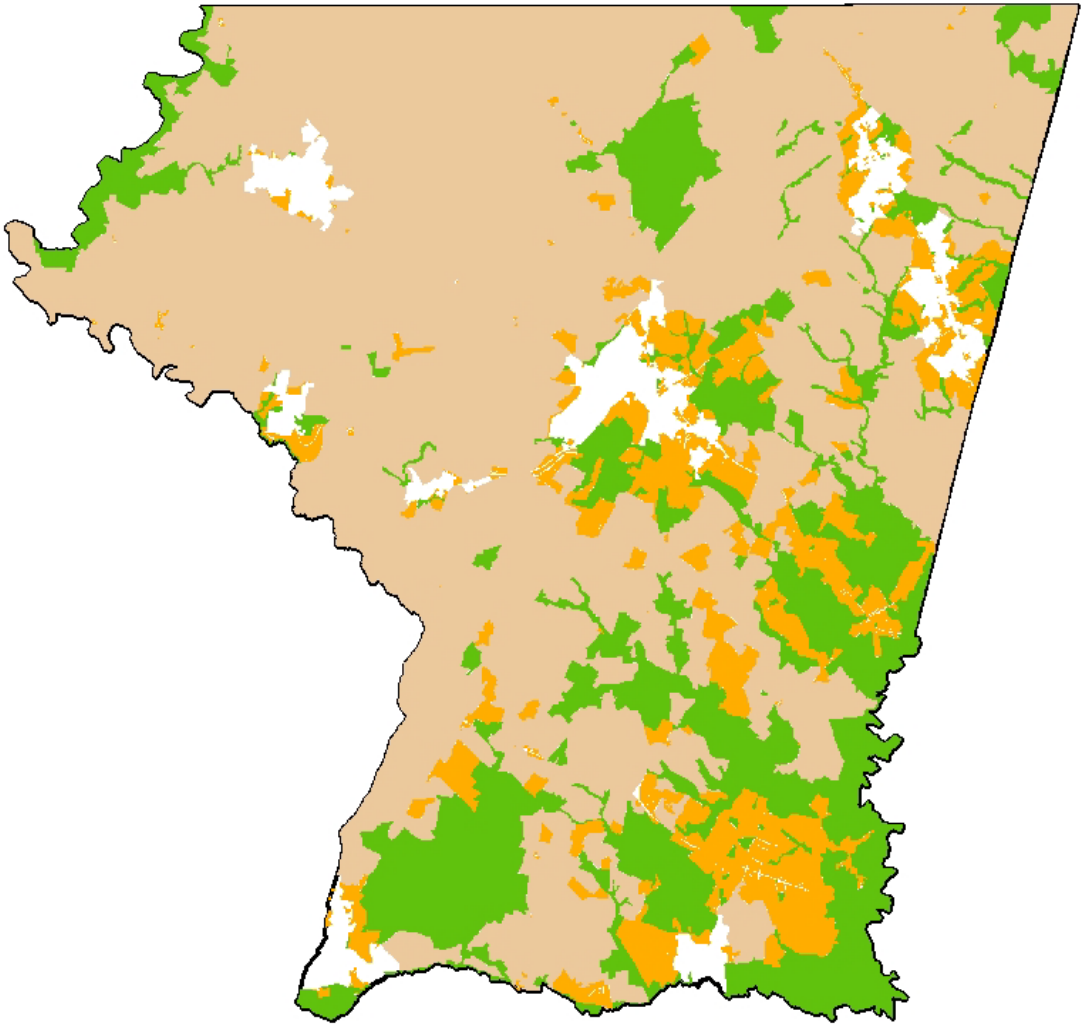
CARROLL COUNTY
COMPREHENSIVE REZONING

A Balanced Perspective
For Tomorrow

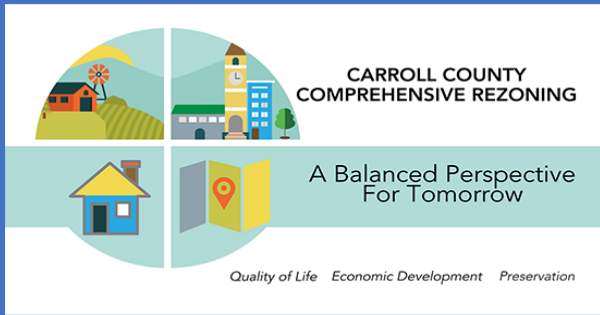
Quality of Life Economic Development Preservation



Zoning Districts	Acreage in District
Agriculture	185,655
Conservation	57,796
Residential, Commercial, Industrial	32,111

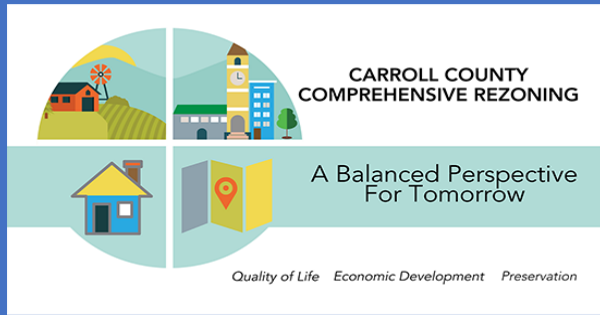


Process



Mission: The mission of the Agricultural/Conservation text work group was to review the research prepared by the Carroll County Department of Planning staff and how it relates to the Zoning Code (chapter 158) and Subdivision Code (chapter 155) of the Carroll County Code of Laws and Ordinances, to identify challenges, discuss emerging trends and find opportunities in Agricultural/Conservation land uses as they relate to Carroll County and to make recommendations to the Planning and Zoning Commission regarding changes to the county code.

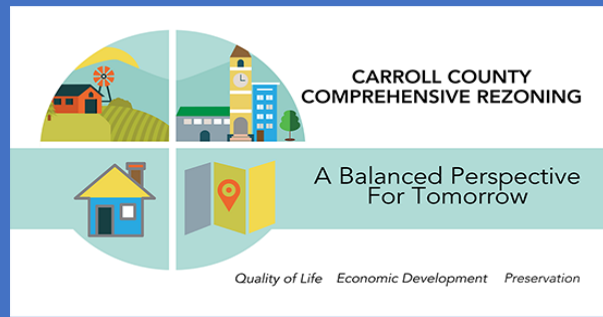
Trends & Challenges in the Agriculture/Conservation Districts



- *Contractor Equipment Storage*
- *Country Inns*
- *Commercial Kennels*
- *Solar Energy*
- *Agritourism*
- *Temporary/Seasonal Uses*
- *Commercial Camping*
- *Accessory Dwelling Units*
- *Ag Remaining Portion Uses*

Contractor Equipment Storage

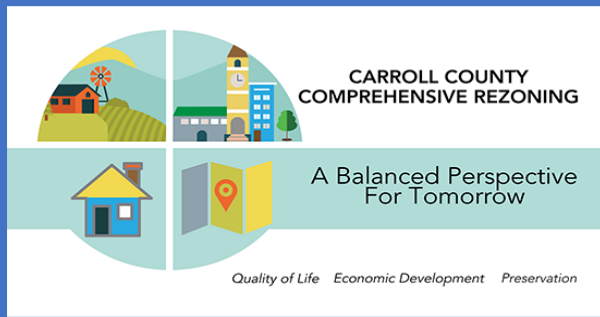
§158.070(E)c



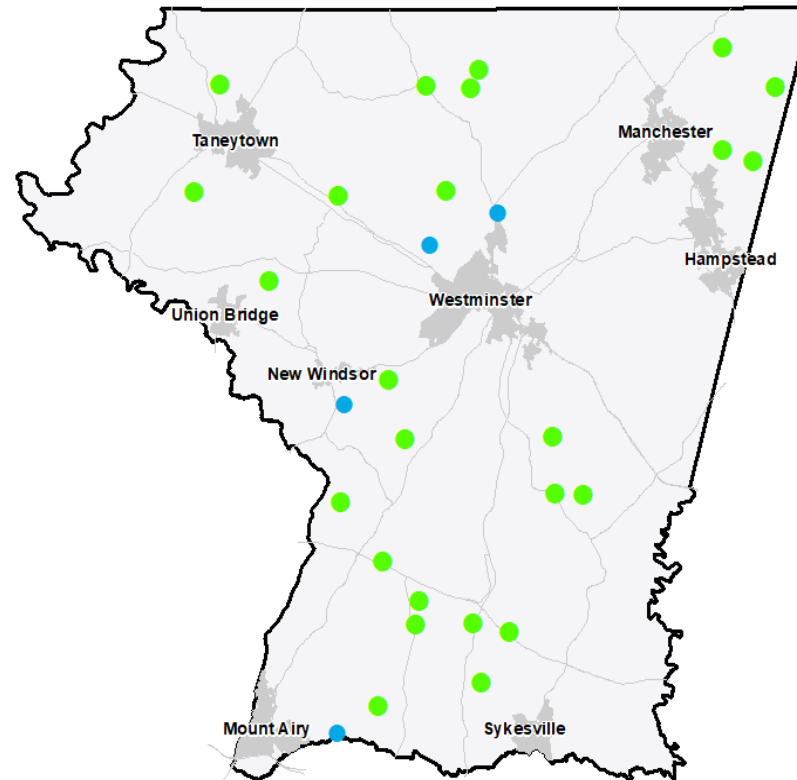
Challenge:

- Number of variances being requested alongside the use
- CES require twice the distance requirements set forth in §158.040
- Introduce a minimum lot size?

Contractor Equipment Storage



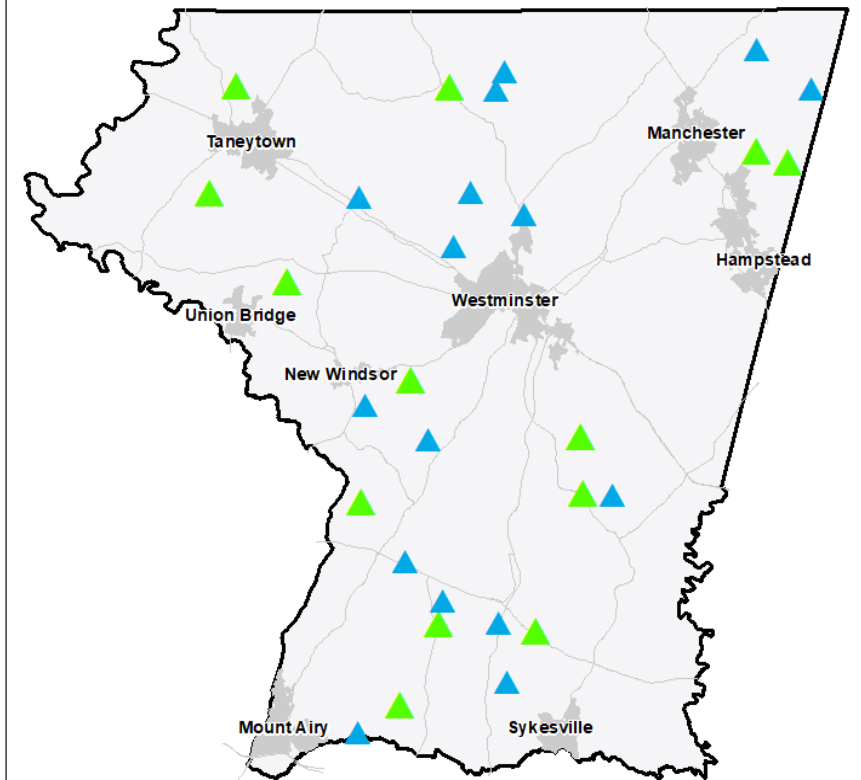
Contractor Equipment Storage Variances



BZA Cases

- Variance Requested (25)
- Variance Not Requested (4)

Contractor Equipment Storage Property Sizes

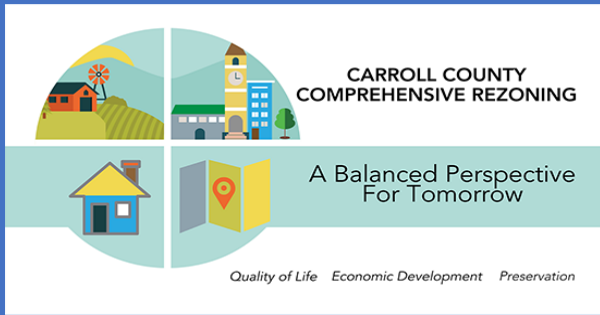


BZA Cases

- ▲ 5 > Acres (13)
- ▲ 5 < Acres (16)

Country Inns

§158.071(D)7



Challenge:

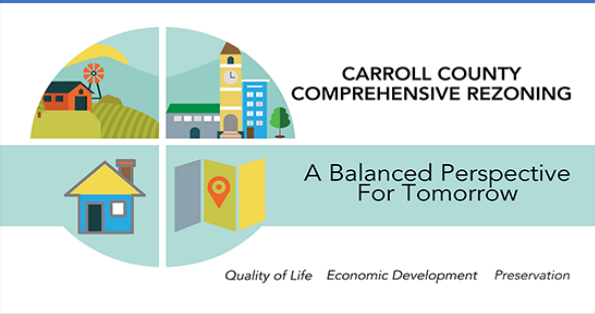
- Distinction between Country Inns and Bed & Breakfasts
- Creating a standalone name and definition for event facilities?
- Requests are becoming more frequent which requires these updates

COUNTRY INN. Any dwelling in which rooms are rented to paying guests on an overnight basis with meals served daily. A ***COUNTRY INN*** may also provide catering and facilities for banquets, weddings, receptions, reunions, and similar one-time events which are not open to the public generally.

BED AND BREAKFAST. Any owner-occupied, residential dwelling in which rooms are rented to paying guests on an overnight basis.

Commercial Kennels

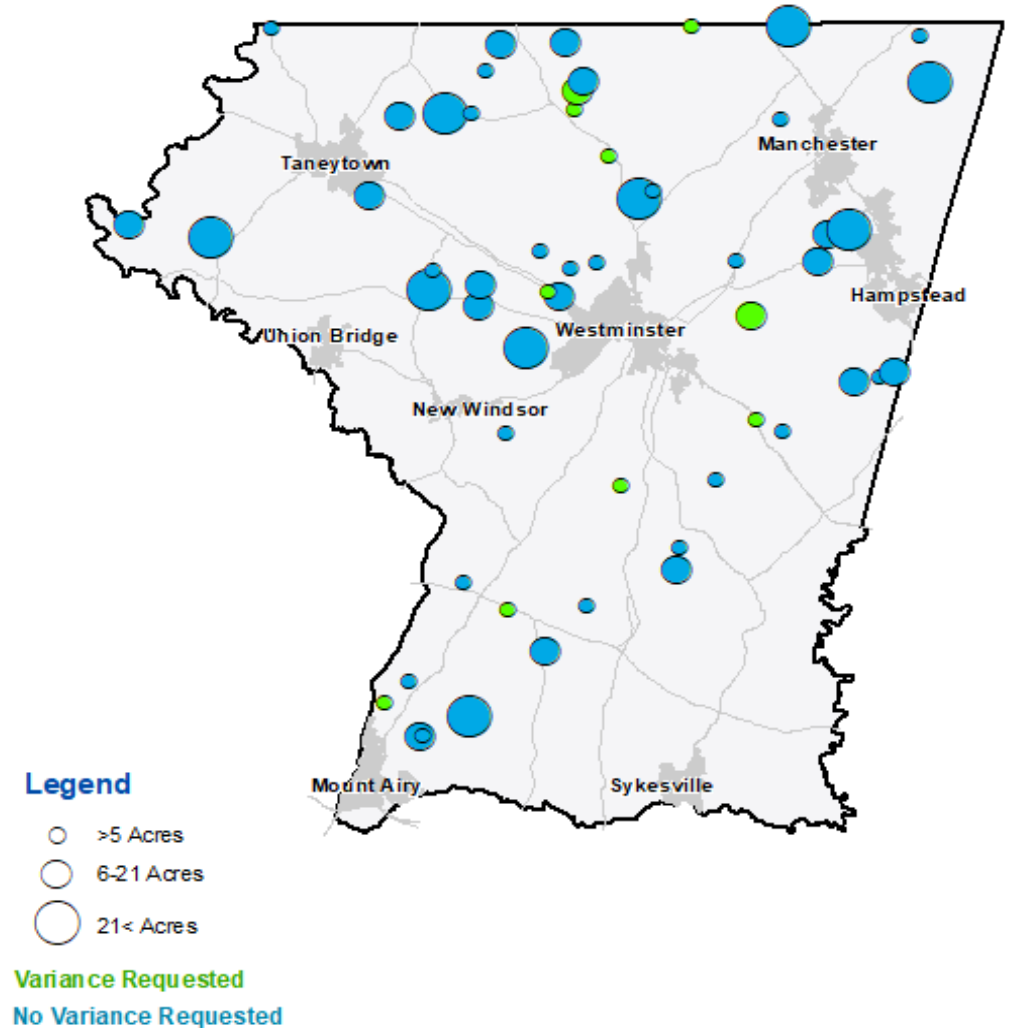
§158.070(E)i



Challenge:

- Introducing minimum lot size?
- Neighbor complaints due to dogs barking
 - Is this a zoning issue?

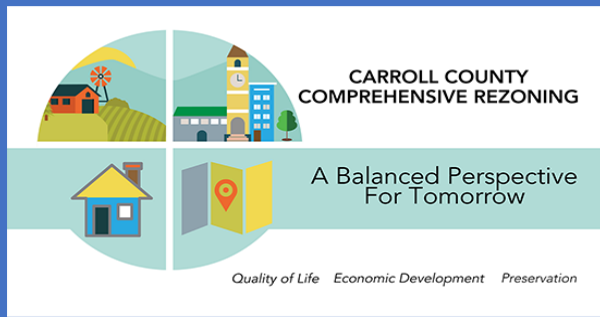
Commercial Kennels Showing Variance Requests and Lot Size (1990-2021)



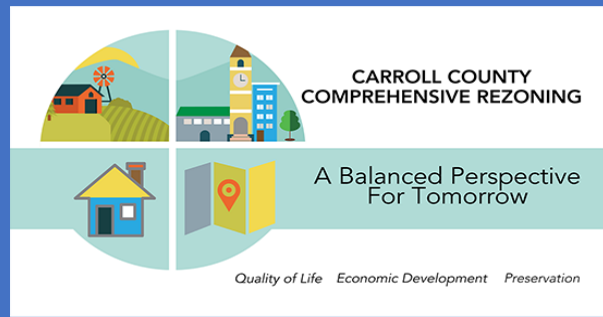
Agritourism & Seasonal Uses

Challenge:

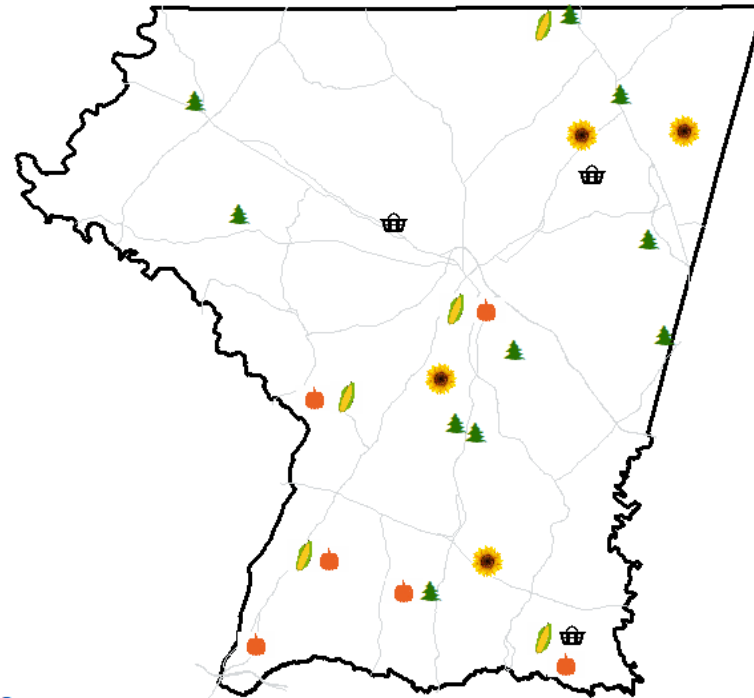
- How can we encourage Agritourism and Seasonal Uses in the zoning code?
- Should Agritourism be defined in the code and how would we implement the definition in the code?



Agritourism & Seasonal Uses



Seasonal Agritourism in Carroll County

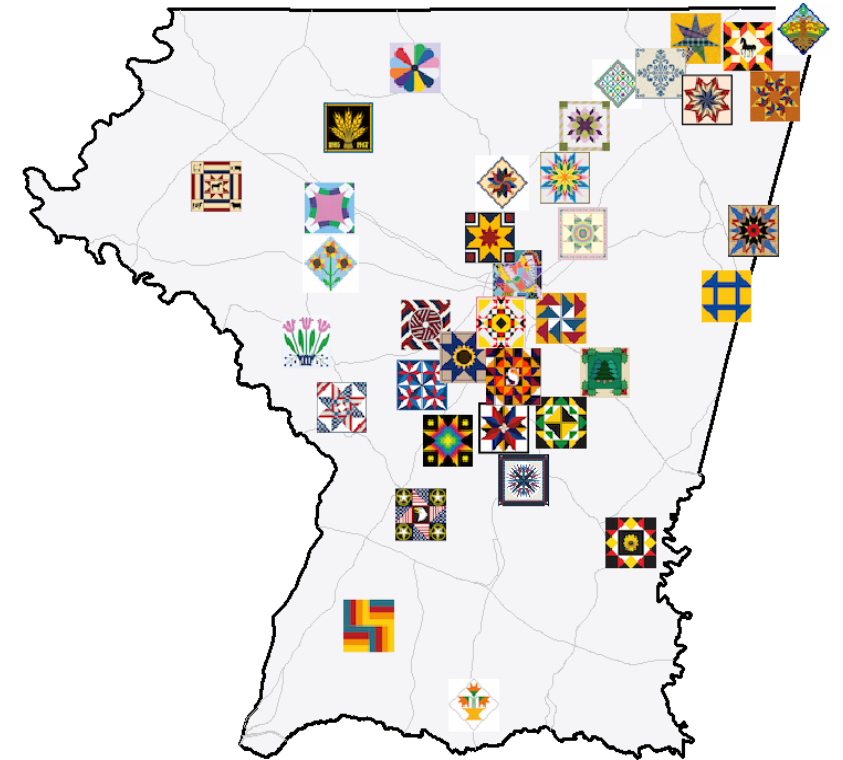


Sites

- Pumpkins
- Christmas Trees
- Corn Maze
- Fruit Picking
- Flowers
- Major Roads

28,000 14,000 0 28,000 Feet

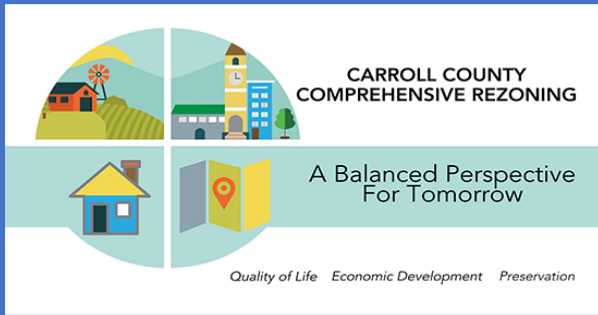
Barn Quilts in Carroll County



Solar Energy

Challenge:

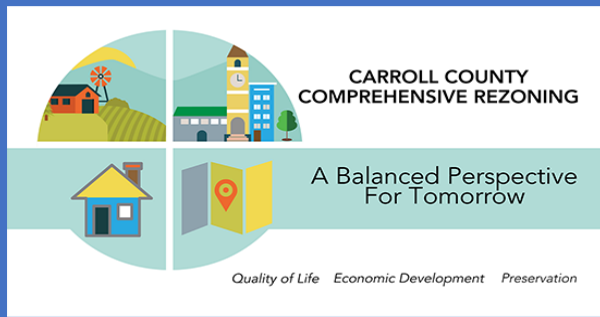
- Should we expand community solar in the Agriculture district?



Accessory Dwelling Units

Challenge:

- Is our code too restrictive with detached accessory dwelling units?
- Should detached accessory dwelling units be able to be rented out?



What is an Ag Remaining Portion?

- This term is generally used to refer to property that has been subdivided and has used all of its residential development rights, but is able to be utilized for other allowed nonresidential uses, such as
 - Religious establishments
 - Schools
 - Day care centers
 - Veterinary clinics
 - Contractors' equipment storage
 - Commercial kennels
 - Nursing homes
 - Other recreational, commercial and institutional uses

Golden Crest Assisted Living



Uniontown Bible Church



Carroll Lutheran School



Inspirations Memory Care



Current County Definitions

155.005 DEFINITIONS

DEVELOPMENT RIGHT. The potential for the creation of residential subdivision lots based on the area and existing zoning classification of the parcel.

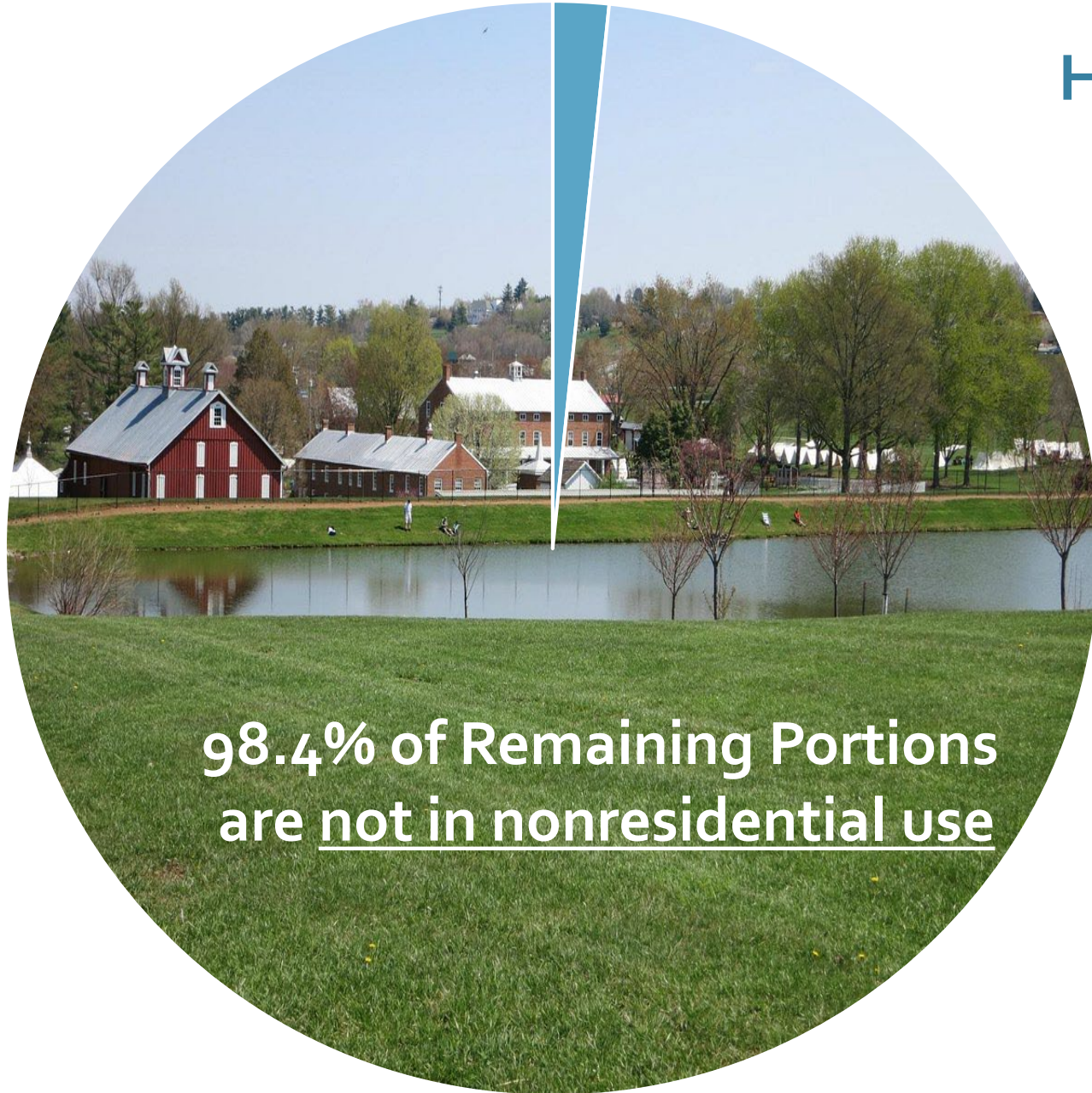
SUBDIVISION.

(1) The division of any tract or parcel of land into two or more lots or parcels for immediate or future sale. Any division of land involving a new street or involving property identified by the county as all or a part of a planned public project shall be a **SUBDIVISION**.

§ 158.002 DEFINITIONS

DEVELOPMENT RIGHT. The potential for the creation of residential subdivision lots existing because of the zoning classification of the parcel.

REMAINING PORTION. In the A District, the land remaining after residential lots have been created from a legally established parcel of land through the subdivision process



How Many Remaining Portions are in Non-Residential use?

Not Many

Only 1.65% of remaining portions have a non-residential use, as seen on the chart.

Remaining Portions: **1,017**

of Non-Residential Remaining Portions: **16**

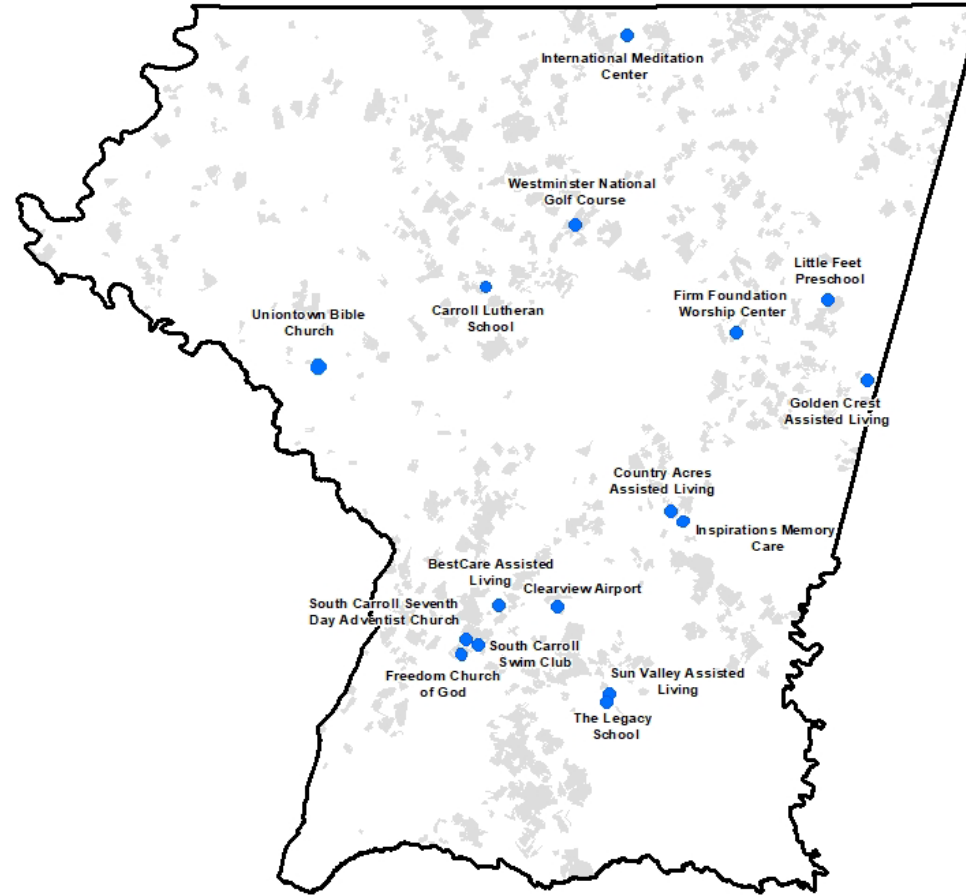
% Non-Residential Remaining Portions: **1.57**

Total Remaining Portions in Acres: **23,956**

Non-Residential Acres: **394**

% Acres Non-Residential: **1.65**

Remaining Portions

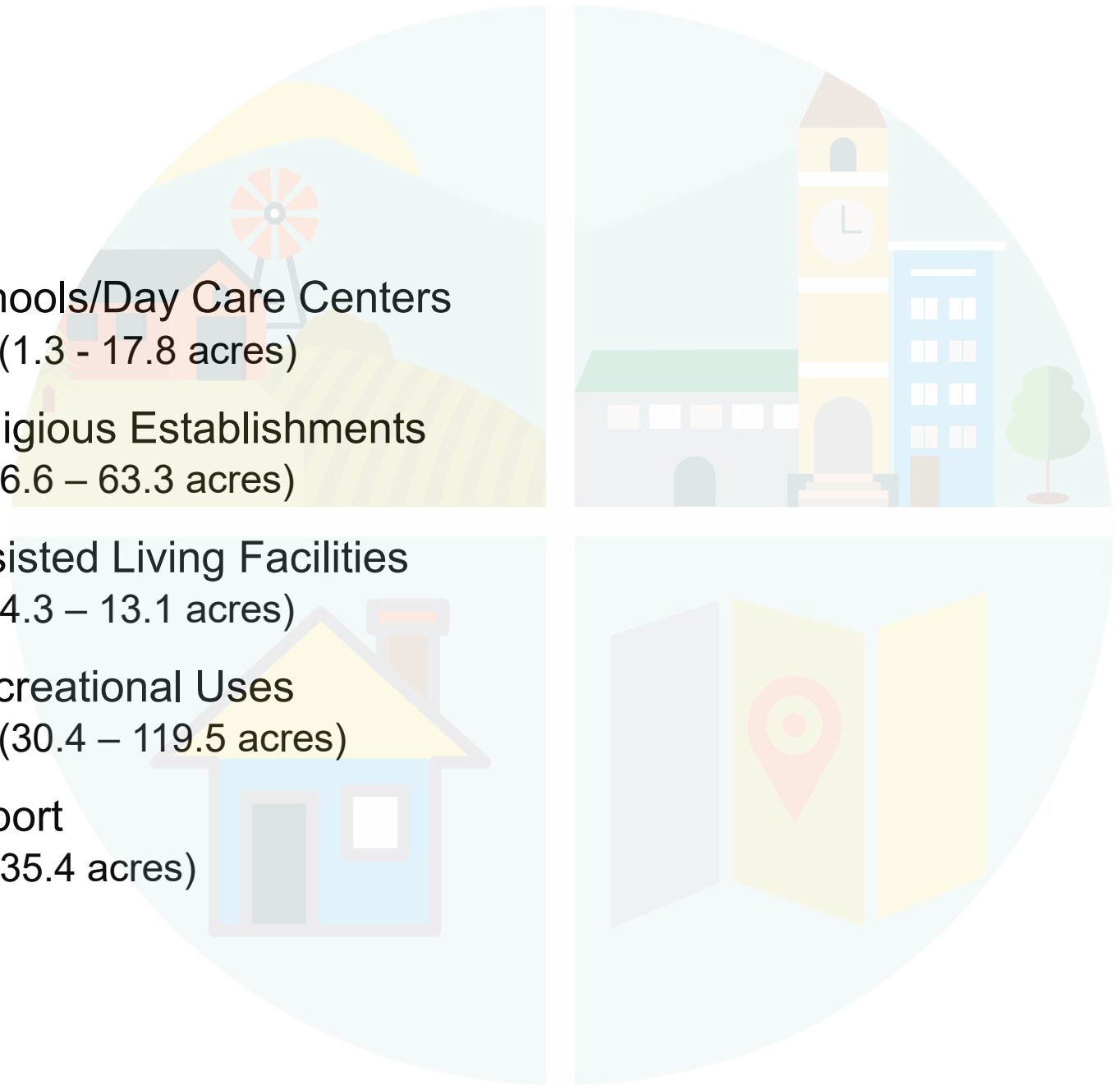


● Non-Residential Remaining Portions

■ Remaining Portions

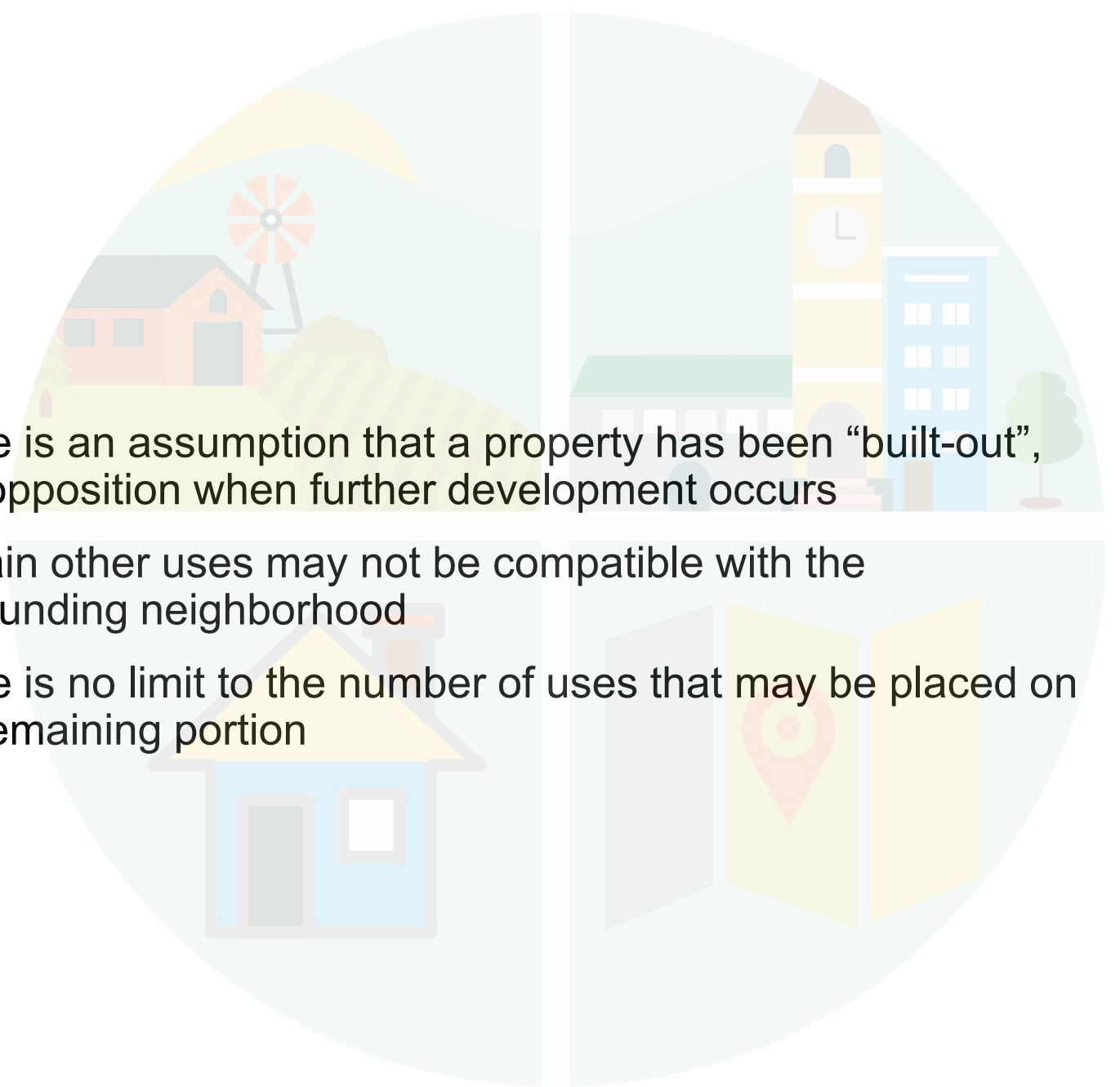
Non-Residential Remaining Portions

- 3 Schools/Day Care Centers
 - (1.3 - 17.8 acres)
- 5 Religious Establishments
 - (6.6 – 63.3 acres)
- 5 Assisted Living Facilities
 - (4.3 – 13.1 acres)
- 2 Recreational Uses
 - (30.4 – 119.5 acres)
- 1 Airport
 - (35.4 acres)



The Issues

- There is an assumption that a property has been “built-out”, and opposition when further development occurs
- Certain other uses may not be compatible with the surrounding neighborhood
- There is no limit to the number of uses that may be placed on the remaining portion



Options for Consideration

- Make no recommendations to change to the Code
- Recommend prohibiting further development on Ag Remaining Portions
- Recommend prohibiting certain intense nonresidential uses on Ag Remaining Portions
- Recommend limiting the number of uses allowed on a single Remaining Portion
 - Limit by acreage (e.g. one use per every 10 acres)
 - Limit different uses to 2 or 3 (e.g. one religious establishment and one school)
 - Limit the number of the same use to 2 or 3 (e.g. 2 assisted living buildings)

Summary of PC Recommended Proposal

- **Definitions (pages 1 through 4)**
 - Created new definition for ***Agritourism*** that is similar to the new State of Maryland definition.
 - Clarified the definition of ***Attached Accessory Dwelling*** to reflect current Zoning Administrator interpretations.
 - Revised the definition of ***Building Height*** to be consistent with the Building Code.
 - Created a new definition for ***Commercial Wood Processing***, to differentiate it from ***Commercial Sawmill*** and wood processing as an accessory use to a farm or residence.
 - Deleted the definition of ***Country Inn***, which is the currently the means to operate a wedding/event venue in the rural areas, and replaced it with ***Banquet/Event Facility***, to more accurately reflect the type of use being considered.
 - Created new clarifying definitions for ***Food Processing and Packing of Agricultural Products and Food Processing and Packing Plant***.
 - Created a definition for ***Garden Supply Center*** to reflect the language that is currently in 158.070.
 - Clarified the definition of ***Livable Floor Area***.
 - Created new clarifying definitions for ***Livestock Incineration and Slaughterhouse***.

Summary of PC Recommended Proposal

- **Agricultural and Conservation Districts (pages 8 through 35)**
 - Amended the Purposes of the Agricultural and Conservation Districts to more accurately reflect the Future Land Use definitions in the Adopted Land Use Plans.
 - Created a single Table of Land Uses for Principal Uses.
 - Added ***Agritourism*** and made it Permitted in the Agricultural District and Conditional in the Conservation District.
 - Made ***Private Schools*** and ***Day Care Centers*** Conditional in the Conservation District.
 - Changed ***Country Inn*** to ***Banquet/Event Facility*** as a Conditional use in the Agricultural District (no change) and Prohibited in the Conservation District.

Summary of PC Recommended Proposal

- Created a single section for all Accessory Uses

- Added regulations for *Home Occupation* and *Private Stables* from the residential districts.
- Limited the number of *Storage Modules* on a single property by acreage.
- Changed the regulations for *Accessory Dwelling Units (ADU)* in the following ways:
 - Eliminated the requirement that Detached ADUs are only allowed on a lot that is eligible to be subdivided, but imposed the following requirements, which are identical to the requirements for Attached ADUs:
 - The maximum size of the ADU is 1,000 sf of livable space, not subject to a variance
 - There may be no more than two bedrooms, with a parking space for each bedroom
 - In addition, the Detached ADU must be located on a minimum 3-acre lot and must be no more than 50 feet from the principal residence.
 - The existing requirements for all ADUs that the property owner must live in one of the two units, that there may only be one ADU (either attached or detached) on a single lot, and that all Health Department regulations must be met are also included.

Summary of PC Recommended Proposal

- Created a single section for all **Accessory Uses (cont.)**
 - Changed the regulations for ***Cottage Industry*** and single-chair ***Beauty Parlors/Barbershops*** to allow affidavits to be signed by the applicants rather than a public hearing.
 - Added restrictions to ***Lawn Care and Maintenance Service***.
 - Revised ***Accessory Sawmills*** to specify the ***Production of Firewood or Mulch*** when accessory to farming or residential parcels for private use only, with certain restrictions.
 - Clarified the ***Livestock Incineration*** is an allowable accessory use for animals raised on the property.

Summary of PC Recommended Proposal

- **Specific Uses (pages 42 through 52)**
 - Relocated all the regulations for specific uses that were previously included in the Agricultural and Conservation Districts into a single section
 - Relocated ***Commercial Camping*** from Overlay Districts, as it is a specific use and not an overlay zone
 - Clarified that the manufacture of mulch is included in the newly defined **Commercial Wood Processing**
 - Added new regulations to ***Contractors' Equipment Storage***, specifically requiring a minimum 5 acre lot, maximum 1 acre use area, and 600' separation from surrounding residential properties
 - Added the current minimum area requirements for ***Commercial Kennels*** in the Conservation District into the Agricultural District.

Summary of PC Recommended Proposal

- **Chapter 155**

- Changed definition of ***Attached Accessory Dwelling*** to be consistent with the revised definition in Chapter 158.
- For cluster subdivisions, removed the requirement for submittal of a site plan based on a conventional design on which to calculate the density for the cluster subdivision. This is consistent with the 2021 BCC approved changes for clustering in the residential districts.

Discussion and Next Steps?

