

AGRICULTURAL & CONSERVATION DISTRICTS AMENDMENTS

CHAPTER 158 SUMMARY OF PROPOSED CHANGES

Issue	Description	Page(s)	Change from Current Code
Agritourism	New definition similar to State of MD definition; permitted in the Agricultural & Conservation Districts	1 & 27	New definition & regulation as a specific use
Country Inn/Event Facility	Deleted definition of <i>Country Inn</i> and replaced it with <i>Banquet/Event Facility</i> to more accurately reflect this use primarily as a location for weddings, reunions, & similar celebrations; permitted this use in the Agricultural District with conditional use authorization by the BZA	1, 2, 30	This use no longer requires or allows rooms to be available to rent for overnight guests and is no longer permitted in the Conservation District
Purposes of the Districts	Amended purposes of the Agricultural and Conservation Districts to reflect the Future Land Use Definitions in the Adopted Land Use Plans	8 & 20	The new definition of Agriculture is more concise and descriptive of the location and uses allowed in the District. The change to the Conservation District clarifies the types of uses allowed
Day Care Centers, Private Schools, and Religious Establishments	These uses will be allowed by conditional use in the Agricultural and Conservation Districts	29, 34 & 35	Regulation of these uses is more restrictive, as they are currently permitted by right without the requirement for conditional use authorization. The minimum lot size for private schools has also been increased to align with public school standards.
Accessory Dwelling Units (ADUs)	Both Attached and Detached Accessory Dwelling will be allowed in the Agricultural and Conservation Districts, with restrictions	1, 2 & 32	For Detached ADUs, removed the requirement that the lot must be eligible for subdivision, but imposed the following restrictions: minimum 3-acre lot size, maximum 1,000 sf of livable space, maximum of 2 bedrooms, and the ADU may not be more than 50 feet from the principal residence. Existing requirements for both Attached and Detached ADUs regarding parking and occupancy of one of the dwellings by a property owner remain

Other Accessory Uses	Consolidated accessory uses for the two districts into one section and added new requirements for certain uses	30 through 34	Additional restrictions have been placed on Home Occupations, Private Stables, Storage Modules, Lawn Care & Maintenance Service, and the Production of Firewood and Mulch.
Contractors' Equipment Storage (CES)	This use, both indoor and outdoor, will be allowed by conditional use in the Agricultural and District with minimum acreage and separation requirements from residential properties	5, 29 & 52	No change to the requirement for conditional use authorization. Indoor and Outdoor CES will now be treated the same, with an increase in the separation from residential properties for Indoor CES from 400' to 600'. All CES will now only be allowed on a lot of at least 5 acres
Commercial Kennels	This use will be allowed by conditional use in the Agricultural and Conservation Districts with minimum acreage and distance separation requirements from residential properties	5, 30 & 52	No change to the requirement for conditional use authorization or distance separation requirements. The minimum acreage requirements of 5 acres for less than 10 dogs and 10 acres for more than 10 dogs are new in the Agricultural District

CHAPTER 155 SUMMARY OF PROPOSED CHANGES

Issue	Description	Page(s)	Change from Current Code
Cluster Development	Cluster Development will be allowed in the Conservation District with a density based on the gross area of the parcel	3	Cluster development is currently allowed in the Conservation District but requires the submittal of a "conventional" development plan on which to calculate the maximum number of dwellings allowed. This change, which was adopted for cluster development in the residential districts in 2021, will allow the density to be calculated without the submittal and review of two separate plans. Density will not exceed allowable density in the Conservation District.
Agricultural Remaining Portions	The development on Agricultural Remaining Portions for nonagricultural purposes will be limited to one use	2	A Remaining Portion is the land remaining in the Agricultural District after residential lots have been created through the

			subdivision process. Although the land cannot be used for additional residential development, it may continue to be used for agricultural purposes, as well as for the commercial and institutional uses that are allowed in the Agricultural District. There is currently no limit on the number of these use; this limits development to one nonagricultural use
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