

Frederick County Victorious

On Tuesday, December 21, the Frederick County Commissioners unanimously approved new "equine-industry friendly" zoning laws! Congratulations to the hard working Frederick County Equine Alliance, who has proven that you CAN fight City Hall!

Frederick Co. Equine Alliance leaders Judy and Tom Smith and Arlene Atkins asked us to publish the following:

The Frederick County Equine Alliance had its beginnings this past April with one of our missions being to provide a voice for Frederick County equestrian interests with regard to zoning laws in order to help make Frederick County a "horse friendly" place to live and work. What a busy and promising year it has been!

The Maryland Horse Council began its Save the Horse Farm program about the same time. The knowledge, depth and support of this group have been wonderful and have helped to expedite our progress.

On behalf of the FCEqA, we would like to thank Crystal Kimball and The Equiery for not only kick-starting our endeavor by commenting in print about our "wacky zoning laws" in their introduction piece on our group, for posting our progress, and for being the "Go To" publication for all Maryland horse owners with regard to information about our state's horse industry. Thank you so much!

Possible Minor Changes to the Zoning Ordinance to More Uniformly Define Equine and Equine Activities as any Other Livestock or Livestock Activities

§ 1-19-11.100. DEFINITIONS

AGRICULTURAL ACTIVITY – LAND USE EXCLUSIVELY AS A BONA FIDE AGRICULTURAL OPERATION BY THE OWNER OR TENANT. THE USE OF LAND FOR AGRICULTURAL PURPOSES INCLUDING FARMING, VITICULTURE (GRAPE PRODUCTION), FISH CULTURE, ANIMAL AND POULTRY HUSBANDRY, **EQUINE FARM**, AND THE NECESSARY ACCESSORY USES SUCH AS PACKING, TREATING, OR STORING OF PRODUCE, COMPOSTING AND POWER GENERATION FROM FARM ANIMAL WASTE; PROVIDED THAT THE OPERATION OF THE ACCESSORY USE IS CLEARLY INCIDENTAL TO THE AGRICULTURAL ACTIVITY. THE BUSINESS OF INTENSIVE SWINE FEEDING OPERATIONS, GARBAGE FEEDING OF HOGS, FUR FARMS, OR THE RAISING OF ANIMALS FOR USE IN MEDICAL OR OTHER TESTS OR EXPERIMENTS, COMMERCIAL SLAUGHTERING OF LIVESTOCK, POULTRY, FISH, OR MEAT PROCESSING IS EXCLUDED FROM THIS DEFINITION.

AGRITOURISM ENTERPRISE – ACTIVITIES CONDUCTED ON A FARM AND OFFERED TO THE PUBLIC OR TO INVITED GROUPS FOR THE PURPOSE OF EDUCATION, RECREATION, OR ACTIVE INVOLVEMENT IN THE FARM OPERATION. THESE ACTIVITIES SHALL BE RELATED TO AGRICULTURE AND SHALL BE ACCESSORY TO THE PRIMARY AGRICULTURE OPERATION ON THE SITE. THIS TERM SHALL INCLUDE FARM TOURS, HAYRIDES, CORN MAZES, SEASONAL PETTING FARMS, FARM MUSEUMS, GUEST FARM, **EQUESTRIAN ACTIVITIES**, PUMPKIN PATCHES, “PICK YOUR OWN” OR “CUT YOUR OWN” PRODUCE, CLASSES RELATED TO AGRICULTURAL PRODUCTS OR SKILLS, PICNIC AND PARTY FACILITIES OFFERED IN CONJUNCTION WITH THE ABOVE. NO USE THAT IS OTHERWISE IDENTIFIED IN 1-19-5.310 AS PERMITTED WITH SITE PLAN APPROVAL OR BY SPECIAL EXCEPTION IS PERMITTED AS AN AGRITOURISM ENTERPRISE.

HORSE TACK AND SADDLERY SHOP – A HORSE FARM MAY HAVE 1 ACCESSORY STRUCTURE FOR THE PURPOSE OF SALES AND SERVICES PERTAINING TO HORSE TACK AND SADDLERY ONLY

§ 1-19-5.310. USE TABLE

Animal Care and Service														
Uses	RC	A	R1	R3	R5	R8	R12	R16	VC	HS	GC	ORI	LI	GI
Animal hospital or veterinary clinic		E							E		E			
Kennel		E							E		E			
HORSE TACK AND SADDLERY SHOP		PS									PS			
Auction sales - animals		PS									PS		PS	PS

(I think this next section can be deleted from the zoning ordinance since the horse tack and saddlery shop will be permitted with site plan approval.)

§ 1-19-8.230.1. HORSE TACK AND SADDLERY SHOP ACCESSORY TO A COMMERCIAL BOARDING STABLE IN THE AGRICULTURAL DISTRICT.

The following provisions shall apply to a horse tack and saddlery shop accessory to a commercial boarding stable in the Agricultural District.

(A) The horse tack and saddlery shop shall not utilize more than 25% of the commercial boarding stable main building floor area.

(B) The minimum lot area, lot width, yard setbacks, and height requirements are the same as required for animal care and services uses in § 1-19-6.100.

(C)

No parking, storage, or display is permitted within the required setbacks.

APPROVED FREDERICK COUNTY ZONING TEXT AMMENDMENTS AS OF 1/1/11

I. AGRICULTURAL ACTIVITY

1-19-11.100 DEFINITIONS

AGRICULTURAL ACTIVITY. Land used exclusively as a bona fide agricultural operation by the owner or tenant. The use of land for agricultural purposes includes farming, viticulture (grape production), fish culture, animal and poultry husbandry, and equine activities. Necessary accessory uses such as packing, treating, or storing of produce, composting and power generation from farm animal waste are allowed provided that the operation of the accessory use is clearly incidental to the agricultural activity. The business of intensive swine feeding operations, garbage feeding of hogs, fur farms or the raising of animals for use in medical or other tests or experiments, commercial slaughtering of livestock, poultry, fish or meat processing is excluded from this definition.

II. EQUINE ACTIVITY

1-19-11.100 DEFINITIONS

EQUINE ACTIVITIES – Equine activities include the teaching of equestrian skills, participating in equestrian competitions, exhibitions or other displays of equestrian skill, as well as the caring for, breeding, boarding, riding or training horses. Outdoor arenas are permitted in conjunction with an equine activity, shall not be located in the front yard, and shall be setback 100 feet from all property lines. Lighting for outdoor arenas shall not excel 30 feet in height and is subject to section 1-19-6.600 lighting type and illumination standards.