



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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Voice/Relay

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MEMORANDUM

Subject: Testimony for Council Bill- 22- 2017 – Farm Setback Relief

To: Lonnie Robbins, Chief Administrative Officer, Department of Administration

From: ✓ Valdis Lazdins, Director, Department of Planning and Zoning

Date: March 6, 2017

The Department of Planning and Zoning (DPZ) supports Council Bill No. 22-2017. This bill proposes to eliminate setback requirements from new residential development for farms that may wish to have an accessory farm structure or agricultural use in the future. The current zoning regulations contain setback requirements for Animal Shelter, Ride Academy, and Stable uses that constrain farmers when adjacent residential development occurs. As new homes are built, neighboring farming operations could be compelled to move structures and activities up to 200 feet from shared property lines, leaving less land for farming. Removal of these setback requirements will allow farmers to keep as much agricultural land as possible available for farming.

The proposed amendments only apply to new residential lots recorded after the effective date of the legislation. It does not affect current agricultural setbacks in cases of existing dwellings on lots different than that of a farm, or a future dwelling on a currently recorded lot.

The Agricultural Land Preservation Board and the Planning Board recommended approval of the proposed legislation. However, both boards recommended that the proposal include a retroactive exemption for Agricultural Land Preservation Program (ALPP) properties from Animal Shelter and Riding Academy and Stable setbacks to adjacent dwellings that were constructed after the ALPP easement was recorded. DPZ does not concur with a modification that applies different standards to ALPP properties than other farms. The Zoning Regulations do not treat farming operations different for ALPP easements, as compared to non-ALPP properties and should continue to equitably regulate farming operations irrespective of ownership.

This bill does not have any direct fiscal impact to the county. Given the reasons stated above, DPZ support Council Bill 22-2017 and appreciates Council's consideration.

cc: Jennifer Sager, Legislative Coordinator, Department of Administration
B. Diane Wilson, Chief of Staff
Gary W. Kuc, County Solicitor, Office of Law