

1 Marsha McLaughlin, Director,
2 Department of Planning and Zoning,
3 Petitioner
4 ZRA 138

* PLANNING BOARD OF
* HOWARD COUNTY, MARYLAND

5 MOTION: To recommend approval of the proposal to amend Section 128.J. of the Zoning
6 Regulations to remove the requirement that sites for pick-your-own enterprises located in
7 an RC District have frontage on and direct access to a collector or arterial road as
8 designated in the General Plan and to add a new subsection.

9 ACTION: *Recommended approval of Petition; Vote 3 to 0.*

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7 RECOMMENDATION

8 On October 20, 2011, the Planning Board of Howard County, Maryland, considered the petition of
9 Marsha McLaughlin, Director, Department of Planning and Zoning to amend Section 128.J.2.f. to remove
10 the requirement that sites for pick-your-own enterprises located in an RC District have frontage on and
11 direct access to a collector or arterial road as designated in the General Plan and to add a new subsection to
12 address the concerns of the Health Department.

13 The petition and the Department of Planning and Zoning Technical Staff Report and
14 Recommendation were presented to the Board for its consideration. The Department of Planning and
15 Zoning recommended that the Petitioner's request be approved.

16 No one testified in opposition to the petition.

17 Ms. McLaughlin said the reason for the amendment is that in current real estate market conditions,
18 some well priced farm properties have become available and interest has been expressed in potentially
19 operating pick-your-own operations on such properties, however some are located on local roads and the
20 use would not be allowed under the current Zoning Regulations.

21 A Board member asked Ms. McLaughlin about the conflict that could arise from allowing more
22 traffic on local roads where tractors and other slower farm vehicles would travel. She said that pick-your-
23 own enterprises would most likely be the busiest on weekends so conflict would be minimal.

24 A Board member said that when visiting a large pick-your-own farm over a recent weekend, there
25 was a lot of traffic and he experienced a long wait to make a left turn into the farm.

26 Ms. McLaughlin explained that these accessory farm uses can't compete with similar merchandise
27 in retail stores if they are limited to locations on major roads. She said the amendment is proposed only for
28 RC zoned properties in order to keep traffic related to such uses in the more rural areas where the preferred
land use is agricultural. She said that an issue to be studied as part of the General Plan process is the
possible distinction between certain allowed uses in the RC and RR Districts.

1 One Board member said an event taking place in a rural setting which has a scheduled beginning
2 time is different from a pick-your-own operation where arriving and departing traffic times would be more
3 dispersed throughout a day. Board members commented that people testifying in some other cases were
4 concerned about non-farm related accessory activities taking place in rural areas as opposed to these types
5 of farm related uses. Board members expressed concerns that while one such use may be compatible with
6 surrounding farm uses, if other farms on the same local road add pick-your-own operations traffic could
7 increase to an unacceptable level.

8 Ms. McLaughlin said that the Zoning Regulations contain a provision that adequate sight distance
9 and driveway access be provided. She said that since right-in right-out turns are generally not an issue,
10 installing a left-turn channel may be a solution and that if questions arise during the permit review process
11 DPZ would consult appropriate agencies for comments.

12 The Board agreed to discuss the petition in a work session.

13 **Work Session:**

14 Board members expressed concerns about traffic congestion on local roads especially if a pick-
15 your-own operation is allowed on a local road and a succession of pick-your-own operations subsequently
16 begin operating on the same local road. One Board member suggested that the onus be placed on the
17 operator of the use to widen a road or provide a turning channel if it causes increased traffic which becomes
18 problematic.

19 One Board member questioned how traffic mitigation plans could be standardized for all such uses
20 on various farms. Ms. McLaughlin explained that applicants are required to demonstrate that safe and
21 adequate access conditions are provided and referring possible issues to DPW for engineering advice would
22 allow DPZ to evaluate proposals on a case by case basis so that traffic issues could be controlled through
23 the permit review process.

24 One Board member said he is in favor of promoting the productive use of rural land.

25 The Board discussed items which should be included in a potential motion. The Board wanted to
26 ensure that the motion captured the concern about traffic and mitigation actions.

27 **Motion and Vote:**

28 Josh Tzucker made a motion to recommend approval of the petition with the noted concerns about
traffic issues. Bill Santos seconded the motion. The motion passed by a vote of 3 to 0.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 15th day of
~~November~~ ^{December}, 2011, recommends that the Petitioner's request to amend Section 128.J. of the Zoning
Regulations be APPROVED in accordance with the recommendation of the Technical Staff Report and
with the noted concerns of the Planning Board.

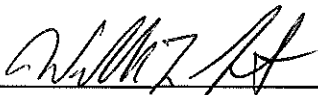
HOWARD COUNTY PLANNING BOARD

David Grabowski / LB
David Grabowski, Chairperson

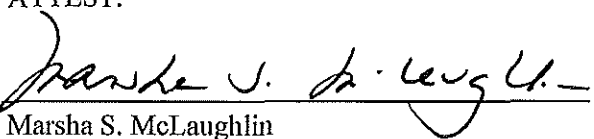
ABSENT

Paul Yelder


Josh Zucker


Bill Santos

ATTEST:


Marsha S. McLaughlin
Executive Secretary