

COUNTY ZONING AND HORSES IN MARYLAND

Whether you want to keep your own horse on your residential property, or run a commercial (profit or nonprofit) equine facility, you need to know what your county requires when it comes to zoning. Zoning is not a function of the state, but rather determined by your county government. Additionally, some counties may require additional permitting or licenses if you board horses other than your own on your property. Remember, too, stable licensing *is required* by Maryland State law. Applications for licensing and an update on the changes to licensing regulations and penalties can be obtained on the Maryland Horse Industry Board's website: www.mda.maryland.gov/horseboard.

This is just a preliminary guide to help you get started on finding the zoning information you may need. The information contained herein is for general knowledge, it may not be all inclusive, and it is not meant to be a substitute for legal counsel or other professional advice. **Remember that laws and regulations can, and do, change.** It is your responsibility to know which laws and regulations govern your equine activities. Zoning is county-specific, so do not rely on a friend (or even a neighbor) to give you current county requirements. KNOW for certain. It is *your* responsibility to understand the laws and regulations governing the keeping of horses on your property and within which category of zoning your property lies.

Without exception, you must be located in an area zoned for agriculture use to keep a horse on your property for commercial purposes; although special exceptions are sometimes granted. Most counties permit horses on residential property, but there are minimal acreage requirements and specific setback regulations you must comply with first.

You can find most counties' agricultural and land use information online at Maryland Department of Agriculture http://www.mda.state.md.us/on_web/ag_links/countyag.php. The information found on this website is a compilation of resources from the counties' websites.

Another great resource for locating your county zoning regulations can be found online at <http://www.smadc.com/tutorials/zoningINFO.html>, a "Zoning Tutorial for New Farming Enterprises" (A Maryland FarmLINK Assistance Guide). Keep in mind that each county presents its regulations and code in similar, but unique, formats. The "Zoning Tutorial for New Farming Enterprises" also has general information on property uses, district maps, and general zoning definitions.

Within this report, you will find under each county heading a summary of zoning and land use definitions relevant to horse ownership, stable management, and equine activities. Horses are sometimes defined as livestock, and sometimes not defined at all. Not all counties specify minimal acreage requirements for maintaining a horse on one's own property. If a county's code is ambiguous or silent on the property use for horses, it is best to contact the Zoning and/or Land Use department of that county for guidance. Ignorance of the law can result in costly fines and penalties. There are numerous definitions not included in this summary that may relate to your particular property use. Be sure to check out the definitions first when searching through the county codes.

All of the counties have adopted or incorporated portions of "Right to Farm" legislative language into their county's zoning ordinances; recognizing the significant contributions of agricultural activities, providing protection of a person's right to farm or to engage in agricultural activities, and facilitating agricultural and non-agricultural citizens in co-existing and resolving disputes directly related to agricultural activities.

Keep in mind that your county's zoning code currently could be in the process of being re-written. Use this information as a guide when contacting your county zoning or permitting agencies and ask if any changes have been made to the code (since 2012) that would have a substantive change to the equestrian provisions noted below.

Cautionary Note: The website addresses below (as found through the "Zoning Tutorial") do not always go directly to the county government's website. The link may take you via a third-party service provider to the county code language.

ALLEGHANY - http://www.gov.allconet.org/permits/laws/Zoning%20Regulations_Part%20IV_021010_public.pdf

- (1) "Agricultural Operation" includes (but not limited to) all matters set forth in the Allegheny County Right to Farm, including management of livestock.
- (2) An "Agricultural Structure" is any structure associated with agricultural use.
- (3) Stables must acquire a special exceptions permit in G-1 districts (general urban residential) from the Board of Appeals.
- (4) Stables are permitted in A districts (agricultural).

ANNE ARUNDEL - <http://www.aacounty.org/PlanZone/Zoning/Index.cfm>

- (1) "Animal" is defined as any vertebrate species of animal (other than human) including livestock.
- (2) "Boarding" means keeping an animal overnight in a commercial establishment.
- (3) "Commercial establishment" is a facility (establishment) whose primary function is to sell a product or service.
- (4) The definition of a "domesticated animal" includes a horse.
- (5) "Farming" means the use of land for agricultural purposes (including animal husbandry).
- (6) "Facility" means a building or property (other than a private residence) in which an animal is maintained.
- (7) "Farm" means land of 20 acres or more, all or part of which is used in commercial cultivation or for raising animals.
- (8) "Stables, commercial, community, and riding club" means a facility used for the unsupervised hiring out of horses owned by the facility.
- (9) Construction permits are not required for agricultural buildings as long as they meet the guidelines established in the new law that took effect July 1, 2012. Most private or boarding barns and indoor riding arenas are exempt if they are on farms with current Anne Arundel County Soil Conservation District farm plans. Erosion and Sediment Control Plans, however, may be necessary and can be obtained through the Soil Conservation District. Check with the County if you intend to construct, alter, demolish, repair, enlarge, move, convert or change any existing building on your property.
- (10) A facility for a commercial or community stable or riding club with up to 2 horses must be on a lot of at least 2 acres, plus 20,000 square feet for each horse in excess of 2 horses; structures must be located at least 50' from any nonresidential lot line and 200' from any residentially zoned property line; and manure must be stored at least 100 feet from any lot line.

BALTIMORE - <http://www.ecode360.com/12101075>

- (1) "Agricultural, Commercial" means the use of land, including ancillary structures and buildings...and includes, among other activities, animal husbandry, the operation of an equestrian center, horse breeding and horse training.

- (2) An "Equestrian Center" consists of 200 or more contiguous acres of land, which is owned and operated by an organization qualified as a nonprofit (IRS definition of 501(c)3) and is used primarily for equestrian activities. Equestrian activities include horse riding, horse training, horse racing, horse showing, dressage, stadium jumping, cross country jumping, carriage competitions, and any and all other equine activities and events.
- (3) A "Farm" is described as having 3 acres or more of land and used primarily for commercial agriculture, but does NOT including riding stables.
- (4) A "Riding Stable" or "Public Stable" is an accessory building and/or other building, where horses are kept for livery or hire; requires special exception permit.
- (5) A "Private Stable" is an accessory building used only for stabling or keeping of horses (not more than 3 in number) for private use only and not for livery or hire.
- (6) Non-commercial land use for keeping a horse requires 1 acre of grazing or pasture land per animal.
- (7) Non-commercial land use for keeping ponies or miniature horses requires 1 acre of grazing or pasture land per 2 animals.

CALVERT - <http://www.co.cal.md.us/business/planning/2006zoningordinance/>

- (1) "Agriculture" is defined in part as the use of land for agricultural purposes including animal husbandry.
- (2) "Agricultural Activity" includes the grazing and raising of livestock.
- (3) "Agritourism" is the act of visiting a working farm to engage in outdoor recreation, participate in educational experiences, or enjoy entertainment and hospitality services.
- (4) An "Agritourism Enterprise" includes activities on a working farm and offered to the public or to invited groups for the purpose of recreation, education, or active involvement in a farm operation.
- (5) "Agritourism Use" is a commercial enterprise located on a working farm, and related to the activities on that farm, intended to attract tourists and provide supplemental income for the farm owner. Agritourism uses include, but are not limited to, horseback riding.
- (6) "Animal Husbandry" is the care and/or breeding of livestock on a farm and raised for sale or profit, including but not limited to horses.
- (7) Horses (and other livestock) are defined as "pets" if maintained on non-farm property as a pet rather than for its productive value.
- (8) Riding arenas and corrals that are offered for commercial entertainment or recreation are considered an "Outdoor Recreation Facility."
- (9) A "Commercial or NonProfit Stable or Horseback-Riding Club" is an establishment in which horses are kept, trained, boarded, handled, or ridden for a fee.
- (10) "Commercial" is defined as any activity where goods or services are sold or traded with the expectation of profit or gain.
- (11) "Commercial or Club Stable" is any building or land where horses are kept for hire, sale, boarding, riding, or show.
- (12) A "Noncommercial Stable" is any building or structure, accessory to the principal use of a residence, that shelters horses for the exclusive use of the occupant of the premises, or any building or land where horses are bred, raised or trained on a farm by the occupants for pleasure, show or racing.
- (13) A "farm" is a parcel of land not less than 20 acres in size used for agricultural purposes, receiving agricultural use assessment from the Maryland Dept. of Assessment and Taxation and/or within a recorded Agricultural Preservation District.

- (14) Land use for animal husbandry requires a minimum of 3 acres, and the property qualifies for Agricultural Use Assessment; animal husbandry is permitted in FFD, APD, and RC districts, and conditionally permitted in RCD, RD, and HD districts.
- (15) Land use for commercial, nonprofit, or horseback riding clubs (establishments where horses are kept, trained, boarded, handled, or ridden for a fee) requires a minimum of 5 acres and is conditionally permitted in FFD, RCD, APD, HD, and RC districts.
- (16) Conditional and special permitted is required for livestock auctions (including horses) by commercial establishments, non-profit organizations, and private persons, but only in FFD, RCD, APD, HD, I-1, and RC districts.

CAROLINE - <http://www.ecode360.com/8726812>

- (1) "Agriculture" is defined in part as the use of land for agricultural purposes including animal husbandry.
- (2) An "Animal" is defined as every non-human species, both domestic and wild, including but not limited to dogs, cats, horses, reptiles, birds, livestock and fowl.
- (3) A "Farm Animal" is an animal kept or raised on a farm for use and profit, including livestock and fowl.
- (4) "Animal husbandry" is defined as the raising, boarding, and/or sale of domestic animals other than dogs or cats.
- (5) A "Farm" is a parcel of land not less than 20 acres in size, used for agriculture, and receives agricultural use assessment from the Maryland Dept. of Assessment and Taxation and/or within a recorded Agricultural Preservation District.
- (6) "Commercial" is defined as any activity where goods or services are sold or traded with the expectation of profit or gain.
- (7) "Commercial or Club Stable" is any building or land where horses are kept for hire, sale, boarding, riding, or show.
- (8) A "Noncommercial Stable" is any building or structure, accessory to the principal use of a residence, that shelters horses for the exclusive use of the occupant of the premises, or any building or land where horses are bred, raised or trained on a farm by the occupants for pleasure, show or racing.
- (9) "Generally Accepted Practice" is the term used to describe any practice generally accepted in the agricultural community, horse industry, and sporting dog community, as applied to the community as a whole and not confined to any particular segment or breed of the industry or community.
- (10) Livestock Auction and Sales Barns must have a special use exception granted for A and R districts; and with site plan approval in HC, C-2, and I-2 districts.
- (11) Commercial Stables are permitted in A district; permitted with site plan approval in C-1 and C-2 districts, and must obtain a special use exception in OS, R, R-1, HC, and I-2 districts.
- (12) Non-commercial stables are permitted in all districts.

CARROLL - <http://ccgovernment.carr.org/ccg/code/index.asp>

- (1) "Agricultural" or "Agricultural Purposes" includes the raising of farm products for use or sale, including livestock husbandry, ... and including stables for boarding and training horses.
- (2) "Boarding Stable" is a structure in which more than 2 horses or ponies are housed, boarded, or kept for consideration.
- (3) A "Riding Academy" is defined as an establishment where horses and ponies are boarded and cared for; where instruction in riding, jumping, and showing may be offered, or where the general public, for a fee, may hire horses for riding.

- (4) A "Commercial Stable" is a boarding stable or a riding academy.
- (5) A "Private Stable" is an accessory structure designed for the shelter, feeding, and care of no more than 5 horses, ponies, or other livestock, maintained on the property as pets or for domestic use, as distinguished from agricultural or commercial stables.
- (6) Private stables must have 3 acres or more and require a 75' setback from property lines of the structure.
- (7) Saddlery and tack shops are considered accessory if located on the premises of a riding academy, boarding stable, or horse farm.
- (8) Commercial stables require a 200' setback and must be on 3 or more acres.

CECIL - http://www.ccgov.org/uploads/PlanningAndZoning/General/ZoningOrdinance_2011.pdf

- (1) "Agriculture" is deemed to include general farming and all uses commonly classed as agricultural, and includes the feeding, housing, and maintaining horses.
- (2) "Animal husbandry" is defined as the raising, boarding, and/or sale of domestic animals other than dogs or cats.
- (3) Activities where goods and services are sold or traded with the expectation of profit or gain are considered "commercial" in nature.
- (4) A "Commercial Stable" is permitted conditionally in NAR, SAR, RR, LDR, ST, VR, and OS zones provided any building is setback 100' from nearest property line. Commercial stables are unconditionally permitted in BL, BG, BI, M1, and M2 districts.
- (5) "Animal Husbandry" activities are conditionally permitted in NAR, SAR, RR, LDR, ST, UR, VR, M1, M2, MEA and OS zones; minimum lot size of 1 acre.
- (6) The definition of "Festival or Events" includes horse shows as an occasional outdoor festival or event.
- (7) "Youth Camp" includes a publicly or privately owned facility that provides indoor or outdoor activities for children and whose activities may include horseback riding.

CHARLES - http://gcp.esub.net/cgi-bin/om_isapi.dll?clientID=62362&infobase=ch0836.nfo&softpage=Browse_Frame_Pg42

- (1) "Animal" is defined as every nonhuman species of animal, both domestic and wild, including but not limited to dogs, cats, livestock and fowl.
- (2) Private horse stables providing for 2 or more horses shall have a setback of 75' from any public road or lotline. Pastures, when fenced, may extend to the lot line. A minimum of 1 acre per animal is required.
- (3) Pens, stalls and runs for animals shall not be located within 50' of any adjacent residential line.
- (4) Horses maintained as pets are Conditionally Permitted in all zones, except BP district, must be on a minimum of 2 acres.
- (5) Commercial stables are considered any stable for the housing of horses or other equines, operates for remuneration, hire, sale, or stabling or any stable, not related to the ordinary operation of a farm, within a capacity for more than 4 equine.
- (6) Commercial stables may operate with a Special Exception in RC(D), RR, RL, RM, CV, PRD, and MX zones; must be greater than 5 acres and a setback of 100' for all structures.

DORCESTER - <http://ecode360.com/DO0950>

- (1) "Agricultural Use" is land devoted to the practice of agriculture.
- (2) "Agriculture" is considered all methods of production and management of livestock; includes but not limited to the housing and maintaining of horses.

- (3) "Commercial" is any activity conducted with the intent of realizing a profit from the sale of goods or services.
- (4) "Noncommercial" is any activity conducted for personal use or enjoyment without the intent of realizing a profit or recovering costs through the sale of goods or services.
- (5) A "Farm" is defined as land which is primarily used for such bona fide agricultural purposes as crop production, livestock pasturage, care, handling, etc. and directly related uses.
- (6) Horse barns (commercial) are permitted in all districts except SR, SR-RCA.
- (7) Riding and boarding stables must have a minimum 10 acres or 1 acre per animal, whichever is greater; 200' setback for stables; special exception granted in RC, RR-C, and AC districts.
- (8) Non-commercial stables are accessory structures for residential zones; must have 3 acres minimum, 200' setback for the stable, and storage of manure must be more than 50' from property line; allowed as an accessory in all districts except B-1, B-2, I-1, and I-2.

FREDERICK - <http://frederickcountymd.gov/index.aspx?NID=174>

- (1) "Agricultural Activity" includes the raising of farm products for use or sale, including livestock husbandry, equine farms (including stables for boarding and training horses). Permitted use in all districts, site development plan required.
- (2) "Agricultural Activity, Limited" means the keeping of farm animals in residential districts on lots with less than 3 acres. Special exception permit required in R1, R3, R5, R8, R12, and R16 districts.
- (3) "Animal" specifically includes animals used for agricultural purposes.
- (4) "Commercial Operation" is any establishment operating as a business including boarding stables and sales barns.
- (5) "Equine Activities" is defined as those activities including teaching 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. Arenas are permitted in conjunction with an equine activity, shall not be located in the front yard, and shall be setback 100' from all property lines. Lighting for outdoor arenas shall not exceed 30' in height and is subject to regulations for lighting type and illumination standards.
- (6) A "Farm" is considered a parcel of land not less than 25 acres in size on which an agricultural activity is conducted.
- (7) "Farm Animals" are those animals ordinarily found on a farm, including but not limited to, horses, ponies, etc.
- (8) Farm animals maintained on residential property requires a minimum of 3 acres or more, 50' setback from all property lines, and must acquire an accessory use permit.
- (9) A "Guest Farm" is a farm used for temporary rental accommodations of no more than 4 guest rooms, which may include meals for guests only, for the purpose of experiencing farm or ranch activities including horseback riding.
- (10) A "Horse Tack" or "Saddlery Shop" include activities of retail sale of tack or equipment for horses (such as saddles or harnesses); site development plan required for zoning purposes in VC, MX, and GC districts; accessory to a commercial boarding stable in an agricultural district.; cannot be more than 25% of commercial boarding stable main building floor area.
- (11) "Rodeo" is the use of property for exhibitions featuring animal riding, roping, steer wrestling, bull riding or similar sporting events featuring animals.
- (12) A "Tenant Farmhouse" is a single-family detached dwelling or a separate dwelling unit within the principal structure located on a farm.

GARRETT - <http://www.co.garrett.md.us/PlanningLand/PlanningZoning/Zoning.aspx>

- (1) The Garrett County Planning & Land Development Office consists of two separate divisions. The Planning, Zoning & Licensing Division handles all questions concerning zoning, licensing issues, subdivision, comprehensive planning, sensitive area regulations, land preservation, mapping, and census date. The Permits and Inspection Division handles all questions concerning building code administration, stormwater management, entrance permits, and sediment and erosion control.
- (2) The County adopted land use regulations for Deep Creek Watershed area, but not the remaining portion of the county; Accident, Friendsville, Grantsville, Loch Lynn Heights, Mountain Lake Park, and Oakland, located in the unregulated area, have adopted their own zoning regulations.
- (3) Erecting most structures requires a zoning permit, as does changing the use of land or buildings in a zoned area. New buildings and additions (such as fences, signs, and small sheds) may not require a building permit, but do require zoning approval.
- (4) Other than the "Right to Farm" legislation incorporated into the County's regulations, the County does not have any specific regulations regarding acreage and horses.

HARFORD - <http://www.harfordcountymd.gov/PlanningZoning/Download/1303-406.pdf>

- (1) "Agricultural Public Events" are events related to agricultural vocations, other than temporary uses already permitted, including farm tours, animal rodeos, corn mazes...and equestrian trail rentals.
 - a. Minimum parcel area of 10 acres with an agricultural assessment.
 - b. Minimum setback of 100' from all property lines, except road frontage and 200' from off-site residence.
 - c. Must be owner or tenant operated.
 - d. No operational hours between 10 p.m. and 7 a.m.
 - e. Lighting may only be used during operational hours and must be shielded or directed away from off-site residences.
 - f. Safe and adequate access shall be provided for vehicular traffic.
 - g. Adequate arrangements for temporary sanitary facilities in accordance with Health Dept.
- (2) "Agricultural Identification Signs" are not to exceed 32 square feet in area and are not to be located less than 35' from the center line of the road or 10' from the road right-of-way, whichever is greater.
- (3) "Agricultural Resource Center" is an agriculturally oriented park which includes uses such as equine competitions and events, livestock sales and auctions, farm fairs, farmer's markets, trail riding and support services. AGCs shall be granted in agricultural districts, provided that:
 - a. A minimum parcel area of 100 acres is established.
 - b. The principal access shall be provided from a collector or higher functionally classified roadway
 - c. No building or structure, including temporary structures, shall be located less than 200 feet from any adjacent residential lot.
 - d. Any outside lighting shall be designed, installed and maintained in a manner not to cause a glare or reflection on adjacent residential lots.
 - e. Ancillary uses to the agricultural resource center are defined as office space, banquet hall and meeting rooms. The ancillary uses are limited to 10% of the total building square footage or 25,000 square feet, whichever is less.
 - f. Public events are limited to 1 event per 30 calendar days, and hours of operation for public events are permitted between 6 a.m. and 10 p.m.
 - g. A buffer yard is required and shall be provided adjacent to any residential lot
- (4) "Agricultural Services" are uses that serve or support agriculture (e.g. auction sales of animals).

- (5) "Agriculture" includes all methods of production and management of livestock, crops, vegetation and soil. Also includes the activities of feeding, housing and maintaining animals such as horses. Permitted in all zoning districts.
- (6) "Agricultural Use" is defined as the use of any tract of land for the production of animal or plant life.
- (7) "Animal, Domestic" is defined as a species of mammal that is accustomed to living in or about the habitation of man and is dependent on man for food or shelter.
- (8) "Animal Rodeo" is any public performance featuring jousting, fox hunting, polo, horse shows, horse pulling, bronco riding, calf roping, steer wrestling, bull riding, point-to-point races and steeplechases.
- (9) A "Farm" is defined for purposes of the census of agriculture as any place that has, or has the potential to produce \$1,000 or more in annual gross sales of agricultural products.
- (10) "Livestock" is considered generally accepted outdoor farm animals (i.e. cows, goats, horses, etc.); does not include cats, dogs, and other domestic house pets.
- (11) Riding stables, commercial or club shall be granted in AG district provided that
 - a. No stable shall be located within 200' of any residential lot; and
 - b. A minimum parcel area of 5 acres is established.
- (12) "Stable, Commercial Riding" is any facility used primarily for the commercial hiring out of horses or ponies or instruction of riding where 5 or more horses are kept for these purposes. Special development or special exception use permitted in Agricultural districts and permitted in B-3 and C-1 zones.
 - a. Parking shall be provided a minimum of 100' from property lines except road frontage and 200 feet from any off-site residence.
 - b. Property on which the commercial stable is located shall be buffered (buffer yard may be included in the setback area).
- (13) "Stable, Private" is considered an accessory structure to the principal residential use that shelters horses for the exclusive use of the residents of the premises. Any stables, corrals, feeding and bedding areas for horses shall be located at least 50' from any public road or lot line.
- (14) "Tenant Farmer/Tenant Operator" is an individual or business entity that is actively producing or managing livestock...and is not the owner of the property being farmed. An agreement for this use is usually compensated by a contract for rent, lease or on a crop sharing basis.
- (15) "Tenant House" is the dwelling unit located on agricultural property that is used either for occupancy by immediate members of the family owning or operating the agricultural use or by employees engaged in agricultural activities on the property. An agricultural tenant house includes mobile homes for bona fide farm workers when not more than one such structures is proved on parcels of 11 to 50 acres, and not more than one additional tenant house per 50 acres thereafter.
- (16) Signs for private traffic control (directing traffic movement onto a premises or within a premises) shall not exceed 4 square feet in area for each sign.

HOWARD - <http://www.co.ho.md.us/Departments.aspx?id=4294968162>

- (1) "Agribusiness" is any commercial or industrial uses that are adjunct to the agricultural economy and may be permitted as a conditional use in the RC or RR Districts.
- (2) "Agritourism Enterprise" includes activities conducted on a working farm and offered to the public or to invited groups for the purpose of recreation, education or active involvement in the farm operation. These activities must be related to agriculture or natural resources and incidental to the primary operation of the site. This definition includes farm tours, hay rides, corn mazes, classes related to agricultural products or skills, picnic and party facilities offered in conjunction with the above, and similar uses.
- (3) A "Farm" is defined as a lot or parcel principally used for farming.

- (4) "Farming" is land used for agricultural purposes, including (among many types of uses) the breeding, raising, training, boarding, and general care of livestock for uses other than for food, such as sport or show purposes, as pets, or for recreation, and shall be considered a normal farming function (kennels are excluded from this definition).
- (5) "Farm Tenant House" is an accessory detached building or mobile home that is:
 - a. Designed and arranged for use as a dwelling;
 - b. Located on a parcel of land not less than 50 acres used for farming;
 - c. One unit permitted per 25 acres of that parcel; and
 - d. Occupied by at least one person who is employed by the owner or operator of the farm on which the dwelling is located to engage in farming on a full- or part-time basis.
- (6) "Riding Stable" and "Riding Academy" are any lot used primarily for the commercial hiring out of horses or ponies or instruction in riding where 3 or more horses are kept for these purposes. As a matter-of-right, stables and academies are permitted in POR, PEC, and PGCC districts. They are conditional permitted on preservation parcels. A conditional use for a Riding Stable or Academy may be granted in the RC or RR Districts, provided that:
 - a. Adequate areas for horseback riding shall be available on the site. If the operation will include off-site horseback riding, the petition must indicate the location of off-site trails and include written permission from the property owners.
 - b. Minimum required setbacks for stables and indoor or outdoor riding arenas:
 - (i) For a use where 20 or fewer horses are kept on the property, from any property line other than a public street.....100 feet
 - (ii) For a use where more than 20 horses are kept on the property, from any property line other than a public street.....200 feet
 - c. The site has a minimum area of 5 acres.
 - d. Parking areas, driveways and outdoor riding areas will be located and designed to shield neighboring properties from noise, dust and odors.

KENT - <http://www.kentcounty.com/gov/planzone/contents02.php>

- (1) "Agriculture" is defined as farming activities including, among other farm activities, the grazing and raising of livestock.
- (2) A "Farm" consists of a parcel of land not less than 20 acres in size used for agriculture. A sign is permitted in Agricultural Zoning Districts and on bona fide farms in any other district provided the one sign is limited in area to 4 square feet to identify the farm.
- (3) "Stable, Private" is an accessory building, not related to the ordinary operation of a farm, for the housing of not more than 4 horses or mules owned by a person or persons living on the premises and which horses or mules are not for hire or sale. Standards for a private stable include:
 - a. A lot of 2 acres or more.
 - b. Any structure for housing or feeding of animals shall be a minimum of 100' from any property line.
 - c. There shall be no more than 1 horse per acre of land. Only available pasture acreage shall be used to compute the number of horses allowed on a parcel.
 - d. The operation must be managed according to waste and nutrient management plans as approved by the Natural Resources Conservation Service.
- (4) "Stable, Public" is any stable for the housing of horses or mules, operated for remuneration, hire, sale, or stabling, or any stable not related to the ordinary operation of a farm, with the capacity for more than 4 horses or mules, whether or not such stable is operated for remuneration, hire, sale or stabling. Standards for commercial stables or riding academies (e.g. public stable) includes:
 - a. A lot size of 20 acres or more.

- b. Any structure for keeping or feeding of animals and waste management structures shall be a minimum of 400' from any property line.
 - c. No waste management facility or structure for the keeping of animals is in the 100-year floodplain.
 - d. The feeding and watering of animals are conducted a minimum of 100' from tidal water and tributary streams, both tidal and non-tidal, and 50' from non-tidal wetlands.
 - e. The operation must be managed according to waste and nutrient management plans as approved by the Natural Resources Conservation Service.
 - f. Parking must be provided for one parking space per two horse stalls.
- (5) A "Tenant House" is a farm dwelling, other than the main farmhouse, for occupancy by a person or family associated with the agricultural endeavors on the farm or by a member of the property owner's immediate family.
- (6) Accessory farm buildings, including but not limited to barns and stables, are permitted on all farms in the Agricultural Zoning District. All structures shall be a minimum of 100' from any property line.

MONTGOMERY - http://www.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:montgomeryco_md_mc

- (1) "Agriculture" defined as the business, science and art of cultivating and managing soil, crops, and livestock; breeding, raising, or managing livestock, including horses and equestrian events and activities.
- (2) "Equestrian activity" is the care, breeding, boarding, rental, riding or training of horses or the teaching of equestrian skills.
- (3) "Equestrian event" is a competition, exhibition, or other display of equestrian skills.
- (4) "Equestrian event, informal" is defined as a competitive or non-competitive event that involves between 26 and 50 participants and spectators, per day.
- (5) "Equestrian event, major" is defined as a competitive or non-competitive event that involves between 151 and 300 participants and spectators, per day.
- (6) "Equestrian event, minor" is defined as a competitive or non-competitive event that involves between 51 and 150 participants or spectators, per day.
- (7) "Equestrian Facility" is any building, structure, or land area that is used primarily for an equestrian activity or event. Permitted with some special exceptional use in R, RC, LDRC, RDT, RS, RNC, and RNC/TDR zones. Not permitted in certain cluster and rural open space areas in the RNC and RNC/TDR zones. Facilities established before April 5, 2004 are grandfathered, except must comply with nutrient management, water quality and soil conservation standards. In the RNC and RNC/TDR zones, a resident of a lot or parcel at least 2 acres in size may raise ride, and board horses for personal use. One horse is permitted for every 1 gross acre of the lot or parcel, up to a maximum of 5 horses. Any building or manure storage area must be located at least 100 feet from any existing dwelling on an adjacent tract of land.

A Special Exception may be filed with Board of Appeals to deviate from permitted use standard regarding (1) number of participants/spectators, (2) number of events held each year, (3) event acreage, (4) hours of operation, and (5) road classification requirement; may be renewable.

- (8) In the residential zones, Equestrian Facilities are permitted as a Special Exception use in the RE-2, RE-2C, R-200, R-150, and R-90 zones.

Any riding stable established by Special Exception in the R-90 zone before May 6, 2002 is a conforming use and may be modified, repaired, reconstructed, or enlarged at a maximum of 5% of the total floor area in accordance with the Special Exception standards in effect before May 6, 2002. Any riding stable, including buildings, show rings, paddocks, activities and events established by Special Exception in the RE-1, RE-2, RE-2C, R-150, R-200, or RMH-200 zones before April 5, 2004 is a conforming use and may be modified, reconstructed, or enlarged in

accordance with the Special Exception standards in effect after April 5, 2004 except that any riding stable existing in the RE-1, RE-2, RE-2C, R-150, R-200, or RHM-200 zones before April 5, 2004 must be in compliance with the nutrient management, water quality, and soil conservation standards of 59-G-2.49(f) no later than March 2, 2005.

(9) "Paddock" is a fenced area, internal to an equestrian facility, where horses are exercised or pastured. Paddock fencing is not perimeter fencing of an equestrian facility.

(10) Standards permitted for Equestrian Facility

a. Equestrian Events:

- i. Events with fewer than 25 participants/spectators may take place on site of 18 acres
- ii. Informal event may take place on the weekend and holidays at any time on at least 18 acres; but cannot take place more than 6 weekdays in any calendar month.
- iii. No more than 7 minor equestrian events each year on a site of 25 acres
- iv. No more than 3 major equestrian events in one calendar year on a site of at least 75 acres with direct access to a roadway with an arterial or higher classification. Cannot take place for more than 3 consecutive days. Permits required, fee may be required.
- v. Maximum of 10 major and minor events each year at any equestrian facility
- vi. Event cannot be held on a site that does not have minimum acreage required.

b. Minimum number of gross acres per horse:

- i. Two acres for 1-2 horses;
- ii. One acre per horse for 3-10 horses;
- iii. For more than 10 horses, an additional one-half acre per horse.

c. Plan approvals and compliance: If more than 10 horses kept or boarded, facility must meet all nutrient management, water quality and soil conservation standards of County and State. All of the above applies to facilities in agriculture zones (R, RC, LDRC, RDT, TS, RNC, and RNC/TDR).

d. For residential zones, ANY facility on less than 5 acres must establish sufficient open pasture for care of horses and maintenance of facility through a pasture maintenance plan, feeding plan, and other documentation the Board requires.

e. Setbacks: Each building, show ring, paddock, outdoor area, and manure storage area must be located at least 100' from existing dwelling on an adjacent tract of land.

f. Noise levels and Lighting: must comply with requirements of Code; cannot be major intrusion on nearby properties.

g. Hours of Operation for Event: 6 a.m. – 9 p.m. Sunday through Thursday and from 6 a.m. – 10 p.m. Friday and Saturday.

h. Equestrian facilities in a residential zone must comply with all standards as established by the Zoning Board.

PRINCE GEORGES - http://www.pgplanning.org/Resources/Zoning_Information/Zoning_Ordinance_and_Use_Tables.htm

(1) "Agriculture" uses may be permitted in V-L and V-M zones provided the proposed use:

- a. Preserves the agricultural land, open space, scenic vistas, and environmental features of the area;
- b. Complements the natural characteristic of the area; and
- c. Does not detract from the Village residents' health, safety, welfare, and enjoyment of the Zone.

- (2) "Agricultural Land" shall mean all real property that is carried on the tax rolls of the Maryland State Department of Assessments and Taxation as agricultural; or all other land that is currently used for agricultural operations and has been used, and/or is under preparation for use as an agricultural operation continuously for at least 1 year.
- (3) "Agricultural Operations" includes among many uses, equine activities and equine facilities.
- (4) "Agritourism" includes "Equine Activities" and "equine facilities" Agritourism includes farm or ranch stays subject to the same rules as a Bed-and-Breakfast Inn as defined in the County Code.
- (5) "Equine Activities" includes teaching equestrian skills, participating in equestrian events, competitions, exhibitions or other displays of equestrian skills and caring for, breeding, boarding, dealing, selling, renting, riding, or training equines. The terms shall not include "Animal Boarding Place."
- (6) "Equine Facility" includes barns, stables, rings, paddocks or accessory buildings or structures used for equine activities.
- (7) An "Animal Holding Facility" shall mean any commercial facility for the care, boarding, training, holding, harboring, or housing of any animal or animals, and includes but is not limited to, a riding school or stable.
- (8) "Domesticated Animal" means an animal of a species that has been bred, raised, and is accustomed to live in or about the habitation of man, and is dependent on man for food or shelter.
- (9) "Farm Animal" shall mean any domesticated species of animal commonly kept in proximity to, but not ordinarily housed in the immediate domicile or household of, humans, and used for agricultural or equine activities. Farm animals shall include, but not limited to, horses.
- (10) "Livestock" shall include (but not limited to) all domestic or domesticated equine animals. Companion animals are not livestock.
- (11) "Private Stable" is any stable wherein the owner houses or stables only his/her own horse.
- (12) "Riding School or Stable" shall mean any place at which horses are boarded or displayed; or which the horses are available for hire or riding instruction or pony rides; or which regularly buys, sells, trains, or trades horses, ponies, donkeys, mules, or burros, including any thoroughbred racetrack, trotting track, or rodeo. No person may operate a riding school or commercial stable without a County riding school and stable license. An annual fee is applicable. Standards for riding schools and stables include:
 - a. Compliance with the minimum standards of the County Code.
 - b. All animals shall be provided with daily food and water which shall be wholesome, palatable and of sufficient quantity and nutritional value, and free of any contamination.
 - c. Shelter shall consist of an enclosure with at least 3 solid walls and a solid roof. All buildings and sheds used for stabling shall be well lit and ventilated and provide protection from extreme weather.
 - d. All buildings and sheds used for stabling shall be kept clean and in good repair, manure shall be removed daily.
 - e. Stacked manure piles shall not be allowed to stand for a period in excess of 4 days, except when weather conditions prohibit its removal, and in all instances must be kept at least 50' from a building or shed housing animals.
 - f. Stabling shall be graded and drained to prevent pooling of water; no open drains; no garbage, fecal matter or similar matter shall be allowed to remain in the stable or enclosure.
 - g. Owner and operator of a stable shall be responsible for suppression of internal parasites, flies, and other insects attracted to the stable site.

- (13) A riding stable may be permitted as a temporary Special Exception, if adjacent areas are predominately underdeveloped. A riding stable may be permitted in the V-L and V-M Zones, provided the proposed use complies with those of "Agriculture" uses.
- (14) A "Rural Entertainment Park" promotes entertainment and recreational opportunities in rural areas of the County. Permitted uses include indoor or outdoor riding arenas, trails, riding stables (with or without paddocks)

QUEEN ANNE'S - <http://www.ecode360.com/7137102>

- (1) "Agriculture" includes, among other activities, all methods of production or management of livestock.
- (2) "Agricultural/Equestrian Activities" include the care, breeding, boarding, rental, riding or training of equines and other farm animals or the teaching of equestrian skill and open houses, clinics, and demonstrations.
- (3) "Agricultural/Equestrian Events" includes competitions, exhibitions, or other displays of skills on private lands where an admittance fees is charged for spectators.
- (4) An "Agricultural/Equestrian Facility" is any private land area, building or structure used for an agricultural/equestrian event. A setback of at least 100 feet from an existing dwelling is required.
- (5) Outdoor arena lighting must comply with the regulations of the Code; depends on size, use, and location.
- (6) "Agricultural Employment" is recognized as any service or activity performed in connection with raising, sharing, feeding, caring for, training and managing livestock.
- (7) "Farm" is defined, in part, as a parcel or combination of parcels used for agricultural purposes.
- (8) A "Farm Building" is a structures utilized to store farm implements, hay, feed, grain or other agricultural or horticultural product, or to house poultry, livestock, or other farm animals. Cannot include spaces as a place of occupancy or habitat by the general public.
- (9) Within the Agricultural (AG) Districts, agricultural/equestrian activities and events are permitted uses.
- (10) The standards of the AG District permitted use for agricultural/equestrian events does not apply to 4-H, FFA, non-profit youth events, educational events and other agricultural/equestrian activities which do not charge for public attendance (other than audit fees for education purposes).
- (11) When an admittance fee is charge for spectators, no more than 10 agricultural/equestrian events may take place per calendar year. Overnight accommodations for spectators are prohibited.
- (12) Each event requires a permit limiting the event to no more than 3 consecutive days; a fee may be charged by the County.

SAINT MARY'S - <http://www.co.saint-marys.md.us/docs/CurrentZO.pdf>

- (1) "Agriculture" includes activities related to the feeding, housing and maintaining of animals (including horses).
- (2) "Agricultural Tourism" are activities conducted on a farm, offered to the public or an invited group, for the purpose of recreation, education or active involvement in the farm operation.
- (3) "Animal Husbandry" requires all areas used or intended to be used for keeping and confinement of animals (including corrals, pastures, paddocks, pens, etc.) shall be enclosed by adequate fence or other device capable of securely containing and protecting the animals.
- (4) A "Bona Fide Agriculture Use or Activity" is any activity related to the feeding, housing and maintaining of animals.
- (5) An "Equestrian Activity" is the care, breeding, boarding, rental, riding, or training of horses or teaching of equestrian skills.

- (6) "Equestrian Events" includes any competition, exhibition, or other display of equestrian activities.
- (7) An "Equestrian Facility" is any building or structure, or land area, used for an equine event or activity.
- (8) A "Commercial Stable" is defined as any stable housing horses, operates for remuneration, hire, sale or stabling, or any stable, not related to the ordinary operation of a farm.
- (9) A "Private Stable" is an accessory building for the housing of a horse owned by a person or persons living on the premises and which the horses are not for hire or sale.
- (10) Regulation of use for a "major" equestrian facility requires a site plan, a minimum of 15 acres, a setback of 100' from all property lines for structures (do not need to be enclosed) of 30,000 square feet or larger. Evening and weekend operations permitted so long as they do not have a major impact on other adjoining uses.
- (11) Regulation of use for a "minor" equestrian facility requires permit approval, off-street and loading space provided, structures cannot exceed 30,000 square feet, and setback requirements depend on size of property.
- (12) Animal Husbandry activities permitted in RPD, RSC, RL-T, RL, VMX, and TMX districts
- (13) Equestrian Facilities (Major) conditionally permitted in RPD, RL-T, RL, VMX, and TMX districts.
- (14) Equestrian Facilities (Minor) permitted in RPD, TMX, and VMX districts; and limited permission in RL-T, and RL districts.
- (15) Stables (accessory buildings) permitted in PRD, RSC, RL-T, RNC, VMX, and TMX districts.

SOMERSET - <http://www.somersetmd.us/ordinances.html>

- (1) "Right to Farm" legislation adopted into County's Public Ordinances.
- (2) Feeding and watering of livestock may not have an impact on tidal waters; low impact grazing permitted.
- (3) All stables and equine facilities required to have a minimum of 2 acres for the first horse and an additional acre for each adult horse beyond 2. **[NOTE – this is not written in the ordinances, but a practice of the County.]**

TALBOT - http://www.talbotcountymd.gov/index.php?page=Zoning_Ordinance

- (1) "Agriculture" includes the activities of feeding, housing and maintaining animals (including horses).
- (2) "Livestock" is defined as animals kept in pasture, barns, stables, sheds or similar buildings and are raised for work, riding, or boarding (i.e. horses).
- (3) A "farm" is land consisting of a single parcel or several adjacent or nearby parcels used for agriculture purposes such as livestock pasturage, care and handling of livestock and directly related uses.
- (4) A "stable" is a structure covered by "Right to Farm" legislature, used for sheltering and care of horses (and similar animals), and includes structures such as indoor riding arenas.
- (5) A private stable is an accessory land use, requiring Zoning Board approval.
- (6) Stables and Farms are required to have Soil Conservation and Nutrient Management plans on file.
- (7) Grazing of livestock shall not disturb stream banks, tidal shorelines, or other Habitat Protection Areas.
- (8) Feeding and watering of livestock may not be within 50' of the mean high-water line of tidal water and edge of tidal wetlands and of tributary streams.
- (9) Commercial stables, riding, trails and boarding facilities must have a minimum of 10 acres or 1 acre per horse, whichever is greater; minimum setback from property line for structures is 200 feet.
- (10) Private (residential) stables require a minimum of 2 acres for one horse and one acre for each additional horse; setback from property line of structures and manure storage is 100 feet. For property less than 3 acres, the setback is 75 feet.

WASHINGTON - http://www.washco-md.net/county_attorney/pdf/ZoningOrd_Rev16.pdf

- (1) Private stables and commercial stables (“Riding Academy/Stable”) are subject to the same land use setbacks for use and structure; cannot be located less than 100’ from a dwelling on neighboring property.
- (2) Private stables are defined as an accessory structure designed for shelter, feeding & care of no more than 2 domestic animals on the property maintained as pets or for domestic use.
- (3) Riding Academy/Stables are establishments or lots where horses/equines are used for transportation/recreation, board and cared for or are commercially hired out with or without riding instruction.
- (4) Animal Husbandry Facility is a structure used for the housing, breeding and management of waste of horses (and other livestock) which are managed for use or sale.
- (5) Private stables are permitted as accessory use in all districts except Industrial Mineral districts.
- (6) Animal Husbandry Facilities are permitted in all districts except Industrial Mineral districts.
- (7) Horse shows are permitted in all districts except Industrial Mineral districts, and are permitted as an accessory use in Rural Business districts.
- (8) All stables are required to present a Soil Conservation Services Waste Management Plan and MD Coop Extension Services Nutrient Management Plan or a letter of exemption.

WICOMICO -

http://www.wicomicocounty.org/departments/planning_zoning/zoning/Wicomico%20County%20Zoning%20Code.pdf

- (1) Zoning established to ensure, in part, the preservation of farmland and agricultural land base and protect environmentally sensitive areas.
- (2) A “farm” is defined as property of 5 or more acres whereby bona fide agricultural use and activities are conducted.
- (3) Horse shows are considered an “outdoor community event.”
- (4) Stables, farming and agricultural operations (5 acres or more) are permitted [A-1 and V-C Districts]; farming and agricultural operations less than 5 acres must receive a special exception in A-1 District.
- (5) “Farm-related business” are permitted [Districts C, I-1, I-2]; permitted with special exceptions by Board of Appeals [Districts A-1, V-C, and TT]; minimum lot size must be proportionate to specific operations; no more than 50% total area covered by buildings, parking lots, or other impervious structures.
- (6) Horses (and other equines) are permitted in residential areas if raised or bred for the use and enjoyment of the residents (no commercial purpose) provided 15,000 square feet of land area is allotted per animal.

WORCESTER - <http://ecode360.com/WO1426?#WO1426>

- (1) Activities related to the care, housing, and maintenance of horses is considered “Agriculture.” Feeding, manure storage, and related activities must be managed to minimize contamination of water bodies.
- (2) “Agritainment Facility” includes farms which provide horse and pony rides and other activities related to agriculture. Minimum five acre for facility with 200’ lot width, front yard setback of 35’, each side yard setback of 30’ and rear yard setback of 30’ and subject to additional provisions. Retail/restaurant within facility shall not exceed 5,000 square feet. Festivals permitted up to 4 times each year. [A-1, A-2 Districts]

- (3) Commercial riding and boarding stables for 3 or more animals require a lot area of no less than 5 acres' 500' lot width, front yard setback of 35', each side yard setback of 30', and back yard setback of 30'. Stables must be located at least 200' from any perimeter property line or public road right-of-way; one acre per animal stabled required. Special Exception application to Zoning Appeals Board required. [A-1, A-2, and E-1 Districts]
- (4) "A-1, A-2 and RP Agricultural Districts" were established to preserve, encourage and protect farm operations and to ensure agricultural enterprises have flexibility in their operations. Five acre minimum and specific setback requirements for structures. The minimum lot required is 5 acres, 200' width, front yard setback of 35', each yard side setback of 20' and rear yard setback of 20'. Site plan required.
- (5) Noncommercial private residential area may allow stabling for horses and ponies. Stables must be at least 50' from any perimeter property line or public road right-of-way; must be at least 200' from any existing dwelling on adjoining properties. Prohibited accessory use on lots less than 5 acres in size. No adverse effects of use on existing wetlands. [A-1, A-2, R-1, and V-1 Districts]

BALTIMORE CITY - <http://www.baltimorecity.gov/Government/CityCharterCodes.aspx>

- (1) In an Open Space District, horse stables are considered an accessory use.
- (2) B-3, B-5 Districts permit horse stables.
- (3) Horse stables are permitted on conditional use in M-2 and M-3 Districts (Board approved).

NOTE: The laws and regulations contained within this report were reproduced from various sources. Although proof-read and edited, some typographical errors may still occur and the language contained should not be considered the official text of the law. The Maryland Horse Council, through the "Save The Horse Farms" campaign and committee, is providing this to you as a courtesy and a guide to begin your own research. Additional information on "Save The Horse Farms" campaign may be found at: http://www.mdhorsecouncil.org/save_horse_farms.htm."

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