

# Information for Agritourism Venues

## GENERAL, LOCATION AND OPERATIONAL CRITERIA

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1. Operators need to properly establish their business in order to operate in the County. DED provides a guidance document for [“Starting a Business in St Mary’s County MD?”](#) that provides the basic steps that may be required for getting a business started.
2. The ability to become establish an Agritourism Venue is regulated in the [County’s Comprehensive Zoning Ordinance \(CZO\)](#) which requires uses/activities and structures to conform to Schedule 50.4 Use Classifications, Use Types and Location within Zoning Districts and CZO Chapter 51: Use Regulations and Standards.
3. In Schedule 50.4 **Agricultural Tourism** is defined as “Activities conducted on a working farm or vineyard and offered to the public or to invited groups for the purpose of recreation, education, or active involvement in the farm operation, and which are *related to agriculture or natural resources and incidental to the primary operation on the site*. Agricultural tourism activities include farm tours, hayrides, corn mazes, classes related to agricultural products or skills, picnic and party facilities offered in conjunction with the above, and similar uses.” [ Note Italics added for emphasis.]
  - a) Although “Agricultural Tourism” is a use type that is specifically defined in CZO Article 5, per the definition the proposed activities must be accessory to a different principal agricultural use on the parcel.
  - b) The ordinance does not define the term “working farm” but this term is interpreted as meaning that the site owner must demonstrate that the site is a working farm by having an [Agricultural Use Assessment from the Maryland Department of Taxation and Assessment](#).
  - c) **Use 12. Agricultural Alcohol Production** can only occur on a farm as demonstrated by the parcel having an [Agricultural Use Assessment from the Maryland Department of Taxation and Assessment](#).
  - d) Any parcel may be used for a short time as an agritourism venue provided they are temporary uses conducted in accordance with CZO Section 51.2.5 (quoted from CZO below )

*5. Temporary Uses. A temporary use shall be incidental to the principal use on a site and shall operate for no longer than the period stated in Section 51.3, Specific Regulations and Standards, or if not stated, for no more than 20 days per year. The following general provisions are applicable to all temporary uses and structures:*

- a. *Uses intended to attract large numbers of people to the event shall be located at sites having sufficient off-street parking available, which may include a grass field to accommodate anticipated parking needs. Arrangements for managing traffic-ingress, egress, and parking, including attendants and directional signage shall be provided.*

*B Upon termination of the temporary use, the site occupied by the temporary use shall be cleaned of litter and returned to its original condition.*

- e) While principal agricultural uses defined in In Schedule 50.4 may function wholly or in part as Agritourism Venues, whenever these uses offer events or shows intended for attendance by more people than are routinely accommodated (based on approved parking spaces, floor area, and/or the designed gallons per day of the septic/sewer capacity), the principal use will be required to conform to **Schedule 50.4 Use Classifications, Use Types and Location within Zoning Districts and CZO Chapter 51: Use Regulations and Standards** for the following uses:

- 1) **Use 127. Show and Events, Indoor** defined as “Temporary indoor events occurring at a site. Includes animal shows for domestic or farm animals; art fairs and shows; indoor display and sale of hand crafts and similar objects; equipment and trade fairs; concerts, carnivals, fairs, and other similar events; and events that provide games, eating and drinking facilities, live entertainment, or similar activities.” Use 127 must adhere to the following (quoted below from CZO 51.3.127):

*a. General Standards:*

*(1) Events and shows shall be required to obtain a zoning permit unless they are held at a government facility, fairground or flea market site, recreation and entertainment facility, place of public assembly or public safety facility or on a site larger than 50 acres.*

*(2) Events that include installation of stadium seating shall submit a site and seating plan for review to determine compliance with State Fire Marshall requirements.*

*(3) Sites utilized for indoor shows or events shall have access to adequate off-street parking for the duration of the event.*

*b. Limited Standards. In a CM zone, events shall be primarily related to boats and watercraft, or be primarily for the slip holders and members of the principal activity on site.*

- 2) **Use 128. Shows and Events, Outdoor** defined as “Temporary outdoor events occurring at a site. Includes animal shows for domestic or farm animals; art fairs and shows; indoor display and sale of hand crafts and similar objects; equipment and trade fairs; concerts, carnivals, circuses, fairs, and other similar events; and events that provide games, eating and drinking facilities, live entertainment, or similar activities.” Use 128 must adhere to the following(quoted from below CZO51.3.128):

*a. General Standards. (reserved).*

*b. Limited Standards:*

*(1) Events and shows shall be required to obtain a zoning permit unless they are held at a government facility, fairground or flea market site, recreation and entertainment facility, public safety facility; conducted by a public safety entity; or on a site larger than 50 acres.*

- (2) Events that include installation of stadium seating shall submit a site and seating plan for review to determine compliance with State Fire Marshall requirements.*
- (3) Sites utilized for outdoor shows or events shall have access to adequate off street parking for the duration of the event.*
- (4) In a CM zone, events shall be primarily related to boats and watercraft, or be primarily for the slip holders and members of the principal activity on the site.*
- (5) Street fairs may operate for a maximum of four consecutive days.*
- (6) Live entertainment events may operate for a maximum of six (6) consecutive days.*
- (7) Other events may operate for a maximum of 14 consecutive days.*
- (8) Rodeos, circuses, livestock auctions or sales shall be 1 subject to the following, additional requirements:*
  - (a) Minimum parcel or lot size for a site shall be 10 acres; and*
  - (b) Stock pens and main buildings shall be located at least 300 feet from any street or highway and at least 800 feet from any residence or residential district boundary; and*
  - (c) Provisions for managing animal wastes shall be provided.*

- f) Sites that intend to offer agritourism events that will exceed 20 days per year for temporary indoor or outdoor shows or event must seek and obtain zoning, site plan and permit approval for one of the following principal uses:
  - 1) **Use 46. Conference Facility** defined as an “Establishment providing meeting, training, and catering kitchen space for lease or rent. Facility may be either a principal or an accessory use. “
  - 2) **Use 50. Fairgrounds and Flea Markets** defined as “Commercial establishments engaged in maintaining building(s) or open area in which buildings, parking facilities and open areas rented or otherwise provided for temporary uses including public or private shows or events or for use by various unrelated individuals to sell articles that are either homemade, homegrown, handcrafted, old, obsolete, or antique. May include selling of goods at retail by businesses or individuals that are generally engaged in retail trade of new or secondhand, reclaimed, or salvaged goods.”

**OBTAINING ZONING APPROVAL, PERMITS AND/OR SITE PLAN APPROVALS:**

Consultation with DED’s [Development Facilitator](#) and [Agricultural Division Manager](#) prior to developing plans or application documents is recommended.

Applications requiring [permit](#) or [site plan](#) approvals must be submitted to the Department of Land Use and Growth Management.

**HEALTH DEPARTMENT CRITERIA FOR FOOD SERVICE**

**Fact Sheets**

- [Food Service Facilities](#)
- [General Food Safety Guidelines](#)
- [Consumer Advisory](#)
- [Fee Schedule](#)
- [So You Want to Operate a Temporary Food Service](#)
- [Grease Trap Fact Sheet](#)
- [Hazard Analysis Critical Control Point \(HACCP\) Plan](#)

### ***Application & Licensing***

***Permanent food service facilities:*** Owner/operators for newly constructed, renovated, or remodeled facilities must submit a [Plan Review Application Packet](#) to the health department. After the plans have been reviewed and approved, the [Food Service Annual Operating License Packet](#) should be submitted, and pre-opening inspections can be scheduled.

***Temporary food service facilities*** are required to adhere to state regulations. Download the [Temporary Food Service Facility License Packet](#) to find important information regarding the permitting process. See the fact sheet below for definitions of food service facilities.

### **POSTING VENUE/EVENT INFORMATION:**

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Community Calendar for temporary events: Submit information via [online form](#)

Posting to the DED website: Submit venue information to [Ag Division staff](#)

Posting to the Tourism website: Submit contact form to [VisitStMary's](#)