



WASHINGTON COUNTY PLANNING COMMISSION
ORDINANCE TEXT AMENDMENT APPLICATION

FOR PLANNING COMMISSION USE ONLY

Rezoning No. RZ-25-007

Date Filed: 5/10/25

Washington Co Dept Planning and Zoning

Applicant

747 Northern Ave Hagerstown, MD
21742

Address

Kyla Shingleton

Primary Contact

Same

Address

☐ Property Owner ☐ Contract Purchaser

☐ Attorney ☐ Consultant

☒ Other: _____

240-313-2430

Phone Number

askplanning@washco-md.net

E-mail Address

- ☐ Adequate Public Facilities Ordinance
☐ Forest Conservation Ordinance
☐ Subdivision Ordinance
☐ Solid Waste Plan

- ☐ Water and Sewer Plan
☒ Zoning Ordinance
☐ Other _____

Section No. 22.93

Please provide the proposed text on a separate sheet of paper as follows: strike-through should be used for deletions [~~deletions~~], unchanged wording in regular type, and new wording should be underlined [new wording].


Applicant's Signature

Subscribed and sworn before me this _____ day of _____, 20____.

My commission expires on _____

Notary Public

FOR PLANNING COMMISSION USE ONLY

- ☐ Application Form
☐ Fee Worksheet
☐ Application Fee

- ☐ Proposed Text Changes
☐ 30 copies of complete Application



DEPARTMENT OF PLANNING & ZONING
PLANNING | ZONING | LAND PRESERVATION | FOREST CONSERVATION | GIS

October 2025

**Proposed Text Amendments
Low Intensity Fowl Operations
RZ-25-007**

Section 22.93 Applicability and Application Procedure

(c) Low Intensity Fowl Operations

1. The purpose of this section is to provide standards for low intensity operations relating to the raising and care of less than twenty-four (24) domestic fowl in accordance with the standards set forth in this section. Operations related to the raising and care of more than twenty-four (24) fowl shall follow the standards set forth in the other sections of this Ordinance.
2. Applicability. The following procedures shall apply to any currently unapproved animal husbandry facilities as well as new animal husbandry facilities, expansion of any existing animal husbandry facility, and any installation or expansion of an animal waste storage and management system for an animal husbandry facility.
3. Definitions: For the purpose of this subsection, fowl shall be considered domesticated birds, raised for meat or egg consumption by humans. This includes land fowl such as chickens, turkeys, pheasants, and quail, and or waterfowl such as ducks and geese.
4. Bulk Requirements:
 - (i) No roosters or guinea fowl are permitted to be kept and/or raised in accordance with this subsection
 - (ii) For ½ acre parcels or less, the maximum number of fowl permitted shall be six (6) fowl. An additional six (6) fowl for every additional ½ acre shall be permitted with a maximum of 24 fowl kept before additional requirements will be applied.
 - (iii) Structures housing fowl shall be set back a minimum of twenty-five (25) feet from any neighboring dwelling, school, religious institution or institution for human care. At no time shall a structure housing fowl be located closer than 10 feet from side and rear property lines. Structures shall not be permitted in front yards.

- (iv) Structures housing fowl shall not be placed in drainage swales or mapped floodplain sensitive areas.

5. Enclosures

- (i) Structures and roaming areas shall be adequately fenced to contain fowl on the subject property and designed in a manner to protect against predators. Free range fowl are prohibited.
- (ii) Structures shall be properly constructed and maintained.

6. Sanitation:

- (i) Structures housing fowl shall be cleaned on a regular basis to prevent odors and accumulation of feed and waste.
- (ii) All feed and other items necessary for keeping fowl shall be secured to prevent scavengers, insects, and parasites that may result in unhealthy conditions for humans.
- (iii) Manure may be composted and added to gardens or yards if done without creating malodorous smells, nuisances, or other hazards. Waste may also be collected in a sealed dry container. Waste storage shall be setback a minimum of ten (10) feet from all side and rear property lines.
- (iv) A Waste Management Plan and Nutrient Management Plan are required only when housing more than 24 fowl.
- (v) Outdoor slaughtering or butchering is prohibited.

7. Permits:

- i. A zoning permit must be obtained for any structures housing fowl. An application must show the following:
 - 1. Size of lot.
 - 2. Number of fowl.
 - 3. Location and dimensions of structures showing it meets setback requirements.
 - 4. Location of waste storage.

5. Proof of registration with the Maryland Department of Agriculture in accordance with the Annotated Code of Maryland, Agriculture Article, Section 3-804.



DEPARTMENT OF PLANNING & ZONING
PLANNING | ZONING | LAND PRESERVATION | FOREST CONSERVATION | GIS

June 16, 2025

WASHINGTON COUNTY ZONING ORDINANCE
STAFF REPORT AND ANALYSIS

Article 22 Division IX

Purpose: This application is proposing to add a section to the Zoning Ordinance for low intensity domestic fowl operations.

Staff Report: The raising and keeping of fowl in backyards grew in popularity in the early 20th century. COVID-19 and the sustainability movement in America brought a new surge to the backyard fowl trend in urban/suburban areas. With the rise in popularity, local jurisdictions across the country have begun to implement ordinances to allow domestic fowl in urban/suburban areas. These ordinances provide guidelines for raising and keeping fowl in nonrural areas. The keeping of fowl has become a widely popular issue in Washington County, however, the absence of language especially for low intensity operations has created numerous complaints that have been difficult to enforce. The proposed subsection was drafted with input and support from Washington County Soil Conservation District and University of Maryland Agricultural Extension office.

Analysis: Currently, domestic fowl are allowed to be kept in residential areas in the county through the standards in Article 22 Division IX, Animal Husbandry Facilities, of the ordinance. However, this section is not designed for low intensity domestic fowl backyard operations. The proposed subsection will be added to Division IX addressing low intensity domestic fowl operations.

The bulk requirements are proposed to be six (6) fowl per ½ acre or less parcel, an additional 6 fowl for every ½ acre with a maximum of 24 fowl. For when more than 25 fowl are kept requirements from Article 22 Division IX will be applied.

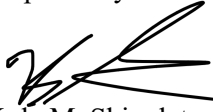
Setbacks for structures housing hens shall be a minimum of twenty-five (25) feet from any neighboring dwelling, school, church, or institution for human care. These structures shall at no time be located closer than ten (10) feet from side and rear property lines. Structures shall not be permitted in front yards. To limit nuisance smells from the structures, they shall not be placed in floodplain areas or drainage swales and cleaned on a regular basis. Waste from hens shall be stored in a sealed dry container or composted properly and setback a minimum of ten (10) feet from all side and rear lot lines.

Hen housing structures and roaming areas shall be properly constructed and maintained. Maryland is a “fence in” state using old English Common Law, due to this no free-range fowl are permitted.

Fowl under this proposed subsection will mean domesticated birds, raised for meat or egg consumption by humans.

Staff Recommendation: Staff recommends approval of these amendments in order to provide consistent implementation of our land use policies and regulations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kyla M. Shingleton', with a stylized, flowing script.

Kyla M. Shingleton

Comprehensive Planner