

## ZTA 23-09 Testimony: Commercial Overnight Lodging on Farms as Permitted Use

Hearing date: January 16, 2024

On December 19 councilmember Fani-Gonzalez of District 6 sent a note to her constituents, describing her rationale for writing this ZTA. I would like to address some of the points she made in her note to constituents.

1.” There is strong demand from residents looking for an authentic farm experience.... Also, keen interest from local businesses in providing accommodations for overnight stays as an accessory component of the farms agritourism activities.”

Where is the data supporting this strong demand from residents or local businesses?

There are already bed-and-breakfasts in the

Ag Reserve that go unused. When faced with the prospect that this ZTA presents, the Montgomery County producers on the Farm Bureau voted unanimously to oppose it. It is misleading to suggest that this bill has widespread support within the farming community.

2. “The ZTA would allow farmers to host guests for overnight stays as part of their agritourism business.”

Some clarification is in order here. The business of the Ag Reserve is farming, not tourism. Agritourism, should be at best, accessory to farming, such as a farmstand, pick your own crops or participation in farm work as an educational activity.

3. “A common theme I have been hearing from agritourism businesses, farmers and stakeholders is the lack of suitable appropriately scaled accommodations for overnight stays in the county’s rural areas.... The county zoning ordinance makes it difficult, if not impossible to host, overnight guests on one’s farm.”

There is no law that you cannot host overnight guests on your farm. Landowners just can’t do it as a commercial business. There is a law that says the Agricultural Reserve is zoned for farming, not hotels, motels, or resorts with cabins. This is not farming or accessory to farming.

4. Again, she reiterates, “There is a strong demand from residents looking for an authentic farm experience.... Keen interest from local businesses in providing accommodations paired with farm to table food...”

Again, I emphasize that the farming community is overwhelmingly opposed to changing the zoning of the Ag Reserve to allow commercial accommodations as a permitted use.

Make no mistake, changing the zoning in the Ag Reserve will be extraordinarily beneficial to non-farmers. Beneficial to investors, people with a lot of money who buy land, and want to put accommodations on it, no matter how ‘farmy’ they are marketed, and not bother with the business of farming to pay their bills. It will not be beneficial to producers who would find themselves further priced off the land. They are trying to farm.

People coming to cabins on farms would need to eat. There is no commercial food service allowed on farms and to do so would be a massive change in zoning and also a huge amount of work for someone trying to get his crops in or cattle rotated. Would the next ZTA be written to add restaurants on farms?

5. "I have participated in many meetings with stakeholders, including announcing the ZTA at... our economic development committee session in up-county in November, the Western County Economic Forum in Poolesville in October, and the packed Townhall meeting in Dickerson in early December."

I would like to ask who from the farming community was at that economic development committee session? Who from the farming community was at the Western County Economic Forum in Poolesville? Who from the farming community was consulted when Councilmember Fani-Gonzalez was crafting this sweeping change in zoning for the agricultural community (which she does not know or represent)?

The town hall meeting in Dickerson was organized because local residents were alarmed to hear of this secondhand and asked to have councilmember Fani-Gonzalez come and explain her ZTA. With the exception of two people in the packed hall, one of whom was not a farmer, all people who spoke were opposed to changing the permitted use of the Ag Reserve from farming to farming and commercial overnight accommodations facilities. This packed meeting was because producers and other residents were shocked and frightened for their livelihoods, not because they were supportive.

Councilmember Fani-Gonzalez started the meeting by saying she was an environmentalist, and she loved the Agriculture Reserve but agritourism and overnight accommodations was coming whether we liked it or not. Basically, she said just get used to the idea. That was also how she ended the meeting.

6. Her note to constituents ends with "I intend to offer significant amendments: stipulate that overnight stays, could only be done in temporary structures not permanent structures, limit the total size... Require a minimum lot size..."

I appreciate her openness to amendments, but that is not enough.

This ZTA needs to be scrapped and a stakeholder working group that actually represents the farming community and residents of the Ag Reserve should be convened, and they should work together with County Councilmembers to craft a proposal that would actually work and not harm our agricultural businesses and thus the interest of all residents of Montgomery County.

There may well be a path forward for overnight stays that are truly accessory to farming: camping or RV camping with educational activities included and only on actual working farms. I would also make a plea for not changing the zoning of the Ag Reserve from farming to farming and hotels. Any overnight accommodations should be allowed under a conditional use permit and should have conditions that keep those accommodations actually accessory to active farming, not the other way around.

Respectfully submitted,

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