



AGRICULTURAL ADVISORY COMMITTEE

December 29, 2023

The Honorable Andrew Friendson, President
The Honorable Natali Fani-Gonzalez, Chair ECON Committee
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Re: Accessory Uses to Farming and ZTA 23-09

Dear Council Members Friedson and Fani-Gonzalez:

The Agricultural Advisory Committee (the “AAC”) reviewed ZTA 23-09: Farming – Incidental Outdoor Stays at its December meeting. As currently written, the AAC does not support this zoning text amendment. A robust discussion prompted by this ZTA throughout the farming community suggests that, more importantly, there are significant concerns about the overarching definition of “accessory agricultural uses”. Addressing these concerns is critical to fostering a balanced expansion of agritourism and farm alcohol production with the primary intent of preserving and enhancing the unique agricultural economy and community of the Agricultural Reserve. The AAC proposes that this should preempt further expansion of the zoning code until all stakeholders understand and reach consensus on the parameters and the county has a clear set of rules on which to approve activities that are “accessory agricultural uses”.

By way of example, the Office of Agriculture monitors the progress of farm alcohol production-FAP applications in accordance with ZTA 18-03 and ZTA 18-14. The Office of Agriculture has several Farm Alcohol Production (“FAP”) applications in the queue the approval of which the OAG does not believe are in the best interest of the County and the intent of the FAP ZTA 18-03 and ZTA 18-14. The OAG reports for 2020 and 2023 to the County Council on the status of farm alcohol production include suggestions on how to improve the process for reviewing and approving FAP applications. Given the benefit of several years’ experience, the AAC also suggests clarifications to the zoning code are needed and would welcome participation in a working group to provide recommendations.

The primary use of land in the Agricultural Reserve is and always should be agriculture. FAP, incidental stays, and any other expansions of commercial business in the AR must be undertaken solely as an accessory use to farming based on clear, forward-thinking policies that protect the AR while allowing our farmers to bring the products they raise to market in ways that both educate and interest the consumer.



The AAC asks the council to assign ZTA 23-09 to a working group that would be tasked to:

1. Clearly define the characteristics of activities that are accessory agricultural uses, and,
2. Determine if/how incidental outdoor stays could be an accessory agricultural use or a different use category completely and define how the use should occur.

I look forward to working with the Council on this matter, please let us know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Lori Larson". The signature is written in a cursive, slightly slanted style.

Lori Larson, Chair

Cc: Marc Elrich, County Executive