

West Montgomery County Citizens Association
PO Box 59335
Potomac, MD 20854

January 11, 2024

Andrew Friedson, President and Councilmembers
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

RE: ZTA 23-09 Farming-Incidental Outdoor Stays

Dear Council President Friedson and Councilmembers:

Proposed ZTA 23-09 would allow an entirely new type of overnight lodging in the Ag Reserve. Following the discussion of the ZTA with Council President Friedson at our December General Meeting and after consultation with stakeholder organizations actively involved in the Ag Reserve, the West Montgomery County Citizens Association voted to oppose the ZTA and we urge the Council to do so as well. The position statement of the Sugarloaf Citizens Association provides a summary of many of the reasons why we oppose the ZTA:

SCA is opposed to the ZTA. It is overly broad, poorly justified, and could set a perilous precedent. The measure should be pulled from Council consideration. This is too big a change to Ag Reserve zoning and policy to move forward without a much better understanding of the interest of farmers and the impact on the Ag Reserve. The Council and County Executive should consider supporting a public dialogue in 2024 on the status and future direction of agritourism in the Ag Reserve, which is only one component of supporting agriculture in Montgomery County. That dialogue could include a full evaluation of whether permitting overnight stays on Ag Reserve farms is of interest to farmers and residents and, if so, how best that might be done.

Additional reasons include:

► Permanent and semi-permanent structures are not authorized by Maryland law governing Agritourism. The law passed by the Maryland General Assembly (Senate Bill 296) in 2022, which was cited by ZTA sponsor Councilmember Natali Fani-González (District 6) as the basis for this ZTA, provides no basis for the ZTA. To the contrary, Senate Bill 296 only expanded the definition of Agritourism to include “camping” and “incidental outdoor stays” (Emphasis added). In no way does the statute pave the way for permanent or semi-permanent structures as envisioned by the sponsors of this ZTA or other ZTA supporters who seek permanent “Ritz Carlton” quality cabins.¹

¹ Montgomery Countryside Alliance Newsletter, <https://www.mocoalliance.org/news/overnight-accommodation-proposal-requires-balance-and-stakeholder-engagement>

The Maryland Farm Bureau supported this State measure to allow camping but when asked about this MoCo ZTA, a Farm Bureau representative said:

“Maryland Farm Bureau supports farm camping (incidental outdoor stays). However, the position on adding permanent structures for temporary stays should be viewed as a bed and breakfast or Airbnb. Not as an agritourism activity. Farm Bureau has no policy supporting the development of bed and breakfast structures as an Ag activity and would not support as agritourism.”

Furthermore, overnight lodging is addressed in the County Code’s Chapter 54. Advancing this use outside of the proper zoning category with requisite regulatory requirements raises a whole host of additional legal and practical issues.

- ▶ The ZTA has been proposed with not even a minimal analysis about the long-term impact of this poorly thought-out change in law upon the long-term goals and planning for one of Montgomery County’s greatest and internationally acclaimed resources.
- ▶ Those with the greatest expertise about and experience in the Ag Reserve, including the most visible and well-known stakeholder organizations, have unanimously opposed this ZTA². In addition to these farmers and residents, other important users of the Ag Reserve were not consulted in the creation of the ZTA. A public meeting sponsored by Montgomery Countryside Alliance and the Sugarloaf Citizens Association was held on December 13, 2023 and attracted about 75 community members, Ag Reserve farmers and residents. All but 2 attendees were opposed to this ZTA. The citizens who attended the December 13th public meeting made it clear that consumer demand for overnight stays on farms had not been demonstrated, nor had any support been expressed by farmers.

For these reasons, we urge the Council to reject ZTA 23-09.

Sincerely,

Barbara Hoover
West Montgomery County Citizens Association
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² Letter dated December 15, 2023 from Montgomery Agricultural Producers, Inc, Montgomery County Farm Bureau, Montgomery Countryside Alliance, and Sugarloaf Citizens Association to Andrew Friedson, County Council President