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Caroline Taylor  
Executive Director  
[caroline@mocoalliance.org](mailto:caroline@mocoalliance.org)

Kristina Bostick  
Senior Conservation  
Associate  
[kristina@mocoalliance.org](mailto:kristina@mocoalliance.org)

## Testimony ZTA 23-09

Submitted by: Caroline Taylor, Executive Director

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Good evening, I am Caroline Taylor testifying on behalf of Montgomery Countryside Alliance's board and members. At the center of our mission is the preservation of agriculture in Montgomery County. We stand with our colleagues at Sugarloaf Citizens Association, the MC Farm Bureau, the Montgomery Agricultural Producers, and many others in asking that ZTA 23-09 be withdrawn.

We do not make this request lightly. Over many years MCA has worked with council and stakeholders to address concerns with or advance legislative proposals. We have served on multiple committees aimed at advancing a strong ag sector, including the recent Agritourism Working Group. We have provided suggestions for amendments and supporting regulatory framework... we've joined the hard work to reach consensus whenever possible. **We cannot do so with this zoning amendment, however.**

**Here is why.** When several folks met with the ZTA's chief sponsor and staff after its introduction to gain an understanding of the purpose and mechanism for this zoning change, we asked why the use hadn't been addressed as an amendment to chapter 54 of the County's zoning code where various options for overnight stays, including in the Reserve, are in place. The answer we were given: this is re-defining in the code under the definition of farming. **And that right there is the rub.**

This ZTA is not a conceptual exercise but rather a consequential proposition to amend 59 C- 2 -6 of the zoning code under the definition of farming to provide for commercial lodging facilities in an area master planned for the preservation of agriculture. It is reasonable to ask why amend this section when both indoor lodging and outdoor camping (defined as recreation/entertainment) are provided for in various zones elsewhere in the code. Campground see **Sec. 59-G-2.11 Overnight lodging, whether constructed on site, or wheeled in - is not an agritourism activity. It is a commercial use on a farm. This hearing has been noticed as amending Chapter 59 of the code. That can't be amended away.**

**No amount of tinkering with amendments will correct this ZTA's fatal flaw.**



**Radiating effect: Cost of farmland** you have received a number of comments from producers bringing to your attention the increasing challenges they face to gain access to reasonably affordable farmland here. Advancing non-agricultural uses as accessory to agriculture will only exacerbate this challenge. We have a daunting amount of collaborative work ahead of us to make sure that we can support our family farms and, importantly, expand and diversify agriculture in the Reserve building a resilient and equitable local food system. We are eager to get to work on that with you.

Please enter into the record this testimony and these resources.

**Ag Reserve Master Plan**

<https://montgomeryplanning.org/wp-content/uploads/2016/09/PreservationAgricultureRuralOpenSpaceFunctionalMasterPlan1980ocr300.pdf>

**Land Link Montgomery**

<https://www.mocolandlink.org/>

**Challenges**

<https://www.mocoalliance.org/news/dodo-farms-summit-highlights-mocos-bipoc-and-women-run-farms>

**Montgomery County Planning Agritourism Study**

<https://montgomeryplanning.org/planning/agricultural-reserve/agritourism-study/>

**Farming at Metro's Edge Report**

<https://montgomerycountymd.gov/agsservices/Resources/Files/publications/famefinalreport.pdf>

**MC Zoning Code lodging**

<https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomerycountymd/0-0-0-153578>

**66 B and requirement for substantial consistency with master plans**

<https://scholarworks.law.ubalt.edu/cgi/viewcontent.cgi?article=1071&context=ubjld>

**Article 66B requires consistency between the comprehensive plan, the implementation tools that are designed to execute the plan, and the decisions made on all applications for zoning changes...**

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<https://planning.maryland.gov/Documents/OurProducts/Publications/OtherPublications/PlanningCommissionDuties.pdf>