

## Zoning Text Amendment 23-09

My name is Gretchen Ryan and I reside at [REDACTED]

I am OPPOSED to ZTA 23-09 .

- The purpose of the AR is to protect farmland, agriculture, open space, and water resources.

### Why ZTA 23-09 should be rejected?

- The purpose of the AR is to protect farmland, agriculture, open space, and water resources.
- The ZTA does not meet any of the fundamental purposes of the AR to preserve working farms including both open space and water resources, and therefore it should be rejected.
- The ZTA would eliminate the current AR Zoning limits on the maximum footprint for any structure, and the total footprint of all structures primarily used for education or tourism to 10% of the total footprint square footage of all structures on the site used for agriculture. As result these structures could be any size.
- Eliminating this restriction and allowing 10 luxury resort lodging structures of any size to be constructed on one property is not consistent with the purpose of the AR.
- The ZTA would allow occupancy of the 10 structures by no more than 2 persons 18 or older but has no limit on the number of persons under 18 who can accompany them. While the ZTA would limit the length of individual stays to 4 days, it does not prevent each unit from being occupied 365 days per year by different persons for stays of 4 days or less.
- Authorizing 20 or more additional persons to reside on a single farm property, on a year-round basis, would create a significant burden on an already stressed well aquifer and waste disposal in the AR. Particularly in this instance when it would be combined with a proposed distillery.
- The ZTA would authorize the addition of the 10 lodging structures to a property that may have other authorized but restricted uses under other provisions of the zoning code such as Farm Distilleries.
- Distilleries are recognized to use substantial amounts of water and create up to 15 gallons of waste per gallon of product. Authorizing 20 or more additional persons to reside on such a property year-round would place an unprecedented burden on the well water aquifer and waste disposal in the AR.
- The ZTA misleadingly adds and applies the term “outdoor stays” to the uses that are an accessory to farming in the AR; while in fact it creates authorization for the construction of up to 10 luxury resort type structures with no size limits, in which people can stay for up to 4 days at a time. Applying the term outdoor stays to accommodations in these types of structures is completely inconsistent with the other types of outdoor activities that are authorized in the AR.
- Finally, adopting the ZTA would create confusion and conflict with the already limited authorized uses and restrictions under Agricultural Preservation Easements; that have been purchased by Montgomery County using millions of dollars in taxpayer funds. Keeping and enforcing these restrictions is critical for the preservation of the AR.

To Be considered:

- How does the ZTA promote farming in the AR? Education on a farm-distillery for those under 21? Overnight stays at a farm-distillery for those under 21? No limit to those under 21?
  - Open space/land will be taken up by these no size limit structures, the aquifer will be stressed
  - The roads in that particular area are rural. What would the impact be on the traditional farmer who already has stressors moving farm equipment?
- If the ZTA is moved forward in the AR in combination with the proposed distillery who would regulate the noise levels, stays, pollution, farming - education?
- ZTA 23-09 is proposed as a great opportunity for struggling farmers to earn extra income.
  - How much extra income is the county hoping to get from the ZTA?
  - Key question -- How is the already struggling farmer supposed to add structures for overnight stays?
- Finally, this should be moved out of the AR and into the IBC – International Building Code or Commercial building code.
- The ZTA as proposed is circumventing the AR Building Code. any deviation to circumvent the IBC and life safety code would be detrimental and unsafe to both current residents that live in the area and future visitors to the ZTA and distillery.
  - Switching to IBC or Commercial (as both the distillery and overnight stays are commercial proposals) would have stricter regulations on water, number of people, number of buildings.

Please table any consideration of the ZTA 23-09 and form a committee to fully assess and understand ALL the impacts it would have on the AR. The County Council should not make the significant changes or eliminate the important use restrictions proposed in ZTA 23-09 without critical study and consideration. We (the general public) are entitled to, would like involvement in and need a thorough investigation with full transparency including access to business plans, permits, schedule of the ZTA 23-09.