

Overnight Stays in the Ag Reserve

Community Meeting

Office of Agriculture | May 29, 2024
Councilmembers Marilyn Balcombe and Dawn Luedtke

How We Got Here



Montgomery County Council
Councilmembers Marilyn
Balcombe and Dawn Luedtke

2022 - State Legislation

Maryland General Assembly passes and Governor signs Senate Bill 296/House Bill 558, inserting “camping” and “incidental outdoor stays” as activities included in the State’s Land Use law definition of “Agritourism”.

Current Montgomery County Zoning Code does not allow “Campground” use in Agricultural Reserve (AR) zone and does not include “incidental outdoor stay” or similar concepts as a use.

How We Got Here

November 2023
Councilmember Fani-
González introduces ZTA
23-09, Farming -
Incidental Outdoor Stays.



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ZONING TEXT AMENDMENT No.: 23-09

- 27 G. Incidental outdoor stays accessory to Farming are not a Short-Term
28 Residential Rental under Section 3.3.3.I. Incidental outdoor stays must
29 satisfy the following standards:
- 30 1. Accessory agricultural education and tourism activities are conducted
31 as part of the farm’s regular operations and satisfy the requirements of
32 Section 3.2.6.F.
 - 33 2. Incidental outdoor stays must be in separate structures from the
34 primary residence.
 - 35 3. No cooking facilities are permitted within the same structure as the
36 sleeping quarters.
 - 37 4. The maximum number of structures permitted for incidental outdoor
38 stays is 10 structures.
 - 39 5. The maximum number of occupants per structure who are 18 years or
40 older is 2 persons.
 - 41 6. Incidental outdoor stays are permitted a maximum of 4 days per week.

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How We Got Here

January 2024 - Public Hearing

Public and stakeholders express significant concerns about potential impacts of “incidental outdoor stays” on preservation of agricultural land, water and sewer infrastructure, and long term commitment to the Agricultural Reserve. Public also expresses concerns about true nature of the connection between incidental stays and farming.



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Blackberry Farm, Tennessee

Willow-Witt Ranch, Oregon



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Since the Public Hearing...

- Councilmember Fani-González agrees to pause Committee consideration of ZTA 23-09.
- Councilmembers Balcombe and Luedtke meet with Ag stakeholder leaders on an “alternate” approach.
- Committee (PHP) tentatively scheduled to consider ZTA 23-09 this summer.
- **May 3** - Councilmember Fani-González advises Councilmembers she will be seeking amendments to 23-09 that creates new “Overnight Farm Stays” use under “Lodging” section of Zoning Code.

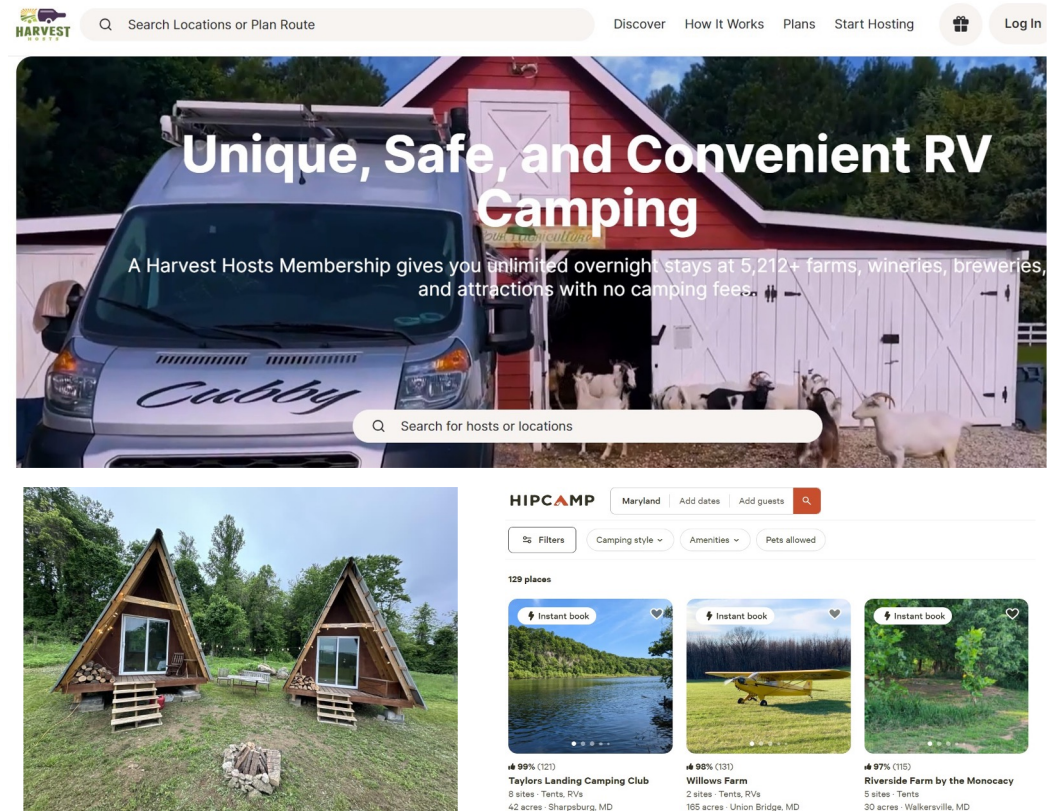
What Next?

We want to hear from you

- Consistent concern from Ag Reserve stakeholders, residents, and advocates has been the need for a more robust discussion of this concept and potential guardrails.
- Some remain interested in some form of “overnight stays” in the AR Zone.



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Screenshot of Harvest Homes website for overnight RV stays; A-Frame Cabins in Frederick County (Beespoke Farms); Screenshot of Hipcamp site for camping stays.



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What Next?

“Campground” ZTA

- **April 20** - Farm Bureau, Montgomery Agricultural Producers, Countryside Alliance, Sugarloaf Citizens Association, Agricultural Advisory Committee, Agricultural Preservation Board suggested “alternate” approach that allows camping and temporary structures limited in key ways to minimize impacts.
- Councilmembers Balcombe and Luedtke have drafted ZTA to reflect this, and are in further discussion with public and leaders of these stakeholder groups to refine this alternate proposal for introduction this summer.



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What Next?

“Campground” ZTA - Key Features

- Conditional Use - requires Hearing Examiner to review all proposals for compliance
- Campground must be located on a property used for farming of at least 25 acres
- No more than 10% of the property or 5 acres, whichever is smaller, may be used
- No heating, ventilation, and air conditioning (HVAC) systems permitted
- No kitchen or sanitation facilities are permitted within the same structure as the sleeping quarters, unless inside a recreational vehicle (RV)
- Maximum number of tents, RVs, or removable structures used for sleeping is 5 for a property between 25 and 100 acres and 10 for a property more than 100 acres
- Maximum size of each tent or removable structure is 400 square feet
- DPS-approved sanitation facilities permitted only in a structure separate from the sleeping quarters, unless inside a RV
- A guest may stay a maximum of 2 nights
- Sound levels must satisfy the County’s Noise Ordinance



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Contact Us



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Discussion



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Questions and Comments



We will bring you a microphone!

Thank You!



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