

July 1, 2024

TO: Montgomery County Council

FROM: Anthony Huffert, Darnestown MD

SUBJECT: Written Testimony for Zoning Text Amendment (ZTA) 24-02 [Agricultural And Rural Zones - Campground](#) (July 16, 2024 public hearing).

I am a longstanding resident within the Montgomery County Ag Reserve and cannot attend the July 16th public meeting on ZTA 24-02 either in-person or remotely. Therefore, I'm submitting my written comments (testimony) to the Montgomery County Council on ZTA 24-02 in this document.

My three pages of written testimony on ZTA 24-02 comprises 13 comments, which are provided below.

1. ZTA 24-02 needs to address minimization of traffic impact to local roads, and evaluate the impact to bicyclists' safety from increased traffic in the Ag Reserve due to implementation of ZTA 24-02.
2. ZTA-24-02 needs to establish limits on the total number of campsites allowed in the Ag Reserve, not just per zone type, as proposed. Specifically, Montgomery County Councilmembers need to work with Montgomery County government agencies to provide the public with (1) reasonable/realistic and (2) maximum possible estimates of the total number of campsites that could occur if ZTA 24-02 is implemented.
 - A quick estimate indicates that the total number of individual campsites could be well into the hundreds and possibly thousands, based on the proposed zones and limits in ZTA 24-02. This represents significantly increased vehicular traffic throughout the Ag Reserve.
3. ZTA 24-02 needs to address noise and light pollution from campsites. Minimizing noise and light pollution from all guests should be accomplished by setting enforceable lights-out and quiet-hours requirements and guidance, and inspected. In addition, there should be a clear requirement that does not allow late arrivals (after 9:00 PM) to a campsite in order to reduce road travel at night through the Ag Reserve.
4. ZTA 24-02 needs to include requirements that minimize visual impacts from campsites. Farmers should not be allowed to install sanitation equipment or any camping-related facility that is visible from any road within the Ag Reserve. In addition, advertising signs should not be allowed *at all*. A durable, attractive and small sign (no billboards or cheap paper signs on stakes) should be allowed near or at the farm entrance, and should be used solely for the purpose of identifying the farm name and address (i.e., not an advertisement).

5. ZTA 24-02 should be an amendment that expires (terminates fully) in “X” years, and it should require that a NEW amendment (with full administrative process and review) is necessary to allow any or all of the approved ZTA 24-02 camping provisions to continue in the Ag Reserve (after ZTA 24-02 expires in “X” years). This provision is necessary to send a strong message that farmers should not invest significant capital in infrastructure for this line of income because ZTA 24-02 could be rescinded, and that a new amendment that would allow campsites may not passed. In addition, this requirement allows for a hard pause point to reevaluate the pros and cons of allowing farmer campsites in the Ag Reserve.

6. ZTA 24-02 should require that farmers must obtain a license, not just file an application or permit, to allow camping on their land. See related comments 7, 8 and 9 below.

7. ZTA 24-02 should require that the Montgomery County government establish implementing regulations and guidance that farmers must follow when they apply for a license to allow campers on their land. The requirements of the license and the regulations and guidance would be inspectable and enforceable. Specifically, non-compliance with the Montgomery County license conditions, regulations or guidance would be subject to monetary fines and quick termination of the farmer's camping license. Therefore, the licensing process must have firm provisions for addressing non-compliance with the issued license, Montgomery County's regulations, or guidance because a significant monetary fine, combined with the authority to efficiently and effectively terminate camping operations, are needed to ensure farmer compliance.

8. As a Councilmember, please consider the following perspective on ZTA 24-02. The Montgomery County government has established a comprehensive administrative process for Montgomery County residents to follow when they want to make minor (or major) changes to their residence. The Montgomery County government published permitting requirements that require detailed blue-prints, a formal review processes, inspections, fees, and stiff fines for non-compliance. It should be noted that these requirements are for a resident's personal dwelling --- not a for-profit business that involves the safety of the public and environmental impacts. So, why should the Montgomery County government allow farmers to run camping businesses in a manner that is less regulated than even a simple modification to a Montgomery County resident's own dwelling?

9. ZTA 24-02 should require that farmers must submit annual reports to the appropriate Montgomery County government agency for the purpose of inspection and tracking individual farm compliance, and for the purpose of obtaining useful data on the total number of campsites used per year in the Ag Reserve and possible environmental impacts from its implementation.

10. The definition of “removable structures” requires further explanation and definition in ZTA 24-02. For example, is a Morton-style building considered a removable structure? What about an outhouse? This definition and explanation must address sanitation

facilities at campsites. For example, is a porta-potty allowed without Montgomery County government review, or does something more than a porta-potty need to be permitted by the Montgomery County government for compliance with sanitation requirements?

11. Section 3 of ZTA 24-02 is inadequate, as proposed. It only addresses "measurable" impacts on operations of lease or tenant farmers, local food production, and "any other data points" the Planning Department finds useful or relevant. The impact to bicyclists, tourists using crowded roads, streams, wildlife, and local residents are not mentioned. Also, the amendment should define "measurable," list parameters that will be monitored, and specify what information is used to evaluate acceptable and unacceptable impacts.

12. ZTA 24-02 should not, in any way, serve as a gateway for the expansion of "overnight stays" in the Ag Reserve at facilities that are *not* campsites. Specifically, ZTA 24-02 should include in its preamble a clear statement that explains that one of its purposes is to effectively limit both present and future large-scale (more than campsites) development AND extended stays (more than 2 nights) because overnight lodging should be purposely limited and comport within the historic rural character of the Ag Reserve;. The rural character of the Ag Reserve is an attribute that must be maintained, now and in the future.

13. ZTA 24-02 appears to be a vast improvement over ZTA 23-09. However, as proposed, it is a loosely defined amendment that lacks specificity on key provisions. This lack of specificity can result in a "less is more" approach taken by interested parties – an approach with enormous leeway for interpretation and implementation of ZTA 24-02. This result effectively serves, simultaneously, as a *benefit* to interested parties' and a *detriment* to residents and visitors in the Ag Reserve.

Thank you.

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