



House Bill 1120

Land Use – Zoning – Agritourism Activities

MACo Position: **OPPOSE**

Date: February 28, 2018

To: Environment and Transportation Committee

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **OPPOSES** HB 1120. This bill would needlessly impose a land use mandate on county governments that would disrupt local agricultural landscapes.

HB 1120 would require a local jurisdiction to authorize “agritourism activities” on farms through a local ordinance, resolution, law, or rule. The bill’s definition of “agritourism activity” encompasses an extensive list of activities, including: farm tours; seasonal petting farms; farm museums; classes related to agricultural production or skills; bed and breakfast accommodations; festivals; weddings; and outdoor recreation activities such as swimming, paintball, and non-motorized off-road bicycling.

Land use decision-making is a primary county government responsibility and the bill would unnecessarily infringe on local autonomy. Counties already have the authority to determine which agritourism activities are appropriate for their jurisdictions. In reaching these decisions, counties consider the effects the proposed activity would have on the primary agricultural purpose of the property, adjacent properties, local infrastructure, and the historical and cultural heritage of the region. HB 1120 ignores these important local considerations in favor of an ill-fitting “one-size-fits-all” solution.

Additionally, the bill’s agritourism definition is overbroad and includes activities that have little or no direct connection with agriculture. For example, water skiing, tubing, paintballing, and mountain biking are all expressly included in HB 1120’s definition of “agritourism activity.” Requiring such non-agricultural activities to be permitted on farms risks undermining their inherent agricultural nature.

HB 1120 would impose an unnecessary land use mandate on county governments with an overbroad agritourism definition. The bill risks upending the nature of a county’s local agricultural landscape. Accordingly, MACo requests the Committee give HB 1120 an **UNFAVORABLE** recommendation.