

At the public testimony on September 15, there were a number of questions that I could have done a better job of addressing. I thought during my meetings last year in Annapolis with our three Delegates, I had answered all the questions and they were ready to support so I was a little surprised by the questions and maybe not fully prepared. However, it has been some time since the Session ended and I know you are asking the questions because you are concerned about public safety. As I stated on Tuesday though, this bill poses no public safety risks but I do want to address your questions in depth and fully so can be sure for the sake of you constituents. *If you have any further questions, please do not hesitate to ask.* I am truly trying to help our county be the best it can be both in terms of economics and entertainment so let's work together to get this done. I have been a citizen of Charles County since I was 7 years old and plan to stay here, so like you, I have a vested interest in volunteering my time to make our best better.

The link to last year's bill can be found here for easy reference --
<http://mgaleg.maryland.gov/2020RS/bills/sb/sb0432f.pdf>

Some highlights:

1. It was unanimously approved through the Senate last year before COVID shut down the session.
2. It has letters of support submitted to the State of Maryland from multiple citizens, President and Fire Chief of the Charles County Volunteer Firemen's Association, Grow & Fortify, The Charles County Commissioners (letter signed by Reuben Collins on their behalf), Maryland Farm Bureau, Charles County Farm Bureau, Maryland Department of Agriculture, Farm Heritage Conservancy, Serenity Farm. Also, I have received a personal letter from Senator Mike Miller expressing his support. If you need any copies of the letters they can be found at the link <http://mgaleg.maryland.gov/2020RS/bills/sb/sb0432f.pdf> or I can send you copies upon request.
3. It helps preserve local open space entertainment for our citizens at no cost to the County and probable revenue.
4. It helps preserve a local food supply chain (something that became very important during COVID).

Purpose – this bill adds us to an existing list of counties (10 currently) that by their use has proven the bill has not posed a safety risk. No county has asked to repeal the legislation. The building needs to be an existing building (buildings cannot be built for the purpose of agritourism). It states a building permit under certain circumstances (noted below) would not be required.

What are the Standards that would change with the State legislation change? --
Nothing would change based on the State legislation. The bill permits the county to

remove certain standards but no standards are removed until the county creates a Zoning Text Amendment to do so.

When Standards are referred to, they mean the Maryland Building Performance Standards which use the International Building Code Standards. This bill could potentially lower the standards (if the County creates a ZTA to do so) to the IBC level like it is for the other Maryland counties.

If the county creates a ZTA to permit, what would potentially would change?

Bathrooms – no changes would occur. All Federal ADA regulations would still apply as neither State nor County can alter those regulations.

Elevators – Again, all Federal FDA regulations would still apply so no change.

Sprinkler systems – Sprinkler requirements would have to comply with Fire Prevention Codes adopted and enforced by the State Fire Marshall. The building would still need to be inspected by the Fire to ensure there are proper egress that would warrant removing the requirement for sprinkler systems. Currently, even if means of egress is an open door that is literally a barn door (very wide), the Fire Chief cannot remove the requirement for sprinklers. This would allow the Fire Chief to remove the requirement IF they find it is safe enough to do so AND IF the county creates a ZTA that aligns with the state legislation.

(Note: The above was verified with Norman Wang, Director, Building Codes Administration, Division of Labor & Industry, Maryland Department of Labor, norman.wang1@maryland.gov)

What counts as an agricultural building? It has to be an existing building that is not used for human residence and is a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. The building must be in structurally sound and in good repair.

What is agritourism? An activity conducted on a farm that is offered to a member of the general public or to invited guests for the purpose of education, recreation, or active involvement in the farm operation.

Would it be better to create our own bill that included specific restrictions rather than be added to the other counties? No. This bill allows the county to create specific restrictions and NO AGRICULTURAL BUILDING CAN BE USED FOR AGRITOURISM UNTIL THE COUNTY CREATES THOSE RESTRICTIONS VIA A ZTA. Not only is it a more simple path to just be added to the other counties, this allows Charles County to create specific restrictions that meet our individual codes and situations. It also allows more flexibility in the event the initial restrictions are not correct. For example, if the initial restrictions in the bill required a 100 foot setback and it was determined later that it really needed a 200 foot setback, to

change it would require the full process of modifying a State bill and a significant amount of time. If the restrictions are set at the county level, to make that change would just require a County level Zoning Text Amendment.

Thank you for time and consideration,

Brianna Bowling

brianna@brindan.org

301.643.0985