



AGRICULTURAL ADVISORY COMMITTEE

Regular Meeting Agenda December 19, 2023

1. Introductions
2. Approval of the October 17, 2023 AAC minutes
3. [Bill 40-21, Individual Water Supply and Sewage Disposal Systems – Amendments](#)

The OAG will continue to monitor this bill, which will be scheduled for a second T&E Committee Work Session.

4. Office of Legislative Oversight (OLO) Report on the status of Transferable Development Rights (TDRs) and Building Lot Termination (BLT) programs

The OAG will continue to monitor the process of the Planning Department providing recommendations to the County Council on these programs.

5. Recommendations to revise farm alcohol production Zoning Text Amendments 18-03 and 18-14

The AAC and Agricultural Preservation Advisory Board have both written letters recommending specific increased lot size and crop acreage requirements for farm alcohol production. The County Council is aware of these recommendations and the OAG will remit the letters to them at the appropriate time.

6. Rustic Roads Advisory Committee

The following commodity farmers indicated they had applied or would apply to serve on the RRAC:

Tom Linthicum, Mason Hopkins, John Jamison, and Billy Willard. Sr. (as the representative recommended by the AAC)

The initial application deadline was December 15, 2023. However, due to additional interest in the positions, on December 18, 2023 a second application window ending on January 5, 2024 was advertised.

7. November 6, 2023 Economic Development Committee work session on agritourism

The work session was held at the Ag History Farm Park and its intent was for the County Council to hear about progress that has been made in the agritourism industry since the 2019 Agritourism Study and how the Council can support the industry. Representatives from several government agencies (OAG, Planning Dept., Revenue Authority, Visit Montgomery, and MDA) and agritourism businesses (Butlers Orchard/Doc Waters Cidery, Lone Oak Brewery, Windridge Vineyard, Waredaca Brewery, and Dressage at Sundown) presented information to the committee.



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8. [ZTA 23-09, Farming – Incidental Outdoor Stays](#)

On November 7, 2023, the County Council introduced Zoning Text Amendment 23-09 (lead sponsor: Natali Fani-Gonzalez, co-sponsors: Evan Glass and Andrew Friedson), which would allow structures for overnight guest stays as part of a farm's agritourism activities and therefore as an accessory use to farming. On December 6, 2023, the Sugarloaf Citizens Association hosted a stakeholders meeting for the community to provide feedback to Councilmember Fani-Gonzalez. The majority of the attendees voiced opinions against the ZTA and listed numerous concerns. The public hearing at the County Council is scheduled for January 16, 2024.

9. [ZTA 23-08, TDRs and Cemeteries](#)

ZTA 23-08 is proposing to allow existing cemeteries to expand onto properties encumbered by TDR easements. Given that the OAG believes only three of the four-AR zoned cemeteries would be able to take advantage of this ZTA, the office submitted comments neither opposing nor supporting it, seeing no threat to farmland from the proposed change as long as it remains confined to cemeteries and does not include family burial sites. The public hearing is scheduled for January 16, 2024.

10. November 27, 2023 Solar Summit at MDA – link to presentations -

<https://mda.maryland.gov/Documents/11.29.23%20Solar%20Summit%20Presentation%20.pdf>

11. December 15, 2023 Public Services Commission (PSC) public conference on the approval process for solar projects

Solar projects between 2 and 5 MW, now allowed under State law, must obtain a Certificate of Public Convenience and Necessity (CPCN) in order to receive approval from the PSC. The PSC hosted a public conference on December 15, 2023 to receive feedback on the CPCN process. The OAG and Planning Department both submitted comments. Both sets of comments urged the PSC to take into consideration Montgomery County's Zoning Code when approving or denying a solar project in the county's AR zone, given the extensive public process that led to the current Code requirements. These requirements were listed, including the prohibition of solar projects on Class I and II soils. The comments also stated that the siting process for community solar projects should consider the 1980 Preservation of Agricultural and Rural Open Space Functional Master Plan, which established agriculture as the primary land use in the AR zone.

12. Agricultural Advisory Committee

The AAC needs to recruit three farmer members and one non-farmer member (see vacant positions below). Six applications were received by the application deadline of December 11, 2023. The OAG will schedule January interviews for the applicants.

Expired Appointments

Aliza Silver
Eleanor Leak



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Patrick Jamison
Pete Driscoll

13. Vacant Agricultural Preservation Program Administrator Position

The position was advertised on October 26, 2023 and the application period ended on November 27, 2023. The OAG will be interviewing the applicants in January.

14. Update on the Crossvines Facility

The Crossvines sourced from a few county farms this fall and will hold monthly meetings with the OAG to prepare for increased local sourcing this coming spring.

15. The next meeting of the AAC will be held on January 16, 2024 at 7:00 pm via Microsoft Teams.

16. Upcoming Meetings and Events:

Montgomery County Farm Bureau Board of Directors meeting: January 2, 2024

Agricultural Preservation Advisory Board meeting: January 9, 2024

Montgomery Soil Conservation District Board of Supervisors meeting: January 12, 2024