Montgomery County Agricultural Advisory Committee (AAC)
Regular Meeting Minutes
March 19, 2024

1. The meeting was called to order at 6:59 pm.

2. Introductions

   Committee: Lori Larson, Jane Evans, Jeff Dowling, Tim Hussman, Michael Protas, Ben Butler, Matt Lechlider, Tom Precht, Russ Allnutt, Ellen Gordon, Fred Lechlider

   Staff: Mike Scheffel, Mike Weyand, Natalia Salazar

   Guests: Aaron Kraut, Craig Wilson, Margaret Chasson, Dale Tibbitts

3. Approval of the February 20, 2024 AAC minutes

   Jane Evans introduced a motion to approve the minutes, Tim Hussman seconded, and the motion passed unanimously.

4. 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.

5. 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.

6. Planning Department ideas to support TDR and BLT Programs through the Incentive Zoning Update

   On March 08, 2024, Montgomery Planning Staff met with the Office of Agriculture to provide an update regarding the status of the Incentive Zoning Update Project and discuss various ideas regarding how this update could bolster support for the Building Lot Termination (BLT) and Transferable Development Rights (TDR) programs. These potential ideas are described in the Planning Department memo that was forwarded to the AAC meeting attendees. The group also discussed operational challenges observed in administering these programs and how a more streamlined process could be put in place to facilitate the transaction of BLTs and TDRs between developers in receiving areas and farmland owners in sending areas.

   Mike Scheffel recommended that the AAC provide the Planning Department with clear feedback on which potential idea they consider to be optimal. Lori Larson asked if it would

work with the Planning Department's timeline for the AAC to discuss this during a future meeting and Mike responded yes. Lori noted that Councilmembers Balcombe and Luedtke will join the April meeting to discuss ZTA 23-09 and asked the committee if they agree with discussing the Planning Department's ideas during the May meeting and the group agreed.

7. [SB1082/HB1328](), Solar Energy and Energy Storage - Development and State Procurement

This state bill has received a first hearing with the relevant committees in both the Senate and House.

Mike Scheffel indicated that this bill has been dropped.

8. [HB0798](), Montgomery County - Alcoholic Beverages - Class D Beer and Wine License – Farm Breweries and Limited Wineries

This state bill was introduced by the Montgomery County Delegation to the General Assembly and has not yet moved beyond the House. It would allow Montgomery County farm wineries and breweries (Class 4 "limited winery" and Class 8 "farm brewery" State license holders) to apply for a County Class D license to sell beer, wine, and cider produced by other Class 4 or Class 8 license holders for both on- and off-premise consumption. Some of the county breweries and wineries have indicated they would like to offer other farm-produced alcohol besides their own during tastings.

Mike Scheffel indicated that this bill has been dropped.

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

On March 1, 2024, Councilmembers Marilyn Balcombe and Dawn Luedtke and their chiefs of staff met with Doug Lechlider (representing Montgomery County Farm Bureau), Bob Cissel (Montgomery Agricultural Producers), Caroline Taylor (Montgomery Countryside Alliance), and Steve Findlay (Sugarloaf Citizens Association) at the OAG office. The two Councilmembers indicated that the Planning, Housing, and Parks Committee work session on this ZTA will likely be scheduled for June and in the meantime, they are to seek input from stakeholders on amendments to the ZTA that would alleviate as many concerns as possible. They emphasized that they are both opposed to the ZTA as currently written, but without any feedback from the agricultural community, this ZTA will likely pass with the recommendations set forth by the Planning Department's Report on ZTA 23-09. They did not receive any input on amendments from the representatives at the meeting, but they are still open to feedback between now and work session.

The two councilmembers indicated that they think they have three options: 1) no action, 2) offering amendments to the current ZTA based on feedback from the agricultural community, and 3) introducing a ZTA of their own based on feedback from the agricultural community.

Lori Larson asked the committee which option they would support. Several members expressed the opinion that the agricultural community should provide recommendations on amendments to the ZTA. Multiple members expressed opposition to permanent structures being allowed.

Jane Evans introduced a motion for Lori Larson to draft a letter recommending specific amendments to the ZTA or a new ZTA, with input from the AAC and broader agricultural community, Tim Hussman seconded, and the motion passed. Lori added that she will need help in obtaining feedback from other agricultural groups and Jane volunteered to share the letter with the Montgomery County Farm Bureau. Jane Evans recommended that one of the recommended amendments be a requirement for the overnight structures to be temporary. Lori asked the committee members to email her their suggestions for amendments.

10. Tour of Loudoun County agritourism businesses

At the request of Councilmember Natali Fani-Gonzalez, on March 13, 2024, the OAG helped lead a tour of agritourism businesses in Loudoun County, VA for councilmembers and members of the county Department of Permitting Services (DPS) and Planning Department. The goal of the tour was to learn how Montgomery County could encourage agritourism by reducing regulatory and other barriers. Among those who attended were Councilmembers Luedtke, Balcombe, and Fani-Gonzalez, as well as the directors of DPS and the Planning Department and the Chair of the Planning Board.

11. Visit Montgomery Rural Branding Initiative

Visit Montgomery received a grant from the Economic Development Administration for branding and marketing agritourism businesses in Montgomery County. After receiving feedback from the agritourism businesses in the county, on February 28, 2024, the OAG and Visit Montgomery hosted a second listening session to receive input from other stakeholder groups. With the information they collected during both sessions, Visit Montgomery will hire a consultant to generate branding and marketing recommendations and will convene subsequent focus group discussion meetings.

12. Vacancies in the AAC, APAB, and RRAC

The five candidates nominated to the AAC – four farmer members (Paula Linthicum, Fred Lechlider, Tom Precht, and Jeff Dowling) and one non-farmer member (Ellen Gordon) – were appointed by the County Council on February 26, 2024.

The three candidates nominated for the Agricultural Preservation Advisory Board (APAB) – two farmer members (Sarah Daken and Randy Stabler) and one non-farmer member (Nick Magliato) – were appointed by the County Council on February 26, 2024. There is a new vacancy announcement for the APAB here.

The three farmers that applied to the Rustic Roads Advisory Committee (Tom Linthicum, Mason Hopkins, and John Jamison) were interviewed by the County Executive's office but appointments have not yet been made.

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

14. Upcoming meetings and events:

    Montgomery County Farm Bureau Board meeting: April 2, 2024
    Agricultural Preservation Advisory Board meeting: April 9, 2024
    Montgomery Soil Conservation District Board of Supervisors meeting: April 12, 2024

15. The meeting was adjourned at 8:07 pm.

    Ben Butler introduced a motion to adjourn the meeting, Michael Protas seconded, and the motion passed unanimously.