



Montgomery County, MD
Agricultural Advisory Committee (AAC)
Regular Meeting Agenda
June 17, 2025

1. Introductions
2. Approval of the May 20, 2025, AAC minutes
3. Transferable Development Rights (TDRs) and Building Lot Termination (BLT) Programs

On April 29, the County Council introduced Zoning Text Amendment (ZTA) 25-05, which would: 1) require developers to contribute a specific amount to the Agricultural Land Preservation Fund (ALPF) when building above the baseline density in the Commercial Residential zone, and 2) allow the Office of Agriculture (OAG) to use these funds for public BLT and TDR purchases based on guidance from the Agricultural Preservation Advisory Board.

The amount developers will need to pay into the ALPF will be set by the amounts listed in Chapter 2B (Agricultural Land Preservation) of the County Code, which will in turn be based on the market value of a BLT as determined by the assessment the OAG recently commissioned.

On May 23, the OAG remitted to the County Council the letter from the AAC expressing support for ZTA 25-05 and stating that additional strategies will be needed to increase the demand for TDR and BLT purchases and fulfill the promise made to landowners when the Agricultural Reserve was created.

The public hearing for ZTA 25-05 was held on June 10. The County Council Parks, Housing, and Planning (PHP) Committee work session for this ZTA will be held on June 16. Once the ZTA is approved, the County Executive will need to adopt an Executive Regulation to amend Chapter 2B.

4. Proposed solar projects in the Agricultural Reserve

At the January 9 Planning Board public hearing on the Chaberton Solar [Sugarloaf](#) project (4 MW array proposed for 16 acres on 20507 Darnestown Road, Dickerson), the Board followed the recommendations of the [Planning Department's staff report](#) and voted 3-2 in favor of denying the Mandatory Referral application based on non-conformance with the county's zoning ordinance and the master plan for the Agricultural Reserve. The Planning Board also voted in favor of sending a letter to the County Council recommending that the



zoning ordinance be amended to encourage more community solar energy projects in the county, particularly in the Agricultural Reserve.

On January 24, the County Executive and Council formally submitted a [joint letter](#) to the Public Services Commission (PSC) requesting that the PSC respect the county's zoning ordinance when reviewing the Sugarloaf project application. The PSC's deadline to render a decision on this project is August 15, 2025.

At the April 24 Planning Board public hearing on the Chaberton [Ramiere](#) project (3 MW array proposed for 11 acres on 17600 Whites Ferry Road, Poolesville), the Board went against the recommendations of the [Planning Department's staff report](#) and voted 3-2 in favor of approving the Mandatory Referral application with the condition that the PSC ensure that agrivoltaics will take place at the site. The PSC's deadline to render a decision for this project is December 31, 2025.

On June 26, the Planning Board will hold the public hearing for the [Mountain Vale solar project](#) (1.8 MW array proposed for 11 acres on 17700 Barnesville Rd). Because the facility will generate under 2 MW and the application was submitted before SB0931/HB1036 will take effect, the project is required to obtain conditional use approval from the Montgomery County Hearing Examiner. Given that the proposed project conforms to the county's zoning standards for community solar projects in the AR zone, the OAG submitted a letter of support to the Planning Department, as required for the application to be approved.

5. [SB0931/HB1036](#), Public Utilities – Generating Stations – Generation and Siting
No update since May 2025

The General Assembly passed this bill with amendments. Starting on July 1, 2025, local jurisdictions in MD will be prevented by State law from adopting regulations that prohibit new community solar energy projects that generate 1–5 MW or place more restrictive requirements than those specified in the bill. The State's new siting standards do not include an agrivoltaics requirement or prohibitions for development on prime agricultural soils.

The Maryland Association of Counties (MACo) was able to achieve an amendment capping the preemption of local zoning ordinance in priority preservation areas (PPAs)—in Montgomery County, the Agricultural Reserve (AR) zone—at 5% of the PPA's land area. After this cap has been reached, the counties will be able to enforce their zoning ordinances for new projects. Farms with agricultural preservation easements (other than a TDR easement) are still protected from community solar development.

New projects 1–2 MW in size will only require review by the County, whereas projects 2–5 MW in size will continue to apply to the MD Public Services Commission (PSC) for a Certificate of Public Convenience and Necessity (CPCN).



The counties were also able to obtain the removal of the original language that would have exempted solar projects from real and personal property taxes. Thanks to an earlier bill (SB0860—effective June 1, 2022), areas dedicated to agrivoltaics are eligible for the State’s agricultural property tax rate. However, SB0931 modified the definition of agrivoltaics to exclude apiaries and pollinator habitat.

This bill also preempts local zoning standards for utility-scale energy (battery) storage facilities and requires the counties to approve and expedite applications that conform to the bill’s siting standards. Governor Moore signed this bill into law on May 20, 2025.

6. Electrical transmission line upgrades in Western Montgomery County

In order to supply the growing electricity demand in its territory, Potomac Edison, a subsidiary of First Energy Co., plans to upgrade approximately 18 miles of transmission lines running from southern Frederick County, through Western Montgomery County, and into Loudoun County, VA. The project, named the Gore-Doubs-Goose Creek Improvements Project, would primarily use existing transmission rights-of-way to replace lower voltage lines with 500 kV lines, add new 500 kV lines and support structures, and expand some substations. In limited areas, Potomac Edison plans to expand beyond the existing rights-of-way and has begun contacting landowners to purchase easements from them at fair market value. These areas include the vicinity of the Dickerson substation.

To undertake these improvements, Potomac Edison must obtain a Certificate of Public Convenience and Necessity (CPCN) from the Public Services Commission (PSC), the company will apply for in late 2025. If granted, the project would begin construction in 2027. A public listening session was held on June 11 at the Beallsville Fire Department. Potomac Edison said it will also hold individual and small group conference calls over the next 60 days upon request. People can request calls by emailing transmissionprojects@firstenergycorp.com or calling 888-311-4737.

7. OAG meeting with MD animal processors

The OAG is exploring how county and state agencies in MD can incentivize or support increased farm animal processing capacity in the state. The office has been in communication with the agricultural business development specialists in nearby counties, as well as the Flower Hill Institute, a non-profit that provides technical assistance to parties interested in building animal processing facilities.

Earlier in the year, the OAG and its counterparts in nearby counties surveyed farmers in seven counties to learn more about their processing needs. Using this information, the Flower Hill Institute provided the OAG with recommendations on the types of facilities that could



work in MD. On June 17, the OAG and others will meet with MD animal processing facility owners to find out whether they are interested in expanding their facilities, what the challenges are, and what assistance would be necessary.

8. Incubator farm discussion

The OAG is exploring the possibility of establishing an incubator farm at the Agricultural History Farm Park. Mike Scheffel shared that, due to the 1972 agreement between Montgomery County and the Maryland National Capital Park and Planning Commission (M-NCPPC), the Montgomery County Parks Department manages the Agricultural History Farm Park. Thus, the OAG would need permission from the Parks Department to establish an incubator farm there, which will likely require a show of support from the agricultural community. The AAC members expressed a desire to continue this conversation during the June meeting.

9. The next meeting of the AAC will be held on July 15, 2025, at 7:00 pm via Microsoft Teams.

10. Upcoming meetings and events:

Juneteenth (office closed): June 19, 2025

Independence Day (office closed): July 4, 2025

Montgomery County Farm Bureau Board of Directors meeting: July 1, 2025

Agricultural Preservation Advisory Board meeting: July 8, 2025

Montgomery Soil Conservation District Board of Supervisors meeting: July 11, 2025