



Montgomery County, MD
Agricultural Advisory Committee (AAC)
Regular Meeting Agenda
May 20, 2025

1. Introductions
2. Approval of the April 15, 2025, AAC minutes
3. Transferable Development Rights (TDRs) and Building Lot Termination (BLT) Programs

On December 9, the County Council's Planning, Housing, and Parks (PHP) Committee held a work session to discuss the Planning Department's recommendations on how to increase the market for TDR purchases through the Incentive Zoning Update: requiring developers to purchase either TDRs or BLTs when using the optional method of development in the CR and LSC zones (currently only BLT purchases are required) and incentivizing the purchase of TDRs over BLTs by offering developers additional density when purchasing TDRs.

The PHP committee did not agree with the recommendation of incentivizing TDRs over BLTs but rather determined that developers should simply be required to deposit a certain amount of funds into the Agricultural Land Preservation Fund, which is managed by the OAG. Based on ongoing direction from the Agricultural Preservation Advisory Board, the OAG will then use those funds to purchase either TDRs (on a first-come, first-serve basis) or BLTs (during announced open application periods).

The amount the County will pay landowners for a BLT will continue to be the amount determined through the most recent County-commissioned appraisal study. The amount the County will pay for a TDR is still to be determined by the County Council.

To allow these changes to take place, on April 29, the PHP Committee introduced Zoning Text Amendment (ZTA) 25-05. The public hearing is tentatively scheduled for June 10. After the ZTA is approved, the County Executive will need to adopt an Executive Regulation to amend Chapter 2B (Agricultural Land Preservation) of the County Code.

4. Proposed solar projects generating over 2 MW 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. Montgomery County Farm Bureau, Montgomery Agricultural Producers, Montgomery Countryside Alliance, and Sugarloaf Citizens Association are joint intervenors in the process and have filed testimony in opposition. 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.

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

6. State budget cut for agricultural preservation programs

The State settled on reducing funding for the MD Agricultural Land Preservation Fund and Rural Legacy Program by \$100 million over the course of the following four fiscal years; i.e. \$25 million per year until the end of fiscal year 2029 (June 30, 2029).

7. 2025 Montgomery County Farm Alcohol Production Report

On April 30, the OAG submitted its third report to the County Council on the status of the farm alcohol production (FAP) industry in the county. The report shows that, since the Zoning Text Amendments that allowed FAP passed in 2018, the county has seen an average of 1.2 new FAP businesses per year. In 2024, the 12 FAP properties generated over \$16 million and contributed over 330 full-time and part-time jobs. Altogether, these businesses devoted 374 on-site acres to growing ingredients used in the alcohol production and hired custom farmers to grow ingredients for them on 288 acres.

8. Tour of Montgomery County Farms for MD Agricultural Commission

On May 14, the OAG helped lead a tour of Montgomery and Howard County farms with the MD Agricultural Commission, an advisory body to MD Secretary of Agriculture Kevin Atticks. The Commission visits different counties each to gain perspective from across the state. During this tour, they visited Pleasant Valley Farm, Bella Vita Farm, the Oaks Landfill solar array, Ruppert Nursery, 61 Vineyard, and Stone Silo Brewery.

9. OAG fiscal year 2026 (FY26) budget

To meet the requested FY26 reduction in budget, the OAG proposed eliminating its contribution to the Maryland Agricultural Education Foundation Mobile Science Lab and reducing its contribution to the Deer Donation Program. However, the County Executive did not agree with these cuts and recommended an OAG budget with no reductions to the County Council. The Council approved the budget as recommended on May 8.

10. Loiederman Middle School REACH Hub

On May 9, Loiederman MS held a ribbon-cutting ceremony for its Resilience, Education, Action, Climate, Habitat (REACH) Hub, a school garden and environmental sustainability educational center. Built in partnership with the Charles Koiner Conservancy for Urban



Farming, the REACH Hub allows students to grow produce, sell it at their market, and learn about composting, solar energy, stormwater management, and other environmental topics.

11. Transit in the Agricultural Reserve

12. Incubator farm discussion

The OAG is exploring the possibility of establishing an incubator farm at the Agricultural History Farm Park.

13. The next meeting of the AAC will be held on June 17, 2025, at 7:00 pm via Microsoft Teams.

14. Upcoming meetings and events:

Memorial Day (office closed): May 26, 2025

Montgomery County Farm Bureau Annual Picnic: June 1, 2025

Agricultural Preservation Advisory Board meeting: June 10, 2025

Montgomery Soil Conservation District Board of Supervisors meeting: June 13, 2025