



Montgomery County, MD
Agricultural Advisory Committee (AAC)
Regular Meeting Agenda
February 17, 2026

1. Introductions
2. Approval of the January 20, 2026, AAC minutes
3. Transferable Development Rights (TDRs) and Building Lot Termination (BLT) Programs
No update since January 2026
4. Visit Montgomery Rural Branding project

Visit Montgomery recently made public the branding materials and messaging they will use to refresh their marketing efforts for the rural area of the county. This federally grant-funded project is targeted at bringing in visitors by highlighting the area's agricultural, outdoor recreation, and historic tourism opportunities. Visit Montgomery was going to use the term "Reserve Country" when promoting this area, but negative feedback from some stakeholders led to this term being abandoned. However, they will move forward with the marketing efforts using the term "Rural Montgomery County".

5. [Bill 7-26, Buildings – Scope and Applicability – Exemptions – Buildings or Structures used exclusively for Agricultural Purposes – Amendments](#)

This County bill, sponsored by Council President Natali Fani-Gonzalez and Councilmembers Dawn Luedtke and Marilyn Balcombe, aims to clarify which agricultural buildings are exempt from the building permit. The bill was written with input from the leaders of the agricultural community and the OAG.

As currently drafted, the bill would amend the County's building code (Chapter 8) to define an agricultural building as one used for "the work or storage of the instruments or products of agriculture" and "the business, administration, or management of agriculture and the processing of an agricultural product to prepare the product for market." This would include agricultural buildings with office space used exclusively for the management of the agricultural operation and farm alcohol production buildings with no access from the public.

This bill would not provide agricultural building status to farm alcohol production buildings where the public consumes food or beverages. It would also not change any of



the County's sediment control and stormwater requirements, which are driven by State law.

The public hearing will be held on March 10 at 9:30 A.M. in the Council Office Building. Individuals may [submit testimony online](#).

6. [Zoning Text Amendment \(ZTA\) 26-01, Commercial Uses – Data Center](#)

This County ZTA, introduced by Council President Natali Fani-Gonzalez and Councilmembers Marilyn Balcombe and Laurie-Anne Sayles on January 20, would create a new use in the zoning ordinance for data centers, which are currently not defined in the ordinance, and would restrict it to a conditional use in the industrial zones. It would establish several standards to limit the environmental, noise, lighting, and other impacts.

The County Executive held a public meeting on February 3 to present his recommendations on where the County should allow data centers and what restrictions to place on them, and to receive public input on these recommendations.

7. County stable license requirements

The OAG was recently alerted that the Office of Animal Services (OAS) adopted a new policy regarding the county stable license requirements for the testing and medical records of boarded horses. The OAG will meet with the OAS to discuss this on February 18.

8. [HB0460](#), Solar Energy – Construction of Generating Stations in Priority Preservation Areas and Study

This State bill, which has not been introduced in the Senate yet, seeks to amend one of the restrictions that was placed on community solar development in last year's [SB0931/HB1036](#) bill. SB0931/HB1036 established that the State's preemption of local zoning restrictions on community solar is limited to 5% of the local jurisdiction's Priority Preservation Area (PPA), which in Montgomery County is roughly equal to the Agricultural Reserve. HB0460 would reduce this cap to 2% of the PPA. It would also require the Maryland Department of the Environment to conduct a study on the environmental impact of disposing of photovoltaic systems at the end of their life cycle.

9. [HB0112/SB0344](#), Property Tax – Agricultural Use Assessment – Community Solar Energy Generating Systems

Current State law allows community solar projects that meet the State's definition of agrivoltaics ([Public Utility Article Section 7-306.2\(a\)\(2\)](#)) to pay property taxes on the



land underlying the solar installation at the lower agricultural level rather than the higher industrial or commercial level, as long as they were placed in service after June 30, 2022 and approved by the Public Service Commission by December 31, 2025. This State bill would extend that deadline to December 31, 2030.

10. [HB0091](#), Agriculture - Neonicotinoid Pesticides – Prohibitions

This State bill, which has not been introduced in the Senate yet, would prohibit a person from distributing, selling, or using corn, soybean, or wheat seeds that have been coated in or treated with neonicotinoid pesticides and from applying neonicotinoid pesticides to treat outdoor ornamental plants and turf.

11. [HB0272](#), Food Establishments - Lavatory Requirement and On-Farm Food Service Facility License

This State bill, which has not been introduced in the Senate yet, would alter allow certain agritourism operations to comply with the Maryland Department of Health (MDH) requirement to provide a convenient lavatory by using portable toilets instead of septic facilities. It would also extend the validity period for an on-farm food service facility license from 90 days to one year and require renewals once per year instead of every 30 days. It would require the MDH, in consultation with the Maryland Departments of Agriculture (MDA) and the Environment (MDE), to adopt regulations governing on-farm service facility licenses.

Montgomery County is unique among MD jurisdictions in that it has a health department and therefore can establish regulations that are more restrictive than those of the MDH. Therefore, this bill would act as enabling legislation that the County could mimic but would not be required to.

12. [SB0861](#), Environment – Stormwater Management – Agricultural Land

This State bill would require the MDE to adopt regulations that require local stormwater management programs to enforce stormwater management regulations on agricultural land with the advice and consent of the local soil conservation district.

13. Highly pathogenic avian influenza (HPAI)

Recently, a case of HPAI was confirmed in a wild bird in Gaithersburg, the first known case in Montgomery County this winter. Both backyard and commercial poultry owners are encouraged to make sure they are following the [Maryland Department of Agriculture \(MDA\)'s recommended biosecurity guidelines](#) and have registered their flocks with the MDA.



14. OAG Capital Improvements Program (CIP) Budget work session

The County Council will discuss the OAG's CIP budget during a work session on March 16.

15. The next meeting of the AAC will be held on March 17, 2026, at 7:00 pm via Microsoft Teams.

16. Upcoming meetings and events:

Montgomery County Farm Bureau Board of Directors meeting: February 3, 2026
Agricultural Preservation Advisory Board meeting: February 10, 2026
Montgomery Soil Conservation District Board meeting: February 13, 2026
Food Producer Farmer Forum: February 25, 2026, Agricultural History Farm Park