

Montgomery County Agricultural Advisory Committee (AAC)
Regular Meeting Minutes
April 16, 2024

1. The meeting was called to order at 7:00 pm.
2. Introductions

Committee: Lori Larson, Jane Evans, Michael Protas, Jeff Dowling, Tom Precht, Ben Butler, Russ Allnutt, Ellen Gordon, Debra Tropp, Fred Lechlides, John Brewer

Staff: Mike Scheffel, Mike Weyand, Natalia Salazar

Guests: Dawn Luedtke, Marilyn Balcombe, Aaron Kraut, Craig Wilson, Dale Tibbitts, Jake Adler, Eleanor Leak, Matt Lechlides, Doug Lechlides, Marcia Kingman, Paula Linthicum

3. Approval of the March 19, 2024, AAC minutes

Jane Evans introduced a motion to approve the minutes, Ellen Gordon 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

On April 5, 2024, Montgomery Planning staff sent the Office of Agriculture an updated memo on their draft recommendation for how to support the TDR and BLT programs through the Incentive Zoning Update. This memo was sent to all the AAC members. Currently, developers are required to purchase BLTs in order to develop at a higher density than the baseline level in the CR and LSC zones. The Planning Department's draft recommendation is to require that developers purchase either BLTs or an equivalent number of TDRs and to provide an incentive for purchasing TDRs instead of BLTs. One idea is for the OAG to buy TDRs from landowners at a set price and sell the TDRs to the developers for the same price. This would require changes in executive regulations. Once the developer uses the TDRs, a TDR extinguishing document would be recorded to close the loop on the TDRs assigned to a development project.

The Planning Department will remit their final recommendations to the Planning Board in either June or July and the Planning Board will submit those recommendations to the County Council shortly thereafter. Mike Scheffel suggested that if the AAC would like to submit comments to the Planning Board, that they discuss this during the May meeting.

6. Planning Board meeting with agricultural leaders

On March 29, 2024, the Planning Board met with representatives from multiple agricultural groups and the OAG to discuss the benefits of the Agricultural Reserve, threats to farming in the Reserve, the need for revamping the TDR program, agritourism, and the importance of including farmers in discussions on legislative changes that affect farming and the Reserve. The Planning Board was very interested in hearing from the farmers and looks forward to continued discussions and farm visits.

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

The OAG has been informed by the county Office of Intergovernmental Relations that this state bill will likely not go forward.

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

The OAG has been informed by the county Office of Intergovernmental Relations that this state bill will not go forward.

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

After meeting with Councilmembers Marilyn Balcombe and Dawn Luedtke on March 1, 2024, representatives of Montgomery County Farm Bureau, Montgomery Agricultural Producers, Montgomery Countryside Alliance, and Sugarloaf Citizens Association scheduled a meeting with the two councilmembers for April 22, 2024 to provide feedback on this ZTA.

Lori Larson explained that she represented the AAC in a recent meeting with representatives from the Montgomery County Farm Bureau, Montgomery Agricultural Producers, Sugarloaf Citizens Association, Montgomery Countryside Alliance, and Agricultural Preservation Board to discuss the ZTA. All six groups agreed that: 1) incidental overnight farm stays should not be included in the County Code under the definition of farming (Section 59.3.2.6), but rather under Section 59.3.5.6 (Lodging) or 59.3.5.10.B (Campground), 2) if allowed, these farm stays should be allowed only as a conditional use. The Lodging section includes the Bed and Breakfast (B&B) use, which is allowed in the AR zone as either a limited or conditional use but requires that the landowner reside in the B&B and allows a maximum of five guest rooms (unless the house is designated as historic). Ms. Larson suggested the possibility of removing the requirement for the landowner to reside in the B&B. The campground use is not currently allowed in the AR zone but is allowed as a conditional use elsewhere and allows a maximum of 15 campsites per acre in the developed portion of the campground. Ms. Larson suggested that if this use is allowed in the AR zone, the number of allowed campsites be limited to five to match the number of allowable guest rooms under the B&B use.

Fred Lechluder introduced a motion to take a unified approach with the other five groups and support these recommendations, Jane Evans seconded the motion, and the motion passed unanimously.

Councilmembers Luedtke and Balcombe both stated that if they introduce a competing ZTA, they believe it would be well received by the rest of the County Council given that it would have been introduced by the two councilmembers representing the AR zone. Paula Linthicum asked if allowing the campground use in the AR zone would allow recreational vehicle (RV) campgrounds or large campgrounds in this zone. Councilmember Luedtke responded that the campground use currently allows for RVs, but they could draft the ZTA to heavily restrict the number of allowable RVs in AR-zoned properties and a landowner would be able to allow only tents and no RVs. The two councilmembers stated that if they draft a ZTA that allows this use in the AR zone, it would restrict guest toilet facilities to portable toilets.

10. Junior Achievement Program of Greater Washington

This program teaches 7th graders in the county about financial literacy, work readiness, and entrepreneurship. Located in Finance Park at Thomas Edison High School, the program includes a simulated shopping center where the students learn to “shop” for food and other necessities within their budgets. The Director of Development, Devin Donaldson, contacted the OAG to see how they could partner with the OAG, Extension, and agricultural leaders to include more agricultural education in the program. They would like the students to learn about careers in agriculture, local food options, and the Ag Reserve. On April 22, 2024 representatives of different agricultural groups and Extension will visit Finance Park to learn more about the program and explore collaboration.

11. Vacancies in the APAB and RRAC

Wade Butler applied for the last vacancy in the Agricultural Preservation Advisory Board (APAB), was recommended by the County Executive, and appointed by the County Council today, April 16, 2024. However, Margaret Giblin has announced that she will be stepping down, so a new vacancy will be announced in the near future.

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.

12. The next meeting of the AAC will be held on May 21, 2024 at 7:00 pm via Microsoft Teams.

13. Upcoming meetings and events:

Montgomery County Farm Bureau Board meeting: May 7, 2024

Montgomery Soil Conservation District Board of Supervisors meeting: May 10, 2024

Agricultural Preservation Advisory Board meeting: May 14, 2024

14. The meeting was adjourned at 8:22 pm.

Paula Linthicum introduced a motion to adjourn the meeting, Fred Lechliden seconded, and the motion passed unanimously.