



I'm writing with an important update about the future of solar in Montgomery County, and to ask for your help. This is a long update, but the details are important.

The Montgomery County Council appointed a task force in Fall 2020 to review [Zoning Text Amendment 20.01](#). Recently the task force submitted its reports and recommendations that will be discussed for a vote, at the joint committee meetings of the PHED and T&E Committees, on Thursday, Jan 14th.

For 12 months now, this ZTA, has been extensively discussed. It is now time for the Council to vote and pass a strong legislation that will allow building of solar power and move the county forward towards 100% clean energy goals.

ZTA 20-01 is needed as a fundamental component of the county's response to the Climate Emergency we have officially recognized – it will measurably reduce our carbon footprint by reducing our dependence on fossil fuels that generate carbon and other health-harming pollutants.

- In the recent [poll](#) of county residents, three-fourths of all respondents supported urgent action by the County Council; two-thirds specifically supported building Community Solar on a limited amount of land (less than 2%) in the Ag Reserve.

ZTA 20-01 is needed so we can build Community Solar projects that will provide solar power to over 50,000 people who can't have solar on their roofs, that will give low-income households access to low cost solar energy, and that are simply too large to be built on any roof or parking lot.

The County Planning Board has specifically determined that the small amount of land where solar will be permitted - less than 2% of the Agricultural Reserve's 145 square miles – is not contrary to the county's Master Plan.

The climate crisis was not foreseen when the Ag Reserve was established 40 years ago – now we have no excuse.

The ZTA as passed by the PHED Committee in October included significantly strengthened protections for trees, wetlands, streams, and soil, and a strong connection between solar projects on agricultural land and practices that benefit farms and the environment, like pollinator-friendly planting – we supported it then.

The Council-appointed Farm Solar Workgroup – which included members from agriculture, land preservation, Community Solar developers, and environmental organizations – has developed several additional recommendations to further strengthen the ZTA; these include:

- Proposing a role for the County’s Office of Agriculture in reviewing the plans of any proposed solar project in the Reserve, and
- Using the tax revenues from solar projects in the Reserve for activities that will benefit farmers, like support for young farmers and minority farmers, land preservation, promotion of table crops, or others, as determined by consultation with the Office of Agriculture and the farm community itself.

The solar and environmental Workgroup members are also recommending that the ZTA require solar projects to include either pollinator-friendly planting, or “solar grazing” (a growing agricultural business), or the actual growing of crops within the solar array (the emerging field of “agrivoltaics”).

These Workgroup members also recommend using part of the limited amount of land under the ZTA for a pilot program to learn the best way to carry out agrivoltaic farming here in Maryland – a valuable contribution to both the County and the State.

Sierra Club supports the Council’s adopting any of these recommendations.

However, we adamantly oppose two recommendations that are effectively “Poison Pills” which, if adopted, will render the ZTA unworkable and meaningless:

- We oppose saying that solar can’t be built on Class 2 and 3 soils. Three separate analyses - including one by community solar developers and one by the County itself - all agree that excluding soil classes 2 and 3 reduces the number of community solar projects that could actually be built to a very small number... not a meaningful response to climate change. These soil classes make up 79% of all the land in Montgomery County; most of the places we all live and work are built on Class 2 and 3 soil, whether Silver Spring, Bethesda, Gaithersburg, Poolesville, or any other place, including the Ag Reserve. This is why the best way to minimize the soil footprint of the solar development we need is to limit the size, as the ZTA does, to 1,800 acres (less than 3 square miles of the total 145).
- We also oppose making every solar community project go through the additional long, complicated, and unpredictable process of “Conditional Use” review. This process would still require the County’s Planning Board to fully review all projects and apply the ZTA’s conditions and all other State and County requirements, but then adds a whole other process that takes the decision-making power away from our own Planning Board. Community Solar projects already go through review at the Public Services Commission, the responsible utility, and the

County, taking at least two years in the process. All the months of work on the ZTA itself have built in an unprecedented set of zoning conditions for protection of the environment and the agricultural nature of the Ag Reserve. Adding six months to a year or longer for additional “Conditional Use“ review is not a “compromise” – it’s simply a way to throw sand in the gears of the County’s needed solar development.

Bottom Line – During a year of deliberation, tremendous work has been done to make ZTA 20.01 a balanced, win-win solution for Community Solar development in the Ag Reserve. **Tell your Councilmembers “It’s time for Montgomery County to take action – to vote for and pass ZTA 20.01.”**

Email: [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov)

Thank you so much and stay well,

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