



Committee PHED
Staff: Jeff Zyontz, Senior Legislative Analyst
Purpose: To receive testimony – no vote expected
Keywords: #Farming, #Farm Composting, #Farm Mulching

AGENDA ITEM 4
December 1, 2020
Public Hearing

SUBJECT

ZTA 20-04, Farming Defined – Accessory Mulching and Composting

EXPECTED ATTENDEES

NA

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

NA

DESCRIPTION/ISSUE

ZTA 20-04 would amend the provisions concerning specified accessory uses allowed within the definition of farming.

SUMMARY OF KEY DISCUSSION POINTS

Currently, mulching and composting are allowed as accessory uses to farming if material trucked from off-site locations is limited to 20%. ZTA 20-04 would amend that provision by allowing a maximum of 50% of materials used in mulching and composting operations from off site.

This report contains:

Memorandum from Staff
ZTA 20-04

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Public Hearing

MEMORANDUM

November 25, 2020

TO: County Council

FROM: Jeffrey L. Zyontz, Senior Legislative Analyst

SUBJECT: Zoning Text Amendment 20-04, Farming Defined – Accessory Mulching and Composting

PURPOSE: Public Hearing

Zoning Text Amendment (ZTA) 20-04, lead sponsors Councilmembers Glass, Friedson, Navarro, and Rice, Co-Sponsors: Councilmembers Riemer, Alborno, and Jawando, Council President Katz, and Councilmember Hucker, was introduced on October 27, 2020. ZTA 20-04 would allow an increase in the percentage of off-site material that can be used in accessory composting and mulching uses from 20% to 50%.

The County generates a tremendous amount of yard and food waste. Recycling that material is preferred over having that material go to the incinerator. This amendment would give more flexibility to the agricultural industry to use more yard and food waste.

A Planning, Housing, and Economic Development Committee meeting worksession is tentatively scheduled for January 25, 2021.

This packet contains
ZTA 20-04

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Zoning Text Amendment No.: 20-04
Concerning: Farming Defined –
Accessory Mulching and
Composting
Draft No. & Date: 2 – 10/27/2020
Introduced: October 27, 2020
Public Hearing:
Adopted:
Effective:
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

Lead Sponsors: Councilmembers Glass, Friedson, Navarro, and Rice
Co-Sponsors: Councilmembers Riemer, Alborno, and Jawando, Council President Katz, and
Councilmember Hucker

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- Allow mulching and composting with more off-site material as an accessory farming use; and
- Generally amend the definition of Farming

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 3.2. “Agricultural Uses”
Section 3.2.6. “Farming”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*
Underlining indicates text that is added to existing law by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. Division 3.2. Agricultural Uses**

2 * * *

3 **Section 3.2.6. Farming**

4 Defined

5 Farming means the practice of agriculture on a property, and any associated
6 buildings. Agriculture means the business, science, and art of cultivating and
7 managing the soil; composting, growing, harvesting, and selling crops, and the
8 products of forestry, horticulture, and hydroponics; breeding, raising, managing, or
9 selling livestock, including horses, poultry, fish, game, and fur-bearing animals;
10 dairying, beekeeping, and similar activities; and equestrian events and activities.
11 Agriculture includes processing on the farm of an agricultural product to prepare
12 the product for market and may cause a change in the natural form or state of the
13 product. Farming includes the following accessory uses:

14 * * *

15 E. The production and manufacturing of mulch or compost where [up to
16 20%] a maximum of 50% of the materials used in accessory
17 processing can come from off-site sources.

18 * * *

19 **Sec. 2. Effective date.** This ordinance becomes effective immediately upon
20 the Council’s adoption.

21
22 This is a correct copy of Council action.

23
24 _____

25
26 Selena Mendy Singleton, Esq.
27 Clerk of the Council