



Committee: PHP
Committee Review: At a future date
Staff: Livhu Ndou, Senior Legislative Attorney
Jim Ogorzalek, Legislative Attorney
Purpose: To introduce agenda item – no vote expected

AGENDA ITEM #2B
June 17, 2025
Introduction

SUBJECT

Zoning Text Amendment (ZTA) 25-10, Landscaping Requirements – Native Plants

Lead Sponsor: Councilmember Glass

Co-Sponsors: Council President Stewart and Councilmember Luedtke

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- To introduce agenda item – no vote expected

DESCRIPTION/ISSUE

ZTA 25-10 will require 50% of required landscaping to use native plant species.

SUMMARY OF KEY DISCUSSION POINTS

- ZTA 25-10 will require 50% native plant species in open space landscaping and require 50% native plant species in general landscaping plant material.
- Native species will be defined as from the Mid-Atlantic Region, which includes Maryland, Virginia, Delaware, New Jersey, New York, Pennsylvania, North Carolina, West Virginia, and the District of Columbia.
- This ZTA is part of the Native Plant Protection Act, which includes Bill 26-25, Vegetation – Invasive Plants.
- A public hearing is tentatively scheduled for July 22, 2025.

This report contains:

ZTA 25-10

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Ordinance No.: _____
Zoning Text Amendment No.: 25-10
Concerning: Landscaping
Requirements – Native
Plants
Revised: 5/8/2025 Draft No.: 1
Introduced: June 17, 2025
Public Hearing: _____
Adopted: _____
Effective: _____

**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 Sponsor: Councilmember Glass
Co-Sponsor: Council President Stewart and Councilmember Luedtke

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- (1) require native plants in landscaping; and
- (2) generally amend the landscaping requirements.

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

Division 6.3.	“Open Space and Recreation”
Section 6.3.2.	“Applicability”
Section 6.3.8.	“Open Space Landscaping and Outdoor Lighting”
Division 6.4.	“General Landscaping and Outdoor Lighting”
Section 6.4.3.	“General Landscaping Requirements”

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:

Sec. 1. DIVISION 59-6.3 is amended as follows:

Division 6.3. Open Space and Recreation

* * *

Section 6.3.2. Applicability

The following table summarizes the types of open space that are required by zone, development method, and building type. This table does not define legal requirements and is only provided for the convenience of the reader. Detailed applicability is included with each open space type in Section 6.3.4 to Section 6.3.7; open space area requirements are provided in the Section references in the following table:

Zone	Division References for Amount of Open Space Required	Rural Open Space	Common Open Space	Public Open Space	Amenity Open Space
RC	4.3.	CD			
RNC	4.3	All	MPDU		
RE-2C, RE-1, R-200, R-90, R-60, R-40	4.4		MPDU or CD		
TLD, TMD, THD	4.4		T or MPDU		
R-30, R-20, R-10	4.4		T, A, or MPDU		
CRN, CRT, CR, LSC	4.5		T	A, MU, or G	
GR, NR, EOF, IL, IM, IH	4.6 or 4.7		T		A, MU, or G
For Floating zones, open space is required under the equivalent Euclidean zone that determines uses.					
KEY: All = All development CD = Optional method Cluster Development MPDU = Optional method MPDU Development T = Townhouse Building Type A = Apartment Building Type MU = Multi Use Building Type G = General Building Type Blank Cell = Not required					

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Section 6.3.8. Open Space Landscaping and Outdoor Lighting**A. Overview of Required Open Space Landscaping**

The following table summarizes the open space landscaping requirements:

Open Space Type	Farming	Native Species	Permeable Area (min)	Tree Canopy (min)
Rural Open Space	Allowed	Required	90%	No Minimum
Common Open Space	Allowed	[Preferred] <u>Required</u>	80%	20%
Public Open Space	Allowed in Community Garden	[Preferred] <u>Required</u>	10%	10%
Amenity Open Space	Allowed	[Preferred] <u>Required</u>	10%	10%

* * *

B. Open Space Landscaping Requirements

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3. Native Species

[Rural] All open space must contain at least 50% native species to the Mid-Atlantic Region [only]. The Mid-Atlantic Region is Maryland, Virginia, Delaware, New Jersey, New York, Pennsylvania, North Carolina, West Virginia, and the District of Columbia. Species included on the Maryland Invasive Species Council's list of invasive aquatic or terrestrial plants must not be used for landscaping.

* * *

Sec. 2. DIVISION 59-6.4 is amended as follows:**Division 6.4. General Landscaping and Outdoor Lighting**

* * *

Section 6.4.3. General Landscaping Requirements

* * *

B. Landscaping Elements

1. Plant Material

- a. Any landscaping must be installed under the accepted standards of the American Standard for Nursery Stock, latest edition, as published by the American Association of Nurserymen.
- b. Plant material must be true to name, variety, and size and must satisfy all applicable provisions of the American Standards for Nursery Stock, latest edition.
- c. Mature plant size is based on the Manual of Woody Landscape Plants, Stipes Publishing, latest edition.
- d. Any landscaping must use 50% plant species that are native to the Mid-Atlantic Region. The Mid-Atlantic Region is Maryland, Virginia, Delaware, New Jersey, New York, Pennsylvania, North Carolina, West Virginia, and the District of Columbia.

* * *

Sec. 3. Short title. This zoning text amendment may be cited as part of the “Native Plant Protection Act.”

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Sec. 4. Effective date. This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

Sara R. Tenenbaum
Clerk of the Council