

To: Montgomery County Councilmembers

Re: Native Plant Protection Zoning Amendment (Zoning Text Amendment (ZTA) 25-10, Landscaping Requirements – Native Plants)

Subject: Testimony submitted by Ms. Roberta G Steinman

Date: July 22, 2025

Dear Councilmembers:

This legislation is a step in the right direction. **I support (ZTA) 25-10 with the following recommendations that will strengthen and clarify the proposal.**

ZTA 25-10 Key Point #1:

“50% of all required landscaping in new construction and open spaces must use plant species native to the Mid-Atlantic region (MD, VA, DC, DE, PA, NJ, NY, WV, and NC)”

Comment & Recommendation #1 regarding required native planting percentage: 50% is a start. I recommend that you **encourage a higher percentage – closer to 80%.**

Comment & Recommendation #2 regarding definition of native plant: The [Maryland Native Plants Program](#) was signed into law in May 2023 by Governor Moore. The Bill ([Legislative House Bill 950](#)) defines native plant as a plant that "occurs naturally in the State and surrounding region, ecosystem, and habitat, without direct or indirect human actions. This includes plants that were present before colonial settlement or are listed as native to the State on the Maryland Plant Atlas website." In keeping with the language and intent of the Maryland Native Plants Program, **I recommend using this definition for what is native to our region, rather than the broader Mid-Atlantic region** that is currently in ZTA 25-10.

Comment & Recommendation #3, per Montgomery County Planning Board: From p.4 of the [MCPB staff report](#) on ZTA 25-10 LANDSCAPING REQUIREMENTS – NATIVE PLANTS BILL 26-25 VEGETATION – INVASIVE PLANTS -

"The specific code section proposed for amendment, Section 6.3.8.B.3. Native Species, currently contains an existing requirement that Rural Open Space must contain only native species. **The amendment with ZTA 25-10 replaces that language that all open spaces must contain 50% native species.** This would include Rural Open Space, thereby reducing the native species requirement from 100% to 50%, which is counter to the intentions of the Native Plant Protection Act. Rural Open Space always has required native species, because the intent of Rural Open Space is to be natural and fitting with the rural residential zones that require it, and requiring 100% native species is an important requirement to maintain to support biodiversity."

"Recommendation: Not to amend Section 6.3.8.B.3. and instead **keep the 50% native plant requirement language only in Section 6.4.3., which will retain the existing requirement that Rural Open Space may contain native species only.**"

Question: The zoning code requires that **50% of all landscaping material subject to chapter 59** must be a native species to the Mid-Atlantic region (See Recommendation #2 above for the preferred definition of what is native to our region). How do lawns figure into this percentage calculation?

ZTA 25-10 Key Point #2:

“Prohibit use of plant species listed as invasive by the Maryland Invasive Species Council.”

Comment regarding list of invasive plants: I have reviewed the Maryland Invasive Species Council (MISC) list of invasive plants, <https://mdinvasives.org/species-of-concern/terrestrial-plants/>, and, in consultation with a County Botanist, we have found the *current* list to be quite complete.

Comment & Recommendation #3 regarding emphasis on use of ‘straight species’: It is important to clarify that the definition of Native plants excludes cultivars. However, it may be sufficient at this time to follow the MISC's lead and **include language that promotes and encourages the use of straight native species and advises caution with cultivars.** This would be a significant improvement to ZTA 25-10.

Note from the web: “The Maryland Invasive Species Council (MISC) primarily focuses on non-native species that become invasive. While they recognize the importance of native plants for supporting ecosystems, their direct role in dealing with native cultivars, which are cultivated varieties of native species, is less about regulating their invasiveness and more about promoting the use of straight native species when possible and advising caution with cultivars.”

COMMENT ON BILL 26-25:

Regarding the part of Bill 26-25, prohibiting the sale of invasive running bamboo (e.g., *Phyllostachys* species), I support the testimony submitted by John Parrish on behalf of Conservation Montgomery. Based on John Parrish's research of invasive Bamboo in the region, **there is more than the one genus (*Phyllostachys*) of invasive Bamboos that is causing problems in our parklands and other natural areas. The prohibition on invasive Bamboo needs to apply to all running Bamboos, including *Pseudosasa japonica* (Arrow Bamboo) and species in the genus, *Pleioblastus*.**

Additionally, it bears mentioning that there is no mechanism to deal with the current situation of Bamboo running rampant in our parks.

Also, I fully support the part of Bill 26-25 that exempts native plants and grasses from weed removal requirements. This is good, and it is something many MoCo native plant gardeners have been advocating for a long time. Though, technically, you don't have to separate out grasses from native plants, since we are talking about native grasses.

Thank you.

Respectfully submitted

Ms. Roberta G Steinman

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