
From: Criss, Jeremy
Sent: Friday, July 20, 2012 4:41 PM
To: Criss, Jeremy; 'Woody Woodroof'; 'Ben Allnutt'; 'Callum Murray'; 'Chuck Schuster'; 'David Heisler'; 'David Weitzer'; 'Doug Lechliden'; 'Doug Tregoning'; 'Eddie Kuhlman'; 'Fred Lechliden'; 'Gary Marx'; 'Gene Walker'; 'George Lechliden'; 'Jane Evans'; 'Jane Hunter'; 'Jane Seigler'; 'Jim Clifford'; 'Linda Lewis'; 'Lois Stoner'; 'Nancy Aldous'; 'Patrick Brown'; 'Randy Stabler'; 'Robert Beall'; 'Tim McGrath'; 'Tom Linthicum'; 'Vince Berg'; 'Wade Butler'; 'William Willard'; 'Charlotte Ruppert'; 'debbiejeanbenson@yahoo.com'
Cc: Steed, Melissa; Zawitoski, John; 'Dunn, Pamela'
Subject: Zoning Rewrite Process

Hello Everyone,
The Agricultural Advisory Committee discussed the status of the Zoning Rewrite Process Tuesday evening.
Pamela Dunn from MNCPPC explained how the new consolidated draft report was released on Monday.
Attached you will find a message from Jane Seigler that will help you understand the recommendations relating to agriculture contained in this new consolidated draft report. Jane prepared a summary to help understand where to find the sections pertaining to agricultural uses in the report.
Jane thank you so much for taking the time to help us better understand these agricultural recommendations in the report.
I will be scheduling a sub-committee meeting following the County Agricultural Fair week to review the report and prepare comments from the AAC to the MNCPPC.
If you are interested in participating with the sub committee please let me know.
Thanks and have a great week end. J

Jeremy V. Criss
Agricultural Services Manager
Department of Economic Development
Agricultural Services Division
18410 Muncaster Road
Derwood, Maryland 20855
301-590-2830
301-590-2839 (Fax)
jeremy.criss@montgomerycountymd.gov
<http://www.montgomerycountymd.gov/agservices>

From: Jane Seigler [mailto:seigler.jane@gmail.com]
Sent: Friday, July 20, 2012 3:39 PM
To: Criss, Jeremy
Cc: Pamela Dunn; Callum Murray; Katherine Holt; Leslie Saville
Subject: Zoning re-write - ag uses

Hi Jeremy,

The consolidated draft of the zoning re-write is now up on the website. Here is the link to the section on uses, which you can forward on to the AAC members:

<http://www.montgomeryplanning.org/viewer.shtm#http://www.montgomeryplanning.org/development/zoning/documents/59-3.Uses7.23.12.pdf>

In the first few pages, there is an "how to use this document" section, followed by the use table, which shows which uses are allowed in each of the zones. The ag uses are listed on page (3-6) of the use table. The definitions of the various ag uses that are listed on the use table, as well as the use standards, where necessary (i.e., for "Limited" uses), are on pages (3-14) to (3-20).

Here is what I hope is an accurate summary of what types of Ag uses are allowed in the various zones.

In all the Ag (AR, currently called the RDT zone) and Rural zones:

Permitted as of right (i.e., no prescribed use standards) -

Crop farming: the growing and harvesting of produce and other plant-based agricultural products. Includes the cultivation of crops such as fruits, vegetables, cotton, grain, nuts, horticultural crops, cattle food, and sod.

Livestock farming - the keeping and raising of fowl and livestock, including cattle, swine, sheep, asses, mules, and goats. Includes accessory slaughtering. Does not include Equestrian Facility (see Sec. 3.2.4, Equestrian Facility).

Also permitted as of right in the AR (currently called the RDT zone) -

Animal husbandry - the accessory practice of raising hens, ducks, pygmy goats, rabbits, and bees.

In the Rural zones, all the Residential zones, as well as the Commercial/Residential, Employment and Industrial zones, animal husbandry (as defined immediately above), is permitted but subject to these standards:

- a. Any accessory structure used to house hens, ducks, pygmy goats, and rabbits must be located behind the rear building line and the minimum setback from any neighboring dwelling is 25 feet.
- b. One pygmy goat may be kept for every 2,000 square feet of land area and one hen, duck, or rabbit may be kept for every 1,000 square feet of land area.
- c. Roosters are prohibited.
- d. In the CRN, CRT, CR, EG, ELS, EOF, IL, and IH zones, only bees are allowed.

Crop farming, as defined above, is also allowed in all the residential detached zones, but subject to the following:

- sod farms and accessory agricultural processing are prohibited.

In the Residential zones, Livestock farming, as defined above, is allowed only in the RE2 zone, and is subject to the following:

Where livestock farming is allowed as a limited use, it is subject to the following standards:

- The minimum lot size is 5 acres.
- Accessory agricultural processing is prohibited.

In the Residential town home, Residential Multi-unit, as well as the Commercial/Residential, Employment and IL but not the IH Industrial zones, the following (Urban Farming) is also allowed:

Urban farming - the cultivation of fruits, vegetables, flowers, and ornamental plants, as well as the limited keeping and raising of fowl or bees and the practice of aquaculture. Plants and animals or their products may be sold off-site, or on-site under the standards of a Farm Market, On-site (see Sec.3.2.10.D, Farm Market, On-site).

However, the following uses standards apply:

- a. The minimum area for an urban farm is 4,000 square feet.
- b. One fowl may be kept for every 1,000 square feet of land area; roosters are prohibited.
- c. Aquaculture is permitted in tanks or pools that meet the standards for accessory structures Sec. 3.2.6.D (below).
- d. The maximum total gross floor area of all structures, excluding green-houses, is 10% of the net property area on any urban farm.
- e. The minimum setback for accessory structures from any property line is 25 feet.
- f. The maximum height for any accessory structure, including any pitched roof, is 12 feet.
- g. Only manual or walk-behind mechanical equipment and practices commonly used in residential gardening may be used.

So, it seems to me that:

1. the Ag zone (AR/RDT) is permitted for crops, livestock, hens, ducks, pygmy goats, rabbits, and bees without restriction.
2. the Rural zones (RR, RC, RNC) can have crops and livestock, but must comply with some restriction for hens, ducks, pygmy goats, rabbits, and bees. Does this make sense?
3. Residential detached zones can have crops and hens, ducks, pygmy goats, rabbits, and bees, with some restrictions. But Livestock is only allowed in the RE2 zone.
4. Residential town home, multi-unit, as well as commercial, employment, industrial may have hens, ducks, pygmy goats, rabbits, and bees, i.e., Animal Husbandry, (subject to some restrictions). These zones (except IH) may also engage in Urban Farming, defined as the cultivation of fruits, vegetables, flowers, and ornamental plants, as well as the limited keeping and raising of fowl or bees and the practice of aquaculture. Plants and animals or their products may be sold off-site, or on-site under the standards of a Farm Market, On-site (see Sec.3.2.10.D, Farm Market, On-site). (There is some overlap here with the definition of Animal Husbandry, which is also allowed in these zones.)

Hope this helps!

Jane Seigler
USDF Silver Medalist
VP, Maryland Horse Council
seigler.jane@gmail.com



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