



**Committee PHED**

**Staff:** Jeff Zyontz, Senior Legislative Analyst

**Purpose:** To introduce agenda item – no vote expected

**Keywords:** #Farming, #Farm Composting, #Farm Mulching

AGENDA ITEM 6A

October 27, 2020

**Introduction**

**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

1

ZTA 20-04

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**Introduction**

**MEMORANDUM**

October 22, 2020

TO: County Council

FROM: Jeffrey L. Zyontz, Senior Legislative Analyst

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

PURPOSE: Introduction of ZTA 20-04

Zoning Text Amendment (ZTA) 20-04, lead sponsor Councilmember Glass and co-sponsors Councilmembers Friedson, Riemer, and Albornoz, is scheduled for introduction 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 public hearing concerning ZTA 20-04 is scheduled for December 1, 2020 at 1:30 p.m.

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– 10/20/2020  
Introduced:  
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**

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Lead Sponsor: Councilmember Glass  
Co-Sponsors: Councilmembers Friedson, Riemer, and Albornoz

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**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