

**2012 Annual Report
Agricultural Advisory Committee
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ARTICLE 6. AGRICULTURAL ADVISORY COMMITTEE.

Sec. 2B-21. Agricultural Advisory Committee.

(a) *Definition.* In this Section, “Committee” means the Agricultural Advisory Committee.

(b) *Established.* The Executive must appoint, subject to confirmation by the Council, an Agricultural Advisory Committee.

(c) *Composition; Term.*

(1) The Committee has 15 voting members.

(2) The Executive should appoint:

(A) 12 members to a 3-year term who are bona fide farmers who represent the total farm community and reflect a variety of farm sizes, geographical locations and agricultural projects, at least 3 of whom must be owner-operators of commercial farm land earning 50% or more of their income from farming, and including:

(i) 1 farm economist; and

(ii) 1 conservationist; and

(B) 3 members who have no significant direct financial interest in farming, to a 1-year term to represent broad non-farm County interests. These members may be appointed to successive terms.

(3) The Committee may designate ex-officio members as necessary.

(4) If a member is appointed to fill a vacancy before a term expires, the successor serves the rest of the unexpired term.

(d) *Officers, meetings, and compensation.*

(1) The Committee must elect a chair and vice-chair from among its members.

(2) The Committee meets at the call of the Chair. The Committee must meet as often as necessary to perform its duties, but not less than 10 times each year.

(3) A member serves without compensation. However, a member may request reimbursement for mileage and dependent care costs at rates established by the County.

(e) *Duties.*

(1) The Committee must:

(A) advise the Executive and Council on all matters affecting agriculture in the County;

(B) bring matters of particular importance to the attention of the Executive and Council;
and

(C) comment on matters referred to it by the Executive and Council.

(f) *Annual Report.* By January 30 of each year, the Committee must submit to the Executive and Council an annual report that:

(1) outlines the activities undertaken the previous calendar year;

(2) identifies problems affecting agriculture in the County; and

(3) make recommendations for government programs that may be necessary to maintain a healthy agricultural economy in the County.

(g) *Advocacy.* The Committee must not engage in any advocacy activity at the State or federal levels unless that activity is approved by the Office fo Intergovernmental Relations.

(h) *Staff.* The Chief Administrative Officer must provide appropriate staff to the Committee. ([2009 L.M.C., ch. 26](#), § 1; [2010 L.M.C., ch. 49](#), § 1.)

Editor's note—[2009 L.M.C., ch. 26](#), § 2, states: Transition. Section [2B-21](#), as added by Sec. 1 of this Act, establishes an Agricultural Advisory Committee. This Committee continues the Agricultural Advisory Committee created under Council Resolution 7-1138 and restructured under Council Resolution 8-705. The County Executive may reappoint, subject to Council confirmation, the members of the Agricultural Advisory Committee. The Executive should continue to stagger the terms of the members of the Agricultural Advisory Committee so that approximately one-third of the terms continue to expire each year.

**DRAFT Listing of 2012 Projects and Accomplishments for the
Agricultural Advisory Committee**

1. Submitted recommendations to the County Executive regarding new appointments (farmers & non-farmer members) for the new year.
2. Reviewed DED Zoning Text Amendment for Ag & Horticultural Uses in the RDT zone.
3. Recommended funding strategy for UME-Agronomy Educator Position
4. Robert & Drew Stabler inducted into the Governor's MD Ag Hall of Fame.
3. Proposed ZTA from the DED-DEP on Solar Installations in Agricultural zones.
4. Agricultural Reserve Conference- Farming at Metro's Edge – Sustaining Agriculture in Frederick & Montgomery Counties.
5. Reviewed Prospects for the New Farmer Pilot Project.
6. Monitored and Participated in the Zoning Rewrite Process.
7. Provided recommendations to Montgomery County Delegation on MC7-12 for septic easements to address concerns from the agricultural community and reduce the fragmentation of farmland and MC 16-12 Enforcement of private covenants that restrict agricultural activities and structures.
8. Provided recommendations to MNCPPC Planning Board regarding request to rezone property a Bethesda-TDR receiving area.
9. Participated in the Agricultural Reserve Conference Planning and Program Committees.
10. Participated in the Annual Agricultural Fair with displays set-up from DED-Agricultural Services and the program for the Agricultural Leaders Luncheon.
11. Provided recommendations to the County Council on ZTA 12-03 Wineries in the Agriculture-RDT Zone
12. Participated with the T&E Committee regarding trimming of trees by Pepco on Rural and Rustic Roads.

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Agricultural Advisory Committee Meeting Agenda –January 17, 2012

1. Introductions: If needed
2. Approval of the AAC Minutes from December 20, 2011.
3. Follow up from the December 21, 2011 briefing with the County Executive on the DED Zoning Text Amendment for Agricultural and Horticultural uses in the RDT zone.
4. Follow-up from the January 12, 2012 meeting with county representatives from the UME-Central Maryland Cluster to recommend how to collectively fund the UME-Agronomy Educator Position for the Cluster.
5. New Appointments to the Agricultural Advisory Committee- We need farmer representatives to replace Tom Linthicum, Gene Walker and (Kelly Lewis?). The Rustic Roads Advisory Committee needs a farmer representative to replace Fred Lechluder. The Forest Conservation Advisory Committee needs an agricultural representative to replace Norman Mease.
6. Montgomery County Local Bills- January 19, 2012 Work Session with the Land Use and Transportation Committee of the County Delegation Bills- MC 7-12 Septic Easements (HB 536) and MC 16-12 Enforceability of Recorded Covenants for Ag activities and structures on TDR Easement Properties.
7. **Farmland Preservation Update:**

The County Executive and Council will hold a press event on January 26, 2012 to announce the first BLT program easement settlement. The County Executive will also announce the second BLT Easement Purchase Period.
The AEP program easement purchase period will also be announced and the Base Value will be \$1,600/acre Base AEP price.
8. AAC recommendation on the Bethesda Rezoning application to remove TDR receiving zone.
9. Discussion surrounding the Crown Farm Annexation and the \$2.0 million payment to the County Ag Preservation Fund.
10. Request from Eric Spates for AAC letter of support to install a farm access on the Sweeney property-Sugarland Road-Exception Rustic Road.
11. The next meeting of the AAC is scheduled for Tuesday February 21, 2012 at 7:00 pm in Germantown
12. The March 20, 2012 meeting will be back in Derwood and the remaining meetings for 2012 will be in Germantown.

Upcoming Meetings and Events:

MDA Buyer-Grower Meeting January 24, 2011 Navy Stadium
BLT Press Event for County Executive and Council-January 26, 2012
Montgomery County Farmers Market-Masters and FMNP Training-February 23, 2012
Winter Agronomy Meeting February 29, 2012

Agricultural Advisory Committee Meeting Agenda –February 21, 2012

1. Introductions: If needed
2. Approval of the AAC Minutes from January 17, 2012. (See Attachment A.)
3. Update on the UME-Agronomy Educator Position-Recommendation from the UME-Central Md Cluster-Frederick, Howard, and Montgomery Counties on how to collectively fund the UME-Agronomy Educator Position for the Cluster. (See Attachment B.)
4. Robert and Drew Stabler Inducted into the Governor’s Maryland Agriculture Hall of Fame. The film presentation will be available on the County U-Tube.
5. New Appointments to the Agricultural Advisory Committee- We still have one more farmer representatives to replace Kelly Lewis.
6. Montgomery County Local Bills- The Land Use and Transportation Committee of the County Delegation has approved MC 7-12 Septic Easements and MC 16-12 (HB 722) Recorded Covenants.
7. Discussion surrounding the proposed changes to the Legislative Intent of the Rural Density Transfer Zone. (See Attachment C.)
8. The Montgomery County Food Policy Council conducted their first meeting on February 15, 2012. (See Attachment D.) <http://www.mocofoodcouncil.org/>
9. The March 20, 2012 meeting will be back in Derwood and the remaining meetings for 2012 will be in Germantown.

Upcoming Meetings and Events:

Agricultural Preservation Advisory Board, February 21, 2012@7:30 pm
Agricultural Advisory Committee Meeting, February 21, 2012@7:00 pm-New Time
Montgomery County Annual Farmers Market Master meeting, February 23, 2012@9:30am
Annual Meeting for the CE and the AAC and the APAB, February 23, 2012@7:00pm
MCA Agricultural Producers Summit, February 24, 2012@1:00pm Linden Farm
Winter Agronomy Meeting, February 29, 2012@9:00am Urbana Fire Hall
Sugarloaf Citizens Association-DED-ZTA meeting, March 12, 2012@7:00pm
Montgomery Weed Control Annual Meeting, March 16, 2012@9:30am
MD/VA AMPs conference March 29-30, 2012

Agricultural Advisory Committee Meeting Agenda –March 20, 2012

1. Introductions: If needed
2. Approval of the AAC Minutes from February 21, 2012. (See Attachment A.)
3. Update on the UME-Agronomy Educator Position-Recommendation from the UME-Central Md Cluster-Frederick, Howard, and Montgomery Counties on how to collectively fund the UME-Agronomy Educator Position for the Cluster. (See Attachment B.)
4. Robert and Drew Stabler Inducted into the Governor’s Maryland Agriculture Hall of Fame. The film presentation is now on the County U-Tube.
<http://www.youtube.com/watch?v=8MsF-y1KgjI&feature=youtu.be>
5. New Appointments to the Agricultural Advisory Committee- We still have one more farmer representatives to replace Kelly Lewis-Charlotte Ruppert.
6. MCA Agricultural Producers Summit, February 24, 2012 Linden Farm- Thank you for Susan Butler and John Fenderick for attending.
7. Montgomery County Local Bills- Outcome from the March 16, 2012 House Environmental Matters Committee(HB 723) MC 7-12 Septic Easements and MC 16-12 (HB 722) Recorded Covenants. Outcome from the March 16, 2012 vote from the Full County Delegation. (See Attachments C.)
8. Discussion surrounding the March 8, 2012 AAC subcommittee recommendation on the proposed changes to the Legislative Intent of the Rural Density Transfer Zone. The full AAC needs to submit a recommendation to the Zoning Advisory Panel for their March 21, 2012 meeting (See Attachment D.)
9. Steve Silverman presentation on March 12, 2012 to the Sugarloaf Citizens Association-The DED-ZTA for agricultural and horticultural uses to the. Wineries have been removed from the ZTA. (See Attachments E.)
10. The County Council will conduct a Public Hearing on March 27, 2012 @ 1:30pm for ZTA 12-03 Wineries in the RDT zone. The AAC needs to provide a recommendation on the ZTA.
http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=6&clip_id=2380&meta_id=30004 (See Attachment F.)

11. Discussion surrounding a proposed ZTA from the DED-DEP on Solar Installations in the Agricultural zones
12. Discussion surrounding the Development Impact Tax and how it is applied to accessory structures and accessory dwellings at the same full rate as primary structures.
13. Discussion surrounding the outcome court case involving the Dr. Mess property and the Timber Harvest permit.
14. Discussion regarding the Agricultural Reserve Conference-Farming at Metro's Edge-Sustaining Agriculture in Frederick and Montgomery Counties-Friday and Saturday November 9&10, 2012 www.farmingatmetrosedge.com.
15. Farmland Preservation Update: The County announced an AEP easement purchase period ending on April 2, 2012. The County has also received our first private BLT easement payment on a project in the TwinBrook Master Plan.
16. The APAB sent a letter to the Designee of the Crown Farm Village LLC that went bankrupt. The letter requests the first of four payments in the amount of \$500,000 to be made to the County Ag Land Preservation Fund since the first 375 (Please note that only 328 lots have been approved at this time) residential units have been platted.
17. The April 17, 2012 meeting will be back in Germantown at 7:00 pm and the remaining meetings for 2012 will be in Germantown.

Upcoming Meetings and Events:

Zoning Advisory Panel ZAP March 21, 2012@7:00pm

Public Hearing-County Council ZTA 12-03 Wineries in RDT zone March 27, 2012@1:30pm

MD/VA AMPs conference March 29-30, 2012

Montgomery County Farm Bureau Board of Directors, April 3, 2012@7:00pm

Agricultural Preservation Advisory Board, April 10, 2012@7:30 pm

Montgomery Soil Conservation District Board of Supervisors, April 13, 2012@9:00am

Agricultural Advisory Committee Meeting, April 17, 2012@7:00 pm-Germantown

Agricultural Advisory Committee

Meeting Agenda –April 17, 2012

1. Introductions: If needed
2. Approval of the AAC Minutes from March 20, 2012. (See Attachment A.)
3. Update on the UME-Agronomy Educator Position-Response from the UME-Central Md Counties on how to collectively fund the position.
4. Response regarding the AAC letter dated January 17, 2012 regarding Local Map Amendment G-909 in Bethesda Central Business District. (See Attachment B.)
18. New Appointments to the Agricultural Advisory Committee- We are now moving forward on the new appointments.
19. Montgomery County Local Bills- House Bill 723 MC 7-12 Septic Easements passed both the House of Representatives and the Senate. The Bill will be effective July 1, 2012 unless it is vetoed by the Governor. House Bill 722 Recorded Covenants passed the Senate and was rejected by the House of Representatives and is therefore dead. SB 1100 was introduced.
20. Discussion surrounding the April 17, 2012 Zoning Advisory Panel: (See Attachment C.)
21. Proposed ZTA from the DED-DEP on Solar Installations in the Agricultural zones.
22. Follow up on the Development Impact Tax and how it is applied to accessory structures and accessory dwellings at the same full rate as primary structures. (See Attachment D.)
23. Discussion on amending Chapter 22A-5 Forest Conservation-Timber Harvest permit.
24. Discussion regarding the Agricultural Reserve Conference-Farming at Metro's Edge-Sustaining Agriculture in Frederick and Montgomery Counties-Friday and Saturday November 9&10, 2012. <http://mocoalliance.org/2012/03/farming-at-metros-edge-conference-full-brochure/>
25. The County received a \$1.0 million payment from the Designee of the Crown Farm Village LLC that went bankrupt. The Sun Brook Partners Inc. must remit the final payment in the amount of \$1.0 million once the final lots are recorded for the mixed use planned development.

Upcoming Meetings and Events:

Montgomery County Farm Bureau Board of Directors, May 1, 2012@7:00pm

Agricultural Preservation Advisory Board, May 8, 2012@7:30 pm

Montgomery Soil Conservation District Board of Supervisors, May 11, 2012@9:00am

Agricultural Advisory Committee Meeting, May 15, 2012@7:00 pm-Germantown

**Agricultural Advisory Committee
Meeting Agenda –May 15, 2012**

1. Introductions: If needed
2. Approval of the AAC Minutes from April 17, 2012. (See Attachment A.)
3. Update on UME-Agronomy Educator Position-Response Dean Wei- (See Attachment B.)
4. Presentation-Michele Rosenfeld-Outcome of Federal Court Case-Dr. Charles Mess and Danny Miller-Discussion on amending Chapter 22A-5 Forest Conservation-Timber Harvest
5. AAC recommendation regarding Local Map Amendment G-909 in Bethesda Central Business District. (See Attachment C.)
6. New Appointments to the Agricultural Advisory Committee- Recommendations from the AAC interviews April 25, 2012 were forwarded to the County Executive staff.
7. Remaining Agricultural issues for the Zoning Rewrite Process (See Attachment D.)
April 19, 2012 Letter from the Commission on Health
8. Proposed ZTA from the DED-DEP on Solar Installations in the Agricultural zones.
9. AAC recommendation on the Development Impact Tax-Accessory structures and accessory dwellings-Farm Tenant dwellings. (See Attachment E.)
10. Discussion regarding the Agricultural Reserve Conference-Farming at Metro's Edge-Sustaining Agriculture in Frederick and Montgomery Counties-Friday and Saturday November 9&10, 2012. <http://mocoalliance.org/2012/03/farming-at-metros-edge-conference-full-brochure/>
11. AAC Response to Bill 32-11 Boards, Committees, Commissions, Committee Evaluation Review Board (See Attachment F.)

12. AAC recommendation on the FY13 Fuel/Energy Tax Rates (See Attachment G.)
http://www.montgomerycountymd.gov/content/council/pdf/agenda/cm/2012/120507/20120507_GOTE1.pdf

13. Bill 16-12 Trees-Utility Vegetation Management-Public Hearing June 12, 2012@7:30pm (See Attachment G.)
http://montgomerycountymd.granicus.com/Viewer.php?view_id=6&clip_id=2952&meta_id=32913

14. Farmland Preservation Purchase Periods Update:
AEP- 8 applications totaling 651 acres-estimated cost of \$4,020,273- Only \$2.0 million in GO Bonds are available
BLT-9 applications totaling 716 acres-estimated cost of \$4,230,000- Only \$2.0 million proposed

15. Next Agricultural Advisory Committee meeting June 19, 2012 @7:00 PM in Germantown

Upcoming Meetings and Events:

Montgomery County Farm Bureau Board of Directors, June 5, 2012@7:00pm
Montgomery Soil Conservation District Board of Supervisors, June 8, 2012@9:00am
Montgomery County Farm Bureau Picnic, June 10, 2012@5:00pm
Agricultural Preservation Advisory Board, June 12, 2012@7:30 pm
Agricultural Advisory Committee Meeting, June 19, 2012@7:00 pm-Germantown

**Agricultural Advisory Committee
Meeting Agenda –June 19, 2012**

1. Introductions: If needed
2. Approval of the AAC Minutes from May 15, 2012. (See Attachment A.)
3. Update on UME-Agronomy Educator Position-Response Dean Wei- (See Attachment B.)
4. AAC recommendation regarding Local Map Amendment G-909 in Bethesda Central Business District. (See Attachment C.)
5. Follow up meeting with Jane Seigler-Remaining Agricultural issues for the Zoning Rewrite Process
6. Discussion regarding the Agricultural Reserve Conference-Farming at Metro's Edge-Sustaining Agriculture in Frederick and Montgomery Counties-Friday and Saturday November 9&10, 2012.

7. Council Action on the FY13 Fuel/Energy Tax Rates (See Attachment D.)
8. AAC recommendation on the Bill 16-12 Trees-Utility Vegetation Management-Public Hearing June 12, 2012@7:30pm (See Attachment E.)
9. Discussion-Amendment to Chapter 50 of the County Code-Subdivisions-Conditions of approving record plats for subdivisions. HB 722 SB 1100 Recommendation to create a new condition that prohibits the developer, HOA, or any future designee from recording private covenants in the land records that are in conflict with the legislative Intent of the RDT zone after the MNCPPC approval of the record plat. This will address future cases of subdivisions.
10. Farmland Preservation Purchase Periods Update:
AEP-Offers made to 4 landowners covering 287 acres totaling \$2.0 million in GO Bonds
BLT-Offers made to 5 landowners covering 466 acres acquiring 9 BLTs totaling \$2,491,875
11. PHED Committee Work Session- June 25, 2012 2:00 pm ZTA 12-03 Agricultural Zones-Wineries
12. PHED Committee Work Session- July 30, 2012 2:00 pm Land Use and economic trends in the Agricultural Reserve. (Please refer to June 6, 2012 Gazette Article on restricting GMO crops)
13. Next Agricultural Advisory Committee meeting July 17, 2012 @7:00 PM in Germantown

Upcoming Meetings and Events:

PHED Committee-ZTA 12-03 Wineries in Agricultural Zones-June 25, 2012@2:00pm
Bob Raver's 80th Birthday Party-July 22, 2012
23rd Annual Farm Tour-July 28 and 29, 2012 @10:00 am-4:00 pm
PHED Committee-Land Use and economic trends in the Agricultural Reserve-July 30, 2012

Agricultural Advisory Committee Meeting Agenda –July 17, 2012

1. Introductions:
2. Approval of the AAC Minutes from June 19, 2012. (See Attachment A.)
3. Discussion with MNCPPC staff Pamela Dun on the Zoning Rewrite Process- Outstanding agriculture issues for the Zoning Rewrite Process - (See Attachment B.)
4. Discussion with Royce Hanson-Agricultural Reserve Conference-Farming at Metro's Edge- (See Attachment C.)
5. Update on the Bill 16-12 Trees-Utility Vegetation Management- The Council agenda states the July 10, 2012 Public Hearing has been cancelled. No further consideration of the bill is planned at this time.
6. AAC Recommendation-Amendment to Chapter 50 of the County Code-Subdivisions- Conditions of approving record plats for subdivisions. This surrounds House Bill 722 and Senate Bill 1100 that failed during the 2012 MD Legislative Session. Recommendation to create a new condition that prohibits the developer, HOA, or any future designee from recording private covenants in the land records that are in conflict with the legislative Intent of the RDT zone after the MNCPPC approval of the record plat. (See Attachment D.)
7. Farmland Preservation Purchase Periods Update:
AEP-Offer made to 4 landowners covering 287 acres totaling \$2.0 million in GO Bonds
BLT-Offer made to 5 landowners covering 466 acres acquiring 9 BLTs totaling \$2,491,875
8. County Council Action- July 10, 2012- ZTA 12-03 Agricultural Zones-Wineries- Approval with Amendments
9. PHED Committee Work Session- July 30, 2012 2:00 pm Land Use and economic trends in the Agricultural Reserve.
10. Next Agricultural Advisory Committee meeting August 21, 2012 @7:00 PM in Germantown-Does the AAC want to have this meeting following the County Ag Fair?
11. The AAC is scheduled to meet on September 18, 2012 @ 7:00pm in Germantown

Upcoming Meetings and Events:

Bob Raver's 80th Birthday Party-July 22, 2012

23rd Annual Farm Tour-July 28 and 29, 2012 @ 10:00 am-4:00 pm

Brochures Handed Out

PHED Committee-Land Use and economic trends in the Agricultural Reserve-July 30, 2012

Agricultural Advisory Committee Meeting Agenda –August 21, 2012

1. Introductions:
2. Approval of the AAC Minutes from July 17, 2012. (See Attachment A.)
3. Follow up to the PHED Committee Work Session- July 30, 2012 2:00 pm Land Use and economic trends in the Agricultural Reserve.
http://www6.montgomerycountymd.gov/content/council/pdf/agenda/cm/2012/120730/20120730_PHED2.pdf
4. Discussion on the August 6, 2012 Press Event to announce the New Farm Pilot Project
5. Follow up to the discussion with MNCPPC staff Pamela Dun on the Zoning Rewrite Process-Updated Consolidated Draft dated July 15, 2012 - (See Attachment B.)
<http://www.montgomeryplanning.org/viewer.shtm#http://www.montgomeryplanning.org/development/zoning/documents/59-3.Uses7.23.12.pdf>
6. Update-Agricultural Reserve Conference-Farming at Metro's Edge- January 11-12, 2013
(See Attachment C.) <http://www.farmingatmetrosedge.com/>
7. Discussion on an amendment to Chapter 50 of the County Code-Subdivisions-Conditions of approving record plats for subdivisions. This surrounds House Bill 722 and Senate Bill 1100 that failed during the 2012 MD Legislative Session. AAC Subcommittee recommendation-create a new condition that once the Planning Board approves the record plat of subdivision any landowner, developer, HOA, or any future designee will be prohibited from recording private covenants in the land records that are in conflict with the legislative Intent of the RDT zone. (See Attachment D.)
8. Discussion surrounding forest mitigation being applied to septic system areas.
(See Attachment E.)
9. The AAC is scheduled to meet on September 18, 2012 @ 7:00pm in Germantown

Upcoming Meetings and Events:

Montgomery County Farm Bureau Board of Directors-September 4, 2012@7:00pm
Montgomery Soil Conservation District Annual Cooperators Dinner-September 6, 2012
Montgomery County Agricultural Preservation Advisory Bd-September 11, 2012
@7:30pm
Montgomery Soil Conservation District Bd of Supervisors-September 14, 2012 @9:00am
Poolesville Day-September 15, 2012
Montgomery County Agricultural Advisory Committee-September 18, 2012@7:00pm

Agricultural Advisory Committee Meeting Agenda –September 18, 2012

1. Introductions:
2. Approval of the AAC Minutes from August 21, 2012. (See Attachment A.)
3. Follow up from the County Council bus tours of the Agricultural Reserve:
Tuesday September 4, 2012 Eastern Agricultural Reserve farm visits to Rolling Acres Farm-Equestrian operation, Sunny Ridge Farm-Grain and Beef operation, Ruppert Nurseries-Nursery and Landscape operation.
Friday September 7, 2012 Western Agricultural Reserve farm visits to Lewis Orchard-Table Food crop operation, Jamie and Kathy Jamison and Sons-Grain operation
4. Discussion on the August 6, 2012 Announcement for the New Farm Pilot Project-September 17, 2012 review of 18 applicants
5. Comments from the agricultural community on the Zoning Rewrite Process-Updated Consolidated Draft dated July 16, 2012 - (See Attachment B.)
6. Update-Agricultural Reserve Conference-Farming at Metro's Edge- January 11-12, 2013

<http://www.farmingatmetrosedge.com/>

7. AAC correspondence for August 2012: (See Attachments C.)
 - August 21, 2012 letter to Chair of the Planning Board-Treatment of septic areas for calculation of forest conservation mitigation.
 - August 21, 2012 letter to the President of the Council-Amendment to create new condition of approving record plats of subdivisions prohibiting private covenants that restrict agricultural uses and activities on RDT zoned land encumbered with TDR easements.
8. Discussion with Jim Clifford on Record Plats of Subdivisions: SRA 12-01 Septic Preliminary Plans
9. Discussion regarding Orientation of new AAC members: Woody Woodroof
10. The AAC is scheduled to meet on October 16, 2012 @ 7:00pm in Germantown

Upcoming Meetings and Events:

- Agricultural Advisory Committee September 18, 2012@7:00 pm
- Montgomery Co Farm Bureau Bd of Directors-Tuesday October 2, 2012@7:00pm
- Montgomery Co Ag Preservation Advisory Board-Tuesday October 9, 2012@7:30pm
- FAME Program and Planning Committees-Thursday October 11, 2012@5:00pm
- Montgomery Soil Conservation District-Friday October 12, 2012@9:00am

**Agricultural Advisory Committee
Meeting Agenda –October 16, 2012**

1. Introductions:
2. Approval of the AAC Minutes from August 21, 2012. (See Attachment A.)
Please note the September 18, 2012 AAC meeting was cancelled due to severe weather
3. Follow up from the County Council bus tours of the Agricultural Reserve:
 - Tuesday September 4, 2012 Eastern Agricultural Reserve farm visits to Rolling Acres Farm-Equestrian operation, Sunny Ridge Farm-Grain and Beef operation, Ruppert Nurseries-Nursery and Landscape operation.
 - Friday September 7, 2012 Western Agricultural Reserve farm visits to Lewis Orchard-Table Food crop operation, Jamie and Kathy Jamison and Sons-Grain operation
4. Discussion regarding Orientation of new AAC members: Woody Woodroof
5. Discussion on the August 6, 2012 Announcement for the New Farm Pilot Project-September 17, 2012 review of 18 applicants-October 18, 2012 Deadline for Training and Mentoring opportunities.

6. The MNCPPC conducted a Work Session on Monday October 15, 2012 @ 7:00 pm on the proposed changes to Agricultural and Rural zones. The AAC provided comments to the MNCPPC on the Consolidated Draft for the Zoning Rewrite Process on September 11, 2012 and October 4, 2012. The MCFB also provided a letter dated September 7, 2012 to MNCPPC regarding concerns in the residential zones. (See Attachments B.)

7. Update-Agricultural Reserve Conference-Farming at Metro's Edge- January 11-12, 2013

<http://www.farmingatmetroedge.com/>

The three panels are as follows:

Navigating the Economic Future of Our Region's Agriculture

Keeping Agriculture Viable in a World of Growing Environment Concerns

Building Organizational Policies and Public Support for Farming and Farm Communities.

Most of you received a Save the Date message sent to the agricultural community and several individuals have agreed to be panelist as part of the Round Table discussions.

8. AAC correspondence for August 2012: (See Attachments C.)

August 21, 2012 letter to Chair of the Planning Board-Treatment of septic areas for calculation of forest conservation mitigation.

August 21, 2012 letter to the President of the Council-Amendment to create new condition of approving record plats of subdivisions prohibiting private covenants that restrict agricultural uses and activities on RDT zoned land encumbered with TDR easements.

9. The DED-ZTA for agricultural and horticultural uses permitted by right in the RDT zone is moving again. Some of the stand alone uses are identified in the Zoning Rewrite Process (agricultural processing which includes the products of forestry, a grain elevator, milk plant, products of forestry, mulch and compost production and manufacture) as conditional uses requiring a special exception. The AAC recommends these uses should be included within the definition of Farm to imply they are permitted by right as accessory uses to the farm. The DED-ZTA proposes to permit all of the above uses by right in addition to animal slaughtering, landscape contractor, horticultural nursery. The MCA has provided support to the MNCPPC for small scale animal slaughtering which involve cutting and wrapping meat.

10. The County Council members with Districts encompassing the Agricultural Reserve (Roger Berliner, Craig Rice, and Nancy Navarro) requested a meeting with the AAC to understand the priorities of the AAC. This meeting was held on October 8, 2012 and David Weitzer, Eddie Kuhlman and Jeremy attended. The priority items of the AAC that were discussed are outlined below:

April 18, 2012-Recommendation on the Development Impact Tax applied to accessory dwellings, accessory building and accessory structures

June 8, 2012-Recommendation on Bill 16-12 Trees-Utility Vegetation Management-Rural and Rustic Roads

June 19, 2012-Recommendation to the University of Maryland-Agronomy Educator Position for the Central MD Cluster-Frederick, Howard, and Montgomery Counties

August 21, 2012-Recommendation for Subdivision Amendment-New Condition of Approving Record Plats of Subdivision

October 4, 2012-Recommendation on the Zoning Rewrite Process

Response to Bill 32-11 Montgomery County Agricultural Advisory Committee

11. The AAC is scheduled to meet on November 20, 2012 @ 7:00pm in Germantown

Upcoming Meetings and Events:

Montgomery County Food Policy Council-October 17, 2012@4:00pm

Montgomery Co Farm Bureau Bd of Directors-Tuesday November 6, 2012@7:00pm

Montgomery Co Farm Bureau Annual Dinner-Tuesday November 13, 2012@6:30pm

Montgomery Co Ag Preservation Advisory Board-Tuesday November 13, 2012@7:30pm

Montgomery Soil Conservation District-Friday November 16, 2012@9:00am

**Agricultural Advisory Committee
Revised Meeting Agenda –November 20, 2012**

1. Introductions:
2. Approval of the AAC Minutes from October 16, 2012. (See Attachment A.)
3. Discussion regarding Orientation of new AAC members: Woody Woodroof
4. Update on the MNCPPC-Planning Board Work Sessions on Agricultural and Rural zones. (See Attachment B.)

5. Update-Agricultural Reserve Conference-Farming at Metro's Edge- January 11-12, 2013

<http://www.farmingatmetrosedge.com/> (See Attachment C.)

The three panels are as follows:

Navigating the Economic Future of Our Region's Agriculture

Panelists include: Billy Willard, Wade Butler, Robert Butz, Jane Seigler, Doug Tregoning, Steve McHenry, Dick Stoner, Chuck Schuster

Keeping Agriculture Viable in a World of Growing Environment Concerns

Panelists include: Pam Saul, Doug Lechliden??,

Building Organizational Policies and Public Support for Farming and Farm Communities.

Panelists include: Drew Stabler, Woody Woodroof, Caroline Taylor,

6. The County will not include Landscape Contractors in the DED-ZTA for agricultural and horticultural uses permitted by right in the RDT zone. This decision was made in light of the opposition from several civic organizations and some folks in the agricultural community.

7. The County Council PHED Committee postponed the work session for an update on the Agricultural Services Funding that was scheduled for December 3, 2012.

8. The County Executive is seeking interest in conducting a Deer Forum including the status of Lyme disease cases. (See Attachment D.)

9. The AAC is scheduled to meet on December 18, 2012 @ 7:00pm in Germantown

Upcoming Meetings and Events:

Agricultural Advisory Committee November 20, 2012@7:00 pm

Montgomery County Council PHED-December 3, 2012@2:00pm

Agricultural Preservation Advisory Board-December 11, 2012@7:30pm

Montgomery Soil Conservation District-December 14, 2012@9:00am

Agricultural Advisory Committee-December 18, 2012@7:00pm

Farming at Metro's Edge Conference-January 11-12, 2013

Agricultural Advisory Committee Meeting Agenda –December 18, 2012

1. Introductions:
2. Approval of the AAC Minutes from November 20, 2012. (See Attachment A.)
3. Follow up Discussion regarding DRAFT Orientation of new AAC members: (See Attachment B.)
4. Update on the MNCPPC-Planning Board Work Sessions on TDR and BLT Receiving Areas proposed for Overlay Zones. (See Attachment C.)
5. Update-Agricultural Reserve Conference-Farming at Metro's Edge- January 11-12, 2013
<http://www.farmingatmetrosedge.com/> (See Attachment D.)

The three panels are as follows:

Navigating the Economic Future of Our Region's Agriculture

Panelists include: Wade Butler, Robert Butz, Jane Seigler, Doug Tregoning, Steve McHenry, Dick Stoner, Chuck Schuster

Keeping Agriculture Viable in a World of Growing Environment Concerns

Panelists include: Pam Saul, Robert Butz, Doug Lechliden

Building Organizational Policies and Public Support for Farming and Farm Communities.

Panelists include: Drew Stabler, Woody Woodroof, Caroline Taylor,

6. County Bills for the AAC to review:

Bill 34-12 Stormwater Management-Water Quality Protection Charge-Public Hearing
January 15, 2013@ 1:30 pm

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=6&clip_id=4131&meta_id=43562

Bill 41-12 Streets and Roads-Roadside Trees –Protections-Public Hearing
January 17, 2013@ 7:30 pm

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=6&event_id=841&meta_id=44053

Bill 35-12 Trees-Tree Canopy Conservation-Public Hearing January 17, 2013 @ 7:30 pm

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=6&clip_id=4131&meta_id=43563

7. The AAC is scheduled to meet on January 15, 2013 @ 7:00pm in Germantown

Upcoming Meetings and Events:

Montgomery County Farm Bureau Bd of Directors January 8, 2013@7:00pm
Agricultural Preservation Advisory Board-January 8, 2013@7:30pm
Montgomery Soil Conservation District-January 11, 2013@9:00am
Farming at Metro’s Edge Conference-January 11-12, 2013
Agricultural Advisory Committee-January 15, 2013@7:00pm
MDA Annual Buyer-Grower Expo-January 22, 2013@ 9:00am

📖 Division 59-A-2. Definitions and Interpretation-Agricultural Uses.

📖 Sec. 59-A-2.1. Definitions.

In this Chapter, the following words and phrases have the meanings indicated:

Abattoir: Any building, place, or establishment where livestock grown off-site are slaughtered for commercial purposes.

Accessory building: See “building, accessory.”

Accessory dwelling: An additional dwelling unit that (1) is located on a tract or parcel that is primarily agricultural in use, and (2) was originally constructed or converted to use on the farm as a principal dwelling, farm tenant dwelling or guest house as defined in this section.

Accessory use: See “use, accessory.”

Agricultural processing: Processing of an agricultural product that causes a change in the natural form or state of the product and that entails operations of a commercial or industrial character that must be regulated to mitigate potential adverse external impacts. Agricultural processing includes, but is not limited to, an abattoir, milk plant and similar non-farm operations. Footnote # 36 Permitted by right as an accessory use to a farm.

Agriculture: The business, science and art of cultivating and managing the soil, composting, growing, harvesting, and selling crops and livestock, and the products of

forestry, horticulture and hydroponics; breeding, raising, or managing livestock, including horses, poultry, fish, game, and fur-bearing animals, dairying, beekeeping and similar activities, and equestrian events and activities. Agriculture includes processing on the farm of an agricultural product in the course of preparing the product for market and may or may not cause a change in the natural form or state of the product.

Base density: The maximum number of dwelling units permitted by the zoning classification of a property in a receiving area computed over the gross area of the property without the use of TDR or the MPDU density increase.

Bed-and-breakfast lodging: A one-family detached dwelling unit, as defined in this section, that is owner-occupied and in which (1) a guest room or guest rooms are provided, for compensation, as overnight accommodations for transient visitors who remain no longer than 2 weeks in any one visit, and (2) breakfast is customarily included in the charge for the room. A bed-and-breakfast lodging is not a hotel, motel, inn, country inn, home occupation or other use defined or regulated elsewhere in this ordinance.

Blacksmith: A commercial operation producing forged iron products, including horseshoes, except that a farrier whose operation is limited to shoeing horses or other equines is not a blacksmith.

Building, accessory: A building subordinate, and located on the same lot with, a main building, the use of which is clearly incidental to that of the main building or to the use of the land, and which is not attached by any part of a common wall or common roof to the main building. In addition to any other meaning the word “subordinate” may have in this definition, on a lot where the main building is a one-family detached residential dwelling, except for an accessory agricultural building, subordinate means that the footprint of the accessory building is smaller than the footprint of the main building.

Building Lot Termination (BLT): A transferable development right (TDR) created from land that:

- (a) consists of at least 25 acres;
- (b) is capable of being served by an individual sewage treatment unit which meets the requirements of Chapter 27A and applicable regulations issued under that Chapter;
- (c) is located in the Rural Density Transfer (RDT) zone; and
- (d) could be transferred by a BLT Easement under this Chapter.

When a BLT easement is recorded in the land records, the easement extinguishes the right to build a dwelling unit in the RDT zone; this attribute distinguishes a BLT from other TDRs.

Buildable Lot Termination Easement. A form of an agricultural easement that runs with the land in perpetuity and extinguishes the right to construct a residential dwelling unit on land located in the Agricultural Reserve and zoned Rural Density Transfer.

Country market: The display and retail sale of agricultural products and farm food products certified as non-potentially hazardous by the Department of Health and Human Services. A country market does not include the sale or storage of bread, cheese, or other foodstuffs produced in a commercial kitchen, or the establishment of an eating and drinking establishment, including a drive-in restaurant. A country market includes the display and sale of non-edible farm products only if the products are grown and processed on farms in the State of Maryland

Dairy farm: A tract of land equipped with buildings, machinery, dairy cattle and other necessary resources for the purpose of producing, cooling and storing fluid milk.

Dairy products or milk plant: Any place or establishment where milk or milk products are collected, skimmed, condensed, evaporated, powdered or processed into butter, cheese, cultured dairy products, frozen dairy products or otherwise prepared for distribution or sale.

Deer Fence: See “fence, deer.”

Development rights: The potential for the improvement of a parcel of real property, measured in dwelling units or units of commercial or industrial space, existing because of the zoning classification of the parcel

Equestrian event: A competition, exhibition, or other display of equestrian skills.

Equestrian event, informal: A competitive or non-competitive event that involves between 26 and 50 participants and spectators, per day.

Equestrian event, major: A competitive or non-competitive event that involves between 151 and 300 participants and spectators, per day.

Equestrian event, minor: A competitive or non-competitive event that involves between 51 and 150 participants or spectators, per day.

Equestrian facility: Any building, structure, or land area that is used primarily for an equestrian activity or event.

Farm: A tract of land, with or without associated buildings, that is devoted to agriculture, as defined in this section. Footnote #1 Products of agriculture and agricultural processing may be sold from a farm if the products are produced on site. The sale from a farm of horticultural products grown primarily on site or, if grown off-site, are planted in the ground or in pots or beds for a period of time on not more than 2 acres or 20% of the site, whichever is less, is an accessory use to the farm.

Farm market: The display and retail sale from a farm of: (1) agricultural products produced on the farm where the farm market is located, or (2) agricultural products produced on another farm under the control of the owner or operator of that farm market. A farm market includes the display and sale of farm food products certified as non-potentially hazardous by the Department of Health and Human Services. Up to 25 percent of the farm market display and sales area may be used for display and sale of agricultural products not produced on a farm under the control of the owner or operator of the farm market. In the event of crop failure due to drought, insect damage, disease, or other cause beyond the control of the owner or operator of the farm market, the Department of Permitting Services upon the recommendation of the Department of Economic Development and the Montgomery County Agricultural Advisory Committee may allow for a limited period of time more than 25 percent of the farm market display and sales area to be used for agricultural products from off the farm where the farm market is located. Footnote # 5 The sale and display area must be located at least 25 feet from the paved edge of the roadway. There must be at least 3 off-street parking spaces. Firewood sold at a farm market must be cut and split on the farm or location where the wood is harvested.

Farm tenant dwelling: A dwelling unit occupied by an agricultural worker actively engaged in farming on a full-time or part-time basis on a farm under the control of the owner or operator of the farm on which the farm tenant dwelling is located.

Farm tenant mobile home: A mobile home occupied by agricultural worker(s) actively engaged in farming on a full-time or part-time basis on a farm under the control of the owner or operator of the farm on which the farm tenant mobile home is located.

Farrier: An individual who shoes horses or other equines. A farrier whose operation is limited to horseshoeing is not a commercial blacksmith. Footnote #4 A farrier whose operation is limited to shoeing horses or other equines is not a commercial blacksmith.

Fence, deer: A fence that is up to 8 feet high and constructed of an open mesh, heavy weight, plastic or similar material that allows a clear view through the fence. Mesh size ranges from 1.5 x 1.5 inches to 2 x 2.75 inches. A deer fence may be constructed with wood, metal, or fiberglass posts.

Fertilizer mixing plant: A dry mixing plant using ammonium nitrate or ammonium sulfate to provide the nitrogen content, not including any process using liquid nitrate or ground tobacco stems or other process producing fumes and odors difficult to control.

Grain elevator: A facility for elevating, drying, storing, and discharging grain. A grain elevating, drying, or storage facility that functions as part of a farm operation, is an accessory use to a farm. Footnote # 36 Permitted by right as an accessory use to a farm.

Landscape contractor: The business of designing, installing, planting, or maintaining lawns, gardens, or other landscaping and snow removal services, including tree

installation, maintenance or removal, at off-site locations with vehicles, equipment, and supplies that are stored, parked, serviced, or loaded at the business location. The delivery and installation of horticultural products originating on the farm is an accessory use to the farm. Footnote # 3

Milk plant: A plant for the processing or packaging, or both, of milk or milk products from milk animals maintained on or off site for distribution to wholesale or retail outlets. A milking parlor is an accessory use to a farm. Footnote #37 A milk plant and a milk parlor are permitted by right as an accessory use to a farm.

Mulch manufacturing and composting: The manufacture of horticultural mulch from wood, wood products, compost, or similar materials. The production of mulch and compost as part of a farm operation is an accessory use to the farm.

Nursery, horticultural - wholesale or retail: The wholesale or retail business of selling plants and plant materials grown on- or off-site as well as garden supplies and equipment and related items. A horticultural nursery may be a wholesale or retail operation or a combination of both and may or may not be combined with landscape contracting. The sale, from a farm, of horticultural products that are grown on-site or, if grown off-site, are planted in the ground or in pots or beds for a period of time, and that do not occupy more than 2 acres or 20% of the site, whichever is less, is an accessory use to the farm.

Receiving area: An area designated on an approved and adopted general, master, sector or functional plan appropriate for development beyond its base density through the transfer of development rights.

Riding stable: See “Equestrian Facility.”

Sawmill: A plant for sawing logs into lumber or other primary wood products.

Sending area: An area designated on an approved and adopted general, master, sector or functional plan as a sending area appropriate for the conveyance of transferable development rights from the area.

Transfer of development rights: The conveyance of development rights by deed, easement, or other legal instrument authorized by local law to another parcel of land and the recordation of that conveyance among the land records of Montgomery County, Maryland.

Use, accessory: A use which is (1) customarily incidental and subordinate to the principal use of a lot or the main building, and (2) located on the same lot as the principal use or building. A temporary structure or trailer used for construction administration or real estate sales in conjunction with and during the period of development, construction or sales within the same site or subdivision in which it is located is an accessory use

Winery: A facility for processing grapes or other fruit into wine for sale on site or through wholesale or retail outlets. Footnote # 38 Permitted by right provided no more than two public events are held per year (Please note the Council conducted a public hearing on March 27, 2012 for ZTA 12-03 to expand the definition of the Wineries in agricultural zones).

Footnote # 48 **If property is encumbered by a recorded transfer of developments rights easement, this use is prohibited. However, any building existing on October 2, 2007 may be repaired or reconstructed if the floor area of the building is not increased and the use is not changed.**

Sec. 59-C-9.3. Land uses.

No use is allowed except as indicated in the following table:

— **Permitted uses.** Uses designated by the letter “P” are permitted on any lot in the zones indicated, subject to all applicable regulations.

— **Special exception uses.** Uses designated by the letters “SE” may be authorized as special exceptions under [Article 59-G](#).

	Rural	RC	LDRC	RDT	RS	RNC	RNC/ TDR
(a) Agricultural:							
Agricultural processing, primary						P	P
Equestrian facility. ⁴¹	P/SE	P/SE	P/SE	P/SE	P/SE	P ⁴⁹ / SE ²	P ⁴⁹ / SE ²
Farm. ¹	P	P	P	P	P	P	P
Fish hatchery.	P	P	P	P	P		
Other agricultural use.	P	P	P	P	P	P	P
(b) Agricultural-Industrial:							
Abattoir.	SE	SE ²	SE ²	SE			
Agricultural processing. ³⁶	SE	SE ²	SE ²	SE	SE		
Construction Debris Reclamation Facility.					P		
Contractors storage yard ²⁸ (existing)					P		
Grain elevator. ³⁶	SE	SE ²	SE ²	SE	SE		

Manufacture of light sheet metal products. ²⁸ (existing)					P		
Manufacture of mulch and composting.	SE	SE ²	SE ²	SE	SE		
Milk plant. ³⁷	SE	SE ²	SE ²	SE			
Sawmill.	SE	SE ²	SE ²	SE			
Storage, outdoor		SE					
Storage for recycling of building or construction materials. ²⁸ (existing)					P		
Winery. ³⁸	SE/P	SE/P	SE/P	SE/P	SE/P	SE ²	SE ²
Wood product and furniture manufacturing. ²⁸ (existing)					P		
(c) Agricultural-Commercial:							
Blacksmith. ⁴	SE	SE ²	SE ²	SE	P	P ²	P ²
Christmas tree sales between December 5 and 25.	P	P	P	P	P	P ²	P ²
Country market.	SE	SE	SE	SE	P	SE ²	SE ²
Farm market. ⁵	P	P	P	P	P	P ²	P ²
Landscape contractor. ^{3,2}	SE	SE	SE	SE	P	SE ²	SE ²
Nursery, horticultural - retail. ^{1,3}	SE	SE	SE	SE	P	SE ²	SE ²
Nursery, horticultural - wholesale. ^{1,3}	SE	SE ²	SE ²	SE	P	SE ²	SE ²
(d) Resource Production and Extraction:²							
Rock or stone quarry, as a temporary use.	SE	SE	SE	SE ⁴⁸			
Sand, gravel or clay pit, or extraction of other natural materials, as a temporary use.	SE	SE	SE	SE ⁴⁸			
(e) Residential:²							
Accessory apartment. ^{6,7}	SE	SE	SE	SE ⁴⁸		SE	SE
Accessory dwelling. ⁷	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Accessory dwelling for agricultural workers. ⁴²				P			
Bed-and-breakfast lodging with one or 2 guest rooms. ³¹	P	P	P	P ⁴⁸	P	P	P
Bed-and-breakfast lodging with 3, 4 or 5	SE	SE	SE	SE ⁴⁸	P	SE	SE

guest rooms. ¹⁸							
Dwelling, one-family detached.	P	P	P	P	P	P	P
Dwelling, one-family semidetached. ⁴⁴						P	P
Farm tenant dwelling. ⁸	P	P	P	P		P	P
Farm tenant mobile home, more than one but less than 4. ⁸	SE	SE	SE	SE		SE	SE
Group home, small.	P	P	P	P ⁴⁸	P	P	P
Group home, large. ¹⁵	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Guest house, as accessory use. ⁸	P	P	P	P ⁴⁸	P	P	P
Guest rooms, for not more than 2 roomers in any dwelling unit.	P	P	P	P ⁴⁸	P	P	P
Housing and related facilities for senior adults or persons with disabilities.	SE	SE	SE		SE	SE	SE
Life care facility.	SE	SE	SE			SE	SE
Mobile home, double-wide. ⁹	P	P	P	P ⁴⁸	P	P	P
Registered living unit. ^{6,20}	P	P	P	P ⁴⁸	P	P	P
Townhouse.						P	P
(f) Transportation, Communication and Utilities:							
Airstrip, associated with farming operations.		SE ²	SE	SE			
Amateur radio facility.	P ⁴⁶ / SE	P ⁴⁶ / SE	P ⁴⁶ / SE	P ⁴⁶ / SE	P ⁴⁶ / SE	P ⁴⁶ / SE	P ⁴⁶ / SE
Cable communication system. ¹⁰	SE	SE	SE	SE	SE	SE	SE
Electric power transmission and distribution line, overhead, carrying more than 69,000 volts.	SE	SE	SE	SE	SE	SE	SE
Electric power transmission and distribution line, overhead, carrying 69,000 volts or less.	P	P	P	P	P	P	P
Electric power transmission and distribution line, underground.	P	P	P	P	P	P	P
Helistop.	SE	SE ^{2,11}	SE ^{2,11}	SE ¹¹			
Parking of motor vehicles, other than heavy	P ⁵⁰	P ⁵⁰	P ⁵⁰	P ⁵⁰	P	P ⁵⁰	P ⁵⁰

commercial vehicles, off-street, in connection with any use permitted. Vehicles and machinery for agricultural use may be parked on any size lot without restrictions. A tow truck is not permitted to park with a vehicle attached on any size lot or parcel.							
Parking of motor vehicles, off-street, in connection with commercial uses.	P ³⁹			P ³⁹			
Pipeline, aboveground.	SE	SE	SE	SE	SE		
Pipeline, underground.	P	P	P	P	P	P	P
Public utility buildings and structures.	SE	SE	SE	SE	SE	SE ²	SE ²
Radio or television broadcasting stations and towers.	SE	SE ²	SE ²	SE	SE		
Railroad track.	P	P	P	P	P		
Rooftop mounted antennas and related unmanned equipment building, equipment cabinets, or equipment room. ²⁷	P	P		P		P	P
Telecommunications facility.	P ³³ / SE	P ³³ / SE	P ³³ / SE	P ³³ / SE	P ³² / SE	SE ²	SE ²
Telephone or telegraph line.	P	P	P	P	P	P	P
(g) Commercial: ²							
Antique shop.	SE	SE	SE	SE ⁴⁸	P	SE	SE
Auction facility. ¹²				SE ⁴⁸	P		
Farm machinery: sales, storage, or service.		SE	SE	SE ⁴⁸	P		
Farm supply: sales, storage, or service.		SE	SE	SE ⁴⁸	P		
Transitory use. ²⁶	P/SE	P/SE		P ⁴⁸ / SE ⁴⁸		P/SE	P/SE
(h) Services: ²							
Adult foster care home.	P	P	P	P ⁴⁸	P	P	P
Ambulance or rescue squad, publicly supported.	P	P	P	P ⁴⁸	P	P	P
Animal boarding place.	SE	SE	SE	SE	SE	SE	SE

Cemetery.	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Charitable or philanthropic institution. ¹⁹	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Child day care facility:							
—Family day care home.	P	P		P	P	P	P
—Group day care home. ³⁴	P	P		P ⁴⁸	P	P	P
—Child day care center.	SE	SE		SE ⁴⁸	P	SE	SE
Church, memorial garden, convent, monastery, and/or other place of worship.	P	P	P	P ⁴⁸	P	P	P
Day care facility for more than 4 senior adults and persons with disabilities.	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Day care facility for not more than 4 senior adults and persons with disabilities. ¹⁴	P	P	P	P ⁴⁸	P	P	P
Domiciliary care home for more than 16 residents. ³⁵	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Educational institution, private.	SE	SE	SE	SE ^{13, 48}	SE	SE	SE
Family burial sites.	SE	SE	SE	SE			
Fire station, publicly supported.	P	P	P	P ⁴⁸	P	P	P
Funeral parlor or undertaking establishment				SE ^{40, 48}			
Home health practitioner's office.	P ²² / SE ²¹	P ²² / SE ²¹	P ²² / SE ²¹	P ^{22, 48} / SE ^{21, 48}	P ²² / SE ²¹	P ²² / SE ²¹	P ²² / SE ²¹
Home occupation, major. ²¹	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Home occupation, registered. ²²	P	P	P	P ⁴⁸	P	P	P
Home occupation, no impact. ²³	P	P	P	P	P	P	P
Hospice care facility.	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Hospital, veterinary.	SE	SE	SE	SE ⁴⁸	SE	SE	SE
Nursing home. ³⁵	SE	SE			SE	SE	SE
Offices, general. ²⁹					SE		
Publicly owned or publicly operated use.	P	P	P	P	P	P	P
Respite care home.	P	P	P	P ⁴⁸	P	P	P
Sanitarium.	SE	SE	SE	SE ⁴⁸	SE	SE	SE

(i) Cultural, Entertainment and Recreational:							
Boathouse, private.	P	P	P	P ⁴⁸	P		
Camp retreat, non-profit.		P ⁴⁵					
Campground.	SE						
Country club.	SE	SE	SE				
Golf course.	SE	SE	SE	SE ^{25, 48}			
Hunting or fishing cabin, private. ¹⁶	P	P	P	P ⁴⁸			
Kennel, noncommercial.	P	P	P	P	P	P	P
Libraries and museums. ³⁰		P				P ²	P ²
Private club or service organization.	SE	SE	SE	SE ⁴⁸	SE	SE ²	SE ²
Recreational or entertainment establishment, or commercial.	SE				SE		
Riding stable, private. ¹⁷						P	P
Rifle, pistol, or skeet shooting range, outdoor.	SE	SE ²	SE ²	SE ⁴⁸	SE		
Swimming pool, community.	SE	SE	SE			SE ²	SE ²
Swimming pool, private. ¹⁶	P	P	P	P ⁴⁸	P	P	P
Theater, legitimate.	SE				SE		
(j) Miscellaneous:							
Accessory buildings, structures, and uses. ⁴⁷	P	P	P	P	P	P	P
Security pavilion.	P ⁴³	P ⁴³	P ⁴³	P ⁴³	P ⁴³	P ⁴³	P ⁴³
Signs, in accordance with the provisions of Article 59-F .	P	P	P	P	P	P	P
Wildlife or game preserve, regulated shooting ground licensed by the Maryland Wildlife Administration, and other conservation areas.	P	P	P	P	P		

1 Products of agriculture and agricultural processing may be sold from a farm if the products are produced on site. The sale from a farm of horticultural products grown primarily on site or, if grown off-site, are planted in the ground or in pots or beds for a period of time on not more than 2 acres or 20% of the site, whichever is less, is an accessory use to the farm.

2 This use or class of uses is not permitted in the portion of any cluster development regulated by section [59-C-9.52](#) or in any rural open space area regulated by section [59-C-9.57](#).

3 The delivery and installation of horticultural products grown on the farm that provides the delivery and installation service is an accessory use to the farm. A landscape contractor or wholesale nursery in operation on October 22, 1985, is a conforming use and is not required to obtain a special exception, unless:

(a) The on-site operation is expanded or enlarged;

(b) The on-site operation is diversified to include retail facilities or a related use not in operation prior to October 22, 1985; or

(c) The operation is discontinued for a period of 6 months or more. A period of seasonal inactivity of up to 4 months does not constitute discontinuance.

4 A farrier whose operation is limited to shoeing horses or other equines is not a commercial blacksmith.

5 The sale and display area must be located at least 25 feet from the paved edge of the roadway. There must be at least 3 off-street parking spaces. Firewood sold at a farm market must be cut and split on the farm or location where the wood is harvested.

6 Not permitted in a mobile home.

7 As a special exception regulated by divisions 59-G-1 and 59-G-2, such a dwelling unit is excluded from the density calculations set forth in sections [59-C-9.41](#), title "Density in RDT Zone," and [59-C-9.6](#), title "Transfer of Density-Option in RDT Zone." Once the property is subdivided, such a dwelling would no longer comply with the special exception regulations or with this exclusion. A special exception is not required for a dwelling that was a farm tenant dwelling in existence prior to June 1, 1958, provided, that the dwelling meets all applicable health and safety regulations.

8 A farm tenant dwelling, farm tenant mobile home, or guest house, as defined in section [59-A-2.1](#), title "Definitions," is excluded from the density calculations set forth in sections [59-C-9.41](#), title "Density in RDT Zone," and [59-C-9.6](#), title "Transfer of Density-Optional in RDT Zone," provided that these uses remain accessory to a farm. Once the property is subdivided, such dwellings would no longer comply with these definitions or with this exclusion. A farm tenant dwelling in existence prior to June 1, 1958, may be rented to a non-farm family without obtaining a special exception as an accessory dwelling, provided that the dwelling meets all applicable health and safety regulations.

9 Provided that such a dwelling has minimum dimensions of 24 feet by 40 feet, a gable roof, and is permanently affixed to a foundation supporting the load-bearing framework

of the mobile home and a foundation wall enclosing its entire perimeter, in compliance with the provisions of chapter 8 of this Code. Such a mobile home must have its wheels, axles, transportation light and removable towing apparatus removed.

10 Except as provided in sections [59-A-6.9](#) and [59-G-2.10.1](#).

11 Provided it is a private helistop associated with a farm.

12 Merchandise restricted as stated in section [59-G-2.05.1](#).

13 Limited to individual or small class instruction provided within a dwelling or an accessory use, such as a swimming pool, by a resident of the dwelling. However, a private educational institution for persons with disabilities may be established subject to the special exception requirements of section [59-G-2.19](#), and provided (1) the site was previously used to provide educational services to persons with disabilities, (2) no more than 75 students are enrolled at any one time, (3) enrolled students are not boarded, and (4) improvements exist on the property (as of July 21, 2003) to accommodate the school's educational programs. A residence may be provided on site for use by a caretaker. Educational services to persons without disabilities are limited to enrichment activities related to providing educational services to persons with disabilities. A private educational institution lawfully existing prior to January 6, 1981, when the Rural Density Transfer Zone sectional map amendment was enacted is a conforming use, and may be extended, enlarged or modified by special exception subject to the provisions of section [59-G-2.19](#), "Educational Institutions, Private."

14 As defined under "Day Care Facility for Senior Adults and Persons with Disabilities."

15 Subject to the special exception standards for a group home, section [59-G-2.26](#).

16 For use of the property owner and nonpaying guests only.

17 Reserved.

18 Not permitted in an accessory dwelling, farm tenant dwelling or mobile home. The owner must maintain a record of transient visitors and register the lodging with the Department. Minimum lot size for a lodging with more than 3 guest rooms is 2 acres.

19 Provided the special exception is for re-use of an existing building and has a maximum lot size of 2 acres.

20 In accordance with Executive Regulations and subject to the requirements enumerated in section [59-A-6.10](#).

21 In accordance with section [59-G-2.29](#), title "Home Occupation, Major." A professional office for a resident of a dwelling for which a use-and-occupancy permit was issued prior to February 5, 1990, may be continued as a nonconforming use, as provided

in division 59-G-4. Alternatively, an existing resident professional may register a home occupation or home health practitioner's office, in accordance with sections [59-A-3.4](#) and [59-A-6.1](#), or apply for a special exception, in accordance with section [59-G-2.29](#).

22 In accordance with sections [59-A-3.4](#) and [59-A-6.1](#).

23 There must be no more than 5 visits per week, no nonresident employees and no discernible adverse impact on the neighborhood.

24 Reserved.

25 If an application was filed with the Board of Appeals prior to June 16, 1992. Any golf course approved by the Board of Appeals is not a non-conforming use and may be modified in accordance with Sec. [59-G-2.241](#).

26 In accordance with Section [59-A-6.13](#).

27 Refer to Sec. [59-A-6.14](#).

28 Valid only for uses existing as of the date of placement in the zone or on a parcel adjoining I-1 zoned property devoted to a similar use at the time of placement in the zone. Expansion on such a parcel adjoining I-1 zoned property shall require that the entire site is covered by site plan review for both properties.

29 For existing residential structures as of the date of placement in the zone and in accordance with the special exception requirements of Section [59-G-2.38.1](#).

30 Whenever main and accessory structures exceed an aggregate floor area of 5,000 square feet, development will be subject to site plan review under Division 59-D-3. All properties designated as resources in the Master Plan for Historic Preservation are excluded from the site plan review requirement.

31 May be permitted in an accessory building designated as historic on the Master Plan for Historic Preservation.

32 A telecommunications facility is a permitted use if the height does not exceed the building height of the zone and the monopole is set back one foot for every foot of height from the property line.

33 A telecommunications facility is a permitted use up to 199 feet in height within an overhead transmission line right-of-way but must not be closer than 300 feet to any residence.

34 Not to be located in a townhouse unit or an attached unit.

35 Subject to the special exception standards for a Nursing Home; and Domiciliary Care Home, section [59-G-2.37](#).

36 Permitted by right as an accessory use to a farm.

37 A milk plant and a milk parlor are permitted by right as an accessory use to a farm.

38 Permitted by right if no more than two public events are held per year; however, in the RDT zone, a winery is permitted by right if:

(1) no more than 9 days of events that require an entrance ticket or a cover charge are held per year; and

(2) the lighting level at any property line does not exceed 0.1 footcandle.

39 Parking of motor vehicles is permitted in an historic district in accordance with the provisions of Sec. [59-A-6.22](#).

40 If operated in conjunction with a cemetery established by special exception before (ZTA effective date) [August 20, 2001].

41 Any riding stable, including buildings, show rings, paddocks, activities and events established in an agricultural zone before April 5, 2004 is a conforming use and may be modified, reconstructed, or enlarged in accordance with the standards in effect after April 5, 2004 except that any riding stable existing before April 5, 2004 must be in compliance with the nutrient management, water quality, and soil conservation standards of 59-C-9.31(c) no later than March 2, 2005.

42 Only for workers actively engaged on a full-time or part-time basis in managing or maintaining a lawful agricultural use that is under the control of the owner or operator of property on which the accessory dwelling is located. An accessory dwelling for use by agricultural workers is permitted in addition to a main dwelling.

43 In accordance with Section [59-A-6.17](#)

44 Permitted only as part of a moderately-priced dwelling unit development. The maximum percentage of one-family semi-detached dwelling units in a subdivision is 30%.

45 If established before April 11, 2005.

⁴⁶ Must not exceed 65 feet in height; however, a special exception for additional height may be granted, by the Board of Appeals if it can be demonstrated that the additional height is the minimum needed to engage in amateur radio communications under a license issued by the Federal Communications Commission. Any amateur facility existing before December 26, 2005 that exceeds 65 feet in height is a conforming structure.

⁴⁷ Except for a building accessory to an agricultural use, the footprint of an accessory building on a lot where the main building is a one-family detached residential dwelling must not exceed 50 percent of the footprint of the main building. Any accessory building for which a building permit was issued before July 11, 2006 may continue as a conforming building under the standards in effect at the time the building permit was issued; however, in the event a building permit that was issued before July 11, 2006 is revoked, but subsequently approved, the accessory building must be in compliance with the standards in effect at the time of the subsequent approval. Any replacement or reconstruction of an accessory building constructed under a building permit issued before July 11, 2006 must comply with the standards in effect at the time the building is replaced or reconstructed.

⁴⁸ If property is encumbered by a recorded transfer of developments rights easement, this use is prohibited. However, any building existing on October 2, 2007 may be repaired or reconstructed if the floor area of the building is not increased and the use is not changed.

⁴⁹ A resident of a lot or parcel at least 2 acres in size may raise, ride, and board horses for personal use. One horse is permitted for every 1 gross acre of the lot or parcel, up to a maximum of 5 horses. Any building or manure storage area must be located at least 100 feet from any existing dwelling on an adjacent tract of land.

⁵⁰ On any lot or parcel smaller than 2 acres in size but larger than .5 acres, not more than 3 light commercial vehicles and not more than one unoccupied recreational vehicle may be parked at any time. One additional recreational vehicle may be used on a lot or a parcel for dwelling purposes for not more than 3 days in any month. On any lot or parcel equal to or smaller than .5 acres in size, not more than one light commercial vehicle and not more than one unoccupied recreational vehicle may be parked at any time.