

AGENDA ITEM #7
July 21, 2009

Public Hearing

MEMORANDUM

July 17, 2009

TO: County Council

FROM: Jeffrey L. Zyontz,  Legislative Attorney

SUBJECT: Public Hearing – Zoning Text Amendment 09-04,
Rural Neighborhood Cluster (RNC) Zones - Equestrian Facilities

Zoning Text Amendment (ZTA) 09-04 is sponsored by Councilmember Knapp. The ZTA proposes to amend the Rural Neighborhood Cluster (RNC) Zones to allow lots larger than 2 acres to board and raise 1 horse per acre. No more than 5 horses would be allowed on sites larger than 5 acres. More than 5 horses would require a special exception. Currently, boarding 1 horse requires a special exception. In the sponsor's opinion, the current limitation is unduly restrictive in agricultural zones.

The Planning, Housing, and Economic Development Committee will schedule a worksession on this ZTA at a later date.

This packet contains
ZTA 09-04

© page
1 – 4

Zoning Text Amendment No: 09-04
Concerning: RNC Zones – Equestrian
Facilities
Draft No. & Date: 1 - 5/12/09
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**

By: Councilmember Knapp

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow equestrian facilities in the RNC and RNC/TDR zones under certain circumstances; and
- make editorial changes to the land use provisions of Agricultural zones.

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

DIVISION 59-C-9. “AGRICULTURAL ZONES”
Section 59-C-9.3 “Land uses”

*EXPLANATION: **Boldface** indicates a heading or a defined term.
Underlining indicates text that is added to existing laws
by the original text amendment.
[Single boldface brackets] indicate text that is deleted from
existing law by the 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 59-C-9. is amended as follows:**

2 **Division 59-C-9 AGRICULTURAL ZONES.**

3 * * *

4 **59-C-9.3 Land uses.**

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

6 **-Permitted Uses.** Uses designated by the letter "P" are permitted on any lot
7 in the zones indicated, subject to all applicable regulations.

8 **-Special Exception Uses.** Uses designated by the letters "SE" may be
9 authorized as special exceptions[, in accordance with the provisions of]
10 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	<u>P</u> [*] /SE ²	<u>P</u> [*] /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

11 * * *

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

16 * * *

17 **Sec. 2. Effective date.** This ordinance takes effect immediately after the
18 date of Council adoption.

19

20 This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council