

Public Hearing

MEMORANDUM

September 11, 2009

TO: County Council

FROM: Jeffrey L. Zyontz, ^{ll}Legislative Attorney

SUBJECT: Public Hearing - Zoning Text Amendment 09-06,
Town Sector (TS) Zone – Minimum Area

On July 28, 2009 the Council introduced Zoning Text Amendment (ZTA) 09-06. Councilmembers Knapp, Elrich, and Floreen sponsored the ZTA to implement the Germantown Sector Plan. The ZTA would amend the Town Sector (TS) Zone to allow a TS zoned area to be reduced below 1,500 acres. Such a reduction would only be allowed by the Council's approval of a sectional map amendment. A sectional map amendment may only be filed by the District Council to implement the zoning recommendations of a master plan or to correct inaccurate depictions of zoning boundaries.

There are 2 areas in the County that are zoned TS: 1) Churchill; and 2) Montgomery Village. Only the Churchill area has a sector plan that recommends reducing the acreage of TS zoning.

The Planning, Housing, and Economic Development Committee has scheduled a worksession on the matter for September 21, 2009.

This packet contains
ZTA 09-06

© page
1 – 3

Zoning Text Amendment No: 09-06
Concerning: Town Sector Zone -
Minimum Size
Draft No. & Date: 1 - 7/21/09
Introduced: July 28, 2009
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: Councilmembers Knapp, Elrich, and Floreen

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- Allow, under certain circumstances, a reduction in the land area required for land currently zoned TS.

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

DIVISION 59-C-7. "PLANNED UNIT DEVELOPMENT ZONES"
Section 59-C-7.2 "Town sector zone"

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-7 is amended as follows:**

2 **Division 59-C-7. Planned Unit Development Zones.**

3 * * *

4 **Sec. 59-C-7.2 Town sector zone.**

5 * * *

6 **59-C-7.24. Area requirements.**

7 59-C-7.241. Minimum area of tract. Each application for the town sector
8 zone shall be for a tract of land which has an area of 1,500 acres or more; except[,
9 that]:

10 a) an application for a tract of any size adjoining a tract in the town sector zone
11 may be filed by the original applicant or a successor in title [.] or

12 b) a sectional map amendment may reduce the area zoned TS to less than 1,500
13 acres.

14 * * *

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

17
18 This is a correct copy of Council action.

19
20 _____
21 Linda M. Lauer, Clerk of the Council