

Public Hearing

MEMORANDUM

November 6, 2009

TO: County Council
FROM: Jeffrey L. Zyontz, Legislative Attorney *JL*
SUBJECT: Public Hearing – Zoning Text Amendment 09-10, I-3 Zone - Hospitals

Zoning Text Amendment (ZTA) 09-10, at the request of the Planning, Housing, and Economic Development Committee, was introduced on October 6, 2009. ZTA 09-10 would allow a hospital as a permitted use in the I-3 zone if the site is identified in a certificate of need issued by the Maryland Health Care Commission. Any hospital approved under this provision would be required to have an approved site plan in order to proceed to construction. This ZTA was recommended by the recently adopted Germantown Sector Plan.

The Planning, Housing, and Economic Development Committee will post the date of a worksession on this ZTA in the near future.

This packet contains
ZTA 09-10

© page
1 – 3

Zoning Text Amendment No: 09-10
Concerning: Technology and Business Park
(I-3) zone – Hospitals
Draft No. & Date: 1 - 9/21/09
Introduced: October 6, 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: District Council at the Request of the Planning, Housing, and Economic Development
Committee

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow hospitals as a permitted use in the I-3 zone under certain circumstances; and
- generally amend the provision related to land use in industrial zones.

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

DIVISION 59-C-5. INDUSTRIAL ZONES
Section 59-C-5.21 Allowable 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-5. is amended as follows:**

2 **Division 59-C-5 INDUSTRIAL ZONES.**

3 * * *

4 **59-C-5.21. Allowable uses.**

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

6 **-Permitted Uses.** Uses designated by the letter "P" and uses of a similar character[,] are
 7 permitted on any lot in the zones indicated, subject to all applicable regulations.

8 **-Special Exception Uses.** Uses designated by the letters "SE" may be authorized as
 9 special exceptions[, in accordance with the provisions of] under Article 59-G.

	I-1	I-2	I-3	I-4	R&D	LSC
* * *						
(e) Services.						
* * *						
General offices.	P	P ¹²	P	SE	P ¹³	P ¹³
Highway fuel and food service.	SE					
Hospitals.	SE		P* [SE]	SE	SE	P
Hospitals, veterinary, when in a soundproof building.	P			P		
* * *						

10 * A hospital is permitted if the site of the hospital is identified in a certificate of need
 11 issued by the Maryland Health Care Commission. Site plan approval under Division 59-
 12 D-3 is required.

13

14 **Sec. 2. Effective date.** This ordinance takes effect 20 days after the date of
15 Council adoption.

16

17 This is a correct copy of Council action.

18

19

20 _____
Linda M. Lauer, Clerk of the Council