

**Introduction**

**MEMORANDUM**

November 13, 2009

TO: County Council  
FROM: Jeffrey L. Zyontz,  Legislative Attorney  
SUBJECT: Introduction – Zoning Text Amendment 09-12, Rural Services – Development Standards

Zoning Text Amendment (ZTA) 09-12, sponsored by Councilmember Knapp, is scheduled to be introduced on November 17, 2009. This ZTA would allow parcels in the Rural Service zone with less than 300 feet of road frontage to develop with the frontage that existed when the Rural Service zone was applied. The sponsor believes that this provision was mistakenly absent when the RS zone was first applied.

A public hearing will be held on January 12, 2010 at 1:30 p.m. if the Council approves the attached resolution.

This packet contains  
ZTA 09-12  
Resolution

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Zoning Text Amendment No: 09-12  
Concerning: Rural Service (RS) Zone -  
Development Standards  
Draft No. & Date: 1 – 11/10/09  
Introduced: 11/17/09  
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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By: Councilmember Knapp

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**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- exempt pre-existing lots or parcels in the Rural Service zone from the minimum frontage requirements; and
- generally amend the provision related to the standards for development in the Rural Service zone.

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

DIVISION 59-C-9  
Section 59-C-9.42

**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 that text 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 59-C-9 is amended as follows:**

2           **Sec. 59-C-9.4. Development standards.**

3           The following requirements apply in all cases, except as specified in the optional  
 4           standards for cluster development set forth in sections 59-C-9.5 and 59-C-9.57 and  
 5           the exemption provisions of section 59-C-9.7.

6           \*    \*    \*

	Rural	RC	LDRC	RDT	RS	RNC	RNC/TDR
59-C-9.42. Minimum net lot area.							
No main building, together with its accessory buildings, shall be located on a lot having a net area of less than	5 acres	5 acres	5 acres	40,000 sq. ft.	2 acres <sup>4</sup>	25,000 sq. ft.	25,000 sq. ft.
<b>59-C-9.43. Minimum lot width (in feet):</b>							
(a) Measured along front building line	300	300	300	125	125	100	100
(b) Measured along front street line	25	300	300	25	300*	25	25

7           \*           A minimum street frontage is not required if the lot or parcel:  
 8                     1) was created before the application of the RS zone to the lot or parcel; and  
 9                     2) has not changed in size or configuration by deed after the application of  
 10                    the RS zone to the lot or parcel.

11           \*    \*    \*

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

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15 This is a correct copy of Council action.

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18 \_\_\_\_\_  
Linda M. Lauer, Clerk of the Council

Resolution No.: \_\_\_\_\_  
Introduced: November 17, 2009  
Adopted: \_\_\_\_\_

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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By: District Council

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Subject: Notice of Public Hearing on Zoning Text Amendment 09-12

Background

1. Section 59-H-9.3 of the Montgomery County Ordinance requires that, within 30 days of introduction of any text amendment, the Council act by resolution to set a date and time for public hearing on the proposed amendment.
2. Zoning Text Amendment No. 09-12, introduced on November 17, 2009 would allow certain lots or parcels in the Rural Service Zone to develop with less than 300 feet of road frontage.
3. Councilmember Knapp requested consideration of the Zoning Text Amendment.

Action

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 resolution:

Legal notice will be given of the public hearing to be held on January 12, 2010 at 1:30 p.m., in the Council Hearing Room, Stella Werner Council Office Building, Rockville, Maryland, for the purpose of giving the public an opportunity to comment on the proposed amendment.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council