

Public Hearing

MEMORANDUM

January 8, 2010

TO: County Council

FROM: Jeffrey L. Zyontz, Legislative Attorney 

SUBJECT: Public Hearing – Zoning Text Amendment 09-12, Rural Services – Development Standards

Zoning Text Amendment (ZTA) 09-12, sponsored by Councilmember Knapp, was introduced on November 17, 2009. This ZTA would allow parcels in the Rural Service (RS) 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.

The Planning, Housing, and Economic Development Committee has tentatively scheduled a January 21 worksession on this ZTA.

This packet contains
ZTA 09-12

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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**

By: Councilmember Knapp

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 ⁴	25,000 sq. ft.	25,000 sq. ft.
59-C-9.43. Minimum lot width (in feet):							
(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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Linda M. Lauer, Clerk of the Council