

Introduction

MEMORANDUM

June 21, 2010

TO: County Council

FROM: Jeffrey L. Zyontz, Legislative Attorney 

SUBJECT: Introduction – Zoning Text Amendment 10-09, CBD Standards – Transient Lodging

Zoning Text Amendment (ZTA) 10-09, sponsored by the District Council at the request of the County Executive, is scheduled to be introduced on June 22, 2010. The ZTA would allow greater density for optional method of development projects in certain CBD zones if the site confronted a major highway and was located at least 250 feet from single family residentially zoned land. The allowed density would be the same density that is currently allowed for mixed-use optional method of development projects with residential uses.

A public hearing will be held on July 27, 2010 at 1:30 p.m. if the Council approves the attached resolution.

This packet contains
ZTA 10-09
Resolution

© page
1 – 3
4

Zoning Text Amendment No.: 10-09
Concerning: CBD Standards –
 Transient Lodging
Draft No. & Date: 1 – 6/18/10
Introduced: June 22, 2010
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 County Executive

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- amend the allowable FAR for optional method of development projects with transient lodging located in certain CBD zones under certain circumstances.

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

Division 59-C-6 “CENTRAL BUSINESS DISTRICT ZONES”
Section 59-C-6.2 “Provisions of CBD zones”

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-6 is amended as follows:

2 **DIVISION 59-C-6. CENTRAL BUSINESS DISTRICT ZONES**

3 * * *

4 **59-C-6.2 Provisions of the CBD zones.**

5 * * *

6 **59-C-6.23 Development standards.**

7 The development standards applicable to the standard and optional methods of
 8 development, indicated by the letters “S” and “O” in each zone, are specified in
 9 this section.⁸

10 * . * *

	CBD-0.5		CBD-R1 ²		CBD-1		CBD-2		CBD-3		CBD-R2	
	S ⁹	O	S	O	S ⁹	O	S ⁹	O	S ⁹	O	S	O
59-C-6.234. Maximum Density of Development.												
* * *												
(b) Optional method of development (see Section 59- C-6.215(b)):												
The density allowed must not exceed either the following densities or the density recommended by the applicable master plan or sector plan.												
* * *												
(ii) Non- residential, including transient lodging (FAR):		1.0				2.0 ^{19,23}		4.0 ²³		6.0 ²³		

(iii) Mixed-use										
— Maximum permitted non-residential, including transient lodging (FAR); however, the maximum excludes sites with transient lodging confronting a major highway and located at least 250 feet from single family zoned land, limited to:	1.0 ⁴		0.6 ^{7,17}		2.0 ^{4,23}		3.0 ^{5,23}		5.0 ^{6,23}	1.0 ^{3,18}
— Maximum permitted non-residential that includes transient lodging on sites confronting a major highway and located at least 250 feet from single-family zoned land (FAR)					3.0		5.0		8.0	
-Total FAR ^{13,15}	1.5		3.0		3.0 ²³		5.0 ²³		8.0 ²³	5.0 ³
* * *										

12
13 * * *

14 **Sec. 3. 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

Resolution No.: _____
Introduced: June 22, 2010
Adopted: _____

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Notice of Public Hearing on Zoning Text Amendment 10-09

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. 10-09, introduced on June 22, 2010, would allow greater density for optional method of development projects in certain CBD zones if the site confronted a major highway and was located at least 250 feet from single family residentially zoned land.
3. On June 17, 2010 the County Executive requested the introduction of a ZTA that would allow increased density for optional method of development projects in certain CBD zones if the site confronted a major highway and was located at least 250 feet from single family residentially zoned land.

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 July 27, 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.

Linda M. Lauer, Clerk of the Council