

Public Hearing

MEMORANDUM

July 23, 2010

TO: County Council

FROM: Jeffrey L. Zyontz,  Legislative Attorney

SUBJECT: Public Hearing – Zoning Text Amendment 10-09, Central Business District (CBD)
Standards – Transient Lodging

Zoning Text Amendment (ZTA) 10-09, sponsored by the District Council at the request of the County Executive, was introduced on June 22, 2010. The ZTA would allow greater density for optional method of development projects with transient lodging if the site:

- 1) confronts a major highway;
- 2) is located at least 250 feet from single family residentially zoned land; and
- 3) is classified in certain Central Business District zones.

The allowed density would be the same density that is currently allowed for mixed-use optional method of development projects with residential uses.

The Planning, Housing, and Economic Development Committee has tentatively scheduled a worksession on ZTA 10-09 for September 20, 2010.

This packet contains
ZTA 10-09

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Zoning Text Amendment No.: 10-09
Concerning: CBD Standards –
Transient Lodging
Draft No. & Date: 1 – 6/18/10
Introduced: June 22, 2010
Public Hearing: July 27, 2010
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 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

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	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); <u>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:</u>		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 <u>confronting a major highway and located at least 250 feet from single-family zoned land (FAR)</u>						<u>3.0</u>		<u>5.0</u>		<u>8.0</u>		
-Total FAR ^{13,15}		1.5		3.0		3.0 ²³		5.0 ²³		8.0 ²³		5.0 ³
* * *												

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14 **Sec. 3. Effective date.** This ordinance takes effect 20 days after the date of
 15 Council adoption.

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17 This is a correct copy of Council action.

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 Linda M. Lauer, Clerk of the Council