

Zoning Text Amendment No.: 10-15
Concerning: Agricultural Zones - Airstrips
Draft No. & Date: 1 – 12/02/10
Introduced: December 14, 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: Councilmembers Elrich and Rice

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- clarify that airstrips allowed in agricultural zones must be associated with farming operations; and
- provide an amortization period for certain approved airstrip special exceptions

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

Section 59-C-9.3. Land uses.
DIVISION 59-G-2 SPECIAL EXCEPTIONS–STANDARDS AND
REQUIREMENTS
Section 59-G-2.00.4 Airstrip Associated with farm

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:

Sec. 1. Division 59-C-9 Agricultural Zones is amended as follows:

59-C-9.3. Land uses.

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

- **Permitted uses.** Uses designated by the letter “P” are permitted on any lot in the zones indicated, subject to all applicable regulations.
- **Special exception uses.** Uses designated by the letters “SE” may be authorized as special exceptions under Article 59-G.

	Rural	RC	LDRC	RDT	RS	RNC	RNC/ TDR
* * *							
(f) Transportation, Communication and Utilities:							
Airstrip, associated with [farm] <u>farming operations</u> *		SE ²	SE	SE			
* * *							

* Any approved special exception for an “airstrip associated with farm” but not associated with farming operations must cease operation before {6 months after the effective date}.

Sec. 2. Division 59-G-2 Agricultural Zones is amended as follows:

DIVISION 59-G-2. SPECIAL EXCEPTIONS—STANDARDS AND REQUIREMENTS.

The uses listed in this Division, as shown on the index table below, may be allowed as special exceptions in any zone where they are so indicated, as provided in this Article, subject to the standards and requirements in this Division and the general conditions specified in Section 59-G-1.21.

<u>USE</u>	<u>SECTION</u>
Abattoir.....	G-2.00.2
Accessory apartment.....	G-2.00
Accessory dwelling.....	G-2.00.1
Airstrip associated with [a farm] <u>farming operations</u>	G-2.00.4

25 * * *

26 Sec. 59-G-2.00.4. Airstrip associated with [farm] farming operations.

27 A special exception may be granted for an airstrip on a farm, as defined in section
28 59-A-2.1, subject to the following requirements:

29 (a) Only one airplane is permitted to be permanently housed at the
30 airstrip.

31 (b) The applicant must obtain a favorable air space determination from
32 the Federal Aviation Agency (FAA) in response to an application filed
33 on Form FAA 7480.1, [title] titled “Notice of Proposed Landing Area
34 Established,” or whatever form number and title the FAA may
35 require.

36 (c) The aircraft using the airstrip must aid farming operations.

37 * * *

38 **Sec. 3. Effective date. This ordinance becomes effective 20 days**
39 **after the date of Council adoption.**

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41 This is a correct copy of Council action.

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44 Linda M. Lauer, Clerk of the Council