

Zoning Text Amendment No.: 11-02  
Concerning: Non-Conforming uses –  
Historic Resources  
Draft No. & Date: 1 – 03/23/11  
Introduced: April 12, 2011  
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 Navarro

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

- allow the reinstatement of non-conforming uses on historic resource sites; and
- generally amend the provisions for non-conforming uses

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

DIVISION 59-G-4      NON-CONFORMING USES, BUILDINGS, AND STRUCTURES  
Section 59-G-4.1      Continuation

**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. 59-G-4.1 is amended as follows:**

2 **Sec. 59-G-4.1. Continuation.**

3 A nonconforming use may be continued, subject to the following limitations:

4 \* \* \*

5 **59-G-4.14. Abandonment of Use.**

6 If a nonconforming use is abandoned, it must not be reestablished, subject to  
7 Section 59-G-4.16. A nonconforming use is abandoned if the nonconforming use  
8 stops for at least 6 months.

9 \* \* \*

10 **59-G-4.16. Historic Resources.**

11 Any nonconforming use that has ceased operations for more than 6 months may be  
12 reestablished if the use is:

13 (a) located in a historic structure or on a historic site identified in the Master  
14 Plan for Historic Preservation; and

15 (b) consistent with the historic use of the property as documented in the  
16 Locational Atlas of Historic Sites, the Master Plan for Historic Preservation,  
17 or the land records.

18 **59-G-4.17. Nonconforming Use Certification.**

19 \* \* \*

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

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23 This is a correct copy of Council action.

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26 Linda M. Lauer, Clerk of the Council