

AGENDA ITEM #3A
July 8, 2014

Introduction

MEMORANDUM

July 3, 2014

TO: County Council

FROM: Jeffrey L. Zyontz,  Legislative Attorney

SUBJECT: Introduction – Zoning Text Amendment 14-08,
TSR Zone – Requirements

Zoning Text Amendment (ZTA) 14-08, sponsored by Councilmembers Berliner and Andrews, is scheduled for introduction on July 8, 2014. A public hearing on ZTA 14-08 is scheduled for September 9, 2014 at 1:30 p.m.

This Packet Contains
ZTA 14-08

© number
1 – 5

Zoning Text Amendment No.: 14-08
Concerning: TS-R Zone –
Requirements
Draft No. & Date: 1 – 6/27/14
Introduced:
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 Berliner and Andrews

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow for the application of Transit Station Development Area Residential zone (TS-R) within the sector plan boundaries of a Central Business District; and
- generally amend where Transit Station Development Area zones may be applied.

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

DIVISION 59-C-8. “TRANSIT STATION DEVELOPMENT AREA ZONES.”
Section 59-C-8.2. “Intent, purposes and general requirements.”

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 text that 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-8 is amended as follows:

DIVISION 59-C-8. TRANSIT STATION DEVELOPMENT AREA ZONES.

Sec. 59-C8.2. Intent, purposes and general requirements.

59-C-8.21. Intent.

The TS-R and TS-M zones are intended to be used as follows:

(a) The TS-R and TS-M zones are intended to be used in a Transit Station Development Area as defined in [section] Section 59-A-2.1. However, the TS-R zone may also be used:

(1) in an area adjacent to a Central Business District, within 1,500 feet of a metro transit station [, and the]; or

(2) in an area within the sector plan boundaries of a Central Business District.

The TS-M zone may [be] also be used within a Central Business District if the property immediately adjoins another property outside a Central Business District that is eligible for classification in the TS-M zone or separated only by a public right-of-way from property outside a Central Business District that is eligible for classification in the TS-M zone.

(b) The TS-R zone is intended for locations where multiple-family residential development already exists or where such development is recommended by an approved and adopted master plan.

21 (c) The TS-M zone is intended for locations where substantial commercial or
22 office uses already exist or where such uses are recommended by an
23 approved and adopted master plan.

24 (d) In order to facilitate and encourage innovative and creative design and the
25 development of the most compatible and desirable pattern of land uses, some
26 of the specific restrictions which regulate, in some other zoning categories,
27 the height, bulk, and arrangement of buildings and the location of the
28 various land uses are eliminated and the requirement substituted that all
29 development be in accordance with a plan of development meeting the
30 requirements of this division.

31 **59-C-8.22. Purposes of the TS-R zone.**

32 (a) To promote the effective use of the transit station development areas and
33 access thereto;

34 (b) To provide residential uses and certain compatible non-residential uses
35 within walking distance of the transit stations;

36 (c) To provide a range of densities that will afford planning choices to match the
37 diverse characteristics of the several transit station development areas within
38 the [county] County; and

39 (d) To provide the maximum amount of freedom possible in the design of
40 buildings and their grouping and layout within the areas classified in this

41 zone; to stimulate the coordinated, harmonious, and systematic development
42 of the area within the zone, the area surrounding the zone, and the regional
43 district as a whole; to prevent detrimental effects to the use or development
44 of adjacent properties or the surrounding neighborhood; to provide housing
45 for persons of all economic levels; and to promote the health, safety, morals
46 and welfare of the present and future inhabitants of the regional district and
47 the [county] County as a whole.

48 * * *

49 **Sec. 2. Effective date.** This ordinance becomes effective immediately after
50 Council adoption.

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52 This is a correct copy of Council action.

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55 Linda M. Lauer, Clerk of the Council