

Zoning Text Amendment No.: 14-07
Concerning: Accessory Commercial
Kitchen - Standards
Draft No. & Date: 1 – 6/2/14
Introduced: June 10, 2014
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: Councilmember Leventhal

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- Revise the development standards for an accessory commercial kitchen

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

DIVISION 59-C-1. “RESIDENTIAL ZONES, ONE-FAMILY.”
Section 59-C-1.31. “Land uses.”

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-1 is amended as follows:

DIVISION 59-C-1. RESIDENTIAL ZONES, ONE-FAMILY.

* * *

Sec. 59-C-1.3. Standard development.

The procedure for approval is specified in Chapter 50.

59-C-1.31. 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.

	RE-2	RE-2C	RE-1	R-200	R-150	R-90	R-60	R-40	R-4plex	RMH 200
* * *										
(g) Miscellaneous.										
* * *										
Commercial kitchen. ⁵⁵						P	P			
* * *										

⁵⁵ A commercial kitchen is permitted only as an accessory to a service use that is permitted without a special exception; however, it is prohibited as an accessory use for home occupations, day care facilities, and adult foster care homes. Where a commercial kitchen is allowed, it must:

- 18 (1) occupy less than 5% of the floor area [of the building in] on the tract in
19 common ownership on which [it] the commercial kitchen is located;
- 20 (2) not be used as part of an on-site eating and drinking establishment;
- 21 (3) submit a parking plan acceptable to the Director that provides adequate on-
22 site or off-site parking for the users of the commercial kitchen during hours
23 of operation in subsection(4); and
- 24 (4) be used for the preparation of food for public consumption off-site only
25 between the hours of 6:00 AM and 9:00 PM weekdays; and 8:00 AM and
26 9:00 PM weekends.

27 * * *

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29 **Sec. 2. Effective date.** This ordinance takes effect immediately upon the
30 date of Council adoption.

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32 This is a correct copy of Council action.

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35 Linda M. Lauer, Clerk of the Council