

Ordinance No.: 17-02
Zoning Text Amendment No.: 10-14
Concerning: RNC/TDR Zone – Land Uses
Draft No. & Date: 1 – 11/08/10
Introduced: December 14, 2010
Public Hearing: January 18, 2011
Adopted: February 8, 2011
Effective: February 28, 2011

**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 Floreen

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- conform the land uses allowed in the RNC/TDR zone to the land uses allowed in the RNC zone

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.

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.*

OPINION

Zoning Text Amendment No. 10-14, sponsored by Councilmember Floreen, was introduced on December 14, 2010.

The Montgomery County Planning Board, in its report to the Council, recommended that the text amendment be approved. In its opinion, the land uses in the RNC/TDR zone should conform to the land uses in the RNC zone.

The County Council held a public hearing on January 18, 2011 to receive testimony concerning the proposed text amendment. The text amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.

The Planning, Housing, and Economic Development Committee held a worksession on January 24, 2011 to review the amendment. The Committee recommended approval of ZTA 10-14. The ZTA is consistent with the recommendation of the Planning Board currently and when the RNC/TDR was first established.

The District Council reviewed Zoning Text Amendment No. 10-14 at a worksession held on February 8, 2011 and agreed with the recommendations of the Planning, Housing, and Economic Development Committee.

For these reasons, and because to approve this amendment will assist in the coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 10-14 will be approved as introduced.

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. Section 59-C-9 Agricultural Zones is amended as follows:**

2 **59-C-9.3. Land uses.**

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

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

	Rural	RC	LDRC	RDT	RS	RNC	RNC/ TDR
* * *							
(e) Residential:²							
Accessory apartment. ^{6,7}	SE	SE	SE	SE ⁴⁸		SE	SE
Accessory dwelling. ⁷	SE	SE	SE	SE ⁴⁸	SE	SE	<u>SE</u>
* * *							
Guest house, as accessory use. ³	P	P	P	P ⁴⁸	P	P	<u>P</u>
* * *							
(f) Transportation, Communication and Utilities:							
* * *							
Amateur radio facility.	P ⁴⁶ /SE	<u>P⁴⁶/SE</u>					
* * *							
Telecommunications facility.	P ³³ /SE	P ³³ /SE	P ³³ /SE	P ³³ /SE	P ³² /SE	SE ²	<u>SE²</u>
* * *							
(i) Cultural, Entertainment and Recreational:							
* * *							
Riding stable, private. ¹⁷						P	<u>P</u>
* * *							

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11 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after
12 the date of Council adoption.

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14 This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council