Ordinance No: 15-76
Zoning Text Amendment No: 06-07
Concerning: Farm building supplies
Draft No. & Date: 1 – 2/8/06
Introduced: February 28, 2006
Public Hearing: April 4, 2006; 1:30 p.m.
Adopted: July 11, 2006
Effective: July 31, 2006

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 Knapp

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- allowing a farm building supply and construction use in the C-1 zone, under certain circumstances; and
- generally amending the C-1 zone.

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

DIVISION 59-C-4   "COMMERCIAL ZONES"
Section 59-C-4.2   "Land uses"

EXPLANATION: **Boldface** *indicates a heading or a defined term.*
Underlining indicates text that is added to existing laws by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by the 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. 06-07 was introduced on February 28, 2006, for the purpose of allowing a farm building supply and construction use in the C-1 zone, under certain circumstances.

The Montgomery County Planning Board in its March 30, 2006 report to the Council recommended that the text amendment be approved as introduced.

The County Council held a public hearing on April 4, 2006, 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 reviewed ZTA 06-07 on June 19, 2006, and (3-0) recommended approval of ZTA 06-07 with an amendment that broadens the scope. As amended by the Committee, a farm building supply and construction use would be permitted by right on C-1 zoned properties located in the Agricultural Reserve as delineated in the 1980 Agricultural Preservation Master Plan. The Committee believes that this use should be available at convenient sites to serve the agricultural community.

The District Council reviewed Zoning Text Amendment No. 06-07 at a worksession held on July 11, 2006, 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. 06-07 will be approved as amended.

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. DIVISION 59-C-4 is amended as follows:**
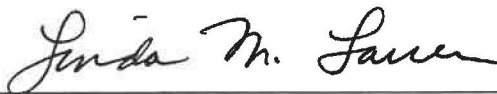
2   **DIVISION 59-C-4.   COMMERCIAL ZONES.**

3   * * *

4   **59-C-4.2.   Land uses.**

	C-T	O-M	C-O	C-P	C-1	C-2	C-3	C-4	C-5	C-6	H-M	Country Inn
(d) Commercial:												
Eating and drinking establishments, including drive-ins.					SE	SE	P	SE		SE		
Farm building supply and construction.*					P							
Farm implements, storage and sales.						P	P					

5   _____

6   *   [[Limited to]] Only businesses located in the Agricultural Reserve as

7   delineated in the 1980 Agricultural Preservation Master Plan that construct,

8   stabilize, and repair farm accessory buildings, structures, and fences[[, and

9   have been in continual operation since 1980]].

10

11   **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the

12   date of Council adoption.

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14   This is a correct copy of Council action.

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18   _Linda M. Lauer_

19   Linda M. Lauer, Clerk of the Council