

Zoning Text Amendment No.: 20-07
Concerning: R-60 Zone – Use and
Standards
Draft No. & Date: 4 – 11/25/2020
Introduced: December 8, 2020
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**

Lead Sponsor: Councilmember Jawando

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow duplexes, townhouses, and apartments in the R-60 zone under certain circumstances;
- amend the density, infill development, and parking standards in the R-60 zone under certain circumstances; and
- generally amend the provisions for R-60 zoned property near Metrorail Stations

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

- Division 3.1. “Use Table”
- Section 3.1.6. “Use Table”
- Division 3.3. “Residential Uses”
- Section 3.3.1. “Household Living”
- Division 4.1. “Rules for All Zones”
- Section 4.1.4. “Building Types Allowed by Zone in the Agricultural, Rural Residential, and Residential Zones”
- Division 4.4. “Residential Zones”
- Section 4.4.1. “Standard Method Development”
- Section 4.4.9. “Residential - 60 Zone (R-60)”
- Division 6.2. “Parking, Queuing, and Loading”
- Section 6.2.4. “Parking 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 3.1. Use Table

Section 3.1.6. Use Table

The following Use Table identifies uses allowed in each zone. Uses may be modified in Overlay zones under Division 4.9.

USE OR USE GROUP	Definitions and Standards	Residential										
		Residential Detached										
		RE-2	RE-2C	RE-1	R-200	R-90	R-60	R-40				
* * *												
RESIDENTIAL												
Household Living	3.3.1											
Single-Unit Living	3.3.1.B	*	*	*	P	P	P	P	P	*	*	*
Two-Unit Living	3.3.1.C					L	L	L	L	L	P	
Townhouse Living	3.3.1.D					L	L/C	L/C	L/C	L/C	L	
Multi-Unit Living	3.3.1.E									<u>L</u>		

Key: P = Permitted Use L = Limited Use C = Conditional Use Blank Cell = Use Not Allowed

Sec. 2. Division 3.3. Residential Uses

Section 3.3.1. Household Living

A. Defined, In General

Household Living means the residential occupancy of a dwelling unit by a household for 30 consecutive days or longer.

B. Single-Unit Living

1. Defined

Single-Unit Living means one dwelling unit contained in a detached house building type.

2. Use standards

18 Where Single-Unit Living is allowed as a limited use, it must satisfy
19 the following standards:

- 20 a. In the GR, NR, and EOF zones, the gross floor area of all
21 Household Living uses is limited to 30% of the gross floor area
22 on the subject site.
- 23 b. In the LSC zone, all Household Living uses are limited to 30%
24 of the maximum allowed FAR mapped on the subject site.

25 C. Two-Unit Living

26 1. Defined

27 Two-Unit Living means 2 dwelling units contained in a duplex
28 building type.

29 2. Use Standards

30 Where Two-Unit Living is allowed as a limited use, it must satisfy the
31 following standards:

- 32 a. In the RE-2C and RE-1 zones, Two-Unit Living is permitted as
33 part of a development including optional method Moderately
34 Priced Dwelling Units (see Division 4.4) if it is:
 - 35 i. served by public sewer service; or
 - 36 ii. designated for sewer service in the applicable master
37 plan.
- 38 b. In the R-200 zone, Two-Unit Living is permitted as part of a
39 development including optional method Moderately Priced
40 Dwelling Units (see Division 4.4).
- 41 c. In the R-90 and R-60 zones, Two-Unit Living is permitted:
 - 42 i. as part of a development including optional method
43 Moderately Priced Dwelling Units or optional method
44 Cluster Development (see Division 4.4); and

- 45 ii. in the R-60 zone on a lot with an area of 25,000 square
46 feet or less, located within a 1-mile radius of an entrance
47 to a Metrorail station entrance.
- 48 d. In the GR, NR, and EOF zones, the gross floor area of all
49 Household Living uses is limited to 30% of the gross floor area
50 on the subject site.
- 51 e. In the LSC zone, all Household Living uses are limited to 30%
52 of the maximum allowed FAR mapped on the subject site.

53 D. Townhouse Living

54 1. Defined

55 Townhouse Living means 3 or more dwelling units in a townhouse
56 building type.

57 2. Use Standards

58 a. Where Townhouse Living is allowed as a limited use, it must
59 satisfy the following standards:

60 i. In the RE-2C and RE-1 zones, Townhouse Living is
61 permitted as part of a development including optional
62 method Moderately Priced Dwelling Units (see Division
63 4.4) if it is:

64 (a) served by public sewer service; or

65 (b) designated for sewer service in an applicable
66 master plan.

67 ii. In the R-200 and R-40 zones, Townhouse Living is
68 permitted as part of a development including optional
69 method Moderately Priced Dwelling Units (see Division
70 4.4).

- 71 iii. In the R-90 and R-60 zones, Townhouse Living is
72 permitted as part of the following:
73 (a) a development including optional method
74 Moderately Priced Dwelling Units (see Division
75 4.4);
76 (b) optional method cluster development (see Division
77 4.4) that is a minimum of 10 acres in size; [or]
78 (c) optional method cluster development (see Division
79 4.4) that is a minimum of 3 acres or more in size
80 and recommended in a master plan; or
81 (d) in the R-60 zone, a standard method development
82 on a lot with an area of 25,000 square feet or less,
83 located within a 1-mile radius of an entrance to a
84 Metrorail station entrance.
85 iv. In the GR, NR, and EOF zones, the gross floor area of all
86 Household Living uses is limited to 30% of the gross
87 floor area on the subject site.
88 v. In the LSC zone, all Household Living uses are limited to
89 30% of the maximum allowed FAR mapped on the
90 subject site.

91 * * *

92 E. Multi-Unit Living

93 1. Defined

94 Multi-Unit Living means dwelling units in an apartment or multi-use
95 building type. Multi-Unit Living includes ancillary offices to manage,
96 service, and maintain the development.

97 2. Use Standards

98 Where Multi-Unit Living is allowed as a limited use, it must satisfy
99 the following standards:

- 100 a. In the GR, NR, and EOF zones, the gross floor area of all
101 Household Living uses is limited to 30% of the gross floor area
102 on the subject site.
- 103 b. In the LSC zone, all Household Living uses are limited to 30%
104 of the maximum allowed FAR mapped on the subject site.
- 105 c. In the R-60 zone, an Apartment Building is permitted on a lot
106 with an area of 25,000 square feet or less, located within a 1-
107 mile radius of a Metrorail station entrance.

108 **Sec. 3. Division 4.1. Rules for All Zones**

109 * * *

110 **Section 4.1.4. Building Types Allowed by Zone in the Agricultural, Rural**
111 **Residential, and Residential Zones**

112 In the Agricultural, Rural Residential, and Residential zones, building types are
113 allowed by zone as follows:

114

	Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	Duplex	Townhouse	Apartment Building
Agricultural Zone				
Agricultural Reserve (AR)	A	--	--	--
Rural Residential Zones				
Rural (R)	A	--	--	--
Rural Cluster (RC)	A	--	--	--
Rural Neighborhood Cluster (RNC)	A	A	A	--
Residential Detached Zones				
Residential Estate - 2 (RE-2)	A	TDR	TDR	TDR
Residential Estate - 2C (RE-2C)	A	MPDU	MPDU	--
Residential Estate - 1 (RE-1)	A	MPDU	MPDU	--
Residential - 200 (R-200)	A	MPDU, TDR	MPDU, TDR	TDR
Residential - 90 (R-90)	A	MPDU, CD, TDR	MPDU, CD, TDR	TDR
Residential - 60 (R-60)	A	<u>A</u> , MPDU, CD, TDR	<u>A</u> , MPDU, CD, TDR	<u>A</u> , TDR
Residential - 40 (R-40)	A	A	MPDU	--
Residential Townhouse Zones				
Townhouse Low Density (TLD)	A	A	A	--
Townhouse Medium Density (TMD)	A	A	A	--
Townhouse High Density (THD)	A	A	A	--
Residential Multi-Unit Zones				
Residential Multi-Unit Low Density - 30 (R-30)	A	A	A	A
Residential Multi-Unit Medium Density - 20 (R-20)	A	A	A	A
Residential Multi-Unit High Density - 10 (R-10)	A	A	A	A

115 **KEY:** A = Allowed to accommodate permitted, limited, and conditional uses -- = Not allowed CD = Allowed as
 116 part of an optional method Cluster Development MPDU = Allowed as part of an optional method MPDU
 117 Development TDR = Allowed in a TDR Overlay zone as part of optional method TDR Development under
 118 Section 4.9.15.B

119 * * *

120 **Sec. 4. Division 4.4. Residential Zones**

121 **Section 4.4.1. Standard Method Development**

122 * * *

123 **B. Residential Infill Compatibility**

124 1. Applicability

125 [The] Except in the R-60 zone for the construction of duplexes,
126 townhouses, and multi-unit living within a ½-mile radius of a
127 Metrorail Station entrance, the standards in Section 4.4.1.B apply to
128 the R-200, R-90, R-60, and R-40 zones where:

- 129 a. the lot was created:
 - 130 i. by a plat recorded before January 1, 1978; or
 - 131 ii. by a plat of resubdivision that created fewer than 6 lots
 - 132 from a lot previously created by a plat recorded before
 - 133 January 1, 1978;
- 134 b. the lot is less than 25,000 square feet in area; and
- 135 c. the construction proposed is:
 - 136 i. a new detached house;
 - 137 ii. the demolition and reconstruction of more than 50% of
 - 138 the floor area of an existing detached house; or
 - 139 iii. the addition of more than 50% of the floor area of the
 - 140 detached house.

141 * * *

142 **Section 4.4.9. Residential - 60 Zone (R-60)**

143 **A. Intent Statement**

144 The intent of the R-60 zone is to provide designated areas of the County for
145 moderate density residential uses. The predominant use is residential in a

146 detached house. [A limited number of other] Other building types may be
147 permitted [allowed under the optional method of development].

148 **B. R-60 Zone, Standard Method Development Standards**

149

1. Lot and Density	Detached House, Duplex, Townhouse, Apartment Building or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone
Lot (min)	
Lot area	6,000 SF
Lot width at front building line	60'
Lot width at front lot line	25'
Frontage on street or open space	Required, except as exempt under Chapter 50
Density (max)	
Density (units/acre)	7.26
Coverage (max)	
Lot	35%
Specification for Lot and Density	
a. Lot width at the front building line and setback requirements may be reduced under Section 4.4.3.	
b. Development with [a detached house] <u>any residential building</u> type may have to satisfy Section 4.4.1.B, Residential Infill Compatibility.	
c. The lot coverage maximum does not apply to Religious Assembly.	
d. The maximum density does not apply to a lot with an area of 25,000 square feet or less, located within a 1-mile radius of a Metrorail station entrance.	
2. Placement	
Principal Building Setbacks (min)	
Front setback	25'
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	25'
Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone	15'
Side setback	8'
Sum of side setbacks	18'
Rear setback	20'
Specification for Principal Building Setbacks	
a. Development may have to satisfy Section 4.4.1.A, Established Building Line.	

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151 **Sec. 5. Division 6.2. Parking, Queuing, and Loading**

152 * * *

153 **Section 6.2.4. Parking Requirements**

154 **A. Using the Parking Tables**

155 Uses on the parking table match the allowed uses and use groups in
156 Article 59-3. The number of required spaces is based on a metric specific to
157 each use. If the proposed intensity of the use is less than the metric in the
158 tables in subsections B and C, the baseline minimum is calculated using a
159 fraction of that metric. The number of vehicle parking spaces required also
160 depends upon whether the property is located in or outside of a Parking Lot
161 District or Reduced Parking Area.

162 **B. Vehicle Parking Spaces**

USE or USE GROUP	Metric	Agricultural, Rural Residential, Residential, and Industrial Zones	
		Baseline Minimum	
AGRICULTURAL			
* * *			
RESIDENTIAL			
Household Living			
Single-Unit Living Two-Unit Living Townhouse Living	Dwelling Unit	2.00	
Multi-Unit Living	Efficiency Dwelling Unit	1.00	
	1 Bedroom Dwelling Unit	1.25	
	2 Bedroom Dwelling Unit	1.5	* * *
	3+ Bedroom Dwelling Unit	2.0	
<u>Household Living - R-60 zone within a ½-mile radius of a Metrorail Station entrance</u>			
<u>Single-Unit Living</u> <u>Two-Unit Living</u> <u>Townhouse Living</u>	<u>Dwelling Unit</u>	<u>2.00</u> <u>1.00</u> <u>1.00</u>	
<u>Multi-Unit Living</u>	<u>Efficiency Dwelling Unit</u>	<u>0.50</u>	
	<u>1+ Bedroom Dwelling Unit</u>	<u>1.00</u>	
* * *			

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Sec. 6. Effective date. This ordinance becomes effective 20 days after the date of Council’s adoption.

167 This is a correct copy of Council action.

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169 _____

170 Selena Mendy Singleton, Esq.

171 Clerk of the Council