

Ordinance No.: 19-36  
Zoning Text Amendment No.: 22-08  
Concerning: Commercial/Residential  
Zones – MPDU  
Draft No. & Date: 2 – 9/23/2022  
Introduced: July 26, 2022  
Public Hearing: September 13, 2022  
Adopted: October 11, 2022  
Effective: October 31, 2022

**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 Friedson

---

**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- clarify the applicability of the moderately-priced dwelling unit provisions to the CRN zone; and
- generally amend the provisions for Commercial/Residential development.

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

Division 4.5.	“Commercial/Residential Zones”
Section 4.5.3.	“Standard Method Development”

**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.*

## OPINION

Zoning Text Amendment (ZTA) 22-08, Commercial/Residential Zones – MPDU, lead sponsor Councilmember Friedson, was introduced on June 26, 2022, and a Public Hearing was held on September 13, 2022. ZTA 22-08 will make clear that the MPDU provisions apply in the CRN zone and will require site plan approval for projects that develop under the MPDU provisions.

The Office of Legislative Oversight (OLO) provided a Racial Equity and Social Justice (RESJ) impact statement on August 30, 2022. OLO found that ZTA 22-08 “would have little or no impact on racial equity and social justice (RESJ) in the County as it clarifies provisions implicitly included in the Zoning Ordinance rather than changes land use policies or practices that could impact RESJ.”

A public hearing was held on September 13, 2022. One speaker, the Planning Board Chair, testified in support of the ZTA.

The Planning Board met on September 8, 2022, and unanimously supported ZTA 22-08 with minor clarifying amendments. These amendments include: 1) amend Section 4.5.3.A. to state that projects in any of the Commercial/Residential zones may obtain increased height and density under the MPDU provisions of Section 4.5.2.C.; 2) amend Section 4.5.3.B. to require site plan approval for all applications that develop under the MPDU provisions of Section 4.5.2.C.; and 3) amend the table at Section 4.5.3.C. to note density for the CRN density may be increased under the MPDU provisions of Section 4.5.2.C.

The PHED Committee held a worksession on September 23, 2022. The PHED Committee recommended approval of ZTA 22-08 with the amendments recommended by the Planning Board.

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. 22-08 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:*

**Sec. 1. DIVISION 59-4.5 is amended as follows:**

**Division 4.5. Commercial/Residential Zones**

\* \* \*

**Section 4.5.3. Standard Method Development**

The CRN, CRT, and CR [zone]zones allow standard method development under the following limitations and requirements.

**A. In General**

1. In the [[CRN zone]]Commercial/Residential zones, the maximum total, nonresidential, and residential [FARs]FAR and maximum height for any property are set by the zone shown on the zoning map, unless additional height and density is permitted under Section 4.5.2.C.

\* \* \*

**B. Procedure for Approval**

1. Site plan approval may be required under Section 7.3.4.A.8.
2. An applicant may file a site plan application to modify the Build-to Area, Building Orientation, and Transparency requirements under Section 4.5.3.C.3.
3. [[In the CRN zone, site]]Site plan approval is required for applications that develop under Section 4.5.2.C.

**C. CRN, CRT, and CR Zones, Standard Method Development Standards**

1. Site	Detached House	Duplex - Side	Duplex - Over	Townhouse	Apartment	Multi Use	General
* * *							
2. Lot and Density							
* * *							
Density (max)							
CRN Density, FAR	mapped						
CRT Density, FAR	The lesser of: mapped FAR or the greater of 10,000 SF or 1.0 FAR						

CR Density, FAR	The lesser of: mapped FAR or the greater of 10,000 SF or 0.5 FAR
<b>Specification for Density</b>	
a. In the CR zone, a designated historic resource that does not occupy more than 10% of the gross floor area is excluded from the FAR calculation.	
b. <u>Density may be increased above the limits in Section 4.5.3.C.2. for projects developed under Section 4.5.2.C.</u>	
* * *	

\* \* \*

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

This is a correct copy of Council action.

  
\_\_\_\_\_  
Judy Rupp  
Clerk of the Council