



Committee: PHED
Committee Review: At a future date
Staff: Livhu Ndou, Legislative Attorney
Purpose: To introduce agenda item – no vote expected
Keywords: #CharityKitchen,
#CharitablePhilanthropicInstitutions

AGENDA ITEM #16B
June 15, 2021
Introduction

SUBJECT

Zoning Text Amendment (ZTA) 21-03, Charitable, Philanthropic Institution – Kitchens

Lead Sponsor: Councilmember Friedson

Co-Sponsor: Councilmember Navarro

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

N/A

DESCRIPTION/ISSUE

ZTA 21-03 will allow charitable and philanthropic institutions to have kitchens under certain circumstances.

SUMMARY OF KEY DISCUSSION POINTS

- Charitable, Philanthropic Institutions may provide shelter for people who are supporting a family member at a medical institution in an existing detached house or townhouse.
- ZTA 21-03 will allow those institutions to prepare food on the premises.
- The food may be distributed for off-site consumption but must be provided without payment.

This report contains:

Staff Report

ZTA 21-03

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MEMORANDUM

June 10, 2021

TO: County Council

FROM: Livhu Ndou, Legislative Attorney

SUBJECT: Zoning Text Amendment (ZTA) 21-03, Charitable, Philanthropic Institution – Kitchens

PURPOSE: Introduction

Zoning Text Amendment (ZTA) 21-03, Charitable, Philanthropic Institution – Kitchens, lead sponsor Councilmember Friedson, co-sponsor Councilmember Navarro, is scheduled to be introduced on June 15, 2021.

In 2015, the Council passed ZTA 15-08, Charitable Institutions – Residential Support. ZTA 15-08 allowed a charitable institution to provide shelter for people who are supporting a family member at a medical institution in an existing detached house or townhouse. ZTA 21-03 would allow food to be prepared on the premises and distributed for off-site consumption, but without payment.

A public hearing is tentatively scheduled for July 20, 2021 at 1:30 p.m.

This packet contains:
ZTA 21-03

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Zoning Text Amendment No.: 21-03
Concerning: Charitable, Philanthropic
Institution – Kitchens
Draft No. & Date: 1 – 6/7/2021
Introduced: June 15, 2021
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 Friedson
Co-Sponsor: Councilmember Navarro

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow charitable and philanthropic institutions to have kitchens under certain circumstances

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

Division 3.4. “Civic and Institutional Uses”
Section 3.4.2. “Charitable, Philanthropic Institution”

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:

1 **Sec. 1. DIVISION 59-3 is amended as follows:**

2 * * *

3 **Section 3.4.2. Charitable, Philanthropic Institution**

4 * * *

5 **B. Use Standards**

6 1. Where a Charitable, Philanthropic Institution is allowed as a limited
7 use, it must satisfy the following standards:

8 a. The Charitable, Philanthropic Institution must be primarily for
9 the provision of support and hospitality services for persons
10 who are present as a result of treatment or care being provided
11 to a member of their household by a federal treatment facility or
12 a Hospital.

13 b. Services may be provided daily, during any hours, to persons
14 who are not permanent residents of the premises but are present
15 as a result of treatment or care being provided to a member of
16 their household by a federal treatment facility or a Hospital.

17 c. The support and hospitality services are provided without
18 payment.

19 d. Food may be prepared on the premises and may be distributed
20 for off-site consumption but must be provided without payment.

21 [d]e. The Charitable, Philanthropic Institution must use an existing
22 detached house and must retain the appearance of a detached
23 house.

24 [e]f. The maximum number of guests that may reside on the
25 property at one time is 8, excluding:

26 i. resident staff; or

27 ii. children younger than 2 months of age, when present
28 with a parent or legal guardian.

29 [f]g. A maximum of 2 resident staff may live on-site.

30 [g]h. One parking space is required for each resident staff member. A
31 minimum of 0.25 parking spaces is required for each guest bed.

32 * * *

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

35

36 This is a correct copy of Council action.

37

38 _____

39 Selena M. Singleton, Esq.
40 Clerk of the Council