

Ordinance No: 15-12
Zoning Text Amendment No: 03-14
Concerning: Animal Boarding Place in
RE-2 Zone
Draft No. & Date: 1 – 6/3/03
Introduced: June 10, 2003
Public Hearing: July 15, 2003; 1:30 PM
Adopted: July 29, 2003
Effective: August 18, 2003

**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 Silverman

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

- allowing an animal boarding place by special exception in the RE-2 zone.

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

DIVISION 59-C-1
Section 59-C-1.31

“RESIDENTIAL ZONES, ONE-FAMILY”
“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. 03-14 was introduced on June 10, 2003. ZTA 03-14 would allow an animal boarding place by special exception in the RE-2C zone. Under the special exception standards, a minimum two-acre lot is required for an animal boarding place.

The Montgomery County Planning Board in its report to the Council recommended that the text amendment be approved as introduced. The Planning Board in its review of the ZTA noted that an animal boarding place is now allowed by special exception in the RE-2, RE-1, and R-200 zones. The special exception provisions require a 2-acre minimum lot size. It is the position of the Board that the inclusion of an animal boarding place in the RE-2C zone would be no different than allowing the use in any other currently applicable one-family residential zone.

The County Council held a public hearing on July 15, 2003 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 July 23, 2003 to review the amendment. The Committee noted that that an animal boarding place is now allowed by special exception in the RE-2, RE-1, and R-200 zones. The special exception provisions require a 2-acre minimum lot size. It is the position of the Committee that the inclusion of an animal boarding place in the RE-2C zone would be no different than allowing the use in any other currently applicable one-family residential zone. The Committee recommended that ZTA 03-14 be approved as introduced.

The District Council reviewed Zoning Text Amendment No. 03-14 at a worksession held on July 29, 2003 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. 03-14 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. Division 59-C-1 is amended as follows:**

2 **DIVISION 59-C-1. RESIDENTIAL ZONES, ONE-FAMILY.**

3 * * *

4 **59-C-1.31. Land uses.**

	RE-2	RE-2C	RE-1	R-200	R-150	R-90	R-60	R-40	R-4plex	RMH 200
(d) Services.										
* * *										
Animal boarding places. ¹⁵	SE	<u>SE</u>	SE	SE						
* * *										

5

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

8

9 This is a correct copy of Council action.

10

11

12

13

14 Mary A. Edgar, CMC

15 Clerk of the Council