

Ordinance No.: 16-56
Zoning Text Amendment No.: 10-10
Concerning: Transit Mixed-Use (TMX)
Zone – Parking Standards
Draft No. & Date: 1 – 07/07/10
Introduced: July 20, 2010
Public Hearing: September 21, 2010
Adopted: October 5, 2010
Effective: October 25, 2010

**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: Council President Floreen

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- amend the TMX-2 zone parking provisions for leased office space used by the government.

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

Division 59-C-14.2 “Transit Mixed-Use (TMX) Zone.”
Section 59-C-14.21 “Description, purpose, and general requirements.”
Section 59-C-14.214 “Off-Street parking”

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 that text 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) 10-10, sponsored by Council President Floreen, was introduced on July 20, 2010. Currently, a project that leases office space to a government agency or entity for at least 20 years may provide fewer parking spaces than other office projects. ZTA 10-10 would allow a project that leases office space to a government agency or entity for at least 15 years to provide fewer parking spaces. Council President Floreen was advised that General Services Administration (GSA) is seeking a 15 year lease for the Department of Health and Human Services.

Planning Staff recommended approval of ZTA 10-10 as introduced. In the opinion of Planning Staff, the amendment would conform the Zoning Ordinance to the intent of the Twinbrook Sector Plan and the standards for long term GSA leases. The Planning Board also recommended approval of ZTA 10-10 as introduced.

The Council held a public hearing on September 21, 2010. The County Executive urged the adoption of ZTA 10-10, as did Anne Martin, the representative of a Twinbrook landowner. 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 September 27, 2010 to review the amendment and recommended (3-0) approval of ZTA 10-10. The ZTA is consistent with the intent of the Twinbrook Sector Plan and the County's interest in removing impediments to the retention of government offices in the TMX-2 zone.

The District Council reviewed Zoning Text Amendment No. 10-10 at a worksession held on October 5, 2010 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. 10-10 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-14 is amended as follows:**

2 DIVISION 59-C-14. TRANSIT MIXED-USE (TMX) ZONE

3 * * *

4 59-C-14.214. **Off Street Parking.** Off-street parking must satisfy Article 59-E
5 except:

6 * * *

7 (b) the minimum number of parking spaces required for office development in
8 the Southern Area must be used to determine the minimum number of
9 spaces required for office development in the South Central Area; however,
10 for office space under a lease to any government agency or entity for a
11 duration of [20] 15 years or more, the minimum number of spaces required
12 is 1.5 spaces for every 1,000 square feet of gross floor area; and

13 * * *

14 **Sec. 3. Effective date.** This ordinance takes effect 20 days after the date of
15 Council adoption.

16

17 This is a correct copy of Council action.

18

19

20

21 Crystal W. Brockington, Acting Clerk of the Council