

Zoning Text Amendment No.: 13-03  
Concerning: Impervious Area –  
Calculation  
Draft No. & Date: 1 - 4/8/13  
Introduced: May 7, 2013  
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**

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By: Councilmember Rice

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

- define impervious area and permeable pavement; and
- regulate the calculation used to implement impervious surface area restrictions

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

DIVISION 59-A-2. “DEFINITIONS AND INTERPRETATION.”  
Section 59-A-2.1. “Definitions.”

and by adding

DIVISION 59-C-18. “Overlay zones.”  
Section 59-C-18.5. “Impervious Surface Area Limits.”

**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 59-A-2 is amended as follows:**

DIVISION 59-A-2. DEFINITIONS AND INTERPRETATION.

**Sec. 59-A-2.1. Definitions.**

In this Chapter, the following words and phrases have the meanings indicated:

\* \* \*

**Impervious area or impervious surface:** Any surface that prevents or significantly impedes the infiltration of water into the underlying soil, including any structure, building, patio, sidewalk, compacted gravel, pavement, asphalt, concrete, stone, brick, tile, swimming pool, or artificial turf. Impervious surface also includes any area used by or for motor vehicles or heavy commercial equipment, regardless of surface type or material, including any road, driveway, or parking area.

\* \* \*

**Permeable pavement:** Concrete or asphalt that allows the infiltration of water and satisfies the surface and subsurface specifications in the Maryland Stormwater Design Manual as amended.

\* \* \*

**Sec. 2. Division 59-C-18 is amended as follows:**

DIVISION 59-C-18. OVERLAY ZONES.

\* \* \*

**Sec. 59-C-18.5. Impervious surface area limits.**

To determine if any limits on impervious surface area are satisfied, the Director or the Planning Board must include as impervious surface area only 25 percent of any area that an applicant proposes to cover with permeable pavement.

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

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29 This is a correct copy of Council action.

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32 Linda M. Lauer, Clerk of the Council