

Clerk's Note: See page 2

CORRECTED

Ordinance No.: 15-70

Zoning Text Amendment No.: 06-06

Concerning: Off-street parking – R-200 and RE-1 zones

Draft No. & Date: 2 – 1/18/06

Introduced: February 7, 2006

Public Hearing: March 14, 2006; 1:30 p.m.

Adopted: May 2, 2006

Effective: May 22, 2006

**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 Praisner

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

- clarifying the motor vehicle off-street parking standards for lots reclassified from the R-200 zone to the RE-1 zone;
- providing an amortization period for certain uses on certain lots; and
- generally amending the provisions for off-street parking of motor vehicles

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

DIVISION 59-C-1 “RESIDENTIAL ZONES, ONE-FAMILY”
Section 59-C-1.31 “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. 06-06 was introduced on February 7, 2006, to clarify the motor vehicle off-street parking standards for lots reclassified from the R-200* zone to the RE-1 zone and provide an amortization period for any motor vehicle use not in conformity with the proposed standard.

The Montgomery County Planning Board in its report to the Council recommended that Zoning Text Amendment 06-06 be approved as introduced.

The County Council held a public hearing on March 14, 2006, 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 April 28, 2006 to review the amendment. The Committee recommended that ZTA **06-06** be approved as introduced. The Committee agreed that one-year is a reasonable period of time for any affected properties to be brought into conformity with the provisions of the ZTA.

The District Council reviewed Zoning Text Amendment No. **06-06** at a worksession held on May 2, 2006, 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. **06-06** will be approved as amended.

* Clerk's Note: Correction to title page and opinion: This ZTA was incorrectly titled RE-200 rather than R-200. There is no RE-200 zone, but the text amendment was introduced and advertised as such. **The 2006 agendas and minutes also reflect this error.** Additionally, the Opinion has been corrected; the correct ZTA number is 06-06. It was incorrectly referred to as 06-60 or 05-01.

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-C-1 is amended as follows:

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

* * *

59-C-1.31. Land uses.

	RE-2	RE-2C	RE-1	R-200	R-150	R-90	R-60	R-40	R-4 plex	RMH 200
(b) Transportation, communication and utilities.										
* * *										
Parking of automobiles, off-street, in connection with commercial uses.	P ³⁹	P ³⁹	P ³⁹	P ^{39,43}	42	42	SE	SE		SE
Parking of motor vehicles, off-street, in connection with any use permitted in the zone.	P ^{11,13}	P ¹¹	P ¹¹	P ^{12,13}	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²
Pipelines, aboveground.	SE		SE	SE	SE	SE	SE	SE	SE	SE

* * *

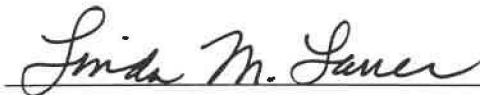
11 Including farm vehicles and farm machinery for agricultural use. Not more than 3 commercial vehicles and not more than one unoccupied recreation vehicle may be parked on any lot at any one time. One additional recreation vehicle may be used on a lot for dwelling purposes for not more than 3 days in any month. A tow truck is not permitted to park with a disabled car attached. The provision for parking motor vehicles off-street in connection with any use permitted in the RE-1 zone does not apply to a lot reclassified from the R-200 to the RE-1 zone that does not meet the minimum lot size requirement of the RE-1 zone. A lot reclassified from the R-200 to the RE-1 zone that does not meet the minimum lot size requirement of the RE-1 zone is subject to the motor vehicle off-street parking provision in effect for the lot before the lot was reclassified from the R-200 to the RE-1 zone. To provide for a reasonable period of amortization, the use of a lot reclassified

21 from the R-200 to the RE-1 zone that does not conform to this provision
22 may continue to operate for one year following (the effective date of this
23 ZTA). On that date, the use of the lot must be brought into conformity with
24 this provision or cease to operate.

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26 * * *

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

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31 This is a correct copy of Council action.

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34 Linda M. Lauer, Clerk of the Council