

Zoning Text Amendment No.: 16-08
Concerning: Commercial/Residential
“T” Zones – Workforce
Housing
Draft No. & Date: 1 – 5/12/16
Introduced: June 21, 2016
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: Council President Floreen

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow additional building density in certain Commercial/Residential T Zones under when workforce housing is provided
- allow additional building height in certain Commercial/Residential T Zones under when workforce housing and public facilities are provided; and
- generally amend the provisions concerning allowable building density and height in certain Commercial/Residential zones.

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

DIVISION 59-4.5. “Commercial/Residential Zones”
Section 4.5.2. “Density and Height Allocation”

EXPLANATION: **Boldface** indicates a Heading or a defined term.
Underlining indicates text that is added to existing law by the original text amendment or by ZTA 14-09.
[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 or text added by this amendment in addition to ZTA 14-09.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment or indicates a change from ZTA 14-09.
* * * 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 59-4.5 is amended as follows:**

2 **DIVISION 4.5. Commercial/Residential Zones**

3 **SECTION 4.5.2. Density and Height Allocation**

4 * * *

5 **A. Density and Height Limits**

6 * * *

7 **B. FAR Averaging**

8 * * *

9 **C. Special Provisions for “T” Zones Translated from Certain Zones**
10 **Existing Before October 30, 2014**

11 1. These special provisions apply to certain properties rezoned by
12 District Map Amendment to implement this Chapter and are indicated
13 on the zoning map as the zoning classification followed by a T, such
14 as “CR2.0 C1.5 R1.5 H75 T”.

15 2. For Commercial/Residential-zoned properties designated with a T, the
16 following provisions apply:

17 a. Residential density may be increased above the number
18 following the R on the zoning map in proportion to:

19 i. any MPDU density bonus achieved under Chapter 25A
20 for providing more than 12.5% of the residential units as
21 Moderately Priced Dwelling Units (MPDUs); or

22 ii. any workforce housing floor area that satisfies Chapter
23 25B; however, the increased residential density under
24 this provision is limited to 10% of the floor area
25 indicated on the zoning map.

26 b. Total density may be increased above the number following the
27 zoning classification on the zoning map by an amount equal to
28 the residential density bonus achieved.

29 * * *

30 d. On a property within a designated central business district
31 mapped at a height up to 145 feet, height may be increased
32 above the number following the H on the zoning map by up to
33 1.5 times if:

34 i. the height is the minimum necessary for [any] both:

35 (A) the floor area devoted to a publicly owned or
36 operated facility; plus

37 (B) [workforce housing units provided based on] the
38 floor area provided for workforce housing units,
39 divided by the average residential floor plate area,
40 where each whole number and each remaining
41 fraction allows an increase of 12 feet[,] or

42 * * *

43 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after
44 approval.

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46 This is a correct copy of Council action.

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49 Linda M. Lauer, Clerk of the Council