

Ordinance No.: 20-27
Zoning Text Amendment No.: 25-12
Concerning: Overlay Zones –
University Boulevard
(UB) Overlay Zone
Revised: 12/9/2025 Draft No.: 3
Introduced: September 9, 2025
Public Hearing: October 28, 2025
Adopted: December 9, 2025
Effective: December 29, 2025

**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 at the Request of the Planning Board

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- (1) establish the University Boulevard (UB) Overlay Zone; and
- (2) generally amend the provisions for overlay zones.

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

Division 2.1.	“Zones Established”
Section 2.1.3.	“Establishment of Zones”
Division 4.9.	“Overlay Zones”
Section 4.9.20.	“Upper Paint Branch (UPB) Overlay Zone”
Section 4.9.21.	“Upper Rock Creek (URC) Overlay Zone”
Section 4.9.22.	“White Flint 2-Parklawn (WF-P) Overlay Zone”

And adding the following Section:

Division 4.9.	“Overlay Zones”
Section 4.9.20.	“University Boulevard (UB) Overlay Zone”

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 59-2.1 is amended as follows:

Division 2.1. Zones Established

* * *

Section 2.1.3. Establishment of Zones

* * *

G. Overlay Zones

1. There are 21 Overlay zone classifications:

- a. Bethesda (B)[,];
- b. Burtonsville Employment Area (BEA)[,];
- c. Chevy Chase Neighborhood Retail (CCNR)[,];
- d. Clarksburg East Environmental (CEE)[,];
- e. Clarksburg West Environmental (CWE)[,];
- f. [Community-serving Retail (CSR),] Downtown Silver Spring (DSS);
- g. Fenton Village (FV)[,];
- h. Garrett Park (GP)[,];
- i. Germantown-Churchill Village (GCV);
- j. Germantown Transit Mixed Use (GTMU)[,];
- k. Great Seneca Life Sciences (GSLs);
- [k]. Montgomery Village (MV)[,];
- [l]m. Regional Shopping Center (RSC)[,];
- [m. Ripley/South Silver Spring (RSS),]
- n. Rural Village Center (RVC)[,];
- o. Sandy Spring/Ashton Rural Village (SSA)[,];
- p. Takoma Park/East Silver Spring Commercial Revitalization (TPESS)[,];
- q. Transferable Development Rights (TDR)[,];

- r. Twinbrook (TB)[,];
- s. University Boulevard (UB);
- [s]t. Upper Paint Branch (UPB) [[,]]; and
- [t]u. Upper Rock Creek (URC) [[,]]; and
- [u]v. White Flint 2-Parklawn (WF-P).

- 2. Building types, uses, density, height, and other standards and requirements may be modified by the Overlay zones under Section 4.9.2 through Section [4.9.21] 4.9.23.

* * *

Sec. 2. DIVISION 59-4.9 is amended as follows:

Division 4.9. Overlay Zones

* * *

Section 4.9.20. University Boulevard (UB) Overlay Zone

A. Purpose

The Purpose of the UB Overlay Zone is to increase the diversity and supply of housing in a compact, transit-oriented form of growth that supports Bus Rapid Transit on University Boulevard and Colesville Road, creates complete communities, and improves safety for all travelers.

B. Land Uses

- 1. The following modifications apply to properties located in the CRN Zone:
 - a. Accessory dwelling units are permitted on properties improved with Single-Unit Living.
 - b. On properties with no mapped commercial FAR, non-residential uses are allowed if they satisfy the permitted, limited, or conditional use standards for the R-60 zone under Section 3.1.6.

54 2. The following uses are not allowed except as protected by Section
55 7.7.2, Nonconforming Use:

- 56 a. Light Vehicle Sales and Rental (Indoor);
57 b. Light Vehicle Sales and Rental (Outdoor);
58 c. Car Wash;
59 d. Filling Station;
60 e. Repair (Major);
61 f. Repair (Minor);
62 g. Drive-Thru;
63 h. Medical / Scientific Manufacturing and Production;
64 i. Self-Storage; and
65 j. Storage Facility.

66 3. The following standards apply to any use listed in Section 4.9.20.B.2.
67 which existed as of December 29, 2025:

- 68 a. A nonconforming use may be continued, renovated, repaired, or
69 reconstructed if the total square footage of the use is not
70 increased, except that buildings with a gross floor area of up to
71 2,500 square feet may expand by up to 20% of the existing gross
72 floor area if the resulting square footage does not exceed the total
73 square footage allowed in the underlying zone.
74 b. Alterations to nonconforming uses are allowed to accommodate
75 changes in the right-of-way or modernization of the use,
76 including relocation of facilities or parking, design modifications
77 that do not increase the intensity of the use, or environmental or
78 safety reasons such as the addition of EV charging stations, solar
79 canopies, and accessibility upgrades.

- c. The number of off-street parking spaces remaining after any changes in the right-of-way will be deemed to comply with Section 6.2.4. for the total square footage of the use prior to the change in the right-of-way.

C. Development Standards [[in the CRN Zone]]

1. For any development application that includes 20 or more residential dwelling units, the Planning Board may only approve the application if the development provides at least 15% MPDUs under the provisions of Chapter 25A.

2. In the CRN zone, the following development standards apply:

[[1]]a. Except as modified below, any development in the CRN zone on a net site less than 15,000 square feet must use the development standards for the [[duplex]] duplex-side building type regardless of the proposed building type.

[[a]]i. [[Lot]] Site coverage is limited to 35%.

[[b]]ii. A minimum of one entrance per building is required to front a street or an open space.

[[c]]iii. Minimum open space requirements do not apply.

[[d]]iv. Screening of any exterior surface parking must meet the requirements under Section 6.2.9.B.

[[2]]b. Any development on a net site 15,000 square feet or larger shall follow the development standards for the applicable building type; except the maximum build-to-area setback for any building edge on University Boulevard is 10 feet unless modified by the Planning Board at site plan.

[[3]]c. All on-site parking must be located behind the front building line.

- d. An applicant must provide at least 15% workforce housing units that satisfy Chapter 25B, with a minimum of one workforce housing unit for construction of 3 or more units. DPS may not issue a building permit until a written agreement with the Department of Housing and Community Affairs has been reached consistent with the requirements of Chapter 25B.

* * *

Section [4.9.20.] 4.9.21. Upper Paint Branch (UPB) Overlay Zone

* * *

B. Exemptions

The following are exempt from Section [4.9.20] 4.9.21:

* * *

C. Land Uses

1. Except as listed in Section [4.9.20.C.2] 4.9.21.C.2 and Section [4.9.20.C.3] 4.9.21.C.3, the land uses of the underlying zone apply. The use standards of the underlying zone apply unless the development standards in Section [4.9.20.D] 4.9.21.D are more restrictive, in which case Section [4.9.20.D] 4.9.21.D must be followed.

* * *

3. If validly existing on July 1, 1997, the uses in Section [4.9.20.C.2] 4.9.21.C.2 may be continued under the requirements in effect at the time the use was established. Any expansion requires compliance with the UPB Overlay zone.

* * *

E. Waiver

The applicable review body may grant a waiver of the development standards in Section [4.9.20.D] 4.9.21.D if it finds that:

* * *

4. Alternative water quality and control techniques are used to meet the purposes of Section [4.9.20] 4.9.21.

* * *

Section [4.9.21.] 4.9.22. Upper Rock Creek (URC) Overlay Zone

* * *

B. Exemptions

1. The following are exempt from Section [4.9.21] 4.9.22:

* * *

D. Waiver

The applicable review body may grant a waiver of the development standards in Section [4.9.21.C] 4.9.22.C if it finds that:

* * *

4. Alternative water quality and quantity control techniques are used to meet the purposes of Section [4.9.21] 4.9.22.

* * *

Section [4.9.22.] 4.9.23. White Flint 2-Parklawn (WF-P) Overlay Zone

* * *

Sec. 3. Effective date. This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

A handwritten signature in black ink, appearing to read "Sara", written over a horizontal line.

Sara R. Tenenbaum
Clerk of the Council