

Ordinance No.: 20-28
Zoning Text Amendment No.: 25-13
Concerning: Omnibus – Revisions,
Clarifications, and
Corrections
Revised: 12/9/2025 Draft No.: 3
Introduced: October 14, 2025
Public Hearing: November 18, 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 Fani-González and Councilmember Friedson

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- (1) amend the height restrictions for a regional shopping center in the RSC Overlay Zone;
- (2) place a gross floor area cap on household living in the Employment zones;
- (3) clarify the gross floor area cap on non-residential uses for Commercial to Residential Reconstruction;
- (4) clarify the applicable conditional use standards for Townhouse Living;
- (5) ~~[[~~ require accessory structure setbacks for limited outdoor storage of items such as vehicles and boats;
- ~~(6)]~~ correct outdated cross-references to expedited approval plans; and
- ~~[[~~~~(7)]~~ (6) generally correct technical, typographical, grammatical, reference, and codification errors in, and make stylistic, clarifying, and conforming amendments to, various provisions of the zoning ordinance.

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

Division 1.4.	“Defined Terms”
Section 1.4.2.	“Specific Terms and Phrases Defined”
Division 3.3.	“Residential Uses”
Section 3.3.1.	“Household Living”
Section 3.3.2.	“Group Living”
Section 3.3.4.	“Mixed Income Housing Community”
Division 4.4.	“Residential Zones”
Section 4.4.2.	“Optional Method Development”
Division 4.5.	“Commercial/Residential Zones”

Section 4.5.4.	“Optional Method Development”
Division 4.6.	“Employment Zones”
Section 4.6.3.	“Standard Method Development”
Section 4.6.4.	“Optional Method Development”
Division 4.9.	“Overlay Zones”
Section 4.9.14.	“Regional Shopping Center (RSC) Overlay Zone”
<u>[[Division 6.2.</u>	<u>“Parking, Queuing, and Loading”]]</u>
<u>[[Section 6.2.2.</u>	<u>“Applicability”]]</u>
<u>[[Division 6.6.</u>	<u>“Outdoor Display and Storage”]]</u>
<u>[[Section 6.6.3.</u>	<u>“Design Standards”]]</u>

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:

* * *

d. Notwithstanding [[Section]] Sections 3.3.1.D.2.a.iv,
3.3.1.E.2.a.i., 4.1.3.D, 4.6.3.C.2.a., and 4.6.3.E.2.a, gross [Gross]
floor area of all non-residential uses is limited to 30% of the gross
floor area on the subject site.

* * *

Section 3.3.4. Mixed Income Housing Community

* * *

B. Exemptions

1. A sketch plan and a site plan are not required for a Mixed-Income
Housing Community if the Planning Board approves a Mixed-Income
Housing Community plan under Section [7.3.7] 7.3.5.A.2.c.

* * *

Sec. 3. DIVISION 59-4.4 is amended as follows:
Division 4.4. Residential Zones

* * *

Section 4.4.2. Optional Method Development

The RE-2C, RE-1, R-200, R-90, and R-60 zone allow development under optional
method MPDU Development and optional method Cluster Development. The R-40,
TLD, TMD, THD, R-30, R-20, and R-10 zone allow development under optional
method MPDU Development.

A. Optional Method MPDU Development

This optional method of development is permitted where moderately priced dwelling
units (MPDUs) are included in a development above the minimum required by
Chapter 25A, to facilitate the construction of those units. Optional method MPDU
Development allows additional building types and provides more flexibility for
certain dimensional standards.

1. Development Approval Procedure

Site plan approval under Section 7.3.4 is required unless an expedited approval plan is approved under Section 7.3.5. [a Mixed-Income Housing Community plan is approved under Section 7.3.7].

* * *

Sec. 4. DIVISION 59-4.5 is amended as follows:

Division 4.5. Commercial/Residential Zones

* * *

Section 4.5.4. Optional Method Development

The CRT and CR zones allow development under the optional method.

A. General Requirements

1. Procedure for Approval

A sketch plan must be approved under Section 7.3.3, unless an expedited approval plan is approved under Section 7.3.5[, or a Mixed-Income Housing Community plan is approved under Section 7.3.7]. A site plan must be approved under Section 7.3.4 for any development on a property with an approved sketch plan.

* * *

Sec. 5. DIVISION 59-4.6 is amended as follows:

Division 4.6. Employment Zones

* * *

Section 4.6.3. Standard Method Development

The GR, NR, LSC, and EOF zones allow standard method development under the following limitations and requirements.

* * *

C. GR and NR Zones, Standard Method Development Standards

	*	*	*
2. Lot and Density			
	*	*	*
Specification for Density			
a. Gross floor area of all Household Living uses is limited to 30% of the gross floor area on the subject site.			

E. EOF Zone, Standard Method Development Standards

	*	*	*
2. Lot and Density			
	*	*	*
Specification for Density			
a. Gross floor area of all Household Living uses is limited to 30% of the gross floor area on the subject site.			

Section 4.6.4. Optional Method Development

The LSC and EOF zones allow development under the optional method.

A. General Requirements

1. Procedure for Approval

A sketch plan must be approved under Section 7.3.3, unless [a Signature Business Headquarters plan is approved under Section 7.3.5,] an expedited approval plan is approved under Section 7.3.5[, or a Mixed-Income Housing Community plan is approved under Section 7.3.7]. A site plan must be approved under Section 7.3.4 for any development on a property with an approved sketch plan.

Sec. 6. DIVISION 59-4.9 is amended as follows:

Division 4.9. Overlay Zones

Section 4.9.14. Regional Shopping Center (RSC) Overlay Zone

C. Development Standards

1. To accommodate development at a regional shopping center [with a gross leasable area that is greater than or will be greater than (if approved by site plan) 1,200,000 square feet], building height may be increased to:
 - a. 90 feet for a building that includes a theater complex;
 - b. 150 feet for a Hotel, Motel;
 - c. 150 feet for an apartment building or a multi-use building with residential use; and
 - d. 90 feet for a free-standing building for any of the following uses or uses within the following use categories:
 - i. Retail Sales and Service;
 - ii. Structured Parking; or
 - iii. Health Clubs and Facilities.
2. Any portion of a building over 45 feet in height must be set back from an abutting property in an Agricultural, Rural Residential, or Residential zone a minimum of 3 feet for each [1] one foot of building height over 45 feet.

* * *

Sec. 7. DIVISION 59-6.2 is amended as follows:

Division 6.2. Parking, Queuing, and Loading

* * *

Section 6.2.2. Applicability

- A. Under Division 6.2, any use must provide off-street parking that permits a vehicle to enter and exit the property. Any change in floor area, capacity, use, or parking design requires recalculation of the parking requirement under

Division 6.2, and may be subject to a payment under Chapter 60. The parking ratios of Division 6.2 do not apply to any:

1. structure on the National Register of Historic Places; or
2. expansion or cumulative expansions of less than 500 square feet in gross floor area or impervious cover.

B. An applicant must not reduce the area of an existing off-street parking facility below the minimum number of parking spaces required under Division 6.2 unless a parking waiver under Section 6.2.10 is approved.

[[C. Any use with off-street parking that does not comply with Division 6.2 must comply with the Limited Outdoor Storage requirements of Section 6.6.3.B.1.]]

* * *

Sec. 8. DIVISION 59-6.6 is amended as follows:

* * *

Division 6.6. Outdoor Display and Storage

* * *

Section 6.6.2. Applicability

A. Division 6.6 applies to any site where merchandise, material, [[or]] or equipment[[, or personal property]] is displayed or stored outside of a completely enclosed building.

* * *

Section 6.6.3. Design Standards

* * *

B. Outdoor Storage

1. Limited Outdoor Storage

a. Defined

Limited outdoor storage includes:

- i. overnight outdoor storage of any vehicle awaiting repair;
- ii. outdoor storage of merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers;
- iii. outdoor sales area for building supplies, garden supplies, or plants;
- iv. outdoor storage of fleet vehicles; ~~[and]~~ and
- v. outdoor storage of any vehicle, boat, recreational vehicle, or other similar vehicle at a storage facility. ~~[.]~~ [[; and
- vi. legal outdoor storage on private residential property, as defined in Chapter 26, of a ~~[[licensed, unlicensed, registered, or unregistered]]~~ vehicle or bulk item such as a boat with any kind of primary or auxiliary mechanical propulsion, recreational vehicle, [[portable storage unit,]] motor home, travel or camping trailers, campers, or non-freight trailers[[.]]; not including personal vehicles.]]

b. Standards

- [[i.]] Limited outdoor storage is allowed when it is accessory to an allowed use if the deciding body approves the applicable plan illustrating the extent of the permitted area for limited outdoor storage. [[If no applicable plan is required, the permitted storage area must ~~[[be within]]~~ comply with the accessory structure setbacks for standard method development in the underlying zone and the permitted storage area must be located behind the rear building line of the principal building.
- ii.]] Limited outdoor storage must satisfy the standards of the zone or the use.

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183 **Sec. 9. Effective date.** This ordinance becomes effective 20 days after the
184 date of Council adoption.

This is a correct copy of Council action.

A handwritten signature in black ink, appearing to read 'Sara', is positioned above a horizontal line.

Sara R. Tenenbaum
Clerk of the Council