

Ordinance No.: 20-04
 Subdivision Regulation
 Amendment No.: 23-01
 Concerning: Administrative
Subdivision – ~~[[Mixed-~~
Use]] Mixed-Income
Housing Community
 Revised: 7/18/2023 Draft No.: 3
 Introduced: March 28, 2023
 Public Hearing: May 2, 2023
 Adopted: July 18, 2023
 Effective: August 7, 2023

**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 Sponsors: Councilmembers Sayles and Friedson
 Co-Sponsors: Councilmembers Luedtke, Stewart, and Council President Glass

AN AMENDMENT to:

- (1) create an administrative subdivision process for a ~~[[Mixed-Use]] Mixed-Income~~ Housing Community plan;
- (2) and generally amend the subdivision provisions ~~[[for mixed-uses]]~~.

By amending

Montgomery County Code
 Chapter 50. “Subdivision of Land”
 Division 50.6. “Administrative Subdivision Plan”
 Section 50.6.1. “Applicability”

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by introduced Subdivision Regulation Amendment.</i>
[Single boldface brackets]	<i>Deleted from existing law by introduced Subdivision Regulation Amendment.</i>
<u>Double underlining</u>	<i>Added to the Subdivision Regulation Amendment by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the Subdivision Regulation Amendment by amendment.</i>
* * *	<i>Existing law unaffected by Subdivision Regulation Amendment.</i>

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. Chapter 50 is amended as follows:**

2 * * *

3 **Division 50.6. Administrative Subdivision Plan**

4 * * *

5 **Section 6.1. Applicability**

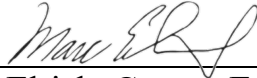
6 The subdivider may file an administrative subdivision plan application under the
7 following circumstances. Administrative subdivision plans may only be used to
8 create lots, as expressly described below.

9 * * *

10 G. Subdivision application for property to be used as a ~~[[Mixed-Use]]~~ Mixed-
11 Income Housing Community under Section 3.3.4 of the Zoning Ordinance. A
12 lot created for a ~~[[Mixed-Use]]~~ Mixed-Income Housing Community may be
13 approved if:

- 14 1. the Planning Board approves a ~~[[Mixed-Use]]~~ Mixed-Income Housing
15 Community plan under Section 59-7.3.7, including a finding of
16 adequate public facilities under the standards of Section 50-4.3.J,
17 before approval of the plat;
- 18 2. any required road dedications, or covenants for future dedications, and
19 associated public utility easements are shown on the record plat;
- 20 3. forest conservation plan approval, stormwater management, and
21 environmental protection requirements, if applicable, are satisfied
22 before approval of the plat; and
- 23 4. when located in a special protection area, all applicable special
24 protection area requirements and guidelines are satisfied before
25 approval of the plat.

Approved:




Marc Elrich, County Executive

July 31, 2023

Date

This is a correct copy of Council action.



Sara R. Tenenbaum
Clerk of the Council

July 31, 2023

Date