

Ordinance No.: _____
Subdivision Regulation Amendment No.: 23-01
Concerning: Administrative Subdivision –
Mixed-Use Housing Community
Revised: 3/9/2023 Draft No.: 1
Introduced: March 28, 2023
Public Hearing:
Adopted:
Effective:

**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

AN AMENDMENT to:

- (1) create an administrative subdivision process for a Mixed-Use 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 Housing
11 Community under Section 3.3.4 of the Zoning Ordinance. A lot created for a
12 Mixed-Use Housing Community may be approved if:

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

24 * * *

25 **Sec. 2. Effective Date.** This amendment takes effect 20 days after the date of
26 Council adoption.

Approved:

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

Judy Rupp

Date

Clerk of the Council