

ATTACHMENT 4

Zoning Text Amendment No: 04-14
Concerning: MPDU Dwelling unit types
Draft No. & Date: 1 – 7/16/04
Introduced: July 20, 2004
Public Hearing: 9/23/04; 7:30 p.m.
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**

By: Councilmembers Floreen, Silverman, Subin, Knapp and Leventhal

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- allowing under certain circumstances up to 100 percent of the total number of dwelling units in a one-family residential zone to be a certain dwelling unit type to achieve MPDUs on-site.

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

DIVISION 59-C-1 “RESIDENTIAL ZONES, ONE-FAMILY”
Section 59-C-1.6 “Development including moderately priced dwelling units”
Section 59-C-1.61. “Purpose and description”
Section 59-C-1.62. “Development Standards”

EXPLANATION: ***Boldface** indicates a heading or a defined term.*

Underlining indicates text that is added to existing laws by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by the 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-C-1 is amended as follows:

DIVISION 59-C-1. RESIDENTIAL ZONES, ONE-FAMILY.

* * *

59-C-1.61. Purpose and description.

* * *

59-C-1.62. Development standards.

	R-200	R-150	R-90	R-60	R-40
59-C-1.621. Uses Permitted. No uses are permitted except as indicated by the letter "P" in the following schedule. Special exceptions may be authorized as indicated in section 59-C-1.31, title "Land Uses," subject to the provisions of article 58-G.					
Dwelling unit, one-family attached. ¹	P	P	P	P	P
* * *					
Dwelling unit, one-family semidetached. ¹	P	P	P	P	P
Townhouse. ¹	P	P	P	P	P
* * *					

¹ The maximum percentage of one-family attached dwelling units, [or] semidetached dwelling units, or townhouses [, or a combination thereof,] allowed in a subdivision is:

R-200 and R-150 Zones: 50%;

R-90 Zone: 50%;

R-60 Zone: 60%.

The balance must be one-family detached units. However, [T] the [p] Planning [b] Board may[, however,] approve a development in which up to 100 percent of the total number of units [consists of] are one-family attached dwelling units, one-family semidetached dwelling units, or townhouses[, or a combination thereof,] upon a finding that (1) proposed development is [(1)] more desirable from an environmental perspective than development

21 that would result from adherence to these percentage limits, or (2) limits on
22 development at that site would not allow the applicant to achieve MPDUs
23 under Chapter 25A on-site. [and] Any development that exceeds the
24 maximum percentage of allowable dwelling unit types must be compatible
25 with adjacent existing and approved development.

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27 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the
28 date of Council adoption.

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30 This is a correct copy of Council action.

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34 _____
35 Mary A. Edgar, CMC
36 Clerk of the Council