

ATTACHMENT 1

Zoning Text Amendment No: 05-05
Concerning: Streetscape Requirements
in the I-1 zone
Draft No. & Date: 5 – 03/23/05
Introduced: April 5, 2005
Public Hearing: May 10, 2005; 1:30 PM
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: District Council at the request of the Planning Board

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

- establishing streetscape requirements in the I-1 zone.

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

DIVISION 59-C-5 “INDUSTRIAL ZONES”
Section 59-C-5.4 “Special regulations.”
Section 59-C-5.41 “Special regulations-I-1 zone.”

*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:

1 **Sec. 1. Division 59-C-5 is amended as follows:**

2 **DIVISION 59-C-5 INDUSTRIAL ZONES.**

3 * * *

4 **59-C-5.41. Special regulations-I-1 zone.**

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6 (a) **Off-street parking.** The off-street parking required by [a]Article 59-E [shall]
7 must be provided on land which is in the I-1 zone unless provided through a
8 joint use agreement.

9 (b) **Streetscape.** Streetscape improvements must be provided within or adjacent
10 to a street right-of-way to improve safety, access, and attractiveness. The
11 streetscape must include continuous sidewalks, street tree plantings, lighting,
12 or other improvements. All streetscape improvements must be consistent with
13 the guidelines of the applicable approved and adopted master or sector plan.
14 Any development existing as of (ZTA Effective Date) must be brought into
15 compliance with the streetscape guidelines if any cumulative proposed
16 modifications expand the total floor area of all structures or buildings by more
17 than 25 percent or 7,500 square feet, whichever is less. Streetscape
18 improvements must be identified at the time of preliminary plan or site plan
19 review. If a preliminary plan or site plan review is not required, streetscape
20 improvements must be submitted to the Director and Planning Board, or its
21 designee, for compliance with the applicable master or sector plan guidelines
22 before a building permit may be [[issued]] issued.

23 **[(b)](c) Development above three stories.** In order to encourage planned
24 development of employment centers, to preserve open space within such
25 developments, and generally to enhance the environment of large
26 employment centers, the height limit in this zone may be increased to 10

27 stories or 120 feet; provided, that the applicable approved and adopted master
28 plan does not indicate that large employment centers are unsuitable for the
29 applicable site; and provided further that the following site development
30 standards and site plan review procedure shall be in effect. Development in
31 accordance with this subsection shall be subject to all of the requirements of
32 the I-1 zone except as specifically modified herein.

33 * * *

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

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37 This is a correct copy of Council action.

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42 Elda M. Dodson, CMC

43 Acting Clerk of the Council

ATTACHMENT 2

Zoning Text Amendment No: 05-06
Concerning: Building Materials & Supplies
in the R&D Zone
Draft No. & Date: 3- 03/15/05
Introduced: April 5, 2005
Public Hearing: May 10, 2005; 1:30 PM
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: District Council at the request of the Planning Board

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

- allowing a building materials and supplies store as a permitted use in the Research and Development (R&D) zone under certain circumstances, and
- requiring site plan review for standard method development in the R&D zone, after a certain date.

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

DIVISION 59-C-5 “INDUSTRIAL ZONES”
Section 59-C-5.2 “Land uses”
Section 59-C-5.45 “Special regulations-R&D zone.”
ARTICLE 59-D “ZONING DISTRICTS—APPROVAL PROCEDURES “

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:

1 **Sec. 1. Division 59-C-5 is amended as follows:**

2 **DIVISION 59-C-5 INDUSTRIAL ZONES.**

3 * * *

4 **59-C-5.2. Land uses.**

5 * * *

	I-1	I-2	I-3	I-4	R&D	LSC
(d) Commercial.						
* * *						
Building material[s] and [supplies] supply, wholesale and retail. ²⁰	P	P		P	<u>P*</u>	

6
7
8 * Only if a building permit was issued before the property was classified to the
9 R&D zone. Any building material and supply use for which a building
10 permit was issued before the property was classified to the R&D zone is a
11 conforming use and may be modified, reconstructed, or enlarged in
12 accordance with the standards of the zone in effect for [[a]] the property
13 before the property was reclassified to the R&D zone.

14 * * *

15 **59-C-5.45. Special regulations-R&D zone.**

16 * * *

17 **(b) Standard method of -Development.** Under the standard method of
18 development a site plan must be filed with the Planning Board under 59-D-3.

19
20 **([b]c) Optional method of development.** In order to encourage the orderly
21 grouping and planned development of research and development projects at
22 higher densities than permitted under the standard method of development,
23 [the following] an optional method of development project may be
24 [permitted, provided] approved, if: (1) [it] the project is not inconsistent with

25 the applicable approved and adopted master plan; and (2) [provided that] the
 26 requirements for site plan approval [contained in division] under Division
 27 59-D-3 are met. If the optional method of development is used, all the
 28 [normal] standard requirements of the R&D zone will be in effect, except as
 29 follows:

30 * * *

31 **Sec. 2. Article 59-D is amended as follows:**

32 **ARTICLE 59-D. ZONING DISTRICTS—APPROVAL**
 33 **PROCEDURES.**

34 **INTRODUCTION**

35
 36 * *

37 The following table is provided for the convenience of the public, citing the
 38 appropriate sections of Article 59-C and indicating the type of plans required
 39 in each zone. In the event of any conflict between this table and the
 40 provisions of Article 59-C, the latter must govern.

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42 Plan Approvals Required

Zone	Section Number	Development Plan (Division 59-D-1)	Project Plan Optional Method (Division 59-D-2)	Site Plan (Division 59-D-3)	Diagrammatic Plan (Division 59-D-4)
* * *					
R&D				[O] <u>X</u>	
* * *					

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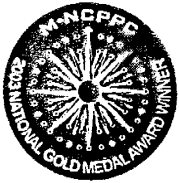
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44 **Sec. 3. Effective date.** This ordinance becomes effective 20 days after the
45 date of Council adoption.

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47 This is a correct copy of Council action.

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51 Elda M. Dodson, CMC
52 Acting Clerk of the Council



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Office of the Chairman, Montgomery County Planning Board

March 1, 2005

The Honorable Tom Perez, President
Montgomery County Council
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 501
Rockville, Maryland 20850

Re: Planning Board Recommendation on Transmittal to County
Council for Introduction of two Zoning Text Amendments
based on recommendations from the Shady Grove Sector
Plan

Dear Mr. ^{Tom}Perez and Councilmembers:

On February 24, 2005, the Planning Board approved the transmittal to the District Council of two zoning text amendments that are related to recommendations in the Shady Grove Sector Plan. The Planning Board recommends that the Council introduce these text amendments.

The text amendments propose to:

1. Allow a building materials and supplies store as a grandfathered permitted use in the R&D zone and require site plan review for all development in the R&D zone;
2. Establish streetscape requirements in the I-1 zone.

The two text amendments as recommended by the Planning Board are included as Attachment 1.

Background

Building Materials and Supplies in the R&D Zone/ Site Plan Review for all development in the R&D Zone

The Planning Board Draft of the Shady Grove Sector Plan recommends rezoning the existing Great Indoors property, along Shady Grove Road, from I-1 (Light Industrial) to R&D (Research and Development) and I-3 (Technology and