ATTACHMENT 1

Zoning Text Amendment No: 05-22
Concerning: TS-R/TS-M Zone Amendment
Draft No. & Date: 1 – 11/18/05
Introduced: December 13, 2005
Public Hearing: January 24, 2006; 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: Councilmembers Denis and Perez

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

- allowing property located within a Central Business District to be classified in the Transist Station-Mixed (TS-M) zone under certain circumstances; and
- generally amending provisions related to the TS-R and TS-M zones.

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

DIVISION 59-C-8. “TRANSIT STATION DEVELOPMENT AREA ZONES”
Section 59-C-8.21. “Intent”
Section 59-C-8.24. “Location”
Section 59-C-8.4. “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-A-2 is amended as follows:

DIVISION 59-A-2. DEFINITIONS AND INTERPRETATION.


Transit station development area: An area near a metro transit station, which is not located within a central business district, which has been designated as a Transit Station Development Area by an approved and adopted master plan or sector plan.

Sec. 2. DIVISION 59-C-8 is amended as follows:

Division 59-C-8. TRANSIT STATION DEVELOPMENT AREA ZONES.


The TS-R and TS-M zones are intended to be used as follows:

(a) [Both the] The TS-R and TS-M zones are intended to be used in [transit station development areas] a Transit Station Development Area as defined in section 59-A-2.1[, and] However, the TS-R zone may also be used in [areas] an area adjacent to [central business districts] a Central Business District, or within 1,500 feet of a metro transit station.,[I, and the]] The TS-M zone may [[be]] also be used
within a Central Business District if the property immediately adjoins another property outside a Central Business District that is eligible for classification in the TS-M zone or separated only by a public right-of-way from property outside a Central Business District that is eligible for classification in the TS-M zone.

* * *

59-C-8.24. Location.

[These zones] The TS-R and TS-M zones are permitted only in [the transit station development areas] a Transit Station Development Area [described] defined in section 59-A-2.1 and in accordance with an approved and adopted master plan or sector plan, except in areas within and adjacent to [central business districts] a Central Business District [as set forth in section] in accordance with Section 59-C-8.21(a)

* * *

59-C-8.4 Development standards.

<table>
<thead>
<tr>
<th>59-C-8.41. Minimum area.</th>
<th>TS-R</th>
<th>TS-M</th>
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<tbody>
<tr>
<td>The minimum area required for any development (in square feet) is:</td>
<td>18,000</td>
<td>40,000</td>
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<td>[provided,] however, [that] a smaller parcel may be approved for either the TS-R or TS-M zones [where] [such] if: (1) the parcel is designated for [one of these] the TS-R or TS-M zone[s] on an approved and adopted master plan or sector plan, (2) the parcel is located</td>
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adjacent to or confronting another parcel either classified in or under application for either zone, and
(3) the combined parcels are subject to a single [development plan] Development Plan subject [to
approval or approved by the District Council], or (4) the parcel is within a Central Business District and
immediately adjoins or separated only by a public right-of-way from property outside a Central Business
District that is eligible for classification in the TS-M zone.

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

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41  This is a correct copy of Council action.

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45  Linda M. Lauer, Clerk of the Council