



Zoning Text Amendment (ZTA) No. 16-19, Gross Floor Area – Mechanical Equipment

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Completed: 1/5/17

Description

ZTA No. 16-19 would exclude from the calculation of gross floor area floor space exclusively used for mechanical equipment for any Medical/Scientific Manufacturing and Production use.

Summary

Staff recommends approval of ZTA 16-19 as introduced, to exclude from the calculation of gross floor area floor space exclusively used for mechanical equipment for any Medical/Scientific Manufacturing and Production use.

Background/Analysis

ZTA 16-19 would exclude from the calculation of gross floor area floor space exclusively used for mechanical equipment for any Medical/Scientific Manufacturing and Production use. Currently, the floor area used for mechanical equipment is excluded from the calculation of gross floor area in the LSC and Industrial zones. This exclusion applies to any use in those zones. The sponsor of ZTA 16-19 was made aware that Medical/Scientific Manufacturing and Production may also include an inordinate amount of mechanical equipment space within a building. A Medical/Scientific Manufacturing and Production use is permitted in the CR, LSC, EOF, IL and IM zones and is a limited use in the CRT zone. Where Medical/Scientific Manufacturing and Production is allowed as a limited use, and the subject lot abuts or confronts a property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use, site plan approval is required. ZTA 16-19 would exclude the floor area used for mechanical equipment needed for Medical/Scientific Manufacturing and Production in any zone in which the use is allowed.

Medical/Scientific Manufacturing and Production means a building used for the manufacturing, compounding, processing, assembly, or packaging, including incidental storage, sales, and distribution, of cosmetics, drugs, perfumes, pharmaceuticals, toiletries, synthetic molecules, products resulting from biotechnical and biogenetic research and medical, scientific, or technical instruments, devices, and equipment. ZTA 16-19 would extend the exemption of mechanical equipment from the calculation of

gross floor area to the CRT, CR and EOF zones exclusively for Medical/Scientific Manufacturing and Production. Staff has no objection to this request given the nature of the use associated with the mechanical equipment floor area exclusion. All other development standards would continue to provide protections to any confronting or adjacent property zoned Agricultural, Rural Residential, or Residential Detached.

Attachments

1. ZTA No. 16-19 as introduced

ATTACHMENT 1

Zoning Text Amendment No.: 16-19
Concerning: Gross Floor Area –
Mechanical Equipment
Draft No. & Date: 1 – 12/1/16
Introduced: December 6, 2016
Public Hearing:
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**

Lead Sponsor: Councilmember Floreen

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- exclude from the calculation of gross floor area floor space exclusively used for mechanical equipment for any Medical/Scientific Manufacturing and Production use; and
- generally amend provisions concerning the calculation of gross floor area

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

Division 59-1.4. “Defined Terms”
Section 1.4.2. “Specific Terms and Phrases Defined”

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

Underlining indicates text that is added to existing law by the original text amendment or by ZTA 14-09.

[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.

Double underlining indicates text that is added to the text amendment by amendment or text added by this amendment in addition to ZTA 14-09.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment or indicates a change from ZTA 14-09.

** * * 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 59-1.4 is amended as follows:**

2 **DIVISION 1.4. Defined Terms**

3 * * *

4 **Section 1.4.2. Specific Terms and Phrases Defined**

5 * * *

6 **Gross Floor Area (GFA):** The sum of the gross horizontal areas of all floors of all
7 buildings on a tract, measured from exterior faces of exterior walls and from the
8 center line of walls separating buildings. Gross floor area includes:

- 9 1. basements;
- 10 2. elevator shafts and stairwells at each floor;
- 11 3. floor space used for mechanical equipment with structural headroom
12 of 6 feet, 6 inches or more, except as exempted in the LSC and
13 Industrial zones;
- 14 4. floor space in an attic with structural headroom of 6 feet, 6 inches or
15 more (regardless of whether a floor has been installed); and
- 16 5. interior balconies and mezzanines.

17 Gross floor area does not include:

- 18 1. mechanical equipment on rooftops;
- 19 2. cellars;
- 20 3. unenclosed steps, balconies, and porches;
- 21 4. parking;
- 22 5. floor area for publicly owned or operated uses or arts and
23 entertainment uses provided as a public benefit under the optional
24 method of development;
- 25 6. interior balconies and mezzanines for common, non-leasable area in a
26 regional shopping center; [and]

27 7. in the LSC and Industrial zones, floor space used for mechanical
28 equipment[.]; and

29 8. any floor space exclusively used for mechanical equipment for any
30 Medical/Scientific Manufacturing and Production use.

31 * * *

32 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after
33 approval.

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35 This is a correct copy of Council action.

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38 Linda M. Lauer, Clerk of the Council