

APPENDIX 1

Zoning Text Amendment No:
Concerning: Total Lot Coverage
Requirements for the RE-2, RE-1, Rural, RC
& RDT Zones
Draft No. & Date: 8 – 04/05/04
Introduced: N/A
Public Hearing: N/A
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:

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

- establishing definitions for the terms “total lot coverage” and “impervious surface”, reducing the building coverage requirement for the RE-2 Zone and establishing maximum total lot coverage requirements for the RE-2, RE-1, Rural, RC and RDT Zones.

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

| | |
|-------------------|----------------------------------|
| DIVISION 59-A-2 | “DEFINITIONS AND INTERPRETATION” |
| Section 59-A-2.1 | “Definitions” |
| DIVISION 59-C-1 | “RESIDENTIAL ZONES, ONE-FAMILY” |
| Section 59-C-1.32 | “Development standards” |
| DIVISION 59-C-9 | “AGRICULTURAL ZONES” |
| Section 59-C-9.4 | “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:

1 **Sec. 1. Division 59-A-2 is amended as follows:**

2
3 **DIVISION 59-A-2. DEFINITIONS AND INTERPRETATION.**

4 * * *

5 **Sec. 59-A-2.1. Definitions.**

6 In this Chapter, the following words and phrases have the meanings indicated:

7 * * *

8 **Impervious Surface:** A hard surface area that prevents or substantially impedes the
9 natural infiltration of water into the underlying soil, resulting in an increased volume and
10 velocity of surface water runoff.

11
12 **Lot coverage, total:** The area of a lot that is occupied or covered by impervious surface
13 including buildings, roadways, driveways, parking, sidewalks, patios, courts for sports
14 activities, and all other impervious surfaces.

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16 **Sec. 2. Division 59-C-1 is amended as follows:**

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

19 * * *

20 **59-C-1.32. Development standards.**

21
22 In addition to the following, the regulations in sections 59-C-1.34, 59-C-1.35 and 59-C-
23 1.36 shall apply:
24

1

| | RE-2 ¹ | RE-2C ¹ | RE-1 ¹ | R-200 | R-150 ³ | R-90 | R-60 | R-40 ² | R-4plex | RMH 200 |
|--|------------------------|--------------------|---------------------------|-------|--------------------|------|------|-------------------|---------|---------|
| 59-C-1.328. Coverage. | | | | | | | | | | |
| -Maximum percentage of net lot area that may be covered by buildings, including accessory buildings: | [2]15 ^{***} | 25 | 15 ^{***} | 25 | 25 | 30 | 35 | 40 | | 25 |
| * * * | | | | | | | | | | |
| -Total lot coverage as defined in Section 59-A-2.1 (as a maximum percentage of the net lot area): | <u>20</u> [*] | | <u>20</u> ^{*,**} | | | | | | | |

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3 * * *

4 * Any use that lawfully existed on a site prior to (the effective date of the ZTA), and
5 included a total lot coverage, as defined in Section 59-A-2.1, greater than 20% of
6 the net lot area is a conforming use but must not be extended or enlarged.

7

8 ** Total lot coverage requirements do not apply to cluster development.

9

10 *** If building coverage for a proposed development not requiring special exception
11 approval exceeds 8.5% in the RE-2 Zone and 11% in the RE-1 zone, a site layout
12 design must be submitted to the Department of Permitting Services depicting the
13 total lot coverage of the development, as defined in Section 59-A-2.1, prior to the
14 issuance of a building permit.

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18 **Sec. 3. DIVISION 59-C-9 is amended as follows:**

19 **DIVISION 59-C-9. AGRICULTURAL ZONES.**

20 * * *

1 **59-C-9.4. Development standards.**

2 The following requirements apply in all cases, except as specified in the optional
 3 standards for cluster development set forth in sections 59-C-9.5 and 59-C-9.57 and the
 4 exemption provisions of section 59-C-9.7.

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 6

| | Rural | RC | LDRC | RDT | RS | RNC |
|--|-------------------|-------------------|------|-------------------|----|-----|
| * * * | | | | | | |
| 59-C-9.46. Maximum Lot Coverage. | | | | | | |
| -No more than this percentage of the net lot area may be covered by buildings, including accessory buildings. ² | 10 ^{***} | 10 ^{***} | 10 | 10 ^{***} | 10 | 10 |
| -Total lot coverage as defined in Section 59-A-2.1 (as a maximum percentage of the net lot area): | 20 [*] | 20 [*] | | 15 ^{**} | | |

7
 8
 9 * * *

11 * Any use that lawfully existed on a lot or tract prior to (the effective date of the ZTA), and included a total lot coverage, as defined in Section 59-A-2.1, greater than 20% of the net lot area is a conforming use but must not be extended or enlarged.

16 ** Any use that lawfully existed on a lot or tract prior to (the effective date of the ZTA), and included a total lot coverage, as defined in Section 59-A-2.1, greater than 15% of the net lot area is a conforming use but must not be extended or enlarged.

1 *** If building coverage for a proposed development not requiring special exception
2 approval exceeds 3% in the Rural and RDT Zones and 7.5% in the RC Zone, a site
3 layout design must be submitted to the Department of Permitting Services
4 depicting the total lot coverage of the development, as defined in Section 59-A-2.1,
5 prior to the issuance of a building permit.

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7 * * *

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9 **Sec. 4. Effective date.** This ordinance becomes effective 20 days after the date of
10 Council adoption.

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12 This is a correct copy of Council action.

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17 _____
18 Mary A. Edgar, CMC
19 Clerk of the Council