Introduction

MEMORANDUM

February 1, 2019

TO:

County Council

FROM:

Jeffrey L. Zyontz, Senior Legislative Analyst

SUBJECT:

Zoning Text Amendment 19-03, Commercial/Residential Zones - Animal Boarding and

Care

PURPOSE:

No vote required – Introduction

Zoning Text Amendment (ZTA) 19-03, lead sponsor Council President Navarro at the request of the County Executive, is scheduled for introduction on February 5, 2019. ZTA 19-03 would allow Animal Boarding and Care as a limited use in Commercial/Residential Zones.¹

Animal Boarding and Care, as a limited use, requires the following provisions:

- i. Any part of a building used for animal boarding or care must be soundproofed.
- ii. If it is abutting or confronting 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 under Section 7.3.4.
- iii. An outdoor exercise yard is allowed if:
 - (a) it is fenced and set back a minimum of 50 feet from any Residential zone; and
 - (b) any animal is prohibited from being outdoors between 9:00 p.m. and 7:00 a.m.

A public hearing concerning ZTA 19-03 is scheduled for March 12, 2019 at 1:30 p.m.

This packet contains
ZTA 19-03

© number

1 - 4

F:\Land Use\ZTAS\JZYONTZ\2019 ZTAs\ZTA 19-03 CommercialResidential Zones - Animal Boarding and Care\ZTA 19-03 intro memo.doc

¹ Key words: #AnimalBoarding.

Zoning Text Amendment No.: 19-03 Concerning: Commercial/Residential

Zones - Animal Boarding

and Care

Draft No. & Date: 1 - 1/24/19

Introduced:
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: Council President Navarro at the Request of the County Executive

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow Animal Boarding and Care as a limited use in CR zones

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

Division 3.1. "Uses and Use Standards"

Section 3.1.6. "Use Table"

EXPLANATION: Boldface indicates a Heading or a defined term.

<u>Underlining</u> indicates text that is added to existing law by the original text amendment.

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

<u>Double underlining</u> 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:

Zoning Text Amendment No.: 19-03

Sec. 1. DIVISION 59-3.1 is amended as follows:

- Division 3.1. Use Table

1

- Section 3.1.6. Use Table
- The following Use Table identifies uses allowed in each zone. Uses may be modified in Overlay zones under
- Division 4.9.

USE OR USE GROUP	Definitions and Standards	Ag AR		Residential																								
			Rural Residential			Residential Detached							Residential Townhouse			Residential Multi-Unit		Commercial/ Residential			Employment				In	Industrial		
			R	RC	RNC	RE-	RE- 2C	RE-	R- 200	R-90	R-60	R-40	TLD	TMD	THD	R-30	R-20	R-10	CRN	CRT	CR	GR	NR	LSC	EOF	IL	IM	TH
* * *																							-			┢╌	-	┢
COMMERCIAL																	_							,	<u> </u>	┢		-
ANIMAL SERVICES	3.5.1																									 -		-
Animal Boarding and Care	3.5.1.B	С	С	С	С	С	С	С	С										[C] <u>L</u>	[C] <u>L</u>	[C] <u>L</u>	L	С	_		L	L	
* * *			.								_		· ·													 		-
	K	ey:	P =	Perm	itted U	se	L =	Lim	ited l	Jse	C	= Con	litior	nal U	se	Bla	nk C	ell =	Use N	ot Allo	wed	<u></u>				<u>L</u>		<u></u>

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

This is a correct copy of Council action.

Megan Davey Limarzi, Esq.
Clerk of the Council