

Zoning Text Amendment (ZTA) No. 12-17, Country Inn Zone – Standards



Gregory Russ, Planner Coordinator, Functional Planning & Policy Division, gregory.russ@montgomeryplanning.org, 301-495-2174



Mary Dolan, Chief, Functional Planning & Policy Division, mary.dolan@montgomeryplanning.org 301-495-4552

Completed: 11/8/12

Description

ZTA 12-17 would allow the Country Inn zone to apply to a site smaller than the minimum lot size of 2 acres when the zone is recommended for a smaller area by a master plan or sector plan. The ZTA also makes plain language clarifications to the Country Inn zone section of the Zoning Ordinance.

This change is proposed to enable smaller properties in this zone to develop consistent with the intent of a master plan or sector plan.

Summary/Analysis

Staff recommends approval of ZTA 12-17 as introduced to allow the Country Inn zone to apply to a site smaller than the minimum lot size requirement of 2 acres when the zone is recommended for a smaller area by a master plan or sector plan.

The Country Inn zone is a floating zone requested by the property owner through the local map amendment process. The zone is intended to be used for the purpose of permitting country inns at appropriate rural locations. It is primarily intended that country inns be located in existing structures, but this does not preclude such uses being located in new structures where appropriate. The zone has a minimum lot size of 2 acres. A master plan or sector plan may recommend the zone but is not required to do so for its application. It is staff's understanding that on at least one occasion an approved plan recommended an area for the Country Inn zone that was less than 2 acres. ZTA 12-17 would allow the implementation of the master plan recommendation for such properties. Staff believes that the ZTA could be implemented with minimal impact to other properties since all other development standards would still apply including: building coverage, green area, setbacks, building height and parking facility design. Also, the rezoning process, which includes approval of a development plan, along with the required approval of a site plan, further ensures that a project is compatible in layout and design with adjacent properties.

GR/MD/am
ATTACHMENTS

1. ZTA 12-17 as introduced

ATTACHMENT 1

Zoning Text Amendment No.: 12-17
Concerning: Country Inn Zone ó
Standards
Draft No. & Date: 1 ó 10/18/12
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**

By: Councilmember Floreen

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- amend the minimum lot area required for the Country Inn zone; and
- generally amend the provisions for the Country Inn zone

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

DIVISION 59-C-4. öCommercial Zones.ö
Section 59-C-4.39. öCountry inn zone-Purpose and development standards.ö

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*
Underlining 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.
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-C-4 is amended as follows:

DIVISION 59-C-4. COMMERCIAL ZONES.

* * *

Sec. 59-C-4.39. Country [inn] Inn zone-Purpose and development standards.

59-C-4.390. Purpose.

[This zone is intended to be used for the purpose of permitting] The purpose of this zone is to permit country inns at appropriate rural locations. It is primarily intended that country inns be located in existing [structures] buildings, but [this does not preclude such uses being] country inns located in new [structures] buildings, where appropriate, are not prohibited. [Since this zone permits commercial uses in a rural location, approval] The Council's approval of this zone [shall] must be based [upon] on certain restrictions that are not imposed upon other uses in rural areas [nor upon] or on restaurants and inns in commercial areas; these restrictions are used to protect the rural character of the surrounding area. Construction and development of a country inn zoned site must ensure that the proposed uses [permitted in this zone] will be compatible with [and will not adversely affect] the rural character of the surrounding area. In addition, it is the purpose of this zone to preserve [and maintain] significant trees. Development [shall be in conformance with] must be consistent with the purpose of this zone and satisfy a development plan submitted [in accordance with the provisions of division] under Division 59-D-1 [and approved as being consistent with the purposes of this section]. The use of this [category at any location] zone is not an indication that the surrounding area is: (1) other than rural, [that its character is] (2) altered in its character by the granting of this [zoning category] zone or the presence of the country inn, or [that any other] (3) appropriate for a change in zoning [is appropriate because of this change].

59-C-4.391. Minimum area of lot.

28 [No country inn shall be developed on a lot smaller than 2 acres in size] The
29 minimum lot size for a country inn is 2 acres, or a lesser area if a master plan or
30 sector plan recommends a lesser area.

31 * * *

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

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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