

Ordinance No.:
Subdivision Regulation Amend. No.: 08-04
Concerning: Workforce Housing-
Findings
Draft No. & Date: 2- 7/17/08
Introduced:
Public Hearing:
Adopted:
Effective:

**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 Subdivision Regulations to:

- allow certain preliminary plans to exceed density or building height limits to permit the construction of all Workforce Housing units on-site; and
- generally amend provisions relating to preliminary plans.

By amending the following section of County Code Chapter 50:

Sec. 50-35. "Preliminary subdivision plans – Approval procedure."

| | |
|------------------------------|--|
| Boldface | <i>Heading or defined term.</i> |
| <u>Underlining</u> | <i>Added to existing law by original bill.</i> |
| [Single boldface brackets] | <i>Deleted from existing law by original bill.</i> |
| <u>Double underlining</u> | <i>Added by amendment.</i> |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * * | <i>Existing law unaffected by bill.</i> |

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. Section 50-35 is amended as follows:**

2 **50-35. Preliminary subdivision plans – Approval procedure .**

3 * * *

4 (1) *Relation to Master Plan.* In determining the acceptability of a
5 preliminary plan submitted under this Chapter, the Planning Board
6 must consider the applicable master plan, sector plan, or urban
7 renewal plan. A preliminary plan must substantially conform to the
8 applicable master plan, sector plan, or urban renewal plan, including
9 maps and text, unless the Planning Board finds that events have
10 occurred to render the relevant master plan, sector plan, or urban
11 renewal plan recommendation no longer appropriate.

12 * * *

13 (3) locating public use space off-site.

14 To permit the construction of all Workforce Housing Units required
15 under Chapter 25B on-site, a preliminary plan may exceed, in
16 proportion to the Workforce Housing Units to be built on site, any
17 applicable residential density or building height limit established in a
18 master plan or sector plan. Any residential density or residential FAR
19 limit of the applicable zone may be exceeded to the extent required for
20 the number of workforce housing units to be constructed, but not by
21 more than 10 percent. Any building height limit recommended in a
22 master or sector plan may be exceeded to the extent required for the
23 number of workforce housing units that are constructed, but not to
24 more than the maximum height of the zone.

25 * * *

26 **Sec. 2. Effective date.** This ordinance takes effect 20 days after the date of
27 Council adoption.

28 *Approved:*

29

30

Isiah Leggett, County Executive

Date

31 *This is a correct copy of Council action.*

32

33

Linda M. Lauer, Clerk of the Council

Date

Resolution No:
Introduced: July 29, 2008
Adopted: July 29, 2008

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND

By: District Council

Subject: Notice of Public Hearing on Subdivision Regulation Amendment 08-04

Background

1. §50-6A of the County Code requires that, within 30 days after any subdivision regulation amendment is introduced, the Council must by resolution set a date and time for public hearing on the proposed amendment.
2. Subdivision Regulation Amendment 08-04 was introduced on April 29, 2008.

Action

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 resolution:

Legal notice must be given of the public hearing to be held on September 16, 2008, at 1:30 p.m., in the Council Hearing Room, Stella Werner Council Office Building, Rockville, Maryland, to give the public an opportunity to comment on SRA 08-04.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council