

Alert

Montgomery County Council Approves New Zoning Ordinance; Next Step is Comprehensive Rezoning

March 6, 2014

Earlier this week, the Montgomery County Council approved Zoning Text Amendment 13-04, which proposed the comprehensive rewrite of the entire Zoning Ordinance. The new Zoning Ordinance will be effective on October 30, 2014.

The new Zoning Ordinance completely restructures the current Zoning Ordinance by:

- replacing many of the existing zones with new zones;
- providing new development standards and use standards for existing and new zones;
- establishing new terms and definitions and changing and/or updating existing ones;
- creating new development approval procedures and due process requirements; and,
- providing for the transition from the current Zoning Ordinance to the new zones, development standards and approval procedures under the new Zoning Ordinance, including how existing improvements and entitlements will be "grandfathered."

The Council is still reviewing the District Map Amendment G-956 ("DMA") associated with the new Zoning Ordinance, which proposes a comprehensive rezoning of many areas of the County to new zones. The Council expects to resume its review of the DMA this summer in order for the proposed comprehensive rezoning of the County to coincide with the October 30th effective date of the new Zoning Ordinance.

For some properties, the new Zoning Ordinance and the Comprehensive Rezoning may have a positive impact with new opportunities or no effect at all, whereas for others, it may result in reduced development densities, lost grandfathering protections and increased development restrictions. Each property should be reviewed independently to assess the impacts of the new Zoning Ordinance and the pending DMA.

Please contact one of our land use attorneys listed below if you have questions about how the new Zoning Ordinance and pending DMA may affect your properties or if you otherwise need any assistance.

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