

Public Hearing

MEMORANDUM

March 15, 2019

TO: County Council

FROM: Jeffrey L. Zyontz, Senior Legislative Analyst *JZ*

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

PURPOSE: No vote required – public hearing

Zoning Text Amendment (ZTA) 19-03, lead sponsor Council President Navarro at the request of the County Executive, was introduced 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 Planning, Housing and Economic Development Committee worksession on ZTA 19-03 is tentatively scheduled for April 1, 2019.

This packet contains
ZTA 19-03

© number
1 – 4

¹ Key word: #AnimalBoarding.

Zoning Text Amendment No.: 19-03
Concerning: Commercial/Residential
Zones - Animal Boarding
and Care
Draft No. & Date: 1 - 1/24/19
Introduced: February 5, 2019
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.*
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:

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

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11 This is a correct copy of Council action.

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15 Megan Davey Limarzi, Esq.
Clerk of the Council