



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

June 24, 2021

TO: The Honorable Tom Hucker, President  
Montgomery County Council  
Stella B. Werner Council Office Building  
100 Maryland Avenue, Room 501  
Rockville, Maryland 20850

FROM: Montgomery County Planning Board

SUBJECT: Planning Board Recommendation to District Council for introduction of a Zoning Text Amendment to establish a new exemption for residential properties subject to a density transfer for historic preservation.

Dear Mr. Hucker:

The Montgomery County Planning Board of The Maryland–National Capital Park and Planning Commission met on June 17, 2021 and by a vote of 5:0 recommended transmitting the attached draft Zoning Text Amendment (ZTA) to establish a new exemption under the residential lot exemption section of the code. This exemption would apply to properties that contain a historic resource which was protected from development by a density transfer.

The new exemption, 11. Density Transfer and Historic Resources would permit a limited list of commercial uses on the site containing the historic resource, with a recommendation of approval from the Historic Preservation Commission (HPC) and a Site Plan approval by the Planning Board. In addition, the HPC and the Planning Board would have three new findings to make which are intended to ensure the proposed commercial uses protect rather than detract from the historic resource.

This exemption is very similar to an exemption that existed in the old Zoning Ordinance under 59-A-6.21 – Density Transfer, within historic sites or historic districts. This provision was enabled by a ZTA in 1979 that allowed the limited commercial uses in existing or new structures with Site Plan approval. This provision was not carried forward into the 2014 update of the Zoning Code update, and this proposed ZTA would rectify that. While the formatting and language of the proposed ZTA is different than the original code language, the intent is the same.

The Board appreciates the Council’s consideration of the attached draft ZTA to establish a new exemption for density transfer and historic resources, and Planning Staff is able and willing to assist the Council as needed in the review of the proposed revisions.

Casey Anderson  
Chair

CA:BB:aj