

Ordinance No: 15-10
Zoning Text Amendment No: 03-10
Concerning: Landscape contractor, C-T and I-1 zones
Draft No. & Date: 2 – 7/8/03
Introduced: May 13, 2003
Public Hearing: June 17, 2003; 1:30 PM
Adopted: July 8, 2003
Effective: July 28, 2003

**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 for the purpose of:

- permitting a landscape contractor use in the C-T and I-1 zones; and,
- establishing certain requirements for a landscape contractor to locate in the C-T zone.

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

DIVISION 59-C-4 “COMMERCIAL ZONES”
Section 59-C-4.2 “Land uses”
DIVISION 59-C-5 “INDUSTRIAL ZONES”
Section 59-C-5.2 “Land uses”

EXPLANATION: ***Boldface** indicates a heading or a defined term.*
Underlining indicates text that is added to existing laws by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by the 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.*

OPINION

Zoning Text Amendment No. 03-10 was introduced on May 13, 2003 for the purpose of permitting a landscape contractor use in the C-T and I-1 zones; and establishing certain requirements for a landscape contractor to locate in the C-T zone.

The Montgomery County Planning Board in its report to the Council recommended that the text amendment be approved, with a revision to require the C-T site to adjoin property zoned I-1. It is the Board's position that the additional requirement will better accommodate the landscape contractor in the C-T zone with minimal impact in the surrounding area.

The County Council held a public hearing on June 17, 2003 to receive testimony concerning the proposed text amendment. The text amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.

The Planning, Housing, and Economic Development Committee held a worksession on June 30, 2003 to review the amendment. The Committee believes a landscape contractor is an appropriate use in the I-1 zone and in the C-T zone, under the standards proposed in ZTA 03-10, as revised by the Planning Board:

The District Council reviewed Zoning Text Amendment No. 03-10 at a worksession held on July 8, 2003 and agreed with the recommendations of the Planning, Housing, and Economic Development Committee.

For these reasons and because to approve this amendment will assist in the coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 03-10 will be approved as amended.

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. Division 59-C-4 is amended as follows:**

2 **DIVISION 59-C-4. COMMERCIAL ZONES.**

3 **59-C-4.2. Land uses.**

4 * * *

	C-T	O-M	C-O	C-P	C-1	C-2	C-3	C-4	C-5	C-6	H-M	Country Inn
(d) Commercial:												
Jewelry stores.					P	P		P		P		
<u>Landscape contractor.</u>	<u>P*</u>											

5 _____

6 * [[Permitted only if adjoining properties are recommended for commercial,
 7 industrial or public use on an approved and adopted Master Plan. Where a
 8 landscape contractor use adjoins a residential use, screening not less than 6
 9 feet in height must be provided.]] Permitted if: (1) any part of the site
 10 adjoins property zoned I-1, and (2) adjoining properties are recommended
 11 for commercial, industrial, or public use. If the site adjoins a residential use,
 12 screening not less than 6 feet in height must be provided.

13

14 **Sec. 2. Division 59-C-5 is amended as follows:**

15 **DIVISION 59-C-5. INDUSTRIAL ZONES.**

16 **59-C-5.2. Land uses.**

17 * * *

	I-1	I-2	I-3	I-4	R&D	LSC
(e) Services.						
* * *						
Laboratories.	P		P	P	P	P
<u>Landscape contractor.</u>	<u>P</u>					

18

19 **Sec. 3. Effective date.** This ordinance becomes effective 20 days after the
20 date of Council adoption.

21

22 This is a correct copy of Council action.

23

24

25

26 _____

27 Mary A. Edgar, CMC

28 Clerk of the Council