

Zoning Text Amendment No.: 15-06
Concerning: Rural Cluster Zone –
Land Use and Setbacks
Draft No. & Date: 1 – 3/16/15
Introduced:
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**

By: The District Council at the Request of the County Executive

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- expand the land uses allowed in the RC zone under certain circumstances; and
- revise the setbacks in the RC zone.

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

DIVISION 59-3.1. “Use Table”
Section 59-3.1.6. “Use Table”
DIVISION 59-3.5. “Commercial Uses”
Section 59-3.5.11. “Retail Sales and Service”
DIVISION 59-7.7. “Exemptions and Nonconformities”
Section 59-7.7.1. “Exemptions”

EXPLANATION: ***Boldface*** indicates a Heading or a defined term.

Underlining indicates text that is added to existing law by the original text amendment or by ZTA 14-09.

[*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 or text added by this amendment in addition to ZTA 14-09.

[[*Double boldface brackets*]] indicate text that is deleted from the text amendment by amendment or indicates a change from ZTA 14-09.

* * * 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:

1 **Sec. 1. DIVISION 59-3.1 is amended as follows:**

2 **DIVISION 59-3.1. Use Table**

3 * * *

4 **Section 3.1.6. Use Table**

5 The following Use Table identifies uses allowed in each zone. Uses may be modified in Overlay
6 zones under Division 4.9.

USE OR USE GROUP	Definitions and Standards	Ag	Rural Residential		Residential									Commercial/ Residential			Employment				Industrial							
					Residential Detached						Residential Townhouse													Residential Multi-Unit				
			AR	R	RC	RNC	RE-2	RE-2C	RE-1	R-200	R-90	R-60	R-40	TLD	TMD	THD	R-30	R-20	R-10	CRN	CRT	CR	GR	NR	LSC	EOF	IL	IM
* * *																												
COMMERCIAL																												
RETAIL SALES AND SERVICE	3.5.11																											
Combination Retail	3.5.11.A																		C	C	C	C						
Retail/Service Establishment (Up to 5,000 SF)	3.5.11.B																L		P	P	P	P	P	L	L	L	L	L
Retail/Service Establishment (5,001 - 15,000 SF)	3.5.11.B																		L	P	P	P	P	L	L	L	L	L
Retail/Service Establishment (15,001 - 50,000 SF)	3.5.11.B																		L	P	P	P	P	L	L	L	L	L
* * *																												
Key: P = Permitted Use L = Limited Use C = Conditional Use Blank Cell = Use Not Allowed																												

7 * * *

8 **Sec. 2. DIVISION 59-3.5 is amended as follows:**

10 **DIVISION 59-3.5. Commercial Uses**

11 * * *

12 **Section 3.5.11. Retail Sales and Service**

13 * * *

14 **B. Retail/Service Establishment**

15 1. Defined

16 Retail/Service Establishment means a business providing personal
17 services or sale of goods to the public. Retail/Service Establishment
18 does not include Animal Services (see Section 3.5.1, Animal Services)
19 or Drive-Thru (see Section 3.5.14.E, Drive-Thru).

20 2. Use Standards

21 a. Where a Retail/Service Establishment is allowed as a limited
22 use, it must satisfy the following standards:

23 * * *

24 ix. In the RC zone, a Retail Service Establishment is allowed
25 only if the site is:

26 (a) larger than 2.5 acres; and

27 (b) abutting or confronting Industrial zoned land.

28 * * *

29 **Sec. 3. DIVISION 59-7.7 is amended as follows:**

30 **Division 59-7.7. Exemptions and Nonconformities**

31 **Section 59-7.7.1. Exemptions**

32 * * *

33 **D. Residential Lots and Parcels**

34 * * *

35 **8. Exempted Lots, [and] Parcels, and Buildings in the Rural Cluster**
36 **Zone**

