

Zoning Text Amendment No.: 15-11
Concerning: Employment Office
(EOF) Zone – Limited
Uses

Draft No. & Date: 1 - 10/4/15
Introduced: November 3, 2015
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: Councilmember Floreen

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow additional limited uses in the EOF zone;
- establish standards for limited uses the EOF zones; and
- generally amend the provisions for the EOF 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 59-3.5.12. “Vehicle/Equipment Sales and Rental”
Section 59-3.5.13. “Vehicle Service”

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:

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

2 **Division 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
6 modified in Overlay zones under Division 4.9.

USE OR USE GROUP	Definitions and Standards	* * *	Commercial/Residential			Employment				Industrial		
			CRN	CRT	CR	GR	NR	LSC	EOF	IL	IM	IH
* * *												
VEHICLE/EQUIPMENT SALES AND RENTAL	<u>3.5.12</u>											
Heavy Equipment Sales and Rental	<u>3.5.12.A</u>					L					P	P
Light Vehicle Sales and Rental (Indoor)	<u>3.5.12.B</u>			L	P	P			<u>L</u>	P	P	
Light Vehicle Sales and Rental (Outdoor)	<u>3.5.12.C</u>			L	P	L	C		<u>L</u>	P	P	
VEHICLE SERVICE	<u>3.5.13</u>											
* * *												
Repair (major)	<u>3.5.13.E</u>			C	C	L		C	<u>L</u>	P	P	P
* * *												

7
8 **Sec. 2. DIVISION 59-3.5 is amended as follows:**

9 **Division 3.5. Commercial Uses**

10 * * *

11 **Section 3.5.12. Vehicle/Equipment Sales and Rental**

12 * * *

13 **B. Light Vehicle Sales and Rental (Indoor)**

14 **1. Defined**

15 Light Vehicle Sales and Rental (Indoor) means a building for the
16 indoor sales, rental, or leasing of light equipment and vehicles,
17 including vehicles for hauling and moving. Light Vehicle Sales and
18 Rental (Indoor) includes the repair of vehicles and equipment for sale,
19 rent, or lease as an incidental use if conducted indoors. Light Vehicle
20 Sales and Rental (Indoor) includes indoor storage of vehicles for
21 sale[,] and an accessory car wash for vehicles and equipment for sale,
22 rent, or lease.

23 **2. Use Standards**

24 a. Where Light Vehicle Sales and Rental (Indoor) is allowed as a
25 limited use, and the subject lot abuts or confronts a property
26 zoned Agricultural, Rural Residential, or Residential Detached
27 that is vacant or improved with an agricultural or residential
28 use, it must satisfy the following standards:

29 [a] i. Access to the site from a street with a residential
30 classification is prohibited.

31 [b] ii. Site plan approval is required under Section 7.3.4.

32 b. In the EOF zone, the tract on which a Light Vehicle Sales and
33 Rental (Indoor) use is allowed must also be:

34 i. less than 10 acres in size; and

35 ii. located outside of a Metro Station Policy Area.

36 **C. Light Vehicle Sales and Rental (Outdoor)**

37 **1. Defined**

38 Light Vehicle Sales and Rental (Outdoor) means the sales, rental, or
39 leasing of light equipment and vehicles, including vehicles for hauling
40 and moving, outside of a building. Light Vehicle Sales and Rental

(Outdoor) includes the repair of vehicles and equipment for sale, rent, or lease as an incidental use if conducted indoors. Light Vehicle Sales and Rental (Outdoor) includes outdoor storage of vehicles for sale[,] and an accessory car wash for vehicles and equipment for sale, rent, or lease.

2. Use Standards

a. Where Light Vehicle Sales and Rental (Outdoor) is allowed as a limited use, and the subject lot abuts or confronts a property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use, it must satisfy the following standards:

- i. Access to the site from a street with a residential classification is prohibited.
- ii. Vehicles must be stored or parked only on a hard surface that is constructed of material resistant to erosion, is adequately treated to prevent dust emission, and is surrounded by a raised curb. The parking and storage area must be set back 15 feet from any right-of-way, 15 feet from any lot line abutting land in an Agricultural, Rural Residential, or Residential Detached zone, and 3 feet from any other lot line.
- iii. There must be a minimum of 20 feet between access driveways, and all driveways must be perpendicular to the curb or street line.
- iv. When such use occupies a corner lot, an access driveway is prohibited within 20 feet from the intersection of the rights-of-way, and cannot exceed 30 feet in width.

- 68 v. Product displays, parked vehicles, and other obstructions,
69 which would adversely affect visibility at intersections or
70 to driveways, are prohibited.
- 71 vi. In the CRT zone, site plan approval is required under
72 Section 7.3.4.
- 73 b. In the EOF zone, the tract on which a Light Vehicle Sales and
74 Rental (Outdoor) use is allowed must also be:
 - 75 i. less than 10 acres in size; and
 - 76 ii. located outside of a Metro Station Policy Area.
- 77 c. Where Light Vehicle Sales and Rental (Outdoor) is allowed as a
78 conditional use, it may be permitted by the Hearing Examiner
79 under all applicable limited use standards[,] and Section 7.3.1,
80 Conditional Use.

81 **Section 3.5.13. Vehicle Service**

82 * * *

83 **E. Repair (Major)**

84 **1. Defined**

85 Repair (Major) means an establishment where general vehicle repair
86 and service is conducted, including engine and transmission
87 replacement or rebuild, body, and paint shops. Repair (Major) does
88 not include repair or services for commercial vehicles or heavy
89 equipment (see Section 3.5.13.D, Repair (Commercial Vehicle)).

90 **2. Use Standards**

- 91 a. Where Repair (Major) is allowed as a limited use, and the
92 subject lot abuts or confronts a property zoned Residential that
93 is vacant or improved with a residential use, it is subject to the
94 following standards:

- 95 i. All buildings must be set back a minimum of 100 feet
96 from the abutting residential lot line.
- 97 ii. All parking and storage for vehicles must be set back a
98 minimum of 50 feet from the abutting residential lot line.
- 99 iii. The minimum site is 20,000 square feet if not fully
100 contained in a structure.
- 101 iv. Access to the site from a street with a residential
102 classification is prohibited.
- 103 b. In the EOF zone, the tract on which a Repair (Major) use is
104 allowed must also be:
- 105 i. less than 10 acres in size; and
- 106 ii. located outside of a Metro Station Policy Area.
- 107 c. Where Repair (Major) is allowed as a conditional use, it may be
108 permitted by the Hearing Examiner under all limited use standards
109 and Section 7.3.1, Conditional Use.

110 * * *

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

113

114 This is a correct copy of Council action.

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117 Linda M. Lauer, Clerk of the Council