

Zoning Text Amendment No.: 15-14
Concerning: Conditional Use
Amendment - Business
Vehicles
Draft No. & Date: 2 – 12/7/15
Introduced: December 8, 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: Council President Floreen
Co-sponsors: Councilmembers Riemer, Leventhal, Katz, Berliner, and Navarro

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- exempt vehicles doing business on a site with a conditional use from the condition use amendment process ; and
- generally allow for exemptions to the process of conditional use amendments.

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

DIVISION 59-7.3. “Regulatory Approvals”
Section 59-7.3.1. “Conditional Use”

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 59-7.3 is amended as follows:**

2 **DIVISION 7.3. Regulatory Approvals**

3 **Section 7.3.1 Conditional Use**

4 * * *

5 **K. Amendments**

6 **1. Major Amendment**

7 * * *

8 **2. Minor Amendment**

9 a. A minor amendment to a conditional use may be approved
10 administratively by the Hearing Examiner or Board of Appeals,
11 as applicable, depending on which entity approved the
12 conditional use. A minor amendment to a conditional use is one
13 that does not change the nature, character, or intensity of the
14 conditional use to an extent that substantial adverse effects on
15 the surrounding neighborhood could reasonably be expected,
16 when considered in combination with the underlying
17 conditional use.

18 * * *

19 **3. Exemption from Amendment Procedure**

20 An amendment to a special exception or a conditional use is not
21 required for a use allowed in the subject property's zone as a
22 permitted use if the use is located:

- 23 a. in a mobile vehicle;
24 b. in an manner that allows vehicles to access the site from
25 abutting rights-of-way;
26 c. in a manner that allows all uses on the site to satisfy the
27 minimum parking requirements; and

28 d. on an area not required for open space or green area.

29 * * *

30 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after
31 approval.

32

33 This is a correct copy of Council action.

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36 Linda M. Lauer, Clerk of the Council