

Ordinance No.: 19-24  
Zoning Text Amendment No.: 21-05  
Concerning: Rural Village Center  
(RVC) Overlay Zone –  
Vehicle Repair  
Draft No. & Date: 2 – 10/20/2021  
Introduced: July 27, 2021  
Public Hearing: September 14, 2021  
Adopted: November 9, 2021  
Effective: November 29, 2021

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF  
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN  
MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: Councilmember Glass

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**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- allow vehicle repair and service in certain RVC zones

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

DIVISION 4.9.           “Overlay Zones”  
Section 4.9.14.       “Rural Village Center (RVC) Overlay Zone”

**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.*

## OPINION

Zoning Text Amendment (ZTA) 21-05, Rural Village Center (RVC) Overlay Zone – Vehicle Repair, lead sponsor Councilmember Glass, was introduced on July 27, 2021. ZTA 21-05 would allow vehicle repair and service in the Rural Village Center (RVC) Overlay zone.

The current Zoning Ordinance explicitly prohibits Repair (Minor) in the RVC Overlay zone, regardless of the underlying zone. It also prohibits Repair (Major) and Repair (Minor) in the CRN zone. This ZTA would allow both uses as a conditional use in the RVC Overlay zone when the underlying zone is CRN.

The Planning Board reviewed ZTA 21-05 at its regular meeting on September 9, 2021. The Planning Board unanimously recommended approval of this ZTA, with an amendment to move the new language from Section 4.9.14.B.1.d, which lists prohibitions, to Section 4.9.14.B.1.c, following other conditional uses allowed when the underlying zone is Commercial/Residential.

The County Council held a public hearing on September 14, 2021. One speaker, the owner of a vehicle repair shop in the County, testified in support. No speakers testified in opposition.

The PHED Committee held a worksession on November 1, 2021. The PHED Committee unanimously recommended approval of ZTA 21-05 with the Planning Board amendment.

At a District Council session on November 9, 2021, the Council agreed with the recommendation of the 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. 21-05 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 59-4 is amended as follows:**

2           **Division 4.9. Overlay Zones**

3           \*    \*    \*

4           **Section 4.9.14. Rural Village Center (RVC) Overlay Zone**

5           \*    \*    \*

6           **B.    Land Uses**

7           1.    Where a lot is either partially or totally in a Commercial/Residential  
8           zone:

- 9           a.    Dry Cleaning Facility (up to 3,000 SF) is allowed only as a  
10           conditional use under Section 7.3.1.
- 11           b.   If the underlying zone on the property is CRN, a Filling Station  
12           is allowed as a conditional use under Section 7.3.1 and the  
13           following standards:
  - 14           i.    A car wash is prohibited;
  - 15           ii.   The maximum height for pump canopies is 35 feet; and
  - 16           iii.  Any structure approved for the use must not exceed the  
17           scale and bulk of existing commercial structures in the  
18           village.
- 19           c.   Repair (Minor) and Repair (Major) may be permitted by  
20           Conditional Use following all use standards under 3.5.13.E.2.c  
21           or 3.5.13.F.2.b and the requirements for Conditional Use under  
22           Section 7.3.1.

23           [[c]]d. Multi-Unit Living, as allowed in the underlying zone, must be  
24           in a multi-use building type.

25           [[d]]e. The following uses are prohibited:

- 26           i.    Animal Boarding and Care;
- 27           ii.  Drive-Thru in connection with a Restaurant;

- 28                   iii.    Helipad, Heliport;
- 29                   iv.    Helistop;
- 30                   v.    The following Light Manufacturing and Production:
- 31                         newspaper, printing, and publishing;
- 32                   vi.    Recreation and Entertainment Facility;
- 33                   [[vii. Repair (Minor) and Repair (Major), except where the
- 34                         underlying zone on the property is CRN. Where the
- 35                         underlying zone on the property is CRN, Repair (Minor)
- 36                         and Repair (Major) are allowed as a conditional use
- 37                         under Section 7.3.1;]]
- 38                   [[viii]]vii. The following Retail/Service Establishments:
- 39                         appliance store; appliance repair shop; and building
- 40                         materials and supplies;
- 41                   [[ix]]viii. Shooting Range (Indoor); and
- 42                   [[x]]ix. Vehicle/Equipment Sales and Rental, except any
- 43                         automobile rental business in existence on October 13,
- 44                         1998 may continue as a conforming use, and may be
- 45                         altered, repaired, or replaced under provisions of the zone
- 46                         in effect at the time the use was established.
- 47                   2.    Where a lot is in a Residential zone:
- 48                         a.    The lot may provide septic capacity for an adjacent commercial
- 49                         use, or adjacent residential property, if the use substantially
- 50                         conforms with the recommendations of the applicable master
- 51                         plan.
- 52                         b.    The following uses are prohibited:
- 53                                 i.    Day Care Center (13-30 Persons);
- 54                                 ii.   Day Care Center (Over 30 Persons);

- 55                           iii.    Golf Course, Country Club;
- 56                           iv.    Hospital; and
- 57                           v.    Residential Care Facility (Over 16 Persons).

58   \*   \*   \*

59               **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the  
60   date of Council adoption.

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62   This is a correct copy of Council action.

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65   Selena M. Singleton, Esq.  
66   Clerk of the Council