

Zoning Text Amendment No.: 14-12  
Concerning: Rural Cluster Zone –  
Retail/Service and  
Exemptions  
Draft No. & Date: 1 – 9/16/14  
Introduced: September 23, 2014  
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**

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

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**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:*



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

12 \* \* \*

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

14 \* \* \*

15 **B. Retail/Service Establishment**

16 1. Defined

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

21 2. Use Standards

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

24 \* \* \*

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

27 (a) larger than 2.5 acres; and

28 (b) abutting or confronting Industrial zoned land.

29 \* \* \*

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

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

32 **Section 59-7.7.1. Exemptions**

33 \* \* \*

34 **D. Residential Lots and Parcels**

35 \* \* \*

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

- 38           a.     A lot or a parcel in the Rural Cluster (RC) zone, in addition to
- 39                                   other exemptions in this subsection, is exempt from the
- 40                                   minimum area requirements and dimension requirements of the
- 41                                   Rural Cluster zone, but must satisfy the requirements of the
- 42                                   zone applicable to it before its classification to the RC zone if:
- 43           [[a]] i.       the property owner held title to the property before
- 44                                   June 4, 1974;
- 45           [[b]] ii.       a reduced lot size is required for a lot created for a
- 46                                   detached house; and
- 47           [[c]] iii.       the child of the property owner, or the spouse of a
- 48                                   child, or the parents of the property owner will reside in
- 49                                   the house on the additional lot.
- 50           b.     Any parcel with an existing building on October 30, 2014 is
- 51                                   exempt from the minimum lot area and frontage requirement.
- 52                                   Any existing building located on any lot or parcel on October
- 53                                   30, 2014 is exempt from the minimum side setbacks of the
- 54                                   zone.

55     \*    \*    \*

56           **Sec. 4. Effective date.** This ordinance becomes effective on October 30,  
57 2014.

58  
59 This is a correct copy of Council action.

60  
61 \_\_\_\_\_  
62 Linda M. Lauer, Clerk of the Council