

Zoning Text Amendment No.: 16-13  
Concerning: Conditional Use –  
Screening

Draft No. & Date:  
Introduced: August 2, 2016  
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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Lead Sponsor: Council President Floreen at the Request of the  
Office of Zoning and Administrative Hearings

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

- amend the provisions for exempted parking design requirements for residential buildings;
- the applicability of landscaping, lighting and screening requirements for parking associated with residential zones and uses; and,
- generally amend design requirements for residential uses.

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code effective October 30, 2014:

DIVISION 6.2.	“Parking, Queuing, and Loading”
Section 6.2.5.	“Vehicle Parking Design Standards”
Section 6.2.9.	“Parking Lot Landscaping and Outdoor Lighting”
DIVISION 6.5.	“Screening Requirements”
Section 6.5.2.	“Applicability”
Section 6.5.3.	“Screening Requirements”

**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 that text 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 59-6.2 is amended as follows:**

2   **Division 6.2. Parking, Queuing, and Loading**

3   \*   \*   \*

4   **Section 6.2.5. Vehicle Design and Parking Standards**

5   **A.    Building Type Exemptions**

6           The vehicle parking design standards under Section 6.2.5.D, [and] Section  
7           6.2.5.F through Section 6.2.5.H, and Section 6.2.5.K.2.b do not apply to a:

- 8           1.    detached house;
- 9           2.    duplex; or
- 10          3.    townhouse that provides parking on individual lots.

11   \*   \*   \*

12   **Section 6.2.9. Parking Lot Landscaping and Outdoor Lighting**

13   **A.    Applicability**

14           Section 6.2.9. applies to any:

- 15          1.    surface parking lot with 10 or more spaces;
- 16          2.    structured parking facility; or
- 17          3.    property with a conditional use requiring [3] 5 to 9 spaces that abuts  
18                an Agricultural, Rural Residential, or Residential Detached zoned  
19                property that is vacant or improved with an agricultural or residential  
20                use.

21   **B.    Parking Lot Requirements for Conditional Uses Requiring [3] 5 to 9**  
22   **Spaces**

23           [1.] If a property with a conditional use requiring [3] 5 to 9 parking spaces  
24           is abutting Agricultural, Rural Residential, or Residential Detached  
25           zoned property that is vacant or improved with an agricultural or  
26           residential use, the parking lot must have a perimeter planting area  
27           that:

- 28 a. satisfies the minimum specified parking setback under Article
- 29 59-4 or, if not specified, is a minimum of 8 feet wide;
- 30 b. contains a hedge, fence, or wall a minimum of 4 feet high; and
- 31 c. has a minimum of 1 understory or evergreen tree planted every
- 32 30 feet on center.

33 [2. The Hearing Examiner may increase the perimeter planting  
 34 requirements for a conditional use application under Section 7.3.1.]

35 \* \* \*

36 **Sec. 2. DIVISION 59-6.5 is amended as follows:**

37 **Division 6.5. Screening Requirements**

38 \* \* \*

39 **Section 6.5.2. Applicability**

40 \* \* \*

41 **B. Agricultural, Rural Residential, and Residential Detached Zones**

42 In the Agricultural, Rural Residential, and Residential Detached zones, a  
 43 conditional use in any building type, except a single-family detached house,  
 44 must provide screening under Section 6.5.3 if the subject lot abuts property  
 45 in an Agricultural, Rural Residential, or Residential Detached zone that is  
 46 vacant or improved with an agricultural or residential use. All conditional  
 47 uses must have screening that ensures compatibility with the surrounding  
 48 neighborhood.

49 [1.] The conditional use standards under Article 59-3 may exempt the  
 50 development from this requirement.

51 [2. The Hearing Examiner may increase the amount of screening required  
 52 for conditional use approval under Section 7.3.1.]

53 **C. Residential Townhouse, Residential Multi-Unit,**  
 54 **Commercial/Residential, Employment, and Industrial Zones**

55 In the Residential Townhouse, Residential Multi-Unit,  
56 Commercial/Residential, Employment, and Industrial zones:

57 1. A conditional use in a [detached house or] duplex building type must  
58 provide screening under Section 6.5.3 if the subject lot abuts property  
59 in an Agricultural, Rural Residential, or Residential Detached zone  
60 that is vacant or improved with an agricultural or residential use.

61 a. The conditional use standards under Article 59-3 may exempt  
62 the development from this requirement.

63 b. The Hearing Examiner may increase or decrease the amount of  
64 screening required for conditional use approval under  
65 Section 7.3.1.

66 \* \* \*

67 **Section 6.5.3. Screening Requirements**

68 \* \* \*

69 **C. Screening Requirements by Building Type**

70 \* \* \*

71 **7. General Building with a Non-Industrial Use; Conditional Use in**  
72 **the Agricultural, Rural Residential, or Residential Detached**  
73 **Zones; and Conditional Use in a [Detached House or] Duplex in**  
74 **Any Other Zone**

75 \* \* \*

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

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79 This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council