

Zoning Text Amendment No: 09-05
Concerning: Burtonsville Overlay Zone –
Allowed uses
Draft No. & Date: 1- 6/17/09
Introduced:
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**

By: Councilmember Navarro

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- amend the land uses allowed in the Overlay zone for the Burtonsville Employment Area of the Fairland Master Plan; and
- generally amend the Overlay zone for the Burtonsville Employment Area of the Fairland Master Plan.

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

DIVISION 59-C-18	“Overlay Zones”
Sec. 59-C-18.14.	“Overlay zone for the Burtonsville Employment Area of the Fairland Master Plan”
59-C-18.142	“Regulations”

EXPLANATION: ***Boldface** indicates a heading or a defined term.*
Underlining indicates text that is added to existing laws by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by the 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 - C-18 is amended as follows:

2

3 Division 59-C-18. Overlay Zones.

4 * * *

5 Sec. 59-C-18.14. Overlay zone for the Burtonsville Employment Area of the
6 Fairland Master Plan.

7 * * *

8 59-C-18.142. Regulations.

9 (a) Land uses. [The following uses are allowed in the Burtonsville employment
10 overlay zone:]

11 (1) All permitted or special exception uses [in the I-1, I-3, and O-M zones
12 as shown in Sections 59-C-4.2 and 59-C-5.2 except] in a lot or
13 parcel's underlying zone are allowed; however, the following uses are
14 prohibited:

15 Automobile parts, sales and services, including but not limited
16 to tire sales and transmission service

17 Automobile filling stations

18 Automobile repair and services

19 Automobile sales, indoors and outdoors

20 Automobile, truck and trailer rentals, outdoor

21 Bakery

22 Blacksmith shops[,] and machinery shops

23 Bottling plant

24 Building materials and supplies, wholesale and retail

25 Confectionery production

26 Contractor's storage yards

27 Dry cleaning plants

- 28 Electroplating and manufacturing of small parts such as coils,
- 29 condensers, transformers, and crystal holders
- 30 Food production, packaging, packing and canning [of]
- 31 Fuel storage yards
- 32 Ice manufacturing and storage
- 33 Laundry plants
- 34 Lumberyards
- 35 Manufacturing of light sheet metal products
- 36 Manufacturing, compounding, assembling or treatment of
- 37 articles from the following previously prepared materials:
- 38 bone, cellophane, plastic, canvas cloth, cork, feathers,
- 39 felt, fiber, fur, hair, horn, leather textiles, yarns, glass,
- 40 precious or semi-precious metals or stones, and tobacco
- 41 Manufacturing, compounding, processing or packaging of
- 42 cosmetics, drugs, perfumes, pharmaceuticals, toiletries
- 43 and products resulting from biotechnical and biogenetic
- 44 research and development
- 45 Manufacturing, fabrication, and/or subassembly [or] of aircraft
- 46 or satellite parts, components, and equipment
- 47 Manufacturing of musical instruments, toys, novelties, and
- 48 rubber and metal stamps
- 49 Manufacturing of paint not employing a boiling or rendering
- 50 process
- 51 Manufacturing of pottery and figurines or other products using
- 52 previously pulverized clay and kilns fired only by
- 53 electricity or gas
- 54 Paper products manufacturing

- 55 Sawmills
- 56 Stoneworks
- 57 Tinsmith and roofing services
- 58 Wholesale trades limited to sale or rental of products intended
- 59 for industrial or commercial users
- 60 Wood products manufacturing

61 In cases where uses are [permitted in one zone but] allowed by special
 62 exception [in another zone], the special exception [provision takes
 63 precedence] provisions must be satisfied.

64 (2) The following retail commercial uses are [permitted] allowed without
 65 regard to the underlying zone:

- 66 Antique shops, handicrafts, or art sales.
- 67 Barber or beauty shop.
- 68 Banks.
- 69 Bookstores.
- 70 Drugstore.
- 71 Eating and drinking establishment, excluding a drive-in.
- 72 Express or mailing offices.
- 73 Florist.
- 74 Food and beverage store.
- 75 Newsstand.
- 76 Photographic and art supply stores.
- 77 Shoe repair shops.

78 * * *

79 **Sec.2. Effective Date.** This ordinance takes effect immediately upon the
 80 date of Council adoption.

81

82 This is a correct copy of Council action.

83

84 _____

85 Linda M. Lauer, Clerk of the Council