



Committee: PHED

Committee Review: At a future date

Staff: Livhu Ndou, Legislative Attorney

Purpose: To introduce agenda item – no vote expected

Keywords: #AutoSales #LightVehicleSalesandRental
#Indoor

AGENDA ITEM #14C

June 14, 2022

Introduction

SUBJECT

Zoning Text Amendment (ZTA) 22-04, Commercial Uses – Light Vehicle Sales and Rental (Indoor)

Lead Sponsors: Councilmembers Navarro, Riemer, and Glass

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

N/A

DESCRIPTION/ISSUE

ZTA 22-04 will allow Light Vehicle Sales and Rental (Indoor) in the Neighborhood Retail (NR) zone.

SUMMARY OF KEY DISCUSSION POINTS

- ZTA 22-04 will allow Light Vehicle Sales and Rental (Indoor) in the Neighborhood Retail (NR) zone as a limited use.
- Light Vehicle Sales and Rental (Indoor) in the Neighborhood Retail (NR) zone would be subject to the limited use provisions of Section 3.5.12.B.2.a.
- A Public Hearing is tentatively scheduled for July 26, 2022.

This report contains:

Staff Report

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ZTA 22-04

© 1

Map of NR zones

© 6

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MEMORANDUM

June 9, 2022

TO: County Council

FROM: Livhu Ndou, Legislative Attorney

SUBJECT: Zoning Text Amendment (ZTA) 22-04, Commercial Uses - Light Vehicle Sales and Rental (Indoor)

PURPOSE: Introduction

Zoning Text Amendment (ZTA) 22-04, Commercial Uses – Light Vehicle Sales and Rental (Indoor), lead sponsors Councilmembers Navarro, Riemer, and Glass, is scheduled to be introduced on June 14, 2022. A Public Hearing is tentatively scheduled for July 26, 2022.

ZTA 22-04 will allow Light Vehicle Sales and Rental (Indoor) as a limited use in the Neighborhood Retail (NR) zone. The NR zone currently allows Light Vehicle Sales and Rental (Outdoor) as a conditional use. A limited use was chosen because indoor sales and rental is a less intensive use than outdoor sales and rental.¹ The provisions of Section 3.5.12.B.2.a., which require site plan approval if the use abuts an agricultural or residentially zoned property, would apply:

Section 3.5.12. Vehicle/Equipment Sales and Rental

* * *

B. Light Vehicle Sales and Rental (Indoor)

1. Defined

Light Vehicle Sales and Rental (Indoor) means a building for the indoor sales, rental, or leasing of light equipment and vehicles, including vehicles for hauling and moving. Light Vehicle Sales and Rental (Indoor) includes the repair of vehicles and equipment for sale, rent, or lease as an incidental use if conducted indoors. Light Vehicle Sales and Rental (Indoor) includes indoor storage of vehicles for sale and an accessory car wash for vehicles and equipment for sale, rent, or lease.

2. Use Standards

¹ As evidence of this, in the General Retail (GR) zone, Light Vehicle Sales and Rental (Indoor) is a permitted use and Light Vehicle Sales and Rental (Outdoor) is a limited use.

- a. Where Light Vehicle Sales and Rental (Indoor) is allowed as a limited use, and the subject lot abuts or confronts a property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use, it must satisfy the following standards:
 - i. Access to the site from a street with a residential classification is prohibited.
 - ii. Site plan approval is required under Section 7.3.4.

A public hearing is tentatively scheduled for July 26, 2022, at 1:30 p.m.

This packet contains:

ZTA 22-04

© 1

Map of NR zones

© 6

Ordinance No.:
Zoning Text Amendment No.: 22-04
Concerning: Commercial Uses - Light
Vehicle Sales and Rental
(Indoor)
Draft No. & Date: 1 – 4/25/2022
Introduced: June 14, 2022
Public Hearing:
Adopted:
Effective:

**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: Councilmembers Navarro, Riemer, Glass

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow Light Vehicle Sales and Rental (Indoor) in the Neighborhood Retail (NR) zone; and
- generally amend the provisions for Light Vehicle Sales and Rental (Indoor).

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

Division 3.1	“Use Table”
Section 3.1.6.	“Use Table”

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.*

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:

Sec. 1. DIVISION 59-3.1 is amended as follows:

Division 3.1. Use Table

*** * ***

Section 3.1.6. Use Table

The following Use Table identifies uses allowed in each zone. Uses may be modified in Overlay zones under Division 4.9.

Key: P = Permitted Use L = Limited Use C = Conditional Use Blank Cell = Use Not Allowed

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USE OR USE GROUP	Definitions and Standards	Ag	Rural Residential				Residential												Commercial / Residential			Employment				Industrial		
							Residential Detached							Residential Townhouse			Residential Multi-Unit											
		AR	R	RC	RNC	RE-2	RE-2C	RE-1	R-200	R-90	R-60	R-40	TLD	TMD	THD	R-30	R-20	R-10	CRN	CRT	CR	GR	NR	LSC	EOF	IL	IM	IH
* * *																												
COMMERCIAL																												
* * *																												
VEHICLE/EQUIPMENT SALES AND RENTAL	3.5.12																											
Heavy Vehicle Sales and Rental	3.5.12.A																				L					P	P	
Light Vehicle Sales and Rental (Indoor)	3.5.12.B																		L	P	P	P	L		L	P	P	
Light Vehicle Sales and Rental (Outdoor)	3.5.12.C																		L	P	L	C		L	P	P		
* * *																												

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

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