

***Clerk's Note:*** Removed Zoning Text Amendment No.: 22-04 from page 2. Replaced "Zoning Text Amendment No.: 22-04" with "Ordinance No.: 19-32" in the header of pages 3-6 (now pages 4-7).

Ordinance No.: 19-32  
Zoning Text Amendment No.: 22-04  
Concerning: Commercial Uses - Light  
Vehicle Sales and Rental  
(Indoor)  
Draft No. & Date: 2 – 9/1/2022  
Introduced: June 14, 2022  
Public Hearing: July 26, 2022  
Adopted: September 20, 2022  
Effective: October 10, 2022

**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: Councilmembers Navarro, Riemer, Glass

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**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"

Division 3.5. "Commercial Uses"

Section 3.5.12. "Vehicle/Equipment Sales and Rental"

**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) 22-04, Commercial Uses – Light Vehicle Sales and Rental (Indoor), lead sponsors Councilmembers Navarro, Riemer, and Glass, was introduced on June 14, 2022. ZTA 22-04 will allow Light Vehicle Sales and Rental (Indoor) in the Neighborhood Retail (NR) zone as a limited use.

The Office of Legislative Oversight (OLO) provided a Racial Equity and Social Justice (RESJ) Impact Statement on July 21, 2022. OLO found that ZTA 22-04 could sustain or marginally widen racial and social inequities in the County as its benefits would disproportionately accrue to white business owners. However, OLO anticipated a negligible impact as there are a limited number of properties readily available for the new uses authorized with this ZTA.

The Montgomery County Planning Board reviewed ZTA 22-04 on July 14, 2022. The Planning Board recommended approval of ZTA 22-04 with two amendments: 1) amend the definition of Light Vehicle Sales and Rental (Indoor) to include outdoor display and storage of vehicles; and, 2) amend the use table to reflect “L/C” for Light Vehicle Sales and Rental (Indoor), with limited use standards where the use is over 5 acres in size, and conditional use standards where the use is under 5 acres in size.

A public hearing was held on July 26, 2022. The only speaker was Planning Staff on behalf of the Planning Board, in support of the ZTA. The Council also received a letter in support from Lerch, Early, Brewer, representing Lindsay Ford.

The PHED Committee held a worksession on September 12, 2022. The PHED Committee recommended approval of ZTA 22-04 with two amendments: 1) amend the definition of Light Vehicle Sales and Rental (Indoor) to include outdoor display and storage of vehicles; and, 2) limit the use in the NR zone to areas that are at least 5 acres in size.

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. 22-04 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:*

**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	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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\* \* \*

**Sec. 2. DIVISION 59-3.5 is amended as follows:**

\* \* \*

**Division 3.5. Commercial Uses**

\* \* \*

**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 and outdoor display and storage of vehicles for sale and an accessory car wash for vehicles and equipment for sale, rent, or lease.

**2. Use Standards**

\* \* \*

c. In the NR zone, a Light Vehicle Sales and Rental (Indoor) use allowed as a limited use must also be in a contiguously NR-zoned area of at least five acres in size.

\* \* \*

**Sec. [2]3. Effective date.** This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

A handwritten signature in cursive script, reading "Judy Rupp", is written over a horizontal line.

Judy Rupp  
Clerk of the Council