

Zoning Text Amendment No: 04-19
Concerning: Large Retail Store
Draft No. & Date: 1 – 8/12/04
Introduced: September 14, 2004
Public Hearing: October 19, 2004; 7:00 PM
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 Silverman

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- regulating by special exception the development of large retail stores in the C-2, and C-6 zones; and
- defining the term “Large Retail Store”.

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

DIVISION 59-A-2 “DEFINITIONS AND INTERPRETATION”
Section 59-A-2.1 “Definitions”
DIVISION 59-C-4 “COMMERCIAL ZONES”
Section 59-C-4.2 “Land uses”
DIVISION 59-G-2 “SPECIAL EXCEPTIONS—STANDARDS AND REQUIREMENTS”

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:

Sec. 1. Division 59-A-2 is amended as follows:

DIVISION 59-A.2. DEFINITIONS AND INTERPRETATION.

59-A-2.1. Definitions.

* *

Large-Retail Store: A single business engaged in retail sales whose total floor area exceeds 120,000 square feet. A large retail store offers a variety of customer services, centralized cashiering, and a wide range of consumer products at discounted prices that may include both food and non-food items. A club or membership store that charges an access fee and sells primarily bulk merchandise, a home improvement store, and stores connected by common walls as part of a shopping center with shared parking facilities are not for purposes of this definition large retail stores.

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Sec. 2. Division 59-C-4 is amended as follows:

DIVISION 59-C-4. COMMERCIAL ZONES.

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59-C-4.2. Land uses.

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	C-T	O-M	C-O	C-P	C-1	C-2	C-3	C-4	C-5	C-6	H-M	Country Inn
(d) Commercial:												
* * *												
Large retail store.						<u>SE</u>				<u>SE</u>		

Sec. 3. Division 59-G-2 is amended as follows:

DIVISION 59-G-2. SPECIAL EXCEPTIONS—STANDARDS AND REQUIREMENTS.

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<u>USE</u>	<u>SECTION</u>
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Landscape contractor	G-2.30.00
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<u>Large retail store</u>	G-2.30.00.1
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Life care (continuing care) facility	G-2.35.1
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59-G-2.30.00.1. Large retail store.

A special exception for a large retail store may be granted, subject to the following standards:

(a) The building must be designed in a way that reduces the buildings massive scale and contributes to its visual interest. Long building walls should be broken-up with projections or recessions or other effective treatments that improve building design.

(b) Parking areas should provide safe, convenient, and efficient access, and landscaped to define vehicular drives and pedestrian areas.

(c) The site must have direct vehicular access to an existing arterial or major highway and the streets and roads adjoining the site must be adequate to accommodate the increased traffic generated. The applicant must provide a traffic impact study to demonstrate that acceptable peak hour levels of service will result after taking into account existing and programmed roads, and any improvements to be provided by the applicant.

(d) The site must be screened from any abutting residentially zoned property by the natural terrain or by a solid wall or fence, not less than

five feet in height, together with a three-foot wide planting strip on the
outside of the wall or fence, planted in shrubs and evergreens three
feet high at the time of the original planting.

(e) Product displays, parked vehicles and other obstructions that reduce
visibility at intersections or at entrances and exits to and from the site
are not permitted.

(f) Lighting must not reflect, or cause glare, on any property located in a
residential zone.

Sec. 4. Effective date. This ordinance becomes effective 20 days after the
date of Council adoption.

This is a correct copy of Council action.

Mary A. Edgar, CMC
Clerk of the Council