



Committee: PHED
Staff: Livhu Ndou, Legislative Attorney
Purpose: To introduce agenda item – no vote expected
Keywords: #RVC Overlay, #Auto Repair

AGENDA ITEM #4A
July 27, 2021
Introduction

SUBJECT

ZTA 21-05, Rural Village Center (RVC) Overlay Zone – Vehicle Repair

Lead sponsor: Councilmember Glass

EXPECTED ATTENDEES

N/A

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

N/A

DESCRIPTION/ISSUE

ZTA 21-05 would allow vehicle repair and service in the Rural Village Center (RVC) Overlay zone.

SUMMARY OF KEY DISCUSSION POINTS

- Under the current Zoning Ordinance, Repair (Minor) is a prohibited use in the RVC Overlay zone.
- ZTA 21-05 would allow both Repair (Minor) and Repair (Major) as conditional uses in the RVC Overlay zone, where the underlying zone on the property is Commercial Residential Neighborhood (CRN).

This report contains:

ZTA 21-05

Pages

© 1-4

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Zoning Text Amendment No.: 21-05
Concerning: Rural Village Center
(RVC) Overlay Zone –
Vehicle Repair
Draft No. & Date: 1 – 6/10/2021
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**

Lead Sponsor: Councilmember Glass

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow vehicle repair and service in certain RVC zones

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

DIVISION 4.9. “Overlay Zones”
Section 4.9.14. “Rural Village Center (RVC) Overlay Zone”

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 59-4 is amended as follows:

Division 4.9. Overlay Zones

* * *

Section 4.9.14. Rural Village Center (RVC) Overlay Zone

* * *

B. Land Uses

1. Where a lot is either partially or totally in a Commercial/Residential zone:

- a. Dry Cleaning Facility (up to 3,000 SF) is allowed only as a conditional use under Section 7.3.1.
- b. If the underlying zone on the property is CRN, a Filling Station is allowed as a conditional use under Section 7.3.1 and the following standards:
 - i. A car wash is prohibited;
 - ii. The maximum height for pump canopies is 35 feet; and
 - iii. Any structure approved for the use must not exceed the scale and bulk of existing commercial structures in the village.
- c. Multi-Unit Living, as allowed in the underlying zone, must be in a multi-use building type.
- d. The following uses are prohibited:
 - i. Animal Boarding and Care;
 - ii. Drive-Thru in connection with a Restaurant;
 - iii. Helipad, Heliport;
 - iv. Helistop;
 - v. The following Light Manufacturing and Production: newspaper, printing and publishing;

- 28 vi. Recreation and Entertainment Facility;
- 29 vii. Repair (Minor) and Repair (Major), except where the
- 30 underlying zone on the property is CRN. Where the
- 31 underlying zone on the property is CRN, Repair (Minor)
- 32 and Repair (Major) are allowed as a conditional use
- 33 under Section 7.3.1;
- 34 viii. The following Retail/Service Establishments: appliance
- 35 store; appliance repair shop; and building materials and
- 36 supplies;
- 37 ix. Shooting Range (Indoor); and
- 38 x. Vehicle/Equipment Sales and Rental, except any
- 39 automobile rental business in existence on October 13,
- 40 1998 may continue as a conforming use, and may be
- 41 altered, repaired, or replaced under provisions of the zone
- 42 in effect at the time the use was established.
- 43 2. Where a lot is in a Residential zone:
- 44 a. The lot may provide septic capacity for an adjacent commercial
- 45 use, or adjacent residential property, if the use substantially
- 46 conforms with the recommendations of the applicable master
- 47 plan.
- 48 b. The following uses are prohibited:
- 49 i. Day Care Center (13-30 Persons);
- 50 ii. Day Care Center (Over 30 Persons);
- 51 iii. Golf Course, Country Club;
- 52 iv. Hospital; and
- 53 v. Residential Care Facility (Over 16 Persons).

54 * * *

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

57

58 This is a correct copy of Council action.

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61 Selena M. Singleton, Esq.

62 Clerk of the Council