

ATTACHMENT 1

Zoning Text Amendment No: 09-01
Concerning: Sandy Spring/Ashton
Overlay Zone – Prohibited uses
Draft No. & Date: 1 - 3/5/09
Introduced: 03/17/09
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 Elrich

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- amend the prohibited land uses in the Sandy Spring/Ashton Rural Village Overlay Zone

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

DIVISION 59-C-18	“Overlay Zones”
Section 59-C-18.18	“Sandy Spring/Ashton Overlay Zone”
59-C-18.182	“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-18.18. Sandy Spring/Ashton Rural Village Overlay Zone.

6 * * *

7 59-C-18.182. Regulations.

8 * * *

9 (b) Commercial development. Where a lot is zoned either partially or totally in
10 a commercial zone, the following regulations apply:

11 (1) Land uses. All permitted or special exception uses allowed in the
12 underlying zones are allowed in the commercial portion of the overlay
13 zone with the exception of the[[.]] [[The]] following uses [[are
14 prohibited in the overlay zones]]:

15
16 Adult entertainment business²

17 Automobile filling station¹

18 Automobile fluid maintenance station

19 Automobile, light truck, and light trailer rentals, outdoor, except any
20 automobile rental business[,] in existence on October 13, 1998
21 may continue as a conforming use, and may be altered,
22 repaired, or replaced in accordance with provisions of the zone
23 in effect at the time the use was established.

24 Automobile repair and services²

25 Automobile, truck, and trailer rentals, outdoor²

26 Automobile sales, indoor

27 Automobile sales, outdoor

28 Baseball driving range

29 Building materials and supplies

30 [[Cable communications system]]

31 Car wash²

32 Combination retail store²

33 Department stores

34 Dry cleaning and laundry establishments, consisting of no more than
35 3,000 square feet of gross floor area²

36 Eating and drinking establishments, drive-in

37 [[Electrical power transmission and distribution lines]]

38 Fairgrounds, circuses, and amusement parks

39 Furniture stores, carpet, or related furnishing sales or service²

40 Golf driving ranges²

41 Heliports

42 Helistops

43 Ice storage

44 Laboratories

45 Multi-family dwellings, except when included in a structure
46 containing retail or commercial uses

47 Newspaper, printing and publishing shops

48 Parking garages, automobile, for off-site uses²

49 Parking lots, automobile, for off-site uses²

50 Pawnshops²

51 Pipelines, above ground²

52 Radio and television broadcasting stations and towers²

53 [[Railroad tracks]]

54 Racquet ball, squash, indoor tennis and handball courts, commercial²

55 Rifle or pistol ranges, indoor
56 Roller and ice skating rinks
57 [[Roof top mounted antennas and related unmanned equipment
58 building, equipment cabinets, or equipment room]]
59 Stadiums or arenas
60 Swimming pools, commercial
61 Telecommunications facility²
62 [[Telephone offices and communication centers]]
63 Warehousing and storage service including²:
64 (A) Industrial and commercial uses, wholly enclosed; or
65 (B) Self-storage facility

66 * * *

67 _____

68 * * *

69 2 Any use established by use and occupancy permit before (THE EFFECTIVE
70 DATE OF THIS TEXT AMENDMENT) is a conforming use and may be
71 altered, repaired, or replaced in accordance with the provisions of the zone
72 in effect at the time the use was established..

73
74 **Sec.2. Effective Date.** This ordinance takes effect immediately upon the
75 date of Council adoption.

76
77 This is a correct copy of Council action.

78
79 _____

80 Linda M. Lauer, Clerk of the Council