



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item #7
6/20/02

DATE: June 14, 2002
TO: Montgomery County Planning Board
VIA: Michael Ma, Zoning Supervisor
FROM: Greg Russ, Zoning Coordinator *MR*
REVIEW TYPE: Zoning Text Amendment
PURPOSE: To allow research and development as a permitted use in the Cherry Hill Road Employment Area Overlay Zone, under certain circumstances.

TEXT AMENDMENT: No. 02-06
REVIEW BASIS: Advisory to the County Council sitting as the District Council, Chapter 59 of the Zoning Ordinance
INTRODUCED BY: Councilmembers Praisner and Berlage
INTRODUCED DATE: April 30, 2002

PLANNING BOARD REVIEW: May 30, 2002 and June 20, 2002
PUBLIC HEARING: Held on June 4, 2002, 1:30pm

STAFF RECOMMENDATION: APPROVAL with modifications

PURPOSE OF THE TEXT AMENDMENT

To allow 'research and development' as a permitted use in the U.S. 29/Cherry Hill Road Employment Area Overlay Zone.

BACKGROUND

- At its May 30, 2002 meeting, the Planning Board recommended approval of the text amendment with modifications. The modifications are to clarify what types of related activities associated with research and development uses are permitted. The additional language would exclude certain manufacturing activities that are currently listed under the Overlay zone as prohibited uses. The modification is needed to avoid potential conflicts between the new permitted use and the prohibited uses in the current ordinance (See Attachment 2).

- At the County Council public hearing held on June 4, 2002, a representative for Grosvenor Atlantic and West Group Management expressed the need for including in the overlay zone several other technology and bioscience uses that are allowed in the Life Sciences Center (LSC) zone. It was further requested that a process be established that would allow the transfer of approved but unused density between properties in the overlay zone (Attachment 3). As such, the Council requested that Park and Planning further evaluate the text amendment with the proposed additional language.

ANALYSIS

Additional Uses

The proposed amendment to the language previously recommended by the Planning Board includes adding the following uses to the overlay zone:

- Manufacturing, compounding, processing or packaging of cosmetics, drugs, perfumes, pharmaceuticals, toiletries and products resulting from biotechnical and biogenetic research and development.
- Manufacturing and assembly of medical, scientific or technical instruments, devices and equipment.
- Manufacturing of yeasts, molds, and other natural products necessary for medical and biotechnical research and development.
- Telephone offices, communication and telecommunication centers.
- Corporate, administrative or business offices for companies principally engaged in health services, research and development or high technology industrial activities.
- Universities and colleges providing teaching and research facilities.
- Laboratories
- Libraries, scientific or technical.

Staff has no objection to the inclusion of seven of the eight uses listed above. Staff does have concerns with the first of these uses (*Manufacturing, compounding, processing or packaging of cosmetics, drugs, perfumes, pharmaceuticals, toiletries and products resulting from biotechnical and biogenetic research and development*) since it is a manufacturing category that is prohibited in the overlay zone. Staff has modified the text for this use to allow “manufacturing of products resulting from biotechnical and biogenetic research and development”. This change in the language eliminates the reference to “*cosmetics, drugs, perfumes, pharmaceuticals, and toiletries*”.

Density Transfer

Staff believes that the proposal to allow non-residential density to be transferred within the Cherry Hill overlay zone should not be pursued at this time. The County Council is currently contemplating the removal of this area of the County from moratorium based on the Route 29/Briggs Chaney Road Interchange Project. As such, staff believes that it would be premature to establish density transfer provisions throughout the overlay zone prior to the evaluation of development impacts from the removal of the area from moratorium. Additionally, the details of a density transfer provision for application throughout the overlay zone should be thoroughly examined to provide the assurance that there would be no additional impacts on the adjacent residential properties. An evaluation must also be made on how the density transfer provision that now exists in the Cherry Hill Overlay Zone would be affected.

RECOMMENDATION

The staff supports the proposed text amendment to allow research and development and other related uses as a permitted use in the U.S. 29/Cherry Hill Road Employment Area Overlay Zone with the exclusion of those uses prohibited by the overlay zone. Staff believes that the inclusion of a density transfer provision for use throughout the overlay zone should not be pursued at this time. This amendment can be accomplished through the proposed language, as amended, in Attachment 1.

GR

Attachments

1. Proposed Text Amendment 02-06
2. Planning Board Opinion on May 30, 2002
3. Testimony of William Kominers on ZTA 02-06

ATTACHMENT 1

Zoning Text Amendment No: 02-06
Concerning: Cherry Hill Employment Area
Overlay Zone
Draft No. & Date: 1 – 4/24/02
Introduced: April 30, 2002
Public Hearing: June 4, 2002; 1:30 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: Councilmembers Praisner and Berlage

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

- allowing research and development as a permitted use in the Cherry Hill Road Employment Area 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-18.13	“U.S. 29/Cherry Hill Road Employment Area Overlay Zone of the Fairland Master Plan”
Section 59-C-18.132.	“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 **DIVISION 59-C-18. OVERLAY ZONES.**

3 * * *

4 **59-C-18.13. U.S. 29/Cherry Hill Road Employment Area Overlay Zone of the**
5 **Fairland Master Plan.**

6 * * *

7 **59-C-18.132. Regulations.**

8 **(a) Land uses.**

9 (1) The following uses are permitted in the U.S. 29/Cherry Hill Road Employment
10 Area overlay zone:

11 (A) All permitted or special exception uses allowed in the underlying zones are
12 allowed in the U.S. 29/Cherry Hill Road Employment Area overlay zone,
13 except as specifically modified and set forth in this overlay zone.

14 (i) The following additional retail commercial [[and industrial]] uses are
15 permitted:

16 Beauty supply stores.

17 Computer and computer supply stores.

18 Eating and drinking establishment, excluding a drive-in.

19 Electronics stores.

20 Express or mailing offices.

21 Food and beverage stores.

22 Music stores.

23 Office supply stores.

24 Pet supply stores.

25 [[Research and development, excluding any prohibited uses under
26 Section C-18.132 (a)(2).]]

27 Theaters, indoor.

1 * * *

2 (iii) The following additional manufacturing and industrial, service,
3 and transportation/communication/utility uses are permitted
4 where the underlying base zone is I-2:

5
6 Research, development and related activities, including the
7 particular uses listed below, but excluding any prohibited uses
8 under Section 59-C-18.132(a)(2):

9 (a) Manufacturing, compounding, processing or packaging of products
10 resulting from biotechnical and biogenetic research and
11 development

12 (b) Manufacturing and assembly of medical, scientific or technical
13 instruments, devices and equipment.

14 (c) Manufacturing of yeasts, molds, and other natural products
15 necessary for medical and biotechnical research and development.

16 (d) Telephone offices, communication and telecommunication centers.

17 (e) Corporate, administrative or business offices for companies
18 principally engaged in health services, research and development or
19 high technology industrial activities.

20 (f) Laboratories.

21 (g) Universities and colleges providing teaching and research facilities.

22 (h) Libraries, scientific or technical.

23 (2) The following uses are prohibited in the U.S. 29/Cherry Hill Road
24 Employment Area overlay zone:

25 * * *

26 Manufacturing, compounding, processing or packaging of cosmetics,
27 drugs, perfumes, pharmaceuticals, toiletries and products resulting from

1 biotechnical and biogenetic research and development except, products
2 resulting from biotechnical and biogenetic research and development are
3 permitted where the underlying base zone is I-2.

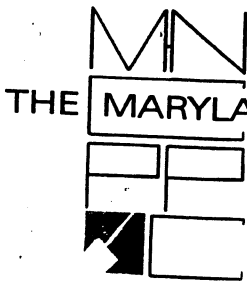
4 * * *

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

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8 This is a correct copy of Council action.

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10
11
12 _____
13 Mary A. Edgar, CMC

14 Clerk of the Council



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760
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Montgomery County Planning Board
Office of the Chairman

MONTGOMERY COUNTY PLANNING BOARD

The Maryland-National Capital Park and Planning Commission

May 30, 2002

TO: The County Council for Montgomery County, Maryland, sitting as the District Council for Maryland-Washington Regional District in Montgomery County, Maryland

FROM: Montgomery County Planning Board

SUBJECT: Planning Board on Zoning Ordinance Text Amendment No. 02-06

BOARD RECOMMENDATION


The Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed Zoning Ordinance Text Amendment No 02-06, at its regular meeting on May 30, 2002. By a vote of 4-0, the Board recommends that the text amendment be approved with modifications.

The proposed text amendment would allow 'research and development' as a permitted use in the U.S. 29/Cherry Hill Road Employment Area Overlay Zone. Currently, research and development uses are not permitted in the I-2 zone and the overlay zone.

The Board supports the proposed zoning text amendment with modifications to clarify what types of related activities associated with research and development uses are permitted. The additional language would exclude certain manufacturing activities that are currently listed under the Overlay zone as prohibited uses. The modification is needed to avoid potential conflicts between the new permitted use and the prohibited uses in the current ordinance. The Board's recommendations are included as a separate attachment from the technical staff report.

CERTIFICATION

This is to certify that the attached report is a true and correct copy of the technical staff report and the foregoing is the recommendation adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on a motion of Commissioner Bryant, seconded by Commissioner Robinson, with Commissioners Bryant, Robinson, Wellington and Chairman Holmes voting in favor of the motion, and with Vice-Chair Perdue absent, at its regular meeting held in Silver Spring, Maryland on Thursday, May 30, 2002.


Arthur Holmes, Jr.
Chairman

AH:mm

ATTACHMENT 1

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Concerning: Cherry Hill Employment Area
Overlay Zone
Draft No. & Date: 1 – 4/24/02
Introduced: April 30, 2002
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COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
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By: Councilmembers Praisner and Berlage

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ORDINANCE

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1 **Sec. 1. Division 59-C-18 is amended as follows:**

2 **DIVISION 59-C-18. OVERLAY ZONES.**

3 * * *

4 **59-C-18.13. U.S. 29/Cherry Hill Road Employment Area Overlay Zone of the**
5 **Fairland Master Plan.**

6 * * *

7 **59-C-18.132. Regulations.**

8 **(a) Land uses.**

9 (1) The following uses are permitted in the U.S. 29/Cherry Hill Road Employment
10 Area overlay zone:

11 (A) All permitted or special exception uses allowed in the underlying zones are
12 allowed in the U.S. 29/Cherry Hill Road Employment Area overlay zone,
13 except as specifically modified and set forth in this overlay zone.

14 (i) The following additional retail commercial and industrial uses are
15 permitted:

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18 Eating and drinking establishment, excluding a drive-in.

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20 Express or mailing offices.

21 Food and beverage stores.

22 Music stores.

23 Office supply stores.

24 Pet supply stores.

25 Research and development, excluding any prohibited uses under
26 Section C-18.132 (a)(2).

27 Theaters, indoor.

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

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4 This is a correct copy of Council action.

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7

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9 Mary A. Edgar, CMC

10 Clerk of the Council

TESTIMONY OF WILLIAM KOMINERS

ZONING TEXT AMENDMENT NO. 02-06,
(U.S. 29/CHERRY HILL ROAD EMPLOYMENT OVERLAY ZONE)

Good afternoon, I am William Kominers, an attorney in the Bethesda office of Holland & Knight LLP. I am testifying today on behalf of Grosvenor Atlantic and West*Group Management, in support of Text Amendment No. 02-06; I also offer an amendment to facilitate the prospective development within the Cherry Hill Employment Overlay Zone area. The proposed amendment (attached as Exhibit "1") would allow transfer of approved but unused density between properties within the Overlay Zone. This will allow a "jump start" for the kind of development that is contemplated by the Text Amendment. Because density being transferred was already approved as part of an existing subdivision plans, there will not be an increase in overall density, and therefore no impact on the transportation network.

Text Amendment No. 02-06 permits "research and development" uses throughout the Overlay Zone area. Currently, these uses are only allowed in certain of the base zones. Allowing these uses broadly within the Overlay Zone will encourage the employment center character contemplated by the Master Plan, and will encourage flexibility of siting to achieve the full potential for the area.

Other County studies are considering efforts to create a new Science and Technology Center ("Technology Center") within the Cherry Hill Road Employment Center. This Text Amendment will authorize the research and development uses that are necessary to such a project. Both Grosvenor and West*Group support the goal of the Zoning Text Amendment and the goal of a new Technology Center for the Eastern County. We also recommend, therefore, that certain other uses be added to this Text Amendment, namely, some of the other technology and bioscience uses that are allowed in the LSC Zone. While these additional uses may be thought of as "research and development," they are separately listed in §59-C-5.21 and therefore should also be separately listed as uses allowed through the Overlay Zone. These additional uses are circled in the excerpt from Section 59-C-5-2.1 that is attached to my testimony as Exhibit "2." If the goal is to facilitate a new Technology Center in the Cherry Hill Road area, all the needed elements should be included at the outset.

The proposed amendment for density transfer is also intended as a means to facilitate a new Technology Center, by allowing a jump start using existing development approvals. With this proposed amendment, density could be transferred between properties within the Cherry Hill Road Employment Overlay Zone to promote the development of sites, such as the Technology Center, to accommodate the early needs of prospective tenants, and respond more quickly to specific future needs.

The stated purposes of the Overlay Zone are to encourage the development of a compatible mix of office, commercial, and light industrial uses under a uniform set of development standards, and allow local and regional retail and service uses. The

proposed amendment presents an opportunity to achieve these goals early, responding to tenants who may want to locate before all the new approvals are in place. Density from established commercial development, already having obtained adequate public facilities approval, can be immediately diverted to currently undeveloped or under-developed sites to establish the base of technology development that is encouraged by the Text Amendment.

The development of a Technology Center in the Eastern County would enhance the identity and focus for the area in conjunction with the employment center overlay. The County and the Planning Board have identified such a development as an important near term goal and preliminarily identified a site. Allowing the transfer of approved but unused density from other properties in the Overlay Zone area will allow the Technology Center to respond quickly to tenant interest and opportunities, but without impacting the staging ceiling. Because the density has already been approved and transportation improvements have already been implemented, the development will not impact the area.

The terms of the proposed amendment would allow the transfer of non-residential square footage only, at a one-to-one ratio. However, because technology uses are not always exactly like office buildings, the conversion of such office square footage to R&D or other permitted use is allowed, at an appropriate ratio. Density may be transferred from one or more sites to one or more sites, similar to the way TDRs are transferred. An easement or similar written instrument would be recorded in the Land Records, limiting development of the transferor property to what was approved, less the amount transferred. Finally, the amendment allows the transferee property to incorporate the transferred density on its site above the FAR otherwise permitted by the underlying zone (if the underlying zone limits FAR) and allows an adjustment of the relevant development standards to the extent necessary to accommodate the density. Each would occur as part of Site Plan Review by the Planning Board. As stated earlier, the overall development quantity in the Employment Area would not change, as the density is merely being transferred within the Overlay Zone area.

We believe this proposed amendment allows additional benefits to the Eastern County area without creating any negative impact on the surrounding community or the infrastructure network. The transfer of approved, but unused density, provides a method to accomplish a number of objectives for the Eastern County area in general, and the U.S. 29/Cherry Hill Road Employment Overlay Zone area specifically. In the context of Text Amendment No. 02-06, this type of transfer mechanism is another valuable tool to achieve the County's goals and objectives. We urge your approval of both Text Amendment No. 02-06 and our proposed amendment.

Thank you for your consideration.

EXHIBIT "1"

**PROPOSED AMENDMENT TO
ZONING TEXT AMENDMENT NO. 02-06**

(JUNE 4, 2002)

Add the following subsection (h)(2) to Section 59-C-18.132(h) and renumber the existing subsection (h) as (h)(1).

Section 59-C-18.132

(h) Transfer of Density.

(1) ***

(2) Notwithstanding subsection (1) above, any approved, but unbuilt, density may be transferred from any property within the overlay zone to any other property within the overlay zone, regardless of the underlying zone of either property, pursuant to the standards herein:

- (A) Density that is transferred may not exceed the amount of density approved by a valid Preliminary Plan of Subdivision for the transferor property; and
- (B) Only non-residential square footage may be transferred;
- (C) Density may only be transferred at a one-to-one ratio of square footage, but may be converted to another type of use at a conversion ratio approved by the Planning Board;
- (D) A transferee property may be developed at an F.A.R. above the maximum otherwise allowed by the underlying zone, provided that: (1) a site plan for the transferee property is submitted and approved in accordance with the provisions of Division 59-D-3, and, (2) the increase above the maximum F.A.R. otherwise allowed consists entirely of the density transferred pursuant to this subsection. The development standards of the underlying zone, as modified by this Overlay Zone, may be modified by the Planning Board for development proceeding under this subsection.
- (E) The transfer of density shall be evidenced by means of recorded instruments, approved by the Planning Board or its designee, including easements on all affected properties. The easement shall, at least, limit the future development on the transferor property to the amount of density approved under the applicable Preliminary Plan, reduced by the square footage of density

transferred, indicate the amount of square footage transferred, identify the transferee property, and be recorded in the Land Records of Montgomery County;

- (F) Nothing in this section shall limit the ability of the owner of either a transferor or transferee property to apply for a new or revised Preliminary Plan of Subdivision to allow further development or redevelopment of such property.

EXHIBIT "2"

MONTGOMERY COUNTY CODE
ZONING ORDINANCE
Chapter 59

§59-C-5.1

DIVISION 59-C-5. INDUSTRIAL ZONES.

Sec. 59-C-5.1. Zones established.

The following are the industrial zones and their identifying symbols:

- I-1—Light industrial
- I-2—Heavy industrial
- I-3—Technology and business park
- I-4—Low-intensity, light industrial
- R&D—Research and development
- LSC—Life Sciences Center

(Legislative History: Ord. No. 10-7, § 1; Ord. No. 11-49, § 1; Ord. No. 11-50, § 3; Ord. No. 13-33, § 1.)

Sec. 59-C-5.2. Land uses.

A fundamental distinction between heavy industrial uses and light industrial uses involves the character of the industrial development. Typically, heavy industrial uses require larger sites to accommodate activities that often involve a variety of concurrent industrial processes on one site. Heavy industrial developments generally involve larger volumes of heavy truck traffic and are located near specialized transportation links such as rail and major highways. In addition, heavy industrial uses are often noisy, dusty and dirty, as compared to other types of industrial and commercial activities. Heavy industrial uses are restricted to land classified in the I-2 Zone because the large scale nature of such uses, the traffic impacts, and environmental effects could be disruptive to lighter intensity industrial and commercial areas.

Light industrial uses generally involve small to medium scale industrial activities including, but not limited to, research and development, warehousing and storage activities, light manufacturing and assembly of products, and other similar uses. Light industrial uses usually generate less heavy truck traffic and have fewer adverse environmental effects on surrounding areas, as compared to heavy industrial uses.

59-C-5.21. Allowable uses.

No use is allowed except as indicated in the following table:

- **Permitted Uses.** Uses designated by the letter "P" and uses of a similar character, are permitted on any lot in the zones indicated, subject to all applicable regulations.
- **Special Exception Uses.** Uses designated by the letters "SE" may be authorized as special exceptions, in accordance with the provisions of Article 59-G.

MONTGOMERY COUNTY CODE
 ZONING ORDINANCE
 Chapter 59

§59-C-5.2

Division 59-C-5

	I-1	I-2	I-3	I-4	R&D	LSC
* Manufacturing, compounding, processing or packaging of cosmetics, drugs, perfumes, pharmaceuticals, toiletries and products resulting from biotechnical and biogenetic research and development.	P		P	P	P	P
Manufacturing, fabrication and/or subassembly of aircraft or satellite parts, components, and equipment.	P		P	P	P	
Manufacturing of musical instruments, toys, novelties, and rubber and metal stamps.	P		P	P		
Manufacturing of paint not employing a boiling or rendering process.	P	P		P		
Manufacturing of pottery and figurines or other products using previously pulverized clay and kilns fired only by electricity or gas.	P	P		P		
Manufacturing and assembly of electronic components, instruments and devices.	P		P	P	P	
Manufacturing and assembly of machine parts, components and equipment.	P	P		P		
* Manufacturing and assembly of medical, scientific or technical instruments, devices and equipment.	P		P	P	P	P
Manufacturing and assembly of mobile, modular and manufactured homes.	P	P		P		
Manufacturing and assembly of semi-conductors microchips, circuits and circuit boards.	P		P	P	P	
* Manufacturing of yeasts, molds, and other natural products necessary for medical and biotechnical research and development.	P		P	P	P	P
Paper products manufacturing.	P	P		P		
Printing and publishing.	P		P	P	P	
Research, development and related activities.	P		P	P	P	P
Sawmills.	P	P				

MONTGOMERY COUNTY CODE
ZONING ORDINANCE
Chapter 59

Division 59-C-5

	I-1	I-2	I-3	I-4	R&D	LSC
Railroad tracks.	P	P	P	P	P	P
Railroad yards or roundhouses.		P				
Rooftop mounted antennas and related unmanned equipment building, equipment cabinets, or equipment room. ²⁶	P	P	P	P	P	P
Solid waste transfer station, private. ⁶		SE ²⁷				
Telephone and telegraph lines.	P	P	P	P	P	P
Telephone offices, communication and telecommunication centers.	P		P	P	P	P
Trucking terminals.	P			P		
(d) Commercial.						
Adult entertainment business. ²²	P	P				
Aircraft parts, sales and services, including the sale of fuel for aircraft only.	P			P		
Animal research service facilities.						P
Automobile parts, sales and services, including but not limited to tire sales and transmission services, but excluding automobile filling stations.	P			P		
Automobile repair and services.	P			P		
Automobile sales, indoors and outdoors.	P ⁸			P ⁸		
Building materials and supplies, wholesale and retail. ²⁰	P	P		P		
Cafeteria, dining room, snack bar, or other such facilities as an accessory use in connection with the operation and primarily for employees of the zone in which the use is located. ⁹	P	P	P	P	P	p ²⁹
Consignment store		p ³¹				
Eating and drinking establishments. ^{9,10}	SE		SE	SE	SE	SE

MONTGOMERY COUNTY CODE
ZONING ORDINANCE
Chapter 59

Division 59-C-5

	I-1	I-2	I-3	I-4	R&D	LSC
* Corporate, administrative or business offices for companies principally engaged in health services, research and development or high technology industrial activities.					P	P
Duplicating services.	P		P	P	P	p ²⁹
Elderly day care facility	P		P	P	P	P
Fire stations, publicly supported.	P		P	P	P	P
General offices.	P	p ¹²	P	SE	p ¹³	p ¹³
Highway fuel and food service.	SE					
Hospitals.	SE		SE	SE	SE	P
Hospitals, veterinary, when in a soundproof building.	P			P		
International organization, public.	SE		p ²⁴		p ²⁴	P
Laboratories.	P		P	P	P	P
Meeting centers.	SE					
Nursing and care homes.						P
Place of religious worship.	P		P	P	P	P
Physical therapy facilities.						P
Publicly owned or publicly operated uses.	P	P	P	P	P	P
Storage, outdoor. ¹⁵	P	P		P		
Trade, artistic or technical schools.	P		p ¹⁹	P	p ¹⁹	p ¹⁹
* Universities and colleges providing teaching and research facilities.	p ³²		P		P	P
Warehousing and storage services:						
—Industrial and commercial users.	P	P	p ¹⁶	P		
—Self-storage facilities.	P			P		

MONTGOMERY COUNTY CODE
ZONING ORDINANCE
Chapter 59

§59-C-5.2

Division 59-C-5

	I-1	I-2	I-3	I-4	R&D	LSC
(f) Cultural, entertainment and recreational.						
Art or cultural centers.			SE		SE	SE
Health clubs. ¹⁷	P		P	P	P	P
* Libraries, scientific or technical.	P		P	P	P	P
Private clubs. ¹⁷	SE		SE	SE	SE	
Recreational facilities primarily for the use of employees. ¹⁷	P	P	P	P	P	P ²⁹
Recreational or entertainment establishments, commercial.	SE	SE		SE		
Rifle or pistol ranges, indoor.	SE	SE		SE		
Service organizations.	SE			SE		
Swimming pools, private.			P ¹⁸			
(g) Resource production and extraction.						
Agricultural uses.	P	P		P		
Dairy products processing.	P			P		
Rock or stone quarries.		P				
Sand gravel or clay pits.		P				
Stockyards.	SE	SE				
(h) Miscellaneous uses.						
Accessory buildings and uses.	P	P	P	P	P	P
Signs, in accordance with the provisions of article 59-F.	P	P	P	P	P	P

¹ On a lot which is a part of or adjacent to an area of at least 50 acres which is zoned industrial or shown for industrial use on an approved and adopted master plan.

² All parking must be on I-1 zoned land.

³ All parking must be on I-2 zoned land.

⁴ A freestanding monopole for a telecommunication facility is a permitted use up to 199 feet in height with a setback of one foot for every foot of height from all residential and agricultural zoned properties.

