



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MCPB**  
**Item #9**  
**6/5/08**

**DATE:** July 5, 2006  
**TO:** Montgomery County Planning Board  
**VIA:** Rose Krasnow, Chief, Development Review *RK*  
Ralph Wilson, Zoning Supervisor *RW*  
**FROM:** Greg Russ, Zoning Coordinator *GR*  
**REVIEW TYPE:** Zoning Text Amendment  
**PURPOSE:** To remove the restrictions on health clubs in industrial zones

**TEXT AMENDMENT:** No. 08-09  
**REVIEW BASIS:** Advisory to the County Council sitting as the District Council, Chapter 59 of the Zoning Ordinance  
**INTRODUCED BY:** Councilmember Knapp  
**INTRODUCED DATE:** January 31, 2006  
**PLANNING BOARD REVIEW:** June 5, 2008  
**PUBLIC HEARING:** June 17, 2008, 1:30 p.m.

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**STAFF RECOMMENDATION:** APPROVAL

**BACKGROUND/ PURPOSE**

Councilmember Knapp is sponsoring this zoning text amendment to allow a health club in all industrial zones without restriction except in the I-2 zone. Currently health clubs are allowed in industrial zones only if the use does not adjoin any street which provides the principal access to the principle use or uses served in the industrial area. ZTA 08-09 would eliminate this restriction, which is both unclear and unnecessary.

The text amendment as introduced by Councilmember Knapp is as follows:

	I-1	I-2	I-3	I-4	R&D	LSC
* * *						
<b>(f) Cultural, entertainment and recreational.</b>						
Art or cultural centers.			SE		SE	SE
Health clubs. <sup>[17]</sup>	P		P	P	P	P
Libraries, scientific or technical.	P		P	P	P	P
Private clubs. <sup>17</sup>	SE		SE	SE	SE	
Recreational facilities primarily for the use of employees. <sup>17</sup>	P	P	P	P	P	P <sup>29</sup>
Recreational or entertainment establishments, commercial.	SE	SE		SE		
Rifle or pistol ranges, indoor.	SE	SE		SE		
Service organizations.	SE			SE		
Swimming pools, private.			P <sup>18</sup>			
* * *						

\* \* \*

17 Must not adjoin any street which provides the principal access to the principal use or uses served.

\* \* \*

## ANALYSIS

A health club is defined in the Zoning Ordinance as “A facility designed to enhance physical conditioning and general health”. A health club is permitted in all industrial zones except the heavy industrial (I-2) zone. However, the footnote associated with the use limits the location of these facilities to interior areas of industrial developments. Staff believes that a health club can provide a complimentary amenity to a light

industrial/research and development area and should not be limited in its location within these areas. Light industrial uses generate less heavy truck traffic and have fewer adverse environmental effects on surrounding areas, as compared to heavy industrial uses. Thus, any concern with the compatibility of a health club with light industrial uses is minimized. This point is further emphasized by the various other complimentary uses permitted in the light industrial zones (without the limiting language footnote) including: a child day care facility, day care facility for senior adults and persons with disabilities, trade, artistic or technical schools , universities and colleges and libraries.

## **RECOMMENDATION**

Staff recommends that the Planning Board support the text amendment as introduced.  
GR

### **Attachments**

1. Proposed Text Amendment 08-09

# ATTACHMENT 1

Zoning Text Amendment No: 08-09  
Concerning: Industrial Zones – Health Clubs  
Draft No. & Date: 3/19/08  
Introduced: April 29, 2008  
Public Hearing: June 10, 2008  
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**

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By: Council President Knapp

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**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- remove the restrictions on health clubs in industrial zones; and
- generally amend the provision related to health clubs in industrial zones.

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

DIVISION 59-C-5. INDUSTRIAL ZONES  
Section 59-C-5.21 Allowable uses

*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-5. is amended as follows:**

2   **Division 59-C-5 INDUSTRIAL ZONES.**

3   \*   \*   \*

4   **59-C-5.21. Allowable uses.**

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

6   **-Permitted Uses.** Uses designated by the letter "P" and uses of a similar character,  
7   are permitted on any lot in the zones indicated, subject to all applicable regulations.

8   **-Special Exception Uses.** Uses designated by the letters "SE" may be authorized  
9   as special exceptions, in accordance with the provisions of Article 59-G.

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Health clubs. <sup>[17]</sup>	P		P	P	P	P
Libraries, scientific or technical.	P		P	P	P	P
Private clubs. <sup>17</sup>	SE		SE	SE	SE	
Recreational facilities primarily for the use of employees. <sup>17</sup>	P	P	P	P	P	P <sup>29</sup>
Recreational or entertainment establishments, commercial.	SE	SE		SE		
Rifle or pistol ranges, indoor.	SE	SE		SE		
Service organizations.	SE			SE		

Swimming pools, private.			P <sup>18</sup>			
* * *						

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\* \* \*

12 17 Must not adjoin any street which provides the principal access to the principal use or uses  
13 served.

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\* \* \*

15 **Sec. 2. Effective date.** This ordinance takes effect 20 days after the date of  
16 Council adoption.

17 This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council