

Ordinance No. 02-15

ORDINANCE: To grant Text Amendment Application No. TXT2015-00239, Mayor and Council of Rockville, Applicant

WHEREAS, the Mayor and Council of Rockville, 111 Maryland Avenue, Rockville, Maryland, filed Text Amendment Application TXT2015-00239 for the purpose of amending Chapter 25 of the Rockville City Code, "Zoning," so as to revise Chapter 25 for the purpose of making a self-storage warehouse a conditional use in the I-L, I-H, MXB and MXE zones, with the condition being that the use cannot be located on a lot within 250 feet of any lot on which a public school is located; and

WHEREAS, the Planning Commission reviewed the proposed text amendment at its meeting of December 10, 2014, and recommended that the text amendment be disapproved; and

WHEREAS, pursuant to the Land Use Article of the Annotated Code of Maryland, the Mayor and Council of Rockville gave notice that a hearing on said application would be held by the Mayor and Council in the Council Chambers at Rockville City Hall on December 15, 2014, at 7:00 p.m., or as soon thereafter as it may be heard; and

WHEREAS, on December 15, 2014, said application came on for hearing at the time and place provided for in said advertisement; and

WHEREAS, the Mayor and Council, having considered the text amendment application and the entire file pertaining thereto, said Mayor and Council having decided that the granting of this application, in the form set forth below, would promote the health, safety and welfare of the citizens of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

Amend Article 3, "Definitions; Terms of Measurement and Calculations", as follows:

Industrial, Service - Services intended to serve residents of the City and surrounding areas, including retailing facilities for certain commodities appropriate in an industrial zone. Such uses include, but are not limited to, assembly of electrical and electronic appliances and equipment and precision instruments; photographic processing; [self-storage warehouse;] radio and television recording studios; research laboratories; home improvement services; and similar types of uses. Items separately regulated in this Chapter are not included in this definition.

General Warehousing - The storage of goods, wares, and merchandise which will be processed, sold, transferred, or otherwise disposed of for ultimate consumption off the premises.

Amend Article 12, "Industrial Zones", as follows:

25.12.03 – Land Use Tables

The uses permitted in the Industrial zones are shown in the table below. Uses are subject to applicable conditions of site plan approval. All special exceptions are subject to the requirements of Article 15.

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	

g. Industrial and service uses	Heavy industrial use	N	P	
	Light industrial use	P	P	
	Lumberyard	C	P	Conditional Use shall not adjoin a Single Unit Development Residential Zone
	Service industrial use	P	P	
	<u>Warehouse, self-storage</u>	<u>C</u>	<u>C</u>	<u>Not permitted on a lot within 250 feet of any lot on which a public school is located.</u>

Amend Article 13, "Mixed-Use Zones", as follows:

25.13.03 – Land Use Tables

The uses permitted in the Mixed-Use Zones are as shown in the table below. Uses are subject to applicable conditions of site plan approval. All special exceptions are subject to the requirements of Article 15.

	Uses	Zones							Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	

J. Industrial and service uses	Light industrial use	N	N	P	N	N	N	N	
	Service industrial use	N	N	P	C	N	N	N	Conditional use must not adjoin or confront single-unit dwellings
	<u>Warehouse, self-storage</u>	N	N	C	C	N	N	N	<u>Not permitted on a lot within 250 feet of any lot on which a public school is located. In the MXB zone, must not adjoin or confront single-unit dwellings</u>

Key: P = Permitted Use; C = Conditional Use; S = Special Exception; N = Not Permitted

NOTE: [Brackets] indicate material deleted
Underlining indicates material added
 Asterisks *** indicate material unchanged by this ordinance

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I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of February 2, 2015.



Sara Taylor-Fertell, Acting City Clerk