

AN ORDINANCE TO AMEND CHAPTER 24 OF THE CITY CODE, ENTITLED "ZONING," SO AS TO AMEND SECTION 24-1, ENTITLED "DEFINITIONS," TO ADD "SELF-SERVICE STORAGE FACILITIES;" AMEND SECTION 24-136(G)(1), ENTITLED "USES PERMITTED BY RIGHT;" AMEND SECTION 24-143, ENTITLED "USES PERMITTED BY RIGHT" IN THE 1-3 ZONE, AMEND SECTIONS 24-151(6), (12) AND (16), ENTITLED "PERMITTED USES;" AMEND SECTION 24-160G.2(B), ENTITLED "PROHIBITED USES," SO AS TO MODIFY USES IN THE E-1, I-3 AND CD ZONES AND DEFINE THE USE OF SELF-SERVICE STORAGE FACILITIES IN THE ZONING ORDINANCE

Text Amendment CTAM- 4779-2014

BE IT ORDAINED, by the Mayor and City Council of the City of Gaithersburg, in public meeting assembled, that Chapter 24 of the City Code entitled "Zoning," is hereby amended to read as follows:

Chapter 24

ZONING

ARTICLE I. IN GENERAL

Sec. 24-1. Definitions.

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Scrap Yard. An area used for temporary storage of scrap metals or other scrap materials, and for the dismantling of automobiles, vehicles or machinery for gain.

Self-service storage facilities. A facility for the leasing or renting of space for secure, interior, individual storage of goods, records and personal property; including rooms, compartments, lockers or other containers in which individuals can store and remove their own goods, records and personal property on a "self-service" basis; also includes facilities for the outdoor storage of RVs, boats, trailers and other large vehicles.

Service organizations. Any nonprofit organization the services of which are devoted principally to the betterment of the community in which it is located, including Lions, Kiwanis, Rotary, Optimist, Civitan or similar organizations.

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ARTICLE III. REGULATIONS APPLICABLE TO PARTICULAR ZONES

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DIVISION 14. I-1 ZONE, LIGHT INDUSTRIAL

Sec. 24-136. Uses permitted by right.

The following uses are permitted by right in the I-1 Zone:

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(G) WAREHOUSING, STORAGE AND DISTRIBUTION:

- (1) Wholesale businesses, self-service storage facilities, warehouses and similar nonprocessing storage and distribution uses, except bulk storage of chemicals, petroleum products and other inflammable, explosive or noxious materials.

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DIVISION 15. I-3 ZONE, INDUSTRIAL AND OFFICE PARK

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Sec. 24-143. Uses permitted by right.

The following uses are permitted by right in the I-3 Zone:

- (1) All uses permitted by right in the E-1 Zone.

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- (14) Self-service storage facilities.

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DIVISION 17. E-1 ZONE, URBAN EMPLOYMENT

Sec. 24-151. Permitted uses.

The following uses are permitted in the E-1 Zone:

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(6) Wholesale businesses, related warehouses and similar-nonprocessing storage and distribution uses, except self-service storage facilities, bulk storage of chemicals, petroleum products and other inflammable, explosive or noxious materials, and that any existing self-service storage facility permitted before May 5, 2014 shall be considered a conforming use for ten (10) years from the May 25, 2014 effective date of Text Amendment CTAM-4779-2014.

* * * * *

(12) Satellite television antennas and towers, poles, antennas or other structures intended for use in connection with transmission of receipt of radio or television signals, or both, subject to the provisions of section 24-167A of this Code, as an accessory use to a primary use.

(13) Catering establishments, offering catering services primarily on the premises, and retail sales and consumer services establishments incidental to and located within the same structure, limited to florists, photographers, and formal wear clothing sales and rentals.

(14) Child or elderly day care facilities accommodating not more than eight (8) individuals.

(15) Child or elderly day care facilities accommodating more than eight (8) individuals subject to restrictions on such use contained in section 24-25(4) and the following requirements:

- a. Such use within a building or structure shall be constructed and maintained with noise attenuation materials so as not to emit noises in excess of a sixty-five (65) dba level into adjoining uses, common areas or public ways;
- b. Outdoor play areas and playgrounds abutting improved residential property shall only be used between the hours of 8:00 a.m. and 6:00 p.m.;
- c. Facilities accommodating more than eight (8) children but not more than twenty (20) children at any one time shall provide at least three hundred (300) square feet of gross lot or parcel area per child, and facilities accommodating more than twenty (20) children at any one time shall provide at least five hundred (500) square feet of gross lot of parcel area per child;
- d. The use shall be located and operated so that traffic will not constitute a nuisance to single-family residential areas;

3. That the design of the facilities will be compatible and in character with surrounding, existing and proposed residential uses.

~~(16)~~ ~~Bed and breakfast subject to the requirements contained in Section 24-167B.~~

(16) Telecommunications facilities located entirely within an existing structure or located on the rooftop of an existing structure other than a single-family dwelling unit, subject to the requirements of Section 24-167A(D)(1).

(17) Accessory uses on the same lot or parcel as the primary use which is customarily incidental and subordinate to the principal or primary use.

(18) Accessory structures must conform to the requirements of Section 24-163 of this Code.

DIVISION 22. CD ZONE, CORRIDOR DEVELOPMENT

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Sec. 24-160G.2. Uses allowed.

(a) *Permitted Uses.* All uses listed as permitted and not solely as special exceptions or conditional uses in all zoning districts unless otherwise prohibited except:

(b) *Prohibited uses.*

(1) Automobile, motorcycle, marine, and truck body repair shops;

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(8) Self-service storage facilities, except that any self-service storage facility permitted before May 5, 2014 shall be considered a conforming use for ten (10) years from the May 25, 2014 effective date of Text Amendment CTAM-4779-2014..

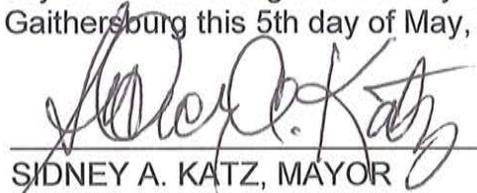
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ADOPTED by the City Council this 5th day of May, 2014.



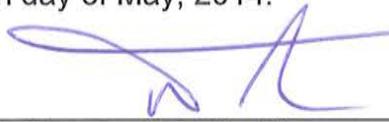
SIDNEY A. KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg this 5th day of May, 2014.
APPROVED by the Mayor of the City of Gaithersburg this 5th day of May, 2014.



SIDNEY A. KATZ, MAYOR

THIS IS TO CERTIFY, that the foregoing Ordinance was adopted by the City Council of the City of Gaithersburg, in public meeting assembled on the 5th day of May, 2014; and that the same was APPROVED by the Mayor of the City of Gaithersburg on the 5th day of May, 2014. This Ordinance will become effective on the 25th day of May, 2014.



Tony Tomasello, City Manager

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
Single strikethrough	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by Amendment.</i>
Double boldface strikethrough	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>