



Committee: PHP

Committee Review: At a future date

Staff: Livhu Ndou, Senior Legislative Attorney

Purpose: To introduce agenda item – no vote expected

AGENDA ITEM #4A

June 10, 2025

Introduction

SUBJECT

Zoning Text Amendment (ZTA) 25-08, Exemptions – Landscape Contractor

Lead Sponsor: Councilmember Mink

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- To introduce agenda item – no vote expected

DESCRIPTION/ISSUE

ZTA 25-08 will allow landscape contractors in the Rural Cluster (RC) Zone who have expanded their footprint beyond what was otherwise permissible to maintain their grandfathered status if the property owner returns the total square footage of onsite operations to that which existed as of October 30, 2014.

SUMMARY OF KEY DISCUSSION POINTS

- Under the current Zoning Ordinance, conditional use approval is required if the total square footage of the on-site operation of a landscape contractor use in the RC zone is expanded or enlarged.
- ZTA 25-08 will amend this grandfathering provision so that conditional use approval is not required unless more than 1 violation notice has been issued.
- A public hearing is tentatively scheduled for July 15, 2025.

This report contains:

ZTA 25-08

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Ordinance No.: _____
Zoning Text Amendment No.: 25-08
Concerning: Exemptions –
Landscape Contractor
Revised: 6/2/2025 Draft No.: 1
Introduced: _____
Public Hearing: _____
Adopted: _____
Effective: _____

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Councilmember Mink

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- (1) require conditional use approval for certain landscape contractors in the RC zone after more than 1 violation notice is issued for enlargement or expansion; and
- (2) generally amend the exemption requirements for landscape contractors in the RC zone in operation prior to October 31, 2014.

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

Division 7.7.	“Exemptions and Nonconformities”
Section 7.7.1.	“Exemptions”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*
Underlining indicates text that is added to existing law by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by 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:

Sec. 1. DIVISION 59-7.7 is amended as follows:

Division 7.7. Exemptions and Nonconformities

Section 7.7.1. Exemptions

* * *

D. Residential Lots and Parcels

* * *

8. Exempted Lots, Parcels, and Buildings in the Rural Cluster Zone

* * *

d. Any landscape contractor in the RC zone in operation on October 30, 2014, is a permitted use if it satisfies any master plan or zoning impervious surface limits. Conditional use approval is required if [and is not required to obtain a conditional use, unless]:

i. more than one violation notice has been issued for expanding or enlarging the total square footage of the on-site operation greater than the total square footage as of October 30, 2014 [is expanded or enlarged];

ii. the on-site operation is diversified to include retail facilities or related uses not in operation before October 30, 2014; or

iii. the operation is discontinued for a period of 6 months or more.

* * *

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

This is a correct copy of Council action.

Sara R. Tenenbaum
Clerk of the Council