

Ordinance No.: 18-26
Zoning Text Amendment No.: 16-18
Concerning: Sandy Spring/Ashton
Rural Village Overlay
Zone – Standards
Draft No. & Date: 1 – 11/16/16
Introduced: November 29, 2016
Public Hearing: January 17, 2017
Adopted: February 7, 2017
Effective: February 27, 2017

**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 Navarro
Co-sponsors: Council President Berliner and Councilmembers Floreen, Riemer, and Katz

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- amend the development standards for the Sandy Spring/Ashton Rural Village Overlay zone

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

Division 59-4.9. “Overlay Zones”
Section 59-4.9.14. “Sandy Spring/Ashton Rural Village (SSA) Overlay Zone”

<p>EXPLANATION: <i>Boldface indicates a Heading or a defined term.</i> <i><u>Underlining</u> indicates text that is added to existing law by the original text amendment.</i> <i>[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.</i> <i><u>Double underlining</u> indicates text that is added to the text amendment by amendment.</i> <i>[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.</i> <i>* * * indicates existing law unaffected by the text amendment.</i></p>

OPINION

Zoning Text Amendment No. 16-18 was introduced on November 29, 2016. The lead sponsor was Councilmember Navarro. It was co-sponsored by Council President Berliner and Councilmembers Floreen, Riemer, and Katz.

As introduced, ZTA 16-18 would lower the minimum size lot for townhouse and duplex buildings. The maximum allowable building height would be increased by 5 feet with a Planning Board finding of compatibility in the site plan process.

Currently, the minimum lot size in the Sandy Spring/Ashton Rural Village Overlay zone is 3,000 square feet for all buildings. In the opinion of the sponsor, that limit is appropriate for single-family detached buildings, but could be excessive for townhouses and duplexes. ZTA 16-18 would allow a minimum lot size of 900 square feet and 2,000 square feet, respectively, for those uses. The sponsor also believes that the current 35 foot building height limit is too low in situations where more height may be compatible.

In its report to the Council, the Montgomery County Planning Board had no objections to the approval of the text amendment. Planning staff recommended approval.

The Council held a public hearing on January 17, 2017. All of the testimony from residents, businesses, and the Sandy Spring Civic Association supported the approval of ZTA 16-18 as introduced. The Planning Board also recommended approval.

The Council referred the matter to the Planning, Housing, and Economic Development Committee.

On January 30, 2017, the Committee (3-0) recommended approval of ZTA 16-18 as introduced.

The District Council reviewed Zoning Text Amendment No. 16-18 on February 7, 2017. The Council agreed with the recommendation of the Committee.

For these reasons, and because to approve this amendment will assist in the coordinated, comprehensive, adjusted, and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 16-18 will be approved as introduced.

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 59-4.9 is amended as follows:

Division 4.9. Overlay Zones

* * *

Section 4.9.14. Sandy Spring/Ashton Rural Village (SSA) Overlay Zone

* * *

D. Development Standards

* * *

2. Where a lot is in a Residential zone:

* * *

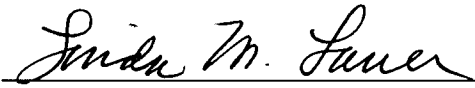
- b. The Planning Board may approve lot sizes as small as 900 square feet for a townhouse, 2,000 square feet for a duplex, and 3,000 square feet for any other building type, including a minimum of zero feet for side setbacks on one side, upon a showing that the resulting development will substantially conform with the recommendations of the master plan.
- c. The maximum height for all buildings is 35 feet; however, if in the site plan approval process the Planning Board finds that additional building height is compatible with the abutting uses and the building height substantially conforms to the intent of the master plan, the maximum building height is 40 feet.

* * *

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

25 This is a correct copy of Council action.

26

27 

28 Linda M. Lauer, Clerk of the Council