



Committee: Directly to Council
Staff: Pamela Dunn, Senior Legislative Analyst
Purpose: To introduce agenda item – no vote expected
Keywords: #Ashton, Village Center, SMA, zoning

AGENDA ITEM #15A
December 14, 2021
Introduction

SUBJECT

Sectional Map Amendment (SMA) H-144, filed by the Maryland-National Capital Park and Planning Commission, is a comprehensive rezoning application to implement the zoning recommendations contained in the Approved and Adopted Ashton Village Center Sector Plan.

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

None

DESCRIPTION/ISSUE

The Council will hold a public hearing on Sectional Map Amendment H-144 on January 18, 2022. The SMA was filed on November 10, 2021, by the Montgomery County Planning Board to implement the specific zoning recommendations of the Ashton Village Center Sector Plan.

SUMMARY OF KEY DISCUSSION POINTS

- The SMA application covers a Plan area of approximately 127 acres in the eastern part of the county at the intersection of state routes MD 108 and MD 650 (New Hampshire Avenue). It is about eight miles east of the county seat in Rockville and two miles west of the boundary with Howard County at the Patuxent River.
- The District Council approved the Ashton Village Center Sector Plan on June 15, 2021. The Sector Plan sets forth the specific land use and zoning recommendations for the Ashton Village Center Plan area and was subject to extensive and detailed review by the District Council.
- The District Council held a public hearing on the Draft Plan on March 2, 2021, wherein testimony was received from interested parties, and the Director of the Montgomery County Office of Management and Budget transmitted to the County Council the Executive's fiscal impact statement for the Ashton Village Center Sector Plan on March 26, 2021.

This report contains:

Transmittal Letter from the Planning Board
Montgomery County Planning Memorandum including SMA H-144

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MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

November 5, 2021

The Honorable Tom Hucker
President, Montgomery County Council
Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850

Dear Council President Hucker:

Enclosed please find materials for Sectional Map Amendment H-144 for the approved and adopted 2021 *Ashton Village Center Sector Plan*. The County Council approved the Sector Plan on June 15, 2021 via Resolution No. 19-904. On July 8, 2021, the Montgomery County Planning Board approved the Resolution of Adoption, Resolution No. 21-057, and transmitted it to the Full Commission of the Maryland-National Capital Park and Planning Commission (M-NCPPC). On July 21, 2021, the Maryland-National Capital Park and Planning Commission adopted the approved plan by Resolution Number 21-18.

At its regular meeting on November 4, 2021 the Montgomery County Planning Board approved filing the Sectional Map Amendment (SMA) and approved the content of the SMA, which will implement the zoning recommendations in the approved and adopted *Ashton Village Center Sector Plan*. Enclosed is the Application to File the SMA, the Certification, and maps that show the existing zoning and proposed zoning reclassifications, with parcel acreages. The SMA can also be viewed online at <https://mcatlas.org/sma/avcsp/>.

We look forward to working with the County Council to complete this project.

Sincerely,

Casey Anderson
Chair



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Enclosures

cc: Pam Dunn

MCPB
Item No. 7
Date: 11/4/2021

Request to File Sectional Map Amendment (SMA) H-144, Ashton Village Center Sector Plan

-  Jamey Pratt, Senior Planner, Upcounty Planning, jamey.pratt@montgomeryplanning.org, 301-495-4588
-  Donnell Zeigler, Supervisor, Upcounty Planning, donnell.zeigler@montgomeryplanning.org, 301-495-4511
-  Patrick Butler, Division Chief, Upcounty Planning, patrick.butler@montgomeryplanning.org, 301-495-4661

Completed: 10/22/2021

Staff Recommendation

Approval to submit Sectional Map Amendment (SMA) H-144 to amend the official Montgomery County Zoning Map to implement recommendations contained in the 2021 *Ashton Village Center Sector Plan*.

Summary

Staff requests approval to file an SMA with the Montgomery County District Council to amend the official zoning map, as recommended in the approved and adopted 2020 *Ashton Village Center Sector Plan*.

Background

The *Ashton Village Center Sector Plan* area encompasses approximately 127 acres in the eastern part of the county at the intersection of state routes MD 108 and MD 650 (New Hampshire Avenue). It is about eight miles east of the county seat in Rockville and two miles west of the boundary with Howard County at the Patuxent River.

The *Ashton Village Center Sector Plan*, which this SMA will implement, will amend the *General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District within Montgomery and Prince George's Counties*, as amended; the 1998 *Sandy Spring/Ashton Master Plan*, as amended; the *Master Plan of Highways and Transitways*, as amended; and the *Bicycle Master Plan*, as amended. Some important dates for the approval of the Plan are shown in the table below.

Table 1. Important Dates for the Approval of the Ashton Village Center Sector Plan

Date	Action
September 17, 2020	The Planning Board held a public hearing on the Public Hearing Draft.
December 3, 2020	The Planning Board approved the Planning Board Draft.
March 2, 2021	The County Council, sitting as the District Council, held a public hearing on the Planning Board Draft.
June 15, 2021	The District Council approved the Planning Board Draft subject to the modifications and revisions set forth in Resolution No. 19-904.
July 8, 2021	The Planning Board adopted the plan as amended by the District Council via Resolution No. 21-057.
July 21, 2021	The Maryland-National Capital Park and Planning Commission (M-NCPPC) adopted the plan by Resolution No. 21-18.

SMA Process

An SMA rezones or confirms the zoning of an area of the county as adopted and approved by a master plan. Section 59.7.2.3 (Sectional and District Map Amendment) of the Montgomery County Zoning Ordinance authorizes the Planning Board to apply for a sectional map amendment to the District Council. First, the planning director must publish a report and recommendation at least 10 days before a Planning Board public meeting on the rezoning application. Then, the Planning Board's recommendation on the application must be submitted to the District Council. After that, the District Council conducts a public hearing and may approve with or without modification, deny, or remand the application to the Planning Board for additional analysis. If approved, the District Council must issue a resolution and opinion reflecting its decision within 60 days after the close of record, unless the time is extended by the District Council. The decision of the District Council is final.

Recommended Sectional Map Amendment

SMA H-144 will implement zoning recommendations contained in the 2021 *Ashton Village Center Sector Plan*. These recommendations aim to achieve the Plan's goals to foster a sense of community in Ashton by promoting a transition from a vehicle-centric commercial crossroads into a viable and vibrant rural village that protects and enhances the character of the greater Ashton community. The Plan provides zoning and design recommendations that are appropriate for allowing the density and uses expected for a rural village while ensuring that new development harmoniously blends in with the existing development.

The SMA proposes reclassification of approximately 27.6 acres of properties in the Ashton Village Center, while reconfirming the zoning on approximately 90 acres of properties in the Plan area. (The overall area covered by properties within the 127-acre Sector Plan boundary is about 117.6 acres; the remainder is dedicated right-of-way.) There are no pending local map amendment applications in the Plan area. The SMA also includes revisions to the boundary of the Sandy Spring/Ashton Rural Village Overlay Zone. The revised overlay zone will cover approximately 21.2 acres of properties and will be removed from approximately 47.4 acres of properties.

During the review of the zoning changes, Montgomery Planning staff discovered that one zoning boundary was incorrectly displayed in the maps included in the Sector Plan. The line between the TF-10 and current CRT zone on the east side of Porter Road was drawn incorrectly. See Figure 1 below.

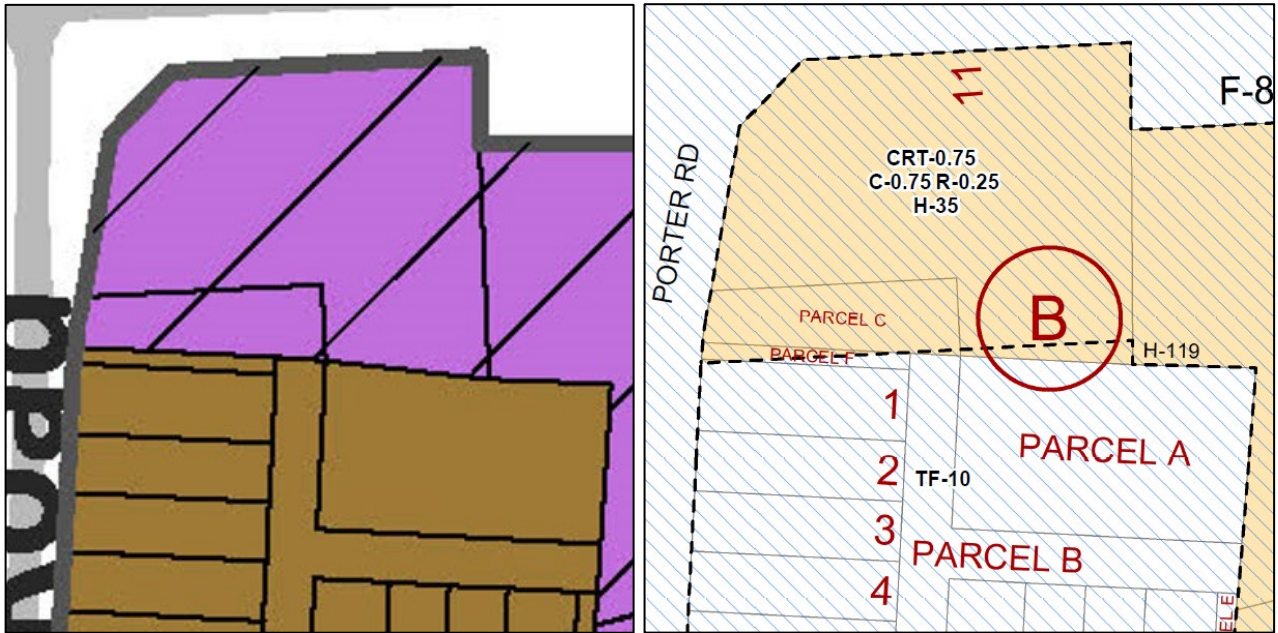


Figure 1. Detail from Map 8, Proposed Zoning from the Sector Plan (page 35), left, and the approved zoning boundary (black dashed line) from Local Map Amendment H-119 (Map 5 from the attached document), right

In the figure above, the purple properties are in the Sector Plan's "Village Core" neighborhood, while the brown properties are in the "Residential Edge" neighborhood. As can be seen, the Sector Plan shows the boundary slanting down to the right, whereas the approved zoning boundary from Local Map Amendment (LMA) H-119 goes up to the right from Porter Road. This results in a number of split-zoned properties: Lot 11, Parcel C, Parcel F, and perhaps a corner of Lot 1.

The intent of the Sector Plan was to rezone all of the properties in the Village Core neighborhood to CRN (purple properties in Figure 1) and to retain the TF-10 zone in the Residential Edge neighborhood here (brown properties). While Planning staff would prefer to apply the zoning based on the property lines per the figures in the Sector Plan in order to prevent split-zoned properties, this would require changing part of Parcel F and perhaps a corner of Lot 1 from CRT to TF-10. But a floating zone such as TF-10 can only be applied via the Local Map Amendment (LMA) process and cannot be applied in a Sectional Map Amendment. An SMA can, however, apply a Euclidean zone such as the CRN zone. Therefore, this SMA follows the approved zoning line from LMA H-119 on Parcel F and Lot 1 by retaining the TF-10 zone for all properties south of this line and changes the CRT-zoned properties to CRN north of this line on these properties. The SMA will follow the plan neighborhood line from the Sector Plan to rezone all of Parcel C and Lot 11 to the CRN zone. This will result in at most two split-zoned properties, one of which is an open space parcel and the other a few square feet of a townhouse lot. Planning staff does not foresee this causing any problems.

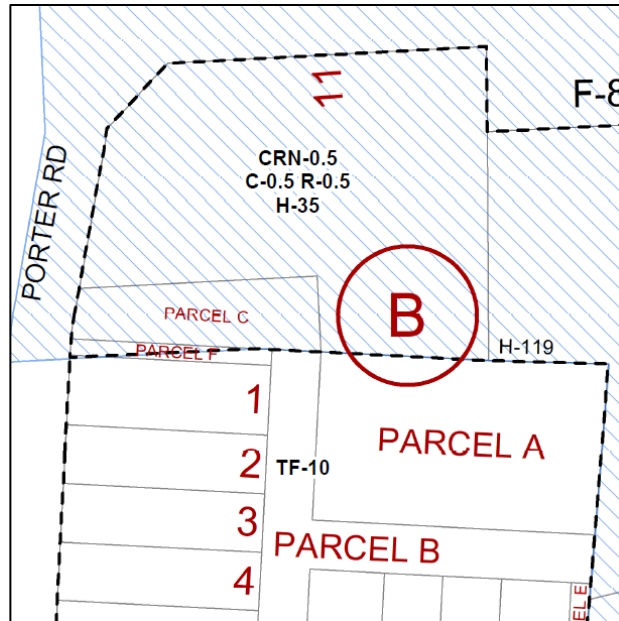


Figure 2. Proposed zoning detail (Map 5, right side, from attached document). The black dashed line shows the new zone boundary.

The proposed zoning reclassifications are shown on the attached maps. Under a separate application and action by the Planning Board, a zoning text amendment application will be made to revise the overly zone. Revisions to the overlay zone include removing language that is no longer necessary due to the approved zoning changes and provisions of the Zoning Ordinance revised in 2014, modifying the requirement for site plan approval, and other minor changes designed to help preserve and enhance the rural village character of the Sandy Spring and Ashton village centers.

Contents of the Sectional Map Amendment

The SMA application includes two map indices as well as 2 maps indicating the boundaries of the *Ashton Village Center Sector Plan* (see Attachment 1). The digital map is available at <https://mcatlas.org/sma/avcsp>.

Conclusion

Staff recommends that the Planning Board approve the submittal of SMA H-144 to the District Council to implement the zoning recommendations contained in the 2021 *Ashton Village Center Sector Plan*.

Attachment

1. Proposed zoning reclassification map



CERTIFICATION

This is to certify that the Sector Plan Map index displaying the changes involved in this application, and base maps as shown herein are certified copies of the digital zoning map on which existing and proposed zone boundaries are delineated by both line and text, are correct as shown; and by this certification, they are hereby part of the Maryland-National Capital Park and Planning Commission's Application as required by the Zoning Ordinance, for the Maryland-Washington Regional District in Montgomery County, Maryland.

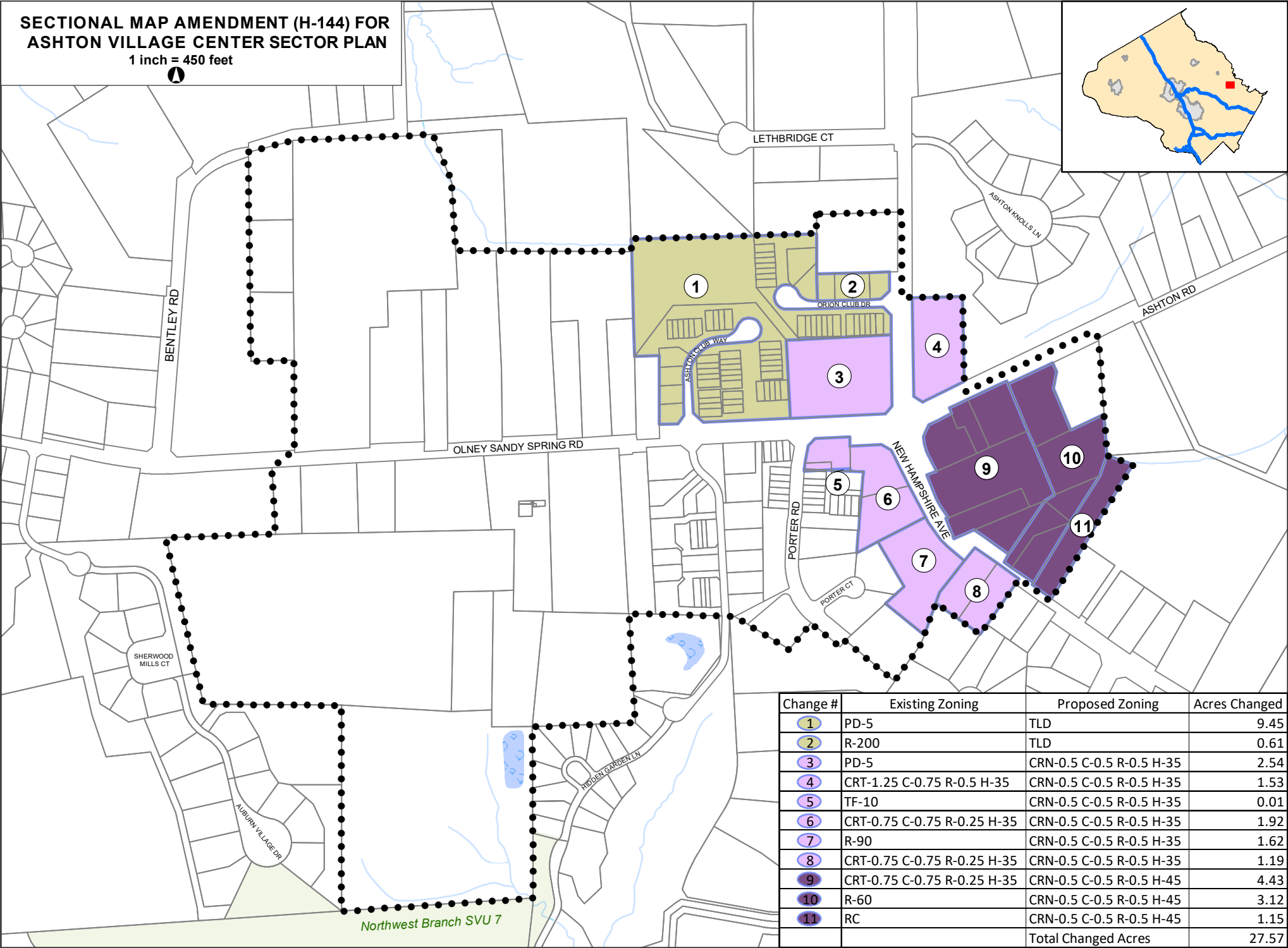
10/7/2021

Date

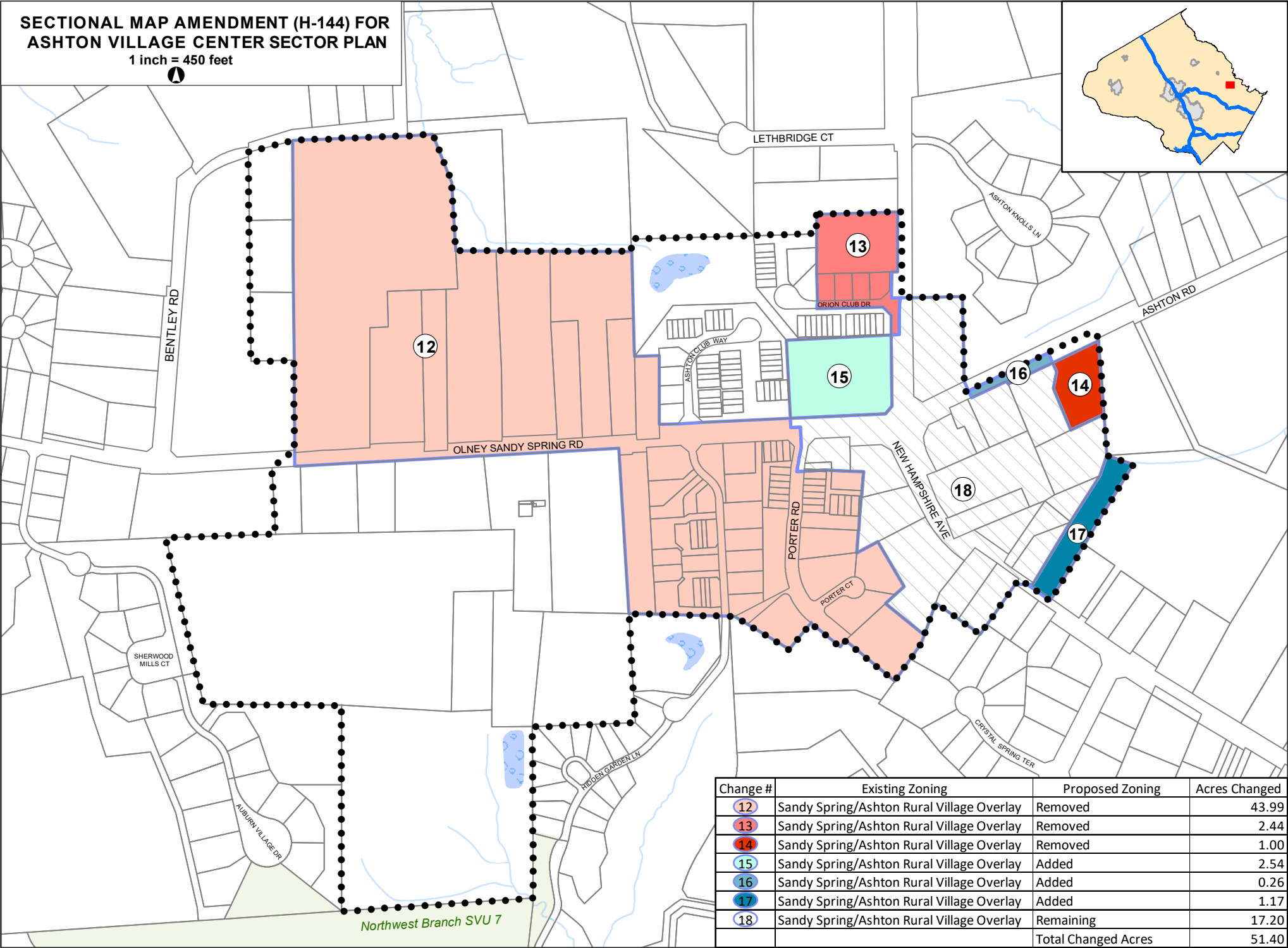
Patrick Butler

Patrick Butler
Division Chief
Upcounty Planning Division

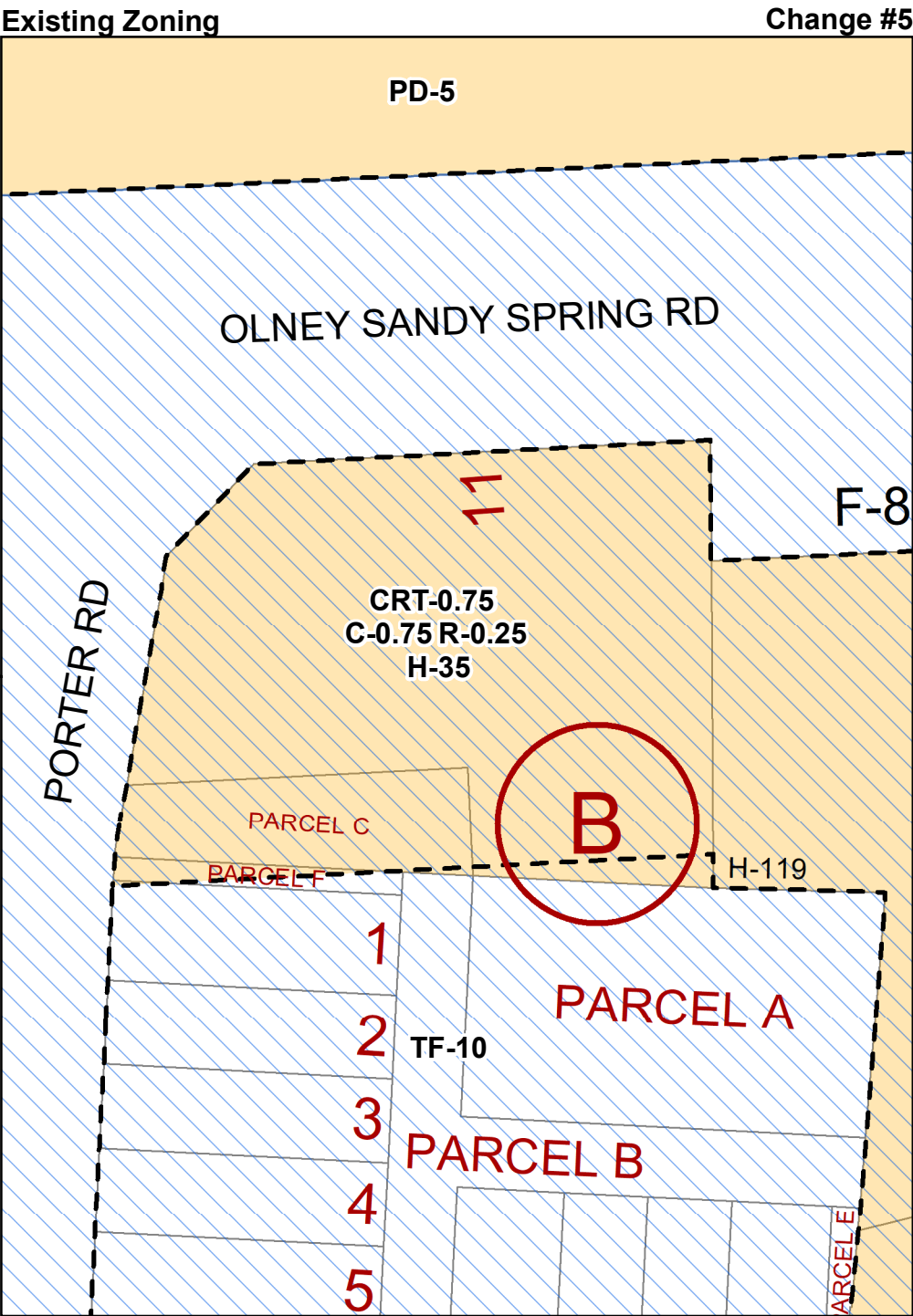
Attachment 1 - Map 2 (Change Index 1 of 2)



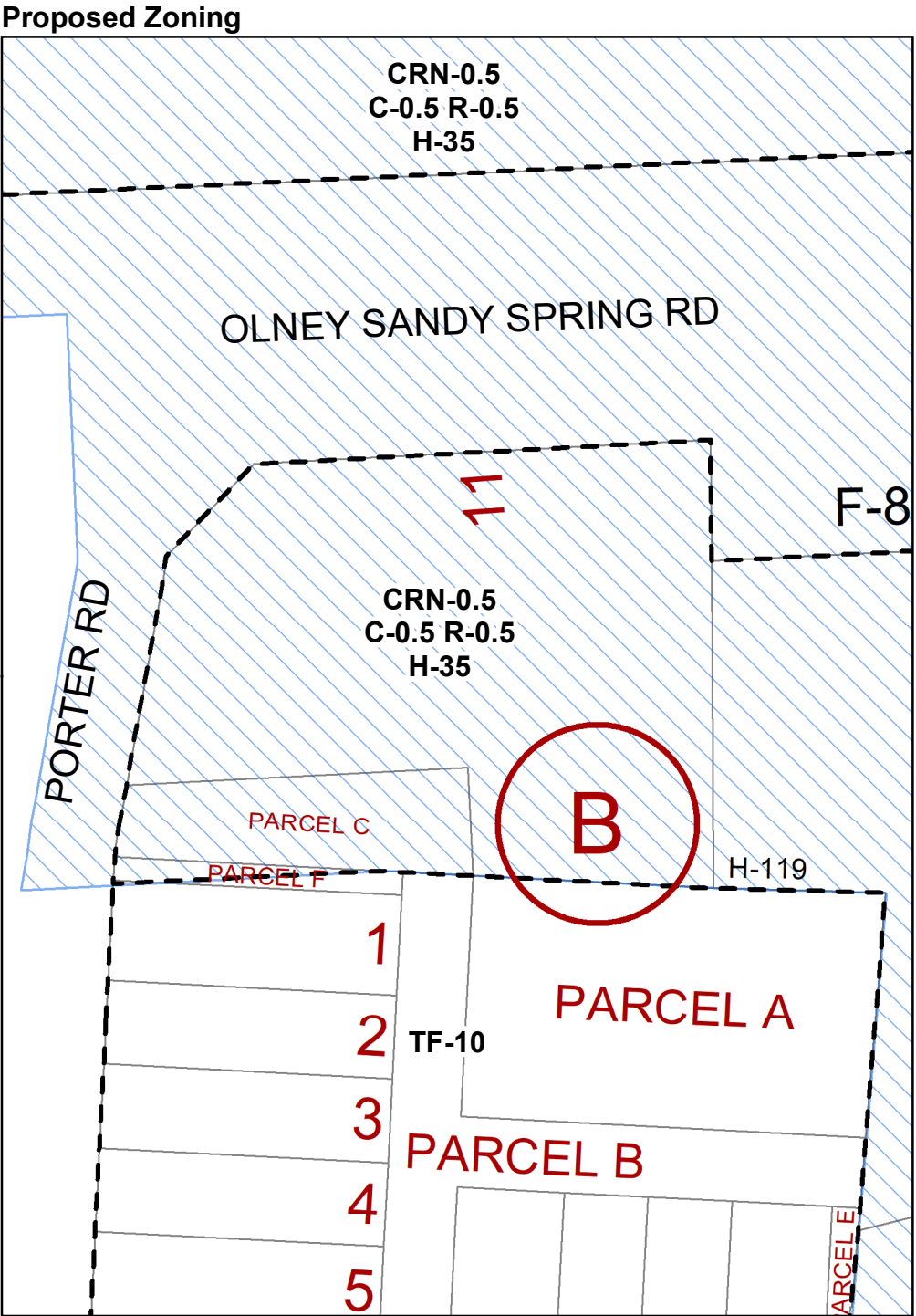
Attachment 1 - Map 3 (Change Index 2 of 2)



Attachment 1 - Map 5 (LMA H-119 Floating Zone Boundary Detail)



Map Grid: 224NW01



 Sandy Spring / Ashton Rural Village Overlay

1 in = 50 ft