



Zoning Text Amendment (ZTA) No. 16-18, Sandy Spring/Ashton Rural Village Overlay Zone – Standards

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Completed: 01/5/17

Description

Zoning Text Amendment (ZTA) No. 16-18 would amend the development standards for the Sandy Spring/Ashton Rural Village Overlay zone to lower the minimum size lot for townhouse and duplex buildings and to allow building height to be increased by 5 feet with a Planning Board finding of compatibility in the site plan process.

Summary

Staff recommends approval of ZTA No. 16-18 as introduced to amend the development standards for the Sandy Spring/Ashton Rural Village Overlay zone to lower the minimum size lot for townhouse and duplex buildings and to allow building height to be increased by 5 feet with a Planning Board finding of compatibility in the site plan process.

Background/Analysis

ZTA 16-18 would lower the minimum size lot for townhouse and duplex buildings in the Sandy Spring/Ashton Rural Village Overlay zone. The maximum allowable building height would be increased by 5 feet (from 35 to 40 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 16-17 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.

Master Plan Comments

The Sandy Spring/Ashton Rural Village Overlay Zone was established to implement recommendations of the 1998 Sandy Spring/Ashton Master Plan. More particularly, the zone was designed to “preserve and

enhance the rural village character” of the two villages by restricting the inventory of land uses to those activities most suitable for rural villages and by controlling densities and building heights to preserve scale and character.

The zones in place at the time of the Overlay Zone’s establishment allowed a range of uses that were not in keeping with rural villages and allowed densities that were out of scale. They did not allow for detailed site plan review and, in some cases, allowed building heights that also conflicted with rural village scale. The Overlay Zone addressed those issues by limiting uses and building heights and by providing for site plan review for new buildings and significant expansions.

The proposed zoning text amendment amends the Overlay Zone to allow smaller lots in residential zones and provides the Planning Board the option to allow additional residential building heights when it finds that the additional height meets the intent of the master plan. The proposed lot sizes are similar to those allowed for Moderately Priced Dwelling Unit Development in the county’s townhouse zones. The proposed building height is similar to that now allowed in Sandy Spring, following recommendations in the 2015 Sandy Spring Rural Village Plan for new residential development in the village.

Lot Sizes and Building Height

ZTA 16-17 would allow a minimum lot size of 900 square feet and 2,000 square feet, respectively, for townhouses and duplexes. Under the Optional Method of Development Standards in the R-60 zone (MPDUs), the minimum lot size for residential building types is 3,000 square feet for a detached house, 1,500 square feet for a duplex, and 1,000 square feet for a townhouse. The maximum building height is 40 feet.

Under the Optional Method of Development Standards in the Townhouse Low Density (TLD) zone, the minimum lot size for residential building types is 3,000 square feet for a detached house, 1,500 square feet for a duplex, and 800 square feet for a townhouse. The maximum building height is 40 feet.

Staff believes that the proposed lot size designations for duplex and townhouse building types fall within the typical range for smaller lot residential development. The proposed increase in building height to 40 feet (if approved during site plan review) is consistent with maximum building heights for smaller lot residential and townhouse zones outside of the overlay zone. Any potential compatibility concerns with surrounding properties would be addressed during site plan review.

Staff recommends approval of ZTA 16-18 as introduced.

Attachments

1. ZTA No. 16-18 as introduced

ATTACHMENT 1

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:
Adopted:
Effective:
Ordinance No.:

**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

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”

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 59-4.9 is amended as follows:

Division 4.9. Overlay Zones

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

* * *

D. Development Standards

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2. Where a lot is in a Residential zone:

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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.

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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.

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28 Linda M. Lauer, Clerk of the Council