



Zoning Text Amendment (ZTA) No. 17-05, Ripley/Silver Spring South Overlay Zone – Standards



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Completed: 9/7/17

Description

ZTA No. 17-05 would amend the development standards for the Ripley/South Silver Spring (RSS) Overlay zone. Specifically, the ZTA would allow additional building height in the Commercial/Residential (CR) Zones when a ground floor level grocery store or other qualifying basic service and a major public facility are provided as part of the same project.

Summary

Staff recommends approval of ZTA 17-05 as introduced, to allow additional building height in the Commercial/Residential (CR) Zones within the Ripley/South Silver Spring (RSS) Overlay zone when a ground floor level grocery store or other qualifying basic service and a major public facility are provided as part of the same project.

Background/Analysis

Currently in the Ripley/South Silver Spring (RSS) Overlay Zone, on property zoned CR and mapped at 200 feet in height, additional building height above 145 feet, up to 200 feet, may be approved by the Planning Board only in an optional method development project that provides ground floor retail.

ZTA 17-05 would provide additional building height flexibility, up to a total building height of 270 feet, for an optional method project that includes the provision of an on-site or off-site major public facility and that also provides a ground floor level grocery store or other qualifying basic service of at least 10,000 square feet of floor area. In the opinion of the sponsor, the ZTA would create incentives for the provision of major public facilities and a significant retail opportunity in the Ripley/Silver Spring South Overlay zone area.

Major public facilities include, but are not limited to, such facilities as a school, library, recreation center, park, County service center, bike share station, public transportation or utility upgrade, or other resource delineated in an applicable master plan. Major public facilities provide public services at a

convenient location where increased density creates a greater need for civic uses and greater demands on public infrastructure.

When basic neighborhood services exist within 1/4 mile of an area, they assist in: enhancing connectivity between uses and amenities; increasing mobility options; encouraging walking, cycling and transit; facilitating social interaction; providing opportunities for healthier living; and stimulating local businesses.

Staff believes that both provisions are consistent with the purposes of the RSS Overlay zone to:

- *facilitate the implementation of an organized and cohesive development pattern that is appropriate for an urban environment;*
- *encourage attractive design and ensure compatibility with existing buildings and uses within and adjacent to the Overlay zone; and*
- *provide flexibility of development standards to encourage innovative design solutions.*

Also, staff believes that there is a rational basis for including this provision as another tool in providing adequate public facilities in the County, especially in an urban area. Any potential compatibility concerns along the periphery of the overlay zone would be addressed during site plan review. Staff recommends approval of ZTA No. 17-05, as introduced

Attachments

1. ZTA No. 17-05 as introduced

ATTACHMENT 1

Zoning Text Amendment No.: 17-05
Concerning: Ripley/Silver Spring South
Overlay Zone – Standards
Draft No. & Date: 1 – 5/3/17
Introduced: July 18, 2017
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 Hucker

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- amend the development standards for the Ripley/South Silver Spring (RSS) 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 4.9.12. “Ripley/South Silver Spring (RSS) 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:

1 **Sec. 1. DIVISION 59-4.9 is amended as follows:**

2 **DIVISION 4.9. Overlay Zones**

3 * * *

4 **Section 4.9.12. Ripley/South Silver Spring (RSS) Overlay Zone**

5 * * *

6 C. Development Standards

7 1. Building Height

8 * * *

9 b. For a property zoned CR and mapped at 200 feet, the Planning
10 Board may approve a maximum building height of 200 feet
11 only in an optional method development project that provides
12 ground floor retail. If no ground floor retail is provided, the
13 maximum building height is 145 feet. Any structure or device
14 used to collect or radiate electromagnetic waves, including a
15 satellite dish, must not be included in calculating building
16 height under this paragraph.

17 c. For a property zoned CR and mapped at 200 feet, the Planning
18 Board may approve a maximum building height of 270 feet, if
19 an optional method development project includes the provision
20 of an on-site or off-site major public facility under Section
21 4.7.3.A and also provides a ground floor level grocery store or
22 other qualifying basic service under Section 4.7.3.C.3 of at least
23 10,000 square feet of floor area.

24 * * *

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

27

28 This is a correct copy of Council action.

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30

31 Linda M. Lauer, Clerk of the Council