

AUGUST 2020



Ashton Village Center

SECTOR PLAN



TECHNICAL APPENDIX DRAFT

MONTGOMERY COUNTY PLANNING DEPARTMENT
MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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recommended to remain in the SSA Overlay zone are recommended for community water and sewer, so this provision is not necessary and can be removed.

Land Uses

The overlay controls land uses through a combination of the underlying zone and an extensive list of prohibited uses. A comparison (see detailed comparison below) of the land uses prohibited in the SSA Overlay zone and those disallowed in the CRN zone shows that the use limitations in the SSA Overlay zone are largely redundant except that the CRN zone on its own also allows the following service uses up to 5,000 square feet in size:

- Building materials and supplies
- Furniture store, carpet, or related furnishing sales or service
- Pawnshop

Allowing these few additional uses would not be at odds with a rural village center as long as this Plan’s design recommendations are followed. If the CRT zone were to be replaced by the CRN zone, the land use limitations and development standards in the SSA Overlay zone can be removed.

Conversely, three existing uses in the Plan area are not allowed in the CRN zone: the filling station and auto repair shop in the southwest corner (2 different land uses) and the drive-thru associated with the bank in the southeast corner. All three of these uses are Limited or Conditional uses in the CRT zone but are not permitted in the CRN zone. The SSA Overlay zone generally bans new auto-oriented uses such as filling stations, drive-thrus and vehicle sales and rental businesses unless they were in existence in 1998 when the SSA Overlay zone was put in place. These specific uses are allowed to continue or be altered, repaired or replaced as conforming uses. The overlay prohibits a drive-thru associated with a restaurant but allows it for other uses.

This Plan recommends removing the list of prohibited uses because the CRN Zone disallows most of the uses being limited by the Overlay zone anyway. New language specifically allowing filling stations, automobile repair shops, and drive-thrus not associated with restaurants in existence when the zoning text is amended to be considered conforming and be allowed to continue or be altered, repaired or replaced.

Residential Zone Development Standards in the SSA Overlay Zone

In the residential zones within the SSA Overlay zone, houses are limited to 35 feet but can go as high as 40 feet “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.” Smaller lot sizes than normally allowed in the underlying zone are also possible if supported by a Master Plan.

Existing development standards in the underlying zones already offer similar protections to height and this plan makes no recommendations for small lots in the Residential zones within the Plan area, making the overlay zone unnecessary in the Residential zones within the Plan area. Since the development standards in the overlay zone have no effect on properties in the Rural Residential zones and the overlay is not needed in the Residential zones, properties in these zones can be removed from the overlay.

It may be appropriate to remove all residential development standards in the SSA Overlay zone as part of a Zoning Text Amendment (ZTA). However, several isolated parts of the SSA Overlay zone remain near Sandy Spring because the 2015 SSRVP did not include residential properties outside the immediate village center within its plan boundary, so while the overlay was removed from all properties within the 2015 Plan boundary, some Sandy Spring residential properties retain the overlay. The residential development standards of the overlay zone may have no effect on these remaining properties; further study is needed at the time of any ZTA to determine if all residential development standards should be removed from the overlay. The residential

on the same site or a contiguous property

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Appendix I: Sandy Spring/Ashton Rural Village (SSA) Overlay Zone Proposed Revision

The following is the proposed text for a revised Sandy Spring/Ashton Rural Village Overlay zone. This change requires a Zoning Text Amendment (ZTA) to implement.

A. Purpose

not associated with a restaurant

The purpose of the SSA Overlay zone is to preserve and enhance the rural village character of the Sandy Spring and Ashton village centers using detailed site review and the continuation of community serving businesses within the village centers.

B. Land Uses

, on the same site or a contiguous property

1. If the underlying zone on the property is CRN:

- a. A Drive-Thru may be altered, repaired or replaced under limited use standards and may be continued as a conforming use.
- b. A Filling Station may be altered, repaired or replaced as a conditional use under Section 7.3.1 and may be continued as a conforming use.

C. Development Standards

3. Where a lot is in a Residential zone:

- a. 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.

D. Site Plan

4. Site plan approval under Section 7.3.4 is required for:

- a. construction of a new building;
- b. any addition or other exterior improvement to an existing building that increases the amount of gross floor area on a site; or
- c. if required under Section 7.3.4.A.8.

5. Site plan approval is not required for development of a detached house that proceeds under standard method development.