

Zoning Text Amendment No.: 16-01
Concerning: Ripley/Silver Spring
South Overlay Zone –
Standards
Draft No. & Date: 1 – 12/9/15
Introduced: January 19, 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: Council Vice President Berliner

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- Amend the development standards for the Ripley/Silver Spring South 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 4.9.11. “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 or by ZTA 14-09.

[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 or text added by this amendment in addition to ZTA 14-09.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment or indicates a change from ZTA 14-09.

** * * 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 4.9.11. Ripley/South Silver Spring (RSS) Overlay Zone**

5 **A. Purpose**

6 The purpose of the RSS Overlay zone is to:

- 7 1. Facilitate the implementation of an organized and cohesive
- 8 development pattern that is appropriate for an urban environment.
- 9 2. Encourage attractive design and ensure compatibility with existing
- 10 buildings and uses within and adjacent to the Overlay zone.
- 11 3. Provide flexibility of development standards to encourage innovative
- 12 design solutions.
- 13 4. Allow for the transfer of the public open space requirement to other
- 14 properties within the Overlay zone.
- 15 5. Allow new uses.

16 **B. Land Uses**

17 The following uses are permitted in addition to the uses allowed in the

18 underlying zone:

- 19 1. The following Light Manufacturing and Production use: assembly of
- 20 computer components; and
- 21 2. The following Retail/Service Establishment uses: bakery, if less than
- 22 1,500 square feet of gross floor area; and catering facility.

23 **C. Development Standards**

24 **1. Building Height**

- 25 a. The maximum building height is 45 feet along [Newell Street
- 26 and] Eastern Avenue that confronts a Residential zone in the

27 District of Columbia; however, this building height may be
28 increased to:

- 29 i. a maximum of 90 feet for any building or portion of a
30 building that is set back a minimum of 60 feet from the
31 street; or
- 32 ii. a maximum of 125 feet for residential development that
33 is set back at least 100 feet from Eastern Avenue [and
34 Newell Street] and includes a public parking garage
35 constructed under a General Development Agreement
36 with the County.

37 * * *

38 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after
39 approval.

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41 This is a correct copy of Council action.

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44 Linda M. Lauer, Clerk of the Council