

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2019 Legislative Session**

Resolution No. CR-17-2019
Proposed by Council Member Taveras
Introduced by _____
Co-Sponsors _____
Date of Introduction March 5, 2019

RESOLUTION

1 A RESOLUTION concerning
2 The 2004 Gateway Arts District for Prince George’s County—D-D-O Zone—Minor Amendment
3 For the purpose of directing the Prince George’s County Planning Board of the Maryland-
4 National Capital Park and Planning Commission to initiate a minor amendment to the Gateway
5 Arts District D-D-O (Development District Overlay) Zone Development District Table of
6 Permitted Uses within the 2004 *Sector Plan and Sectional Map Amendment for the Prince*
7 *George’s County Gateway Arts District* to permit Urban Farm uses in the Traditional Residential
8 Neighborhood (“TRN”) character area of the Gateway Arts Development District.

9 WHEREAS, on November 30, 2004, the Prince George’s County Council, sitting as the
10 District Council for that portion of the Maryland-Washington Regional District in Prince
11 George’s County (“District Council”), approved a comprehensive plan to guide the development
12 of land as designated within the 2004 *Sector Plan and Sectional Map Amendment for the Prince*
13 *George’s County Gateway Arts District*; and

14 WHEREAS, in accordance with the provisions of the Zoning Ordinance for Prince
15 George’s County, the District Council concurrently approved the Gateway Arts Sectional Map
16 Amendment (“SMA”), a comprehensive zoning map amendment with detailed zoning changes
17 for the designated sector plan area, in furtherance of realizing the sector plan vision; and

18 WHEREAS, as part of the 2004 Gateway Arts SMA, the District Council also approved a
19 new D-D-O (“Development District Overlay”) Zone for the geographic area of the County
20 included within the plan boundaries; and

21 WHEREAS, as stated in Section 27-548.10 of the County Zoning Ordinance, the purpose of

1 the D-D-O Zone is to ensure that the development of land in the Gateway Arts Development
2 District meets the goals for the development district set forth in the Gateway Arts Sector Plan,
3 and incentivizes unique opportunities presented by the development district; and

4 WHEREAS, in accordance with Section 27-548.24 of the Zoning Ordinance, the District
5 Council's 2004 Sector Plan and SMA approved certain development district standards, including
6 seven (7) character areas to govern development within the Gateway Arts Development District,
7 and such binding standards replace or modify the development regulations otherwise applicable
8 to development of land in the underlying zoning classification; and

9 WHEREAS, the District Council takes full administrative notice of the specific provision in
10 the Gateway Arts Development District that, if a use is not listed in the Development District
11 Table of Permitted Uses, it is prohibited; and

12 WHEREAS, the District Council finds that, since the adoption of the Gateway Arts
13 Development District Table of Permitted Uses in 2004, via enactment of CB-076-2013, which
14 became Chapter No. 57, 2013 Public Local Laws of Prince George's County and effective from
15 January 6, 2014, the District Council codified a new use, "Urban Farm," within the local zoning
16 laws and permitting the use in certain zones of the County; and

17 WHEREAS, because the use "urban farm" was not yet contemplated in the local zoning
18 laws, it was not addressed in the Gateway Arts Development District Table of Permitted Uses;
19 and

20 WHEREAS, as a result, the District Council finds that, by operation of law, the Gateway
21 Arts Table of Permitted Uses prohibits "Urban Farm" uses in the development district; and

22 WHEREAS, in order to better align with the Gateway Arts Development District vision
23 and, in furtherance of realizing the respective sector plan goals, the District Council finds that
24 there is a need to amend the Gateway Arts Development District Table of Permitted Uses to
25 include "Urban Farm" uses and strategically permit the use in the Traditional Residential
26 Neighborhood ("TRN") character area of the Gateway Arts Development District; and

27 WHEREAS, Sections 27-548.26 and 27-642 of the Zoning establish a process whereby the
28 District Council may initiate certain minor amendments to an approved D-D-O Zone; and

29 WHEREAS, the Council further finds that the proposed minor amendment is plainly
30 authorized pursuant to Section 27-642, because the proposed amendment serves to: (1) advance
31 the goals of an approved development district plan; (2) involves no more than 50% of the

1 underlying plan area but is not limited to a single property or property owner; (3) does not
2 constitute an amendment which would require major transportation analysis and/or modeling,
3 revised water and sewer classifications, and Adequate Public Facilities analysis; and

4 WHEREAS, upon approval of this Resolution, and in accordance with applicable law, the
5 proposed minor amendment to the Gateway Arts Development District shall be subject to all
6 notice and public hearing requirements to seek public comment on the minor amendment.

7 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
8 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
9 Regional District in Prince George's County, Maryland, that in accordance with Sections 27-
10 548.26 and 27-642 of the County Zoning Ordinance, the Prince George's County Planning Board
11 of the Maryland-National Capital Park and Planning Commission is hereby directed to initiate a
12 minor amendment to the 2004 *Sector Plan and Sectional Map Amendment for the Prince*
13 *George's County Gateway Arts District*, as follows:

14 **MINOR AMENDMENT ONE:**

15 Amend the Gateway Arts Development District Table of Permitted Uses to provide for
16 "Urban Farm" uses and permit the use within the Traditional Residential Neighborhood ("TRN")
17 Character Area of the Gateway Arts Development District.

18 BE IT FURTHER RESOLVED that, pursuant to Section 27-642 of the County Zoning
19 Ordinance, a joint public hearing of District Council and the County Planning Board will be held
20 on the foregoing proposed amendment to the 2004 *Sector Plan and Sectional Map Amendment*
21 *for the Prince George's Gateway Arts District D-D-O Zone* on Tuesday, April 30, 2019.

22 BE IT FURTHER RESOLVED that the Clerk of the Council shall transmit a copy of this
23 Resolution to the Prince George's County Planning Board in furtherance of compliance with the
24 procedures of Sections 27-548.26 and 27-642 of the Zoning Ordinance.

Adopted this ____ day of _____, 2019.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Todd M. Turner
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council