

Ordinance No. 19-08

ORDINANCE:

To grant Text Amendment Application  
TXT2007-00219, as amended, Mayor and  
Council of Rockville, Applicant

WHEREAS, in 2005 and 2006 the Mayor and Council began the process of comprehensively reviewing and revising the entire Zoning and Planning Ordinance for the City of Rockville by conducting a number of worksessions with City staff on major zoning and planning policy issues; and

WHEREAS, in early 2006, the Mayor and Council appointed a committee consisting of certain members of the Mayor and Council, the Planning Commission, and the Board of Appeals, along with citizens and members of the business and development communities, to assist the staff in drafting proposed revisions to the City's Zoning and Planning Ordinance and the City Zoning Map; and

WHEREAS, the committee, known as the RORZOR committee (Representatives of Rockville Zoning Ordinance Review) held numerous worksessions from April, 2006 through September, 2007; and

WHEREAS, on November 13, 2006, the Mayor and Council adopted Resolution No. 17-06 establishing a moratorium on new development in the City until the completion of the review and analysis of the City's zoning and development regulations and the adoption of a revised Zoning Ordinance, which moratorium has been extended and/or modified by Resolution Nos. 10-07, 2-08, 4-08, 9-08, and 14-08; and

WHEREAS, the RORZOR committee prepared a draft revised Zoning Ordinance that, among other things, incorporated principles of form-based and mixed-use zoning and established new procedures, developments standards, and zones to replace many of the existing procedures, standards, and zones; and

WHEREAS, the RORZOR committee also prepared a draft revised Zoning Map applying the new zones proposed in the RORZOR draft revised Zoning Ordinance; and

WHEREAS, on October 8, 2007, the RORZOR draft revised Zoning Ordinance and draft revised Zoning Map [Amendment] were presented to the Mayor and Council; and

WHEREAS, on October 8, 2007, the Mayor and Council authorized the filing of a text amendment application to reflect the comprehensive changes contained in the RORZOR committee's proposed revised Zoning Ordinance, and further authorized the filing of a map amendment application to reflect the changes contained in the RORZOR proposed revised Zoning Map; and

WHEREAS, on October 10, 2007 Text Amendment Application TXT2007-00219 and Comprehensive Map Amendment Application MAP2007-00101 were filed on behalf of the Mayor and Council; and

WHEREAS, following the filing of the Text Amendment and Map Amendment applications, there was an extensive period of public outreach which focused on informing and gathering feedback from the public; and

WHEREAS, said Text Amendment and Map Amendment applications were forwarded to the City of Rockville Planning Commission for review and recommendation; and

WHEREAS, at its meetings of January 23, and January 30, 2008, the Planning Commission held public hearings on the proposed amendments to the Zoning Ordinance and Zoning Map; and

WHEREAS, the Planning Commission subsequently held numerous worksessions with staff to review and consider all of the comments and correspondence received on the proposed revisions to the Zoning Ordinance and the Zoning Map; and

WHEREAS, on May 21, 2008, the Planning Commission conducted its final review of the above referenced Text Amendment and Map Amendment applications, and recommended approval of both amendments with modifications, as set forth in a memorandum dated May 21, 2008; and

WHEREAS, pursuant to Article 66B of the Annotated Code of Maryland, the Mayor and Council gave notice that a hearing on Text Amendment Application TXT2007-00219 and Comprehensive Map Amendment Application MAP2007-00101 would be held by the Mayor and Council in the Council Chambers at Rockville City Hall on June 16, 2008 and on June 30, 2008, at 7:00 p.m. or as soon thereafter as it may be heard; and

WHEREAS, on June 16, 2008 and June 30, 2008, said applications came on for hearing before the Mayor and Council at the time and place provided for in said advertisement; and

WHEREAS, following the public hearings, the Mayor and Council held fifteen (15) worksessions to review and analyze the submitted testimony, and directed City staff to further revise language for consideration in connection with the Text Amendment application; and

WHEREAS, on November 17, 2008, the Mayor and Council gave final instructions to City staff and directed that an ordinance granting Text Amendment Application TXT2007-00219, with amendments as determined by the Mayor and Council, be prepared for introduction; and

WHEREAS, such ordinance was introduced on December 8, 2008 and came before the Mayor and Council for final action on December 15, 2008; and

WHEREAS, the Mayor and Council having considered Text Amendment Application TXT2007-00219, and the entire file pertaining thereto, including testimony presented at the public hearings and written testimony submitted for the record, said Mayor and Council having

decided that the granting of Text Amendment Application TXT2007-00219, as amended, in the form set forth in the attached document titled “Zoning Ordinance of the City of Rockville adopted December 15, 2008 by Ordinance 19-08” would promote the health, safety and welfare of the citizens of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

1. That Text Amendment Application No. TXT2007-00219 be, and the same is hereby, granted, as amended, and that Chapter 25 of the Rockville City Code is hereby repealed and reenacted as a new Chapter 25, entitled “Zoning” in the form set forth in the attached document titled “Zoning Ordinance of the City of Rockville adopted December 15, 2008, by Ordinance19-08.”

2. That the effective date of this ordinance is March 16, 2009.

NOTE: [Brackets] indicate material deleted after introduction.  
Underlining indicates material added after introduction.

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I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council at its meeting of December 15, 2008

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Claire F. Funkhouser, City Clerk