

Ordinance No. 10-16

ORDINANCE: To adopt the Rockville Pike Neighborhood Plan as an amendment to the adopted Master Plan for Rockville

WHEREAS, the City of Rockville Planning Commission (hereinafter referred to as the “Commission”), under the provisions of Section 3-202 of the Land Use Article of the Annotated Code of Maryland, may make and approve a plan or amendments thereto and recommend the same to the local legislative body for adoption; and

WHEREAS, previously, on December 19, 2001 the Commission did approve, and on November 12, 2002 the Mayor and Council adopted a Master Plan for the City of Rockville, Maryland; and

WHEREAS, the Mayor and Council did instruct the Commission to make and approve, and recommend to the Mayor and Council an amendment to the Master Plan to revise the plan for the Rockville Pike corridor, which is defined as Planning Area 9 in the Master Plan; and

WHEREAS, the City staff prepared, consistent with Section 3-202 of the Land Use Article of the Annotated Code of Maryland, an amendment to the Master Plan to revise the plan (“the plan”) for the Rockville Pike corridor; and

WHEREAS, the plan for the Rockville Pike corridor implements the visions as provided in Section 1-201 of the Land Use Article of the Annotated Code of Maryland; and

WHEREAS, after the preparation of said plan for the Rockville Pike corridor, the Commission gave notice of the time and place of the public hearings to be held on said plan by giving notice in a newspaper of general circulation in the City; and

WHEREAS, the Commission did refer copies of said plan to all adjoining planning jurisdictions and to all state and local jurisdictions that have responsibility for financing or

constructing public improvements necessary to implement the plan for the Rockville Pike corridor at least sixty (60) days prior to the public hearing; and

WHEREAS, the Commission held public hearings on said plan for the Rockville Pike corridor on March 9, 2011, March 16, 2011, March 20, 2013, April 24, 2013 and May 22, 2013; and

WHEREAS, the Commission took into consideration the testimony presented at said public hearings and in the written public record and made modifications to the plan for the Rockville Pike corridor; and

WHEREAS, pursuant to Section 3-202, Land Use Article of the Annotated Code of Maryland, the Commission, by Resolution No. 1-16, adopted March 9, 2016, approved and recommended for adoption by the Mayor and Council the Rockville Pike Neighborhood Plan as a replacement of the 1989 Rockville Pike Corridor Neighborhood Plan and as an amendment to the 2002 Master Plan for the City of Rockville, Maryland ; and

WHEREAS, the Commission certified an attested copy of the recommended plan to the Mayor and Council on March 14, 2016; and

WHEREAS, pursuant to Section 3-204, Land Use Article of the Annotated Code of Maryland, the Mayor and Council, as the legislative body, may adopt, modify, remand, or disapprove an amendment to the Master Plan; and

WHEREAS, pursuant to Section 3-204, Land Use Article of the Annotated Code of Maryland, the Mayor and Council shall hold a public hearing before adopting or modifying an amendment to the Master Plan; and

WHEREAS, the Mayor and Council gave notice that public hearings would be held on the recommended plan for the Rockville Pike corridor on April 11 and May 16, 2016, said notice

having been published once a week for two consecutive weeks and at least ten days prior to each public hearing, in a newspaper of general circulation in the City of Rockville; and

WHEREAS, the Mayor and Council did hold public hearings on the Planning Commission's recommended plan for the Rockville Pike corridor on April 11 and May 16, 2016; and

WHEREAS, pursuant to Section 3-204, Land Use Article of the Annotated Code of Maryland, the Mayor and Council shall approve, modify, remand, or disapprove the recommended plan within 90 days after the date that the Planning Commission certifies an attested copy of the recommended plan to the legislative body; and

WHEREAS, pursuant to Section 3-204, Land Use Article of the Annotated Code of Maryland, if the Mayor and Council determines that there are exigent circumstances so that it is unable to act within the 90 days, the Mayor and Council may extend the deadline for no more than one 60-day extension; and

WHEREAS, the Mayor and Council determined that there were exigent circumstances so that it was unable to act within 90 days; and

WHEREAS, the Mayor and Council extended the deadline to approve, modify, remand or disapprove the recommended plan by 60 days to August 10, 2016 by Resolution No. 15-16 adopted on May 23, 2016; and

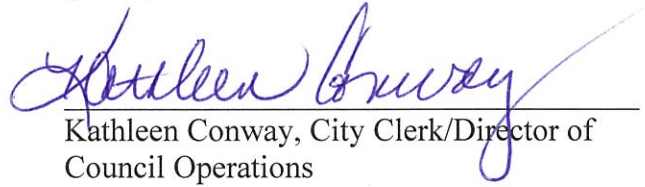
WHEREAS, the Mayor and Council amended the Planning Commission's recommended plan during work sessions following the public hearings; and

WHEREAS, it is the desire of the Mayor and Council to approve the recommended Rockville Pike Corridor Plan with certain modifications and amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that the Rockville Pike Neighborhood Plan be, and the same is hereby, adopted as a replacement of the 1989 Rockville Pike Corridor Neighborhood Plan and as an amendment to the Master Plan for the City of Rockville, said Rockville Pike Neighborhood Plan consisting of the publication entitled "Rockville Pike Neighborhood Plan" dated August 1, 2016.

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I certify that the above is a true and correct copy of
an Ordinance adopted by the Mayor and Council of
Rockville at its meeting of August 1, 2016.


Kathleen Conway, City Clerk/Director of
Council Operations