

Ordinance No. 15-20

ORDINANCE: To adopt the Park Road and North/South Stonestreet Avenue Area Comprehensive Master Plan Amendment as an amendment to the Adopted and Approved Comprehensive Master Plan for the City of Rockville, Maryland.

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, 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 (the "2002 Comprehensive Plan"); and

WHEREAS, on August 1, 2001, the Commission did approve, and on October 22, 2001, the Mayor and Council did adopt a Town Center Master Plan (the "2001 Town Center Master Plan") and subsequently adopted the 2001 Town Center Master Plan by reference in the 2002 Comprehensive Plan; and

WHEREAS, on December 17, 2003, the Commission did approve, and on March 8, 2004, the Mayor and Council did adopt an East Rockville Neighborhood Plan (the "2004 East Rockville Neighborhood Plan") as an amendment to the 2002 Comprehensive Plan; and

WHEREAS, on July 12, 2006, the Commission did approve, and on February 26, 2007, the Mayor and Council did adopt a Lincoln Park Neighborhood Plan (the "2007 Lincoln Park Neighborhood Plan") as an amendment to the 2002 Comprehensive Plan; 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 2002 Comprehensive Plan, including the 2001 Town Center Master Plan, the 2004 East Rockville Neighborhood Plan, and the 2007 Lincoln Park Neighborhood Plan (collectively referred to herein as the "Plan") for the Park Road and North/South Stonestreet Avenue Area of the Plan; and

WHEREAS, the City staff prepared, consistent with Section 3-201 *et seq.* of the Land Use Article of the Annotated Code of Maryland, an amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area; and

WHEREAS, in connection with the preparation of the amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area, the Commission and City staff did carefully and comprehensively survey and study present conditions and projections of future growth; and the relation of the Park Road and North/South Stonestreet Avenue plan amendment area to neighboring jurisdictions; and

WHEREAS, the amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area has been prepared for the purpose of guiding and accomplishing coordinated, adjusted and harmonious development of the City; and

WHEREAS, the amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area complements 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 amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area, the Commission gave notice of the time and place of the public hearing to be held on said amendment by giving notice in a newspaper of general circulation in the City; and

WHEREAS, the Commission did refer copies of said amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area 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 amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area at least sixty (60) days prior to the public hearing; and

WHEREAS, the Commission held a public hearing on said amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area on January 8, 2020; and

WHEREAS, the Commission took into consideration the testimony presented at said public hearing and in the written public record and made modifications to the amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area; and

WHEREAS, pursuant to Section 3-202 of the Land Use Article of the Annotated Code of Maryland, the Commission, by Resolution No. 1-20, adopted February 12, 2020, approved and recommended for adoption by the Mayor and Council the amendment to the Plan for Park Road and North/South Stonestreet Avenue Area as an amendment to the 2002 Comprehensive Master Plan for the City of Rockville, Maryland and the amendments to the 2002 Comprehensive Master Plan entitled "Town Center Master Plan," dated October 22, 2001; "East Rockville Neighborhood Plan," dated March 8, 2004; and "Lincoln Park Neighborhood Plan," dated February 26, 2007; and

WHEREAS, the Commission certified an attested copy of the recommended amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area to the Mayor and Council on March 25, 2020; and

WHEREAS, pursuant to Section 3-204 of the 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 Plan; and

WHEREAS, pursuant to Section 3-204 of the 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 Plan; and

WHEREAS, the Mayor and Council gave notice that a public hearing would be held on the recommended amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area on June 8, 2020, said notice having been published once a week for two consecutive weeks and at least ten days prior to the public hearing, in a newspaper of general circulation in the City of Rockville; and

WHEREAS, the Mayor and Council did hold a public hearing on the Commission's recommended amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area on June 8, 2020; and

WHEREAS, pursuant to Section 3-204 of the Land Use Article of the Annotated Code of Maryland, the Mayor and Council must approve, modify, remand, or disapprove the recommended plan within 90 days after the date that the Commission certifies an attested copy of the recommended plan to the legislative body or the recommended plan is considered approved; 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 22, 2020 by Resolution No. 05-20, adopted on June 22, 2020; and

WHEREAS, the Mayor and Council modified the Commission's recommended plan during a work session following the June 8, 2020, public hearing; and

WHEREAS, it is the desire of the Mayor and Council to approve the recommended amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area with certain modifications.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that the amendment to the Plan for the Park Road and North/South Stonestreet Avenue Area be, and the same is hereby, adopted as an amendment to the 2002 Comprehensive Master Plan for the City of Rockville, Maryland and the amendments to the 2002

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Comprehensive Master Plan entitled “Town Center Master Plan,” dated October 22, 2001; “East Rockville Neighborhood Plan,” dated March 8, 2004; and “Lincoln Park Neighborhood Plan,” dated February 26, 2007.

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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 July 13, 2020.


Sara Taylor-Ferrell
City Clerk/Director of Council Operations

