

Resolution No. 13-18

RESOLUTION: To establish a six-month moratorium on the filing, acceptance, and receipt of applications for special exceptions, and preapplications and applications for project plans, project plan amendments, Level 1 site plans, Level 2 site plans, major site plan amendments, and minor site plan amendments for certain uses in the MXE (Mixed-Use Employment) Zone

WHEREAS, the Mayor and Council of Rockville, on July 10, 2017, considered a proposed Zoning Text Amendment that would have eliminated certain uses from the MXE Zone that were considered to not be consistent with the intent of the MXE Zone; and

WHEREAS, the Mayor and Council determined that the topic should be considered for further discussion at a worksession, which was held on September 25, 2017, at which time the Mayor and Council determined that additional study and stakeholder outreach was necessary prior to making changes to the permitted uses in the MXE Zone; and

WHEREAS, it is the desire of the Mayor and Council to allow sufficient time to conduct a careful, thorough, and thoughtful study of the uses permitted in the MXE Zone that may not be consistent with the intent of the MXE Zone, which may result in changes to the City's Zoning Ordinance; and

WHEREAS, the Mayor and Council finds that if any substantial development or new establishment of certain uses were to occur in the MXE Zone prior to the completion of a study and the presentation to the Mayor and Council of any zoning recommendations, such development could adversely affect the implementation of the recommendations resulting from

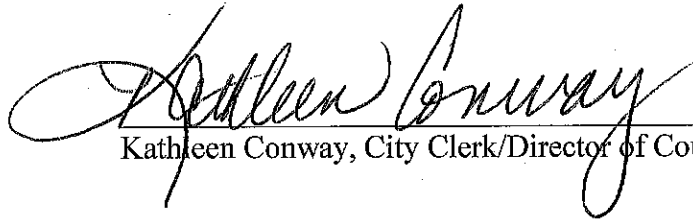
the study, and be incompatible with the orderly development and growth envisioned in the MXE Zone; and

WHEREAS, it is the intent of the Mayor and Council to permit construction to continue, pursuant to duly approved development applications or issued permits, for the following uses: self-storage warehouse, shooting gallery, light industrial use, service industrial use, automotive repair garage, and motor vehicle and trailer sales; and

WHEREAS, it is the intent of the Mayor and Council to permit the continued review, processing, and approval of pending Level 1 site plans, Level 2 site plans, and any pending site plan amendments proposing the following uses: self-storage warehouse, shooting gallery, light industrial use, service industrial use, automotive repair garage, and motor vehicle and trailer sales.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that a moratorium is hereby established until January 2, 2019, on the filing, acceptance, and receipt of applications for special exceptions, and preapplications and applications for any project plans, project plan amendments, Level 1 site plans, Level 2 site plans, major site plan amendments, and minor site plan amendments for the following uses within the MXE Zone: self-storage warehouse, shooting gallery, light industrial use, service industrial use, automotive repair garage, and motor vehicle and trailer sales. The City Clerk/Director of Council Operations and the Department of Community Planning and Development Services are hereby directed not to accept for filing any applications for special exceptions, and preapplications or applications for project plans, project plan amendments, Level 1 site plans, Level 2 site plans, major site plan amendments, and minor site plan amendments for the aforementioned uses within the MXE Zone until January 2, 2019.

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 July 2, 2018.

A handwritten signature in cursive script, reading "Kathleen Conway", is written over a horizontal line.

Kathleen Conway, City Clerk/Director of Council Operations