

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2016 Legislative Session**

Resolution No. CR-89-2016
Proposed by Council Member Taveras
Introduced by Council Member Taveras
Co-Sponsors _____
Date of Introduction November 1, 2016

RESOLUTION

1 A RESOLUTION concerning

2 The 2004 Gateway Arts District for Prince George’s County – D-D-O Zone – Minor
3 Amendment

4 For the purpose of directing the Planning Board 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 Tattoo Parlor and Music Recording Studio
8 uses in certain character areas within the Gateway Arts Development District.

9 WHEREAS, on November 30, 2004, the District Council approved the 2004 *Sector Plan*
10 *and Sectional Map Amendment for the Prince George’s County Gateway Arts District*; and

11 WHEREAS, in accordance with the provisions of the Zoning Ordinance of Prince George’s
12 County, Maryland, the District Council concurrently approved the Gateway Arts Sectional Map
13 Amendment (“SMA”), namely, comprehensive zoning proposals for the designated land area
14 within the plan boundaries that are based on sector plan land use and development visions that
15 were approved for the plan; and

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

19 WHEREAS, as stated within Section 27-548.19 of the County Zoning Ordinance, the
20 purpose of the D-D-O Zone is to ensure that the development of land in the Gateway Arts

1 Development District meets the goals established for the district in the Gateway Arts Sector Plan
2 and takes advantage of unique opportunities presented by the development district; and

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

8 WHEREAS, the Gateway Arts Development District standards approved by the Council
9 also include a Table of Uses Permitted for each character area that controls the underlying uses
10 listed in the Zoning Ordinance; and

11 WHEREAS, the District Council takes administrative notice of the specific provision of
12 the Gateway Arts Development District that, if a use is not listed in the Development District
13 Table of Uses, its prohibited; and

14 WHEREAS, the District Council finds that, since the adoption of the Gateway Arts
15 Development District in 2004, the District Council enacted Council Bill 10-2012 ("CB-10-
16 2012"), which became Chapter No. 11, 2012 Public Local Laws of Prince George's County,
17 Maryland, thereby codifying a new use, "Tattoo Parlor," within the local zoning laws and
18 permitting the use in certain Commercial and Industrial Zones of Prince George's County; and

19 WHEREAS, because neither the local zoning laws nor the Gateway Arts Development
20 District addressed Tattoo Parlor uses at the time of adoption of the 2004 *Sector Plan and*
21 *Sectional Map Amendment for the Prince George's County Gateway Arts District* in November
22 2004, the District Council finds that, by operation of law, the Table of Uses Permitted currently
23 prohibits the use, "Tattoo Parlor," throughout the Gateway Arts Development District; and

24 WHEREAS, in order to better align with the Gateway Arts Development District vision, as
25 well as further the Gateway Arts Development District Sector Plan goals, the District Council
26 has additionally determined there is a need to amend the Gateway Arts Development District
27 Table of Permitted Uses to permit "Tattoo Parlor" uses within certain character areas of the
28 Gateway Arts Development District specified herein; and

29 WHEREAS, it is the further finding of the District Council that "Music Recording Studio"
30 uses are also not included within the Table of Permitted Uses specified for the Gateway Arts
31 Development District and are, as a result, prohibited within the Gateway Arts Development

1 District; and

2 WHEREAS, as with Tattoo Parlor uses, the District Council has determined a further need
3 to amend the Gateway Arts Table of Permitted Uses to provide for “Music Recording Studio” as
4 a permitted use within certain specified character areas of the Gateway Arts Development
5 District in order to better align with the Gateway Arts Development District vision and to further
6 the Gateway Arts Development District Sector Plan goals; and

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

10 WHEREAS, the Council also finds that the proposed minor amendments are authorized by
11 the provisions of Section 27-642, as the foregoing amendments: (1) advance the goals of an
12 approved development district plan; (2) involve no more than 50% of the underlying plan area,
13 but are not limited to a single property or property owner; and (3) do not constitute amendment
14 which would require major transportation analysis and/or modeling, revised water and sewer
15 classifications, or any Adequate Public Facilities analysis.

16 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
17 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
18 Regional District in Prince George's County, Maryland, that, in accordance with Sections
19 27-548.26 and 27-642 of the Zoning Ordinance, the Planning Board is hereby directed to initiate
20 a minor amendment to the 2004 *Sector Plan and Sectional Map Amendment for the Prince*
21 *George's County Gateway Arts District*, as follows:

22 **MINOR AMENDMENT ONE:**

23 Amend the Gateway Arts Development District Table of Permitted Uses to provide for
24 “Tattoo Parlor” and “Music Recording Studio” as permitted uses within the Town Center, Arts
25 Production and Entertainment, Neighborhood Arts and Production, and Neighborhood
26 Commercial character areas of the 2004 *Sector Plan and Sectional Map Amendment for the*
27 *Prince George's County Gateway Arts District*.

28 BE IT FURTHER RESOLVED that, pursuant to Section 27-642 of the Zoning Ordinance, a
29 joint public hearing of the District Council and the Prince George's County Planning Board of
30 the Maryland-National Capital Park and Planning Commission will be held on the foregoing

1 proposed amendment to the 2004 *Sector Plan and Sectional Map Amendment for the Prince*
2 *George’s County Gateway Arts District D-D-O Zone* on Tuesday, February 7, 2017.

3 BE IT FURTHER RESOLVED that the Clerk of the Council shall transmit a copy of this
4 Resolution to the Prince George’s County Planning Board of the Maryland-National Capital Park
5 and Planning Commission in furtherance of compliance with the procedures of Sections
6 27-548.26 and 27-642 of the Zoning Ordinance.

Adopted this 15th day of November, 2016.

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: _____
Derrick Leon Davis
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council