

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2015 Legislative Session**

Resolution No. CR-48-2015

Proposed by Council Member Taveras

Introduced by Council Members Taveras and Toles

Co-Sponsors _____

Date of Introduction September 9, 2015

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 standards of the
6 2004 Sector Plan and Sectional Map Amendment for the Prince George’s County Gateway Arts
7 District concerning freestanding signs in the Traditional Residential Neighborhood character
8 area, to amend the Table of Uses Permitted for the Traditional Residential Neighborhood
9 character area concerning the use, “conversion of a one-family detached dwelling to a building
10 containing up to three dwelling units,” and to amend the Table of Uses Permitted to clarify that
11 the use, “Vehicle parts and tire store,” is prohibited within the Gateway Arts development
12 district.

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

15 WHEREAS, in accordance with the provisions of the Zoning Ordinance of Prince George’s
16 County, Maryland, the comprehensive zoning proposal approved by the District Council also
17 approved a D-D-O (Development District Overlay) Zone for the geographic area of the County
18 included within the plan boundaries of the Gateway Arts District; and

19 WHEREAS, as stated within Section 27-548.19 of the Zoning Ordinance, the purpose of
20 the D-D-O Zone is to ensure that the development of land in the Gateway Arts development
21 district meets the goals established for the district in the Gateway Arts Sector Plan and takes

1 advantage of unique opportunities presented by the district; and

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

7 WHEREAS, the Gateway Arts District development district standards set forth certain
8 procedural requirements for the review and approval of signs within the development district;
9 and

10 WHEREAS, the development district standards approved by the Council also include a
11 Table of Uses Permitted for each character area that controls the underlying uses listed in the
12 Zoning Ordinance; and

13 WHEREAS, the Table of Uses Permitted for the Gateway Arts development district permits
14 the use, "conversion of a one-family detached dwelling to a building containing up to three
15 dwelling units (not considered as a two-family, three-family, or multifamily dwelling)" within
16 the Traditional Residential Neighborhood (TRN) character area of the development district; and

17 WHEREAS, additionally, the Table of Uses Permitted prohibits the use, "Vehicle parts or
18 tire store including installation facilities, provided all sales and installation operations are
19 conducted in a wholly enclosed building with no outdoor storage" in all seven (7) character areas
20 of the Gateway Arts development district; and

21 WHEREAS, the District Council finds that, since the adoption of the development district
22 in 2004, the land use and development policy vision for the Gateway Arts development district
23 has evolved, particularly as to the regulation of signs and conversions of one-family dwellings in
24 the TRN character area, as well as retail vehicle parts or tire stores; and

25 WHEREAS, in order to better align with the Sector Plan vision and to achieve the goals of
26 the development district, the District Council finds that there is a need to amend the development
27 district standards to allow certain exemptions for certain freestanding signs in the TRN character
28 area from strict application of the development district standards; and

29 WHEREAS, to ensure that development in the TRN character area promotes the land use
30 goals of that character area, namely to preserve the development character of the existing single-
31 family detached residential neighborhoods and to protect it from encroachment by nearby

1 development, the District Council also finds that there is a need to amend the Table of Permitted
2 Uses for the development district to limit, to a maximum of two (2) units, the number of
3 converted dwelling units through “conversion of a one-family dwelling to a building containing
4 up to three dwelling units (not considered as a two-family, or multifamily dwelling) in the TRN
5 character area of the Gateway Arts District; and

6 WHEREAS, the District Council further finds that the 2004 Sector Plan vision calls for the
7 maximization of development opportunities that promote the intended character of the Arts
8 District—a vibrant, walkable, pedestrian-oriented focal point for art activities of all types and a
9 place for entertainment, socializing, dining, and shopping; and

10 WHEREAS, in furtherance of realizing the Arts District vision, the District Council
11 respectively finds that there is a need to amend the commercial use portion of the development
12 district Table of Permitted Uses to clarify that the approval of the 2004 *Sector Plan and*
13 *Sectional Map Amendment for the Prince George’s County Gateway Arts District* development
14 district plan prohibits vehicle parts or tire stores of all types within the Gateway Arts
15 development district; and

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

19 WHEREAS, it is the finding of the District Council that the proposed minor amendments
20 are authorized by the provisions of Section 27-642, as the foregoing amendments: (1) advance
21 the goals of an approved development district plan; (2) involve no more than 50% of the
22 underlying plan area, but are not limited to a single property or property owner; and (3) do not
23 constitute amendment which would require major transportation analysis and/or modeling,
24 revised water and sewer classifications, or any Adequate Public Facilities analysis.

25 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
26 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
27 Regional District in Prince George's County, Maryland, that, in accordance with Sections
28 27-548.26 and 27-642 of the Zoning Ordinance, the Planning Board is hereby directed to initiate
29 a minor amendment to the 2004 *Sector Plan and Sectional Map Amendment for the Prince*
30 *George’s County Gateway Arts District*, as follows:

31

MINOR AMENDMENT ONE:

Amend the development district standards to exempt, from compliance with any applicable development district standards for the Gateway Arts District, freestanding replacement signs on non-commercial property in the TRN character area, where the replacement sign is of similar size and character as the existing sign on the property.

MINOR AMENDMENT TWO:

Amend the residential portion of the Gateway Arts development district Table of Permitted Uses for the TRN character area to limit the number of converted units to two (2) units in the conversion of one-family dwelling units to a building containing up to three dwelling units (not considered as a two-family or multifamily dwelling).

MINOR AMENDMENT THREE:

Amend the commercial portion of the Gateway Arts development district Table of Permitted Uses to clarify that the district-wide prohibition within the 2004 approval of the development district as to the use, “Vehicle parts or tire store including installation facilities, provided all sales and installation operations are conducted in a wholly enclosed building with no outdoor storage” prohibits vehicle parts and tire stores throughout the Arts District, irrespective of whether the commercial enterprise offers installation services.

BE IT FURTHER RESOLVED that, pursuant to Section 27-642 of the Zoning Ordinance, a joint public hearing of the District Council and the Prince George’s County Planning Board of the Maryland-National Capital Park and Planning Commission will be held on the foregoing proposed amendments to the 2004 *Sector Plan and Sectional Map Amendment for the Prince George’s County Gateway Arts District D-D-O Zone* on Tuesday, October 27, 2015..

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

Adopted this 9th day of September, 2015.

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: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council