

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**SITTING AS THE DISTRICT COUNCIL**  
**2019 Legislative Session**

Resolution No. CR-78-2019  
Proposed by Council Member Taveras  
Introduced by Council Members Taveras, Davis, Anderson-Walker, Harrison,  
Franklin,Streeter, Glaros & Hawkins  
Date of Introduction September 24, 2019

**RESOLUTION**

1 A RESOLUTION concerning

2 The Prince George's County Gateway Arts District Development District Overlay Zone  
3 For the purpose of approving a minor amendment to the Prince George's County Gateway Arts  
4 District Development District Overlay Zone.

5 WHEREAS, on November 30, 2004, the Prince George's County Council, sitting as the  
6 District Council for that portion of the Maryland-Washington Regional District in Prince  
7 George's County ("District Council") approved the 2004 *Approved Sector Plan and Sectional*  
8 *Map Amendment for the Prince George's County Gateway Arts District*; and

9 WHEREAS, in accordance with the provisions of the Zoning Ordinance of Prince George's  
10 County, Maryland, being also Subtitle 27 of the Prince George's County Code ("Zoning  
11 Ordinance"), the comprehensive zoning proposal approved by the District Council also approved  
12 a D-D-O (Development District Overlay) Zone for the geographic area of the County included  
13 within the boundaries of the Gateway Arts District; and

14 WHEREAS, as stated within Section 27-548.19 of the Zoning Ordinance, the purpose of  
15 the D-D-O Zone is to ensure that the development of land in the Gateway Arts District  
16 Development District meets the goals established for the district in the 2004 *Approved Sector*  
17 *Plan for the Prince George's County Gateway Arts District* and takes advantage of unique  
18 opportunities presented by the district; and

19 WHEREAS, in accordance with Section 27-548.24 of the Zoning Ordinance, the 2004  
20 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway*  
21 *Arts District* organized the Gateway Arts District and its D-D-O Zone into seven (7) character

1 areas, including a Traditional Residential Neighborhood character area within the central core;  
2 and

3 WHEREAS, within each character area, the Gateway Arts District D-D-O Zone establishes  
4 certain development standards which replace or modify the development regulations applicable  
5 to the underlying zone classifications therein; and

6 WHEREAS, the Gateway Arts District D-D-O Zone Development District Standards  
7 approved by the District Council also include a Table of Uses Permitted for each character area  
8 that controls the underlying uses listed in the Zoning Ordinance; and

9 WHEREAS, as a result, the District Council finds that, since approving the Gateway Arts  
10 District D-D-O Zone in 2004, subsequent amendments to the text of the Zoning Ordinance  
11 established certain additional uses within the local zoning laws, such as “Urban Farm” which, by  
12 operation of law, were not contemplated at the time the Gateway Arts District D-D-O Zone  
13 Table of Permitted Uses was approved, and are thus prohibited uses within the Gateway Arts  
14 District D-D-O Zone; and

15 WHEREAS, on July 19, 2016, the District Council adopted CB-25-2016, a bill permitting  
16 Urban Farms, subject to specified conditions, in the R-O-S, O-S, R-A, R-E, R-R, R-80, and R-55  
17 Zones; and

18 WHEREAS, pursuant to Section 27-548.22(a), the uses allowed on property in a  
19 Development District Overlay Zone shall be the same as those allowed in the underlying zone in  
20 which the property is classified, except as modified by Development District Standards approved  
21 by the District Council; and

22 WHEREAS, pursuant to the provisions of the Gateway Arts District D-D-O Zone, if a use  
23 is not listed in the Gateway Arts District D-D-O Zone Table of Permitted Uses, said use is  
24 prohibited; and

25 WHEREAS, “Urban Farm” was not previously contemplated within the Gateway Arts  
26 District D-D-O Zone Table of Permitted Uses, and

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

30 WHEREAS, in furtherance of realizing the County’s vision for the Gateway Arts District  
31 Development District, and pursuant to the provisions of Sections 27-548.26 and 27-642 of the

1 Zoning Ordinance, the District Council adopted CR-17-2019 on March 5, 2019, to initiate a  
2 minor amendment process to amend the Gateway Arts District Development District Overlay  
3 Zone to include “Urban Farm” in the Table of Permitted Uses, and permit said use in the  
4 Traditional Residential Neighborhood Character Area; and

5 WHEREAS, the Prince George’s County Planning Board of The Maryland-National  
6 Capital Park and Planning Commission (“Planning Board”), in conjunction with the Prince  
7 George’s County Council, pursuant to Section 27-644 of the Zoning Ordinance of Prince  
8 George’s County, held a duly advertised public hearing on the Minor Amendment to the  
9 Gateway Arts District Development District Overlay Zone on April 30, 2019, in order to receive  
10 public comment into the record on the proposed minor amendment; and

11 WHEREAS, after the close of the public hearing record, planning staff prepared a  
12 Technical Staff Report analyzing the proposed amendment and public hearing comments with  
13 recommendation to the Planning Board for consideration; and

14 WHEREAS, on May 30, 2019, the Planning Board held a worksession on the minor  
15 amendment to examine the analysis of testimony presented at the April 30, 2019, joint public  
16 hearing and exhibits received before the close of the record on May 15, 2019 and subsequently,  
17 pursuant to Section 27-642(e) of the Zoning Ordinance of Prince George’s County, the Planning  
18 Board recommended approval of the amendment via PGCPB No. 19-69; which included the  
19 Technical Staff Report as an attachment; and

20 WHEREAS, on June 18, 2019, the District Council conducted a public work session to  
21 examine the record of joint public hearing testimony and recommendations of Planning Board  
22 regarding the proposed minor amendment; and

23 WHEREAS, after a presentation by staff on the public hearing testimony and Planning  
24 Board recommendation, the Council voted favorably to direct staff to prepare a resolution of  
25 approval of the proposed minor amendment and reflecting the Council Committee of the Whole  
26 direction in its favorable report on the proposed minor amendment on June 18, 2019.

27 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
28 County, Maryland, sitting as the District Council for that part of the Maryland-Washington  
29 Regional District in Prince George's County, Maryland, that, in accordance with Sections 27-  
30 548.26 and 27-642 of the Zoning Ordinance, the following Minor Amendment to the  
31 Development District Overlay Zone created by the 2004 *Approved Sector Plan and Sectional*

1 *Map Amendment for the Prince George’s County Gateway Arts District* be, and is hereby  
2 approved and incorporated as set forth fully within this Resolution, and summarized below:

3 **MINOR AMENDMENT:**

4 Add “Urban Farm” to the Table of Permitted Uses under (2) Commercial, (D) Services as:

- 5 a. *A permitted* use in the Traditional Residential Neighborhood Character Area

6 BE IT FURTHER RESOLVED that that the planning staff is hereby authorized to make  
7 appropriate textual and graphical revisions to the sector plan to correct identified errors, reflect  
8 updated information and revisions, and otherwise incorporate the change reflected in this  
9 Resolution.

10 BE IT FURTHER RESOLVED that the Clerk of the Council shall transmit a copy of this  
11 Resolution to the Prince George’s County Planning Board of The Maryland-National Capital  
12 Park and Planning Commission in accordance with procedural requirements of Sections  
13 27-548.26 and 27-642 of the Zoning Ordinance.

Adopted this 24<sup>th</sup> day of September , 2019.

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

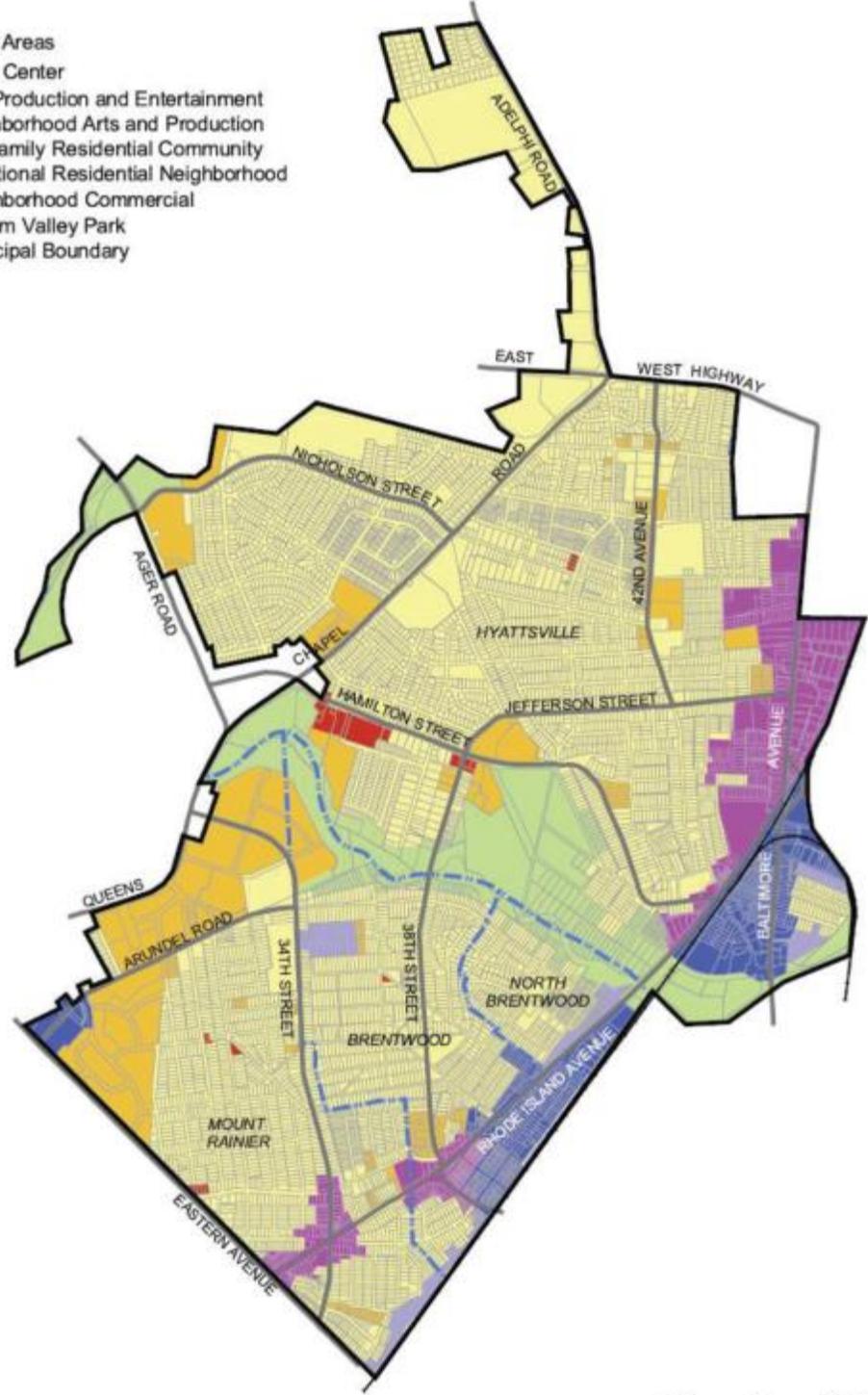
BY: \_\_\_\_\_  
Todd M. Turner  
Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
Acting Clerk of the Council

*Prince George's County Gateway Arts District Development District Overlay Zone  
Minor Amendments CR-17-2019*

- Character Areas
- Town Center
  - Arts Production and Entertainment
  - Neighborhood Arts and Production
  - Multifamily Residential Community
  - Traditional Residential Neighborhood
  - Neighborhood Commercial
  - Stream Valley Park
  - Municipal Boundary



*Attachment 2. Traditional Residential Neighborhood Character Area affected  
by Minor Amendment CR-17-2019*