

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2021 Legislative Session

Resolution No. CR-73-2021
Proposed by Council Member Taveras
Introduced by Council Members Taveras, Hawkins, Davis, Glaros, Turner,
Co-Sponsors and Anderson-Walker
Date of Introduction June 22, 2021

RESOLUTION

1 A RESOLUTION concerning

2 2004 Gateway Arts District for Prince George's County--D-D-O Zone--Minor Amendment

3 For the purpose of directing the Prince George's Planning Board of the Maryland-National

4 Capital Park and Planning Commission to initiate a minor amendment to the Gateway Arts

5 District D-D-O (Development District Overlay) Zone Development District Table of Use

6 Permitted within the 2004 *Sector Plan and Sectional Map Amendment for the Prince George's*

7 *County Gateway Arts District* to permit "Private or public multipurpose art center" uses in the R-

8 18 (Multifamily Medium Density Residential) Zone.

9 WHEREAS, on November 30, 2004, the Prince George's County Council, sitting as the

10 District Council for that portion of the Maryland-Washington Regional District in Prince

11 George's County ("District Council"), approved a comprehensive plan to guide the development

12 of land as designated within the 2004 *Sector Plan and Sectional Map Amendment for the Prince*

13 *George's County Gateway Arts District*; and

14 WHEREAS, in accordance with the provisions of the Zoning Ordinance for Prince

15 George's County, the District Council concurrently approved the Gateway Arts Sectional Map

16 Amendment ("SMA"), a comprehensive zoning map amendment with detailed zoning changes

17 for the designated sector plan area, in furtherance of realizing the sector plan vision; and

18 WHEREAS, as part of the 2004 Gateway Arts SMA, the District Council also approved a

19 new D-D-O ("Development District Overlay") Zone for the geographic area of the County

20 included within the plan boundaries; and

21 WHEREAS, as stated in Section 27-548.10 of the County Zoning Ordinance, the purpose of

1 the D-D-O Zone is to ensure that the development of land in the Gateway Arts Development
2 District meets the goals for the development district set forth in the Gateway Arts Sector Plan,
3 and incentivizes unique opportunities presented by the development district; and

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

9 WHEREAS, the District Council takes full administrative notice of the specific provision in
10 the Gateway Arts Development District that, if a use is not listed in the Development District
11 Table of Permitted Uses, it is prohibited; and

12 WHEREAS, at the time of the approval of the Gateway Arts Development District, "Private
13 or public multipurpose art center" uses were not designated as permitted in the R-18
14 (Multifamily Medium Density Residential) Zone of the development district; and

15 WHEREAS, as a result, the District Council finds that, by operation of law, the Gateway
16 Arts Table of Permitted Uses prohibits "Private or public multipurpose art center" uses in the
17 development district; and

18 WHEREAS, in order to better align with the Gateway Arts Development District vision
19 and, in furtherance of realizing the respective sector plan goals, the District Council finds that
20 there is a need to amend the Gateway Arts Development District Table of Permitted Uses to
21 include "Private or public multipurpose art center" uses and strategically permit the use in the R-
22 18 (Multifamily Medium Density Residential) Zone of the Gateway Arts Development District;
23 and

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

26 WHEREAS, the Council further finds that the proposed minor amendment is plainly
27 authorized pursuant to Section 27-642, because the proposed amendment serves to: (1) advance
28 the goals of an approved development district plan; (2) involves no more than 50% of the
29 underlying plan area but is not limited to a single property or property owner; (3) does not
30 constitute an amendment which would require major transportation analysis and/or modeling,
31 revised water and sewer classifications, and Adequate Public Facilities analysis; and

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WHEREAS, upon approval of this Resolution, and in accordance with applicable law, the proposed minor amendment to the Gateway Arts Development District shall be subject to all notice and public hearing requirements to seek public comment on the minor amendment.

NOW, THEREFORE, BE IT RESOLVED by the 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, that in accordance with Sections 27-548.26 and 27-642 of the County Zoning Ordinance, the Prince George’s County Planning Board of the Maryland-National Capital Park and Planning Commission is hereby directed to initiate a minor amendment to the 2004 *Sector Plan and Sectional Map Amendment for the Prince George’s County Gateway Arts District*, as follows:

MINOR AMENDMENT ONE:

Amend the Gateway Arts Development District Table of Permitted Uses to provide for “Private or public multipurpose art center uses” uses, to include a combination of art-related uses such as community space, performance art/event space, classroom space, gallery space, as well as administrative office and information center uses, within the R-18 (Multifamily Medium Density Residential) Zone of the Gateway Arts Development District.

BE IT FURTHER RESOLVED that, pursuant to Section 27-642 of the County Zoning Ordinance, a joint public hearing of District Council and the County Planning Board will be held on the foregoing proposed amendment to the 2004 *Sector Plan and Sectional Map Amendment for the Prince George’s Gateway Arts District D-D-O Zone* on Thursday, September 23, 2021.

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

Adopted this 22nd day of June, 2021.

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: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council