

RESOLUTION NO. R-88-11

RESOLUTION OF THE MAYOR AND CITY COUNCIL
ADOPTING THE 2009 LAND USE ELEMENT
AMENDMENT TO THE GENERAL PLAN
FOR THE CITY OF GAITHERSBURG MASTER PLAN

AS APPROVED AND RECOMMENDED BY
THE PLANNING COMMISSION ON NOVEMBER 16, 2011

AS ADOPTED BY THE MAYOR AND CITY COUNCIL ON DECEMBER 19, 2011

WHEREAS, Section 3.05 of Article 66B of the Annotated Code of Maryland sets forth the function and duty of the Planning Commission to make and approve a general plan or amendments thereto and recommend same to the local legislative body for adoption, to serve as a guide to public and private actions and decisions to ensure the logical development of public and private property in appropriate relationships; and

WHEREAS, as codified in Article 66B of the Annotated Code of Maryland, the General Plan, at a minimum, is required to contain goals, objectives, principles, policies, and standards, which shall serve as a guide for the development and economic and social well-being of the local jurisdiction; and

WHEREAS, Section 3.08 of Article 66B of the Annotated Code of Maryland states that the local legislative body shall adopt the plan and or amendment thereto, and

WHEREAS, Section 3.05(a)(4)(i) of Article 66B of the Annotated Code of Maryland sets forth that the General Plan must include "A statement of goals and objectives, principles, policies, and standards, which shall serve as a guide for the development and economic and social well-being of the local jurisdiction"; and

WHEREAS, Section 3.05(a)(4)(ii) of Article 66B of the Annotated Code of Maryland sets forth that the General Plan must include a Land Use Element; and

WHEREAS, the City has drafted a Land Use Element, dated January 5, 2011 and entered into the record as Exhibit 1, that was the subject of a joint Planning Commission and Mayor and City Council public hearing on March 7, 2011 (MP-1-11); and

WHEREAS, joint Planning Commission and Mayor and City Council work sessions were conducted on April 11, 2011; July 11, 2011; and September 26, 2011; and

WHEREAS, the City has revised and amended the Land Use Element in response to the aforementioned joint public hearing, joint work sessions, and public comments received, with all changes reflected and in the public record as Exhibit 153; and

WHEREAS, the Planning Commission approved Resolution No. PCR-1-11 on November 16, 2011, being the approval of a master plan amendment entitled the 2009 Land Use

Element and transmitted an attested copy of the same and a copy of the November 17, 2011 Communication: Planning Commission as its recommendation to the Mayor and City Council, which is hereby attached and incorporated as part of this resolution; and

WHEREAS, the Mayor and Council discussed the aforementioned 2009 Land Use Element and the Planning Commission recommendation (PCR-1-11) during its regular meeting on November 16, 2011; and

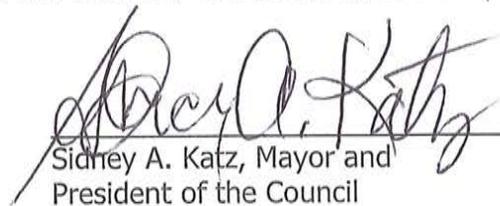
WHEREAS, the General Plan and amendments made from time to time provide a general framework for assisting the Mayor and City Council and City Planning Commission in making land use policy and facilities decisions:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that the Master Plan Amendment MP-1-11, the 2009 Land Use Element amendment to the General Plan and entered into the official record as Exhibit 153, thoroughly reviewed by the legislative body during the joint public hearing conducted on March 7, 2011 and the joint work sessions held on April 11, 2011; July 11, 2011; and September 26, 2011; approved by the City Planning Commission on November 16, 2011 (as PCR-1-11); and recommended to the legislative body in a Communication: Planning Commission, dated November 17, 2011, is hereby adopted by the Mayor and City Council as an amendment to the General Plan for the City, the 2009 City of Gaithersburg Master Plan Land Use Element, as heretofore amended.

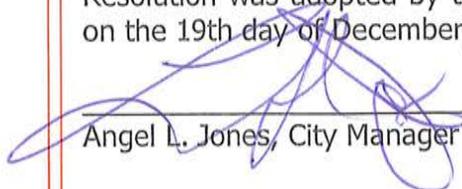
NOW, THEREFORE, BE IT FURTHER RESOLVED, that all other recommendations of the City Planning Commission, as documented in Exhibit 163 (November 17, 2011 Communication: Planning Commission) pursuant to the adoption of PCR-1-11, are hereby approved and ratified to the extent not inconsistent with this Resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that maps, tables and illustrative material may be revised where necessary to conform to City Council actions. The text may be revised as necessary to achieve clarity and consistency and to convey the actions of the City Council.

ADOPTED by the City Council this 19th day of December, 2011.


Sidney A. Katz, Mayor and
President of the Council

THIS IS TO CERTIFY that the foregoing Resolution was adopted by the City Council on the 19th day of December, 2011.


Angel L. Jones, City Manager