

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

May 21, 2012

CALL TO PODIUM:

Lauren Pruss, Planning Director

RESPONSIBLE STAFF:

Lauren Pruss, Planning Director

AGENDA ITEM:

(please check one)

<input type="checkbox"/>	Presentation
<input type="checkbox"/>	Proclamation/Certificate
<input type="checkbox"/>	Appointment
<input type="checkbox"/>	Public Hearing - Joint
<input type="checkbox"/>	Historic District
<input type="checkbox"/>	Consent Item
<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	Resolution
<input checked="" type="checkbox"/>	Policy Discussion
<input type="checkbox"/>	Work Session Discussion Item
<input type="checkbox"/>	Other: Sponsorship

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	3/19/2012
Advertised	3/28/2012
	4/4/2012
Hearing Date	4/16/2012
Record Held Open	5/3/2012
Policy Discussion	5/21/2012

TITLE: Policy Discussion

T-405: AN ORDINANCE TO AMEND CHAPTER 24 OF THE CITY CODE, ENTITLED, "ZONING," ARTICLE V, ENTITLED, "SITE DEVELOPMENT PLANS," § 24-169, ENTITLED, "SUBMISSION; FEE; REQUIREMENTS OF PLAN," TO AMEND SUBSECTIONS §§ 24-169(a), 24-169(b), AND 24-169(c)

SUPPORTING BACKGROUND:

On March 19, 2012, the Mayor and City Council held a work session regarding proposed modifications to the requirements for submission of a traffic study, and sponsored the proposed amendment at the March 19, 2012 meeting. The amendment will modify the timing for submission of a preliminary and final traffic study to more closely align with the level of entitlements granted, and the level of trip generation which triggers the submission of a traffic impact study.

At their May 2, 2012 meeting, the Planning Commission recommended adoption of the ordinance as noted in their CPC – Exhibit 10.

*Attachments: Index of Memoranda and Exhibits (in **bold**)*

DESIRED OUTCOME:

**Conduct Policy Discussion and final action.
The Ordinance is ready for adoption.**

INDEX OF MEMORANDA
T-405

1. Application for T-405
2. **Draft Ordinance – T-405**
3. Letter to Gaithersburg Gazette dated March 23, 2012, requesting a Legal Ad in the March 28 and April 4, 2012, issues
4. Notice of the April 16, 2012, Joint Public Hearing mailed to interested parties on March 26, 2012, including address labels for parties notified
5. Cover Sheet from the March 19, 2012 Mayor and City Council meeting regarding sponsorship
6. Minutes from the February 13, 2012 Mayor and City Council worksession
7. Package for the February 13, 2012 Mayor and City Council meeting regarding modifications to the Traffic Impact Study Standards and Regulation

----- **Joint Public Hearing** -----

8. Mayor and Council Cover Sheet for the April 16, 2012 Joint Public Hearing
9. Legal Ad proofs as appeared in the March 28 and April 4, 2012 issues of the Gazette
10. **Communication: Planning Commission transmitting the Planning Commission recommendation, dated May 3, 2012**

AN ORDINANCE TO AMEND CHAPTER 24 OF THE CITY CODE, ENTITLED, "ZONING," ARTICLE V, ENTITLED, "SITE DEVELOPMENT PLANS," § 24-169, ENTITLED, "SUBMISSION; FEE; REQUIREMENTS OF PLAN," TO AMEND SUBSECTIONS §§ 24-169(a), 24-169(b), AND 24-169(c)

Text Amendment T-405

BE IT ORDAINED, by the Mayor and City Council of the City of Gaithersburg, Maryland, in public meeting assembled, that Chapter 24 of the City Code (City Zoning Ordinance), Article V, § 24-169 is amended to amend subsections §§ 24-169(a), 24-169(b), and 24-169(c), as follows:

ARTICLE V. SITE DEVELOPMENT PLANS

Sec. 24-169. Submission; fee; requirements of plan.

Each proposed site development plan shall be submitted to the city planning commission on forms provided by the city and shall be accompanied by such fee as shall be hereafter determined by the city council by resolution. A proposed site development plan shall include the following:

- (a) For a concept site development plan submission:
 - (1) A Concept Stormwater Management Plan, In accordance with Chapter 8 of the City Code, approved by the Department of Public Works.
 - (2) An approved Natural Resources Inventory and Forest Stand Delineation pursuant to Chapter 22 and section 20-9 of the City Code.
 - (3) ~~A Traffic Impact Study in accordance with the City's Traffic Impact Study Standards and Regulation.~~
 - (4) A statement demonstrating compliance with the City's Adequate Public Facilities Ordinance.

(5) * * * *

Boldface	<i>Heading or defined term.</i>	Joint Hearing - MCC & PC T-405 2
<u>Underlining</u>	<i>Added to existing law by original bill.</i>	
Single strikethrough	<i>Deleted from existing law by original bill.</i>	
<u>Double underlining</u>	<i>Added by Amendment.</i>	
Double boldface strikethrough	<i>Deleted from existing law or the bill by amendment.</i>	
***	<i>Existing law unaffected by bill.</i>	

(65) * * * *

(76) * * * *

(87) * * * *

(b) For a Preliminary Site Development Plan submission,

* * * *

(4) An approved ~~Final~~ Preliminary Traffic Impact Study in accordance with the City's Traffic Impact Study Standards and Regulation.

* * * *

(c) For a Final Site Development Plan submission:

(1) * * * *

(2) * * * *

(3) * * * *

(4) * * * *

(5) * * * *

(6) * * * *

(7) * * * *

(8) * * * *

(9) * * * *

(10) * * * *

(11) An approved Final Traffic Impact Study.

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
Single strikethrough	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by Amendment.</i>
Double boldface strikethrough	<i>Deleted from existing law or the bill by amendment.</i>
***	<i>Existing law unaffected by bill.</i>

ADOPTED, this 21st day of May, 2012, by the City Council of Gaithersburg, Maryland.

DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this 21st day of May, 2012. Approved by the Mayor of the City of Gaithersburg this 21st day of May, 2012.

SIDNEY A. KATZ, Mayor

THIS IS TO CERTIFY that the foregoing ordinance was adopted by the City Council of Gaithersburg, in public meeting assembled, on the 21st day of May, 2012, and that the same was approved by the Mayor of the City of Gaithersburg on the 21st day of May, 2012. This Ordinance will become effective on the 11th day of June, 2012.

ANGEL L. JONES, City Manager

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
Single strikethrough	<i>Deleted from existing law by original bill.</i>
<u><u>Double underlining</u></u>	<i>Added by Amendment.</i>
Double boldface strikethrough	<i>Deleted from existing law or the bill by amendment.</i>
***	<i>Existing law unaffected by bill.</i>

COMMUNICATION: PLANNING COMMISSION

MEMORANDUM TO: Mayor and City Council

FROM: Lauren Pruss, Planning Director

DATE: May 3, 2012

SUBJECT: T-405 -- Amendment to Chapter 24 of the City Code (City Zoning Ordinance), Article V, entitled, "Site Development Plans," § 24-169, entitled, "Submission; fee; requirements of plan," to amend subsections §§ 24-169(a), 24-169(b), and 24-169(c) so as to modify the requirements for submission of a traffic impact study

At its regular meeting on May 2, 2012, the Planning Commission made the following motion:

Commissioner Lanier moved, seconded by Vice-Chair Kaufman, to recommend ADOPTION of T-405 to the Mayor and City Council.

Vote: 5-0

Joint Hearing - MCC & PC
T-405
10