

RESOLUTION NO. R-24-15

RESOLUTION OF THE MAYOR AND CITY COUNCIL  
ADOPTING THE 2009 ENVIRONMENT & SUSTAINABILITY ELEMENT  
AMENDMENT TO THE GENERAL PLAN  
FOR THE CITY OF GAITHERSBURG MASTER PLAN

AS APPROVED AND RECOMMENDED BY  
THE PLANNING COMMISSION ON FEBRUARY 18, 2015

AS ADOPTED BY THE MAYOR AND CITY COUNCIL ON MARCH 16, 2015

WHEREAS, Division I: Title 3: Subtitle 2 of the Land Use Article 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 the Land Use Article 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, environmental, and social well-being of the local jurisdiction; and

WHEREAS, Section 3-205(d) of the Land Use Article of the Annotated Code of Maryland states that the local legislative body shall adopt the plan and or amendment thereto, and

WHEREAS, Division I, § 3-102(a)(1)(vi) of Land Use Article of the Annotated Code of Maryland sets forth that the General Plan must include a Sensitive Areas Element; and

WHEREAS, the City has drafted an Environment & Sustainability Element (MP-1-14) listed as Exhibit 1 in the MP-1-14 public record; and

WHEREAS, The Environment & Sustainability Element serves to fulfill the State requirements of a Sensitive Areas Element and is an update to both the 2003 City of Gaithersburg Environment Element and facets of the 2009 Water Resources Element; and

WHEREAS, The Environment & Sustainability Element was the subject of a joint Planning Commission and Mayor and City Council public hearing on November 17, 2014, and a joint Planning Commission and Mayor and City Council work session conducted on January 12, 2015; and

WHEREAS, the City has revised and amended The Environment & Sustainability Element in response to the aforementioned joint public hearing, joint work session, and public comments received, with all changes reflected and in the public record as Exhibit 30; and

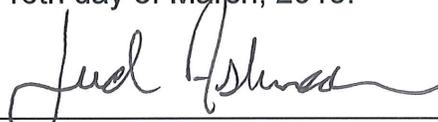
WHEREAS, the Planning Commission approved Resolution No. PCR-1-15 on February 18, 2015, being the approval of a master plan amendment entitled the 2009 Environment & Sustainability Element and transmitted an attested copy of the same and a copy of the February 19, 2015 Communication: Planning Commission 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 Environment & Sustainability Element and the Planning Commission recommendation (PCR-1-15) during its regular meeting on March 16, 2015; 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-1-14, the 2009 Environment & Sustainability Element an amendment to the General Plan and entered into the official record as Exhibit 30, being thoroughly reviewed by the legislative body during the joint public hearing conducted on November 17, 2014 and the joint work session held on January 12, 2015; approved by the City Planning Commission on February 18, 2015 (as PCR-1-15); and recommended to the legislative body in a Communication: Planning Commission, dated February 19, 2015, is hereby adopted by the Mayor and City Council as an amendment to the General Plan for the City.

ADOPTED by the City Council this 16th day of March, 2015.

  
\_\_\_\_\_  
JUD ASHMAN, MAYOR and  
President of the Council

THIS IS TO CERTIFY, that the foregoing Resolution was adopted by the City Council, in public meeting assembled on the 16th day of March, 2015.

  
\_\_\_\_\_  
Tony Tomasello, City Manager