

Attachment D

Ordinance No. \_\_\_\_ ORDINANCE: To grant Comprehensive Map Amendment Application MAP2009-00105, Mayor and Council of Rockville, applicant

WHEREAS, on December 15, 2008, the Mayor and Council adopted ordinance No. 20-08, granting Comprehensive Map Amendment Application MAP2007-00101; and

WHEREAS, Map Amendment Application MAP2007-00101 placed properties in the City in zoning classifications consistent with the zones established in the recently approved comprehensive revision to the City's Zoning Ordinance adopted on December 15, 2008 by Ordinance No. 19-08; and

WHEREAS, subsequent to the adoption of Ordinance No. 20-08, it was discovered that certain properties had been inadvertently omitted from Map Amendment Application MAP2007-00101; and

WHEREAS, Comprehensive Map Amendment Application MAP2009-00105 was filed to place the omitted properties in zoning classifications consistent with the zones contained in the recently approved comprehensive revision to the City' Zoning Ordinance and to further reconfirm the zoning of the all properties included in Map Amendment Application MAP2007-00101; and

WHEREAS, the Mayor and Council gave notice that a public hearing on said Map Amendment Application MAP2009-00105 would be held by the Mayor and Council of Rockville in the Council Chambers in Rockville on the 23<sup>rd</sup> day of February, 2009 at 7:00 p.m. or as soon thereafter as it may be heard, at which parties in interest and citizens

would have an opportunity to be heard, which said notice was published in accordance with the requirements of Article 66B of the Annotated Code of Maryland; and

WHEREAS, on the 23<sup>rd</sup> day of February 2009, the said application came on for hearing at the time and place provided for in said advertisement, at which hearing the Planning Staff described the properties previously omitted from Map Amendment Application MAP2007-00101 and further described three historically zoned properties for which Map Amendment Application MAP2007-00101 inadvertently does not depict with the historic district overlay pattern; and

WHEREAS, no other persons testified at the public hearing; and

WHEREAS, the Mayor and Council having considered Map Amendment Application MAP2009-00105, and the entire file pertaining thereto, said Mayor and Council having decided that the granting Comprehensive Map Amendment Application MAP2009-00105, as set forth in the attached map titled “Zoning Map of the City of Rockville, adopted March 9, 2009 by Ordinance No. \_\_\_\_\_”, would correct inadvertent errors and omissions in the previously approved Comprehensive Map Amendment Application MAP2007-00101 and would promote the health, safety and welfare of the citizens of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

1. That Map Amendment Application No. MAP2009-00105 be, and the same is hereby, granted, as set forth in the attached map titled “Zoning Map of the City of Rockville, adopted March 9, 2009, by Ordinance No. \_\_\_\_\_”.

2. That the attached map titled “Zoning Map of the City of Rockville, adopted March 9, 2009, by Ordinance No. \_\_\_\_\_” is hereby adopted as the Zoning Map for the City of Rockville, and shall supersede all Zoning Maps bearing an earlier date.

3. That the effective date of this ordinance is March 16, 2009.

\* \* \* \* \*

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council at its meeting of

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Claire F. Funkhouser, City Clerk