



Corrective Map Amendment H-130

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Description

Request to authorize staff to submit Corrective Map Amendment to District Council, pursuant to Section 59-7.2.2, to correct technical errors that lead to an inaccurate depiction of the zoning classifications;
Location: 7201, 7211, 7221 Carroll Ave, 0 Columbia Ave and 0 Carroll Ave between Grant Avenue and Philadelphia Avenue in Takoma Park, MD;
Master Plan: *2000 Takoma Park Master Plan*

Staff Summary and Recommendation

- Five parcels in Takoma Park are incorrectly zoned as a result of a mapping error approved through Sectional Map Amendment (SMA) G-791 and incorrectly recorded property boundaries. The zoning on the current map applies multiple zones to parcels that is not consistent with the intention of *the 2000 Takoma Park Master Plan* and the subsequent conversion during the 2014 rewrite of the Zoning Ordinance. The error also affected parcels within the Takoma Park/East Silver Spring (TPSS) Commercial Revitalization overlay zone.
- Staff recommends approval to file Corrective Map Amendment H-130 with the District Council.

Background

Section 59-7.2.2, Corrective Map Amendment (CMA) allows for the correction of an administrative or technical error that occurs in a Sectional or District Map Amendment. The process is designed specifically for inadvertent omissions and mistakes that does not alter the original intent of the rezoning actions. Mapping errors occur for many reasons, but usually involve discrepancies arising from misinterpretation of parcel lines during the application of a local, sectional or district map amendment. These errors are more apparent in a GIS-based map as there are no grids or page breaks. The Planning Board must show that there is an error or inaccurate depiction of the zoning boundary line on the adopted zoning map in order to file a Corrective Map Amendment with the District Council

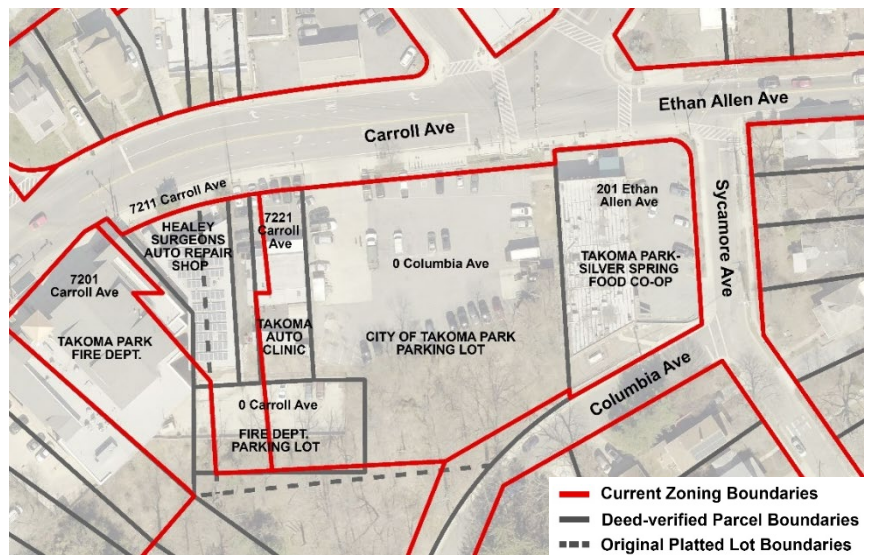
The initial error was identified by the attorney for the owner of 7221 Carrol Avenue, who notified planning staff

of the error on November 8, 2018. Staff researched the issue and determined that the properties located at 7201, 7211, and 7221 Carroll Ave were split-zoned as a result of misaligned WSSC grids approved through the *2000 Takoma Park Master Plan* (SMA G-791).

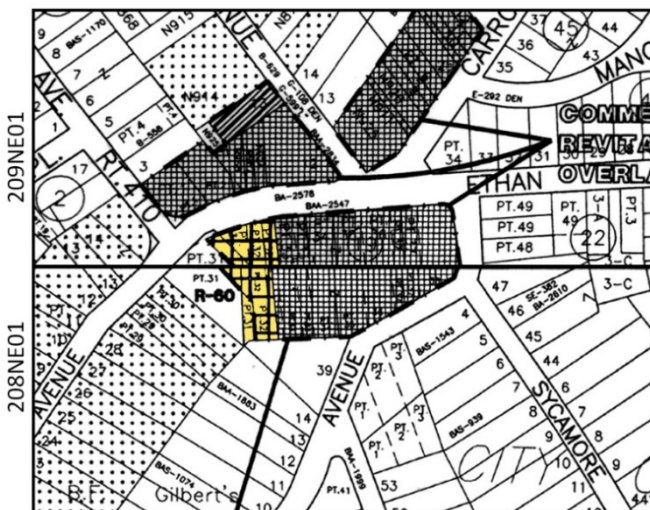
In both the 1982 and 2000 Takoma Park Master Plans, the affected parcels at 7221, 7211, and 7201 Carroll Ave were split between two WSSC grids: 208NE01 and 209NE01. In *1982 Takoma Park Master Plan* (SMA G-351), the zone boundaries followed the parcel lines in both grids. However, in the *2000 Takoma Park Master Plan* (SMA G-791), the zoning boundaries did not align properly (see Map 1). In 2008, when the Planning Department began the process of converting the paper WSSC grid zoning maps to the digital AutoCAD maps, in preparation for the zoning rewrite, the grids were joined, displaying zoning boundaries that were inconsistent with the property boundaries for 7201, 7211, and 7211 Carroll Ave. In 2014, District Map Amendment (DMA) G-956 was approved by the County Council to implement the new zoning ordinance. This resulted in the conversion from zone C-1 to NR-0.75 and zone C-2 to CRT-2.25. This Amendment also approved the use of the online, GIS-based zoning map as the official zoning map for the county.

On January 10, 2019, the Planning Board approved the request to file H-130 to correct the SMA G-791 mapping error with the District Council. Based on the testimony of a Takoma Park resident, the Planning Board requested that the affected and adjacent property owners be notified of the CMA before the Planning Board recommend approval to the District Council. On January 11, 2019, affected property owners and the City of Takoma Park were sent letters to notify them of the application.

Map 1. Property Locations and Zoning Boundaries



Map 2. 2000 Takoma Park Master Plan (SMA G-791) WSSC Grids



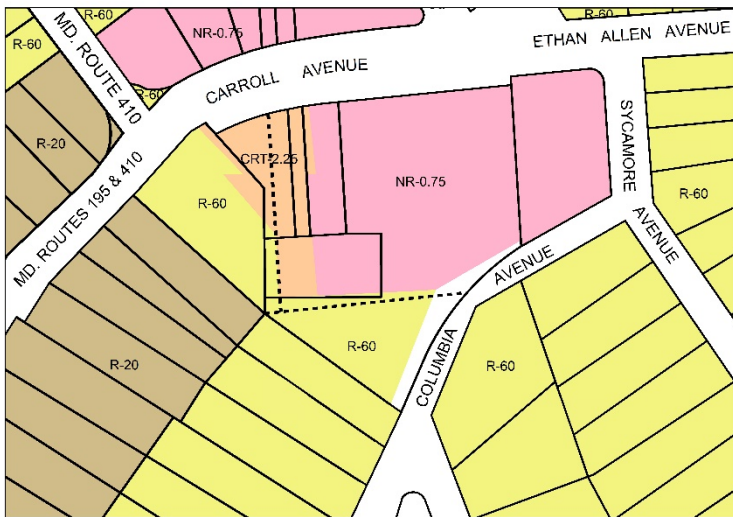
On March 14, 2019, the Planning Board recommended the District Council approve CMA H-130. In transmittal to the District Council, Council staff notified Planning Staff of a second error: the addresses for the affected properties did not align with the boundaries depicted on the online, digital map. Planning staff subsequently reviewed the deeds for the affected properties and found that boundaries reflected in the online, digital map did not match the property deeds. Planning Staff adjusted the property boundaries online to reflect the correct, legal property boundaries. This action did not require Planning Board approval.

Corrective Map Amendment

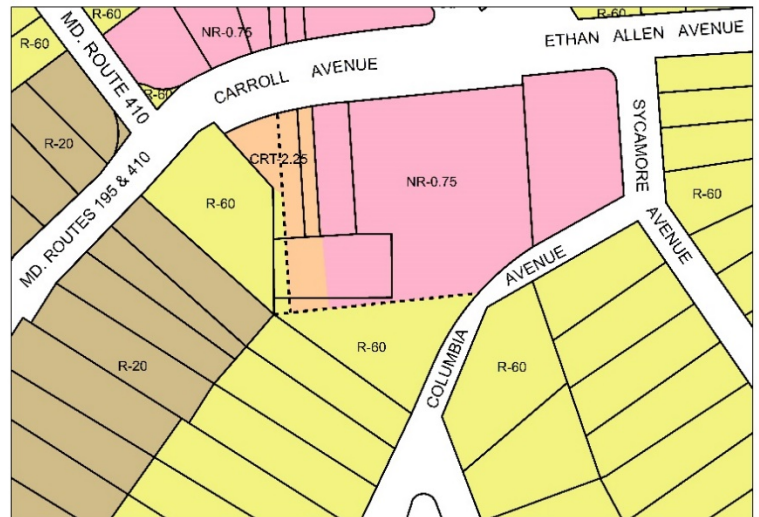
This Corrective Map Amendment will correct 1) the misaligned zoning boundaries affecting 7201 Carroll Ave, 7211 Carroll Ave, and 7221 Carroll Ave, that resulted from

the area being split between two WSSC grids and 2) the incorrect zoning boundaries, which do not align with the property boundaries and original platted lot boundaries, as intended in the *2000 Takoma Park Master Plan* (see Map 3). The boundary for the Takoma Park-East Silver Spring overlay zone will also be adjusted to the new, correct zoning boundaries. The recommended changes will align the zoning with the County Council's intent and direction as outlined in the *2000 Takoma Park Master Plan* and subsequent 2014 zoning ordinance rewrite.

Map 3. Current Zoning



Map 4. Proposed Corrections



Both maps are displaying corrected, deed-verified property boundaries.

The following properties will be affected:

- **7201 Carroll Ave** is currently occupied by the Takoma Park Volunteer Fire Department. The property is currently zoned CRT-2.25 (0.036 acres) and R-60 (0.308). The proposed zoning reclassification will remove split-zoning and the entire property will be zoned R-60 (0.344 acres).
- **7211 Carroll Ave** is currently occupied by Healey Surgeons Auto Repair Shop. The property is currently zoned CRT-2.25 (0.138 acres) and R-60 (0.003 acres). The proposed zoning reclassification is CRT-2.25 (0.129 acres) and R-60 (0.012 acres). The property will remain split-zoned in order to follow the intent of the *2000 Takoma Park Master Plan*, which used the original platted lot boundary as a zoning boundary (displayed in Map 3 and 4 as a dotted line).
- **7221 Carroll Ave** is currently occupied by Takoma Auto Clinic Inc. The property is currently zoned CRT-2.25 (0.015 acres) and NR-0.75 (0.111 acres). The proposed zoning reclassification will remove split-zoning and the entire property will be NR-0.75 (0.126 acres).
- **0 Carroll Ave** is currently occupied by the Takoma Park Volunteer Fire Department Parking Lot. The property is currently zoned NR-0.75 (0.108 acres), R-60 (0.025 acres) and CRT-2.25 (0.059). This property was created through a deed split in 2005, after the *2000 Takoma Park Master Plan* and as a result will remain split-zoned: NR-0.75 (0.115 acres), R-60 (0.021 acres) and CRT-2.25 (0.055).
- **0 Columbia Ave** is currently occupied by the City of Takoma Park Parking Lot. This property includes the parcel between 7211 and 7221 Carroll Ave. The property was previously contiguous, however, the deed split that created the Fire Department Parking Lot at 0 Carroll Ave separated the property. The property is currently zoned NR-0.75 (0.804 acres), R-60 (0.277 acres) and CRT-2.25 (0.051). The property will remain split-zoned NR-0.75 (0.855 acres), R-60 (0.298 acres) and CRT-2.25 (0.062 acres), as intended by the *2000 Takoma Park Master Plan*, which used the original platted lot boundary as a zoning boundary (displayed in Map 3 and 4 as a dotted line).

Table 1. Property Locations and Proposed Zoning Reclassification

Property ID/Location	WSSC Grid	Current Use	Current Zone(s)	Proposed Reclassification
7135 Carroll Ave Lot P30, Block 19 <i>Legal Description: B F G</i> <i>Tax Account: 01060828</i>	209NE01 208NE01	Single Family Home	R-20 (0.200 acres)	No proposed change
7201 Carroll Ave Lot P31, Block 19 <i>Legal Description: BF Gilberts</i> <i>Tax Account: 01060247</i>	209NE01 208NE01	Takoma Park Volunteer Fire Department	CRT-2.25 (0.036 acres) R-60 (0.308 acres)	R-60 (.344 acres)
0 Columbia Ave Lot P32, Block 19 <i>Legal Description: PT LTS 33-37 & LOT 39 BFG TAK PK</i> <i>Tax Account: 03127743</i> Note: This property includes the parcel between 7211 and 7221 Carroll Ave, as a result of the 2005 deed split, used to construct the 0 Carroll Ave Fire Department Parking Lot.	209NE01 208NE01	City of Takoma Park Parking Lot	NR-0.75 (0.804 acres) R-60 (0.277 acres) CRT-2.25 (0.051 acres)	NR-0.75 (0.855 acres) R-60 (0.298 acres) CRT-2.25 (0.062 acres)
7211 Carroll Ave Lot P31, Block 19 <i>Legal Description: PT LT 32 B F G 6524/ 052</i> <i>Tax Account: 01063651</i>	209NE01 208NE01	Healey Surgeons Auto Repair Shop	CRT-2.25 (0.138 acres) R-60 (0.003 acres)	CRT-2.25 (0.129 acres) R-60 (0.012 acres)
7221 Carroll Ave Lot P32, Block 19 <i>Legal Description: 3212 383 PT 33 B F G</i> <i>Tax Account: 01062441</i>	209NE01 208NE01	Takoma Auto Clinic Inc.	CRT-2.25 (0.015 acres) NR-0.75 (0.111 acres)	NR-0.75 (0.126 acres)
0 Carroll Ave Lot P32, Block 19 <i>Legal Description: PTS 33 & 34 BFG</i> <i>Tax Account: 03548724</i>	208NE01	Takoma Park Volunteer Fire Department Parking Lot	R-60 (0.025 acres) CRT-2.25 (0.059 acres) NR-0.75 (0.108 acres)	R-60 (0.021 acres) CRT-2.25 (0.056 acres) NR-0.75 (0.115 acres)
201 Ethan Allen Ave Lot P37, Block 19 <i>Legal Description: PT LT 38 BFG</i> <i>Tax Account: 01079246</i>	209NE01 208NE01	Takoma Park-Silver Spring Food Co-op	NR-0.75 (0.378 acres)	No proposed change

Conclusion and Recommendations

Staff recommends approval to file a CMA with the District Council with a recommendation of approval by the Planning Board for the above corrective action to be transmitted to the District Council.

Attachments

Attachment 1: Map 1. Zoning Block Change Index

Attachment 1: Map 2. Zoning Overlay Change Index - Takoma Park/East Silver Spring [TPSS] Overlay

Attachment 1: Map 3. Existing Zoning and Proposed Changes

Attachment 2: Draft Presentation to the Planning Board

Attachment 3: March 14, 2019 Corrective Map Amendment H-130 Staff Report

Attachment 4: December 20, 2018 Corrective Map Amendment H-130 Staff Report