

1 **CITY COUNCIL OF THE CITY OF ANNAPOLIS**

2
3 **RESOLUTION NO. R-66-09**

4
5 **Introduced by Mayor Moyer**

LEGISLATIVE HISTORY			
First Reading:	Public Hearing:	Fiscal Impact Note:	120 Day Rule:
11/09/09	N/A	N/A	N/A
Referred to:	Meeting Date:	Action Taken:	

7
8 **A RESOLUTION concerning**

9
10 **Tolling Zoning and Subdivision Approval Expiration Dates**

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12 **FOR** the purpose of temporarily tolling expiration dates of zoning approvals granted by
13 the Board of Appeals, the Director of the Department of Planning and Zoning, and
14 the Historic Preservation Commission, and approvals granted by the Planning
15 Commission relating to subdivisions.

16
17 **WHEREAS**, there exists a nationwide recession which has caused severe decline in the
18 construction industry and in residential and commercial real estate
19 development; and

20
21 **WHEREAS**, as a result, residential and commercial property owners, builders, and
22 developers are experiencing difficulty in obtaining loans and credit required to
23 complete construction and development; and

24
25 **WHEREAS**, some residential and commercial property owners, builders, and developers,
26 who have expended significant funds to obtain zoning approvals, certificates
27 of approvals and approvals relating to subdivisions, have exhausted all
28 available extensions of such approvals allowed by the Annapolis City Code,
29 and such approvals are now in jeopardy of expiring, which is not in the
30 interests of the City of Annapolis; and

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32 **WHEREAS**, for the reasons stated above, the State of Maryland recently enacted
33 legislation that tolls, until June 30, 2010, certain State, county, and municipal
34 permits and approvals for construction and development that were granted on
35 or after January 1, 2008; and
36

1 **WHEREAS**, it is in the interests of the City of Annapolis to expand the scope of the
2 recently enacted State legislation.
3

4 **NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the
5 expiration dates of all zoning approvals of the Board of Appeals granted pursuant to its
6 powers set forth in § 21.08.040E of the Annapolis City Code, all zoning approvals of the
7 Director of the Department of Planning and Zoning granted pursuant to his powers set forth
8 in § 21.08.050B of the Annapolis City Code, all certificates of approval of the Historic
9 Preservation Commission granted pursuant to its powers set forth in §§ 21.56.040 through
10 21.56.070 of the Annapolis City Code, and all approvals of the Planning Commission
11 granted pursuant to its powers set forth in Title 20 of the Annapolis City Code, where any of
12 such approvals were granted either prior to January 1, 2008, and lawfully extended on or
13 after January 1, 2008, or granted on or after January 1, 2008, and lawfully extended
14 thereafter, and which are active and valid as of the date of the adoption of this Resolution,
15 shall be tolled until December 31, 2010, so that all such approvals and extensions shall
16 expire on December 31, 2010.
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18 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that all such
19 zoning approvals, certificates of approval, and approvals relating to subdivisions, including
20 extensions thereof, which are not due to expire until after December 31, 2010, as well as all
21 such zoning approvals, certificates of approval and approvals relating to subdivisions
22 granted after the date of adoption of this Resolution, shall not be governed by this
23 Resolution.
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25 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that this
26 Resolution shall be abrogated and be of no further force and effect after December 31,
27 2010.
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31 **ADOPTED** this 23rd of November, 2009.
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35 **ATTEST:**
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37

THE ANNAPOLIS CITY COUNCIL

38 _____
39 **Regina C. Watkins-Eldridge, MMC**
40 **City Clerk**

BY: _____
ELLEN O. MOYER, MAYOR