



STAFF REPORT ON PROPOSED LEGISLATION

To: Mayor Gavin Buckley

From: Michael Mallinoff, City Manager

Date: December 4, 2024

Subject: O-33-24: Appeals Process for Property Development in Annapolis

Purpose of legislation

The legislation principally addresses the temporary stop on development, construction or other project work, called a “stay” when a planning and zoning decision is being appealed to Circuit Court. It provides that stays are not simply automatic upon appeal to Court, but effective only when required by law or the order of the Court.

The legislation also sets a clear timeframe within which the City Board of Appeals must hold a hearing on an appeal—within 45 days of the filing date. This reduces the time and cost.

The legislation sets the expectation that the City’s zoning appeal procedures can be more friendly to City residents—both appellants and applicants; to make it easier and less costly to participate in this essential part of the zoning process.

Impact of legislation on operations

The “stay” provisions of the legislation would generally not impact operations because it only addresses stays when matters are appealed to the Circuit Court, not to our own Board of Appeals. When someone appeals the Director’s decision (to approve a house plan or deny a demolition), the matter is taken up by our own Board of Appeals and a stay is effective during the time the appeal is heard by the Board. This doesn’t change with this legislation.

The provisions addressing timelines and Board procedures should improve operations leading to more focused and streamlined operations and less time and resources devoted by City professional and legal staff to managing procedures, writing and rebutting legal briefs, and managing and scheduling meetings and legal conferences.

Prepared by Chris Jakubiak, Director of Planning and Zoning