



# LEGISLATIVE SUMMARY

## O-33-23

### Expiration of Special Exceptions

This summary was prepared by the City of Annapolis Office of Law for use by members of the Annapolis City Council during consideration of the legislation.

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## BACKGROUND

A "special exception" is an exception to City zoning law for a type of land use that is not permitted in a particular zoning district but may be allowed if the applicant meets specific criteria and conditions. The requirements are set in the City Code.

Special exceptions are typically granted for uses considered beneficial to the community but may have some negative impacts, such as noise, traffic, or environmental concerns.

Special exceptions are discretionary, meaning that the City Board of Appeals has the authority to approve or deny an application based on the case's specific circumstances.

## BILL SUMMARY

O-33-23 revises the City Code section dealing with the expiration of special exceptions. The ordinance expands the section from two paragraphs to four, adding the following changes:

- expands the deadline for builders to utilize their special exception from one year to two years;
- a special exception is considered "established" when the grading or building permit is issued;
- allows two extensions for the special exception;
- sets points at which the special exception expires:
  - six months after the special exception is issued or
  - six months after work ceases or
  - three years pass before the issuance of the use permit.