

Attachment A

Resolution No. _____ RESOLUTION: To further extend and modify the moratorium established by Resolution No. 17-06, and extended and/or modified by Resolutions Nos. 10-07, 2-08, 4-08, 9-08, and 14-08 on the filing of certain development related applications until the completion of a comprehensive review and analysis of the City's zoning and development regulations and the adoption of a revised Zoning Ordinance and Comprehensive Zoning Map Amendment.

WHEREAS, on November 13, 2006, the Mayor and Council adopted Resolution No. 17-06 establishing a moratorium on the filing of certain development related applications, requests, and petitions pursuant to the provisions of Chapter 25 (Zoning and Planning) of the Rockville City Code while the City undertook the process of comprehensively reviewing and revising its entire zoning ordinance; and

WHEREAS, said moratorium was implemented in stages with the final stage becoming effective on September 7, 2007; and

WHEREAS, on October 8, 2007, the Mayor and Council authorized the filing of a Text Amendment Application to reflect the changes contained in the zoning review committee's (RORZOR) proposed new Zoning Ordinance and further authorized the filing of a Comprehensive Map Amendment Application to reflect the changes contained in the RORZOR proposed revised zoning map; and

WHEREAS, on October 10, 2007 Text Amendment Application TXT2007-00219 and Comprehensive Map Amendment Application MAP2007-00101 were filed on behalf of the Mayor and Council; and

WHEREAS, following the filing of the Text Amendment and Map Amendment applications, there was an extensive period of public outreach which focused on informing and gathering feedback from the public; and

WHEREAS, the Planning Commission considered the Zoning Text and Zoning Map Amendments and public comments received thereon, and on May 21, 2008 did forward its proposed changes to said proposed amendments to the Mayor and Council; and

WHEREAS, the Mayor and Council conducted two public hearings and numerous worksessions on the proposed Text Amendment and Map Amendment; and on November 17, 2008 directed staff to prepare for introduction ordinances granting Text Amendment Application TXT2007-00219 and Comprehensive Map Amendment Application MAP2007-00101; and

WHEREAS, to accommodate the time necessary for receipt of public comment and thorough consideration of the proposed Text Amendment and Map Amendment by the Planning Commission and the Mayor and Council, the Mayor and Council did on several occasions determine that it was necessary and appropriate to extend the moratorium for additional periods of time; and

WHEREAS, during the course of the Planning Commission and Mayor and Council proceedings, the Mayor and Council did further determine that it was necessary and appropriate to exempt certain development related applications from the moratorium and to allow the filing and processing of said applications; and

WHEREAS, the Mayor and Council did adopt Resolution Nos. 10-07, 2-08, 4-08, 9-08, and 14-08 extending, and/or providing exemptions from, the moratorium; and

WHEREAS, by Resolution No. 14-08 the Mayor and Council did extend the moratorium until December 31, 2008, and did further provide that if ordinances granting the Text

Amendment Application and Map Amendment Application are adopted prior to the close of business on December 31, 2008 with an effective date after the close of business on December 31, 2008, the moratorium then shall further automatically extend until such effective date; and

WHEREAS, on December 8, 2008 the Mayor and Council did introduce ordinances to grant Text Amendment Application TXT2007-00219 and Comprehensive Map Amendment Application MAP2007-00101, but did not adopt said ordinances at its meeting of December 15, 2008; and

WHEREAS, as the Mayor and Council will hold not additional meetings in December 2008 it will be unable to approve the ordinances granting the Text Amendment Application and the Map Amendment Application prior to the close of business on December 31, 2008; and

WHEREAS, the Mayor and Council has determined that it is necessary and appropriate to further extend the moratorium so as to allow the Mayor and Council sufficient time to resolve certain remaining issues, and to afford City staff sufficient time to prepare necessary forms and otherwise prepare for implementing the Zoning Text Amendment and Zoning Map Amendment, once adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that

1. The moratorium established by Resolution No. 17-06 adopted November 13, 2006, as fully implemented on September 7, 2007, and as extended and/or modified by Resolutions Nos. 10-07, 2-08, 4-08, 9-08, and 14-08, is hereby extended until _____ or upon the effective date of the ordinances granting the Text Amendment Application and the Map Amendment Application, whichever date first occurs; and

2. The moratorium established by Resolution No. 17-06, as modified and extended by Resolutions Nos. 10-07, 2-08, 4-08, 9-08, 14-08, and as further extended by this resolution, may be further extended or otherwise modified by further resolution of the Mayor and Council.

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I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Mayor and Council at its meeting of _____, 2008.

Claire F. Funkhouser, CMC, City Clerk