

Resolution No. 01A-17

RESOLUTION: To extend the time for the Mayor and Council to approve, modify, remand or disapprove the Planning Commission's November 2016 Rockville's Bikeway Master Plan for 60 days, until April 14, 2017.

WHEREAS, on November 16, 2016, the Rockville Planning Commission approved a resolution to recommend its November 2016, draft Rockville's Bikeway Master Plan to the Mayor and Council; and

WHEREAS, on November 16, 2016, the Planning Commission Chair transmitted a certified attested copy of the Commission's recommended plan to the Mayor and Council; and

WHEREAS, pursuant to Section 3-204 of the Land Use Article of the Annotated Code of Maryland, a legislative body may adopt, modify, remand, or disapprove a plan and may hold a public hearing before remanding or disapproving and shall hold a public hearing before adopting or modifying a plan; and

WHEREAS, on October 24, 2016, the Mayor and Council established a public hearing date of December 12, 2016, and this public hearing was advertised and held on the established date; and

WHEREAS, the Mayor and Council held a work session on January 23, 2017, to review and discuss the Planning Commission's recommended plan, and make decisions toward approving, modifying, remanding or disapproving the recommended plan; and

WHEREAS, pursuant to Section 3-204 of the Land Use Article, the recommendation of the Planning Commission shall be considered approved if the legislative body fails to approve, modify, remand, or disapprove the recommended plan within 90 days after the date that the Planning Commission certifies an attested copy of the recommended plan to the legislative body; and

WHEREAS the 90-day period for the Mayor and Council to approve, modify, remand or disapprove the recommended plan expires on February 13, 2017; and

WHEREAS Section 3-204 of the Land Use Article also states that if the legislative body determines that there are exigent circumstances so that the legislative body is unable to approve, modify, remand or disapprove the recommended plan, the legislative body may extend the deadline for no more than one 60-day extension by resolution; and

WHEREAS the 60-day extension period expires on April 14, 2017; and

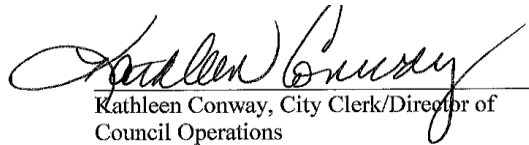
WHEREAS the Mayor and Council has determined that there are exigent circumstances so that it is unable to approve, modify, remand or disapprove the Planning Commission's recommended plan within 90 days; and

WHEREAS it is the desire of the Mayor and Council to extend the deadline to approve, modify, remand or disapprove the plan by 60 days.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that the deadline to approve, modify, remand or disapprove the Planning Commission's recommended Rockville's Bikeway Master Plan is extended for 60 days, until April 14, 2017.

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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 January 23, 2017.


Kathleen Conway, City Clerk/Director of
Council Operations