

RESOLUTION NO. 1682

A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND
APPROVING A POLICY ON SUBSTANTIAL CONFORMANCE TO BE ADDED TO THE
CITY'S ENHANCED ANNEXATION PROCEDURES AND PRINCIPLES

WHEREAS, the City of Salisbury has adopted a policy of approving annexation agreements as a part of its annexation procedure; and

WHEREAS, the standard language of these annexation agreements provide that the developer/owner agrees to develop the property in "substantial conformance" with the approved Concept Development Plan; and

WHEREAS, it is the intent of the City, by adding this provision to the Annexation Agreement, that the representations made by the developer/owner during the annexation process on the future development of the property, as approved by the Council, and the requirements of the Council, as approved and reflected in the Annexation Agreement and the Concept Development Plan, will be followed in the subsequent development of the property; and

WHEREAS, the term "substantial conformance" is subject to interpretation; and

WHEREAS, the City desires to provide further guidance to City staff, the Planning and Zoning Commission and others who are involved in the land development process to clarify the meaning of the term "substantial conformance" as it applies to the review of development plans for property covered by annexation agreements so that the City's intent will be followed;

NOW, THEREFORE, BE IT RESOLVED that the Salisbury City Council approves the attached Policy on Substantial Conformance as an addition to its enhanced Annexation Procedures and Principles, which were adopted by Resolution #1463 on December 11, 2006.

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on ____ day of _____, 2008 and is to become effective immediately upon adoption.

ATTEST:

Brenda J. Colegrove
CITY CLERK

Louise Smith
PRESIDENT, City Council

Approved by me this ____ day of _____, 2008

Barrie P. Tilghman
MAYOR, City of Salisbury