

1 **..Title**

2 **Zoning District Boundary Adjustments** – For the purpose of removing the requirement that the  
3 Board of Appeals shall not extend the regulations to an extent greater than the lesser of twenty  
4 percent of the total area of the tract or five thousand square feet; removing consideration of  
5 “unique conditions” from the review criteria and findings requirements; and matters generally  
6 relating to applications concerning zoning district boundary adjustments involving a zoning  
7 district boundary that divides a tract in single ownership.

8 **..Body**

9  
10 **CITY COUNCIL OF THE**  
11 **City of Annapolis**

12  
13 **Ordinance 26-17**

14  
15 **Introduced by: Alderman Arnett**

16  
17 **Referred to**

18 Planning Commission  
19 Rules and City Government

20  
21  
22 **AN ORDINANCE** concerning

23  
24 **Zoning District Boundary Adjustments**

25  
26 **FOR** the purpose of removing the requirement that the Board of Appeals shall not extend the  
27 regulations to an extent greater than the lesser of twenty percent of the total area of the  
28 tract or five thousand square feet; removing consideration of “unique conditions” from  
29 the review criteria and findings requirements; and matters generally relating to  
30 applications concerning zoning district boundary adjustments involving a zoning district  
31 boundary that divides a tract in single ownership.

32  
33 **BY** repealing and re-enacting with amendments the following portions of the Code of the  
34 City of Annapolis, 2016 Edition  
35 21.20.010  
36 21.20.030

37  
38  
39 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
40 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

41  
42 **TITLE 21 – PLANNING AND ZONING – DIVISION II**  
43 **Chapter 21.20 – ZONING DISTRICT BOUNDARY ADJUSTMENTS**

44  
45 **21.20.010 - Purpose and authority.**  
46

1 Where a zoning district boundary divides a tract in single ownership, the Board of Appeals, in  
2 accordance with the procedures below, may approve an application to extend the zoning  
3 district regulations for either portion of the tract to any contiguous portion of the tract included  
4 in a zoning district listed in the same subsection of Section 21.06.010 as the regulations being  
5 extended; ~~provided, however, that the Board shall not extend the regulations to an extent~~  
6 ~~greater than twenty percent of the total area of the tract or five thousand square feet, whichever~~  
7 ~~is less.~~  
8

9 **21.20.030 - Review criteria and findings.**  
10

11 The Board of Appeals may grant a zoning district boundary adjustment based upon the  
12 following findings:  
13

14 ~~A. Unique Conditions. The conditions upon which an application for a zoning district~~  
15 ~~boundary adjustment are unique to the property and are not applicable, generally, to other~~  
16 ~~property within the same zoning classification.~~  
17

18 **BA. Public Welfare and Safety.** The granting of the district boundary adjustment will not  
19 be detrimental to the public welfare or injurious to other property or improvements in the  
20 neighborhood in which the property is located.  
21

22 **CB. Surrounding Properties.** The proposed adjustment will not impair an adequate supply  
23 of light and air to adjacent property, or substantially increase the congestion of the public  
24 streets, or increase the danger of fire, or endanger the public safety, or substantially  
25 diminish or impair property values with the neighborhood.  
26  
27

28 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
29 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its  
30 passage.  
31  
32  
33

34 **EXPLANATION**

35 CAPITAL LETTERS indicate matter added to existing law.

36 ~~Strikethrough~~ indicates matter stricken from existing law.

37 Underlining indicates amendments  
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