

## R-24-16

### ANNEXATION RESOLUTIONS IMPLEMENTATION STATUS

This purpose of this legislation is to examine the implementation of requirements specified in: Resolution R-37-87 Amended, **Brown Property Annexation** effective March 1, 1988; Resolution R-35-97 Revised/Amended, **Fischer Property Annexation** effective June 25, 1988; Resolution R-13-02 Amended, **Arundel Land and Development Co, Inc. Property Annexation** effective April 24, 2003; Resolution R-19-04 Amended, **AIC Forest, LLC Property Annexation** effective April 28, 2005; and Resolution R-23-04 Revised, **Bowen Property Annexation** effective May 25, 2005, in light of the annexation standards specified in Section 2.52.070 of the Code of the City of Annapolis, the City Comprehensive Plan adopted on October 5, 2009 by City Council Resolution R-32-09 and development activity within the Forest Drive corridor subsequent to the effective date of each Resolution above.

Article III(3)(b) of the Charter of the City of Annapolis requires the application of all laws and ordinances of the City of Annapolis to annexed territory no later than ten years after the effective date of any annexation resolution. The ten year anniversary of each Resolution's effective date occurred prior to May 26, 2016 and infrastructure fees have been paid or road improvement contributions have been made.

Each of the Resolutions above did not incorporate a Public Facilities Agreement but did provide for owner responsibilities associated with the delivery of water and waste water infrastructure to the annexed territories and the provision of road improvement contributions.

The abandonment of the construction of a "relief road" from Aris T Allen Boulevard to Spa Road, the non-construction of other road improvements, the provisions of the City Comprehensive Plan of October 5, 2009 and numerous development activities within the development corridors adjacent to the annexed territories occurred subsequent to the effective date of each annexation Resolution. Accordingly, the City Council desires to stay apprised of the impact of development plans in annexed territories and at least ten years has passed since each Resolution's effective date.

To that end, the Planning Commission shall make a review of each of the annexation Resolution's conditions, subsequent changes to the City comprehensive plan and subsequent development in the development corridor adjacent to the territory annexed in each Resolution and thereafter report their recommendations concerning the status of activity and requirements of each annexation resolution and whether any action is recommended at present. Upon receipt and review of the Planning Commission report, the City Council shall charge the City Law Office, the Department of Planning and Zoning and the Department of Public Works with assisting the Council with addressing the findings in the Planning Commission Report.

Prepared by the Office of Law.