

1 **..Title**
2 **Moratorium on Planned Developments** – For the purpose of placing a moratorium on
3 Planned Developments until September 1, 2018.

4 **..Body**

5 **CITY COUNCIL OF THE**
6 **City of Annapolis**

7
8 **Ordinance 31-17**

9
10 **Introduced by: Alderman Arnett and Alderman Budge**

11
12 **Referred to**
13 **Planning Commission**
14 **Rules and City Government Committee**

15
16 **AN ORDINANCE** concerning

17
18 **Moratorium on Planned Developments**

19
20 **FOR** the purpose of placing a moratorium on Planned Developments until September 1,
21 2018.

22
23 **WHEREAS,** The 2009 Annapolis Comprehensive Plan establishes “Through 2030,
24 residential and commercial growth will largely be directed to mixed use
25 development projects in designated Opportunity Areas shown in this
26 Plan.” (p.19); and

27
28 **WHEREAS,** The 2009 Annapolis Comprehensive Plan declares “Infill development can
29 occur, and it should occur in a manner that respects the size, scale, and use
30 of existing and historic development patterns” (p.20); and

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32 **WHEREAS,** The Zoning Code of the City of Annapolis provides for Planned
33 Development, “to allow greater flexibility in order to encourage more
34 creative design for the development of land than is generally possible
35 under conventional zoning district regulations” (Annapolis City Code
36 21.24.010.1); and

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38 **WHEREAS,** The Annapolis City Council finds the flexibility of Planned Development
39 is bringing forth proposals for development in Opportunity Areas that
40 exceed the size and scale of the four-story “Urban Center Low” style
41 generally called for in the 2009 Comprehensive Plan ; and

42
43 **WHEREAS,** The Annapolis City Council finds the flexibility of Planned Development
44 is bringing forth proposals for infill development that do not “respect the
45 size, scale and use of existing and historic development patterns” ; and

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1 **WHEREAS,** The Annapolis City Council further finds the approval of Planned
2 Developments may bring forth calls years later for the City to take over
3 the cost and responsibility of maintenance, snow removal, and other
4 services on private, non-standard streets as Council members described
5 during hearings on R-22-15 (Street Rights of Way at the Enclaves at Spa)
6 and as happened with the Hunt Meadow Planned Development; and

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8 **WHEREAS,** The Annapolis City Council further finds the approval of Planned
9 Developments create uses that, afterwards, appear to inexplicably violate
10 Zoning Districts such as is presently exhibited by The Landings Planned
11 Development where a shopping center, Clock Tower Place, was approved
12 on October 15, 1984 and yet, three decades later it still appears on the City
13 of Annapolis Zoning District Map as R3 General Residential (Map 51I);
14 and

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16 **WHEREAS,** The Annapolis City Council therefore finds that Planned Developments, as
17 presently defined by Chapter 21.24 of the Annapolis City Code, have
18 proven to be contrary to the public interest in many ways; and

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20 **WHEREAS,** Planned development proposals generate considerable public attention,
21 concern and opposition; and

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23 **WHEREAS,** The Annapolis City Council desires greater transparency of the process
24 and rules applied for the evaluation of Planned Development applications
25 in order to better serve public health, safety, convenience and general
26 welfare in the City of Annapolis; and

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28 **WHEREAS,** The Annapolis City Council desires to review the definitions, policies,
29 procedures, regulations, permissions, and outcomes related to Planned
30 Developments; and

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32 **WHEREAS,** Following said review the Annapolis City Council anticipates the need to
33 amend the Annapolis City Code pertaining to Planned Developments; and

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35 **WHEREAS,** The Annapolis City Council, therefore, wishes to halt further Planned
36 Developments immediately while performing a comprehensive review of
37 Planned Developments and developing related amendments to the
38 Annapolis City Code; and

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40 **WHEREAS,** Property owners shall still retain the right(s) to pursue development of
41 their properties in accordance with the other provisions of the Annapolis
42 City Code, excepting Chapter 21.24.

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44 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**
45 **CITY COUNCIL** that there is hereby established a moratorium until September 1, 2018
46 upon the approval of Planned Development applications that are submitted to the

1 Department of Planning and Zoning after June 12, 2017 pursuant to Chapter 21.24 of the
2 Annapolis City Code.

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4 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
5 **ANNAPOLIS CITY COUNCIL** that the approval, if any, of Planned Development
6 applications submitted after June 12, 2017 shall be based upon the Annapolis City Code
7 in effect at the time of approval.

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9 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
10 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its
11 passage.

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EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.
~~Strikethrough~~ indicates matter stricken from existing law.
Underlining indicates amendments.