

1 **..Title**

2 **Application of the City of Annapolis Stormwater Regulations** - For the purpose of expressing the desire of the  
3 City Council that the City apply more than the minimum stated in our stormwater code in accordance with this  
4 resolution.

5 **..Body**

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

8  
9 **Resolution 46-18**

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11 **Introduced by: Alderman Arnett, Alderman Savidge, Alderwoman Henson,**  
12 **Alderwoman Tierney and Alderman Rodriguez**

13 **A RESOLUTION** concerning

14  
15 **Application of the City of Annapolis Stormwater Regulations**

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17  
18 **FOR**, the purpose of expressing the desire of the City Council that the City apply more than the minimum  
19 stated in our stormwater code in accordance with this resolution.

20  
21 **WHEREAS**, the Severn River, Spa River, and all the Creeks of Annapolis are considered “impaired”  
22 waterways by the EPA because of excessive levels of contaminants, largely a result of  
23 untreated stormwater runoff; and,

24  
25 **WHEREAS**, Maryland passed the Stormwater Management Act of 2007 and Annapolis adopted its own  
26 local Stormwater Management Code in 2008 to comply with the State Code; and,

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28 **WHEREAS**, the aforementioned stormwater regulations require that redevelopment must at minimum  
29 reduce a site’s impervious surfaces by 50% or treat the same percentage of stormwater,  
30 with new development required at minimum to treat 100% of a site’s stormwater; and,

31  
32 **WHEREAS**, the Maryland and Annapolis stormwater codes set a minimum level of enforcement with the  
33 ability to be more aggressive if there is sufficient cause, including but not limited to “water  
34 quality problems”; and,

35  
36 **WHEREAS**, Maryland Code section 26.17.02.06 states that “*An approving agency may require more*  
37 *than the minimum control requirements specified in this regulation if hydrologic or*  
38 *topographic conditions warrant or if flooding, stream channel erosion, or water quality*  
39 *problems exist downstream from a proposed project,*”; and,

40  
41 **WHEREAS**, Annapolis City code section 17.10.080.A.3 states that “*The Director of the Department of*  
42 *Public Works may require more than the minimum control requirements specified in this*  
43 *section if hydrologic or topographic conditions warrant or if flooding, stream channel*  
44 *erosion, or water quality problems exist downstream from a proposed project,*”; and,  
45

1 **WHEREAS**, the aforementioned sections of code included these provisions with the intention of giving  
2 jurisdictions flexibility when it comes to improving their water quality; and,  
3

4 **WHEREAS**, Annapolis has rarely if ever utilized this provision of our code, which was written in to be  
5 used; and,  
6

7 **WHEREAS**, Annapolis is considered a “phase II” jurisdiction that has been mandated to treat 20% of our  
8 impervious surfaces by 2025 by the Maryland Department of the Environment; and,  
9

10 **WHEREAS**, the estimated programmatic costs for Annapolis to meet the aforementioned mandate  
11 exceeds \$20 million; and,  
12

13 **WHEREAS**, exceeding the minimum level of stormwater management required in the code would help  
14 the City to meet our TMDL mandate; and,  
15

16 **WHEREAS**, the 2009 Annapolis Comprehensive Plan Environment goal #1 states is to “*Reduce the*  
17 *polluting effects of stormwater runoff into the Chesapeake Bay and its tributaries*”, and  
18 policy 1.1 states “*The City should seek to reduce pollutant loading from stormwater runoff*  
19 *to levels equivalent to a 10 percent reduction in the impervious surface*”.  
20

21 **NOW, THEREFORE,**  
22

23 **BE IT RESOLVED THAT THE ANNAPOLIS CITY COUNCIL** expresses its desire that City Code  
24 17.10.080.A.3 be utilized, as written, to require all redevelopment and new development applications,  
25 exempting those involving at maximum one single family dwelling, to treat more than the minimum  
26 stormwater to allow us to better meet our TMDL mandate and improve our water quality, utilizing at least  
27 100% for redevelopment and 150% for new development,  
28

29 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** desires that this  
30 standard be applied to projects that have already submitted development applications to the City that do  
31 not have approved stormwater management plans as of the effective date of this resolution,  
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33 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that this resolution  
34 shall take effect from the date of its passage.  
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### 37 **EXPLANATION**

38 Underlining indicates matter added to existing law.

39 [~~Strikethrough~~] indicates matter stricken from existing law.  
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