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*City of Annapolis*

**DEPARTMENT OF PLANNING AND ZONING**

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June 17, 2021

**MEMORANDUM**

**To:** Planning Commission  
**From:** Sally Nash, Ph.D., AICP, Director of Planning and Zoning  
**Re:** Ordinance O-19-21 (ZTA2021-009) Development Application Procedures – For the purpose of providing for community benefit input in the review of proposed development applications.  
**Encl:** O-19-21

The purpose of this legislation is to add an additional opportunity for public input for any project subject to major site design. This new step would occur after the currently mandated community meeting.

The new language proposed for Section 21.10.010 is:

Within 30 days after the completion of the required community meeting, the alderperson for each ward in which the development is proposed may convene a diverse committee of residents and business representatives to meet with the applicant to review the project plans and identify specific community benefits. If a meeting is convened, a written report shall be submitted by the committee to planning and zoning.

Projects subject to this requirement are ultimately approved by the Planning Commission.

Report Prepared by

Sally Nash, Ph.D., AICP  
Director of Planning and Zoning

1 **..Title**

2 **Development Application Procedures** – For the purpose of providing for community benefit  
3 input in the review of proposed development applications.

4 **..Body**

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

7  
8 **Ordinance 19-21**

9  
10 **Introduced by: Alderman Arnett**

11 **Co-sponsored by:**

12  
13 **Referred to**

14 **Planning Commission**

15 **Rules and City Government Committee**

16 **180 day Rule:** \_\_\_\_\_

17  
18 **AN ORDINANCE** concerning

19  
20 **Development Application Procedures**

21  
22 **FOR** the purpose of providing for community benefit input in the review of proposed  
23 development applications.

24  
25 **BY** repealing and reenacting with amendments the following portions of the Code of the City  
26 of Annapolis, 2021 Edition  
27 21.10.010

28  
29  
30 **WHEREAS,** the Annapolis City Council desires to promote discussions between real estate  
31 developers and the community surrounding significant developments early in the  
32 design process; and

33  
34 **WHEREAS,** numerous parties among both the development community and the general public  
35 have remarked to the City Council on the importance of the City having a uniform  
36 review processes among different types of development review applications; and

37  
38 **WHEREAS,** the Annapolis City Council wishes greater public input and review of Major Site  
39 Design proposals.

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41  
42 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
43 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

44  
45 **Title 21 – PLANNING AND ZONING**

46 **Chapter 21.10 - GENERAL APPLICATION PROCEDURES AND FEES**

1 **Section 21.10.010 - Common procedures for review of applications.**  
2

3 Applications submitted for review and approval pursuant to the Zoning Code will be  
4 processed in accordance with the procedures of this section and any other procedures that are  
5 established in a Division II chapter in connection with a specific zoning application. The specific  
6 procedures established in other Division II chapters may reference sections of the common  
7 procedures for review of applications.  
8

9 A. Pre-application Conference. The purpose of a pre-application conference shall be to acquaint  
10 the Planning and Zoning Director with a potential application and to acquaint the potential  
11 applicant with the requirements of the zoning code, building codes, and other relevant criteria  
12 and procedures. A pre-application conference shall not be an exhaustive review of all potential  
13 issues. The pre-application conference is informational only, and is not an approval in any  
14 manner of a proposal. Prior to the submission of an application required by the zoning code,  
15 a pre-application conference with the Planning and Zoning Director shall be in accordance  
16 with the following:

- 17 1. Required Conference. A pre-application conference with the Planning and Zoning  
18 Director shall be held for the following types of applications:
  - 19 a. Major site design plan applications.
  - 20 b. Planned development applications.
  - 21 c. Zoning map or text amendments.
- 22 2. Optional Conference. For all other applications, the Planning and Zoning Director may  
23 hold a pre-application conference.

24 B. Community Meeting. The purpose of a community meeting is to inform persons and  
25 community associations, including but not limited to, homeowners associations,  
26 condominium associations, resident associations, and business associations. The prospective  
27 applicant shall address the items identified by the Planning and Zoning Director's checklist  
28 and receive comments and concerns about the development proposal so that the prospective  
29 applicant may become aware of those comments and concerns before submission and formal  
30 consideration of the application. The list of associations and their contact information shall be  
31 maintained by the Office of the Mayor.

- 32 1. Required Community Meeting. A community meeting shall be held before submission of  
33 an application that requires a certificate of adequate public facilities under Title 22 of the  
34 City Code and for a proposed subdivision that will contain a new street.
- 35 2. Optional Community Meeting. For all other types of applications, a community meeting  
36 shall be optional. Whenever a required community meeting is held, the prospective  
37 applicant may hold additional optional community meetings.
- 38 3. Before a community meeting may be held, the prospective applicant shall provide notice  
39 in accordance with Section 21.10.020(A) and (B) of this Code. A community meeting  
40 shall be held not earlier than one year prior to submission of an application and no later  
41 than fourteen days prior to submission of an application.
- 42 4. A prospective applicant who has conducted a community meeting shall provide a written  
43 summary of the community meeting to the Planning and Zoning Director within thirty  
44 days after the conclusion of the community meeting, unless already submitted with the  
45 application. The written summary shall include a list of meeting attendees, a summary of  
46 attendee comments, an overview of discussions related to the development proposal, and

1 any other information the prospective applicant deems appropriate. The written summary  
2 shall be submitted with the application and be made available by the Planning and Zoning  
3 Director for public inspection. Anyone attending the community meeting may submit a  
4 written response to the prospective applicant's summary to the Planning and Zoning  
5 Director, which response the Planning and Zoning Director shall include with the  
6 application file. If an application is not filed within one year after a community meeting  
7 occurs, then before an application is filed, the prospective applicant shall hold another  
8 community meeting to be conducted in accordance with the provisions of this section.  
9

10 5. WITHIN 30 DAYS AFTER THE COMPLETION OF THE REQUIRED COMMUNITY  
11 MEETING, THE ALDERPERSON FOR EACH WARD IN WHICH THE  
12 DEVELOPMENT IS PROPOSED MAY CONVENE A DIVERSE COMMITTEE OF  
13 RESIDENTS AND BUSINESS REPRESENTATIVES TO MEET WITH THE  
14 APPLICANT TO REVIEW THE PROJECT PLANS AND IDENTIFY SPECIFIC  
15 COMMUNITY BENEFITS. IF A MEETING IS CONVENED, A WRITTEN REPORT  
16 SHALL BE SUBMITTED BY THE COMMITTEE TO PLANNING AND ZONING.  
17

- 18 C. Application Forms and Submittals. All applications required under this Zoning Code shall be  
19 submitted with all required information on such forms, and in such number, as required by the  
20 Planning and Zoning Director. The Planning and Zoning Director shall have the authority to  
21 request additional information not specifically listed on the application forms to ensure  
22 compliance with this code. All applications shall be accompanied by required application fees  
23 in accordance with Section 21.10.050.
- 24 D. Review for Completeness. All applications shall be submitted to the Planning and Zoning  
25 Director. Within no more than fifteen days of receipt of an application, the Planning and  
26 Zoning Director shall determine whether the application is complete. If the Planning and  
27 Zoning Director determines that the application is not complete, the Director shall promptly  
28 notify the applicant in writing, specifying the deficiencies of the application, including any  
29 additional information that must be supplied and that no further action shall be taken by the  
30 City on the application until the deficiencies are corrected.
- 31 E. Correction of Deficiencies. If the applicant fails to correct the specified deficiencies within  
32 fifteen days of the date of notification of deficiency, the application shall be deemed  
33 withdrawn and shall be returned to the applicant. The Planning and Zoning Director, upon  
34 written request, may, for good cause shown and without any notice or hearing, grant  
35 extensions of the maximum fifteen day time limit for remedying deficiencies.
- 36 F. Staff Review and Report. If staff reports are provided for as part of the procedures for a  
37 specific type of application required by the Zoning Code, the Planning and Zoning Director  
38 shall circulate an application for review by the Planning and Zoning Department and by any  
39 other City department that the Planning and Zoning Director or the decision making body  
40 deems appropriate.
- 41 G. Application Forwarded to Decision-Making Body. Any application submitted to the Planning  
42 and Zoning Director for decision by the Planning Commission, Board of Appeals, or other  
43 decision making bodies shall be forwarded to that decision making body after the Director  
44 determines the application is complete.
- 45 H. Coordinated Processing of Applications. If more than one type of application is required  
46 pursuant to the Zoning Code, the Planning and Zoning Director shall, to the extent possible,

1 simultaneously process applications related to the same proposed development or activity, as  
2 long as all Zoning Code requirements for a particular application are satisfied. However, if  
3 the application requires Historic Preservation Commission approval, that approval shall be  
4 last.

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

12 UPPERCASE indicates matter added to existing law.

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

14 Underlining indicates amendments.  
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