



Legislation Details (With Text)

File #: O-9-23 **Version:** 1 **Name:**
Type: Ordinance **Status:** Adopted
File created: 2/21/2023 **In control:** City Council
On agenda: 3/13/2023 **Final action:** 4/24/2023
Title: Adequate Public Facilities - Mitigation of Police Protection Level Certification Requirements - For the purpose of adding a mitigation section for the Adequate Police Protection criteria and certification criteria set in Chapter § 22.14; and generally related to Review Criteria and Certification for Adequate Police Protection under Adequate Public Facilities in Title 22.
Sponsors: Rob Savidge, Dajuan K. Gay, Rhonda Pindell Charles
Indexes: Public Safety Committee, Rules and City Government Committee
Code sections:
Attachments: 1. O-9-23 First Reader, 2. O-9-23 Fiscal Impact Note, 3. O-9-23 Signed

Date	Ver.	Action By	Action	Result
4/24/2023	1	City Council	adopt on second reader	Pass
4/24/2023	1	City Council	adopt on third reader	Pass
4/24/2023	1	City Council	rules suspended	Pass
3/31/2023	1	Rules and City Government Committee	recommend favorably	Pass
3/20/2023	1	Public Safety Committee	recommend favorably	Pass
3/13/2023	1	City Council	declare the public hearing closed	
2/27/2023	1	City Council	adopt on first reader	Pass
2/27/2023	1	City Council	Cosponsor added	
2/27/2023	1	City Council	refer to Annapolis Education Commission	
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Adequate Public Facilities - Mitigation of Police Protection Level Certification Requirements - For the purpose of adding a mitigation section for the Adequate Police Protection criteria and certification criteria set in Chapter § 22.14; and generally related to Review Criteria and Certification for Adequate Police Protection under Adequate Public Facilities in Title 22.

CITY COUNCIL OF THE City of Annapolis

Ordinance 9-23

Introduced by: Alderman Savidge
Co-sponsored by: Aids. Gay, Pindell Charles

Referred to
Rules and City Government Committee
Public Safety Committee

AN ORDINANCE concerning

**Adequate Public Facilities -
Mitigation of Police Protection Level Certification Requirements**

FOR the purpose of adding a mitigation section for the Adequate Police Protection criteria and certification criteria set in Title 22, Chapter § 22.14; and generally related to Review Criteria and Certification for Adequate Police Protection under Adequate Public Facilities in Title 22.

BY enacting with amendments the following portions of the Code of the City of Annapolis, 2022 Edition
22.28.010(D)

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

**Title 22 - ADEQUATE PUBLIC FACILITIES
Chapter 22.28 - MITIGATION
Section 22.28.010 - Opportunity to mitigate.**

- A. An applicant whose proposed project is subject to denial or delay under this title shall be given an opportunity to provide infrastructure funds, to improve facilities directly, or to donate necessary facilities in order to allow for approval of the applicant's application under this title for a Certificate for Adequate Public Facilities.
- B. The forms and levels of mitigation required of an applicant shall be roughly proportionate to the projected impact of the proposed project upon the facility or facilities and shall be determined by the Director of Planning and Zoning in consultation with the other departments responsible for the applicable facilities as outlined in Section 22.28.010.
- C. For a school facility, mitigation consists of the construction or funding of improvements by a developer that increase capacity of the school facility which, at the time of application, is below the minimum standard in the impact area so that the capacity of the facility in the scheduled completion year is equal to, or greater than, it would have been had the development not been constructed. A mitigation plan with physical improvements may be secured by bond, letter of credit or other security acceptable to the City and shall be provided under an agreement with the Board of Education to construct school facilities, including contract schools. The developer shall submit a cost estimate to establish the value of construction offered in mitigation in conformance with City specifications. Capital improvements to any portion of the developer's property or project, pursuant to a school capacity mitigation agreement, shall be made available and shall provide school capacity to allow approval of preliminary subdivision plan applications that are filed within six years of the date of the school capacity mitigation agreement.
- D. If the Chief of Police determines that a planned development or redevelopment would negatively impact the city's ability to provide the required level of police service based on the officer ratio set forth in 22.14.040(B)(1), the Chief of Police shall require, as mitigation, that the applicant provide or contribute, concurrent with the project, measures sufficient to equal or exceed the required level of service:
 - 1. Security enhancements, including security cameras, the hiring of off-duty police officers, the hiring of private security, the hiring of contractual City Police officers, or other measures approved by the Chief of Police and City Manager; or
 - 2. Social services enhancements, including hiring of a private social worker, the hiring of

contractual City social workers, or other measures approved by the Chief of Police and City Manager; or

3. A combination of security and social services enhancements approved by the Chief of Police and City Manager.

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