



## Legislation Details (With Text)

**File #:** O-19-21      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Failed

**File created:** 5/18/2021      **In control:** Rules & City Government Committee

**On agenda:** 9/13/2021      **Final action:** 9/13/2021

**Title:** Development Application Procedures - For the purpose of providing for community benefit input in the review of proposed development applications.

**Sponsors:** Ross Arnett, Rob Savidge

**Indexes:** Housing and Human Welfare Committee, Planning Commission, Rules and City Government Committee

**Code sections:**

**Attachments:** 1. O-19-21 First Reader, 2. O-19-21 Staff Report, 3. O-19-21 Fiscal Impact Note, 4. O-19-21 Staff Report to PC, 5. O-19-21 PC Findings to CC, 6. O-19-21 Amendments 1-3 Finlayson, Savidge, Arnett

Date	Ver.	Action By	Action	Result
10/25/2021	1	City Council	adopt on second reader	Pass
10/25/2021	1	City Council	amended	Fail
10/25/2021	1	City Council	adopt on second reader	Fail
10/18/2021	1	Housing and Human Welfare Committee	return without recommendation	
10/5/2021	1	Rules & City Government Committee	recommend with amendments	Pass
10/5/2021	1	Rules & City Government Committee	Recommend Favorably-Amendment	Pass
9/13/2021	1	City Council	declare the public hearing closed	Pass
5/24/2021	1	City Council	adopt on first reader	Pass
5/24/2021	1	City Council	refer to Annapolis Education Commission	
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**Development Application Procedures** - For the purpose of providing for community benefit input in the review of proposed development applications.

### CITY COUNCIL OF THE City of Annapolis

#### Ordinance 19-21

**Introduced by: Alderman Arnett**  
**Co-sponsored by: Alderman Savidge**

**Referred to**  
**Planning Commission**  
**Housing and Human Welfare Committee**  
**Rules and City Government Committee**

180 day Rule: \_\_\_\_\_

AN ORDINANCE concerning

**Development Application Procedures**

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

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

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

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

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

**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 21 - PLANNING AND ZONING**

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

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

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

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

1. Required Conference. A pre-application conference with the Planning and Zoning Director shall be held for the following types of applications:
  - a. Major site design plan applications.
  - b. Planned development applications.
  - c. Zoning map or text amendments.

2. Optional Conference. For all other applications, the Planning and Zoning Director may hold a pre-application conference.
- B. Community Meeting. The purpose of a community meeting is to inform persons and community associations, including but not limited to, homeowners associations, condominium associations, resident associations, and business associations. The prospective applicant shall address the items identified by the Planning and Zoning Director's checklist and receive comments and concerns about the development proposal so that the prospective applicant may become aware of those comments and concerns before submission and formal consideration of the application. The list of associations and their contact information shall be maintained by the Office of the Mayor.
  1. Required Community Meeting. A community meeting shall be held before submission of an application that requires a certificate of adequate public facilities under Title 22 of the City Code and for a proposed subdivision that will contain a new street.
  2. Optional Community Meeting. For all other types of applications, a community meeting shall be optional. Whenever a required community meeting is held, the prospective applicant may hold additional optional community meetings.
  3. Before a community meeting may be held, the prospective applicant shall provide notice in accordance with Section 21.10.020(A) and (B) of this Code. A community meeting shall be held not earlier than one year prior to submission of an application and no later than fourteen days prior to submission of an application.
  4. A prospective applicant who has conducted a community meeting shall provide a written summary of the community meeting to the Planning and Zoning Director within thirty days after the conclusion of the community meeting, unless already submitted with the application. The written summary shall include a list of meeting attendees, a summary of attendee comments, an overview of discussions related to the development proposal, and any other information the prospective applicant deems appropriate. The written summary shall be submitted with the application and be made available by the Planning and Zoning Director for public inspection. Anyone attending the community meeting may submit a written response to the prospective applicant's summary to the Planning and Zoning Director, which response the Planning and Zoning Director shall include with the application file. If an application is not filed within one year after a community meeting occurs, then before an application is filed, the prospective applicant shall hold another community meeting to be conducted in accordance with the provisions of this section.
5. 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.
- C. Application Forms and Submittals. All applications required under this Zoning Code shall be submitted with all required information on such forms, and in such number, as required by the Planning and Zoning Director. The Planning and Zoning Director shall have the authority to request additional information not specifically listed on the application forms to ensure compliance with this code. All applications shall be accompanied by required application fees in accordance with Section 21.10.050.
- D. Review for Completeness. All applications shall be submitted to the Planning and Zoning Director. Within no more than fifteen days of receipt of an application, the Planning and Zoning Director shall determine whether the application is complete. If the Planning and Zoning Director determines that the

application is not complete, the Director shall promptly notify the applicant in writing, specifying the deficiencies of the application, including any additional information that must be supplied and that no further action shall be taken by the City on the application until the deficiencies are corrected.

- E. Correction of Deficiencies. If the applicant fails to correct the specified deficiencies within fifteen days of the date of notification of deficiency, the application shall be deemed withdrawn and shall be returned to the applicant. The Planning and Zoning Director, upon written request, may, for good cause shown and without any notice or hearing, grant extensions of the maximum fifteen day time limit for remedying deficiencies.
- F. Staff Review and Report. If staff reports are provided for as part of the procedures for a specific type of application required by the Zoning Code, the Planning and Zoning Director shall circulate an application for review by the Planning and Zoning Department and by any other City department that the Planning and Zoning Director or the decision making body deems appropriate.
- G. Application Forwarded to Decision-Making Body. Any application submitted to the Planning and Zoning Director for decision by the Planning Commission, Board of Appeals, or other decision making bodies shall be forwarded to that decision making body after the Director determines the application is complete.
- H. Coordinated Processing of Applications. If more than one type of application is required pursuant to the Zoning Code, the Planning and Zoning Director shall, to the extent possible, simultaneously process applications related to the same proposed development or activity, as long as all Zoning Code requirements for a particular application are satisfied. However, if the application requires Historic Preservation Commission approval, that approval shall be last.

**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.

**Explanation:**

UPPERCASE indicates matter added to existing law.

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

Underlining indicates amendments.