



Legislation Text

File #: O-31-17, Version: 1

Moratorium on Planned Developments - For the purpose of placing a moratorium on Planned Developments until September 1, 2018.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 31-17

Introduced by: Alderman Arnett and Alderman Budge

**Referred to
Planning Commission
Rules and City Government Committee**

AN ORDINANCE concerning

Moratorium on Planned Developments

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that there is hereby established a moratorium until September 1, 2018 upon the approval of Planned Development applications that are submitted to the Department of Planning and Zoning after June 12, 2017 pursuant to Chapter 21.24 of the Annapolis City Code.

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

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

CAPITAL LETTERS indicate matter added to existing law.

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

Underlining indicates amendments.