



## Maryland DEPARTMENT OF PLANNING

August 21, 2023

Alex Pine  
Planning Commission Chair  
City of Annapolis  
145 Gorman Street, 3<sup>rd</sup> Floor  
Annapolis, MD 21401

Re: Draft Annapolis Ahead Comprehensive Plan 2040

Dear Chair Pine,

Thank you for requesting Maryland Department of Planning (MDP) comments on the City of Annapolis' draft Annapolis Ahead Comprehensive Plan 2040 (Draft). It is our understanding that this Draft is currently within the 90-Day public review period.

MDP believes that good planning is important for efficient and responsible development that successfully addresses resource protection, adequate public facilities, community character, and economic development. MDP's attached comments reflect the agency's thoughts on the strengths of the city's Draft, as well as potential ways to best satisfy the requirements of the Land Use Article.

MDP forwarded a copy of the draft amendment to state agencies for review including the Maryland Historic Trust, the Departments of Transportation, Environment, Natural Resources, Commerce, Disabilities, and Housing and Community Development. To date, we have received comments from the Departments of Housing & Community Development, Transportation, Environment, Natural Resources, and the Critical Area Commission for the Chesapeake & Atlantic Coastal Bays. These comments are included with this letter. We also received notice from the Department of Disabilities indicating they have no comment on the proposal. Any plan review comments received after the date of this letter will be forwarded upon receipt.

MDP recognizes the significant and thoughtful effort that the City of Annapolis staff, stakeholders, and residents applied to the development of the Draft Plan and looks forward to coordinating with the city on any assistance it seeks for plan adoption and implementation. Please let MDP know if the city would like to meet to discuss our comments. MDP respectfully requests that this letter and accompanying review comments be made part of the city's public hearing record.

Please feel free to contact me at (410) 767-4500 or Sarah Diehl, Southern Maryland Regional Planner, at [sarah.diehl@maryland.gov](mailto:sarah.diehl@maryland.gov).

Sincerely,

Charles Boyd, AICP, Director  
Planning Coordination

cc: Eric Leshinsky, Chief of Comprehensive Planning, City of Annapolis  
Casey Ortiz, Comprehensive Planner, City of Annapolis  
Joseph Griffiths, Local Assistance and Training Manager; Maryland Department of Planning  
Susan Llareus, Planning Supervisor, Maryland Department of Planning  
Sarah Diehl, Southern Maryland Regional Planner, Maryland Department of Planning



**Maryland Department of Planning  
Review Comments  
August 2023  
City of Annapolis, Draft Annapolis Ahead Comprehensive Plan 2040**

The Maryland Department of Planning (MDP) received the Annapolis Ahead Comprehensive Plan 2040 (Draft) from Eric Leshinsky, City of Annapolis, Chief of Comprehensive Planning on June 22, 2023. These comments are offered as suggestions to improve the Draft and better address the statutory requirements of the Land Use Article. Other state agencies, as noted below, have contributed comments and others may submit comments separately. If comments are subsequently received by MDP, the department will forward them to the city.

**Draft Plan Summary**

The Draft is an update to the City of Annapolis' 2009 Comprehensive Plan (2009 Plan). As stated in the Draft, the update process "began with cataloging the breadth of successful policies, initiatives, and projects in the years since the adoption of the 2009 Comprehensive Plan," with the goal to "move forward what had worked, what was ongoing, and what was still relevant to Annapolis now and in the future" (page 23).

The purpose of the plan is to "bring about the careful development of the city and conservation of what is most exceptional about it. As a general and city-wide plan, it does this by guiding public and private decisions that work toward achieving the vision set forth by the city and its residents over the use of land, water, and other natural resources; streets and other infrastructure; parks, open spaces, and other community facilities; and many other aspects of the city related to development through the year 2040" (page 14). The Draft notes that it is different than past comprehensive plans in Annapolis in that the Draft "has been conceived as resource for not only city staff, elected officials, and other key decisionmakers, but also the residents of the city and anyone looking to relocate or invest in the city. The document is written with all these audiences in mind. Annapolis 2040 is both the city's guiding vision and its plan of action. It also asserts the values and principles that will be the foundation for the city's evolution over the next twenty years" (page 22).

While the Draft notes there are many features that distinguish it from prior comprehensive plans, the main feature is the identification of three themes that are interrelated throughout the Draft and guide all the goals, performance metrics, and recommended actions of the Draft. These three themes are equity, health, and resilience.

The Draft acknowledges prior progress while providing a clear view of the city's direction to a variety of stakeholders, including residents, property owners, business owners, and those looking to invest in the city. The three City Visions that organize the Draft: The Thriving City, The Functional City, and The Adaptive City, effectively address issues specific to the city's vision and are carried throughout interrelated plan elements.

Additionally, the city engaged in robust outreach efforts leveraging existing community networks to ensure diverse voices from across the city were invited to share their vision for the Draft despite challenges posed by the COVID-19 pandemic.

### Maryland State Visions – Synopsis

Land Use Article Section 1-201 requires Maryland jurisdictions with planning & zoning authority to implement the state’s twelve planning visions (visions) through a comprehensive plan. The visions reflect the state’s ongoing aspiration to develop and implement sound growth and development policy. The visions address: quality of life and sustainability; public participation; growth areas; community design; infrastructure; transportation; housing; economic development; environmental protection; resource conservation; stewardship; and implementation approaches.

### Plan Analysis

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Chapter 1: Introduction acknowledges and outlines the state’s twelve planning visions on page 18 and notes that the city has incorporated them throughout the goals, metrics, and recommended actions of the Draft. However, MDP found it difficult to find specific references to the visions throughout the chapters and recommends the city include statements connecting the relevant visions as either an introduction to each chapter, or associated with goals, performance measures, and/or recommended actions. The Strategies for Implementation section in Chapter 11: Development Regulations (page 336) may also benefit from a discussion on how the Draft will deliver and incorporate the state visions.

### Municipality Minimum Planning Requirements

Land Use Article Section 3-102 describes the required and optional elements for municipal comprehensive plans but does not mandate how they are to be addressed. The following checklist identifies required plan elements and how the Draft addresses them.

<b>Checklist of Maryland Code (Land Use Article) Element Requirements for Non-Charter Counties and Municipalities</b>			
<b>Comprehensive Plan Requirements</b>	<b>MD Code Reference</b>	<b>Additional MD Code Reference</b>	<b>Annapolis Ahead 2040 Reference</b>
(1) A comprehensive plan for a non-charter county or municipality must include:	<a href="#">L.U. § 3-102(a)</a>		
(a) a community facilities element	<a href="#">L.U. § 3-102(a)(1)(i)</a>	<a href="#">L.U. § 3-108 -- Community facilities element.</a>	Chapter 7, page 194
(b) an area of critical state concern element	<a href="#">L.U. § 3-102(a)(1)(ii)</a>	<a href="#">L.U. § 3-109 -- Areas of critical State concern element</a>	Chapter 12, page 348
(c) a goals and objectives element	<a href="#">L.U. § 3-102(a)(1)(iii)</a>	<a href="#">L.U. § 3-110 -- Goals and objectives element</a>	Chapter 1, page 21; goals outlined at the end of each chapter.
(d) a housing element	<a href="#">L.U. § 3-102(a)(1)(iv)</a>	<a href="#">L.U. § 3-114 -- Housing element</a> SB-687(2021)	Chapter 5, page 112
(d) a land use element	<a href="#">L.U. § 3-102(a)(1)(v)</a>	<a href="#">L.U. § 3-111 -- Land use element</a>	Chapter 4, page 70

<b>Checklist of Maryland Code (Land Use Article) Element Requirements for Non-Charter Counties and Municipalities</b>			
<b>Comprehensive Plan Requirements</b>	<b>MD Code Reference</b>	<b>Additional MD Code Reference</b>	<b>Annapolis Ahead 2040 Reference</b>
(e) a development regulations element	<a href="#">L.U. § 3-102(a)(1)(vi)</a>	<a href="#">L.U. § 3-103 -- Development regulations element</a>	Chapter 11, page 335
(f) a sensitive areas element	<a href="#">L.U. § 3-102(a)(1)(vii)</a>	<a href="#">L.U. § 3-104 -- Sensitive areas element</a>	Referenced in Chapter 9, Environmental Sustainability on page 278
(g) a transportation element	<a href="#">L.U. § 3-102(a)(1)(viii)</a>	<a href="#">L.U. § 3-105 -- Transportation element</a>	Chapter 6, page 150
(h) a water resources element	<a href="#">L.U. § 3-102(a)(1)(ix)</a>	<a href="#">L.U. § 3-106 -- Water resources element</a>	Chapter 10, page 306
(i) a mineral resources element, IF current geological information is available	<a href="#">L.U. § 3-102(a)(2)</a>	<a href="#">L.U. § 3-107 -- Mineral resources element</a>	No discussion
(j) for municipalities only, a municipal growth element	<a href="#">L.U. § 3-102(a)(3)</a>	<a href="#">L.U. § 3-112 -- Municipal growth element</a>	Chapter 3, page 50
(k) for counties only if located on tidal waters, a fisheries element	<a href="#">L.U. § 3-102(a)(4)</a>	<a href="#">L.U. § 3-113 -- Fisheries element</a>	N/A
<b>Optional:</b> (2) A comprehensive plan for a non-charter county or municipality <b>MAY</b> include: (a) a community renewal element; (b) a conservation element; (c) a flood control element; (d) a natural resources element; (e) a pollution control element; (f) information concerning the general location and extent of public utilities; and (f) a priority preservation area (PPA) element	<a href="#">L.U. § 3-102(b)</a>	<a href="#">L.U. § 3-102(b)(2)(i)</a>	Environmental Sustainability – Chapter 9, page 258
(3) Visions -- A local jurisdiction SHALL through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201	<a href="#">L.U. § 3-201(c)</a>	<a href="#">L.U. § 1-201 -- The 12 Planning Visions</a>	Chapter 1, page 18
<b>Optional:</b> (4) Growth Tiers -- If the local jurisdiction has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the jurisdiction's comprehensive plan	<a href="#">L.U. § 1-509</a>		No discussion

### **Conformance with Section 3-102 of the Land Use Article**

The following analyzes whether the Draft meets the requirements of municipal comprehensive plan elements, in accordance with the Land Use Article.

#### **1. Development Regulations Element – Synopsis**

The element is required to include the planning commission’s recommendations for land development regulations to implement the plan. Regulations are required to be flexible to promote innovative and cost saving site design, protect the environment and identify areas of growth. The areas identified for growth are required to encourage flexible regulations, which should further promote economic development using innovative techniques, streamlining the review of applications, including permit review and subdivision processing.

#### **Plan Analysis**

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Chapter 11: Development Regulations (page 336) outlines strategies and priorities for implementation of the Draft. The Development Regulations chapter provides a pathway to achieve the goals of the Draft through various mechanisms and implementation strategies such as coordination and zoning reform.

The Draft should consider expanding upon recommendations for streamlined development application processes to incentivize reinvestment in the city. The recommendation, as found in the Land Use chapter action LU2.1 (page 105), could be expanded upon. The Strategies for Implementation narrative in the Development Regulations chapter could be strengthened by adding streamlined application review as a strategy.

#### **2. Housing Element - Synopsis**

The housing element is required to address the need for housing within the jurisdiction that is affordable to low-income and workforce households. The housing element is required to also assess fair housing and ensure that a jurisdiction is affirmatively furthering fair housing through its housing and urban development programs.

#### **Plan Analysis**

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Housing element requirements are addressed in Chapter 5: Housing (page 112). Housing affordability is a central theme to the chapter, noting that zoning and land availability constrain the supply of housing to levels below what is demanded therefore elevating housing prices. Chapter 5 notes that “over the next twenty years, more housing will be needed at prices that low- and middle-income households can afford to achieve the health and equity visions” (page 112), and that the Draft aims to rebalance the city’s land use in favor of creating more housing options and improved affordability. MDP notes that HB-1045 requires the definitions of the area median income, low-income housing, and workforce housing to be consistent with state law and that a housing needs analysis be provided based on these definitions and the supply and demand for housing in these income groups. A housing needs analysis is provided throughout the Demographics and Housing (page 132) and Housing Needs Indicators (page 134) sections of the Draft.

- The Draft currently does not define area median household and low-income housing using the definitions in the Land Use Article (LUA) [Section 3-114](#).
  - Per the LUA “Area Median Income” means the median household income for the area adjusted for household size as published and annually updated by the United States Department of Housing and Urban Development. The 2023 AMI for Annapolis is \$121,700 for a family household of four.
  - “Low-income housing” means housing that is affordable for a household with an aggregate annual income that is below 60% of the area median income.
- Likewise, the Draft does not define workforce housing consistent with the Housing and Community Development Article [Section 4-1801](#), provided below:
  - “Workforce housing” means:
    - (1) rental housing that is affordable for a household with an aggregate annual income between 50% and 100% of the area median income; or
    - (2) homeownership housing that:
      - (i) except as provided in item (ii) of this item, is affordable to a household with an aggregate annual income between 60% and 120% of the area median income; or
      - (ii) in target areas that are recognized by the Secretary for purposes of administering the Maryland Mortgage Program, is affordable to a household with an aggregate annual income between 60% and 150% of the area median income.”

These oversights should be corrected. MDP also suggests that any modifications to the housing needs assessment or goals and actions in Chapter 5 reflect affordability targets that align with the AMI ranges as defined in LUA Section 3-114.

Regarding HB-90 (2021), Affirmatively Furthering Fair Housing, the Draft mentions the [2020 Analysis of the Impediments to Fair Housing Choice in the Baltimore Region report](#) compiled by Root Policy Research (2020). That report acknowledges that Annapolis’ current zoning standards do not affirmatively further fair housing. The Draft notes that “many recommended actions aimed at reversing this trend and ensuring that Annapolis does all it can to further fair housing” are included throughout the document (page 120).

The goals, performance measures, and recommended actions of the Chapter focus on increasing the supply of affordable housing, preserving the supply of quality housing for low- and moderate-income households, and diversifying housing types and the locations where housing is permitted to respond to the needs of city residents.

The Draft should be revised to include the following:

- Add detailed findings of the Impediments to Fair Housing Choice report per the requirements of Land Use Article Section [3-114 \(d\)\(2\)](#).
  - Include references to the goals and strategies that are designed to target discussion items throughout the Chapter. For example, under the discussion of fair housing (page 120), a clarifying note such as “see goals and strategies H1.1-H1.4” that address these issues.

- Define workforce housing within the narrative section of the chapter. The term is defined at the end of the chapter in recommended action H1.7 (page 142) but is inconsistent with Section 3-114(a)(5).
- Add details of how the city will coordinate with the county and state to facilitate the development of affordable and moderately priced rental and owner-occupied housing (recommended action H1.1, page 142). Provide specific strategies to be explored in the future.
- Identify who will implement and facilitate the strategies aimed at reducing the costs of maintenance and property taxes to mitigate displacement of low- and moderate-income households as suggested in recommended action H2.1 (page 143).
- Clarify the entity responsible for monitoring the production and preservation of affordable housing units and the timeframe of reporting (action H3.1, page 144).
- Provide a targeted timeframe for the recommended actions proposed by Housing Goal H4, particularly those that involve amending the city's residential zoning regulations.
- Provide clarity on Figure 5-3 (page 115): need to define whether these are city definitions of housing types and ensure definitions are consistent with workforce housing definition of the Housing and Community Development Article Section 4-1801.
  - Provide reminders of the definitions of low-income housing, area median income, workforce housing, etc. earlier in the chapter to increase understanding and establish common definitions.
- Include a source for the data described in the first paragraph of the Existing and Future Household and Household Structure and Composition: Family and non-Family Households sections (page 132).
- Are there housing needs and demands from NSA Annapolis and the USNA, especially the workforce housing, that can be regularly shared between federal and city planners? If so, include the information.

#### Technical Comments for Consideration

- Figure 5-21: Home Sales in the City of Annapolis – suggest labeling the legend.

### 3. Sensitive Areas Element – Synopsis

The sensitive areas element is required to include the goals, objectives, principles, policies, and standards designed to protect sensitive areas from the adverse effects of development (more recently referred to as climate change impacts). The LUA also assigns sensitive areas element data provision and review responsibilities to the Maryland Departments of the Environment and Natural Resources.

#### Plan Analysis

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The sensitive areas element is addressed throughout Chapter 9: Environmental Sustainability (page 258). The chapter focuses on three primary sensitive areas and outcomes: protecting places critical for expanding access to open space in vulnerable communities, areas where heat impact mitigation is necessary, and areas more prone to flooding in the future due to projected sea level rise. The Draft acknowledges that Annapolis is threatened by rising sea levels and other environmental impacts because of climate change. Climate change impacts the city through extreme temperatures and precipitation, sea level rise, and coastal storms.

The Draft recognizes the impacts of climate change by including policies, action items, and performance measures to guide development patterns for resilience and sustainability. Additionally, the Environmental Enhancement land use designation will provide benefits to the city by supporting resilience to climate risk such as flooding. Goals of the environmental sustainability chapter are cross referenced in other parts of the Draft, including in the land use, water resources, and arts and culture elements.

The Draft should include the following:

- Update the discussion about the Military Installation Resilience Response Study on page 268; the final plan was published in June 2023.
  - This chapter would benefit from a discussion of any resiliency issues that are or could be exacerbated by proximity to the United States Naval Academy and NSA Annapolis. The city should make sure that future resilience plans are consistent with the federal comprehensive resilience plans, project portfolio, and phased execution plan developed at the Naval Academy to mitigate the combined effects of land subsidence, sea level rise, coastal flooding, and stormwater management at the installation.
- In addition to recommended action ES1.5 to implement recommendations of the Military Installation Resilience Response Strategy, the Draft should include a recommended action to include the Naval Academy's Sea Level Rise Advisory Council (SLRAC) as a stakeholder in resiliency planning efforts. The SLRAC focuses on sea level rise and coastal flooding impacts on the operational requirements of the Naval Academy and NSA Annapolis and advises federal leadership on these issues.
- Consider adding an action item to implement recommendations to mitigate flood risk as identified in the 2022 Flood Mitigation Plan completed by the city's Office of Emergency Management.
- Continue working with Maryland Department of the Environment (MDE) and Maryland Department of Natural Resources (DNR) on sensitive areas issues. MDP can assist in facilitating an agency meeting or provide contact information.

The Draft supports the city's commitment to preserve and expand the tree canopy as a tool for mitigating the impacts of rising temperatures. The mapping effort to identify the city's tree canopy (Figure 9-17, page 277) coupled with the performance measures and recommended actions are very strong.

Technical Comments for Consideration

- Consider resizing some of the figures so they are easier to read. For example, figures 9-7, 9-8, and the labels are small on figures 9-15 and 9-25.

#### **4. Transportation Element - Synopsis**

The transportation element is required to reasonably project into the future the most appropriate and desirable location, character, and extent of transportation facilities to move individuals and goods, provide for bicycle and pedestrian access and travel ways, and estimate the use of proposed improvements.



## Plan Analysis

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Chapter 6: Transportation (page 150) of the Draft focuses on shifts in investment and policy to meet the transportation needs of Annapolis' residents, businesses, and visitors; prioritizes multi-modal connectivity enhancements and accessibility; and looks to leverage partnerships with public and private stakeholders to enhance mobility, safety, and connectivity characteristics for residents and visitors. The Draft considers the findings and information found in the Anne Arundel County Vision Zero Draft Plan, Move Anne Arundel! – Anne Arundel County's Transportation Functional Master Plan; Maximize2045: A Performance-Based Transportation Plan (Baltimore Metropolitan Council); and Connecting Our Future – the regional transit plan for Central Maryland (MDOT/MTA) in the crafting of goals and recommended actions.

The Draft addresses current, changing, and future transportation needs. The City of Annapolis will focus investment in improving non-single-occupancy-vehicle (SOV) travel modes such as transit, active transportation, ridesharing, telework, and ferry services to create a safe, equitable, and sustainable transportation system. The Draft sets forth specific performance measures for each transportation goal, which will lead to successful implementation. The Draft should be revised as follows:

- Considering potential impacts of connected and autonomous vehicle (CAV) technology on transportation, land use, and economic development, the city may want to discuss CAV technology and recommend encouraging the future use of CAV technology. MDOT, in working with MDP, developed "[Connected & Automated Vehicle Toolkit for Maryland Local Jurisdictions](#)" to assist local CAV technology planning and implementation efforts. In addition, [the Maryland CAV website](#) provides the information on various CAV actions in Maryland.
- The Draft discusses the Bay Bridge expansion issues including the city's desire to be involved with the Bay Crossing Study (BCS) Tier 2 NEPA and the consideration of transit, ferry, and trail connection across the Bay (page 187). Local policies to support certain transportation elements of the Bay Crossing play an important role in the state's decision-making process. The city should consider including recommendations addressing the BCS such as supporting pedestrian and bicycle connectivity across the Bay.
- The Draft calls for a Safe Route to School (SRTS) plan for each public school by 2030 (page 232) and prioritizing bike and pedestrian connections to schools (Refer to T2.7 on page 190). To meet the SRTS plan development goal, the Draft should describe the partnership with the county school district to develop and implement the SRTS plans. MDP staff suggests adding "the school district" specifically in CF7.1 (page 232) to ensure the school district will be part of the effort.
- MDP notes that there is an updated statewide freight plan, "Maryland State Freight Plan – 2022" in the "Freight Movement" section (page 158). The State Freight Plan includes the information on the updated truck bottleneck routes on pages 6-28 and -29.
- Figure 6-10: Crashes by Time of Day (page 160) shows a clear pattern that there were more crashes during the nighttime in Annapolis in comparison to the data for the county and the state. The Draft should include a specific recommendation or action targeting exploration of the major causes of a high level of nighttime crashes in the city and how to improve the situation.
- Include "Anne Arundel Transit" as part of the proposed integrated transit App system as suggested by recommendation T1.5 (page 188).

Technical Comments for Consideration

- Page 153 references figure 5-3, it should be 6-3 (found on page 155).
- Figure 6-3 (page 155): Add a legend. What are the white circles?
- Figure 6-4 (page 155): The years for this analysis should be defined.
- Figure 5-5 (page 156): Should be figure 6-5; consider labeling the x-axis. This section would benefit from a brief discussion of what the different road types are (principal arterial, minor arterial, etc. for the general public)
- The second paragraph of the Functional Classification section (page 156) references the wrong figure: 5-5 and 5-7 should be 6-5 and 6-7.
- Figure 6-7 (page 157): it is difficult to differentiate road types. Using different colored lines or styles, such as incorporating dashes would help.
- Figure 6-11 (page 160): image contains duplicate label of figure 6-10.
- Figure 6-27 (page 174-175): Label the priority bike routes on the map that are discussed on pages 176 and 177, including the West East Express, College Creek Connector, and others.
- Page 187: change “a nearly **six-year** study” to “a nearly **five-year**” and replace “MDOT/SHA” with the Maryland Transportation Authority.

## 5. Water Resources Element – Synopsis

The water resource element is required to consider available data provided by the Maryland Department of the Environment (MDE) to identify drinking water that will be adequate for the needs of existing and future development proposed in the plan, as well as suitable receiving waters and land areas to meet stormwater management and wastewater treatment and disposal needs. MDE and MDP are available to provide technical assistance to prepare the water resources element, ensuring consistency with MDE programs and goals. MDE and MDP jointly developed WRE guidance to demonstrate how local governments can ensure compliance with the WRE requirements. Local jurisdictions are expected to implement the most important aspects of the MDE/MDP WRE guidance; please see checklist discussion below.

### Plan Analysis

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Water resource element (WRE) requirements are covered in Chapter 10: Water Resources (page 306). The goals for water resources throughout the chapter encompass restoration, protection, and conservation. The Draft makes the important distinction that because Annapolis is largely built out, the WRE focuses on the “state of existing infrastructure and opportunities to ensure its sustainability and resilience to future conditions and threats” rather than expanding the footprint of water and sewer infrastructure (page 306). Goals of the water resources chapter are cross referenced in other parts of the Draft, including in the transportation, community facilities, and environmental sustainability elements.

The below recommendations have been provided by the MDP’s Resource Conservation and Management Unit. Any questions should be directed to Jason Dubow ([jason.dubow@maryland.gov](mailto:jason.dubow@maryland.gov)) or Sylvia Mosser ([sylvia.mosser@maryland.gov](mailto:sylvia.mosser@maryland.gov)). MDP also suggests the city contact MDE for additional assistance.

- **Water supply capacity and allocations** - The WRE does not identify the current or future demand (through 2040) for water, with the exception of noting on page 322 that “[e]ven with current project rates of population growth, future demand is expected to increase by around

0.01 mgd per year.” As a result, the Draft does not prove that the town has sufficient water supply to accommodate future growth (both residential and non-residential). MDP recommends that a table describing the current and future water capacity, allocation, and demand be included to clarify whether the current system can meet the projected growth through 2040, and, if not, how capacity and/or allocation will be increased to meet demand. Future demand should include all projected growth, including the institutional dwelling units like college dormitories and assisted living described in the Municipal Growth Chapter, and any non-residential growth that will impact water demand.

- **Sewer supply capacity and allocations** - The WRE does not identify the current or future demand (through 2040) for sewer, with the exception of noting on page 324 that “the projection for wastewater flow of 5.76 MGD by 2035 is well within the allocated 6.7 MGD average daily flow treatment capacity at the Annapolis Water Treatment Facility.” As a result, the Draft does not prove that the town has sufficient wastewater treatment capacity to accommodate future growth (both residential and non-residential). It is unclear where the 5.76 MGD by 2035 figure came from since this is not described elsewhere in the Draft; it is also unclear why 2035 is being used when the comprehensive planning period is through 2040. If this figure is from the 2019 Water and Sewage Plan, then MDP recommends that the reference be provided. MDP further recommends that a table describing the current and future sewer capacity, allocation, and demand be included to clarify whether the current system can meet the projected growth through 2040, and, if not, how capacity and/or allocation will be increased to meet demand. Future demand should include all projected growth, including the institutional dwelling units like college dormitories and assisted living described in the Municipal Growth Chapter, and any non-residential growth that will impact sewer demand.

Page 324 states that the city performed a desktop condition assessment of the sewer system, including a desktop consequence of failure assessment; however, the results are not provided in the chapter. MDP recommends that the results of the assessment be provided in the chapter for transparency purposes for the public.

The following recommendations are based on the [2022 Water Resources Element \(WRE\) Guidance Update](#).

- A checklist of best practices to identify and plan for suitable receiving waters is within the [2022 WRE Guidance](#). Local governments should meet the best practices in this WRE Guidance Update as best as they can within the limitations of cost and time. The city has addressed some of these elements in its Water Resources Chapter, such as describing local water quality restoration efforts and marine sewage discharge mitigation efforts; and the Environmental Enhancement land use designation and the creekshed planning framework described in other chapters also address the best practices. Some examples of best practices from the checklist that the city should also consider implementing include a Pollution Risk Assessment and load reduction tracking.
- All jurisdictions in Maryland are and will continue to experience climate change impacts on water resources and water infrastructure (water, sewer, and stormwater), as well as water impacts on communities. The Water Resources Chapter should be adjusted to include strategies focused on improving local understanding of current or expected water-related climate change impacts at the local level, and if sufficient information exists, the chapter should add strategies to address these impacts. Best practices for integrating water-related climate change adaptation into the comprehensive plan are listed at <https://planning.maryland.gov/Pages/OurWork/envr->

[planning/water-resources-mg/2022/03/climatechange-checklist.aspx](https://planning.maryland.gov/2022/03/climatechange-checklist.aspx).

- If the land use changes in the Draft are planned in a watershed(s) prone to riverine or urban flooding, then the Water Resources Chapter should be adjusted to incorporate the flooding-related components of the 2022 WRE guidance. See <https://planning.maryland.gov/Pages/OurWork/envr-planning/water-resources-mg/2022/02/framework-cwa-wqfloodmgmt.aspx>. At a minimum, the WRE should indicate the extent of current local knowledge concerning flood-prone areas and should discuss whether implementation of the land use plan will increase, decrease, or have no effect on those flood-prone areas. If the local government does not know what type of impact implementation of the land use plan will have on flood-prone areas, then at a minimum, the Water Resources Chapter should call for a study to determine this.

## 6. Goals and Objectives Element - Synopsis

This element requires that comprehensive plan goals, objectives, principles, policies, and standards guide the development, economic growth, and social well-being of the community.

### Plan Analysis

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Requirements of the goals and objectives element are covered in Chapter 1: Introduction of the Draft. The introduction outlines three main themes of equity, health, and resilience that guide all goals, performance metrics, and recommended actions of the Draft. This section also includes an explanation of the state's 12 Planning Visions followed by fifteen plan principles that also guide goals, metrics, and actions.

Chapter 13: Recommended Action Matrix (page 352) consolidates all the goals, performance measures, and recommendations into one chart to aid in implementation. Each item contains information about timing, cost, lead agency, and related goals.

## 7. Land Use Element - Synopsis

The land use element is required to reasonably project into the future the most appropriate and desirable patterns for the general location, character, extent, and interrelationship of the uses of public and private land.

### Plan Analysis

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Land use element requirements are addressed in chapter 4 of the Draft (Land Use, page 70). The Land Use Chapter is forthright about missteps the city has made in land use planning and zoning practices, the consequences of those missteps, and how they are proposing to remedy them through 2040. Modifications in the Future Land Use Plan include elevating protection of the city's natural areas by designating them for conservation as "Environmental Enhancement" areas, merging all commercial areas to mixed-use, converting some other parcels to mixed-use where they will better serve communities as such, and replacing recreation land use with recreational enhancement to include all existing parks as well as other recreation-appropriate open spaces like school yards. In particular, the new environmental enhancement and recreational enhancement land use designations will "dramatically enhance the functionality of the Future Land Use Map by identifying strategic opportunities for conservation and improved recreational amenities integrated with existing and future

development” (page 83). These designations will assist in strategically identifying opportunities for conservation and recreational amenities integrated into existing and future development.

Additionally, the creekshed framework proposed as an implementation tool in the land use chapter supports land use and resiliency goals and provides the opportunity to address and mitigate climate risks such as flooding. This methodology looks at all development within the drainage area to a specific creek, and instead of looking at a traditional neighborhood or an area defined by specific roads, it provides for planning opportunities within the limits of the drainage area.

The Land Use Chapter also has a strong focus on mixed use “to better address current goals including more walkable communities, sustainable and resilient natural resources, economic and community development, and cultural preservation” (page 84). The chapter’s emphasis on improving land use practices to better meet community needs and prioritizing environmental conservation and integration in land use planning show that the city is committed to sustainable planning through 2040.

MDP commends the city on their policies and concepts for infill development and the inclusion of form-based code as an implementation tool. Goals and priorities of the land use chapter are incorporated throughout the Draft and are cross referenced in other elements, including the municipal growth, housing, transportation, community facilities, arts and culture, environmental sustainability, and water resources chapters.

The Draft should consider the following:

- Adding a targeted timeframe for Performance Measure 1: “New zoning standards are adopted for a set of new mixed use place types which help to consolidate and simplify the city’s zoning districts” (page 104).
- Including a target metric for the rate at which the number of full-time residents will increase within the Historic District (Performance Measure 3, page 108) and the number by which the apartments above retail in the Historic District will increase each year (Performance Measure 4, page 108).

## **8. Community Facilities Element - Synopsis**

The community facilities element is required to propose, as far into the future as is reasonable, the most appropriate and desirable patterns for the general location, character, and extent of public and semipublic buildings, land, and facilities. These facilities may include, but are not limited to fire stations, libraries, cultural facilities, hospitals, places of worship, school and education facilities, and parks.

### **Plan Analysis**

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Community facilities are covered in Chapter 7 of the Draft (page 194). Goals and recommended actions focus on expanding equitable access to facilities and providing a vision for enhanced service in the future. This chapter covers parks and open space, conservation efforts, recreation opportunities, health facilities, educational facilities, public safety assets, and libraries and offers heavy investment toward improvements to facilities.

MDP notes the strong connection between the Anne Arundel County Land Preservation, Parks, and Recreation Plan (adopted July 5, 2022) and the items discussed in the Draft, such as building renovations

at Waterworks Park, waterfront access, and the expansion of Poplar Trail. MDP recommends the city continue to coordinate with Anne Arundel Recreation and Parks on annual Program Open Space items to ensure priorities are accounted for and considered.

MDP appreciates the goals, performance measures, and recommended actions for merging the parks and recreation network with the trails system, expanding parks, and prioritizing equitable water access throughout the chapter. Goals of the community facilities chapter are cross referenced in other parts of the Draft, including in the land use, water resources, and arts and culture elements.

The Draft should consider the following:

- Including a recommendation within Community Facilities Goal CF7 to maintain regular communication with Anne Arundel County Public Schools regarding capacity limitations and condition of the schools within the public school system.
- The Draft notes that more than 20 additional police officers will be needed to accommodate the approximately 4,000 new residents expected by 2040 (page 222) to keep up with the standards set by the current Adequate Public Facilities Ordinance. Consider adding strategies for law enforcement recruitment to Community Facilities Goal CF6 (page 231).
- The Health Facilities narrative (page 218) and corresponding goal and recommended actions (page 232) could be strengthened by including information on any capacity limitations and noting the condition of these facilities.
- MDP recommends noting the condition of the identified community facilities and if they will need updating within the next twenty years.

## **9. Municipal Growth Element - Synopsis**

The municipal growth element (MGE) is only required in Maryland municipal comprehensive plans. The MGE is required to plan for and describe the municipality's past growth patterns, the capacity of land available for new and infill development, and areas outside of the existing corporate boundaries into which the municipality wishes to grow. The MGE is required to calculate the land area needed to satisfy the demand for growth based on population projections and desired densities. The MGE needs to consider and include any rural buffers, transition areas, and sensitive areas to be protected. MGEs are also required to consider and plan for the community facilities and public infrastructure, as well as their financing mechanisms, required to accommodate desired growth. If a municipality wishes to annex land, such areas are required to be included and described in the MGE.

### **Plan Analysis**

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The Municipal Growth Element is Chapter 3 (page 50) of the Draft. Chapter 7: Community Facilities continues the discussion of impact to community facilities, levels of service, and capacity. The Draft assumes the addition of approximately 1,500 housing units over the next twenty years (page 60) and notes the city has completed a fiscal impact analysis as part of the Draft process and found the city's fiscal health and water and sewer systems to be sufficient to accommodate the anticipated growth (page 50).

The Draft recommends a modest growth area that could accommodate 270 dwelling units and 100,000 square feet of commercial development (intersection of MD-450/West Street and MD-2/Solomon's Island Road area) and infill development (Bay Ridge Road area). Goals of the municipal growth chapter

are cross referenced in other parts of the Draft, including in the land use, community facilities, environmental sustainability, transportation, housing, and arts and culture elements.

The Draft should consider the following:

- Figure 4-5 (page 79) shows the future land use, but it does not include the future growth areas shown on figure 3-12 (page 65) or their proposed future land uses. According to [MDP's Models & Guidelines for Writing the Municipal Growth Element to the Comprehensive Plan](#), "The current land use map depicts all land falling within the municipal boundaries, while the proposed, or future, land use map illustrates land uses for both current town and any municipal growth areas that presently lie beyond existing boundaries" (page 3).
- The first full paragraph on page 53 states there are four projects under review in business zones which would add 270 new housing units. The same paragraph states on the next page that these units are counted toward the city's residential pipeline figures. Table 3-2 (page 54) and the Development Pipeline section on page 55 describes 235 net units in the development pipeline. It's not clear that the 270 and 235 are supposed to be the same projects.

#### Technical Comments for Consideration

- The Development Pipeline (page 55): typos and duplicate words in second paragraph – "Another 320 units, not *including* institutional units, contained in *separate* (duplicate word) projects..."
- Last paragraph on page 59: unsure what the Town is referring to – should it be Town Center's current commercial zones?
- Future land use section (page 80): consider rewording the last sentence ("Natural areas are the framework...") for clarity.
- Nautilus Point (page 93): Consider defining "esplanade" in the fourth bullet.

### 10. Areas of Critical Concern Element - Synopsis

The critical state concern element is required to include planning commission recommendations to determine, identify, and designate areas that are of critical state concern.

#### Plan Analysis

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MDP applauds the city for the inclusion of chapter 12, Areas of Critical State Concern (page 348) in the Draft. The Draft notes its "commitment to collaboration between the State and its local governments by providing resources and tools for implementing long term plans" (page 348) and includes a table that highlights the most prominent areas of synergy between the Draft and A Better Maryland.

The Draft should consider the following:

- The reference to a "town" in the second to last sentence on page 348 needs clarification: "For implementation purposes, the most prominent and relevant pre-defined area for the Town is the Sustainable Communities (SC) Program designation." MDP is assuming this should read "city" instead.
  - MDP also questions the relevancy of the reference to Chesapeake Beach and North Beach's Sustainable Community participation in that same section. Brooklyn Park, Glen Burnie, and Odenton-Severn are other Sustainable Communities in Anne Arundel County that might be better to mention here.

- Clarify where the recommendation/policy area column in figure 12-2 (page 350) came from. The chart should be enlarged for legibility.

## **11. Growth Tiers - Synopsis**

The City of Annapolis adopted a growth tier map under the Sustainable Growth and Preservation Act of 2012 and sent it to MDP on November 19, 2012. As provided for in § 1–509 of the Land Use Article if the city does not incorporate the growth tier map into the comprehensive plan by the time the city conducts the 6-year review of the plan under § 1-416(a) or § 3-301(a) of the Land Use Article, the city's growth tier map shall be considered not adopted for purposes of § 9–206 of the Environment Article. If the city intends for the growth tiers to remain adopted, MDP recommends the city review the 2012 growth tier map against the current municipal boundary, proposed Future Growth Areas (page 65), and current sewer service status of these areas, make any updates needed to ensure conformance to the statutory mapping criteria in Section 1-508 of the Land Use Article, and incorporate it into the comprehensive plan.

MDP generally recommends a Tier II designation for areas with county-planned sewer service and a Tier IIA designation for municipal growth areas planned for sewer service that are not yet in the county water/sewer plan.

Under Section 1-504 of the Land Use Article, if the city adopts a Comprehensive Plan that includes a growth tier map, then the city must notify and provide MDP with all information necessary to allow for the department's detailed review required under Section 1-505 of the Land Use Article. If requested, MDP can complete a detailed review of a proposed tier map before the plan is adopted.

### **Plan Implementation Progress**

Land Use Article Section 1-207(c)(6) requires jurisdictions to submit a comprehensive plan implementation report every five years. The most recent City of Annapolis implementation report was submitted to MDP in 2015. MDP reminds the city to adhere to this requirement in the future.

### **Annapolis is a Sustainable Community**

The City of Annapolis is designated as a Sustainable Community. As part of the Sustainable Community designation, quality of life, environment, economy, transportation, housing, planning and land use, and local capacity are all subjects of the action plan. MDP suggests the city review the action plan(s) for consistency with the Draft and consider how the action plan and the financial incentives provided in the Sustainable Communities designation can support plan implementation.

The Draft recommends the Sustainable Community boundary be re-drawn to encompass the entire city, due to the population density, diversity, socially vulnerable populations, and its high concentration of public and subsidized housing per capita. MDP recommends including in the narrative a projected timeframe for this proposal in addition to the existing recommendation to evaluate the current Sustainable Community Action Plan. The city's current Sustainable Community designation sunsets on December 17, 2023. Expanding the boundary to encompass the entire city would be considered a major boundary modification which would have to be approved by the state's Smart Growth Subcabinet. MDP also notes that Sustainable Community designations are intended to prioritize areas in communities for focused revitalization effort and funding, and designating the entire city may detract from prioritization.



Contact the Maryland Department of Housing and Community Development, Sustainable Communities Program for more information: <https://dhcd.maryland.gov/Communities/Pages/dn/default.aspx>

The City of Annapolis is located within the Chesapeake Crossroads Heritage Area. Heritage Areas may be eligible for a variety of benefits managed through the Maryland Heritage Areas Authority to support economic development through heritage tourism, including grants, tax credits, and loans in support of the area's mission. To be eligible for grant funding, heritage area designation must be referenced in the comprehensive plan, per the requirements of Financial Institutions Article, Title 13, Subtitle 11, Annotated Code of Maryland, § 13-1111 (e).

#### **Additional Comments for Consideration**

- Instead of using phrases like “the exhibit below,” “the map above,” etc., MDP suggests referencing the specific figure number. Pages may print or display differently depending on how the user accesses the document and, in some cases, it was unclear which graphic or figure the narrative was referring to.
- Reexamine charts throughout the Draft; MDP notes that many Y axes need labels on the charts, particularly in the housing element.
- MDP noted the downtown area on most large-scale maps is shaded darker, for instance on page 65 in the municipal growth chapter, page 85 in the land use chapter and page 125 in the housing chapter.
- It would be helpful for the existing zoning maps (Figure 4-4 on page 77, figure 5-11 on page 121, figure 11-6 on page 343 etc.) to include a chart or table on the next page of the full name of the zoning category since the figures just show the abbreviation.
- MDP suggests the city double check the maps and figures that use shades of the same color for legibility, for example figure 7-18 on pages 210-211 and figure 7-19 pm pages 212-213.
- The United States Naval Academy (USNA) and Naval Support Activity (NSA) Annapolis are large federal stakeholders that directly and indirectly impact housing needs, employment trends, water resources, and transportation patterns throughout the city. To further the strong relationship between the USNA, NSA Annapolis and the city, MDP recommends continuing to cite and include installation representatives as an advisory stakeholder as the city tackles infrastructure, housing, transportation, and resiliency challenges. Strategies could include:
  - Potential briefings of any changes within the city that might impact the installation/USNA, including comprehensive plans, transportation plans, zoning and development projects, and capital improvement plans.
    - This could be done quarterly, biannually, etc.
  - If the city does not already do this, consider referring adjacent land development review cases and comprehensive planning efforts that may pose operational impacts on the federal facilities to installation representatives for review.
- The USNA and NSA Annapolis facilities should be acknowledged in the introductory portion of the Draft and labeled on relevant maps – for example, including the labels on the future growth area map (figure 3-12, page 65) would help the reader understand why the large chunk on land bordering the northeast portion of the city is not considered as part of the growth discussion.

**Maryland Department of Planning Review Comments  
Draft Plan**

**STATE AGENCY COMMENTS**

The following are state agency comments in support of MDP's review of the draft plan. Comments not included here may be submitted under separate cover, or via the State Clearinghouse. If comments from other agencies are received by MDP, the department will forward them to the City of Annapolis as soon as possible.

**Attachments**

- Page 18: Maryland Department of Housing and Community Development
- Page 21: Maryland Department of the Environment
- Page 22: Maryland Department of Natural Resources
- Page 25: Maryland Department of Transportation
- Page 28: Critical Area Commission for the Chesapeake & Atlantic Coastal Bays

July 17, 2023

Joseph Griffiths  
Manager of Local Assistance and Training  
Maryland Department of Planning  
301 West Preston Street, 11th Floor  
Baltimore, MD 21201

Dear Mr. Griffiths,

Thank you for the opportunity to review and comment on “Annapolis Ahead: Comprehensive Plan 2040” (the “Plan”). When reviewing plans, the Maryland Department of Housing and Community Development (“DHCD”) comments on items for which political subdivisions can strategically leverage DHCD’s resources to accomplish their housing and community development goals. DHCD also reviews comprehensive plans for consistency with relevant statute and, if appropriate, Sustainable Communities Action Plans.

Overall, DHCD staff were impressed with the quality of the Plan. Staff in the DHCD Division of Neighborhood Revitalization reviewed the plan and provided the following comments, which are meant to help realize the Plan’s goals. We present the following in no particular order:

1. The housing and economic development components of the Plan are consistent with and build upon the Sustainable Communities Action Plan.
2. The Plan identifies a strong track record of infill development and a continued commitment to urban revitalization. DHCD’s Community Legacy and Strategic Demolition Fund grants could assist with further infill development. Planning staff can learn more about these programs online at <https://dhcd.maryland.gov/Communities/Pages/StateRevitalizationPrograms/default.aspx> or contact Erin Lavitt, SRP Regional Project Manager, at 410-209-5828 or [erin.lavitt@maryland.gov](mailto:erin.lavitt@maryland.gov).
3. DHCD can assist with home repairs that improve comfort, livability, and accessibility for homeowners through its Special Loan Programs. Planning staff and residents can learn more about these programs at <https://dhcd.maryland.gov/Residents/Pages/SpecialLoans.aspx> or contact the program directly at 301-429-7409 or [DHCD.SpecialLoans@maryland.gov](mailto:DHCD.SpecialLoans@maryland.gov).
4. The Plan does not show that Annapolis has conducted a point-in-time count to identify the total number of people experiencing homelessness in Annapolis, and the Plan does

not identify goals or actions regarding services for people experiencing homelessness. For information on DHCD's programs addressing homelessness, please see more online at <https://dhcd.maryland.gov/HomelessServices/Pages/GrantFunding.aspx> or contact the Homelessness Solutions Program Manager, Suzanne Korff, at 410-209-5850 or [Suzanne.Korff@maryland.gov](mailto:Suzanne.Korff@maryland.gov). Persons experiencing homelessness who need immediate assistance should call 410-768-5522.

5. The Plan identifies the community's needs with respect to income and poverty. Annapolis or non-profits active in Annapolis may be eligible to apply for discretionary Community Services Block Grant (CSBG) funds administered by DHCD in order to provide services for low-income individuals and families at or below 125% of poverty. Planning staff can learn more about CSBG programs online at <https://dhcd.maryland.gov/Communities/Pages/programs/CSBG.aspx> or contact the Poverty Solutions Team at 301-429-7525 or [csbg.dhcd@maryland.gov](mailto:csbg.dhcd@maryland.gov).
6. The Plan identifies a need for affordable housing, including workforce and low-income housing. Several projects for low-income households in Annapolis have been funded using Low-Income Housing Tax Credits (LIHTC). If planning staff want to support further affordable housing development with LIHTC support, information is available online at <https://dhcd.maryland.gov/HousingDevelopment/Pages/lihtc/default.aspx> or contact Edward Barnett, Director of Rental Lending, at 301-429-7740 or [edward.barnett@maryland.gov](mailto:edward.barnett@maryland.gov).
7. Annapolis's downtown has been designated as a Maryland Main Street. More information on the revitalization benefits associated with this designation can be found online at <https://dhcd.maryland.gov/communities/pages/programs/mainstreet.aspx> or by contacting Christine McPherson, Program Officer, at 410-209-5802 or [christine.mcpherson@maryland.gov](mailto:christine.mcpherson@maryland.gov).
8. The Plan identifies a need to support businesses in the town's core. Info on DHCD's support for businesses can be found online at <https://dhcd.maryland.gov/Business/Pages/SmallBusinesses.aspx> or by contacting Mike Haloskey, Director of Business Lending Programs, at 301-429-7523 or [Michael.Haloskey@maryland.gov](mailto:Michael.Haloskey@maryland.gov).
9. The Plan identifies a need for infrastructure improvements that increase the city's overall safety. DHCD's Community Safety Works program is a potential resource to support these projects. More information on the program can be found online at <https://dhcd.maryland.gov/Communities/Pages/csw/default.aspx> or by contacting Christine McPherson at 410-209-5802 or [christine.mcpherson@maryland.gov](mailto:christine.mcpherson@maryland.gov).
10. The Plan identifies a need to increase energy efficiency for buildings, including single-family and multifamily homes. DHCD has several programs that support energy efficiency, and more information on those programs can be found online at <https://dhcd.maryland.gov/Pages/EnergyEfficiency/default.aspx>.



11. The Plan identifies proactive steps that Annapolis will take to lower parking requirements, reduce the city's impervious surfaces, and leverage multimodal transportation options to reduce the need for parking. DHCD lauds Annapolis's considered approach to these strategies through several parking utilization studies and encourages the city to continue these efforts.
12. The Plan notes that Annapolis's current zoning standards do not affirmatively further fair housing and states that the Plan "includes many recommended actions aimed at reversing this trend and ensuring that Annapolis does all it can to further Fair Housing." DHCD lauds Annapolis for its proactive approach to furthering fair housing, and it recommends that the Plan include in its text indications of which strategies will accomplish that goal.

We in the Division of Neighborhood Revitalization look forward to continuing our productive partnership with Annapolis in its future initiatives. Again, thank you for the opportunity to comment on the Plan. If you have any questions regarding the comments above, please contact me at [carter.reitman@maryland.gov](mailto:carter.reitman@maryland.gov) or 410-209-5849.

Sincerely,

Carter Reitman  
Program Manager, State Revitalization Programs

Cc: Sarah Diehl, Maryland Department of Planning  
Erin Lavitt, DHCD Division of Neighborhood Revitalization  
John Papagni, DHCD Division of Neighborhood Revitalization



Maryland Department of the Environment Comments – Annapolis Comprehensive Plan Draft  
Jim George

Good - Flood mitigation project downtown

Good - promo of living shorelines. I think the map of LS project is misplaced relative to the reference

Water Supply - Dependent on confined coastal plain aquifers. Is Annapolis willing to be a partner in funding an assessment of the long term viability of the aquifers, ie, an aquifer model?

- Water Supply Conditions and Threats: Correct name is the “Water and Science Administration”
- Groundwater Recharge Areas: p. 318 Managing the groundwater recharge areas IS within the scope of the WRE. The WRE should advise leadership to invest in developing partnerships and technical assessments to ensure the adequate protection of recharge areas.
- Well Field Protection: p. 318 It might be too strong to say “no measures to protect against seepages are needed.” The well fields should be protected from potential contaminants, and the integrity of the well casing and grouting needs to be assured for the long term.
- Consequences of Failure in System: Check last sentence for typo (projected?).

Wastewater -

- Condition Assessment: The WRE section on water distribution system assessment provides estimates of pipe length quality p. 320. If this info is available for the wastewater collection system, it should be included for consistency with the water supply section. Similar comment for the wastewater Consequences of Failure section.
- I&I: You might consider assessing whether I&I could become a problem in the future if the water table rises.

Recommendations to Consider (in addition to those noted above):

- Explore the viability of updating the Adequate Public Facilities Ordinance to ensure adequate stormwater drainage for certain projects.



Wes Moore, Governor  
Aruna Miller, Lt. Governor  
Josh Kurtz, Secretary  
David Goshorn, Deputy Secretary

Maryland Department of Planning  
301 West Preston Street  
Suite 1101  
Baltimore, MD 21201

July 19, 2023

Memo:

To: Sarah Diehl  
cc: Rita Pritchett

On behalf of the Department of Natural Resources, thank you for the opportunity to comment on the Draft Annapolis Comprehensive Plan. The Draft Annapolis Comprehensive Plan was distributed to appropriate contacts at the Maryland Department of Natural Resources and reviewed. DNR offers the following comments:

The City of Annapolis acknowledges its citizens want greater protection of the natural resources within the city and recognizes the importance of protecting its natural resources by establishing and strengthening regulations and preparing for the future as development and climate change becomes an increasing threat.

The City of Annapolis has 22 miles of shorelines and drains portions of the Severn and South rivers/watersheds. Both the Severn and South Rivers are mesohaline subestuaries with suburban watersheds. The majority of Annapolis is located within the Severn watershed. The Severn River also has two of the largest sub-watersheds, Spa Creek and Back Creek. The City of Annapolis indicates that impervious cover makes up 42% of the city and has only 39% tree canopy (pg.272). Annapolis has tidal waters within city boundaries and the development within the city contributes to impacts on tidal fisheries within the Severn and South Rivers watersheds. Water runs downstream through the developed, urbanized areas where stream degradation is substantial and important tidal fishery resources are impacted by polluted runoff, sediment, increased water temperatures, and other stressors. Fish habitat is degraded in the waters bordering the highly developed watershed in Annapolis, but they support some aquatic life and fisheries. Maryland DNR Fishing and Boating Services is interested in conserving the remaining fish habitat of these watersheds.

Maryland DNR Fishing and Boating Services has adopted guidelines for impervious cover (an indicator of intensity of development) to communicate changes in habitat and fisheries that influence our ability to manage important Chesapeake Bay recreational and commercial fisheries. Impervious surface is used as an indicator of development because of compelling scientific evidence of its effect in aquatic systems. Impervious surface itself increases runoff volume and intensity in streams, leading to increased physical instability, erosion, sedimentation, thermal pollution, contaminant loads, and nutrients. Mesohaline subestuaries with higher levels of impervious surface develop extensive areas of low oxygen in bottom waters.

Generally, watersheds with 5% or less impervious surface (rural watersheds) support good non-tidal and tidal fish habitat for anadromous fish and this serves as an upper boundary for maintaining fish habitat in fairly natural condition. Once a watershed exceeds 10% impervious surface (an early suburban watershed), the ability to manage fisheries becomes compromised because of habitat deterioration due to development. We

consider 10% impervious surface a threshold beyond which we expect increasing problems. As IS increases above 10% and nears 15%, increasingly negative, irreversible ecological shifts occur resulting in decreased fisheries productivity and a watershed that becomes less responsive to protection conservation and restoration efforts. At 42% impervious surface, the watershed within city limits is a source of considerable stress for aquatic habitats. We estimate that impervious surface, including Annapolis, for all the Severn River watershed is 26% and for the South River, 16%. With development this high, we support any recommendations and incentives to conserve remaining forests and green spaces in watersheds that drain through to help fish habitat quality throughout the city, county, and into the Chesapeake Bay.

The shallow waters along the tidal Severn and South Rivers are nurseries and adult habitat for fish and Blue Crabs but extensive areas of low dissolved oxygen in deeper waters, originating from within these watersheds, has rendered extensive portions of deeper areas uninhabitable. Spawning of Yellow Perch has ceased to be successful as these watersheds have become heavily developed. Given that the watershed within Annapolis is well past the threshold, it may be better to encourage concentration of development within the city limits rather than adopt policies that drive development to more rural areas with well-functioning watersheds. This concentrated development should be coupled with management practices outlined in the plan. Fish Habitat and Ecosystem Program can supply additional information on habitat threats and status, please contact Program Manager, **Jim Uphoff at [jim.uphoff@maryland.gov](mailto:jim.uphoff@maryland.gov)**.

Progress can be made to enhance oysters in the Severn River, as many parts of the river are still suitable for oysters, but suitability of city waters for oysters may not be as high due to polluted runoff and sedimentation. Oysters are a natural component of the Severn River's ecosystem and restoration efforts in the river support objectives for habitat enhancement and ecological diversity. The number of oysters needed to provide "immense" filtering is likely unachievable. The Severn River is very different from the past and oyster habitat has been entirely lost at some locations. It may be an overstatement to say oysters will appreciably improve water quality, although there should be some benefit. Oyster bars and reefs under ten feet or so of water will probably not have much benefit for storm surges. The river is a sanctuary so there is no harvesting or direct seafood industry benefit.

Other specific recommendations in the Plan related to promoting conservation of fisheries resources in the watershed:

Chapter 9. Pg. 272. Impervious Surfaces. "Where impervious surfaces cover communities, air quality is worse, stormwater carries more pollutants into local waterways, and temperatures can be as much 10 or more degrees warmer." Impervious surfaces should be limited where possible. Proper stormwater management can decrease pollution, nutrients, flooding, and water temperatures, and increasing overall water quality, but have not been shown to notably improve conditions for stream biota. However, there should be benefits for Chesapeake Bay waters. Due to the extreme flooding events that have occurred in the past, immediate, and continued actions need to occur to fix these issues. Additional education needs to happen in neighborhoods to avoid dumping oil into storm drains, going light on spraying your lawn with herbicides or fertilizer, and picking up animal waste resonates throughout most neighborhoods. Revitalization of neighborhoods needs to occur due to a majority still having concrete or asphalt sidewalks, roads and driveways that contribute to flooding and runoff. If the city promotes environmental stewardship by revitalizing neighborhoods, property owners will hopefully follow suit.

Chapter 9. Pg. 272. Environmental Enhancement areas. "A new land use category introduced in this plan and intended to identify places that can be protected, enhanced, and connected to other open space that often includes expanding green space and forested cover. Environmental Enhancement areas may be sites in need of retrofitting to reduce impervious cover or they may be natural forested areas that are critical for alleviating flooding, improving water quality, providing habitat, and mitigating local climate impacts such as extreme heat." Identifying these areas should be a priority for the City of Annapolis. Providing incentives to encourage previous developments to start redeveloping these areas. These areas are consistent with conservation of remaining areas of suitable fish habitat.



Chapter 9. Pg. 278. Riparian Conditions. “The health of riparian corridors is critical for:

- Preserving water quality by filtering sediment before it enters rivers and streams
- Protecting against stream bank erosion
- Providing storage for flood waters both riverine and tidal
- Providing food and habitat for fish and wildlife
- Preserving open space and access to nature
- Riparian buffers need to be individually reassessed and possibly increased to further protect from erosion issues. As noted, there are riparian areas that are inadequate and need to be addressed.

Chapter 9. Pg. 280. The City of Annapolis works and partners with several non-profit, community, and school organizations. Relationships with these organizations is crucial. The data collected by these organizations provides valuable insight and should be acknowledged and used in the decision-making process. Supporting events held by these organizations to bring awareness and environmental ethic to its community is invaluable.

Chapter 9. Pg. 300. ES3.4. Work with local partners such as Chesapeake Bay Trust, the Chesapeake Bay Foundation, Anne Arundel County, Severn River Association, Arundel Rivers Federation, Severn Riverkeeper Program, Spa Creek Conservancy, and the Watershed Stewards Academy, to augment the number of living shorelines, stream restorations, wetland restorations/creations, and oyster bed restorations/creations, both within the City and along riparian areas that impact City waterways. Maryland Department of Natural Resources is a partner for restoration activities as well.

Chapter 10. Pg. 310. BMPs. Impervious surfaces should be limited where possible. Proper stormwater management can decrease pollution, nutrients, flooding, and water temperatures, and increasing overall water quality, but haven't been shown to notably improve conditions for stream biota. There should be benefits for Chesapeake Bay waters. Due to the extreme flooding events that have occurred in the past, immediate, and continued actions need to occur to fix these issues. Additional education needs to happen in neighborhoods to avoid dumping oil into storm drains, going light on spraying your lawn with herbicides or fertilizer, and picking up animal waste resonates throughout most neighborhoods. Revitalization of neighborhoods needs to occur due to a majority still having concrete or asphalt sidewalks, roads and driveways that contribute to flooding and runoff. If the county promotes environmental stewardship by revitalizing neighborhoods, property owners will hopefully follow suit.

Chapter 10. Pg. 316. Oyster and Other Aquatic Habitat. For restoration efforts to achieve success, water quality and habitat quality needs to improve. The City of Annapolis can help with this process by eliminating runoff and pollution, updating and maintaining infrastructure, decreasing impervious surfaces, improving stormwater management, and working with organizations and City communities.

If you have any questions about these comments or would like further information, please do not hesitate to contact me at 443-534-4151 or [christine.burns1@maryland.gov](mailto:christine.burns1@maryland.gov).

Best,  
Christine Burns

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August 10, 2023

Ms. Sarah Diehl  
c/o Ms. Rita Pritchett  
Maryland Department of Planning  
301 West Preston Street, Suite 1101  
Baltimore MD 21201

Dear Ms. Diehl:

General Comments

- Overall, the General Plan (the “Plan”) is consistent with the Maryland Department of Transportation’s (MDOT) plans and programs. The MDOT supports the Plan’s vision to accommodate future growth in a manner that maintains alternative modes of transportation and retains and improves upon the unique and diverse community character of Annapolis.
- The MDOT encourages the City of Annapolis to work with the Maryland State Highway Administration (SHA) to identify specific opportunities for traffic calming, sidewalks, bike paths, street lighting, crosswalks, and pedestrian amenities. Please coordinate with Mr. Tavon Hawkins, Regional Planner, Office of Planning and Preliminary Engineering, SHA, at 410-545-0300, or via email at [thawkins4@mdot.state.md.us](mailto:thawkins4@mdot.state.md.us).
- The MDOT supports continued improvements to expand and enhance transit options. Please continue to coordinate with the Maryland Transit Administration (MTA) for the ongoing expansion of regional transit and the coordination of MDOT supported locally operated transit services (LOTS). The MTA also supports park and ride (with SHA), demand response services, paratransit, medical services, and senior-center transportation options. For local transit service planning, please contact Ms. Jennifer Vickery, MTA Program Manager at 410-767-4598, or via email at [jvickery@mdot.maryland.gov](mailto:jvickery@mdot.maryland.gov). For general and regional transit planning questions, please contact Mr. Stephen P. Miller, MTA Strategic Planner, at 410-767-3869 or [SMiller6@mdot.maryland.gov](mailto:SMiller6@mdot.maryland.gov).
- Commuter Choice Maryland is MDOT’s Travel Demand Management (TDM) program, and it could be incorporated into the Plan as a strategy to support the Plan. The program offers an extensive menu of commuter transportation services, such as ridesharing. Please visit [www.CommuterChoiceMaryland.com](http://www.CommuterChoiceMaryland.com) for more information. For local rideshare and commuter benefits information and coordination, please contact Ms. Stacy King, MDOT TDM Specialist/Commuter Choice Maryland Program Manager at 410-767-1279, or via email at [sking8@mdot.maryland.gov](mailto:sking8@mdot.maryland.gov).

- Transportation Alternatives Program (TAP) is a reimbursable, federally funded program for local sponsors to complete transportation-related community projects designed to strengthen the intermodal transportation system. Project sponsors are required to provide a minimum 20% of the total project cost as a match. For further information contact Ms. Christy Bernal, TA Program Manager, SHA at 410-545-5675, or via email at [cbernal@mdot.maryland.gov](mailto:cbernal@mdot.maryland.gov).

Specific Comments:

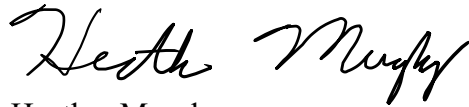
- General - Revise to "MTA" instead of "MDOT/MTA" throughout the document.
- Page 55 - Development Pipelines – Section in paragraph 3. Change “while” to while.
- Page 96 - Parking - Does “10% of Annapolis' land base is dedicated to parking” include on-street parking? Would recommend including on-street or specifying that it doesn't include all Annapolis' land (e.g., "10% of Annapolis' land base is dedicated to off-street parking.").
- Page 155 - Figure 6-4 - The darker colors on the bar chart all blend; recommend using more varied colors.
- Page 163 - Vision Zero – Equity - The inclusion of equity is a positive, but the goals and performance measures do not reference equity later in the document.
- Page 168 - Active Transportation - The use of Strava data can sometimes exclude parts of the population and not highlight areas with high need for infrastructure but low current use. Data should be supplemented in project development phases.
- Page 172 - Pedestrian Network - Misspelled Metropolitan within "Baltimore Metropolitan Council".
- Page 182 - Electric Mobility - There are both Federal and State grants - such as the Statewide Transit Innovation Grant - that can be leveraged to realize these proposals.
- Page 184 - Regional Transit/Maximize 2045 - BMC defined earlier.
- Page 184 - Regional Transit - There is no space after the comma in "Anne Arundel County, Maryland Department of Transportation".
- Page 184 - Regional Transit - Maryland Transit Administration (MTA) had already been defined earlier in the document.
- Page 184 - Regional Transit - "Baltimore Metropolitan Council (BMC)" misspelled Metropolitan. Also, the acronym can be defined earlier in the document.
- Page 188 - Transportation Goal T1 - Would change "MTA's express route stops" to "MTA's service" or "MTA's commuter buses" if referencing specifically to service provided directly to Annapolis.
- Page 190 – Transportation Goal T2 – An important factor in transit ridership is the ability for people to access the bus stops. Consider the addition of a goal to improve multi-modal connectivity to bus stops.
- Page 190 - T2 - Performance Measure 1 - The metric proposed in the performance measure does not align with the goal stated in T2.4.

Ms. Sarah Diehl  
Page Three

Thank you for the opportunity to comment and please let me know if you have any questions. We look forward to continuing to work with the City of Annapolis on their Comprehensive Plan.

Should you have additional questions or concerns, please contact Mr. Dan Janousek, Regional Planner, Office of Planning and Capital Programming (OPCP), MDOT, at 410-865-1098, toll free at 888-713-1414 or via e-mail at [djanousek@mdot.maryland.gov](mailto:djanousek@mdot.maryland.gov). Of course, please feel free to contact me directly.

Sincerely,

A handwritten signature in black ink that reads "Heather Murphy". The signature is written in a cursive, flowing style.

Heather Murphy  
Director, OPCP, MDOT

cc: Ms. Christy Bernal, TA Program Manager, SHA  
Mr. Nate Evans, Active Transportation Planner, OPCP, MDOT  
Mr. Tavon Hawkins, Regional Planner, SHA  
Mr. Dan Janousek, Regional Planner, OPCP, MDOT  
Ms. Stacy King, TDM Specialist/Commuter Choice Maryland, OPCP, MDOT  
Mr. Stephen Miller, Strategic Planner, MTA  
Ms. Molly Porter, Acting Bike Pedestrian Coordinator, SHA  
Mr. Jennifer Vickery, Program Manager, MTA



Sarah Diehl -MDP- <sarah.diehl@maryland.gov>

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## CAC Comments re City of Annapolis Comprehensive Plan

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**Jennifer Esposito** <jennifer.esposito@maryland.gov>

Fri, Jul 28, 2023 at 4:19 PM

To: Sarah Diehl -MDP- <sarah.diehl@maryland.gov>

Cc: Katherine Charbonneau -DNR- <katherine.charbonneau@maryland.gov>, "Kathryn A. Durant -DNR-" <kathryn.durant@maryland.gov>

Hi Sarah,

In my review of the draft comprehensive plan for the City of Annapolis, I see no inconsistencies with the Critical Area law and regulations. The Comp Plan appropriately links stormwater, equity and environmental justice, greenway connections, housing, land-use, and overall environmental sustainability goals and action items to the City's Critical Area program where necessary. In other words, the Comprehensive Plan is generally consistent with the goals and policies of the Critical Area law and regulations.

I did note a few typos within the google document on the drive. Please let me know if you are unable to see my comments.

Please let me know if you have any questions.

Best,



 facebook\_logo.jpg

 twitter\_logo.jpg

[dnr.maryland.gov/criticalarea](https://dnr.maryland.gov/criticalarea)

*Jennifer Esposito*

Critical Area Commission for the  
Chesapeake & Atlantic Coastal Bays  
1804 West Street, Suite 100  
Annapolis, MD 21401

Office: 410-260-3468

(In office: Mon., Wed., Friday)

Cell: 443-569-1361

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