

City of



Annapolis

PLANNING COMMISSION

(410)263-7961

145 GORMAN STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MARYLAND 21401

June 5, 2014

**To: Annapolis City Council**  
**From: Planning Commission**  
**Re: Findings for O-15-14: Bulk Regulations for Educational Institutions**

**SUMMARY**

O-15-14 proposes changes to Chapter 21.50 (Bulk Regulations Tables) of the Annapolis City Code that will eliminate specific setback and floor area ratio (FAR) requirements for Educational Institutions so that the bulk regulations will be determined through site design plan review, planned development review, or the special exception process (whichever is applicable in the particular zoning district).

**STAFF RECOMMENDATION**

At a regularly scheduled meeting on June 5, 2014, the Planning and Zoning staff presented their analysis and recommendations for approval of the legislation.

Staff reviewed the background of the proposed regulations and then provided an analysis. This information was forwarded to the Planning Commission for review in a report dated May 28, 2014.

Staff stated that, under the current City Code, Educational Institutions are typically required to be on a 5-acre parcel of land that has 200 feet of lot width. Other typical requirements are that there is a 50-foot setback from all property lines and a 0.4 FAR. FAR is a ratio between the floor area of the "building or buildings on a zoning lot divided by the area of the zoning lot, or, in the case of planned developments, by the net site area" (Chapter 21.72). These regulations date to 1972.

The goal of the changes to Chapter 21.50 is to update the bulk regulations to allow more flexibility. This flexibility is needed to meet current State standards for classroom size, recreational space, and other amenities. The proposed ordinance will allow for a design-oriented approach to the development or redevelopment of schools. Public schools and colleges are a permitted use in all residential zoning districts, all commercial and industrial zoning districts, the professional office district, and the professional mixed office zoning district.

There are already several zoning districts, including B1, B2, and B3, that allow "Other Uses" to have their bulk regulations set through site design plan review. For example, in the B2 District, the bulk regulations tables list specific requirements for business establishments and dwellings above the ground floor of non-residential uses. The bulk regulations for all other uses, however is "determined through

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the site design plan review, planned development, or special exception processes, pursuant to Chapters 21.22, 21.24, and 21.26.”

The review criteria and findings in Chapter 21.22 Site Design Plan Review require the following considerations:

- A design that is in harmony with the character of the surrounding neighborhood and the Comprehensive Plan that achieves a maximum of compatibility, safety, efficiency, and attractiveness
- Compatibility with the existing structure and developments on adjacent land
- A minimization of adverse impacts that could be caused by building location, height, bulk, shadows; location, intensity, direction and times of use of outdoor lighting or other similar characteristics
- Building locations that accommodate open spaces, landscape elements, and pedestrian and vehicular circulation systems that are adequate, safe, and efficient
- A minimal modification of existing geological and topographic features where practicable
- A minimization of the degradation of unique or sensitive lands, such as steep slopes or highly erodible soils, including resources in the Critical Area.

The review criteria for Planned Developments, located in Chapter 21.24 are similar to the site design review criteria including: compatibility, minimizing adverse impacts, high quality design, and adequate provision of public facilities. The Planned Development must also specifically comply with site design plan review criteria.

Most educational institutions are permitted uses, however, in residential districts, private and vocational schools are special exceptions (where they are allowed). Review criteria for Special Exceptions, listed in Chapter 21.26, includes:

- A. The establishment, maintenance or operation of the special exception will not be detrimental to or endanger the public health, safety, morals, convenience or general welfare.
- B. The special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the neighborhood.
- C. The establishment of the special exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- D. Adequate utilities, access roads, drainage and necessary facilities have been or are being provided.
- E. Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion in the public streets.
- F. The special exception shall, in all other respects, conform to the applicable regulations of the district in which it is located, including any use provisions or standards set forth in Chapter 21.64.

Ordinance O-15-14 will allow educational institutions to be subject to more flexible bulk regulations. The lot size, width, setbacks, height, and FAR will not be set ahead of time. However, this will not result in proposed developments that are not compatible with neighboring properties or that do not

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minimize the adverse effects of the development. Educational institutions will be able to be carefully designed in a manner to accommodate the state requirements for instruction and simultaneously to protect community character.

**PUBLIC HEARING AND DELIBERATION**

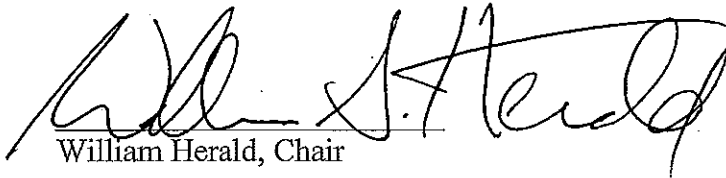
In accordance with the Annapolis City Code, a public hearing was held and the public was invited to comment on the proposed text amendment. No one spoke on the legislation.

At the close of the public hearing, the Planning Commission entered into deliberations. The Commission concurred with staff.

**RECOMMENDATION**

By a vote of 5 - 0, the Planning Commission voted to recommend approval of O-15-14.

Adopted June 5, 2014

  
William Herald, Chair



## City of Annapolis

### DEPARTMENT OF PLANNING AND ZONING

145 Gorman Street, 3<sup>rd</sup> Floor, Annapolis, Maryland 21401

Chartered 1708

Annapolis 410-263-7961 • FAX 410-263-1129 • TDD 410-263-7943

May 28, 2014

#### MEMORANDUM

**To:** Planning Commission  
**From:** Sally Nash, Acting Director of Planning and Zoning  
**Re:** O-15-14: Bulk Regulations for Educational Institutions  
**Attachments:** O-15-14

#### SUMMARY

O-15-14 proposes changes to Chapter 21.50 (Bulk Regulations Tables) of the Annapolis City Code that will eliminate specific setback and floor area ratio (FAR) requirements for Educational Institutions so that the bulk regulations will be determined through site design plan review, planned development review, or the special exception process (whichever is applicable in the particular zoning district).

#### BACKGROUND AND ANALYSIS

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#### RECOMMENDATION

Staff recommends that the flexible bulk regulations provided for educational institutions in O-15-14 be APPROVED.

Report Prepared by



Sally Nash, Ph.D., AICP  
Acting Director