



**City of Annapolis  
Committee & Commission Referral Action Report**

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**DATE:** April 27, 2023  
**TO:** Kalyn Jackson, City Council Associate  
Office of the City Clerk  
**SUBJECT:** O-15-23: Building Height and Elevation Limit - Exception for FEMA Flood  
Zones in Annapolis.

The Historic Preservation Commission has reviewed O-15-23 and has taken the following action:

Favorable

Favorable with Amendments *noted below as drafted by  
Alderman Tierney*

Unfavorable

No Action

Other

Comments:

*See attached Amendments #1 and #2*

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*T P Leahy 28 APR 23*  
Timothy P. Leahy, Chairman

O-15-23

**Building Height and Elevation Limits - Exception for FEMA Flood Zones in Annapolis**

**AMENDMENT 1 – ALD. TIERNEY**

**Amendment Summary:** Expands the description of the FEMA Zone AE flood hazard map covering the the City of Annapolis. *That map can be found in attachments to this bill.*

On page 2, in line 15, strike "Annapolis City Dock" and after "covering" insert "the City of Annapolis".

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**21.56.170 Height measurement.**

The height of buildings shall be determined in the following manner:

- A. All measurements shall be taken from the center of the building at the front setback line; provided, however, that if the building is greater than forty-four feet wide, the massing shall conform to Section 21.56.210. In buildings greater than forty-four feet in width, the building height measurement shall be taken at the highest point of each building element at the front setback line.
- B. Antennas and mechanical equipment up to thirty inches high shall not be counted in computing height, and penthouses, other structures and mechanical equipment thirty inches in height shall be used in computing height; chimneys are excluded.
- C. For the purpose of achieving a permanent height limit, the height of a building shall not be allowed to increase because of an increase in the elevation of the front setback line occurring after the effective date of this Zoning Code
  1. Exception. Buildings that must comply with the Federal Emergency Management Agency (FEMA) Floodplain Management elevation requirement for AE flood zones are exempted from subsection C above. The area included is found in the FEMA Zone AE flood hazard map covering ~~Annapolis City Dock~~ **the City of Annapolis** (see FEMA Policy #204-078-1 and FEMA's National Flood Hazard Layer NFHL. Viewer at <https://www.fema.gov/flood-maps/national-flood-hazard-layer>).

## O-15-23

### Building Height and Elevation Limits - Exception for FEMA Flood Zones in Annapolis

#### AMENDMENT 2 – ALD. TIERNEY

##### **Amendment Summary:**

Establishes a standard base elevation based on the definition of "base flood elevation" in Title 17 § 11.128, plus an additional foot.

On page 2, in lines 18-19, strike "Exempted structures will be measured from the new grade at the front setback line not to exceed the flood protection elevation plus one foot" and insert "Exempted structures will be measured from the new grade, otherwise known as the new base flood elevation, at the front setback. The resulting new elevation will be Base Flood Elevation, as defined in Title 17 § 11.128, plus one foot."

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  2. Exception Criteria. ~~Exempted structures will be measured from the new grade at the front setback line not to exceed the flood protection elevation plus one foot.~~ **Exempted structures will be measured from the new grade, otherwise known as the new base flood elevation, at the front setback. The resulting new elevation will be Base Flood Elevation, as defined in Title 17 § 11.128, plus one foot.**



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