

O-14-25**Implementation of Annapolis Ahead Comprehensive Plan, 2040****AMENDMENT 5 – ALDERMAN SAVIDGE**

Amendment Summary:

Amendment 5 implements Planning Commission recommendation #2 to address green roofs, accessory structures, and the rooftop dining allowance and reassess the height limit allowance for accessory structures.

MOTION:

1. On page 10, on line 15, insert the following *new* sections:

Section 21.56.095 - Green Roof Standards in the Historic District

A. Purpose. To enable environmentally beneficial green (living) roofs while preserving the historic character, materials, and skyline of the Historic District.

B. Applicability. This section applies to green roofs proposed in the Historic District.

C. Design and performance standards.**1. Performance.**

The system shall be designed for stormwater retention and attenuation, as well as thermal performance, with climate-appropriate plantings (extensive, semi-intensive, or intensive).

2. Structural and Waterproofing.

a. A licensed design professional shall certify structural load capacity and waterproofing integrity; assemblies shall include a root barrier and drainage layer.

b. Waterproof membrane and root barriers shall meet ANSI/SPRI/ESR standards.

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3. Reversibility.

Installation shall be removable without permanent damage to the historic fabric and shall avoid adverse moisture or drainage impacts on historic materials.

4. Visibility and Placement.

Vegetation and associated assemblies shall not be visible above the roofline from public rights-of-way unless explicitly approved as compatible by the Historic Preservation Commission.

5. Drainage and Irrigation.

- a. Drainage layer and filter fabric shall be required for uniform moisture retention and substrate retention.
- b. Temporary irrigation is permitted only during plant establishment (max one summer season). Planting requiring no irrigation is preferred.

7. Maintenance.

- a. A maintenance plan shall be implemented for irrigation, seasonal care, and replacement of vegetation to prevent die-off or visual degradation.
- b. The vegetative roof system shall be maintained in a healthy growing condition, free of dead or dying plant material, noxious weeds, and accumulated debris.
- c. Vegetation visible from the street shall be regularly pruned and trimmed to present a neat and orderly appearance.
- d. The property owner shall inspect the green roof at least twice a year and carry out necessary maintenance tasks. This includes removing and replacing any failed vegetation, controlling weeds, and stabilizing soil. Additionally, the owner must keep inspection and maintenance records for at least three years and make them available to the Department of Planning and Zoning upon request.

D. Submittals. Applications shall include:

- 1. A roof plan with locations of assemblies and rooftop accessory structures;
- 2. Structural and waterproofing certifications;
- 3. Planting plan and specifications; and
- 4. A maintenance plan.

F. Stormwater Credits.

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Green roofs installed in accordance with this section qualify for stormwater management volume credits under Chapter 17.

Section 21.56.105 - Rooftop Accessory Structure Design Guidelines

A. Materials and Finishes.

1. Cladding for accessory structures must match or complement adjacent roof materials in color, texture, and finish.
2. Guard rails, screening, and louvers shall be durable, non-reflective, low-profile, and designed to complement and integrate with building architecture.

B. Visibility Minimization.

Equipment enclosures, planters, and dining parapets shall be arranged to reduce perceived bulk and maintain historic roofline continuity.

C. Prohibited Features.

No covered accessory structure shall include space for dining, bar use, or other habitable uses, except for an elevator lobby.

Section 21.56.115 - Rooftop Dining Area Design Standards

A. Applicability.

This section applies to all rooftop dining areas at properties on Dock Street between Craig Street and its easternmost terminus of Dock Street.

B. Height and Enclosure.

Guard rails and parapets serving dining areas may extend 42 inches above the roof surface.

C. Coverage and Setbacks.

1. Rooftop dining platforms shall not exceed 30% of the roof plate.
2. Dining areas must be set back at least five feet from any roof edge fronting a public right-of-way.
3. Guardrails and seating platforms may encroach within two feet of the roof edge, provided they are constructed of clear glass or cable railing systems not exceeding four feet in height, and are visually transparent from street level.

D. Review Findings.

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The Certificate of Approval must include findings that the dining installation preserves sightlines to the historic rooflines.

2. On page 11, strike lines 8 through 26; and on line 8 insert the following:

2. On properties with frontage on Dock Street between Craig Street and the easternmost terminus of Dock Street:

a. Mechanical penthouses may extend up to seven feet above the maximum building height;

i. However, if an applicant shows to the satisfaction of the Director that, using stamped mechanical and structural drawings, a height of seven feet is inadequate for necessary equipment, the Historic Preservation Commission may permit an extension of up to 10 feet. The applicant must demonstrate that:

(1) The extra height is necessary and minimal;

(2) Visual impacts are reduced through greater setbacks, appropriate screening, materials, or colors; and

(3) All other overlay standards, including green roofs, coverage limits, maintenance, and historic district requirements, are satisfied; and

ii. The roof shall be a green (living) roof designed and engineered for stormwater management, energy efficiency and planted with vegetation;

iii. If used for dining, dining guard rails and parapets are included as specified in § 21.56.105 and §21.56.115; and

b. The aggregate footprint of any such structures shall:

i. Comprise no more than 25% of the area of the roof; or

ii. Be positioned on the roof, to minimize, to the extent possible, the degree to which it is viewable from all public rights-of-way and shall be screened on all four sides, with such screening being an integral architectural element of the building and the required green (living) roof;

e. All accessory structures shall be set back from any roof edge fronting a public right-of-way by the greater of:

i. Ten feet; or

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ii A 1:1 setback-to-height ratio; and

f. Certificate of Approval and historic district findings are required pursuant to Chapter 21.56, Article I.

3. On page 12, in line 22, before "Section II", insert the following instructions and *new terms*:

Insert the following terms in alphabetical order:

“Accessory Structure, Rooftop” means any enclosed or unenclosed element on a roof incidental to the principal use, including mechanical penthouses, elevators and elevator overrides, guard rails, screening, stair towers, and rooftop dining areas. Does not include rooftop decks regulated under § 21.56.115.

“Elevator Override” means an enclosed rooftop accessory structure containing elevator machinery, hoistway extension, emergency egress stair tower, and related controls.

“Green Roof” means a vegetated roof assembly consisting of a waterproof membrane, root barrier, drainage layer, filter fabric, and growing medium that supports drought-tolerant plantings.

“Mechanical Penthouse” means an enclosed rooftop accessory structure housing mechanical, electrical, plumbing, or fire-protection equipment, including ductwork, piping, or exhaust. Shall contain no habitable or assembly uses.

“Rooftop Dining Area” means an unenclosed or partially enclosed platform on a roof for outdoor seating, tables, and service incidental to a restaurant. Rooftop dining areas are subject to design, setback, and coverage standards in § 21.56.115.

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As the changes would look in the Ordinance:

Title 21 - PLANNING AND ZONING Chapter 21.56 - Historic District Article 1 - Approval of Exterior Changes

Section 21.56.060 - Application review.

E. Special Considerations.

2. In the circumstances described above in Subsection (E)(1) of this section, unless the Commission is satisfied that the proposed construction, alteration, or reconstruction will not materially impair the historic, cultural, archaeological, or architectural significance of the landmark, site or structure, the Commission shall reject the application, filing a copy of its rejection with the Department of ~~Public Works~~Planning and Zoning.

Section 21.56.070 - Certificate of approval—Commission decision.

- A. The Commission shall file with the Department of ~~Public Works~~Planning and Zoning a certificate of approval certifying its approval or modification of each application and plans submitted to it for review. If an application is rejected, the Commission shall notify the Department of Public Works.
- B. Work shall not be commenced on any project until such a certificate of approval has been filed, and the Department of ~~Public Works~~Planning and Zoning shall not issue a building permit for such change or construction unless it has received such a certificate of approval.

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7. Maintenance.

- a. A maintenance plan shall be implemented for irrigation, seasonal care, and replacement of vegetation to prevent die-off or visual degradation.
- b. The vegetative roof system shall be maintained in a healthy growing condition, free of dead or dying plant material, noxious weeds, and accumulated debris.
- c. Vegetation visible from the street shall be regularly pruned and trimmed to present a neat and orderly appearance.
- d. The property owner shall inspect the green roof at least twice a year and carry out necessary maintenance tasks. This includes removing and replacing any failed vegetation, controlling weeds, and stabilizing soil. Additionally, the owner must keep inspection and maintenance records for at least three years and make them available to the Department of Planning and Zoning upon request.

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2. Structural and waterproofing certifications;

3. Planting plan and specifications; and

4. A maintenance plan.

F. Stormwater Credits.

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Guard rails and parapets serving dining areas may extend 42 inches above the roof surface.

C. Coverage and Setbacks.

1. Rooftop dining platforms shall not exceed 30% of the roof plate.

2. Dining areas must be set back at least five feet from any roof edge fronting a public right-of-way.

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3. Guardrails and seating platforms may encroach within two feet of the roof edge, provided they are constructed of clear glass or cable railing systems not exceeding four feet in height, and are visually transparent from street level.

D. Review Findings.

The Certificate of Approval must include findings that the dining installation preserves sightlines to the historic rooflines.

City Code Title 21 - PLANNING AND ZONING

Division IV - Overlay District

Chapter 21.56 - Historic District

Article II - Height and Bulk Limits

Section 21.56.170 - Height Measurement

~~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.~~

B. Allowable Projections Above Height Limits.

1. Except as provided in § 21.56.170(B)(2):

- a. Antennas and mechanical equipment up to 30 inches high shall not be counted in computing height;
- b. Penthouses, other structures, and mechanical equipment 30 inches and over in height shall be used in computing height;
- c. Chimneys are excluded.

2. ~~On properties with frontage on Dock Street between Craig Street and the eastern most terminus of Dock Street, mechanical penthouses, and other roof top appurtenances and accessory structures may extend up to 10 feet beyond the applicable allowed height limit and elevator shaft overruns may extend an additional five feet, provided:~~

- a. ~~The roof is green (living) roof designed and engineered for stormwater management, energy efficiency and planted with vegetation;~~
- b. ~~The aggregate footprint of any such structures shall comprise no more than 25% of the area of the roof; or~~
- c. ~~Any such structure shall be positioned on the roof, to minimize, to the extent possible, the degree to which is it viewable from all public rights-~~

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~~of way and shall be screened on all four sides, with such screening being an integral architectural element of the building and the required green (living) roof.~~

~~3. On properties with frontage on Dock Street between Craig Street and the easternmost terminus of Dock Street, rooftop handrails, not exceeding four feet in height, are allowed to project above the building height limit on a green (living) roof provided they are set back in from the edge of the roof at least one foot for every one foot in handrail height.~~

2. On properties with frontage on Dock Street between Craig Street and the easternmost terminus of Dock Street:

a. Mechanical penthouses may extend up to seven feet above the maximum building height;

i. However, if an applicant shows to the satisfaction of the Director that, using stamped mechanical and structural drawings, a height of seven feet is inadequate for necessary equipment, the Historic Preservation Commission may permit an extension of up to 10 feet. The applicant must demonstrate that:

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ii. The roof shall be a green (living) roof designed and engineered for stormwater management, energy efficiency and planted with vegetation;

iii. If used for dining, dining guard rails and parapets are included as specified in § 21.56.105 and §21.56.115; and

b. The aggregate footprint of any such structures shall:

i. Comprise no more than 25% of the area of the roof; or

ii. Be positioned on the roof, to minimize, to the extent possible, the degree to which it is viewable from all public rights-of-way and shall be screened on all four sides, with such screening being an integral architectural element of the building and the required green (living) roof;

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- e. All accessory structures shall be set back from any roof edge fronting a public right-of-way by the greater of:
 - i. Ten feet; or
 - ii A 1:1 setback-to-height ratio; and
- f. Certificate of Approval and historic district findings are required pursuant to Chapter 21.56, Article I.

Title 21 - PLANNING AND ZONING
Division VI - General Terms and Rules of Measurement
Chapter 21.72 - Terms and Definitions

Section 21.72.010 - Terms.

"Floor area" means the sum of the gross horizontal areas of the stories of a building measured from the exterior faces of the exterior walls or sloped roofs where, instead of a wall, a sloped roof forms an exterior boundary of the building (such as in an attic), or from the centerline of walls separating two buildings.

"Story, half". ~~See illustration.~~ "Half story" means a story containing floor area ~~habitable living space~~ not exceeding ~~fifty percent~~ 50% of the floor area next below. ~~Habitable living space meets the ceiling requirements for habitable rooms, hallways, corridors, bathrooms, toilet rooms, and laundry rooms, as set forth in the City of Annapolis Building Code (see Chapter 17.12).~~

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