



## PLANNING COMMISSION

(410)263-7961

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

July 2, 2015

### MEMORANDUM

**To:** Annapolis City Council  
**From:** Planning Commission  
**Re:** Findings for O-23-15  
**Attmts.:** Planning and Zoning Staff Report to Planning Commission

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#### Summary

O-23-15 introduces a new zoning use category, “Personal Fitness Studios.” This is a use distinguished from “Physical Health Facilities,” which are currently permitted in many business and mixed-use zones. A “Personal Fitness Studio” is an establishment where an instructor guides a small group or an individual in a type of fitness or healthy lifestyle class. A “Physical Health Facility” may offer similar classes, however, it is not necessarily the primary function of the establishment. This ordinance additionally moves “weight control centers” out of the physical health facility definition and into the personal fitness studio definition. A personal fitness studio would be permitted in the same zoning districts as a physical health facility, and is additionally proposed to be permitted in PM, B1, C2, C2A, and I1. The parking requirement would be based on potential class size.

#### Background

Personal Fitness Studios have become one of the fastest-growing trends in the fitness sector—this category includes such class types as yoga, pilates, and dance. The City Code has an existing use category for a physical health facility. However, personal fitness studios are different from gyms. Personal fitness studios are a less intensive use than a physical health facility. There is currently no definition of this kind of facility in the zoning code. The Planning Commission is proposing an amendment to the legislation to limit the size of the total floor area of the establishment devoted to exercise space to 2,000 square feet and to limit the hours of operation to 6:00 AM to 10:00 PM.

It is proposed that personal fitness studios are permitted in the following districts: B1, B2, B3, B3-CD, BCE, BR, C2, C2A, PM2, I1, MX, and PM. This includes the zoning districts where physical health facilities are allowed and five additional zoning districts—therefore allowing more convenient locations for more people.

The parking requirement for this new use will be, “One space per two employees, plus one space per five students.” The number of students is determined based on the maximum number of students attending classes on the premises at any one time during any twenty-four-hour period. The parking

**Annapolis City Council**

**Findings: O-23-15**

**July 2, 2015**

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requirement for physical health facilities (which is not being altered) is “One space per two employees, plus one space per 100 square feet exclusive of space devoted to courts (such as tennis or racquetball), plus four parking spaces per court.”

While the parking requirement for physical health facilities is not changing, it is proposed that a new definition be added for this existing use and the proposed new use in order to differentiate them. The proposed definitions (with amendments) are:

*“Personal Fitness Studio” means an establishment, as distinguished from a health club, that specializes in small group and individual physical training, exercise, or health and wellness counseling led by an instructor. The total floor area of the establishment devoted to exercise space shall not exceed 2,000 square feet. The term “personal fitness studio” includes but is not limited to aerobics, boxing or martial arts, step, yoga, pilates, strength training, self-defense, and nutrition and weight control classes. Hours of operation are between 6:00 am and 10:00 pm.*

*“Physical Health Facilities” means health clubs, gymnasiums and other facilities in which membership is offered to individuals to use physical exercise equipment, including, but not limited to, saunas, whirlpools, weightlifting rooms, steam rooms, and exercise machines.*

**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 ordinance. At a regularly scheduled meeting on June 4, 2015 and July 2, 2015, the Planning and Zoning staff presented their analysis and recommendations for approval of the legislation. This information was forwarded to the Planning Commission for review in a report dated May 27, 2015 and updated on June 16, 2015.

**Recommendation**

By a vote of 6 - 0, the Planning Commission voted to recommend approval of O-23-15.

Adopted July 2, 2015



William Herald, Chair



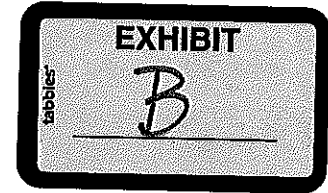
City of Annapolis

DEPARTMENT OF PLANNING AND ZONING

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

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

Chartered 1708



June 16, 2015

MEMORANDUM

To: Planning Commission  
From: Pete Gutwald, AICP, Director of Planning and Zoning  
Re: UPDATE and Amendment to Ordinance O-23-15: Modifications to the Tables of Uses for Business and Mixed Use Zoning Districts – ZTA2015-001  
Attachments: O-23-15, Staff report dated May 27, 2015

SUMMARY

O-23-15 introduced a new zoning use category, “Personal Fitness Studios.” This is a use distinguished from “Physical Health Facilities,” which are currently permitted in many business and mixed-use zones. A “Personal Fitness Studio” is an establishment where an instructor guides a small group or an individual in a type of fitness or healthy lifestyle class. A “Physical Health Facility” may offer similar classes, however, it is not necessarily the primary function of the establishment.

At the June 4, 2015 Planning Commission meeting, staff presented the ordinance and a public hearing was held. Commission members asked for a modification to the ordinance to clarify the distinction between a “Personal Fitness Studio” and a “Physical Health Facility.”

PROPOSED AMENDMENT

In order to distinguish the two uses, staff proposes the following amendment (underlined language is new):

“PERSONAL FITNESS STUDIO” MEANS AN ESTABLISHMENT, AS DISTINGUISHED FROM A HEALTH CLUB, THAT SPECIALIZES IN SMALL GROUP AND INDIVIDUAL PHYSICAL TRAINING, EXERCISE, OR HEALTH AND WELLNESS COUNSELING LED BY AN INSTRUCTOR. THE TOTAL FLOOR AREA OF THE ESTABLISHMENT DEVOTED TO EXERCISE SPACE SHALL NOT EXCEED 2,000 SQUARE FEET. THE TERM “PERSONAL FITNESS STUDIO” INCLUDES BUT IS NOT LIMITED TO AEROBICS, SPIN CYCLING, BOXING OR MARTIAL ARTS, STEP, YOGA, PILATES, STRENGTH TRAINING, SELF-DEFENSE, AND NUTRITION AND WEIGHT CONTROL CLASSES. HOURS OF OPERATION ARE BETWEEN 6:00 AM AND 10:00 PM.

ANALYSIS

The distinction between the personal fitness studio and physical health facility is important because personal fitness studios are proposed to be permitted uses in the districts where physical health facilities are permitted, but additionally in the following zones: PM, B1, C2, C2A, and I1. Currently, these zoning districts allow such permitted uses as the following:

- Bicycle sales, rental and repair stores
- Catering establishments, where no food, beverages and/or desserts are sold on the premises

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Amendment to Ordinance O-23-15  
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Page 2

- Coffee shops
- Convenience stores
- Delicatessen
- Food service mart
- Garden supply, tool and seed stores
- Pet grooming facility
- Seasonal outdoor sales
- Specialty convenience retail goods stores

The additional zoning districts include the following areas that are proximate to residential areas:

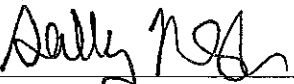
- West Annapolis: Melvin Avenue, Ridgely Avenue, and Annapolis Street
- Old Solomon's Island Road
- Maryland Avenue and Main Street
- Bay Ridge Avenue near Adams Street (Eastport)

Due to the proximity of these residential areas, staff has recommended limiting the size of the operation to 2,000 square feet and the hours of operation from 6:00 AM and 10:00 PM. This will prevent a large, 24-hour establishment from opening in these districts. Parking requirements will additionally limit the use.

**RECOMMENDATION**

Staff recommends that O-23-15 as amended be APPROVED.

Report Prepared by

  
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Sally Nash Ph.D., AICP  
Chief of Comprehensive Planning



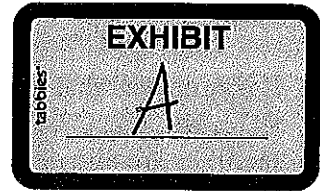
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## City of Annapolis

### DEPARTMENT OF PLANNING AND ZONING

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

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



May 27, 2015

#### MEMORANDUM

**To:** Planning Commission  
**From:** Pete Gutwald, AICP, Director of Planning and Zoning  
**Re:** Ordinance O-23-15: Modifications to the Tables of Uses for Business and Mixed Use Zoning Districts – ZTA2015-001  
**Attachments:** O-23-15

#### SUMMARY

O-23-15 introduces a new zoning use category, "Personal Fitness Studios." This is a use distinguished from "Physical Health Facilities," which are currently permitted in many business and mixed-use zones. A "Personal Fitness Studio" is an establishment where an instructor guides a small group or an individual in a type of fitness or healthy lifestyle class. A "Physical Health Facility" may offer similar classes, however, it is not necessarily the primary function of the establishment. This ordinance additionally moves "weight control centers" out of the physical health facility definition and into the personal fitness studio definition. A personal fitness studio would be permitted in the same zoning districts as a physical health facility, and is additionally proposed to be permitted in PM, B1, C2, C2A, and I1. The parking requirement would be based on potential class size.

#### BACKGROUND AND ANALYSIS

According to the Nielsen Global Consumer Exercise Trends Survey of 2014, Personal Fitness Studios have become one of the fastest-growing trends in the fitness sector, with 36% of exercisers attending a fitness class of some type. Within this category, yoga, Pilates, and dance classes are the most popular. This survey also found that the top reason people attend any fitness facility is based on the convenience of the location.

The City Code has an existing use category for a physical health facility. However, there is no definition of this kind of facility. As personal fitness studios have become more popular, they have either been considered "Physical Health Facilities," "Personal Care Establishments," or "Commercial, Trade, Vocational, Music, Dance, or Art Schools." We have recognized that this use is different from a gym, for example, but until now did not have an alternative that was used consistently. Personal fitness studios are a less intensive use than a physical health facility because their hours are typically more limited, and the facility size is typically smaller than 2,000 square feet. Examples of existing personal fitness studios include:

- Simply Stronger, 1610 West Street, Suite 204
- Studio 180 Dance, 131 Gibraltar Avenue
- Excellence in Fitness, 53 Old Solomon's Island Rd. Suite A
- Ruah Yoga Studio, 1410 Forest Dr Ste 9
- Annapolis Power Yoga, 1901 West St

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Ordinance O-23-15: Modifications to the Tables of Uses for Business and Mixed Use Zoning Districts

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Page 2

It is proposed that personal fitness studios are permitted in the following districts: B1, B2, B3, B3-CD, BCE, BR, C2, C2A, PM2, I1, MX, and PM. This includes the zoning districts where physical health facilities are allowed and five additional zoning districts—therefore allowing more convenient locations for more people.

The parking requirement for this new use will be, “One space per two employees, plus one space per five students.” The number of students is determined based on the maximum number of students attending classes on the premises at any one time during any twenty-four-hour period. The parking requirement for physical health facilities (which is not being altered) is “One space per two employees, plus one space per 100 square feet exclusive of space devoted to courts (such as tennis or racquetball), plus four parking spaces per court.”

While the parking requirement for physical health facilities is not changing, it is proposed that a new definition be added for this existing use and the proposed new use in order to differentiate them. The proposed definitions are:

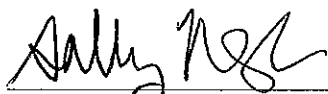
*“Personal Fitness Studio” means an establishment that specializes in small group and individual physical training, exercise, or health and wellness counseling led by an instructor. The term “personal fitness studio” includes, but is not limited to, aerobics, spin cycling, boxing or martial arts, step, yoga, pilates, strength training, self-defense, and nutrition and weight control classes. For the purposes of this chapter “personal fitness studio” does not include a health club.*

*“Physical Health Facilities” means health clubs, gymnasiums and other facilities in which membership is offered to individuals to use physical exercise equipment, including, but not limited to, saunas, whirlpools, weightlifting rooms, steam rooms, and exercise machines.*

**RECOMMENDATION**

Staff recommends that the proposed modifications to the Tables of Uses for Business and Mixed Use Zoning Districts in O-23-15 be APPROVED.

Report Prepared by



Sally Nash, Ph.D., AICP

Chief of Comprehensive Planning

1 **..Title**

2 **Modifications to the Tables of Uses for Business and Mixed Use Zoning Districts** – For the  
3 purpose of adding “Personal Fitness Studios” to the tables of uses; defining “personal fitness  
4 studios” and “Physical Health Facilities;” and all other matters generally relating to such uses.

5 **..Body**

6  
7 **CITY COUNCIL OF THE**  
8 **City of Annapolis**

9  
10 **Ordinance No. O-23-15**

11  
12 **Introduced by: Alderman Paone, Mayor Pantelides**

13  
14  
15 **Referred to**  
16 **Planning Commission**  
17 **Rules & City Government**  
18 **Economic Matters**

19  
20 **AN ORDINANCE concerning**

21  
22  
23 **MODIFICATIONS TO THE TABLES OF USES**  
24 **FOR BUSINESS AND MIXED USE ZONING DISTRICTS**

25  
26  
27 **FOR** the purpose of adding “Personal Fitness Studios” to the tables of uses; defining “Personal  
28 Fitness Studios” and “Physical Health Facilities;” and all other matters generally relating  
29 to such uses.

30  
31 **BY** repealing and reenacting with amendments the Code of the City of  
32 Annapolis, 2013 Edition,  
33 Section 21.48.020  
34 Section 21.48.030  
35 Section 21.66.130  
36 Section 21.72.010.D

37  
38  
39 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
40 **COUNCIL** that the Code of the City of Annapolis shall be amended as follows:

41  
42

1 Chapter 21.48 - USE TABLES

2

3 21.48.020 Table of Uses—Commercial and Industrial Zoning Districts.

4

Uses	District B1	District B2	District B3	District B3-CD	District BCE	District BR	District C2	District C2A	District PM2	District I1
PERSONAL FITNESS STUDIOS	P	P	P	P	P	P	P	P	P	P
Physical health facilities, including health clubs; AND gymnasiums; and weight control centers		P	P	P	P	P			P <sup>1,2</sup>	

5

6 REVISOR'S NOTE: In this section, the use "Personal Fitness Studios" is added and the  
7 use "Physical Health Facilities" is amended to remove weight control centers  
8 from that use. See the defined terms in Section 21.72.010.D of this Ordinance.

9

10 No other changes are made.

11

12 21.48.030 - Table of Uses—Office and Mixed Use Zoning Districts.

13

Uses	District P	District MX	District PM	District C2P
PERSONAL FITNESS STUDIOS		P	P	
Physical health facilities, including health clubs; AND gymnasiums; and weight control centers		P		

14

15 REVISOR'S NOTE: In this section, the use "Personal Fitness Studios" is added and the  
16 use "Physical Health Facilities" is amended to remove weight control centers  
17 from that use. See the defined terms in Section 21.72.010.D of this Ordinance.

18

19 No other changes are made.

20

21



1 **CHAPTER 21.66 - PARKING AND LOADING REGULATIONS**

2  
3 **21.66.130 - Table of off-street parking requirements.**

4

Use	Standard	Additional Provisions
PERSONAL FITNESS STUDIOS	ONE SPACE PER TWO EMPLOYEES, PLUS ONE SPACE PER FIVE STUDENTS.	STANDARDS BASED ON THE NUMBER OF STUDENTS SHALL BE BASED ON THE MAXIMUM NUMBER OF STUDENTS ATTENDING CLASSES ON THE PREMISES AT ANY ONE TIME DURING ANY TWENTY-FOUR-HOUR PERIOD.

5  
6 REVISOR'S NOTE: In this section, the use "Personal Fitness Studios" is added with  
7 defined off-street parking requirements.

8  
9 No other changes are made.

10  
11 **Chapter 21.72 - TERMS AND DEFINITIONS**

12 **21.72.010 - Terms.**

13  
14 D: List of Definitions.

15  
16 "PERSONAL FITNESS STUDIO" MEANS AN ESTABLISHMENT THAT SPECIALIZES IN  
17 SMALL GROUP AND INDIVIDUAL PHYSICAL TRAINING, EXERCISE, OR HEALTH  
18 AND WELLNESS COUNSELING LED BY AN INSTRUCTOR. THE TERM "PERSONAL  
19 FITNESS STUDIO" INCLUDES, BUT IS NOT LIMITED TO, AEROBICS, SPIN CYCLING,  
20 BOXING OR MARTIAL ARTS, STEP, YOGA, PILATES, STRENGTH TRAINING, SELF-  
21 DEFENSE, AND NUTRITION AND WEIGHT CONTROL CLASSES. FOR THE PURPOSES  
22 OF THIS CHAPTER "PERSONAL FITNESS STUDIO" DOES NOT INCLUDE A HEALTH  
23 CLUB.

24  
25 "PHYSICAL HEALTH FACILITIES" MEANS HEALTH CLUBS, GYMNASIUMS AND  
26 OTHER FACILITIES IN WHICH MEMBERSHIP IS OFFERED TO INDIVIDUALS TO USE  
27 PHYSICAL EXERCISE EQUIPMENT, INCLUDING, BUT NOT LIMITED TO, SAUNAS,  
28 WHIRLPOOLS, WEIGHTLIFTING ROOMS, STEAM ROOMS, AND EXERCISE  
29 MACHINES.

30  
31 REVISOR'S NOTE: In this section, "Personal Fitness Studios" and "Physical Health  
32 Facilities" are added to provide an express definition of those terms.

33  
34 No other changes are made.

1 **SECTION II: AND BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**  
2 **CITY COUNCIL** that the Revisor's Notes contained in this Ordinance are not law and may not  
3 be considered to have been enacted as a part of this Ordinance.  
4

5 **SECTION III: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
6 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its  
7 passage.  
8

9  
10 **EXPLANATION**

11 **CAPITAL LETTERS** indicate matter added to existing law.

12 **Strikethrough** indicates matter stricken from existing law.

13 **Underlining** indicates amendments.  
14  
15

## **Staff Report**

### **Ordinance O-XX-15**

#### **MODIFICATIONS TO THE TABLES OF USES FOR BUSINESS AND MIXED USE ZONING DISTRICTS**

This ordinance introduces a new use, "Personal Fitness Studios." This is a use distinguished from "Physical Health Facilities," which are currently permitted in many business and mixed-use zones. A "Personal Fitness Studio" is an establishment where an instructor guides a small group or an individual in a type of fitness or healthy lifestyle class. A physical health facility may offer similar classes, however, it is not necessarily the primary function of the establishment. This ordinance additionally moves "weight control centers" out of the physical health facility definition and into the personal fitness studio definition. A personal fitness studio would be permitted in the same zoning districts as a physical health facility, and is additionally proposed to be permitted in PM, B1, C2, C2A, and I1. The parking requirement would be based on potential class size.

Prepared by Sally Nash, Chief, Comprehensive Planning, City of Annapolis Department of Planning & Zoning.

