



City of Annapolis

DEPARTMENT OF PLANNING AND ZONING

145 Gorman Street, 3rd Floor, Annapolis, Maryland 21401

Chartered 1708 Annapolis 410-260-2200 • FAX 410-263-1129 • TDD 410-263-7943

October 28, 2019

MEMORANDUM

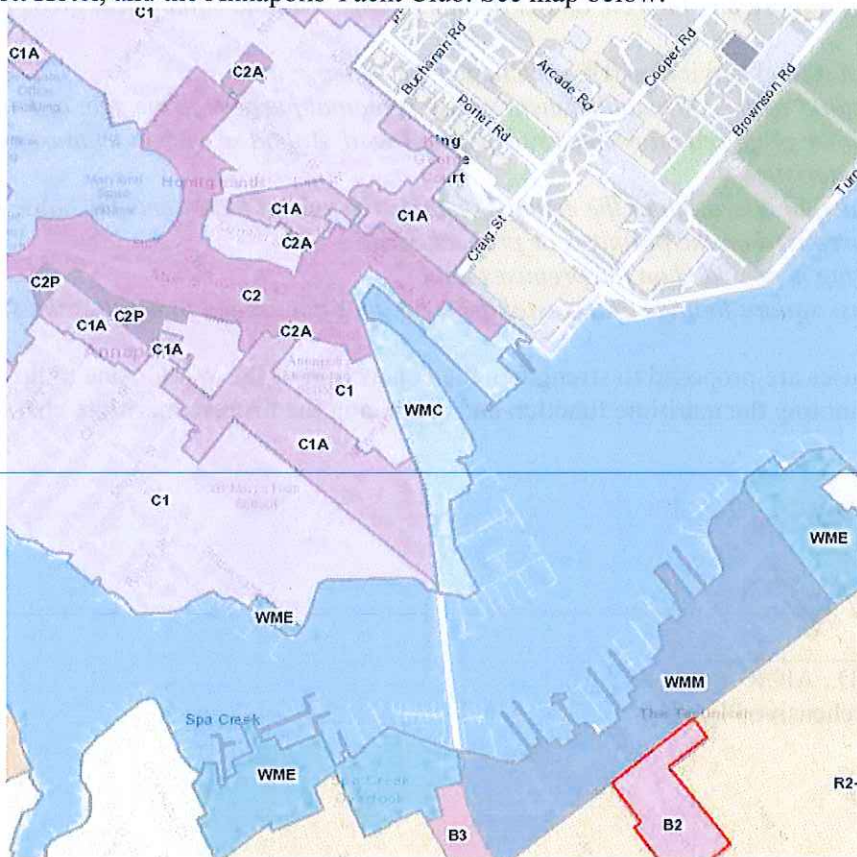
To: Planning Commission
From: Sally Nash, Ph.D., AICP, Acting Director of Planning and Zoning
Re: Ordinance O-35-19: Waterfront Maritime Conservation District - Uses
Encl: O-35-19

Purpose

This legislation amends the Table of Use for the Maritime Zoning Districts to allow seafood industrial (landing, distribution, processing, brokerage, wholesale and retail sales of fish and shellfish) and food service marts in the Waterfront Maritime Conservation (WMC) district.

Analysis

The WMC District encompasses the “City Dock” section of downtown and includes Susan Campbell Park, the walkway around Ego Alley, the Donner Parking Lot, 110 Compromise Street, the Fleet Reserve Club, the Marriott Hotel, and the Annapolis Yacht Club. See map below.



Established in 1987, the purpose of the WMC zone is “to provide a location for maritime-related activities, including docks and slips; public access, recreational uses; and views of the waterfront in an attractive environment which supports and is harmonious with the interrelationship of the historic urban core, the waterfront and adjacent commercial and residential uses.”

The seafood industrial use is allowed in all other maritime zoning districts and was long a common practice downtown until the mid 1970s. The proposed ordinance would restore this traditional use.

Food service marts are allowed as an accessory use in two of the four maritime districts currently. These small markets are typically used as an amenity for boaters who need small provisions of food and beverages. The existing standards for food service marts are:

21.64.310 - Food service marts.

Food service marts are subject to the general standards for food and beverage-related uses. The following additional standards apply:

- A. Bars, dancing or live entertainment are not permitted.*
- B. The service of alcoholic beverages is limited to beer and wine only and sold prepackaged for off-premises consumption.*
- C. The service of food items for immediate consumption, off the premises, may occur accessory to the principal use.*
- D. In the WMI district, this use is only permitted as an accessory use on lots without access to the bulkhead and is limited to one thousand square feet gross floor area.*
- E. In the WME district, this use is only permitted as an accessory use on lots greater than ten thousand square feet in area, and is limited to one thousand square feet gross floor area.*

The definition of a food service mart from Chapter 21.72 is:

"Food service mart" means an establishment whose principal purpose is the sale of food items for home consumption, either prepared on premises or prepackaged. A food service mart must exhibit all of the following characteristics:

- a. The principal operation of the establishment is the sale of food items for home consumption, either prepared on the premises or prepackaged,*
- b. No seating is provided on the premises, and*
- c. The gross square footage of the establishment does not exceed four thousand square feet.*

The additional uses are proposed to strengthen the connection of the WMC zone to the maritime industry by promoting the maritime function and enhancing the historic maritime character of the City Dock.

Report Prepared by



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

1 **..Title**
2 **Waterfront Maritime Conservation District – Uses** – For the purpose of allowing the
3 uses Seafood Industrial and Food Service Marts in the Waterfront Maritime Conservation
4 District.

5 **..Body**

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

8
9 **Ordinance 35-19**

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11 **Introduced by: Alderwoman Tierney**

12
13 **Referred to**
14 Planning Commission
15 Rules and City Government Committee
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17
18 **AN ORDINANCE** concerning

19
20 **Waterfront Maritime Conservation District - Uses**

21
22 **FOR** the purpose of allowing the uses Seafood Industrial and Food Service Marts in the
23 Waterfront Maritime Conservation District.

24
25 **BY** repealing and re-enacting with amendments the following portions of the Code of
26 the City of Annapolis, 2020 Edition
27 21.48.040
28

29
30 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**
31 **CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as
32 follows:

33
34 **TITLE 21 – PLANNING AND ZONING**
35 **Chapter 21.48 – USE TABLES**
36 **21.48.040 - Table of Uses—Waterfront Maritime Zoning Districts.**
37

38 P = Permitted Use; S = Special Exception Use; -Std = Use Subject to Standards
39 (Chapter 21.64); A = Accessory Use; Blank = Not Permitted

40 **Important.** The notes at the end of the table are as much a part of the law as the table
41 itself.

Uses		District WMC	District WMM 3	District WMI ³	District WME
A. Maritime uses					

1. In-water boat storage:					
	a. Docks, slips, piers and other facilities at which boats are berthed, only in conjunction with other maritime uses	P	P		
	b. Docks, slips, piers and other facilities at which boats are berthed, in conjunction with other maritime uses		P	P	P
	c. Yacht and sailing clubs, and member services	P	P	P	P
	d. Sailing schools	P	P	P	P
2. On-land boat storage:					
	a. Open areas, paved or unpaved, and structures providing for on-land boat and marine equipment storage and display	P		P-Std	
	b. Open areas, paved or unpaved, providing for on-land boat and marine equipment storage and display		P		P
	c. Structures existing as of August 24, 1987 providing for on-land boat and marine equipment storage and display		P		P
3. Boat repair and maintenance:					
	a. Vessel repair and maintenance	P	P	P	P
	b. Maritime engineer/mechanical repair	P	P	P	P
	c. Boat, yacht and watercraft haul-out	P	P	P	P

	facilities and maintenance operations				
	d. Fuel storage and refueling facilities for marine craft	P	P	P	P
	e. Accessory on-land material storage	P	P	P	P
4. Marine fabrication:					
	a. Sail and canvas accessory manufacture	P	P	P	P
	b. Spar and rigging construction	P	P	P	P
	c. Maritime carpentry	P	P	P	P
	d. Construction and laying up of marine molds	P	P	P	P
	e. Metal casting for marine use	P	P	P	P
	f. Marine industrial welding and fabrication	P	P	P	P
	g. Boat manufacture	P	P	P	P
5. Maritime services: functions necessary to serve in-water and on-land boat storage and working boatyards, including, but not limited to:					
	a. Boat dealers, brokers and manufacturers' representatives	P	P	P	P
	b. Boat rentals, charters, and charters services	P	P	P	P
	c. Marine parts, supplies, accessory distributors	P	P	P	P
	d. Marine transportation and water taxis	P	P	P	P
	e. Marine documentation	P	P	P	P

	f. Boat show management and promotion	P	P	P	P
	g. Nautical component servicing	P	P	P	P
	h. Yacht designers	P	P	P	P
	i. Marine surveyors	P	P	P	P
6. Maritime retail: display, sale and storage of marine parts, supplies, accessories, and provision of other goods including, but not limited to:					
	a. Marine hardware	P	P	P ¹ ,	P ^{1,2}
	b. Fishing tackle	P	P	P ¹	P ^{1,2}
	c. Marine chandleries	P	P	P ¹	P ^{1,2}
	d. Yacht furniture	P	P	P ¹	P ^{1,2}
	e. Marine maps, magazines, catalogues and other publications	P	P		P ^{1,2}
	f. Maritime retail	P	P	A-Std	A-Std
7. General maritime: general office and research functions contributing to maritime activities including, but not limited to:					
	a. Marine salvage, testing, research and environmental services	P	P		
	b. Marine salvage, testing, and environmental services				P ^{1,2}
	c. Maritime associations	P	P		P ^{1,2}
	d. Oceanographic laboratories and experimental facilities	P	P		P ^{1,2}

	e. Facilities for marine pollution control, oil spill cleanup, and servicing of marine sanitation devices	P	P		P ^{1,2}
	f. Tugboat, vessel towing services, fireboat, pilotboat, harbormaster and similar services	P	P		P ^{1,2}
	g. Specialized professional services to the maritime industry	P	P		P ^{1,2}
	h. Marine transport operations, including shipping offices	P	P		P ^{1,2}
	i. Marine photography, printmaking and chart-making	P	P		P ^{1,2}
	j. Yacht and sailing club offices	P	P		P ^{1,2}
	k. Yacht finance	P	P		P ^{1,2}
	l. Maritime service organizations		P		P ¹
8. Maritime institutions:					
	a. Marine educational facilities	P	P		P ²
	b. Marine museums and aquariums	P	P		P ²
	c. Maritime service organizations	P	P		
9. Seafood industrial:	Landing, distribution, processing, brokerage, wholesale and retail sales of fish and shellfish	<u>P</u>	P	P	P

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	District WMC	District WMM ³	District WMI ³	District WME
B. Other uses:				
Accessory uses	A	A		

Antenna towers			P-Std, S-Std	
Antennas and amateur radio stations	A-Std	A-Std	A-Std	A-Std
Delicatessen			A-Std	A-Std
Food service marts	<u>A-Std</u>		A-Std	A-Std
Governmental uses:				
Parks and recreation facilities	P		P	P
Parking structures as accessory to permitted maritime uses on a separate zoning lot		S-Std		
Professional offices		S-Std		
Restaurant, standard	S-Std	S-Std		S-Std
Retail sales of non maritime-related goods	S-Std	S-Std		
Telecommunications facilities	A-Std	A-Std	A-Std	A-Std
Temporary uses	P-Std	P-Std	P-Std	P-Std
Transient boater services, such as laundry, pool, recreation facilities and sales of convenience items			A-Std	

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1 This use is permitted only on lots without waterfront frontage as of August 24, 1987.
2 This use is permitted in buildings located within one hundred feet of the shoreline, provided
3 that the use does not exceed twenty-five percent of the gross floor area of the lot.
4
5 3 In the WMM and WMI districts non water-dependent buildings, structures, or parking are
6 permitted within the one hundred-foot maritime use setback only if they meet certain bulk
7 requirements. See Division III Chapter 21.46.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect from the date of its passage.

EXPLANATION

Underlining indicates matter added to existing law.
~~Strikethrough~~ indicates matter stricken from existing law.