

Annapolis Small Maritime Business Task Force Recommendations

11/18/2024

Background

Ordinance O-25-21 was established for the purpose of addressing several matters within the Maritime Districts of Annapolis.

These points include:

- requiring certain annual reporting on maritime and non-maritime uses in the Waterfront Maritime Zoning Districts,
- providing certain waterfront access incentives for non-maritime uses within the respective maritime zones enabling the property stakeholders to convert certain footage to general business use categories,
- modifying the requirement for certain uses deemed conforming
- modifying certain uses for Waterfront Maritime Zoning Districts, allowing uses in certain districts subject to certain standards,
- modifying off-street parking requirement for certain uses,
- adding certain definitions generally relating to uses in Waterfront Maritime Zoning Districts.

As required by O-25-21, the Director of Planning and Zoning formed a Work Group to analyze the impact of the ordinance on small maritime operations. The members of the Annapolis Small Business Work Group were tasked with making recommendations to the Annapolis Maritime Advisory Board and Annapolis City Council's Rules & City Government Committee.

Members of the Work Group represented the variety of maritime industries located in the city's four maritime zones, including the Waterfront Maritime Eastport District (WME), the Waterfront Mixed Maritime District (WMM), the Waterfront Maritime Conservation District (WMC), and the Waterfront Maritime Industrial District (WMI).

Annapolis Small Business Work Group members included:

Jennifer Kaye, Schooner Woodwind (charter, WMC)
Shawn Owen, Chronic Sailing (charter, WMI)
Wendy Madden, M Yacht Services (services, WMI)
Seth Lehner, Horn Point Harbor Marina (marina, WME)
Ryan Copeland, Annapolis Landing Marina (marina, WMI)
Mike Tomansini, Maritime Advisory Board Liaison and Owner of Pirate Adventures on the Chesapeake (WMM)

Study, Discussion and Comments

The group met virtually over the course of three meetings. After discussion on the intention of O-25-21, and the shared goal of preserving Annapolis as a thriving maritime center, the top five recommendations made by the Annapolis Small Maritime Business Work Group are:

1. Continuance of maintaining the maritime zones, as these parcels remain vital to the retention of general maritime use, and maritime supportive business within the City. The Zones provide opportunity to the community by clustering maritime services within these designated locations around the City. They further provide a wide breadth of commercial opportunities at these properties, which assist in keeping rents and expenses affordable to small maritime businesses
2. However, the zoning rules, code, and effect of ordinances must be fair. One example which frequently came up in discussion was the WME zone, where property sizes are too small to benefit from the Water Access Incentives program established by the Annapolis Maritime Task Force. Indeed at least 50% of the parcels within WME will not meet criteria of 'Triggers' by Lots size alone.

These incentives may enable greater flexibility in other zones, such as WMI, but they restrict uses in the two other zones, making the WME zones less competitive and attractive for businesses to enter. *The Work Group recommends the City consider reevaluating the incentive triggers of Small Maritime Business Properties.*

After discussion of the effects 0-25-21 on the WME zoned properties, in comparison to WMI and WMM zoned parcels, the Work Group was provided the following table developed by member Seth Lehner. The left side of the table reflects the Existing Benchmarks to Convert Use from strictly maritime to a slightly broader business use. *Please note: Under no scenario throughout the Study of the work group, or the following of the Code or respective Ordinance(s), is any property being expanded in gross or net square footage. We are exclusively evaluating the possibility of a property stakeholder to **convert** space from use a) to use b).*

The right side of the table reflects the potential to update the respective Use and Code and benchmarks. We urge that these recommendations by the Small Maritime Business Work Group as a body be considered by Annapolis City Council as a way to allow for equitability between the maritime zones.

Existing Benchmarks to Expand Use	Recommendations to Update for WME Zoned Parcels
0-25-21 'Triggers' thresholds	
One of the following:	One of the following:
a. 20,000 SF Working Yard & 30 Ton Boat Lift	update to: 5000 SF Open Space Comm. Maritime Actvty. w/ 5-ton Jib or Mobile Crane; rated to hoist 10,000 lb. boat
b. 25,000 SF on land boat storage	update to: 6500 SF Open Space for land storage
c. 9000 SF Seafood Processing	update to: 1600 SF Seafood Processing open space and/or under roof; or 2500 SF w/ Sales, Mrktng., Dist., Representatoin, Promotion, Development
d. Boat or Sailing Club	Add: use by Memberships, Fractional Ownership, Shared interest, daily, hourly or fee base membership, not-for-profit club, rental, lease, fishing club, racing club, canoe, kayak, rowing club, boating school, nautical club
e. Fuel Dock	Add: or Electric Motor Battery Charging Station(s)
f. -----	Add: 2000 sq ft or greater Sail or Canvas Loft

0-25-21 Access Initiatives Cat. 1:

- a. Water Taxi Landing
- b. Public Water Access
- c. Recreational Water Access
- d. Crabbing or Fishing facility

add: Reasonably accessible Water Taxi Landing/ Pier/ Bulkhead/ Dock/ Slip
add: 8:00 am to dusk, with reasonable access walkway/ pathway
add: To accommodate Kayak, Canoe or in-kind PWC
add: 8:00 am to dusk

0-25-21 Access Initiatives Cat. 2:

- a. 150 On Site Parking Spaces
- b. \$200,000 payment for Street end Prks
- c. Community Boating Facility

Strike gross count. Replace w/ EV Charging @ 5% today; 10% @ 5 yrs; 13% at 8 yrs.
Add: or like kind easement w/ reasonable terms; or (1) time commitment of 7.5% gross revenue; payable over 8 years
Add: or Community Access to indoor or outdoor recreation facility area with reasonable daily plan & management

Additional WME 'Trigger' benchmark for Restaurant use:

- a) One (1) of the Triggers listed above and;
- b) An actively operating crane, or travel lift, or maritime purposed forklift
- c), any two (2) of the Water Access Incentives as set in the 2021 O-25-21 legislation

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Further, for WME zoned properties:

- Restaurant use may occupy no more than 4,000 total square feet combined for indoor and outdoor dining
- Outdoor and rooftop dining may be permitted subject to the following:
 - A) Alcoholic beverages shall be served only in conjunction with the service of food
 - B) No bar, dancing or live entertainment and no speakers or public address system shall be allowed
 - C) The outdoor dining areas may not have more than 75% of the number of seats of indoor restaurant area

3. The City council may consider modifying the paradigm of the Ordinance to reflect "*maritime enhancing uses*" and not just "*maritime compatible uses*." Non-maritime uses which enhance the tourist and visitor experience, such as restaurants and cafes, are beneficial because they create a draw, heighten visibility, and provide services to employees
4. Determine a consistent, formulaic method to collect property information of maritime & non-maritime commercial uses. The current reporting mechanism is a bit non-effective, resulting in poor data from which to base study, review findings and make reasonably informed and effective decisions
5. The Planning Commission must submit findings and recommendations to the City Council for changes to the table of uses and/or standards applicable to the Waterfront

Districts every four years. It is recommended that in 2027, the Planning Commission consider updating the language and points to the table of uses such that *current* use definitions are replaced or included. For example, "Boat or Sailing Club" should be edited into the Table, and more maritime compatible uses be included. For example, electric motor battery charging stations for vessels, rowing club, fractional ownership, sail lofts and the like, as described in the Table above.

Conclusion

It is clear from the historical context of the Zone creations, the establishment of Uses, guidelines and rules of the existing Maritime Zones within the City were created and maintained with eyes for keeping the history of Annapolis' maritime spirit well rooted and healthy. The basis of this effort was created now decades ago. And as time has marched on, the code, the rules, and the uses have all now become somewhat dated. It remains possible for the historic to work with the contemporary.

As a city, we simply must reasonably accommodate the knowing that some uses are no longer meritorious. And in turn, some uses are yet to even be identified. Reducing the number of Zones to just one or two, like other similarly sized waterfront cities, will also be of benefit. Ultimately, bringing forward to today the uses, the code and the methods by which we identify solid decision making is the opportunity before the City and community.