



City of Annapolis
Signature Copy
Ordinance: O-41-15

160 Duke Of
Gloucester Street
Annapolis, MD 21401

File Number: O-41-15

A Comprehensive Zoning District Map Amendment and Technical Update - For the purpose of updating the City's Zoning Map; and matters generally relating to technical corrections of the Zoning Map.

CITY COUNCIL OF THE
City of Annapolis

Ordinance No. O-41-15.

Introduced by: Mayor Pantelides

Referred to
Planning Commission
Rules and City Government

AN ORDINANCE concerning

A Comprehensive Zoning District Map Amendment
and Technical Update

FOR the purpose of updating the City's Zoning District Map; and matters generally relating to technical corrections of the Zoning District Map.

BY repealing and reenacting the following portions of the Code of the City of Annapolis, 2014

Edition:

Section 21.06.020

Section 21.08.050

Section 21.56.180

Section 21.59.050

Section 21.59.070

WHEREAS, Section 21.06.020 of the Code of the City of Annapolis establishes that the City of Annapolis Zoning District Map is part of the Zoning Code;

WHEREAS, the Annapolis City Council finds that it is necessary and in the public interest to update the Zoning District Map and to make general technical corrections to the Zoning District Map;

WHEREAS, the Zoning District Map was last updated in August of 2006;

WHEREAS, the Annapolis City Council finds also that it is timely and appropriate to amend Section 21.08.050 of the Zoning Code to allow the Planning and Zoning Director to administratively approve technical corrections of drafting errors that may arise from time to time subsequent to the adoption of this ordinance.

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

21.06.020 - Zoning District Map.

The location and boundaries of the zoning districts of this Zoning Code are established as shown on the zoning map entitled "City of Annapolis Zoning District Map," which is incorporated in this section and made a part of this Zoning Code. The map, together with everything shown on the map and all amendments to the map, is as much a part of this Zoning Code as though fully set forth and described in this Zoning Code.

21.08.050 - Planning and Zoning Director.

A. Establishment. The position of Planning and Zoning Director is established as the manager of the Department of Planning and Zoning, with the authority to administer and enforce this Zoning Code.

B. Duties. The Planning and Zoning Director may delegate zoning administration and enforcement responsibilities to any deputy director, assistant director, or staff member of the Department of Planning and Zoning, or other individual designated by the Director. The Planning and Zoning Director has the following powers and duties:

1. Decide applications for demolition permits pursuant to the provisions of Chapter 21.14.
2. Decide applications for administrative interpretations pursuant to the provisions of Chapter 21.16.
3. Decide applications for administrative adjustments pursuant to the provisions of Chapter 21.18.
4. Decide applications for major and minor site plan review pursuant to the provisions of Chapter 21.22.
5. Decide applications for extensions of planned developments pursuant to the provisions of Chapter 21.24.
6. Decide applications for determinations of nonconforming use status pursuant to the provisions of Chapter 21.68.
7. Hear and decide applications for change of nonconforming use pursuant to the provisions of Chapter 21.68.

8. Conduct inspections of buildings, structures and use of land to determine compliance with the terms of this Zoning Code.
9. Take appropriate enforcement action with regard to alleged violations of this Zoning Code.
10. Maintain permanent and current records made under this Zoning Code, including, but not limited to, all maps, amendments, planned developments, special exceptions, variances, appeals, use permits and applications.
11. Provide and maintain public information related to this Zoning Code.-
12. CERTIFY ADJUSTMENTS TO A ZONING DISTRICT LINE IF MORE ACCURATE PARCEL INFORMATION SUCH AS A SEALED SURVEY PLAT OR A RECORDED PLAT BECOMES AVAILABLE AND EVIDENCE CLEARLY INDICATES THAT THE PROPERTY BOUNDARY WAS INTENDED TO MATCH THE ZONING DISTRICT LINE. THE DIRECTOR SHALL PROVIDE WRITTEN NOTICE TO ALL OWNERS OF PROPERTY WHO ARE IMPACTED BY THE PROPOSED LINE ADJUSTMENT.
1213. Initiate or direct from time to time a study of the provisions of this Zoning Code, and make reports or recommendations to the Planning Commission not less frequently than once a year.
1314. Coordinate the exchange of information between the City's Department of Planning and Zoning and the Anne Arundel County School Board to facilitate accurate and timely data about school capacity of those Annapolis feeder system schools that serve the residents of the City of Annapolis.
1415. Provide input into Anne Arundel County planning documents on school capacity and make necessary recommendations to Anne Arundel County regarding additional school facilities or capital improvements to existing facilities.

21.56.180 - Special height limit districts.

A. Establishment. Three special height limit districts are established: district 1, district 2 and district 3.

B. Location and Boundaries. The location and boundaries of the special height limit districts are as set forth on the map entitled "Historic District Special Height and ~~Bulk~~ Limits, Revised, May, 1983," certified copies of which are be maintained by the Department of Planning and Zoning, which constitutes a part of the "City of Annapolis Zoning District Map," established by Section 21.06.020

C. Applicability. The special height and bulk limits in these districts shall govern over any other height and bulk limits established in other provisions of this Zoning Code.

D. Regulations.

1. No building in the special height limit district 1 may exceed a total height of thirty-two feet and a height of twenty-two feet at the cornice or lower roofline measured at the front setback line.
2. No building in the special height limit district 2 may exceed a total height of thirty-eight feet and a height of twenty-eight feet at the cornice or lower roofline measured at the front setback line.
3. No building in the special height limit district 3 may exceed a total height of forty-five feet and height of thirty-five feet at the cornice or lower roofline measured at the front setback line.

21.59.050 - Definitions of Zone 1 and Zone 2.

A. "Zone 1" is defined by two angles measured from an imaginary straight line from the centerline of the right-of-way at the metal seam at the South base of the Eastport bridge end to the centerline of the right-of-way one hundred twenty feet along Sixth Street. The first angle extends forty-three degrees to the right in an easterly direction from the one hundred twenty-foot point to a point along the existing bulkhead located approximately one hundred feet South East from the North West corner of the bulkhead serving parcel 295. The second angle extends twenty-seven degrees to the left in a westerly direction from the one hundred twenty-foot point to the St. Anne's Church steeple as is shown on Zoning Map §Z 52D.

B. "Zone 2" is defined as encompassing all properties, according to their legal boundaries, immediately adjacent to Sixth Street between Bay Ridge Avenue and the Eastport Bridge, excepting that part of the Board of Education property that lies outside a line fifty feet from the boundary of the Sixth Street right of way so long as it is owned and used by the Board of Education as shown in Zoning Map §Z 52D.

21.59.070 - Building design guidelines.

A. Zone 1. No buildings or structures over four feet above the sidewalk of Sixth Street shall be permitted in Zone 1, as measured from a point immediately adjacent to, but not part of, the Eastport Bridge. Notwithstanding the foregoing, in Zone 1, boats of any size and type and structures such as cranes, boat lifts, boat stands, boat trailers and other related structures and/or devices used to accommodate boatyard activities including in-water and on-land boat storage and the moving of boats, are expressly permitted. Low growing landscaping or trees with high canopies that will not block the view are also permitted.

B. Zone 2.

1. Buildings. Zone 2 buildings shall be compatible with the traditional architectural character of the Eastport peninsula, with special emphasis placed on Eastport's Fourth Street business district and the west side of Sixth Street between Severn and Chesapeake

Avenues. Design compatibility is to include aspects such as width, facades, articulation, glazing, materials, lighting, mass, roof forms, accessory structures, fencing, and signage. The character of the buildings should be less suburban and more urban in character, and less commercial in appearance and more reminiscent of the maritime and residential flavor of the community. In general, all development shall be human in scale, with building facade articulation (doors, windows, surface treatment and details) open spaces and access systems designed to relate to the pedestrian rather than automobile traffic.

2. Building Setbacks. The front yard setback shall be five feet from the property line. Structures shall be located close to the street whenever possible. A significant portion of the structures frontage shall be located within five feet of the property line to promote parking behind the structure instead of in front. Buildings located at corners shall be within five feet from the property line on both street faces, subject to safety standards defined by motorist sight lines and the presence of traffic control devices. No side yards are required except as deemed necessary by Planning and Zoning in areas needed to supply an adequate supply of light and air to adjacent property. Alleys between structures shall be encouraged.

This Zone 2 "Building Setback" regulation set forth above at in subsection (B)(2) of this section is not applicable to the land known as Tax Map 8Z 52D, Parcel 160, located to the west of 6th Street and adjacent to the waters of Spa Creek.

3. Height.

- a. The height of that portion of the building located between the five foot front property line setback permitted by this overlay and the front setback permitted by the underlying zoning district shall be no greater than thirty feet from grade and not exceed two and one-half stories in height.

- b. The height of that portion of the building located within the setback permitted by the underlying zoning shall be governed by the underlying zoning.

4. Uses. Wherever commercial or maritime uses for new or existing property are considered, residential dwellings are encouraged on the upper floors.

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

CAPITAL LETTERS indicate matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates amendments

ADOPTED this 11th day of January, 2016.

Aye: 8 Mayor Pantelides, Alderman Budge, Alderman Paone,
Aldерwoman Pindell Charles, Aldерwoman Finlayson,
Alderman Littmann, Alderman Pfeiffer and Alderman Arnett

Absent: 1 Alderman Kirby

THE ANNAPOLIS
CITY COUNCIL



Michael J. Pantelides

Date 2-1-2016

ATTEST



Regina C. Watkins-Eldridge, MMC

Date 2/1/16