

1 **..Title**

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

5 **..Body**

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

8  
9 **Ordinance No. O-41-15**

10  
11 **Introduced by: Mayor Pantelides**

12  
13 **Referred to**  
14 **Planning Commission**  
15 **Rules and City Government**

16  
17 **AN ORDINANCE** concerning

18  
19 **A Comprehensive Zoning District Map Amendment**  
20 **and Technical Update**

21  
22 **FOR** the purpose of updating the City's Zoning District Map; and matters generally relating to  
23 technical corrections of the Zoning District Map.

24  
25 **BY** repealing and reenacting the following portions of the Code of the City of Annapolis,  
26 2014 Edition:

27 Section 21.06.020

28 Section 21.08.050

29 Section 21.56.180

30 Section 21.59.050

31 Section 21.59.070

32  
33 **WHEREAS,** Section 21.06.020 of the Code of the City of Annapolis establishes that the City of  
34 Annapolis Zoning District Map is part of the Zoning Code;

35  
36 **WHEREAS,** the Annapolis City Council finds that it is necessary and in the public interest to  
37 update the Zoning District Map and to make general technical corrections to the  
38 Zoning District Map;

39  
40 **WHEREAS,** the Zoning District Map was last updated in August of 2006;

41  
42 **WHEREAS,** the Annapolis City Council finds also that it is timely and appropriate to amend  
43 Section 21.08.050 of the Zoning Code to allow the Planning and Zoning Director  
44 to administratively approve technical corrections of drafting errors that may arise  
45 from time to time subsequent to the adoption of this ordinance.  
46

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

3  
4 **21.06.020 - Zoning District Map.**

5  
6 The location and boundaries of the zoning districts of this Zoning Code are established as shown  
7 on the zoning map entitled "City of Annapolis Zoning District Map," which is incorporated in  
8 this section and made a part of this Zoning Code. The map, together with everything shown on  
9 the map and all amendments to the map, is as much a part of this Zoning Code as though fully  
10 set forth and described in this Zoning Code.

11  
12 **21.08.050 - Planning and Zoning Director.**

13  
14 A. Establishment. The position of Planning and Zoning Director is established as the  
15 manager of the Department of Planning and Zoning, with the authority to administer and enforce  
16 this Zoning Code.

17  
18 B. Duties. The Planning and Zoning Director may delegate zoning administration and  
19 enforcement responsibilities to any deputy director, assistant director, or staff member of the  
20 Department of Planning and Zoning, or other individual designated by the Director. The  
21 Planning and Zoning Director has the following powers and duties:

- 22  
23 1. Decide applications for demolition permits pursuant to the provisions of Chapter 21.14.  
24  
25 2. Decide applications for administrative interpretations pursuant to the provisions of  
26 Chapter 21.16.  
27  
28 3. Decide applications for administrative adjustments pursuant to the provisions of  
29 Chapter 21.18.  
30  
31 4. Decide applications for major and minor site plan review pursuant to the provisions of  
32 Chapter 21.22.  
33  
34 5. Decide applications for extensions of planned developments pursuant to the provisions  
35 of Chapter 21.24.  
36  
37 6. Decide applications for determinations of nonconforming use status pursuant to the  
38 provisions of Chapter 21.68.  
39  
40 7. Hear and decide applications for change of nonconforming use pursuant to the  
41 provisions of Chapter 21.68.  
42  
43 8. Conduct inspections of buildings, structures and use of land to determine compliance  
44 with the terms of this Zoning Code.  
45

- 1 9. Take appropriate enforcement action with regard to alleged violations of this Zoning  
2 Code.  
3
- 4 10. Maintain permanent and current records made under this Zoning Code, including, but  
5 not limited to, all maps, amendments, planned developments, special exceptions,  
6 variances, appeals, use permits and applications.  
7
- 8 11. Provide and maintain public information related to this Zoning Code.  
9
- 10 12. CERTIFY ADJUSTMENTS TO A ZONING DISTRICT LINE IF MORE ACCURATE  
11 PARCEL INFORMATION SUCH AS A SEALED SURVEY PLAT OR A  
12 RECORDED PLAT BECOMES AVAILABLE AND EVIDENCE CLEARLY  
13 INDICATES THAT THE PROPERTY BOUNDARY WAS INTENDED TO MATCH  
14 THE ZONING DISTRICT LINE. THE DIRECTOR SHALL PROVIDE WRITTEN  
15 NOTICE TO ALL OWNERS OF PROPERTY WHO ARE IMPACTED BY THE  
16 PROPOSED LINE ADJUSTMENT.  
17
- 18 ~~13~~13. Initiate or direct from time to time a study of the provisions of this Zoning Code, and  
19 make reports or recommendations to the Planning Commission not less frequently than  
20 once a year.  
21
- 22 ~~14~~14. Coordinate the exchange of information between the City's Department of Planning  
23 and Zoning and the Anne Arundel County School Board to facilitate accurate and  
24 timely data about school capacity of those Annapolis feeder system schools that serve  
25 the residents of the City of Annapolis.  
26
- 27 ~~15~~15. Provide input into Anne Arundel County planning documents on school capacity and  
28 make necessary recommendations to Anne Arundel County regarding additional school  
29 facilities or capital improvements to existing facilities.  
30

31 **21.56.180 - Special height limit districts.**  
32

33 A. Establishment. Three special height limit districts are established: district 1, district 2  
34 and district 3.  
35

36 B. Location and Boundaries. The location and boundaries of the special height limit  
37 districts are as set forth on the map entitled "Historic District Special Height ~~and Bulk~~ Limits,  
38 Revised, May, 1983," certified copies of which are to be maintained by the Department of Planning  
39 and Zoning, which constitutes a part of the "City of Annapolis Zoning District Map," established  
40 by Section 21.06.020  
41

42 C. Applicability. The special height and bulk limits in these districts shall govern over  
43 any other height and bulk limits established in other provisions of this Zoning Code.  
44

45 D. Regulations.  
46

- 1           1.       No building in the special height limit district 1 may exceed a total height of thirty-  
2                   two feet and a height of twenty-two feet at the cornice or lower roofline measured at  
3                   the front setback line.
- 4
- 5           2.       No building in the special height limit district 2 may exceed a total height of thirty-  
6                   eight feet and a height of twenty-eight feet at the cornice or lower roofline measured  
7                   at the front setback line.
- 8
- 9           3.       No building in the special height limit district 3 may exceed a total height of forty-  
10                  five feet and height of thirty-five feet at the cornice or lower roofline measured at the  
11                  front setback line.
- 12

### 13 **21.59.050 - Definitions of Zone 1 and Zone 2.**

14

15           A. "Zone 1" is defined by two angles measured from an imaginary straight line from the  
16 centerline of the right-of-way at the metal seam at the South base of the Eastport bridge end to  
17 the centerline of the right-of-way one hundred twenty feet along Sixth Street. The first angle  
18 extends forty-three degrees to the right in an easterly direction from the one hundred twenty-foot  
19 point to a point along the existing bulkhead located approximately one hundred feet South East  
20 from the North West corner of the bulkhead serving parcel 295. The second angel extends  
21 twenty-seven degrees to the left in a westerly direction from the one hundred twenty-foot point  
22 to the St. Anne's Church steeple as is shown on Zoning Map 8Z 52D.

23

24           B. "Zone 2" is defined as encompassing all properties, according to their legal  
25 boundaries, immediately adjacent to Sixth Street between Bay Ridge Avenue and the Eastport  
26 Bridge, excepting that part of the Board of Education property that lies outside a line fifty feet  
27 from the boundary of the Sixth Street right of way so long as it is owned and used by the Board  
28 of Education as shown in Zoning Map 8Z 52D.

### 29 **21.59.070 - Building design guidelines.**

30

31

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

#### 39           B. Zone 2.

- 40
- 41
- 42           1.       Buildings. Zone 2 buildings shall be compatible with the traditional architectural  
43 character of the Eastport peninsula, with special emphasis placed on Eastport's  
44 Fourth Street business district and the west side of Sixth Street between Severn and  
45 Chesapeake Avenues. Design compatibility is to include aspects such as width,  
46 facades, articulation, glazing, materials, lighting, mass, roof forms, accessory

1 structures, fencing, and signage. The character of the buildings should be less  
 2 suburban and more urban in character, and less commercial in appearance and more  
 3 reminiscent of the maritime and residential flavor of the community. In general, all  
 4 development shall be human in scale, with building facade articulation (doors,  
 5 windows, surface treatment and details) open spaces and access systems designed to  
 6 relate to the pedestrian rather than automobile traffic.  
 7

- 8 2. Building Setbacks. The front yard setback shall be five feet from the property line.  
 9 Structures shall be located close to the street whenever possible. A significant  
 10 portion of the structures frontage shall be located within five feet of the property line  
 11 to promote parking behind the structure instead of in front. Buildings located at  
 12 corners shall be within five feet from the property line on both street faces, subject to  
 13 safety standards defined by motorist sight lines and the presence of traffic control  
 14 devices. No side yards are required except as deemed necessary by Planning and  
 15 Zoning in areas needed to supply an adequate supply of light and air to adjacent  
 16 property. Alleys between structures shall be encouraged.  
 17

18 This Zone 2 "Building Setback" regulation set forth above at in subsection (B)(2) of this  
 19 section is not applicable to the land known as Tax Map 8Z 52D, Parcel 160, located to the west  
 20 of 6th Street and adjacent to the waters of Spa Creek.  
 21

22 3. Height.

23  
 24 a. The height of that portion of the building located between the five foot front  
 25 property line setback permitted by this overlay and the front setback permitted by the  
 26 underlying zoning district shall be no greater than thirty feet from grade and not exceed  
 27 two and one-half stories in height.  
 28

29 b. The height of that portion of the building located within the setback permitted  
 30 by the underlying zoning shall be governed by the underlying zoning.  
 31

32 4. Uses. Wherever commercial or maritime uses for new or existing property are  
 33 considered, residential dwellings are encouraged on the upper floors.  
 34  
 35

36 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
 37 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its  
 38 passage.  
 39

40 **EXPLANATION**

41 CAPITAL LETTERS indicate matter added to existing law.

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

43 Underlining indicates amendments