

1 **..Title**
2 **Waterfront Maritime Conservation District** – For the purpose of amending Retail Use, the
3 Standards for Uses Subject to Standards and Parking Requirements in the WMC Zoning District.

4 **..Body**

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

7
8 **Ordinance 40-15**

9
10 **Sponsored by: Mayor Pantelides, Alderman Budge**

11
12 **Referred to**
13 **Rules and City Government**

14
15 **AN ORDINANCE** concerning

16
17 **Waterfront Maritime Conservation District**

18
19 **FOR** the purpose of amending Retail Use, the Standards for Uses Subject to Standards and
20 Parking Requirements in the WMC Zoning District.

21
22 **BY** repealing and re-enacting with amendments the following portions of the Code of the
23 City of Annapolis, 2014 Edition

- 24
25 Section 21.46.020B
26 Section 21.48.040B
27 Section 21.64.540F
28 Section 21.64.550A

29
30 **BY** adding the following portion to the Code of the City of Annapolis, 2014 Edition

31
32 Section 21.66.130 Table Note 6

33
34 **WHEREAS**, the Waterfront Maritime Conservation (WMC) zoning district lies at the focus of
35 Annapolis’s downtown business, historical, and maritime area; and

36
37 **WHEREAS**, the WMC zoning district was established to preserve the maritime industry in the
38 heart of downtown; and

39
40 **WHEREAS**, the Annapolis City Council wishes to clarify confusion that has arisen over the mix
41 of uses in the WMC zoning district; and

42
43 **WHEREAS**, the Annapolis City Council believes on-site parking requirements in the WMC
44 district should be similar to those in the surrounding downtown; and

1 **WHEREAS**, the Annapolis City Council believes that retail uses attendant to a vibrant local
2 economy require the application of flexibility to how retail businesses address the community’s
3 needs through property use.

4
5 **NOW THEREFORE**

6
7 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
8 **COUNCIL** that the Code of the City of Annapolis shall be amended as follows:

9
10
11 **21.46 WATERFRONT MARITIME DISTRICTS**

12 **21.46.020 WMC Waterfront Maritime Conservation district.**

13
14 REVISOR’S NOTE: In this Section, the uses found in 21.46.020B are amended.
15 No other changes are made to this Section.

16
17 B. Uses. Uses that may be permitted in the WMC District are set forth in the table of uses for
18 Waterfront Maritime Districts in Chapter 21.48.

- 19
20 1. RETAIL SALES OF NON MARITIME-RELATED GOODS AND USES ARE
21 ALLOWED IN THE WMC DISTRICT PROVIDED THAT THE MARITIME USES ON
22 THE LOT COMPRISE A MINIMUM OF FORTY PERCENT OF THE GROSS FLOOR
23 AREA ON THE LOT.
24
25 2. MULTIPLE MARITIME USES, RESTAURANT AND RETAIL SALES OF NON
26 MARITIME-RELATED GOODS MAY EXIST ON THE SAME LOT AT THE SAME
27 TIME PROVIDED THAT THE MARITIME USES COMPRISE A MINIMUM OF FORTY
28 PERCENT OF THE GROSS FLOOR AREA ON THE LOT.

29
30
31 **21.48 – USE TABLES**

32 **21.48.040 – Waterfront Maritime Zoning Districts**

33
34 REVISOR’S NOTE: In this Section, the use found in 21.48.040B – “Retail sales
35 of non maritime-related goods” is amended. No other changes are made
36 to this Section.
37

| | 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 | | | 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 P-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 | |

21.64 – STANDARDS FOR USES SUBJECT TO STANDARDS

21.64.540 – Restaurants, Standard.

REVISOR’S NOTE: In this Section, the standards for uses found in 21.64.540F are amended. No other changes are made to this Section.

F. WMC District. In the WMC district the following standards apply:

1. The use may only be provided in combination with a ~~principal permitted use~~ MARITIME PERMITTED USE PER SECTION 21.48.040A.1.-9. THAT OCCUPIES A MINIMUM OF FORTY PERCENT OF THE TOTAL GROSS FLOOR AREA ON THE LOT.
2. ~~The use may occupy no more than thirty percent of the total gross floor area on the lot.~~ OUTDOOR DINING AND ROOFTOP DINING MAY BE PERMITTED SUBJECT TO THE FOLLOWING:

- 1 a. ALCOHOLIC BEVERAGES SHALL BE SERVED ONLY IN CONJUNCTION
2 WITH THE SERVICE OF FOOD.
3
 - 4 b. HOURS OF OPERATION SHALL BE LIMITED TO TWO A.M., SEVEN DAYS A
5 WEEK.
6
 - 7 c. NO DANCING OR LIVE ENTERTAINMENT AND NO SPEAKERS OR PUBLIC
8 ADDRESS SYSTEM SHALL BE ALLOWED, EXCEPT LOW LEVEL
9 BACKGROUND MUSIC.
10
 - 11 d. NO PORTION OF A ROOFTOP DINING AREA MAY BE LOCATED ANY
12 CLOSER THAN SEVENTY-FIVE FEET FROM A RESIDENTIAL STRUCTURE,
13 MEASURED HORIZONTALLY AT GRADE.
14
 - 15 e. NEITHER THE OUTDOOR DINING AREA NOR THE ROOFTOP DINING AREA
16 MAY HAVE MORE THAN SEVENTY-FIVE PERCENT OF THE NUMBER OF
17 SEATS OF THE INDOOR RESTAURANT AREA.
18
 - 19 f. LIGHTING SHALL BE DIRECTED AWAY FROM THE ADJOINING PROPERTIES
20 AND STREETS AND DESIGNED TO MINIMIZE GLARE. ALL LIGHTING
21 SHALL BE AT OR BELOW RAILING LEVEL.
22
 - 23 g. THE DESIGN OF THE ROOFTOP DINING AREA SHALL INCLUDE NOISE
24 MITIGATION MEASURES THAT WILL MINIMIZE ADVERSE IMPACTS ON
25 ADJOINING PROPERTIES.
26
- 27 3. In conjunction with approval of this use the applicant shall construct and maintain a public
28 pedestrian walkway in accordance with the standards set forth in Section 21.62.020130,
29 EXCEPT THAT STRUCTURES IN EXISTENCE AS OF AUGUST 24, 1987 LOCATED
30 WITHIN THE PUBLIC PEDESTRIAN WALKWAY SHALL COMPLY TO THE
31 EXTENT PRACTICABLE.
32
33

34 **21.64 – STANDARDS FOR USES SUBJECT TO STANDARDS**

35 **21.64.550 – Retail sales of non maritime-related goods.**
36

37 A. WMC District.
38

- 39 1. In structures in existence as of August 24, 1987 this use may not exceed ~~thirty~~SIXTY
40 percent of the total gross floor area of development of the lot.
41
- 42 2. ~~In structures constructed after August 24, 1987 this use may not exceed twenty five percent~~
43 ~~of the total gross floor area of development of the lot~~IN CONJUNCTION WITH
44 APPROVAL OF THIS USE THE APPLICANT SHALL CONSTRUCT AND MAINTAIN
45 A PUBLIC PEDESTRIAN WALKWAY IN ACCORDANCE WITH THE STANDARDS
46 SET FORTH IN SECTION 21.62.130, EXCEPT THAT STRUCTURES IN EXISTENCE

AS OF AUGUST 24, 1987 LOCATED WITHIN THE PUBLIC PEDESTRIAN WALKWAY SHALL COMPLY TO THE EXTENT PRACTICABLE.

~~3. In conjunction with approval of this use the applicant shall construct and maintain a public pedestrian walkway in accordance with the standards set forth in Section 21.62.130.~~

REVISOR’S NOTE: In this Section, the Standards for Uses found in 21.64.550A are amended. No other changes are made to this Section.

21.66 - PARKING AND LOADING REGULATIONS
21.66.130 Table of off-street parking requirements.

REVISOR’S NOTE: In this Section, a new Table Note 6 is added to the Notes at the end of the Table of off-street parking requirements. No other changes are made to this Section.

Table Notes:

- 6. WMC DISTRICT. OFF-STREET PARKING FACILITIES ARE NOT REQUIRED IN THE WMC DISTRICT EXCEPT THAT USES CONTAINING FIFTEEN THOUSAND FEET OR MORE OF FLOOR AREA MUST PROVIDE 15 PARKING SPACES, PLUS ONE SPACE FOR EACH ADDITIONAL FIVE HUNDRED SQUARE FEET OF FLOOR AREA.

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