



**City of Annapolis**  
Planning Commission  
Department of Planning & Zoning  
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June 19, 2019

**To: Annapolis City Council**  
**From: Planning Commission**  
**Re: Findings for Ordinance O-20-19**

**SUMMARY**

The purpose of Ordinance O-20-19 is to create standards for dwellings permitted above seven specific ground floor uses in certain commercial districts (B1 & B2); and matters generally relating to regulation of such dwellings.

**ANALYSIS**

Currently, "Dwellings above the Ground Floor of Nonresidential Uses" is one of the five different types of dwelling units in the City. The others are single-family detached dwellings, single-family attached dwellings, multifamily dwellings, and two-family dwellings. There is no definition for "Dwellings above the Ground Floor of Nonresidential Uses" in Chapter 21.72 unlike for the other dwelling types.

One amendment that was suggested would be to add to section 21.48.020 – Table of Uses – Commercial and Industrial Zoning Districts. To make this a use subject to the standards proposed in Section 21.64.280, the City Code would need to be changed so that instead of "Permitted" the use is "Permitted Subject to Standards" or "P-STD". It is also unclear if the prohibition in this proposed ordinance against a dwelling unit on the ground floor of any building would apply to single-family detached dwellings, which are permitted in the B1 District.

The Commission discussed the application of these policies on current and future projects. The commissioners felt the change in standards if applied city-wide would hinder flexibility and creativity. Additionally, there are areas of the city in which residential above commercial/parking is actually desired. This consequence is in addition to the problems in definition, application and changes to the Table of Uses.

**RECOMMENDATION**

On June 19, 2019, the Planning Commission held a public hearing on O-20-19 and subsequently moved to deny the recommendation with a vote of 5 to 0.

Adopted this 1<sup>st</sup> day of August, 2019

  
Robert Waldman, Chair