

O-25-21
Waterfront Maritime Zoning Districts – Uses
Amendment 17 – Arnett*
10/15/21 (as amended on 10/21/21)

**If adopted, Amendment 17 would replace Amendment 2, which was recommended favorably as revised by the Rules & City Government Committee.*

AMENDMENT 17:

Purpose: Adjusts Calculations for Waterfront Access Incentives and Clarifies the Provisions Relating to Waterfront Access.

ARNETT Amendments to the prior Amendment 17 are in RED

On page 3 strike lines 32 down through line 17 on Page 4 and insert:

“D. WATERFRONT ACCESS INCENTIVES. THE TERM “GFA” MEANS THE GROSS FLOOR AREA OF BUILDINGS EXISTING ON THE LOT AS OF THE EFFECTIVE DATE OF THIS ORDINANCE NOT INCLUDING RESIDENTIAL STRUCTURES. THE TOTAL PERCENTAGE OF PROFESSIONAL OFFICE AND RETAIL SALES OF NONMARITIME GOODS ALLOWED IN WMM, WMI, OR WME ZONING DISTRICTS MAY BE INCREASED BY THE FOLLOWING PERCENTAGES IF THE INCENTIVE IS PROVIDED, BUT THE PERCENTAGE OF PROFESSIONAL OFFICE AND RETAIL SALES OF NON-MARITIME GOODS SHALL NOT EXCEED **IN THE WMM 30% OF TOTAL GROSS FLOOR AREA OF THE DEVELOPMENT ON THE LOT INEXISTANCE OF THE EFFECTIVE DATE OF THIS ORDINANCE AND AN ADDITIONAL 25% OF TOTAL GFA [A CUMULATIVE TOTAL OF 55% IN THE WMM DISTRICT], 20% OF GFA IN THE WMI DISTRICT, OR 20% OF GFA IN THE WME DISTRICT.** THE INCENTIVES ARE:

CATEGORY I (MAXIMUM OF 5% TOTAL)

- a. WATER TAXI LANDING AT 2.5% OF GFA (“WATERFRONT ACCESS INCENTIVE”)
- b. PUBLIC ACCESS FOR WALKING DURING DAYLIGHT HOURS AT 2.5% OF GFA (“WATERFRONT ACCESS INCENTIVE”)
- c. RENTING TO TENANTS THAT PROVIDE RECREATIONAL WATER ACCESS AT 2.5% OF GFA
- d. A LOCATION FOR THE LAUNCH AND RECOVERY OF PADDLECRAFT DURING DAYLIGHT HOURS FOR BELOW MARKET FEE AT 2.5% OF GFA (“WATERFRONT ACCESS INCENTIVE”)
- e. A LOCATION FOR CRABBING AND FISHING DURING DAYLIGHT HOURS AT 2.5% OF GFA (“WATERFRONT ACCESS INCENTIVE”)

CATEGORY II (MAXIMUM OF 10% TOTAL)

f. PROVISION OF AT LEAST 150 ON-SITE PARKING SPACES AT A REASONABLE FEE ON EVENINGS AND WEEKENDS AT 10% OF GFA (“PARKING INCENTIVE”)

g. A ONE-TIME PAYMENT OF \$250,000 TO THE CITY FOR IMPROVING STREET END PARKS AT 5% OF GFA (“PARK DONATION INCENTIVE”)

h. COMMUNITY BOATING FACILITY WITH SMALL VESSEL STORAGE AND LAUNCH AREAS, LOCKERS, RESTROOM FACILITIES AND PARKING AT 10% OF GFA (“COMMUNITY BOATING FACILITY INCENTIVE”).

A “WATERFRONT ACCESS INCENTIVE” DOES NOT REQUIRE ON-SITE PARKING BUT MUST BE ADA-COMPLIANT AS REQUIRED BY LAW, AND MUST PROVIDE A CLEAR PEDESTRIAN PASSAGE FROM THE CLOSEST PUBLIC ROADWAY. THE ACCESS MAY BE SUBJECT TO REASONABLE RESTRICTIONS TO ADDRESS PUBLIC SAFETY CONCERNS AND SHALL INCLUDE CLEAR SIGNAGE DENOTING THE ALLOWED PUBLIC USE AND ANY SUCH REASONABLE RESTRICTIONS.

- E. IF THERE IS AN INCREASE IN NON-MARITIME USES GRANTED THROUGH THE ABOVE INCENTIVES, A FEE ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL AND SET FORTH IN THE FEES SCHEDULE SHALL BE ASSESSED TO THE PROPERTY OWNER FOR THE PURPOSES OF SUPPORTING THE ANNAPOLIS MARITIME INDUSTRY FUND AND ASSOCIATED PROGRAMS.