

City of Annapolis

*160 Duke Of Gloucester Street
Annapolis, MD 21401*



Standing Committee Meeting Minutes

Wednesday, October 13, 2021

3:00 PM

Special Meeting

**Mayor John T. Chambers, Jr.
City Council Chambers**

Rules & City Government Committee

Call To Order

Chairwoman Finlayson called the meeting to order at 3:05 p.m.

Roll Call

Present: 3 - Finlayson, Savidge and Arnett

Approval of Agenda (any changes to the agenda should be made here)

Alderman Arnett moved to adopt the Regular Meeting Agenda. Seconded. The motion carried by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

1. Business and Miscellaneous

Approval of Minutes

[RCG10.05.21](#) Approval of Minutes for the Regular Meeting

Attachments: [RCG10.05.21](#)

Alderman Arnett moved to approve the minutes for the Regular Meeting. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

Appointments and Reappointments to Committees

[AP-44-21](#) The Appointment of Leona Tartasky to the Civil Service Board

Attachments: [Application](#)

Postpone

Alderman Arnett moved to postpone AP-44-21. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

2. Legislation before Committee

[O-25-21](#) **Waterfront Maritime Zoning Districts - Uses** - For the purpose of requiring certain annual reporting on maritime and non-maritime uses, providing for certain waterfront access incentives for non-maritime uses, modifying the requirements for certain uses deemed conforming, modifying certain uses for Waterfront Maritime Zoning Districts, allowing uses in certain districts subject to standards, modifying off-street parking requirements for certain uses, adding definitions, and generally relating to uses in Waterfront Maritime Zoning Districts.

Attachments: [O-25-21 First Reader](#)
[O-25-21 Staff Report](#)
[O-25-21 Fiscal Impact Note](#)
[O-25-21 MAB Recommendations](#)
[O-25-21 Maritime Task Force Strategy - Executive Summary - 6-25-21](#)
[O-25-21 PC Findings for Maritime Task Force Strategy 9-2-21](#)
[O-25-21 PC Findings and Recommendations 9-2-21](#)
[O-25-21 Amendments 1-9 Buckley, Tierney 10-13-21](#)
[O-25-21 Amendments 10-11 Arnett](#)
[O-25-21 Amendment 12 Schandelmeier WITHDRAWN](#)
[O-25-21 Amendment 13 Schandelmeier WITHDRAWN](#)
[O-25-21 Amendment 14 Schandelmeier WITHDRAWN](#)
[O-25-21 Amendment 15 Schandelmeier WITHDRAWN](#)
[O-25-21 Amendment 16 Arnett 10-15-21](#)
[O-25-21 Amendment 17 Arnett 10-15-21](#)
[O-25-21 Amendment 18 Savidge 10-15-21](#)
[O-25-21 Amendment 19 Finlayson, Arnett 10-19-21](#)
[O-25-21 MAB Recommendations on Amendments 10-20-21](#)
[O-25-21 Amendment 20 Schandelmeier, Finlayson](#)

Alderman Savidge moved to recommend unfavorably Amendment 2:
Purpose: Adjust Calculations for Water Access and Parking Spaces Incentives
On Page 3 in line 32, after "WATERFRONT ACCESS INCENTIVES." Insert "FOR PURPOSES
OF THIS PROVISION, 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."
On Page 3, in line 36, strike "50% IN THE WMM" and substitute "55% IN THE WMM"
On Page 4, in line 2, strike "CATEGORY II: 5% CAP" and substitute "CATEGORY II: 10%
CAP" and in lines 6, 8, and 11 strike "5%" and substitute "10%"
On Page 4, in line 4, strike "50 ON-SITE NOMINAL FEE PARKING SPACES ON EVENINGS
AND WEEKENDS" and substitute "150 ON-SITE PARKING SPACES AT A REASONABLE
FEE ON EVENINGS AND WEEKENDS"
On Page 4, in line 7, after "DONATE" insert "A ONE-TIME PAYMENT OF"
On Page 4, in line 13, strike "IF THERE IS A 15% TOTAL INCREASE IN LISTED NONMARITIME USES GRANTED THROUGH THE ABOVE INCENTIVES, A FEE ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL AND SET FORTH IN THE FEES SCHEDULE" and insert "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".
Seconded. A roll call vote was taken. The motion CARRIED by the following

vote:

Aye: 2 - Savidge and Arnett

Nay: 1 - Finlayson

Alderman Arnett moved to Recommend Favorably-Amendment 3:

On Page 5, in line 37, after the "period" insert "ANY COMMUNITY BENEFITS, SPECIFICALLY PARKING, REQUIRED BY THE BPD MUST BE CONTINUED."

On Page 6, in line 25, unstrike "on August 24, 1987" and strike "AS OF THE EFFECTIVE DATE OF THIS ORDINANCE"

On Page 7, in line 14, unstrike "on August 24, 1987" and strike "AS OF THE EFFECTIVE DATE

OF THIS ORDINANCE". Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

Alderman Savidge moved to Recommend Favorably-Amendment 4:

On Page 12, strike lines 22 down through 27 and insert "IN THE WMM, WME, AND WMI

DISTRICTS, FOR STRUCTURES CONSTRUCTED AFTER THE EFFECTIVE DATE OF THIS ORDINANCE, THE USE IS NOT PERMITTED IN BUILDINGS OR STRUCTURES LOCATED WITHIN 100 FEET OF THE WATERFRONT OR MEAN HIGH WATERLINE."

Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

Alderman Savidge moved to Recommend Favorably-Amendment 5:

On Page 12, strike lines 29 down through page 13, line 7 and insert:

"C. IN THE WMM DISTRICT, THIS USE MAY NOT EXCEED 30% OF TOTAL GROSS FLOOR AREA OF DEVELOPMENT ON THE LOT IN EXISTENCE ON THE EFFECTIVE DATE OF THIS ORDINANCE AND AN ADDITIONAL 15% OF TOTAL GROSS FLOOR AREA OF BUILDINGS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THIS ORDINANCE. RESIDENTIAL USES WILL NOT BE COUNTED TOWARD THE GROSS FLOOR AREA OF BUILDINGS FOR PURPOSES OF CALCULATING THE ADDITIONAL 15% PROFESSIONAL OFFICE SQUARE FOOTAGE.

D. IN THE WMI AND WME DISTRICTS, THIS USE MAY NOT EXCEED 15% OF THE TOTAL GROSS FLOOR AREA OF BUILDINGS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THIS ORDINANCE. RESIDENTIAL USES WILL NOT BE COUNTED TOWARD THE GROSS FLOOR AREA FOR PURPOSES OF CALCULATING THE ADDITIONAL 15% PROFESSIONAL OFFICE SQUARE FOOTAGE.

E. IN THE WMM, WMI, AND WME DISTRICTS, A FEE BASED ON THE SQUARE FOOTAGE OF NON-MARITIME USES, 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 ADMINISTERED BY THE CITY OF ANNAPOLIS.

F. IN THE WMM, WMI, AND WME DISTRICTS, PROFESSIONAL OFFICE USE MAY BE

EXPANDED BEYOND THE APPLICABLE PERCENTAGE OF GROSS FLOOR AREA OF THE BUILDINGS ON THE LOT IF THE PROPERTY OWNER PROVIDES ONE OR MORE WATER ACCESS INCENTIVE USES LISTED IN 21.46.010 (D) TO A MAXIMUM (CUMULATIVE WITH RETAIL SALES OF NON-MARITIME GOODS) AS FOLLOWS:

- ☐ WMM: MAXIMUM 5550% IN CONJUNCTION WITH TRIGGERS AND WATER ACCESS INCENTIVES
- ☐ WME: MAXIMUM 20 % IN CONJUNCTION WITH TRIGGERS AND WATER ACCESS INCENTIVES
- ☐ WMI: MAXIMUM 20% IN CONJUNCTION WITH TRIGGERS AND WATER ACCESS INCENTIVES". Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

Alderman Arnett moved to Recommend Favorably-Amendment 3:

On Page 14, after line 30 insert a new sub-section "F." and sequentially re-letter all subsequent

sub-sections accordingly:

"F. IN THE WMM, WME, WMI, AND WMC DISTRICTS, NEW RESTAURANT USES WHICH FRONT WATERWAYS SHALL PROVIDE PUBLIC WATER ACCESS. THE PUBLIC WATER ACCESS MUST BE CONSISTENT WITH THE DEFINITION PROVIDED IN SECTION 21.72.010."

On Page 15, in line 23, strike "IN STRUCTURES IN EXISTENCE AS OF AUGUST 24, 1987"

and substitute "IN STRUCTURES IN EXISTENCE AS OF THE EFFECTIVE DATE OF THIS

ORDINANCE". Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

Alderman Savidge moved to Recommend Favorably-Amendment 7:

On Page 16, after line 3, insert "4. THE USE MAY ONLY BE PERMITTED BY SPECIAL

EXCEPTION.". Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

Alderman Savidge moved to Recommend Favorably-Amendment 8:

On Page 16, strike lines 25 down through 28 and insert "2. THIS USE MAY NOT EXCEED 30%

OF TOTAL GROSS FLOOR AREA OF DEVELOPMENT ON THE LOT IN EXISTENCE ON

THE EFFECTIVE DATE OF THIS ORDINANCE AND AN ADDITIONAL 15% OF TOTAL GROSS FLOOR AREA OF BUILDINGS IN EXISTENCE AS OF THE EFFECTIVE DATE OF

THIS ORDINANCE. RESIDENTIAL USES WILL NOT BE COUNTED TOWARD THE GROSS FLOOR AREA OF BUILDINGS FOR PURPOSES OF CALCULATING THE ADDITIONAL 15% PROFESSIONAL OFFICE SQUARE FOOTAGE."

On Page 16, strike lines 29 down through 35 and insert "3. IN THE WMM, WME, AND WMI

DISTRICTS, FOR STRUCTURES CONSTRUCTED AFTER THE EFFECTIVE DATE OF THIS ORDINANCE, THE USE IS NOT PERMITTED IN BUILDINGS OR STRUCTURES LOCATED WITHIN 100 FEET OF THE WATERFRONT OR MEAN HIGH WATERLINE."

On Page 17, strike lines 1 down through 4 and insert "2. THIS USE MAY NOT

EXCEED 15%
OF THE TOTAL GROSS FLOOR AREA OF BUILDINGS IN EXISTENCE AS OF THE
EFFECTIVE DATE OF THIS ORDINANCE. RESIDENTIAL USES WILL NOT BE
COUNTED TOWARD THE GROSS FLOOR AREA FOR PURPOSES OF
CALCULATING
THE ADDITIONAL 15% PROFESSIONAL OFFICE SQUARE FOOTAGE.”
Purpose: Maximum Allowable Retail Sales of Non-Maritime-Related Goods with
Triggers and
Water Access Incentives
On Page 17, in line 10, strike “MAXIMUM 50% IN THE WMM ZONE” and substitute
“MAXIMUM 55% IN THE WMM ZONE”
Purpose: Maritime Fund Fee
On Page 17, after line 10 insert “E. IN THE WMM, WMI, AND WME DISTRICTS, A
FEE
BASED ON THE SQUARE FOOTAGE OF NON-MARITIME USES, 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 ADMINISTERED BY THE CITY OF ANNAPOLIS.”
. Seconded. A roll call vote was taken. The motion CARRIED by the following
vote:

Aye: 3 - Finlayson, Savidge and Arnett

Alderman Arnett moved to Recommend Favorably-Amendment 9:
On Page 19, in line 27, after “MEANS” insert “INCLUDING, BUT NOT LIMITED TO,”
On Page 20, in line 18, after “FINANCE;” insert “RECREATIONAL BOATING CLUBS
AND OFFICES;”
On Page 20, line 10, strike “MARINE SALVAGE, TESTING, AND ENVIRONMENTAL
SERVICES”
On Page 20, in line 22, strike “DOCKS, SLIPS, PIERS AND OTHER FACILITIES AT
WHICH BOATS ARE BERTHED, IN CONJUNCTION WITH OTHER MARITIME
USES;”
On Page 20, in line 26, after “MEANS” insert “INCLUDING, BUT NOT LIMITED TO,”
On Page 20, in line 38, strike the “semicolon” followed by “AND MARITIME
RETAIL”
On Page 21, in line 17, strike “OPEN AREAS, PAVED OR UNPAVED, PROVIDING
FOR ON-LAND BOAT AND MARINE EQUIPMENT STORAGE AND DISPLAY;”
Purpose: Adding Definition for Public Water Access
On Page 21, after line 20, insert “PUBLIC WATER ACCESS” MEANS THE RIGHT
FOR
THE GENERAL PUBLIC TO ACCESS BY FOOT AN AREA FRONTING A
WATERWAY THAT MAY BE USED FOR LEISURE ACTIVITIES ALLOWED BY
LAW.AND MUST BE ADA-COMPLIANT. PUBLIC WATER ACCESS DOES NOT
REQUIRE AVAILABLE PARKING BUT MUST INCLUDE CLEAR SIGNAGE
DENOTING THE ALLOWED PUBLIC USE AND MUST PROVIDE A CLEAR
PEDESTRIAN PASSAGE FROM BOTH THE ADJACENT PROPERTY TO THE
WATERFRONT AND THE CLOSEST PUBLIC ROADWAY. WHEN
SEPARATELYOWNED ADJACENT PROPERTIES BOTH PROVIDE PUBLIC WATER
ACCESS, A
CLEAR AND DEMARCATED PEDESTRIAN CONNECTION MUST BE
PROVIDED.”
Purpose: Clarifying Yacht and Sailing Club Definition for Trigger
On Page 21, after the “period” insert “THIS DEFINITION APPLIES TO THE
MARITIME

TRIGGER ASSOCIATED WITH YACHT AND SAILING CLUBS.”. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

Alderman Savidge moved to reconsider Amendments 2. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

Alderman Savidge moved to Recommend Favorably-Amendment 2:

On Page 3 in line 32, after “WATERFRONT ACCESS INCENTIVES.” Insert “FOR PURPOSES

OF THIS PROVISION, 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.”

On Page 3, in line 36, strike “50% IN THE WMM” and substitute “55% IN THE WMM”

On Page 4, in line 2, strike “CATEGORY II: 5% CAP” and substitute “CATEGORY II: 10%

CAP” and in lines 6, 8, and 11 strike “5%” and substitute “10%”

On Page 4, in line 4, strike “50 ON-SITE NOMINAL FEE PARKING SPACES ON EVENINGS

AND WEEKENDS” and substitute “150 ON-SITE PARKING SPACES AT A REASONABLE

FEE ON EVENINGS AND WEEKENDS”

On Page 4, in line 7, after “DONATE” insert “A ONE-TIME PAYMENT OF”

On Page 4, in line 13, strike “IF THERE IS A 15% TOTAL INCREASE IN LISTED NONMARITIME USES GRANTED THROUGH THE ABOVE INCENTIVES, A FEE ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL AND SET FORTH IN THE FEES SCHEDULE” and insert “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”.

Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

Alderman Arnett moved to Recommend Favorably-Amendment 10:

On pages 7 through 10 in the Table of Uses, “A. Maritime uses, 1-9” unstrike the language stricken.

Seconded. A roll call vote was taken. The motion DEFEATED by the following vote:

Aye: 1 - Arnett

Nay: 2 - Finlayson and Savidge

Alderman Arnett moved to Recommend Favorably-Amendment 11:

On page 21 after line 20 insert “PUMPOUT STATION” MEANS A FACILITY THAT PUMPS

OR RECEIVES HUMAN BODY WASTES OUT OF TYPE III MARINE SANITATION DEVICES INSTALLED ON BOARD VESSELS”.

On page 21 after line 24 insert “SAILMAKER” MEANS A PERSON OR COMPANY THAT

CUTS, ASSEMBLES, SEWS, AND REPAIRS SAILS AND CANVAS PARTS FOR

BOATS". Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

Alderman Savidge moved to Recommend Favorably-Amendment 12:

On page 12, strike lines 12 down through 17 and insert

**"1. A WORKING BOATYARD OF AT LEAST FIVE THOUSAND SQUARE FEET,
2. AN ACTIVELY OPERATED TRAVEL BOAT LIFT OR CRANE,
3. SEAFOOD PROCESSING OF AT LEAST FIVE THOUSAND SQUARE FEET,
4. ON-LAND BOAT STORAGE OF AT LEAST FIVE THOUSAND SQUARE FEET,
5. A WORKING SAIL LOFT OF AT LEAST TWO THOUSAND SQUARE FEET.
6. YACHT AND SAILING CLUBS PROVIDING IN-WATER AND ON-LAND BOAT STORAGE TO THEIR MEMBERS,
7. A FUEL DOCK, OR
8. PUBLIC ACCESS INCENTIVES AS FOLLOWS:
(I) ANY TWO PUBLIC ACCESS INCENTIVES LISTED IN SECTION 21.46.010.D.2 (CATEGORY II)
(II) OR ONE PUBLIC ACCESS INCENTIVE FROM SECTION 21.46.010D.2 (CATEGORY II) AND AT LEAST THREE INCENTIVES FROM SECTION 21.46.010.D.1 (CATEGORY I)."**

and on page 15 strike lines 9 down through 19 and insert:

"G. WMM, WMI, AND WME DISTRICTS. IN THE WMM, WMI, AND WME DISTRICTS, THE FOLLOWING STANDARDS APPLY:

1. THIS USE IS PERMITTED ONLY IN COMBINATION WITH ONE OF THE FOLLOWING MARITIME TRIGGERS:

**A. A WORKING BOATYARD OF AT LEAST FIVE THOUSAND SQUARE FEET,
B. AN ACTIVELY OPERATED TRAVEL BOAT LIFT OR CRANE,
C. SEAFOOD PROCESSING OF AT LEAST FIVE THOUSAND SQUARE FEET,
D. ON-LAND BOAT STORAGE OF AT LEAST FIVE THOUSAND SQUARE FEET,
E. A WORKING SAIL LOFT OF AT LEAST TWO THOUSAND SQUARE FEET.
F. YACHT AND SAILING CLUBS PROVIDING IN-WATER AND ON-LAND BOAT STORAGE TO THEIR MEMBERS,
G. A FUEL DOCK, OR
H. PUBLIC ACCESS INCENTIVES AS FOLLOWS:
(I) ANY TWO PUBLIC ACCESS INCENTIVES LISTED IN SECTION 21.46.010.D.2 (CATEGORY II), OR
(II) ONE PUBLIC ACCESS INCENTIVE FROM SECTION 21.46.010.D.2 (CATEGORY II) AND AT LEAST THREE INCENTIVES FROM SECTION 21.46.010.D.1 (CATEGORY I).**

and on page 16 strike lines 17 down through 23 and insert:

**I. A WORKING BOATYARD OF AT LEAST FIVE THOUSAND SQUARE FEET,
II. AN ACTIVELY OPERATED TRAVEL BOAT LIFT OR CRANE,
III. SEAFOOD PROCESSING OF AT LEAST FIVE THOUSAND SQUARE FEET,
IV. ON-LAND BOAT STORAGE OF AT LEAST FIVE THOUSAND SQUARE FEET,
V. A WORKING SAIL LOFT OF AT LEAST TWO THOUSAND SQUARE FEET.
VI. YACHT AND SAILING CLUBS PROVIDING IN-WATER AND ON-LAND BOAT STORAGE TO THEIR MEMBERS,
VII. A FUEL DOCK, OR
VIII. PUBLIC ACCESS INCENTIVES AS FOLLOWS:
(A) ANY TWO PUBLIC ACCESS INCENTIVES LISTED IN SECTION**

21.46.010.D.2 (CATEGORY II), OR
(B) ONE PUBLIC ACCESS INCENTIVE FROM SECTION 21.46.010D.2
(CATEGORY II) AND AT LEAST THREE INCENTIVES FROM SECTION
21.46.010.D.1 (CATEGORY I).”

and on page 16 strike lines 39 down through 46 and insert:

I. A WORKING BOATYARD OF AT LEAST FIVE THOUSAND SQUARE
FEET,
II. AN ACTIVELY OPERATED TRAVEL BOAT LIFT OR CRANE,
III. SEAFOOD PROCESSING OF AT LEAST FIVE THOUSAND SQUARE FEET,
IV. ON-LAND BOAT STORAGE OF AT LEAST FIVE THOUSAND SQUARE
FEET,
V. A WORKING SAIL LOFT OF AT LEAST TWO THOUSAND SQUARE FEET.
VI. YACHT AND SAILING CLUBS PROVIDING IN-WATER AND ON-LAND
BOAT STORAGE TO THEIR MEMBERS,
VII. A FUEL DOCK, OR
VIII. PUBLIC ACCESS INCENTIVES AS FOLLOWS:

(A) ANY TWO PUBLIC ACCESS INCENTIVES LISTED IN SECTION
21.46.010.D.2 (CATEGORY II)

(B) ONE PUBLIC ACCESS INCENTIVE FROM SECTION 21.46.010D.2
(CATEGORY II) AND AT LEAST THREE INCENTIVES FROM SECTION
21.46.010.D.1 (CATEGORY I).

and on page 21, strike lines 4 down though 13 and insert:

“MARITIME TRIGGER” MEANS ONE OR MORE OF THE FOLLOWING:

1. A WORKING BOATYARD OF AT LEAST FIVE THOUSAND SQUARE FEET,
2. AN ACTIVELY OPERATED TRAVEL BOAT LIFT OR CRANE,
3. SEAFOOD PROCESSING OF AT LEAST FIVE THOUSAND SQUARE FEET,
4. ON-LAND BOAT STORAGE OF AT LEAST FIVE THOUSAND SQUARE
FEET,
5. A WORKING SAIL LOFT OF AT LEAST TWO THOUSAND SQUARE FEET.
6. YACHT AND SAILING CLUBS PROVIDING IN-WATER AND ON-LAND
BOAT STORAGE TO THEIR MEMBERS,
7. A FUEL DOCK, OR

8. PUBLIC ACCESS INCENTIVES AS FOLLOWS:

(A) ANY TWO PUBLIC ACCESS INCENTIVES LISTED IN SECTION
21.46.010.D.2 (CATEGORY II), OR

(B) ONE PUBLIC ACCESS INCENTIVE FROM SECTION 21.46.010.D.2
(CATEGORY II) AND AT LEAST THREE INCENTIVES FROM
SECTION 21.46.010.D.1 (CATEGORY I). Seconded. A roll call vote was taken.

The motion DEFEATED by the following vote:

Aye: 1 - Finlayson

Nay: 2 - Savidge and Arnett

Alderman Arnett moved to recommend unfavorably Amendment 13:

On page 12 strike lines 29 down through page 13 line 7 and insert:

“C. PROFESSIONAL OFFICE USE MAY BE EXPANDED BEYOND THE APPLICABLE
PERCENTAGE OF GROSS FLOOR AREA OF THE BUILDINGS ON THE LOT IF
PROPERTY OWNER PROVIDES ONE OR MORE INCENTIVE USES LISTED IN
21.46.010(D) TO A MAXIMUM (CUMULATIVE WITH RETAIL SALES OF
NONMARITIME GOODS) AS FOLLOWS:

WMM: MAXIMUM 50% IN CONJUNCTION WITH TRIGGERS AND WATER ACCESS
INCENTIVES

WME: MAXIMUM 20 % IN CONJUNCTION WITH TRIGGERS AND WATER
ACCESS INCENTIVES

WMI: MAXIMUM 20% IN CONJUNCTION WITH TRIGGERS AND WATER ACCESS INCENTIVES
IN THE WMM ZONE, THIS USE MAY NOT EXCEED 45% OF THE TOTAL GROSS FLOOR AREA OF BUILDINGS IN EXISTENCE ON THE LOT AS OF THE EFFECTIVE DATE OF THIS ORDINANCE. IN THE WMI AND WME ZONES, THIS USE MAY NOT EXCEED 25% OF THE TOTAL GROSS FLOOR AREA OF A BUILDING IN EXISTENCE AS OF THE EFFECTIVE DATE OF THIS ORDINANCE. RESIDENTIAL USES WILL NOT BE COUNTED TOWARD THE GROSS FLOOR AREA FOR PURPOSES OF CALCULATING THE ADDITIONAL 25% PROFESSIONAL OFFICE SQUARE FOOTAGE. IF THERE IS A 25% TOTAL INCREASE IN LISTED 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."

and on page 16 strike lines 36 down through page 17 line 4 and insert:

"C. WME AND WMI DISTRICTS.

1. THIS USE IS PERMITTED ONLY IN COMINBATION WITH ONE OF THE FOLLOWING MARITIME TRIGGERS:

- I. A WORKING BOATYARD OF AT LEAST FIVE THOUSAND SQUARE FEET,**
- II. AN ACTIVELY OPERATED TRAVEL BOAT LIFT OR CRANE,**
- III. SEAFOOD PROCESSING OF AT LEAST FIVE THOUSAND SQUARE FEET,**
- IV. ON-LAND BOAT STORAGE OF AT LEAST FIVE THOUSAND SQUARE FEET,**
- V. YACHT AND SAILING CLUBS PROVIDING IN-WATER AND ON-LAND BOAT STORAGE TO THEIR MEMBERS,**
- VI. A WORKING SAIL LOFT OF AT LEAST TWO THOUSAND SQUARE FEET.**
- VII. A FUEL DOCK, OR**

VIII. PUBLIC ACCESS INCENTIVES AS FOLLOWS:

A. ANY TWO PUBLIC ACCESS INCENTIVES LISTED IN SECTION 21.46.010.D.2 (CATEGORY II), OR

B. ONE PUBLIC ACCESS INCENTIVE FROM SECTION 21.46.010D.2 (CATEGORY II) AND AT LEAST THREE INCENTIVES FROM SECTION 21.46.010.D.1 (CATEGORY I).

2. IN STRUCTURES IN EXISTENCE AS OF THE DATE OF THIS ORDINANCE THIS USE MAY NOT EXCEED 25% OF THE TOTAL GROSS FLOOR AREA OF BUILDINGS ON THE LOT. RESIDENTIAL USES DO NOT COUNT TOWARDS BUILDINGS ON THE LOT FOR THIS CALCULATION." Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 2 - Savidge and Arnett

Nay: 1 - Finlayson

Alderman Arnett moved to recommend unfavorably Amendment 14:

On page 15 strike lines 9 down through 19 and insert:

"G. WMM, WME, AND WMI DISTRICTS. IN THE WMM, WME, AND WMI DISTRICTS, THE FOLLOWING STANDARDS APPLY:

1. THIS USE IS PERMITTED ONLY WITH ONE OF THE FOLLOWING MARITIME TRIGGERS:

- A. A WORKING BOATYARD OF AT LEAST FIVE THOUSAND SQUARE FEET,**
- B. AN ACTIVELY OPERATED TRAVEL BOAT LIFT OR CRANE,**
- C. SEAFOOD PROCESSING OF AT LEAST FIVE THOUSAND SQUARE FEET,**

- D. ON-LAND BOAT STORAGE OF AT LEAST FIVE THOUSAND SQUARE FEET,
- E. A WORKING SAIL LOFT OF AT LEAST TWO THOUSAND SQUARE FEET.
- F. YACHT AND SAILING CLUBS PROVIDING IN-WATER AND ONLAND BOAT STORAGE TO THEIR MEMBERS,
- G. A FUEL DOCK, OR
- H. PUBLIC ACCESS INCENTIVES AS FOLLOWS:
 - I. ANY TWO PUBLIC ACCESS INCENTIVES LISTED IN SECTION 21.46.010.D.2 (CATEGORY II); OR
 - II. ONE PUBLIC ACCESS INCENTIVE FROM SECTION 21.46.010.D.2 (CATEGORY II) AND AT LEAST THREE INCENTIVES FROM SECTION 21.46.010.D.1 (CATEGORY I)."

And on page 15 strike lines 42 down through page 16 line 3 and insert:

"HJ. WMI AND WME DISTRICTS. IN THE WMI AND WME DISTRICTS, THE FOLLOWING ADDITIONAL STANDARDS APPLY:

- 1. RESTAURANT USE MAY OCCUPY NO MORE THAN 4,000 TOTAL SQUARE FEET COMBINED FOR INDOOR AND OUTDOOR DINING.
- 2. OUTDOOR AND ROOFTOP DINING MAY BE PERMITTED SUBJECT TO THE FOLLOWING:

A. ALCOHOLIC BEVERAGES SHALL BE SERVED ONLY IN CONJUNCTION WITH THE SERVICE OF FOOD.

B. HOURS OF OPERATION SHALL BE LIMITED TO MIDNIGHT, SEVEN DAYS A WEEK.

C. NO BAR, DANCING OR LIVE ENTERTAINMENT AND NO SPEAKERS OR PUBLIC ADDRESS SYSTEM SHALL BE ALLOWED.

D. THE OUTDOOR DINING AREAS MAY NOT HAVE MORE THAN 75% OF THE NUMBER OF SEATS OF THE INDOOR RESTAURANT AREA.

3. NOTWITHSTANDING THE REQUIREMENTS OF SECTION 21.64.540.G, THE USE MAY OCCUPY UP TO TWO THOUSAND SQUARE FEET OF GROSS FLOOR AREA ON THE LOT IF:

A. THE SITE DESIGN PLAN OR LOT ON WHICH THE USE IS LOCATED IS LESS THAN SIXTY THOUSAND SQUARE FEET.

B. THE USE DOES NOT EXCEED 25% OF THE GROSS FLOOR AREA ON THE SAME LOT OR SITE DESIGN PLAN." Seconded. A roll call vote was taken.

The motion CARRIED by the following vote:

Aye: 2 - Savidge and Arnett

Nay: 1 - Finlayson

Planning and Zoning Director Nash, and Comprehensive Planner Leshinsky, were present and answered questions from the Committee.

Aldermwoman Tierney, Alderman Paone, and Alderman Schandelmeier were present and addressed the Committee.

Public Testimony:

Eileen Fogarty, 1106 Maple Avenue, Annapolis, MD 21401

Bob Waldman, 113 Ridgely Avenue, Annapolis, MD 21401

Jim Nolan, 55 Arundel Road, Annapolis, MD 21401

Phil Dales, 181 Harry S. Truman Parkway, Annapolis, MD 21401

Tarant Lomax, 700 Chesapeake Avenue, Annapolis, MD 21403

Cole Allsup, 317 Chester Avenue, Annapolis, MD 21403

Seth Laynor, 105 Eastern Avenue, Annapolis, MD 21403

Alderman Arnett moved to postpone O-25-21 until the next Rules and City Government Committee meeting. Seconded. A roll call vote was taken. The motion CARRIED by the following vote:

Aye: 3 - Finlayson, Savidge and Arnett

O-32-21

Zoning Code - Use and Occupancy Permits - For the purpose of providing procedures for issuance of use and occupancy permits under the Zoning Code; providing timelines for the approval of a permit; requiring a maintenance bond; and generally relating to the use and occupancy permitting process.

Attachments: [O-32-21 First Reader](#)
[O-32-21 Staff Report](#)
[O-32-21 Fiscal Impact Note](#)
[O-32-21 Staff Report to PC](#)
[O-32-21 PC Findings to CC](#)
[O-32-21 Amendments 1-2 Finlayson, Savidge, Arnett](#)

No action taken

O-34-21

Forest Conservation - Reforestation - For the purpose of requiring reforestation in certain circumstances to maintain the City's current tree canopy percentage; and generally relating to reforestation requirements.

Attachments: [O-34-21 First Reader](#)
[O-34-21 Staff Report](#)
[O-34-21 Fiscal Impact Note](#)
[O-34-21 Staff Report to PC](#)
[O-34-21 PC Findings and Recommendations](#)
[O-34-21 Amendments 1-3 - Savidge](#)

No action taken

Adjournment

Upon motion duly made, seconded and adopted, the meeting was adjourned at 5:57 p.m.

**Teekia Green
City Council Associate**