



Legislation Details (With Text)

**File #:** O-9-22      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Withdrawn

**File created:** 3/23/2022      **In control:** Rules & City Government Committee

**On agenda:** 2/13/2023      **Final action:** 2/13/2023

**Title:** Off-Street Parking Requirements - Food Establishments - For the purpose of eliminating off-street parking requirements for bars, taverns, delicatessens, restaurants, and social clubs; and generally relating to off-street parking requirements.

**Sponsors:** Brooks Schandelmeier, Karma O'Neill

**Indexes:** Planning Commission, Rules and City Government Committee

**Code sections:**

**Attachments:** 1. O-9-22 First Reader, 2. O-9-22 Amendment 1 - Arnett, 3. O-9-22 Amendment 2 - Schandelmeier, 4. O-9-22 Staff Report, 5. O-9-22 Fiscal Impact Note, 6. O-9-22 Planning and Zoning Department Staff Report, 7. O-9-22 - Planning Commission Findings, 8. R-22-22 SIGNED, 9. City of Annapolis Outdoor Dining Pilot Analysis

Date	Ver.	Action By	Action	Result
2/13/2023	1	City Council	withdrawn without objection	Pass
10/24/2022	1	City Council	postpone indefinitely	Pass
10/10/2022	1	City Council	postpone	Pass
10/7/2022	1	Rules & City Government Committee	Recommend Favorably-Amendment	Pass
9/16/2022	1	Rules & City Government Committee	postpone	Pass
7/25/2022	1	City Council	declare the public hearing closed	

**Off-Street Parking Requirements - Food Establishments - For the purpose of eliminating off-street parking requirements for bars, taverns, delicatessens, restaurants, and social clubs; and generally relating to off-street parking requirements.**

**CITY COUNCIL OF THE  
City of Annapolis**

**Ordinance 9-22**

**Introduced by: Alderman Schandelmeier  
Co-sponsored by: Alderwoman O'Neill**

**Referred to  
Planning Commission  
Rules and City Government Committee  
180 Day Rule:**

**AN ORDINANCE** concerning

## Off-Street Parking Requirements - Food Establishments

**FOR** the purpose of eliminating off-street parking requirements for bars, taverns, delicatessens, restaurants, and social clubs; and generally relating to off-street parking requirements.

**BY** repealing and reenacting with amendments the following portions of the Code of the City of Annapolis, 2022 Edition  
21.66.130

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

### Title 21 - PLANNING AND ZONING

#### Chapter 21.66 PARKING AND LOADING REGULATIONS

##### Section 21.66.130 Table of off-street parking requirements.

Important-The notes at the end of the table are as much a part of the law as the table itself.

Use	Standard	Additional Provisions
Amusement establishments, indoor.	Number of spaces to be determined through the use and site development plan approval process. Guidelines for determining the appropriate number of parking spaces are:	
	Amusement Arcades: one vehicle parking space per four amusement machines, plus one bicycle parking space per machine.	
	Pools and rinks: Spaces sufficient to serve 30 percent of the capacity in persons of the facility.	
	<del>Additional spaces for auxiliary uses such as bars, and restaurants: one space per 300 hundred square feet.</del>	
Animal hospitals, including veterinarian offices	Two spaces per employee.	

Apartment hotels	One space per dwelling unit or lodging room.	
Lodging rooms located in apartment hotels	One space per three rooms.	
Bakeries	One space per 200 square feet.	
Banks and financial institutions	One space per 300 square feet.	
Bars and taverns	<del>Spaces equal to 30 percent of the capacity in persons.</del> NONE REQUIRED.	
<b>Bed and Breakfast Homes</b>		
C1 and C1A districts	None required.	Bed and breakfast homes without off-street parking must purchase City garage parking passes for guests.
R-2 Neighborhood Conservation district.	One or two guest rooms: one space.	
R-3-Neighborhood Conservation 2 district	Three guest rooms: three spaces.	
	Four guest rooms: four spaces.	
	Five guest rooms: five spaces.	
R-3-Neighborhood Conservation district	One space per guest room, one space for owner and one space per nonresidential employee.	
Boat showrooms	Two spaces per employee.	
Building material sales	One space per two employees, plus one space for each 300 square feet of gross floor area in excess of 4,000 square feet	
Clubs, lodges and meeting halls.	Spaces sufficient to serve 30 percent of the capacity in persons of the facility, <del>plus one space per lodging room, if provided.</del>	
Conference facilities	Spaces sufficient to serve 30 percent of the capacity in persons of the facility.	
Contractors', architects' and engineers' offices, shops and yards	I-1 district: one space per two employees.	
	Other districts: one space per employee.	
Day care, family	One space per nonresidential employee.	
Day care centers, group	One space per five children.	
Delicatessens	See Restaurants.	
<b>Dwellings</b>		

Dwellings, multi-family	C1, C2P, P, PM2 districts: one space per dwelling unit.	
	BCE district: 1.8 spaces per dwelling unit.	
	Other districts 1.5 spaces per dwelling unit.	
Dwellings, multi-family containing six or fewer dwelling units	One space per dwelling unit.	This use is permitted subject to standards in the R3-Neighborhood Conservation district.
Dwellings, single-family attached	Two spaces per dwelling unit.	
Dwellings, single-family detached	R1B District: Two spaces per dwelling unit.	
	Other districts: One space per dwelling unit.	
Dwellings, two-family	One space per dwelling unit.	
Dwellings above the ground floor of nonresidential uses	One space per dwelling unit.	
Dwellings for watchmen	One space per dwelling unit.	
<b>Educational Facilities and Schools</b>		
Colleges, private	One space per six students	Standards based on the number of students shall be based on the maximum number of students attending classes on the premises at any one time during any twenty-four-hour period.
Fraternities, sororities and dormitories	One parking space for each three active members or dormitory residents, plus one space for the manager.	Standards based on the number of students shall be based on the maximum number of students attending classes on the premises at any one time during any twenty-four-hour period.
Gymnasiums, stadiums and grandstands	One space per eight seats.	Standards based on the number of students shall be based on the maximum number of students attending classes on the premises at any one time during any twenty-four-hour period.
School, nursery or elementary	One space per two employees.	Standards based on the number of students shall be based on the maximum number of students attending classes on the premises at any one time during any twenty-four-hour period.

Schools, middle, or high	One space per two employees, plus one space per <del>ten</del> 20 (nonboarding) students.	Standards based on the number of students shall be based on the maximum number of students attending classes on the premises at any one time during any twenty-four-hour period.
School auditoriums	One space per eight seats.	Standards based on the number of students shall be based on the maximum number of students attending classes on the premises at any one time during any twenty-four-hour period.
Schools, commercial, trade, vocational, music, dance, or art	BCE district: one space per employee.	Standards based on the number of students shall be based on the maximum number of students attending classes on the premises at any one time during any twenty-four-hour period.
	Other districts: one space per two employees, plus one space per five students.	
<b>Health and Medical Institutions</b>		
Hospitals and sanitariums	One space per two beds, plus one space per two employees, plus one space per doctor assigned to the staff.	
Institutions for the care of the aged.	0.75 spaces per unit.	
Institutions for the care or treatment of alcoholics, drug addicts and the mentally ill	0.75 spaces per unit.	
Rest homes and nursing homes	One space per four beds, plus one space for every two employees, plus one space per doctor assigned to the staff.	
Governmental and government-related uses.	Number of spaces to be determined through the use and site design plan approval process.	
Greenhouses and nurseries	I-1 district: one space per employee.	
	Other districts: two spaces per employee.	
Home occupations	One space per nonresidential employee.	

Hotels	One space per three lodging rooms, plus additional parking for auxiliary/accessory uses.	For conference room facilities to be used by persons other than guests of the hotel: parking spaces equal to 30 percent of the maximum capacity in persons of the facilities.
Inns	One space per lodging room, plus one space for the owner/manager, plus one space per employee.	On-site parking may be substituted with a contract with a valet service or a parking garage.
Laboratories, including medical, dental, research and testing	Two spaces per employee.	
Manufacturing, packaging, and processing and similar uses	One space per two employees plus one space per 300 square feet of accessory retail.	
<b>Maritime Uses</b>		
Fabrication and repair	One space per two employees.	
General maritime	One space per 300 square feet.	
In-water boat storage (leased slips)	One space per two slips.	Where removal of boats from in-water boat slips occurs during the period of November 15th through April 15th, the dry, on-land storage of boats may take place in parking spaces otherwise allocated to wet slips provided the corresponding wet slips shall not be used for the storage or parking of boats for the period of time in which on-land boat storage occurs in the required parking spaces.
Slips used for boat display and repair of boats.	Parking shall be calculated pursuant to their respective uses.	
Maritime retail	One space per 300 square feet.	
Maritime service organizations	One space per 800 square feet.	
Maritime services	One space per two employees.	
Mooring slips or dock, public	One space per boat.	
Retail sales in waterfront districts of non maritime-related goods	One space per 200 square feet.	
On-land boat storage	One space per two employees.	
Seafood industrial	One space per two employees.	
Motels	One space per dwelling unit or lodging ROOMS room, plus one space for the owner or manager.	
<b>Motor Vehicle and Automobile Uses</b>		

Car wash	One space per three employees, one space for the owner or manager, and vehicle stacking spaces, equal to five times the maximum capacity of the use.	
Motor vehicle rental	Two spaces per employee.	
Motor vehicle sales	One space per 200 square feet retail/showroom area, plus one space per 300 square feet of office.	
Motor vehicle storage, repair and service facilities	BCE and B3-CD districts: one space per employee.	
	I-1 district: one space per 200 square feet.	
	Other districts: one space per two employees, plus one space for the owner or manager.	
Service stations, including fuel sales	One space per two employees, plus one space for the owner or manager.	
Museums and art galleries	C1 and P districts: one space per 800 square feet.	
	Other districts: one space per 400 square feet.	
Offices, business and professional, and nonprofit, educational, cultural, or civic	One space per 300 square feet	
Offices, medical	One space per 200 square feet.	
Office or studio of a professional person	One space per 400 square feet of office or studio area.	
Philanthropic and charitable institutions, civic nonprofit organizations, and social and fraternal organizations.	C1, C2P and P districts: one space per two employees.	
	Other districts: one space per employee.	
	All districts: plus additional spaces as determined through the use and site design plan approval process.	
Physical health facilities including health clubs, gymnasiums, and weight control centers	One space per two employees, plus one space per 100 square feet exclusive of space devoted to courts (such as tennis or racquetball), plus four parking spaces per court	

	spaces per seat.	
Planned developments	Parking spaces shall be provided on the basis of the required spaces for each use.	
Printing and publishing establishments	One space per three employees.	
Recreational buildings and community centers, noncommercial	Spaces sufficient to serve 30 percent of capacity in persons of the facility.	
Religious institutions, including churches, chapels, mosques, temples, and synagogues.	PM2 district: one space per four seats.	
	Other districts: one space per six seats.	
<b>Restaurants and Delicatessens</b>		
B1 District	Spaces equal in number to fifteen percent of the seating and standing capacity in persons. NONE REQUIRED.	Standing capacity is computed as one person per seven square feet in front of all counter and service areas. Seating capacity is computed as the number of seats provided.
Other zoning districts	Spaces equal in number to thirty percent of the seating and standing capacity in persons. NONE REQUIRED.	Standing capacity is computed as one person per seven square feet in front of all counter and service areas. Seating capacity is computed as the number of seats provided.
Restaurants with delivery service	One additional parking space per delivery vehicle owned or leased by the business owner and stored on site during closing hours, plus one space per two delivery vehicles which are not owned or leased by the business owner, but utilized for the delivery service. NONE REQUIRED.	Spaces shall be based on the maximum number of delivery vehicles used by the business.
Social clubs, noncommercial	One space per lodging room (if provided) plus spaces sufficient to serve <del>thirty</del> <u>15</u> percent of the capacity in persons of the facility.	
<b>Retail Uses</b>		
Department stores	One space per two hundred square feet.	Parking spaces in shopping centers shall be provided on the basis of the parking requirement for individual uses.
Food stores	One space per two hundred square feet	Parking spaces in shopping centers shall be provided on the basis of the parking requirement for individual uses



		FOR INDIVIDUAL USES.
Retail goods stores	One space per two hundred square feet	Parking spaces in shopping centers shall be provided on the basis of the parking requirement for individual uses.
Personal fitness studios	One space per two employees, plus one space per five students.	Standards based on the number of students shall be based on the maximum number of students attending classes on the premises at any one time during any twenty-four-hour period.
Specialty convenience retail goods stores	One space per two hundred feet	Parking spaces in shopping centers shall be provided on the basis of the parking requirement for individual uses.
Supermarkets	One space per two hundred square feet	Parking spaces in shopping centers shall be provided on the basis of the parking requirement for individual uses.
Theaters, indoor	MX district: 30 percent of the maximum seating capacity.	
	Other districts: one space per six seats up to 400 seats, plus one space for each four seats above 400.	
Undertaking establishments and funeral parlors	Eight spaces per chapel or parlor, plus one space per funeral vehicle.	
Veterinarian offices	Two spaces per employee.	
Warehousing, storage and distribution facilities, including moving and storage establishments	One space per three employees.	
Barns, stables and kennels for the sheltering, breeding, hiring, or selling of an animal and for storage of crops raised on the premises	Number of spaces to be determined through the use and site development plan approval process.	
Camps, nonprofit, including dormitories, cabins, and structures for administrative, maintenance, and custodial activities	Number of spaces to be determined through the use and site development plan approval process.	
Farming or nurseries, including truck gardening, grazing of livestock, and other similar activities if the use does not change the stability of the land	Number of spaces to be determined through the use and site development plan approval process.	

Change the stability of the land		
Golf courses	Number of spaces to be determined through the use and site development plan approval process.	
Structures for administrative and custodial uses of the principal use of the site if building coverage, including parking, does not exceed twenty percent of the site and the structures are not located in the natural drainage system	Number of spaces to be determined through the use and site development plan approval process.	
Number of spaces to be determined through the use and site development plan approval process.	Number of spaces to be determined through the use and site development plan approval process.	
Structures, temporary, for boating, swimming, fishing, hunting, golf courses, ice skating, nature study, picnic areas, play areas, stables, and stands for the sale of products raised on the premises	Number of spaces to be determined through the use and site development plan approval process.	

**Table Notes:**

1. *Calculation Rules.*

A. Unless stated otherwise in the table, when the standard is given in square feet the standard means the number of parking spaces per square footage of gross floor area. See definition of floor area in Division VI for areas to be included in the calculation.

B. When the number of off-street parking spaces required by the table results in a fraction, any fraction of one-half or less may be disregarded, while a fraction over one-half is counted as one parking space.

C. Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.

2. *Drive-In Businesses.* Stacking spaces, equal in number to five times the maximum capacity of a drive-in business, for automobiles awaiting entrance into the drive-in business, shall be provided.

3. *Use Not Included in the Table.* Alternative parking and loading standards may be proposed for uses not included in the table, pursuant to Section 21.66.040.

4. *C2 and C2A Districts.* Off-street parking facilities are not required in the C2 or C2A districts except that uses containing twenty thousand feet or more of floor area must provide twenty parking spaces, plus one space for each additional five hundred square feet of floor area.
  
5. *MX District.* Unless alternative parking standards are approved by the Department of Planning and Zoning pursuant to Section 21.66.040, commercial uses not specifically enumerated in the Table of Off-Street Parking Requirements shall provide one parking space for each three hundred square feet of gross floor area.
  
6. *WMC District.* Off-street parking facilities are not required in the WMC District except that (1) uses containing fifteen thousand feet or more of floor area must provide fifteen parking spaces, plus one space for each additional five hundred square feet of floor area, and (2) parking shall be provided for exterior maritime uses as set forth in Section 21.66.130.

**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:**

UPPERCASE indicates matter added to existing law.

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

Underlining indicates amendments.