



Legislation Text

File #: O-38-17, Version: 1

Allowing Indoor Theaters in the Professional Office Zoning District- For the purpose of adding a theater use in the P Zoning District.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 38-17

Introduced by: Alderwoman Finlayson

**Referred to
Planning Commission
Rules and City Government**

A **ORDINANCE** concerning

Allowing Indoor Theaters in the Professional Office Zoning District

FOR the purpose of adding a theater use in the P Zoning District.

BY repealing and reenacting the following portion of the Code of the City of Annapolis, 2016 Edition.
21.48.030

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
Division III - Base District Regulations
Chapter 21.48 - USE TABLES
Section 21.48.030 - Table of Uses-Office and Mixed Use Zoning Districts.**

P = Permitted Use; S = Special Exception Use; -Std = Use Subject to Standards (Chapter 21.64); A = Accessory Use; Blank = Not Permitted

A use, including a special exception use, that is not normally permissible as a permitted use or use subject to standards in a zoning district may be permitted in that district as a planned development use pursuant to Section 21.24.020 Important. The notes at the end of the table are as much a part of the law as the table itself.

| Uses | District P | District MX | District PM | District C2P |
|-------------------------------|------------|-------------|-------------|--------------|
| Accessory Structures and uses | A | 6 A | A | A |

| | | | | |
|---|-------|-------|--------------------|-------|
| Antennas and amateur radio stations | A-Std | A-Std | A-Std | A-Std |
| Antique stores | | P | P-Std | |
| Appliance stores including electrical and household appliances, and radio and television sales and repair | | P | | |
| Arts and crafts studios | | P | P-Std | |
| Arts and crafts stores | | P | P-Std | |
| Bank and Financial institutions | | P | | |
| Bake shops | | P-Std | | |
| Cab stands including dispatch offices and related parking facilities | | S | | |
| Candy stores, where only candy prepackaged on the premises is sold | | P | | |
| Candy stores including candy making | | P-Std | | |
| Carpet and rug stores, retail sales only | | P | | |
| Catering establishments | | P-Std | | |
| Clubs, lodges and meeting halls, with no on- premises food or beverage preparation facilities | S | P | S | S |
| Clubs, lodges and meeting halls, with on-premises food or beverage preparation facilities | | P-Std | | |
| Coffee shops | | P-Std | | |
| Conference facilities | | S | | |
| Convenience stores | | P-Std | | |
| Day care centers, groups | S | | S | S |
| Delicatessens | | P-Std | P-Std | |
| Department stores | | P | | |
| Drive-through facilities associated with permitted or special exception uses | | | S-Std ⁵ | |
| Dry cleaning and laundry drop off and pick up stations | | | P | |
| Dry cleaning and laundry establishments | | P | | |
| Dwellings, multi-family | S | P-Std | S | S |
| Dwellings, multi-family, containing 12 or fewer units | | | P-Std | |
| Dwellings, single-family attached | P | P-Std | P | |
| Dwellings, single-family detached | P | P | P | P |
| Dwellings, two-family | P | P | P | P |
| Dwellings above the ground floor of nonresidential uses | | P | | |
| Food service marts | | P-Std | P-Std | |
| Furniture stores | | P | | |
| Garden supply, tool and seed stores | | P | | |
| Governmental uses | | | | |
| Offices | P | P | P | P |

| | | | | |
|--|---------------------------------------|---------------------------------------|--------------|---|
| Other government and government- related structures, facilities and uses | S | S | S | S |
| Public schools and colleges | P | | P | |
| Group homes | S | | S | S |
| Hotels with up to forty rooms, including restaurants and conference room facilities. | | P-Std | | |
| Hotels with more than forty rooms | | S | | |
| Ice cream stores | | P-Std | | |
| Inns | S | | | S |
| Institutions for the care of the aged | S | | | S |
| Laboratories, including medical, dental, research and testing | | P | | |
| Launderettes, automatic, self service | | P | | |
| Liquor stores | | S | | |
| Markets, open air, including farmers' markets and produce markets | | P-Std | | |
| Medical appliance stores | | | P-Std | |
| Motor vehicle service stations, including fuel sales | | S | | |
| Museums and art galleries | P | P | P | |
| Nautical shops, retail trade | | P | | |
| Office and business service establishments | | P | | |
| Offices, business and professional, and nonprofit, educational, cultural, or civic | P-Std or S-Std, depending on lot size | P | P-Std | P |
| Offices, medical | P | P | P | P |
| Parking garages | S | P-Std, S-Std | S | |
| Parking lots, other than accessory | S | P-Std | P-Std | |
| Personal care establishments | S | P | P-Std P | |
| Pet grooming facility | S-Std | P-Std | P-Std | |
| Photocopying and reproduction services, including blueprinting | | P | | |
| Personal fitness studios | | P | P | |
| Physical health facilities, including health clubs and gymnasiums | | P | | |
| Planned developments, business and special mixed | P-Std | P-Std | | |
| Religious institutions, including churches, chapels, mosques, temples and synagogues | P | P | P | |
| Research and development businesses, provided that there is no significant assemblage of goods or products | | P | | |
| Rest homes and nursing homes | S | | | S |
| Restaurant, fast food | | S-Std | | |
| Restaurant, standard | | P-Std ⁴ S-Std ⁴ | P-Std, S-Std | |

| | | | | |
|--|---------------|------------------|-------|-------|
| Retail goods stores | | P | | |
| Schools, commercial, trade, vocational, music, dance, or art | | P | | |
| Schools, private, elementary, middle, or high | P | | | |
| Sidewalk cafés | P-Std | P-Std | P-Std | |
| Specialty convenience retail store | | P | P-Std | |
| Supermarkets | | P-Std | | |
| Telecommunications facilities | A-Std | A-Std | A-Std | A-Std |
| Telephone transmission equipment buildings | | P | | |
| Temporary uses | P-Std | P-Std | P-Std | P-Std |
| Theaters, indoor | P | P-Std | | |
| <u>THEATERS, INDOOR, WITH LESS THAN 100 SEATS</u> | <u>P-STD</u> | <u>P-STD</u> | | |
| <u>THEATERS, INDOOR, WITH 100 OR MORE SEATS</u> | <u>SE-STD</u> | <u>P-STD</u> | | |
| Tobacco shops | | P | | |
| Undertaking establishments and funeral parlors | S | | | |
| Wine bars | | P-Std | | |

Notes:

The following regulations apply to all uses in the MX District:

1. Buildings in excess of forty-six feet, but less than fifty-five feet in height are subject to the following:
 - a. Either twenty-five percent of the gross floor area shall be designed for retail uses, or residential uses, or a combination of retail and residential uses, alternatively, the entire ground level front façade shall be designed for retail uses, exclusive of: (i) not more than one driveway, which shall not be greater than thirty-three feet wide, required for access to parking; (ii) space required for a lobby and space required for access to upper floor uses. Retail use along the front façade shall have a minimum height of twelve feet and a minimum depth of twenty-five feet;
 - b. If surface parking is located on the zoning lot, it shall be located at the rear of the zoning lot and new structures shall be located at the front of the zoning lot. If surface parking is located adjacent to single-family residential use, dense plantings shall be installed and maintained on the zoning lot to provide an effective screen; and
 - c. Any adverse impacts on critical lane levels of service at adjoining intersections shall be mitigated by the applicant.
2. Buildings in excess of forty-six feet, but less than sixty-five feet in height require special exception approval except as provided in note No. 1 above.
3. Uses and combinations of uses located on zoning lots of forty thousand square feet or more require special exception approval, unless such uses are approved as part of a planned development.
4. If the principal use with which the drive-thru facility is associated is a special exception use, then the drive-thru facility requires special exception approval.
5. The following apply only to the uses specified: In the MX-1 area only, in planned developments with a minimum lot size of five acres, "Accessory Structures" such as clock towers attached to office and/or retail structures and "Theaters, Indoor" shall not exceed one hundred feet in height. See the Bulk Regulations Table in Section 21.50.260.

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.

