



Legislation Details (With Text)

File #: O-18-20 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 4/30/2020 **In control:** City Council

On agenda: 9/14/2020 **Final action:** 9/14/2020

Title: Institutions for the Care of the Aged - For the purpose of adding Institutions for the Care of the Aged as a permitted use in the PM2 Professional Mixed Office Park district; and establishing bulk regulations subject to specific standards for Institutions for the Care of the Aged.

Sponsors: Rob Savidge

Indexes: Planning Commission, Rules and City Government Committee

Code sections:

Attachments: 1. O-18-20 Institutions for Care of the Aged First Reader.pdf, 2. O-18-20 Staff Report.pdf, 3. O-18-20 Fiscal Impact Note.pdf, 4. O-18-20 PC Findings and Recommendations.pdf, 5. O-18-20 SIGNED.pdf

Date	Ver.	Action By	Action	Result
9/14/2020	1	City Council	adopt on second reader	Pass
9/14/2020	1	City Council	adopt on third reader	Pass
7/27/2020	1	City Council	declare the public hearing closed	
7/14/2020	1	Rules & City Government Committee	recommend favorably	Pass
5/26/2020	1	City Council	declare the public hearing left open	Pass
5/11/2020	1	City Council	refer	
5/11/2020	1	City Council	refer	
5/11/2020	1	City Council	adopt on first reader	Pass

Institutions for the Care of the Aged - For the purpose of adding Institutions for the Care of the Aged as a permitted use in the PM2 Professional Mixed Office Park district; and establishing bulk regulations subject to specific standards for Institutions for the Care of the Aged.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 18-20

**Introduced by: Alderman Savidge
Co-sponsored by:**

**Referred to
Planning Commission
Rules and City Government
180 day Rule: 11/9/20**

AN ORDINANCE concerning

Institutions for the Care of the Aged

FOR the purpose of adding Institutions for the Care of the Aged as a permitted use in the PM2 Professional Mixed Office Park district; and establishing bulk regulations subject to specific standards for Institutions for the Care of the Aged.

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2020 Edition
 21.48.020
 21.50.220

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 21.48 - USE TABLES

Section 21.48.020 - Table of Uses-Commercial and Industrial 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.

REVISOR’S NOTE: In this Section Institutions for the Care of the Aged P-Std is added in District PM2. No other changes are made.

Uses	District B1	District B2	District B3	District B3-CD	District BCE	District BR	District C2	District C2A	District PM2	District II
Institutions for the care of the aged					P-Std				<u>P-Std</u>	

Notes:

Uses in the PM2 district are subject to the following provisions as indicated in the table:

1. This use is permitted as a principal use only in districts that do not adjoin (along non-street frontage) property zoned R1, R1A, R1B or R2.
2. This use is permitted as an incidental use in a structure that contains business, professional or governmental offices provided that gross floor area of all incidental uses does not exceed the amount of space devoted to the first floor of a multistory structure; except, that in no case shall it exceed thirty-three percent of the total gross floor area. This use is considered a neighborhood convenience use and is subject to standards given in Section 21.64.420.
3. 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.
4. ATMs are permitted as walkups subject to all other applicable regulations. In the C2 and C2A districts, drive-through

facilities are not permitted.

Chapter 21.50 - BULK REGULATIONS TABLES
Section 21.50.220 - Bulk Regulations Table PM2 District.

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

REVISOR’S NOTE: In this Section Institutions for the Care of the Aged is added subject to specific standards.

No other changes are made.

Permitted uses, special exception uses, and uses subject to specific standards	Lot Dimensions (minimum) Area (sq. ft. or acres)	Lot Dimensions (minimum) Width (ft)	Yards (minimum) Front (ft)	Yards (minimum) Interior Side (ft)	Yards (minimum) Corner Side (ft)	Yards (minimum) Rear (ft)	Yards (minimum) Bufferyard	Open Space (minimum landscaped area)	Lot coverage (maximum)	Floor Area Ratio (maximum)	Height (maximum, stories and feet)	
INSTITUTIONS FOR THE CARE OF THE AGED	Bulk regulations shall be determined through the site design plan review and/or planned development processes, pursuant to Chapters 21.22, and 21.24	Bulk regulations shall be determined through the site design plan review and/or planned development processes, pursuant to Chapters 21.22, and 21.24	Bulk regulations shall be determined through the site design plan review and/or planned development processes, pursuant to Chapters 21.22, and 21.24	Bulk regulations shall be determined through the site design plan review and/or planned development processes, pursuant to Chapters 21.22, and 21.24	Bulk regulations shall be determined through the site design plan review and/or planned development processes, pursuant to Chapters 21.22, and 21.24	Bulk regulations shall be determined through the site design plan review and/or planned development processes, pursuant to Chapters 21.22, and 21.24	Bulk regulations shall be determined through the site design plan review and/or planned development processes, pursuant to Chapters 21.22, and 21.24	Bulk regulations shall be determined through the site design plan review and/or planned development processes, pursuant to Chapters 21.22, and 21.24	Bulk regulations shall be determined through the site design plan review and/or planned development processes, pursuant to Chapters 21.22, and 21.24	Bulk regulations shall be determined through the site design plan review and/or planned development processes, pursuant to Chapters 21.22, and 21.24	Bulk regulations shall be determined through the site design plan review and/or planned development processes, pursuant to Chapters 21.22, and 21.24	3 STORIES

Table Notes:

- 1 Separate parcels created and approved within a larger office or commercial development may be a minimum of ten thousand square feet.
- 2 Buildings fifty feet or more in overall width, as projected upon the front lot line, shall have corner side yards not less than twenty-five percent of the building width or thirty percent of the building height, whichever is greater.
- 3 Plus one foot for each three feet by which the building width exceeds forty twenty-five feet.
- 4 Unless the building height exceeds twenty-five feet, in which case the interior side yards shall equal one-fifth the building height. Buildings fifty feet or more in overall width, as projected upon the front lot line, shall have side yards not less than ten percent of the building width or twenty percent of the building height, whichever is greater.
- 5 Transitional yards between nonresidential uses and residential districts may be required as set forth in the following table. Where transitional yards are provided they replace the yard requirements in the bulk regulations table.

Situation	Required transitional yard (feet)	Additional requirements

Front yard coincides with an adjacent residential district	50	1. Transitional yards shall serve as a buffer and shall not be used for structures, utilities, storm and sanitary sewers, water lines, stormwater management, or signage. A waiver to this requirement may be granted by the Directors of Planning and Zoning and Public Works for access roads, parking or required utilities for good cause, provided that the disturbance to the buffer is minimized. 2. Transitional yards shall be buffered appropriately using densely planted vegetation designed to provide year-round cover. A fence or wall may be used in conjunction with plant material.
Interior side lot line coincides with a lot line in an adjacent residential district	30	1. Transitional yards shall serve as a buffer and shall not be used for structures, utilities, storm and sanitary sewers, water lines, stormwater management, or signage. A waiver to this requirement may be granted by the Directors of Planning and Zoning and Public Works for access roads, parking or required utilities for good cause, provided that the disturbance to the buffer is minimized. 2. Transitional yards shall be buffered appropriately using densely planted vegetation designed to provide year-round cover. A fence or wall may be used in conjunction with plant material.
Corner side yard coincides with an adjacent residential district	20	1. Transitional yards shall serve as a buffer and shall not be used for structures, utilities, storm and sanitary sewers, water lines, stormwater management, or signage. A waiver to this requirement may be granted by the Directors of Planning and Zoning and Public Works for access roads, parking or required utilities for good cause, provided that the disturbance to the buffer is minimized. 2. Transitional yards shall be buffered appropriately using densely planted vegetation designed to provide year-round cover. A fence or wall may be used in conjunction with plant material.
Rear yard coincides with a lot line in a residential district.	30	1. Transitional yards shall serve as a buffer and shall not be used for structures, utilities, storm and sanitary sewers, water lines, stormwater management, or signage. A waiver to this requirement may be granted by the Directors of Planning and Zoning and Public Works for access roads, parking or required utilities for good cause, provided that the disturbance to the buffer is minimized. 2. Transitional yards shall be buffered appropriately using densely planted vegetation designed to provide year-round cover. A fence or wall may be used in conjunction with plant material.
Uses permitted as a principal use in districts that do not adjoin (along non-street frontage) property zoned R1, R1A, R1B or R2. These uses are identified on the Table of Uses for Commercial and Industrial Zoning Districts, Chapter 21.48.	1. Buildings shall have a minimum separation from any residential structures of 60 feet plus an additional two feet for every one foot of building height in excess of 24 feet. 2. Parking areas shall have a minimum 24-foot buffer from adjacent residential properties.	

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.