



## Legislation Details (With Text)

**File #:** O-49-22      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Withdrawn

**File created:** 9/19/2022      **In control:** City Council

**On agenda:** 11/6/2023      **Final action:** 11/6/2023

**Title:** Planning and Zoning - Parking and Loading Regulations - Parking fee-in-lieu of meeting off-street parking requirements. - For the purpose of authorizing a parking fee-in-lieu for certain businesses required to provide parking spaces; and generally relating to off-street parking requirements.

**Sponsors:** Elly Tierney, Ross Arnett, Rob Savidge

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

**Code sections:**

**Attachments:** 1. O-49-22 First Reader, 2. O-49-22 Amendment 1 - Savidge, 3. O-49-22 Amendment 2 - Arnett, 4. O-49-22 Amendment 3 - Arnett, 5. O-49-22 Amendment 4 - Tierney, 6. O-49-22 Amendment 5 - Tierney, 7. O-49-22 Amendment 6 - Arnett, 8. O-49-22 Amendment 7 - Savidge, 9. O-49-22 Amendment 8 - Arnett, 10. O-49-22 Amendment 9 - Savidge, 11. O-49-22 Amendment 10 - Savidge, 12. O-49-22 Amendment 11 - Arnett Substitute, 13. O-49-22 Amendment 11 - Legislative Summary of Arnett Substitute, 14. O-49-22 Staff Report, 15. O-49-22 Fiscal Impact Note, 16. O-49-22 StafftoPlanningCommission with Attachment, 17. O-49-22 Planning Commission Findings and Recommendations

Date	Ver.	Action By	Action	Result
11/6/2023	1	City Council	withdrawn without objection	Pass
11/3/2023	1	Rules & City Government Committee	no action taken	
10/23/2023	1	City Council	withdrawn without objection	Fail
10/23/2023	1	City Council	postpone	Pass
10/6/2023	1	Rules & City Government Committee	recommend unfavorably	Pass
9/26/2023	1	City Council	postpone	Pass
7/24/2023	1	City Council	postpone	Pass
7/24/2023	1	City Council	refer	
7/12/2023	1	Transportation Committee	recommend with amendments	Pass
6/22/2023	1	Transportation Committee	postpone	Pass
6/12/2023	1	City Council	postpone	Pass
4/12/2023	1	Transportation Committee	postpone	Pass
3/8/2023	1	Transportation Committee	postpone	Pass
2/27/2023	1	City Council	declare the public hearing closed	
11/4/2022	1	Rules & City Government Committee	postpone	Pass
10/24/2022	1	City Council	declare the public hearing closed	
10/10/2022	1	City Council	Cosponsor added	

10/10/2022	1	City Council	Cosponsor added	
10/10/2022	1	City Council	refer	
10/10/2022	1	City Council	refer	
10/10/2022	1	City Council	adopt on first reader	Pass

**Planning and Zoning - Parking and Loading Regulations - Parking fee-in-lieu of meeting off-street parking requirements.** - For the purpose of authorizing a parking fee-in-lieu for certain businesses required to provide parking spaces; and generally relating to off-street parking requirements.

**CITY COUNCIL OF THE  
City of Annapolis**

**Ordinance 49-22**

**Introduced by: Alderwoman Tierney  
Co-sponsored by: Ald. Arnett, Ald. Savidge**

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

**AN ORDINANCE** concerning

**Planning and Zoning - Parking and Loading Regulations - Parking fee-in-lieu of meeting off-street parking requirements.**

**FOR** the purpose of authorizing a parking fee-in-lieu for certain businesses required to provide parking spaces; and generally relating to off-street parking requirements.

**BY** Adding the following portion to the code of the city of Annapolis, 2022 edition  
21.66.035

**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 12 - PLANNING AND ZONING  
Chapter 12.66 - Parking and Loading Regulations**

**21.66.035 - PARKING FEE IN LIEU OF PROVIDING PARKING.** OFF-STREET PARKING REQUIREMENTS MAY BE WAIVED UPON PAYMENT OF A FEE FOR CERTAIN USES IDENTIFIED IN THE "TABLE OF OFF-STREET PARKING REQUIREMENTS" IN TITLE 21 § 66.130.

A. THE DIRECTOR OF PLANNING AND ZONING OR THEIR DESIGNEE IS AUTHORIZED TO GRANT SAID WAIVER AND SHALL PROMULGATE RULES AND REGULATIONS AS NEEDED TO IMPLEMENT THIS SECTION IN ACCORDANCE WITH TITLE 2 § 04.090.

B. THE FEE SHALL BE ESTABLISHED BY ANNUAL RESOLUTION OF THE CITY COUNCIL EFFECTIVE APRIL 1, 2023, AND IT SHALL BE BASED ON:

1. PARKING SPACES THAT ARE REPURPOSED FOR OUTDOOR DINING; AND
2. RESTAURANT SIZE.

C. ALL FEES GENERATED AS A RESULT OF REQUESTS FOR WAIVING THE OFF-STREET PARKING REQUIREMENT SHALL BE DEPOSITED INTO THE CITY TRANSPORTATION FUND.

**Section 12.66.130 - Table of off-street parking requirements.**

On Page 2 in the "Table of off-street parking requirements" in the "Bars and Taverns" section, in the "Bars and taverns" row, strike "30 percent" and replace with "30%" and after " persons." add after the period footnote "7".

Use	Standard	Additional Provisions
Bars and taverns	Spaces equal to <del>30 percent</del> 30% of the capacity in persons. <sup>7</sup>	

On page 7 in the "Table of off-street parking requirements" in the "Restaurants and Delicatessens" section, in the "B1 District" row, strike "fifteen percent" and replace with "15%" and add after the period footnote "7"

Use	Standard	Additional Provisions
<b>Restaurants and Delicatessens</b>		
B1 District	Spaces equal in number to <del>fifteen percent</del> 15% of the seating and standing capacity in persons. <sup>7</sup>	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.

On page 7 in the Table of off-street parking requirements in the "Restaurants and Delicatessens" section, in the "Other zoning districts" row, strike "thirty percent" and replace with "30%" and after the period add footnote "7".

Use	Standard	Additional Provisions
<b>Restaurants and Delicatessens</b>		

Other zoning districts	Spaces equal in number to <del>thirty percent</del> <u>30%</u> of the seating and standing capacity in persons . <sup>7</sup>	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.
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On page 8 in the Table of off-street parking requirements in the "Restaurants and Delicatessens" section, in the "Social Clubs, noncommercial" row, strike "30 percent" and replace with "30%" and after the period add footnote "7"

Use	Standard	Additional Provisions
<b>Restaurants and Delicatessens</b>		
Social clubs, noncommercial	One space per lodging room (if provided) plus spaces sufficient to serve <del>thirty percent</del> <u>30%</u> of the capacity in persons of the facility . <sup>7</sup>	

On page 10, line 39, add footnote

"7. *PARKING FEE IN LIEU OF MEETING OFF-STREET PARKING REQUIREMENTS. THIS USE IS ELIGIBLE FOR A PARKING REQUIREMENT WAIVER PURSUANT TO TITLE 21 § 66.035.*"

**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.