



Legislation Text

File #: O-30-14, Version: 1

A Modification To Parking Requirements And Adding As A Permitted Use In The B1 District The Use: Commercial, Trade, Vocational, Music, Dance, Or Art Schools - For the purpose of implementing the West Annapolis Sector Study.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 30-14 Amended

Introduced by: Alderman Paone

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

An ORDINANCE concerning

**A Modification To Parking Requirements And Adding As A Permitted Use In The
B1 District The Use: Commercial, Trade, Vocational, Music, Dance, Or Art Schools**

FOR the purpose of implementing the West Annapolis Sector Study.

WHEREAS, during the West Annapolis Sector Study, the community expressed a desire for less restrictive parking regulations in the B1 District;

WHEREAS, the community additionally expressed a desire to allow Pilates and yoga studios as a use in the B1 District;

WHEREAS, the City Council finds that the implementation of the West Annapolis Sector Study to be beneficial to the residents and business owners of West Annapolis.

BY repealing and reenacting with amendments the following portion of the Code of the City of Annapolis, 2010 Edition, ~~Section 21.48.020~~, and Section 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:

~~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
https://library.municode.com/HTML/16754/level3/TIT21PLZO_DIVVREGEAP_CH21.64STUSSUST.html);
 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

https://library.municode.com/HTML/16754/level3/TIT21PLZO_DIVIADEN_CH21.24PLDE.html.

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

Uses	District B1	District B2	District B3	District B3-CD	District BCE	District BR	District C2	District C2A	District PM2	District I1
Restaurant, fast food		S-Std	S-Std	S-Std	S-Std					
Restaurant, standard	P-Std, S-Std	P-Std, S-Std	P-Std, S-Std	P-Std, S-Std	P-Std	P-Std	S-Std		P-Std ^{1,2}	
Retail goods stores		P	P	P	P	P	P	P	P-Std ¹	
Schools, private, elementary, middle, or high					P					
Schools, commercial, trade, vocational, music, dance, or art	P	P	P	P	P	P	P	P		P
Sidewalk cafés	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std	P-Std		P-Std	P-Std
Specialty convenience retail goods stores	P	P	P	P	P	P	P	P	P-Std ^{1,2}	
Storage other than accessory to permitted uses			S	S						

Supermarkets	P-Std S-Std	P-Std S-Std	P-Std S-Std	P-Std S-Std	P-Std S-Std				P-Std ¹	
--------------	-------------	-------------	-------------	-------------	-------------	--	--	--	--------------------	--

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 <<https://www.municode.com/library/>>

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 21.66 - 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
Restaurants and Delicatessens	Spaces equal in number to 30 percent of the seating and standing capacity in persons.	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.
B1 DISTRICT	SPACES EQUAL IN NUMBER TO 15 PERCENT OF THE SEATING AND STANDING CAPACITY IN PERSONS.	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 30 PERCENT OF THE SEATING AND STANDING CAPACITY IN PERSONS.	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.	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 30 percent of the capacity in persons of the facility.	
Retail Uses		
Department stores	One space per 200 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 200 square feet	Parking spaces in shopping centers shall be provided on the basis of the parking requirement for individual uses.
Retail goods stores	One space per 200 square feet	Parking spaces in shopping centers shall be provided on the basis of the parking requirement for individual uses.
Specialty convenience retail goods stores	One space per 200 square feet	Parking spaces in shopping centers shall be provided on the basis of the parking requirement for individual uses.
Supermarkets	One space per 200 square feet	Parking spaces in shopping centers shall be provided on the basis of the parking requirement for individual uses.

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 20 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.

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.