



City of Annapolis
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R-46-24



..Title

Task Force to Study Residential Marine Vessels – For the purpose of gathering information necessary for the Annapolis City Council to make informed decisions about residential and commercial marine vessels in city waters, creating a task force to investigate three critical areas regarding houseboats, floating homes, and other residential marine vessels: 1) the impact on the city's maritime industry, 2) the advantages and disadvantages to the community, and 3) the impacts on city operations; and requiring the task force to submit a report to the Council for possible action.

..Body

CITY COUNCIL OF THE
City of Annapolis

Resolution 46-24

Introduced by: Alderman Arnett
Co-sponsor: Ald. Savidge

Referred to:

Maritime Advisory Board
Port Wardens
Environmental Matters Committee
Rules and City Government Committee
Economic Matters Committee

A RESOLUTION concerning

A Task Force to Study
Houseboats, Floating Homes, and Other ResidentialCommercial Marine Vessels

FOR the purpose of gathering information necessary for the Annapolis City Council to make informed decisions about residential and commercial marine vessels in city waters, creating a task force to investigate three critical areas regarding houseboats, floating homes, and other residential marine vessels: 1) the impact on the city's maritime industry, 2) the advantages and disadvantages to the community, and 3) the impacts on city operations; and requiring the task force to submit a report to the Council for possible action.

Maritime Industry

WHEREAS, Residential Marine Vessels include a wide variety of boats and barges, including but not limited to:

- **Houseboats**, a dwelling built on a boat that has a motor;
- **House-barges**, a dwelling built on a barge without a motor;
- **Floating Homes**, another name for a house-barge;
- **Liveaboards**, a boat that a person uses as their home;
- **Charter Boats**, a vessel rented to passengers with or without a captain and subject to Coast Guard regulations;
- **Bed and Breakfast Charters**, a recreational vessel that offers overnight stays for a fee and is subject to Coast Guard regulations;
- **Short-term Rentals**, marine vessels rented for short-term stays without leaving the dock; and

WHEREAS, Protecting the City's waterfront and boating community is a high priority, shown by the creation of Waterfront Maritime Zoning Districts in 1987 to address the development pressures on the Annapolis Maritime Industry and to preserve the Maritime Industry's presence in Annapolis; and

WHEREAS, In 2020, the City Council established the "Maritime Task Force" with 34 active members, which recommended policy aimed at protecting the maritime districts and strengthening the City's maritime industry that led to new restaurants, more diverse businesses, and a framework for enhanced water access; but that task force did not address on-the-water uses; and

WHEREAS, The City Council lacks details needed to make informed decisions on protecting the maritime industry; and

Community

WHEREAS, While Annapolis is only 7.2 square miles of land, it has 17 miles of waterfront along the Chesapeake Bay and its tributaries; and

WHEREAS, The 2021 Maritime Task Force report states, "the character of the maritime districts is a top priority for residents" throughout the City; that character includes watching boats from City Dock, participating in sailboat races year-round, and riding on powerboats and yachts around the Severn River and into the Chesapeake Bay; and

WHEREAS, The City needs to assess how residential housing in boat slips affects the availability of slips for powerboats and sailboats. These boats are essential for fostering and maintaining the City's maritime community atmosphere, even for residents who do not live directly on the waterfront; and

WHEREAS, In June 2024, Ocean City, Maryland, banned the use of houseboats for short-term rentals "to protect the public's health, safety and welfare," according to Ocean City's Ordinance 2024-12, and the Annapolis City Council needs to determine whether similar issues might also disadvantage the Annapolis community; and

City Operations

WHEREAS, The City Council finds there is a need to assess the adequacy of existing municipal laws, ordinances, staffing, permitting, and regulations governing the use, occupancy, safety, and environmental impact of residential marine vessels; and

WHEREAS, The Council aims to develop a fair and equitable method for assessing fees for marinas and residents living on vessels, as these residents rely on essential city services funded by property taxes. While some argue that this situation resembles residential rentals on land, the City Council requires accurate and reliable information on the issue; and

WHEREAS, The City needs to determine how to manage utilities for residential maritime vessels, including connections for drinking water, electricity, and sewage removal. For instance, the City's pump-out boat, which removes sewage waste from boats, operates five days a week from May through November. During the colder months, from November until late May, it operates only on Wednesdays and Saturdays, depending on the weather. Will this schedule be sufficient? Additionally, do private marinas have the capacity to fill in any gaps?

WHEREAS, Sausalito, California, is home to over 400 floating homes located in five residential marinas. These floating structures are required to have permanent electrical, sewer, and water connections above the waterline, complete with backflow prevention devices. Should the City of Annapolis consider implementing similar requirements for floating homes in its marina slips?

Task Force Creation & Setup

NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that:

1. A Residential Marine Task Force is hereby established to conduct a comprehensive review of municipal laws, ordinances, staffing, permitting, and regulations pertaining to houseboats, house barges, liveaboards, bed and breakfast charters, and chartered boats.
2. This task force shall be a collaborative effort, with at least 15 members appointed by the Mayor and confirmed by the Council, representing various stakeholder groups and ensuring diverse perspectives.
3. Membership shall include, but not be limited to:
 - a. Maritime Industry;
 - b. Recreational Boating;
 - c. Commercial Boating;
 - d. Waterside Community;
 - e. At-large City Residents;
 - f. Port Warden Chair or their designee;
 - g. Maritime Advisory Board Chair or their designee;
 - h. Watershed or creek association;
 - i. Marina property owners;
 - j. Members of the liveaboard community;
 - k. Stakeholder groups that do not represent the Marine Industry.
4. Membership shall equally represent each stakeholder group;
5. The task force shall be under the oversight of the Harbormaster, in consultation with the Director of the Department of Planning and Zoning or their representatives;
6. The task force shall hold regular meetings that shall be open to the public;
7. The City shall provide necessary staff support to the task force, such as administrative assistance;

8. The task force shall:

- a. Provide the City Council with an update report every three months and the final report within ~~one year~~six months of this resolution's adoption, keeping the Council and the public well-informed and up-to-date;
- b. Disband three months after the final report to the City;

Task Force Duties

BE IT FURTHER RESOLVED that the task force shall, regarding the:

1. Maritime Industry,

a. Economy.

- Identify the extent of the requests from marinas for the City Council to expand or change our policy on residential marine vessels;
- Conduct an economic analysis of the potential benefit or impact of adding or altering the residential and commercial vessel regulations in and associated with Maritime Districts in light of the priorities and strategies recommended and adopted by the Maritime Task Force Strategy Report of 2021;

b. Permits and Fees.

- Develop guidelines for permitting, licensing, and inspection of ~~marine residential~~short term rental and commercial vessels;
- Report on the impact the state-authorized slip tax would have in Annapolis;

c. Slips.

- Determine how many slips exist in Annapolis, the type of slips, size of slips, and whether the slips can handle residential marine vessels without disrupting boating traffic;
- Distinguish between municipal and privately owned slips and analyze potential regulatory and taxation differences for each;

d. Liveboards & Charter Boats

- Develop recommendations for tracking and regulating liveboards, including registration, permitting inspection, and enforcement procedures;
- Review City rules and regulations regarding commercial charter boats in City waters and recommend updates, including the use of commercial and residential vessels as charter boats,
- Develop recommendations on charter boats as short-term rentals;
- Develop recommendations on how to ensure safe management of charter boats in marina slips;

e. Utilities & Water Quality.

- Determine the impact on water quality from discharged graywater into City waters and recommend solutions;
- Determine how marinas would handle potable water and sewage disposal from residential marine vessels;
- Determine if housebarges should be hard-wired into the sewer system or served by pump-out services and potential risks or benefits of either approach;
- Assess the capacity of pump-out boats and how this would impact that service;

2. Community,

- a. Report on the impact residential marine vessels might have on boat passage through City waterways, with a focus on narrow and busy channels next to marina slips;
- b. Develop recommendations for addressing the economic impact of marine residential and commercial vessels on the community, such as noise impacts and potential mitigation measures, safety issues, and slip prices;
- c. Analyze the impact of marine vessels as short-term rentals on nearby communities and recommend whether they should be regulated and, if so, what the regulations should entail.

3. City Operations,

1. Conduct a thorough review of existing laws, ordinances, and regulations related to residential and commercial living on the water, which includes vessels that may be used as short-term rentals or charters and recommend changes:
 - Consider best practices from other municipalities with similar challenges;
 - Identify any gaps, inconsistencies, or conflicts in existing laws;
 - Address public safety concerns, including fire prevention, emergency response, and sanitation;
 - Addressing environmental concerns, including water quality, waste disposal, and habitat protection;
2. Review City fees to determine whether the fees cover City costs regarding law enforcement, public utilities, and inspections:
 - Assess the feasibility of implementing a slip fee, including potential revenue generation, administrative costs, and impacts on vessel owners;
 - ~~Develop recommendations for determining a fair and equitable method for assessing a fee in lieu of property taxes for marine residential and commercial vessels, including factors such as vessel size, value, and usage;~~
3. Assess the City staffing requirements associated with the recommendations;

AND BE IT FINALLY RESOLVED BY THE ANNAPOLIS CITY COUNCIL that this resolution shall take effect upon passage.

ADOPTED this 13th day of January 2024.

Aye: 7 Alderman Huntley, Alderwoman O'Neill, Alderwoman Pindell Charles, Alderman Schandelmeier, Alderman Gay, Alderman Savidge and Alderman Arnett

Aye: 2 Mayor Buckley and Alderwoman Finlayson

Explanation:

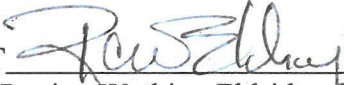
~~Strikethrough~~ -- matter stricken from the resolution
Underlining & blue -- amendment to the resolution

THE ANNAPOLIS CITY
COUNCIL


Gavin Buckley, Mayor

Date: 1-27-2025

ATTEST


Regina Watkins-Eldridge, MMC,
City Clerk

Date: 1/27/25

Explanation:

~~Strikethrough~~ -- matter stricken from the resolution
Underlining & blue -- amendment to the resolution