



City of Annapolis

DEPARTMENT OF PLANNING AND ZONING

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CHRISTOPHER N. JAKUBIAK, AICP
DIRECTOR

May 30, 2025

MEMORANDUM

To: Planning Commission

From: Eric Leshinsky, Chief of Comprehensive Planning

Via: Christopher Jakubiak, Director

Re: Ordinance O-14-25: Implementation of Annapolis Ahead Comprehensive Plan, 2040

Attachments:

- O-14-25 First Reader
- O-14-25 Staffing Impact Report
- Amendment 1 – BR zoning district (forthcoming)
- Amendment 2 – City Dock FAR (forthcoming)
- Amendment 3 – Transit Investments (forthcoming)
- Map of R2-NC zoning district
- Map of C2 and C2A zoning district
- Map of the Historic District height limits
- Performance Standards for Mixed Use Development (Excerpt from Annapolis Ahead 2040 Comprehensive Plan)

SUMMARY

O—14-25 includes the first set of zoning text amendments aimed at implementing the adopted *Annapolis Ahead 2040* Comprehensive Plan and improving the City's zoning code. The proposed legislation includes four components:

- In the Planned Development Chapter (21.24), the amendments would revise the purpose statements and approving criteria for planned development by linking them to the Comp. Plan's goals and community benefits, increase the share of a planned

development that may be devoted to a mix of land uses, allow for increases in the number of housing units in certain planned developments; revise the definition of common open space and expand the percentage of such space in developments.

- In the Residential Districts Chapter (21.40), the amendments would more strictly define how to compute the size of a house in the R2-NC district, which would also require revisions in the Terms and Definition Chapter (21.72) to update the definitions of "Floor area" and "Half Story". These changes clarify code and streamline the application of what is known as the 3,250 Rule – a rule that requires houses projects over 3,250 square feet in size (in the R2-NC) to obtain Planning Commission approval.
- In Heights and Bulk Limits Chapter (21.56) the amendments would update what appurtenances and types of rooftop structures are allowed to project above maximum height limits and set specific standards therefore. This addresses the practical difficulties in newly constructing permitted land use types on lots fronting the approved City Dock Park, east of Craig Street, and more specifically the reality that modern building and architectural practices can deliver eco-friendly green roofs and place mechanical equipment therein to protect the architectural integrity of building facades and minimize HVAC noise to pedestrians and neighboring properties.
- In Parking and Loading Regulation Chapter (21.66), the amendments would clarify that the off-street parking exception in the C2 and C2A district is applicable to all building sizes, not just those under 20,000 square feet in size. This addresses the goal of promoting walkability, accommodating parking in designated garage locations, and making more fiscally prudent use of available land zoned for development.

In addition to these four components, there are anticipated amendments that will be introduced with the legislation that we as staff favorably recommend. Three of these are summarized below:

- *Amendment 1:* This amendment is focused on correcting a key height and bulk standard for the BR zoning district which encompasses a small set of properties near the intersection of Clay Street and West Washington Street in the Old Fourth Ward neighborhood. Currently the height limit for the zoning district is three stories or 35 feet but the floor area ratio (FAR) is capped at 2.0. The FAR effectively limits the ability for a proposed building to reach its allowed height if that building ~~is~~ utilizes the lot coverage that is allowed by Code. To correct this, the amendment proposes to raise the FAR to 2.5.
- *Amendment 2:* This amendment is focused on correcting the FAR in another area of downtown. For only the properties fronting Dock Street between Craig Street and the eastern terminus of Dock Street, O-14-25 proposes to allow rooftop accessory structures to project above the allowed height limit under certain conditions. However, the current FAR for this area is also only 2.0 which effectively invalidates the height allowance for new buildings when proposed on the same footprint of previous buildings. The amendment will address these mismatched standards for this specific area of downtown.

- *Amendment 3:* This amendment relates to the portion of O-14-25 focused on Planned Developments and aims to reinforce the goal expanding alternative mobility options in close proximity to where the proposed legislation encourages density. The amendment will add a requirement that proposed planned developments located in established tax increment financing districts (TIF) contribute funding to public transit improvements. (Note: the creation of TIF districts will require future City Council action. This amendment is written prospectively and signals the intent that future planned developments should help build the infrastructure supporting multi-modal transportation.)

ANALYSIS

Overview

The proposed legislation includes text amendments that will help the City to implement the goals of the *Annapolis Ahead 2040* Comprehensive Plan by adjusting the criteria, standards, and definitions of specific sections of Chapter 21 of the City's Code of Ordinances. Among the four key components of the legislation noted in the summary above, the amendments relating to Planned Developments in section 21.24 will have the greatest reach as they apply to property parcels throughout the city and generally to development projects that have the greatest potential to advance City goals. The other components of the legislation relate to a more focused set of zoning districts where certain requirements have had a disproportionate effect in limiting change that would advance City goals.

Amendments to Planned Developments

Section 21.24 of the City's Code focuses on Planned Developments which are defined in the code as "a tract of land that contains or will contain one or more principal buildings, the development of which is allowed greater flexibility and, consequently, achieves more creative and beneficial design than may be possible under conventional zoning district regulations." Since its inception in 2004, the provisions of section 21.24 have guided many of the most transformative projects in Annapolis' recent history including Park Place, Acton's Landing, 1901 West Street, Village Greens, Bay Village, and numerous other infill developments. However, the code requirements of this section have changed very little in the last twenty years.

Annapolis Ahead 2040 documents in detail a changing Annapolis that is confronting citywide challenges that barely registered when the Planned Development provisions were initially added to the City Code. While the basic organization of Section 21.24 remains, O-14-25 proposes surgical text amendments to allow for Planned Developments to better respond to current needs and help the City advance the vision and goals of *Annapolis Ahead 2040*. These amendments begin with a reframing of the purpose of Planned Developments to more adequately capture the intent of future projects (Section 21.24.010 - Purposes, authorities and types). This is most apparent in section 21.24.010 (A) (6) where the code currently states as a

purpose of Planned Developments: “To promote development that is consistent with the Comprehensive Plan.” The proposed text amendments add greater specificity to what this consistency looks like in referencing the key goals of *Annapolis Ahead 2040* which includes affordable housing supply, mixed use development, alternative mobility options, public water access, and greenways.

Planned Development applications must currently elect to be one of three project types based on their existing zoning district and proposed uses: Residential Planned Development; Business Planned Development; or Special Mixed Planned Development. While the proposed legislation does not change this fundamental structure, it does change some of the key underlying provisions associated with each project type to elicit projects that can better address the City’s evolving needs.

- For Residential Planned Developments, the primary amendment is a change to the allowable density of dwelling units to help the City meet its housing goals. Under the proposed legislation, projects of this type would be allowed up to 150% of the dwelling units allowed by their base zoning district.
- For Business Planned Developments, the primary amendment is a change to the allowed uses. Under the proposed legislation, projects can have up to 50% of the ground area or of the gross floor area of the development devoted to uses not otherwise permitted in the underlying zone. Currently, Business Planned Developments are allowed only 15% of these uses otherwise not permitted. This translates to greater flexibility for projects where the underlying zoning may not best represent the current circumstances of the site. For example, property along the Annapolis’ major corridors is generally zoned for commercial or office uses but today there is far less demand for traditional office space nor support for the types of auto-oriented commercial businesses that once proliferated these locations. Property owners and developers of these sites may be able to more easily finance space for non-commercial uses such as additional housing or community facilities.
- The Special Mixed Planned Developments see the most significant change in the proposed legislation with amendments to both density and allowed uses. Among the three project types, there is greater emphasis on this type due to its explicit focus on mixed use development which is a major theme of *Annapolis Ahead 2040*. By efficiently combining compatible land uses, Special Mixed Planned Development projects have a greater potential to address multiple City goals and deliver positive community change for both the immediate neighborhood and the broader city. For this reason, the proposed legislation incentivizes projects of this type along the city’s major roadway corridors where *Annapolis Ahead 2040* identifies a concentration of future mixed use development. The incentive is based on a density bonus where projects located along specific major corridors identified in the legislation-- Forest Drive, Bay Ridge Road, West Street, Rowe Boulevard, Chinquapin Round Road, Spa Road, Old Solomons Island Road, or Solomons Island Road— are allowed to calculate their maximum allowable density based on a dwelling unit size of 850 square feet, which is half of the current allowable size. The justification for this increase in density is not simply to encourage more

housing options, but to situate these options in places where residents will have greater access to amenities and services, and to help the city evolve from a place that is extremely car-dependent today to one that is more walkable, bikeable, and served by better transit options. The proposed legislation also grants Special Mixed Planned Developments additional flexibility on land uses with up to 75% of the ground area or of the gross floor area of the development devoted to uses not otherwise permitted in the underlying zone. This would effectively remove a major obstacle to the development of housing on Special Mixed Planned Developments. The justification for this is similar to the amendment for Business Planned Developments where worthwhile projects addressing community needs can be limited by outdated zoning and financing challenges and having this additional flexibility on compatible uses can be a difference maker for whether a project advances or not.

There are two additional areas where the text amendments seek to uniformly improve Planned Developments. Providing common open space is currently a standard requirement for all Planned Developments but the definition in the current code of what this common open space can be is fairly narrow. To better reflect the full range of potential community benefits from open space, the proposed legislation expands the definition to include plazas, community gardens, and accessible green roof spaces to complement the current options of parks, playgrounds, parkways medians, schools, and community centers.

Finally, and perhaps most importantly, the legislation improves the criteria by which Planned Developments are approved or denied by the Planning Commission. In addition to referencing the improved purpose clause for Planned Developments described above, text amendments to section 21.24.090 also reference the “Performance Standards for Mixed Use Development” from Chapter 4 (Land Use) of *Annapolis Ahead 2040* as the key criteria for reviewing Business and Special Mixed Planned Developments. These standards, which are attached to this report, provide a comprehensive range of criteria to ensure that the additional provisions provided to Planned Developments translate to the highest quality projects and community benefits for city residents.

Amendments to the R2-NC Zoning District

This part of the proposed legislation clarifies a definition found in the R2-NC zoning district which encompasses a large portion of the Eastport neighborhood and has had a disproportionate impact on slowing and complicating project review. In section 21.40.060 of the current City Code which describes the site design review criteria for the R2-NC, a public hearing, review, and approval by the Planning Commission is required for new structures, expansions of existing structures, or alterations that increase the size or bulk of a building to more than 3,250 square feet of floor area. The proposed legislation does not change this requirement. Rather, the proposed legislation clarifies how the “floor area” is calculated to help streamline project review in an area of the city that exemplifies the goals of *Annapolis Ahead 2040*. The proposed legislation clarifies the general definitions of both ‘floor area’ and ‘half story’ in section 21.72.010 (“Terms”).

Amendments to Height and Bulk Limits in the Historic District

The proposed legislation amends the standards and definitions for height and bulk in a specific location of the Historic District adjacent to the City Dock to address the challenges of redeveloping this area in a way that properly complements the City Dock revitalization currently underway. The City Dock project will result in a substantially improved and expanded waterfront park with raised land elevations and integrated flood control measures. The site is currently bracketed by partially vacant and underperforming properties which could greatly enhance and activate the overall City Dock area if redeveloped as an integral component of the larger public investment. This is the vision of *Annapolis Ahead 2040* for an evolving downtown and Historic District to be sustainable environmentally, culturally, and economically. To help implement this vision, O-14-25 directly addresses a well-documented challenge in upgrading the properties adjacent to the City Dock to modern standards. On properties fronting Dock Street from Craig Street to the eastern terminus of Dock Street, the proposed legislation allows for rooftop accessory structures including mechanical rooms and other needs to extend 10 feet above the allowable height limit and an additional 5 feet for elevator shaft overruns, provided three specific conditions are met: the rooftop is designed to be a green roof that can manage stormwater; the aggregate footprint of all accessory structures is no more than 25% of the rooftop area; and specific efforts are made—including setbacks and architectural screening—to minimize the visual impact of the accessory structures as viewed from all public rights-of-way. Additionally, at these same locations on Dock Street, the proposed legislation allows for handrails not exceeding 4 feet in height to project above the allowed height limit provided they are setback from the roof edge at least one foot for every foot of handrail height.

Amendments to the C2 and C2A Zoning Districts

In the C2 and C2A zoning districts, which encompass the commercial areas of downtown, the proposed legislation amends the parking requirements for projects over 20,000 square feet of floor area. Currently, projects under 20,000 square feet are granted a parking waiver in section 21.66.130 of the City Code ('Table of Off-street Parking Requirements'). The waiver is justified by the prevalence of available shared parking options in the downtown area including the newly rebuilt Hillman Garage. This proposed change to parking requirements is another means of implementing the vision and goals of *Annapolis Ahead 2040* for the downtown area which is by far the most walkable area of the city with ample alternative transportation options. The parking regulations in the City's zoning code should reflect this reality.

IMPACT OF LEGISLATION

The various components of O-14-25 discussed above focus on achieving targeted outcomes both citywide and in specific zoning districts. What these varying aspects of the legislation share is a common focus on encouraging a more efficient and strategic use of the City's limited land base to achieve multiple City goals from the *Annapolis Ahead 2040* Comprehensive Plan. The precise impact of zoning legislation is always

difficult to predict because there are many other factors which determine land use change beyond what the zoning regulations allow. Economic viability, site constraints, and the decisions of the City's planning and zoning boards (including the Planning Commission) will ultimately determine whether new development happens or not. The uptake of the proposed legislation will likely happen gradually over the coming years. However, O-14-25 addresses a set of known obstacles to achieving better development outcomes that if unchanged could continue to stall worthwhile opportunities.

The impacts from new development and land use change in general can be subjective and not distributed uniformly but the value in periodically adopting a comprehensive plan for the city is to identify a shared vision of what positive change looks like across all neighborhoods of the city. *Annapolis Ahead 2040* comprehensively assessed the city's evolving needs and opportunities and communicates a shared vision for how land use change can be leveraged and coordinated to achieve the broadest public benefit. The policy recommendations in *Annapolis Ahead 2040* provide guidance only and require legislation by City Council, such as O-14-25, to be implemented.

Lastly, an important aspect to the proposed legislation that should not be under-valued is the degree to which the review and approval process by the Planning Commission is reinforced throughout. This important citizen body played a central role in advancing and adopting *Annapolis Ahead 2040*, and will remain actively engaged in ensuring that future development is consistent with the goals of the plan.

Conclusion

O-14-25 is an effort to update, recalibrate, and correct various sections of Chapter 21 of the City Code to guide new development that can better address the city's current and projected needs. While additional changes to the City Code as well as budgetary actions will certainly be needed to more fully implement *Annapolis Ahead 2040*, the text amendments proposed by this legislation will help to activate places in the city that can better serve residents, complement existing neighborhoods, and achieve multiple City goals ranging from housing and mobility options, to mixed use development, to quality building design, to public water access, and greenway connections.

CODE COMPLIANCE AND RECOMMENDATION

Based on the above analysis, the staff recommends that the Planning Commission provide a favorable recommendation to the City Council for O-14-25, and the amendments herein described.

Implementation of Annapolis Ahead Comprehensive Plan, 2040

For the purpose of implementing the adopted Comprehensive Plan; in Planned Development Chapter 21.24, revising the purpose statements and approving criteria for planned development by linking them to the Comprehensive Plan's goals and community benefits, increasing the share of a planned development that may be devoted to a mix of land uses, allowing for increases in the number of housing units in certain planned developments; revising the definition of common open space and expanding the required percentage of such space in planned developments; in Residential Districts Chapter 21.40, more strictly defining how to compute the size of a house in the R2-NC district; in Terms and Definition Chapter 21.72, updating the definitions of "Floor area" and "Half Story"; in Heights and Bulk Limits Chapter 21.56, updating what appurtenances and types of structure are allowed to project above certain maximum height limits; in Parking and Loading Regulation Chapter 21.66, clarifying the off-street parking exception in the C2 and C2A district so its applicable to all buildings sizes not just those under 20,000 square feet in size; in Certificate of Approval—Commission Decision Chapter 21.56, replacing references to the Department of Public Works with the Department of Planning and Zoning; and generally related to comprehensive plan updates in Title 21.

..Body

City Council of the
City of Annapolis

Ordinance 14-25

Introduced by: Mayor Buckley

**Co-sponsored by: Alderman Arnett, Alderwoman Finlayson, Alderman Schandelmeier,
Alderman Gay**

Referred to: Planning Commission, and Rules and City Government Committee

AN ORDINANCE concerning

Implementation of Annapolis Ahead Comprehensive Plan, 2040

FOR For the purpose of implementing the adopted Comprehensive Plan; in Planned Development Chapter 21.24, revising the purpose statements and approving criteria for planned development by linking them to the Comprehensive Plan's goals and community benefits, increasing the share of a planned development that may be devoted to a mix of land uses, allowing for increases in the number of housing units in certain planned developments; revising the definition of common open space and expanding the required percentage of such space in planned developments; in Residential Districts Chapter 21.40, more strictly defining how to compute the size of a house in the R2-NC district; in

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1 Terms and Definition Chapter 21.72, updating the definitions of "Floor area" and "Half
2 Story"; in Heights and Bulk Limits Chapter 21.56, updating what appurtenances and
3 types of structure are allowed to project above certain maximum height limits; in Parking
4 and Loading Regulation Chapter 21.66, clarifying the off-street parking exception in the
5 C2 and C2A district so its applicable to all buildings sizes not just those under 20,000
6 square feet in size; in Certificate of Approval—Commission Decision Chapter 21.56,
7 replacing references to the Department of Public Works with the Department of Planning
8 and Zoning; and generally related to comprehensive plan updates in Title 21.
9

10 **BY** repealing and reenacting with amendments the following portions of the Code of the City
11 of Annapolis, 2025 Edition:

12 21.24.010

13 21.24.020

14 21.24.050

15 21.24.060

16 21.24.090

17 21.40.060

18 21.56.060

19 21.56.070

20 21.56.150

21 21.56.160

22 21.56.170

23 21.66.130

24 21.72.010
25

26 **WHEREAS**, The Mayor and City Council of the City of Annapolis unanimously adopted a
27 new comprehensive plan, titled "Annapolis Ahead Comprehensive Plan, 2040,"
28 by Resolution 4-24 on July 8, 2024; and
29

30 **WHEREAS**, The Annapolis City Code, Title 21, the Zoning Code, authorizes the Mayor and
31 City Council to amend the text of the Zoning Code; and
32

33 **WHEREAS**, Land Use Article § 3-101 of the Maryland Code as Annotated requires the City
34 to enact, adopt, amend and execute its comprehensive plan, while § 3-303 of the
35 same article states the City must ensure implementation of the elements of the
36 comprehensive plan through:

- 37 1. zoning laws;
- 38 2. planned development ordinances and regulations;
- 39 3. subdivision ordinances and regulations; and
- 40 4. other land use ordinances and regulations.

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1
2 **WHEREAS,** The City Council finds the amendments set forth in this ordinance to be
3 consistent with Annapolis Ahead Comprehensive Plan, 2040 and necessary to
4 promote the thoughtful redevelopment and/or renovation of outmoded and
5 obsolescent properties while conserving the City's historic and aesthetic
6 character;

7
8 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
9 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

10
11 **City Code Title 21 - PLANNING AND ZONING**
12 **Division II - Administration and Enforcement**
13 **Chapter 21.24 - Planned Development**
14

15 **Section 21.24.010 - Purposes, authorities and types.**

16 A. **Purposes.** The purposes of planned developments are as follows:

- 17 1. To allow greater flexibility in order to encourage more creative design for the
18 development of land than is generally possible under conventional zoning
19 district regulations.
- 20 2. ~~To promote orderly and thorough planning and review procedures that will~~
21 ~~result in quality design and counteract the negative effects of monotonous~~
22 ~~design.~~
23 To promote orderly and thorough planning and review procedures that will
24 result in community design that exceeds what is possible under conventional site
25 planning and which counteracts the negative effects of monotonous design.
- 26 3. To allow the grouping of buildings and a mix of land uses, especially housing,
27 with an integrated design and a physical plan coordinated with surrounding land
28 uses.
- 29 4. To promote development in a manner that protects significant natural resources,
30 coordinates the placement of structures with existing natural features, and
31 integrates natural open spaces into the design of a development project.
- 32 5. To promote a ~~design~~ development that takes into account the natural
33 characteristics of ~~the sites~~ sites in the placement of structures.
- 34 6. To promote development ~~that is consistent~~ which substantially advances the
35 goals of the Comprehensive Plan, particularly the following:

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- a. Promoting the supply of affordable housing, especially multi-family housing types (missing middle housing), which can be developed at a lower cost per unit than single family housing;
- b. Promoting a mix of land use types within development projects (mixed use);
- c. Promoting the installation and use of infrastructure such as sidewalks, trails, bikeways, and transit (active transportation);
- d. Promoting physical connections to area waterways through such things as dedicated routes and recreational enhancements to waterfront land (public water access); and
- e. Promoting the linking of open spaces for environmental and recreational benefits (greenways).

B. Types of Planned Developments, Where Permitted.

1. ~~There are three types of planned developments: residential planned developments, business planned developments, and special mixed planned developments.~~

There are three types of planned developments:

- a. residential planned developments,
- b. business planned developments, and
- c. special mixed planned developments.

2. Planned developments may be permitted only where listed in the use tables for specific zoning districts in Chapter 21.48 ~~of this Zoning Code.~~

C. **Authority to Approve.** The Planning Commission is authorized to decide applications for planned developments, upon establishing written findings as provided in § 21.24.090.

Section 21.24.020 - Use regulations for planned developments.

A. Residential Planned Development.

1. Except for uses specifically prohibited by the Zoning Code in the district that is the subject of the application, a residential planned development may consist of the following uses:
 - a. Uses that are allowed as permitted uses, uses subject to standards or special exception uses in any residential district, are allowed as permitted uses if included within and approved as part of a residential planned development.

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- b. Up to ~~ten percent~~10% of the ground area or gross floor area of a residential planned development may consist of uses that are allowed as permitted uses or as uses subject to standards in the B1 District.
2. No more than ~~thirty percent~~30% of the ground area or of the gross floor area of the development may be devoted to ~~planned development uses~~uses not otherwise permitted in the underlying zone.

B. Business Planned Development.

1. Except for uses specifically prohibited by the Zoning Code in the district that is the subject of the application, a business planned development may consist of the following uses:
 - a. All uses allowed as a permitted use, use subject to standards, or special exception use in the zoning district in which the business planned development is located, are allowed as permitted uses if included within and approved as part of a business planned development.
 - b. For business planned developments located in the B1, B2, B3, B3-CD, BCE, BR, P, PM, PM2, and MX districts, a business planned development may include all uses allowed in any residential district as a permitted use, use subject to standards, or as a special exception.
2. No more than ~~fifteen percent~~50% of the ground area or of the gross floor area of the development may be devoted to ~~planned development uses~~uses not otherwise permitted in the underlying zone.

C. Special Mixed Planned Development.

1. Except for uses specifically prohibited by the Zoning Code in the district that is the subject of the application, a special mixed planned development may consist of all uses allowed as a permitted use, use subject to standards, or as a special exception in any zoning district, which uses are allowed as permitted uses if included within and approved as part of a special mixed planned development.
2. No more than ~~thirty percent~~75% of the ground area or of the gross floor area of the development may be devoted to ~~planned development uses~~uses not otherwise permitted in the underlying zone.

Section 21.24.050 - Bulk and density standards.

- A. **Bulk Standards.** The Planning Commission may adjust bulk standards, other than height, that are otherwise applicable in the zoning district, with the following exception: a ~~twenty percent~~ 20% increase in the height limit or other bulk standards shall be allowed for ~~low income~~ housing developed pursuant to Section 42 of the Federal Internal

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Revenue Code, and that meets the criteria of the Federal Low Income Housing Tax Credit Program.

B. **Maximum Allowable Density Standards.** The following density standards shall apply to planned developments:

- ~~1. In a residential planned development, the maximum number of dwelling units may not exceed the number of units determined by dividing the gross development area by the minimum lot area per dwelling unit (or per dwelling unit type if a mix of units is proposed) required by the district or districts in which the development is located. Gross development area shall be the area of the zoning lot as a whole. The area of land set aside for common open space or recreational use may be included in determining the number of dwelling units permitted. If the gross development area of the property includes property within the Resource Conservation Area of the Critical Area Overlay, density shall be determined, as per Section 20.24.130(G) and (H).~~
1. In a residential planned development, the maximum number of dwelling units may not exceed **150% of** the number of units determined by dividing the gross development area by the minimum lot area per dwelling unit (or per dwelling unit type if a mix of units is proposed) required by the district or districts in which the development is located.
 - a. Gross development area shall be the area of the zoning lot as a whole.
 - b. The area of land set aside for common open space or recreational use may be included in determining the number of dwelling units permitted.
 - c. If the gross development area of the property includes property within the Resource Conservation Area of the Critical Area Overlay, density shall be determined, as per **§ 20.24.130(G) and (H).**
2. **Except as provided in 21.24.050(3), in** a business or special mixed planned development, the maximum number of dwelling units may not exceed the number of units determined by dividing the gross residential development area by the minimum lot area per dwelling unit required by the R4 district.
3. **In a special mixed planned development, on property meeting both of the following locational criteria, the maximum number of dwelling units may not exceed the number of units determined by dividing the gross development area by 850 square feet.**
 - a. **The property fronts directly on at least one of the following streets: Forest Drive, Bay Ridge Road east of Hillsmere Drive, West Street, Rowe Boulevard, Chinquapin Round Road, Spa Road, Old Solomons Island Road, or Solomons Island Road.**

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b. The property is designated for mixed use on the map of future land use in Chapter 4, Land Use, of the comprehensive plan.

Section 21.24.060 - Common open space.

Planned developments shall provide for common open space as follows:

- ~~A~~1. Common open space may include parks, plazas, playgrounds, medians of parkways, medians, landscaped green space, community gardens, accessible green roof spaces, schools, community centers or other similar areas in public ownership or covered by an open space easement or controlled by a homeowners association.
- ~~B~~2. The minimum area of common open space provided shall be equivalent to ~~twenty percent~~20% of the total ground area in residential planned developments and ~~five percent~~10% of the total ground area in business and special mixed planned developments.
- ~~C~~3. Planned development applications shall include provisions for the ownership, conservation, and maintenance of the common open space.

Section 21.24.090 - Planned development review criteria and findings.

In determining whether to approve or deny planned development applications, the Planning Commission shall make written findings based on the following:

- ~~A~~1. The planned development is consistent with each of the purposes of this chapter set forth in § 21.24.010. The planned development is compatible with the character of the surrounding neighborhood and consistent with the Comprehensive Plan and the purposes of planned developments.
- ~~B~~2. The proposed locations of buildings, structures, open spaces, landscape elements, and pedestrian and vehicular circulation systems are adequate, safe, efficient, and designed to minimize any adverse impact upon the surrounding area.
- ~~C.~~ ~~The planned development will promote high quality design and will not result in greater adverse impacts to the surrounding area compared to the development that may otherwise be permitted pursuant to the Zoning Code if a planned development were not approved.~~
3. By virtue of the planned development, the following community benefits shall be advanced:
 - a. High quality architectural and landscape design that fosters civic beauty and physical connectivity with surrounding developments;
 - b. Safety and mobility improvements for walking, bicycle, and transit;

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~~Bicycle and transit;~~

c. Revitalization of outmoded, obsolescent or physically deteriorated real estate;

d. Creation of opportunities for public art; and

e. The modernization of stormwater management.

~~D4.~~ The planned development complies with the planned development use standards and bulk and density standards.

~~E5.~~ The planned development complies with the Site Design Plan Review criteria provided in ~~Section~~§ 21.22.080.

~~F6.~~ The planned development plan includes adequate provision of public facilities and the proposed infrastructure, utilities and all other proposed facilities are adequate to serve ~~the planned development and adequately interconnect with existing~~ public facilities.

~~G7.~~ The planned development complies with Chapter 21.71 - Forest Conservation, ~~of the Annapolis City Code.~~

8. The planned development is consistent with the adopted City of Annapolis comprehensive plan. For business and special mixed use planned developments, the planned development is specifically consistent with each of the six performance standards for mixed use development set forth in Chapter 4: Land Use of the comprehensive plan.

City Code Title 21 - PLANNING AND ZONING

Division III - Base District Regulations

Chapter 21.40 - Residential Districts

Section 21.40.060 - R2-NC Single-Family Residence Neighborhood Conservation district

C. Development Standards.

2. Site Design Review

- a. Except as provided in ~~Subsection~~§ 21.40.060(C)(2)(b) ~~of this section~~, new construction including new buildings, enlargements to building size or bulk, or structural alterations to existing structures which have an impact upon any exterior façade of a structure or building are subject to review and approval, with emphasis placed on façades visible from the

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public view, by the Department of Planning and Zoning in accordance with the provisions of Chapter 21.22, - Site Design Plan Review.

- b. ~~New structures, enlargement to a structure, and structural alterations to building size or bulk of existing structures which results in the structure or building being in excess of three thousand two hundred fifty square feet of floor area are subject to public hearing, review and approval by the Planning Commission. The three thousand two hundred fifty square foot figure does not include square footage in basements that are fifty percent or more underground, uninhabitable attic space or accessory structures. Those structures or buildings that are already in excess of three thousand two hundred fifty square feet or have site design review approval as of November 14, 2005, may be rebuilt to the same square footage as long as the design is reviewed and approved by the Planning Commission.~~

Any new structures, expansions of existing structures, or alterations that increase the size or bulk of a building to more than 3,250 square feet of floor area as defined in § 21.72.010 will require a public hearing, review, and approval by the Planning Commission.

- i. The 3,250 square foot figure shall include all floor area except that area in basements that are 50% or more underground, and in detached accessory structures.
- ii. Those structures or buildings that are already in excess of 3,250 square feet or have site design review approval as of November 14, 2005, may be rebuilt to the same square footage as long as the design is reviewed and approved by the Planning Commission.

City Code Title 21 - PLANNING AND ZONING

Division IV - Overlay District Regulations

Chapter 21.56 - Historic District

Article I - Approval of Exterior Changes

Section 21.56.060 - Application review.

E. Special Considerations.

2. In the circumstances described above in Subsection (E)(1) of this section, unless the Commission is satisfied that the proposed construction, alteration, or reconstruction will not materially impair the historic, cultural, archaeological, or architectural

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significance of the landmark, site or structure, the Commission shall reject the application, filing a copy of its rejection with the Department of ~~Public Works~~Planning and Zoning.

Section 21.56.070 - Certificate of approval—Commission decision.

- A. The Commission shall file with the Department of ~~Public Works~~Planning and Zoning a certificate of approval certifying its approval or modification of each application and plans submitted to it for review. If an application is rejected, the Commission shall notify the Department of Public Works.
- B. Work shall not be commenced on any project until such a certificate of approval has been filed, and the Department of ~~Public Works~~Planning and Zoning shall not issue a building permit for such change or construction unless it has received such a certificate of approval.

City Code Title 21 - PLANNING AND ZONING

Division IV - Overlay District

Chapter 21.56 - Historic District

Article II - Height and Bulk Limits

Section 21.56.150 - Purpose.

The purpose of this article is to provide for light and the circulation of air, to prevent the congestion of population, to implement the purpose set forth in ~~Section § 21.56.010 of this chapter~~, and to better preserve the existing historical and architectural character of the historic district by limiting the height and bulk of buildings in the historic district.

Section 21.56.160 - Applicability.

The special height and bulk limits apply only to land within the historic district and are intended to be supplementary and in addition to the more general factors of compatibility set forth in ~~Section 21.56.100~~ § 21.56.010 of Article I of this chapter.

Section 21.56.170 - Height Measurement

- ~~B. Antennas and mechanical equipment up to thirty inches high shall not be counted in computing height, and penthouses, other structures and mechanical equipment thirty inches in height shall be used in computing height; chimneys are excluded.~~

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B. Allowable Projections Above Height Limits.

1. Except as provided in § 21.56.170(B)(2):

a. Antennas and mechanical equipment up to 30 inches high shall not be counted in computing height;

b. Penthouses, other structures, and mechanical equipment 30 inches and over in height shall be used in computing height;

c. Chimneys are excluded.

2. On properties with frontage on Dock Street between Craig Street and the eastern most terminus of Dock Street, mechanical penthouses, and other roof top appurtenances and accessory structures may extend up to 10 feet beyond the applicable allowed height limit and elevator shaft overruns may extend an additional five feet, provided:

a. The roof is green (living) roof designed and engineered for stormwater management, energy efficiency and planted with vegetation;

b. The aggregate footprint of any such structures shall comprise no more than 25% of the area of the roof; or

c. Any such structure shall be positioned on the roof, to minimize, to the extent possible, the degree to which is it viewable from all public rights-of-way and shall be screened on all four sides, with such screening being an integral architectural element of the building and the required green (living) roof.

3. On properties with frontage on Dock Street between Craig Street and the eastern most terminus of Dock Street, rooftop handrails, not exceeding four feet in height, are allowed to project above the building height limit on a green (living) roof provided they are set back in from the edge of the roof at least one foot for every one foot in handrail height.

**City Code Title 21 - PLANNING AND ZONING
Division V - Regulations of General Applicability
Chapter 21.66 - Parking and Loading Regulation**

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.

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Table Notes:

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 twenty parking spaces, plus one space for each additional five hundred square feet of floor area.~~

City Code Title 21 - PLANNING AND ZONING
Division VI - General Terms and Rules of Measurement
Chapter 21.72 - Terms and Definitions

Section 21.72.010 - Terms.

"Floor area" means the sum of the gross horizontal areas of the stories of a building measured from the exterior faces of the exterior walls or sloped roofs where, in lieu of a wall, a sloped roof forms an exterior boundary of the building (such as in an attic), or from the centerline of walls separating two buildings.

"Story, half". ~~See illustration.~~ "Half story" means a story containing floor area ~~habitable living space~~ not exceeding ~~fifty percent~~ 50% of the floor area next below. ~~Habitable living space is space that meets the ceiling requirements for habitable rooms, hallways, corridors, bathrooms, toilet rooms, and laundry rooms, as set forth in the City of Annapolis Building Code (see Chapter 17.12).~~

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect upon passage.

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STAFFING IMPACT REPORT ON PROPOSED LEGISLATION

To: Mayor Gavin Buckley

From: Michael Mallinoff, City Manager

Date: May 8, 2025

Subject: O-14-25: Implementation of Annapolis Ahead Comprehensive Plan, 2040

Purpose of legislation

This is the first set of zoning text amendments aimed at implementing the adopted Comprehensive Plan and improving the zoning code. The following substantive changes are proposed:

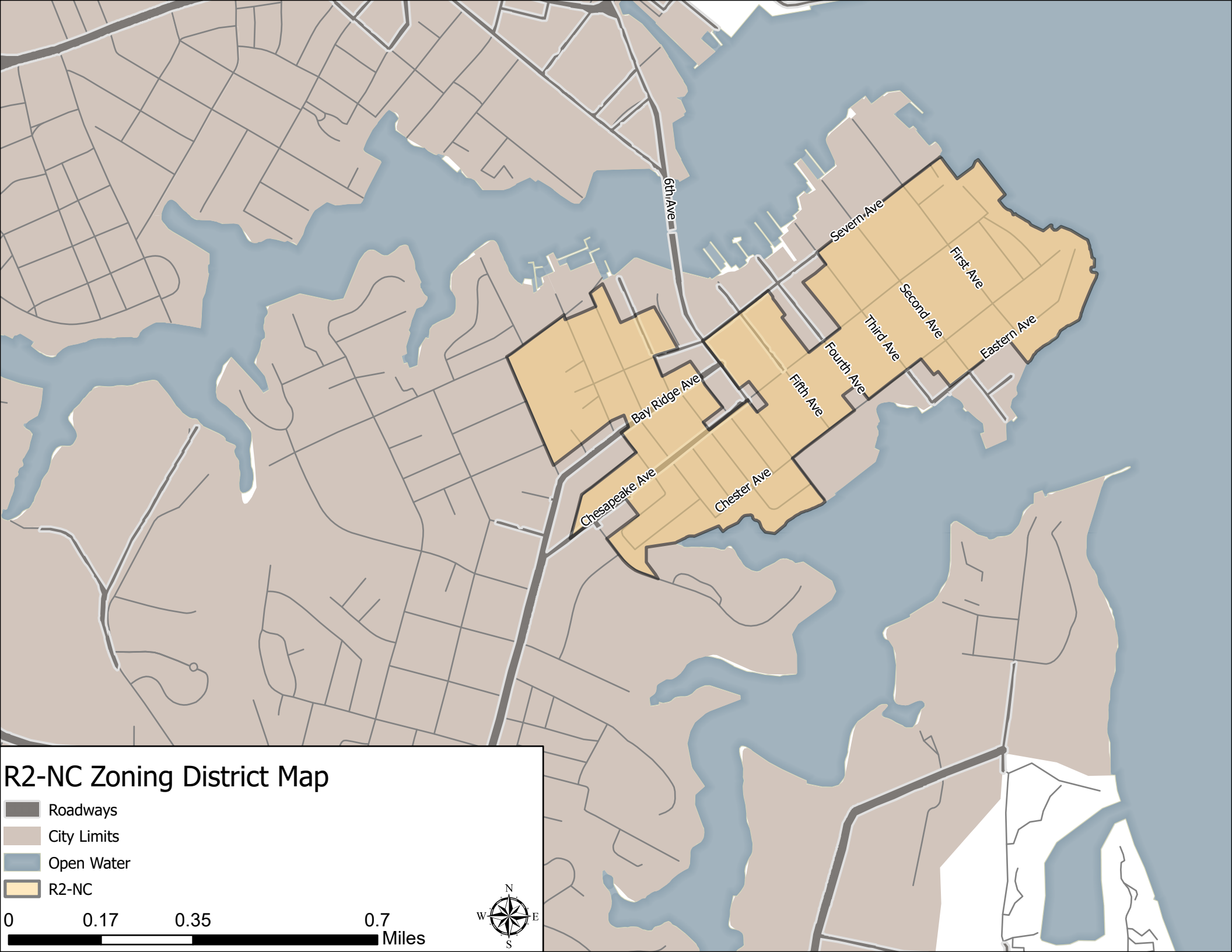
- In the Planned Development Chapter (21.24), the amendments would revise the purpose statements and approving criteria for planned development by linking them to the Comp. Plan's goals and community benefits, increase the share of a planned development that may be devoted to a mix of land uses, allow for increases in the number of housing units in certain planned developments; revise the definition of common open space and expand the percentage of such space in developments.
- In the Residential Districts Chapter (21.40), the amendments would more strictly define how to compute the size of a house in the R2-NC district, which would also require revisions in the Terms and Definition Chapter (21.72) to update the definitions of "Floor area" and "Half Story". These changes clarify code and streamline the application of what is known as the 3,250 Rule – a rule that requires houses projects over 3,250 square feet in size (in the R2-NC) to obtain Planning Commission approval.

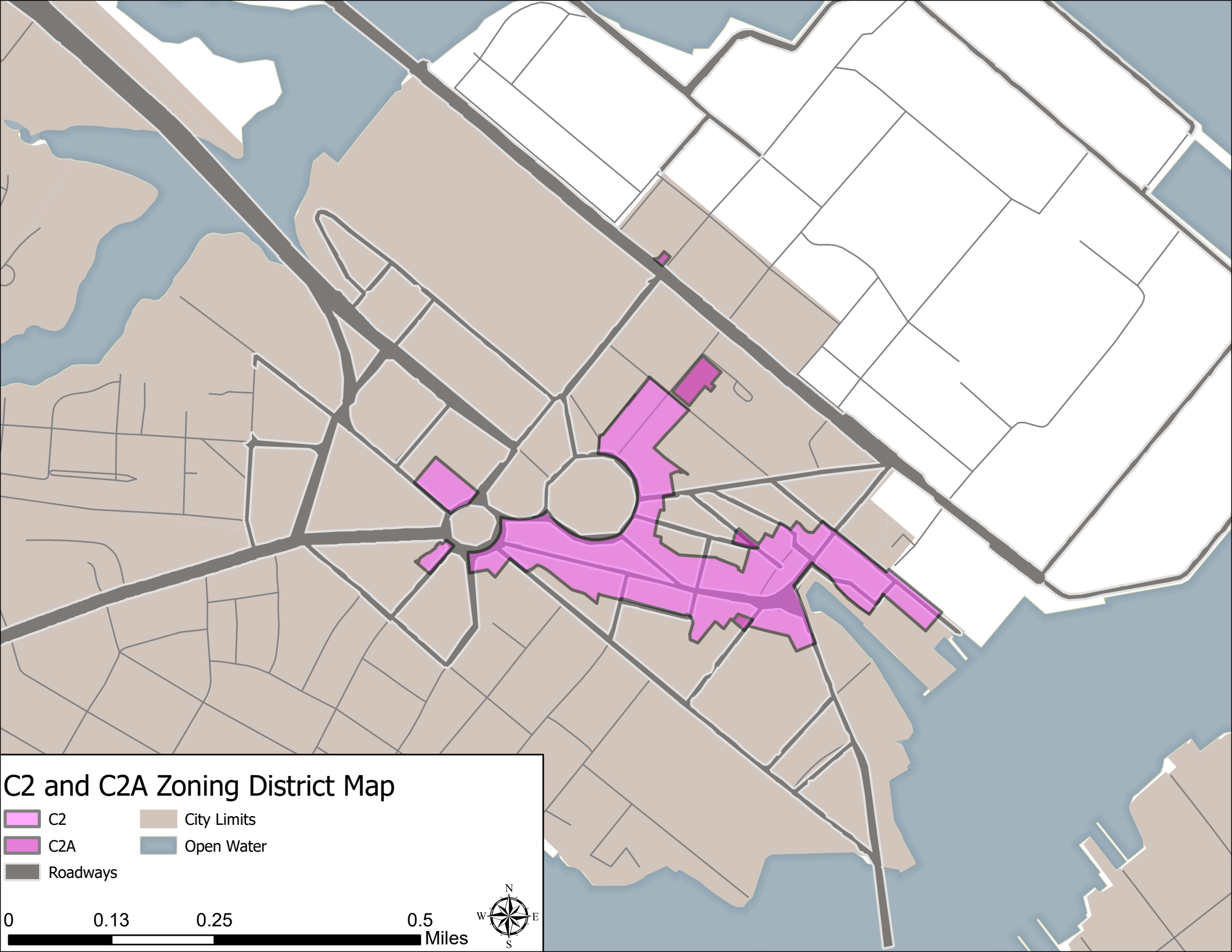
- In Heights and Bulk Limits Chapter (21.56) the amendments would update what appurtenances and types of rooftop structures are allowed to project above maximum height limits and set specific standards therefore. This addresses the practical difficulties in newly constructing permitted land use types on lots fronting the approved City Dock Park, east of Craig Street, and more specifically the reality that modern building and architectural practices can deliver eco-friendly green roofs and place mechanical equipment therein to protect the architectural integrity of building facades and minimize HVAC noise to pedestrians and neighboring properties.
- In Parking and Loading Regulation Chapter (21.66), the amendments would clarify that the off-street parking exception in the C2 and C2A district is applicable to all building sizes, not just those under 20,000 square feet in size. This addresses the goal of promoting walkability, accommodating parking in designated garage locations, and making more fiscally prudent use of available land zoned for development.

Impact of legislation on staffing

The legislation would have little to no direct impact on staffing except that the revision to the above mentioned 3,250 Rule should streamline the review process for residential construction in the R2-NC zoning district.

Prepared by Christopher Jakubiak, Director of Planning and Zoning



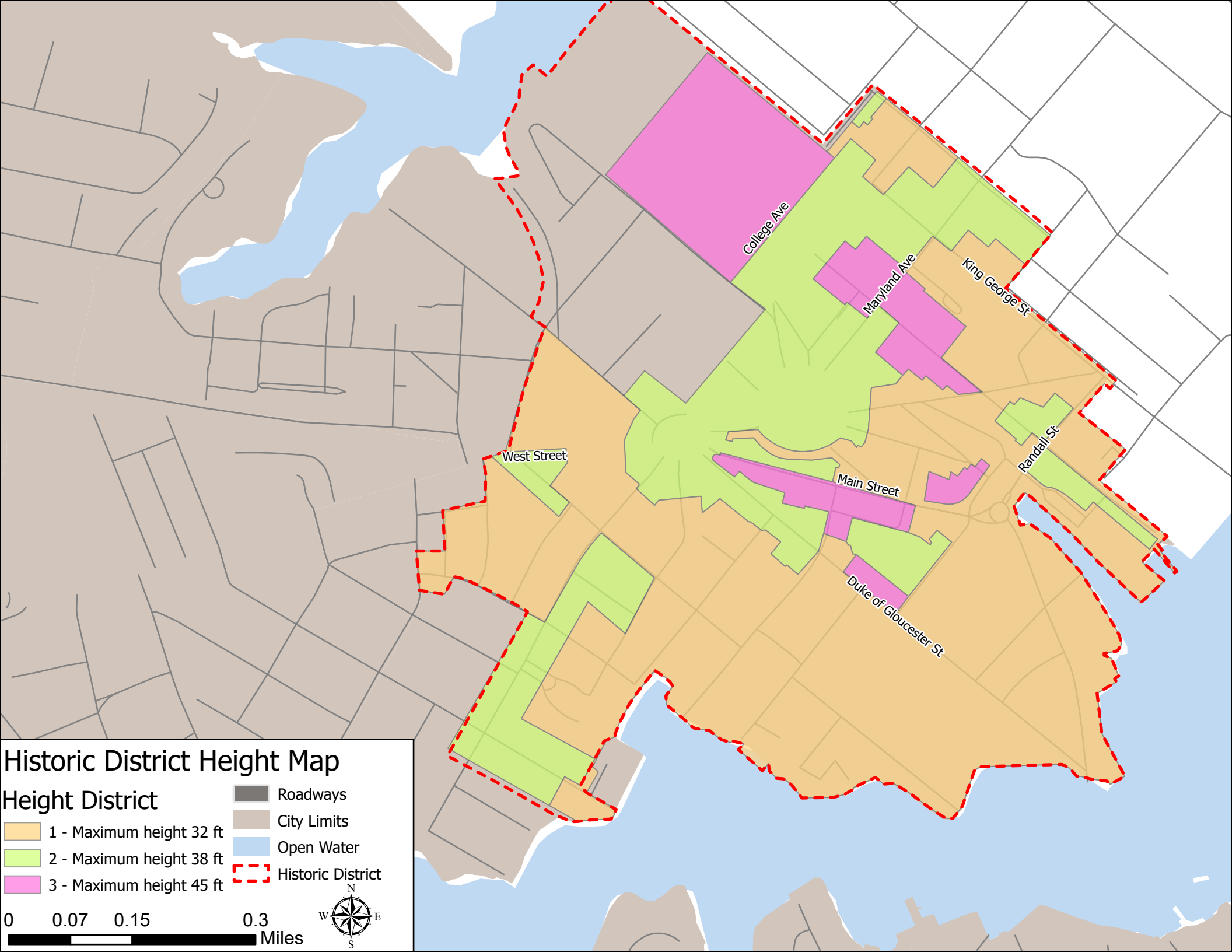


C2 and C2A Zoning District Map

- C2
- C2A
- Roadways
- City Limits
- Open Water

0 0.13 0.25 0.5 Miles





Historic District Height Map

Height District

- 1 - Maximum height 32 ft
- 2 - Maximum height 38 ft
- 3 - Maximum height 45 ft

Legend:

- Roadways
- City Limits
- Open Water
- Historic District

Scale: 0 0.07 0.15 0.3 Miles

Compass Rose: N, S, E, W

EXCERPT FROM THE ANNAPOLIS AHEAD 2040 COMPREHENSIVE PLAN (CHAPTER 4: LAND USE)

Performance Standards for Mixed Use Development

The following standards are provided in the Plan to help clarify the outcomes of good development practices consistent with the goals of this Plan, and to guide decision-making when new development is proposed. These standards should be used by anyone helping to guide future development including community members.

Enhanced Neighborhood Character

- Architecture that harmonizes with an adjacent residential neighborhood through design which references its context.
- Street trees and landscape design that harmonizes with nearby surroundings.
- Distribution of parking into smaller pods and away from primary street frontage.
- Appreciation of local culture through preservation and/or artful design elements.

Enhanced Public Realm

- Public spaces for community gathering such as small parks, plazas, and outdoor dining spaces.
- Architecture that improves the pedestrian experience with active ground floors and facade variation.
- Architecture which creates place through distinctive building features and site elements.

Compact and Connected

- Extension of neighboring land use types to promote continuity and gradual transitions from lower to higher intensity uses and site design.
- Placement of buildings on the street and in arrangements based on patterns that encourage walkability and less dependence on personal vehicle use.
- Buildings are oriented to linked public spaces which help to connect communities.

Connected Street Networks

- Extension of existing streets into and through the site to foster connectivity.
- Extension of existing bicycle and pedestrian connections into, around, and through the site, and/or establishment of new connections.
- Repair and enhancement of needed sidewalks and streetscapes within the nearby neighborhood.

Commercial and Institutional Uses Balanced with Community Needs

- Retain or expand shopping and services to meet everyday community needs.
- Facilitate major civic uses, commercial office, professional services, and community level retail along major thoroughfares.

Green Infrastructure

- Functional use of setback areas for green infrastructure and public use.
- New and preserved tree canopy planted to provide multiple benefits including shade, stormwater management, and habitat.
- Paved areas are broken up with planted areas designed to capture and treat stormwater runoff.
- Innovation in environmental and energy performance.