

# *Eastport*

## *A Guide to the Site Design Review Process*

**SINGLE-FAMILY RESIDENCE  
NEIGHBORHOOD CONSERVATION  
(R2-NC) DISTRICT**

*&*

**OFFICE AND COMMERCIAL  
DESIGN (OCD) OVERLAY**



# *A Guide to the Process*

This guide is intended to inform residents of Eastport, prospective residents, builders, architects and the general public about the Single-Family Residence Neighborhood Conservation (R2-NC) district as well as the Office and Commercial Design Overlay (OCD). The goal is to help explain the process associated with receiving approval for construction of new structures, accessory buildings, additions and alterations to existing buildings.



# *History of Eastport*

Eastport is a historic community first settled in the late 19<sup>th</sup> century on the Horn Point peninsula bounded by Spa and Back Creeks, as well as the Severn River. Eastport is within a short walking distance from downtown Annapolis and the City Dock. Until 1951, when it was annexed into the City, Eastport was an unincorporated community connected to Annapolis by Spa Creek Bridge.

Eastport's legacy has been its working class roots, reflected in many of the modest, turn-of-the-century homes, and the juxtaposition of its residential heart and the working maritime and related businesses along its water's edge. Its social and physical diversity, together with its small, intimate scale, are qualities which endear the community to Eastport residents. Delicate, unique, special, charming, historic, quiet, personal – these are the adjectives used again and again to describe this neighborhood.

In an effort to preserve Eastport's charm, the residents with the support of the City, created special zoning designations with standards designed to protect the traditional building patterns and urban design of Eastport. The Single-Family Residence Neighborhood Conservation District (R2-NC) and Office and Commercial Design Overlay District (OCD) were created to preserve the character of both residential and commercial areas of Eastport.



# *Purpose*

The purpose of creating the R2-NC and OCD districts is to maintain the existing scale and architectural character of the neighborhood through preservation and design review.

In particular the purpose includes:

1. Protection of the architectural massing, composition and styles as well as neighborhood scale and character.
2. Compatibility of new construction and structural alterations with the existing scale and character of surrounding properties.
3. Encouragement of existing types of land uses that reflect the mixture and diversity of uses that have historically existed in the community, and
4. Preservation of the streetscapes and existing neighborhood typology.

# *Applicability*

Site Design Review is required in the R2-NC and OCD districts for the following:

- New construction including new buildings;
- Enlargements to building size or bulk; or
- Structural alterations which have an impact upon any exterior façade of a structure or building

The following items are exempt\* from the Site Design Review process in the R2-NC District and OCD Overlay:

- Replacement-in-kind
- Permitted Obstructions
- Decks less than 4 feet high
- Patios
- Pools
- Sheds up to 140 square feet
- Play equipment
- Fences and retaining walls

*\*Note these items are not excluded from permits with the City of Annapolis and/or from lot coverage calculations in the Critical Areas.*

## Submittal Requirements

The site design review process for the R2-NC and OCD Districts require both the submission of a site plan and architectural drawings for design review and approval prior to obtaining a building and/or grading permit. Please be advised, all drawings and plans must be to scale, signed and sealed by a registered architect, licensed landscape architect, licensed land surveyor, and/or professional engineer (See waivers to this requirement below).

Submittal requirements for the review process include the following:

1. Completed Site Design Review Application (available online).
2. 5 copies\* of a site plan/location plat.
3. 5 copies\* of the architectural plans.
4. 5 copies\* of a landscaping plan, and/or Critical Area Mitigation Plan if applicable.
5. Application fee

\*10 copies for non-residential projects in the OCD Overlay.

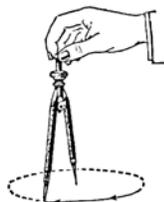
**Waivers** to the requirement that all drawings and plans are signed and sealed by a professional include applications for the following:

- Porches, including the enclosing of an existing porch
- Decks
- Storage Sheds
- One-story garages
- House additions smaller than 50% of the square footage of the house
- Buffer Management Plans and Landscape Plans

In other situations, it would not be appropriate to grant a waiver including:

- Commercial and institutional development
- New single family dwellings
- Two-story garages
- House additions larger than 50% of the square footage of the house.

*The ability to grant a waiver does not assume that a waiver will be granted in every circumstance.*



## The Application and Review Process

- STEP 1** The applicant is encouraged to meet with a designated staff member prior to the submission of a proposal, to discuss the project, submission requirements, site design criteria, and the application process.
- STEP 2** The applicant then submits a Site Design Review Application. This form lists the specific code sections and submittal requirements to address (See Submittal Requirements).
- STEP 3** Applicant posts a public notice sign on the subject property for a period of no less than 15 calendar days prior to a decision. In the case of demolition in the R2-NC district, a public notice sign must be posted for no less than 30 calendar days. Signs will be prepared by the Department of Planning and Zoning and posted by the applicant in a manner prescribed by City Code 21.10.020.
- STEP 4** A designated staff member reviews the application package and notifies the applicant of any comments received from the public and made by staff.
- STEP 5** If revisions to the application are necessary, the applicant revises the submission and then resubmits these documents incorporating the comments made by both the public and staff.
- STEP 6** The Department of Planning and Zoning will review the final submission and will notify the applicant of final approval. Upon final approval, the applicant may apply for building and/or grading permits.



# Design Guidelines

Each project in the R2-NC district will be evaluated using the following design criteria:

- i. Where new buildings, structures, structural alterations or structural rehabilitations, enlargements or reductions are proposed, their design shall be compatible with the historic character and design of the area and shall promote the existing spatial and visual qualities in the R2-NC area, including height and scale of buildings, orientation, spacing, site coverage, and exterior features such as porches, roof pitch and direction and landscaping.
- ii. All buildings shall observe the established, historic front setbacks and building heights pursuant to Section 21.50.050, if any, for the block on which they are proposed.
- iii. All new structures or buildings, enlargement of existing structures or buildings and all substantial rehabilitation, reduction and/or alteration of existing structures or buildings shall have bulk, massing and scale similar to the structures on the block face.
- iv. The proposed alterations or new construction shall preserve and enhance the vernacular streetscape of the neighborhood.
- v. Exterior structural alterations to historic and contributing structures along the street frontage shall be kept to a minimum.
- vi. Design for new construction and enlargements to all existing buildings or structures in the R2-NC area shall conform to the guidelines for the relation of proposed structures to adjacent developments established in Section 21.62.020 and shall be compatible with the distinguishing, contributing characteristics of the majority of surrounding properties on the block face.
- vii. In cases where approval of an application is dependent upon preserving all or part of an existing structure, and its structural integrity is in question, the Director of Planning and Zoning may require a structural analysis of a building, by a registered structural engineer, to determine if it is sound and not a threat to public health and safety before site design approval is granted.

Each project in the OCD Overlay will be evaluated using the standards in Section 21.62 in addition to the standards found in Section 21.58.030 (E).

# Building Setbacks

## Front Yard Setback

- 1. The front yard for principal uses shall be the lesser of the minimum specified in the table in Section 21.50.050 or the established front yard pursuant to Chapter 21.38.
- 2. Building additions may maintain the front yard of the existing structure.
- 3. However, if a structure is demolished for the purposes of new construction, the new structure must maintain either the front yard of the previously demolished structure or the front yard as required under section (1) above.

## Established Front Yard

The purpose of the established front yard regulation is to preserve community character in the R2-NC and OCD districts by ensuring that the front yards of new buildings in these districts conform to the yards that have been established by existing buildings.

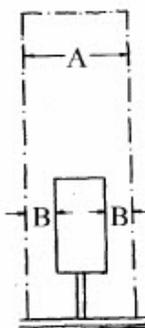
### To compute the established front yard:

- For a new building, only the established front yards of the building or buildings adjoining the proposed new building need be considered.
- However, if a new building is surrounded by front yards that are different, the front yard of the new building shall be the mid-point of a straight line connecting the nearest front corners of the adjoining existing buildings.
- It may be necessary to compute the average of all buildings on one side of a block or street to provide greater consistency. In computing the average of the established front yards, except in the case of four or fewer buildings, the smallest and largest yard shall be excluded.

Also, please refer to Section 21.38.030(F) of the City Code.

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## R2-NC Side Yard Setbacks

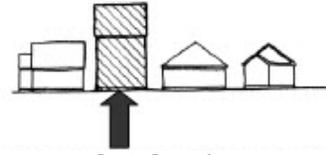


A. The side yard setback is a minimum of six feet from the property line on both sides of the building for many uses within the R2-NC district.

A = Less than 50 feet in width.

B = Minimum side yard shall be 6 feet.

- B.** On lots which are 50 feet or greater in width, the total of both side yards must be equal to or greater than 25 percent of the lot width.



Inappropriate height of a new structure.

## Scale and Massing

All new structures, enlargements of existing structures and all substantial rehabilitation or alteration of existing structures or buildings shall have scale and massing similar to the structures on the block face. On corner and through lots, the two facades facing the street shall relate to the scale and massing of the buildings on their respective streets. Corner buildings should complete the street typology.

Additions which are located on a front façade should be designed to be subordinate to the main structure in terms of massing, height, scale and detail. Additions which result in a structure larger than those on adjacent sites should reduce the appearance of the size of the front façade by dividing it into smaller parts.

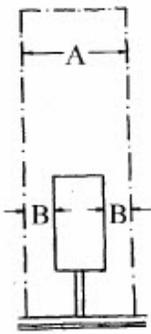


Even though the home on the left is twice as large as the adjacent homes, it does not appear to be out of place or scale.

Large lots that can accommodate large houses should maintain the same scale and size of adjacent buildings on the block. This can be achieved by breaking the façade into smaller parts that relate to the scale and sizing of neighboring buildings.



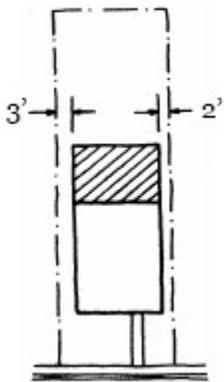
Notice that the larger home has broken up the front façade to minimize the massing of the house.



A = Greater than 50 feet in width.

B+B = A minimum of 25% of the lot width, with a minimum of 6 feet on either side.

- C.** Rearward building additions may maintain the side yard of the existing structure, except in cases where the addition will impair an adequate supply of light and air to adjacent property or will impede the exterior maintenance of adjacent property.



Note: If the building addition impairs the adequate supply of light or air to adjacent properties, the minimum side yard shall be 6 feet.

## OCD Overlay Side Yard Setbacks

The OCD overlay does not have side yard setbacks specified. All properties located in the OCD overlay follow the side yard setbacks of their underlying zoning. See Chapter 21.58 of City Code.

## Building Height

Building height means the vertical distance from the lowest point of a structure at its front elevation at grade to the highest point of the structure, not including accessory fixtures attached to the structure, such as chimneys.

In the R2-NC district, the maximum height of a building is the greater of 26 feet or the average of all structures on the block face, not to exceed 2.5 stories or 35 feet.

## *Public Hearing Process*

If any new structure, enlargement or structural alterations to building size or bulk of existing structures results in the structure or building being in excess of 3,250 square feet of floor area, it is subject to public hearing review and approval by the Planning Commission. The 3,250 square foot figure does not include square footage in basements; attic space having headroom less than seven feet, 10 inches; or accessory structures. Screened porches and attached garages are included in the calculation.

Those structures or buildings that are already in excess of 3,250 square feet or have a signed building permit 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.

## *Facade Articulation / Materiality*

Exterior structural alterations to the street face of existing historic or traditional structures shall be kept to a minimum. Alterations that return a historic building to its original design are encouraged.

New construction, alterations and additions to existing structures and buildings shall be compatible with the historic character and design of the neighborhood. Variety and diversity within limits using the wide range of housing forms in the neighborhood are encouraged. Alterations or new designs shall be based on the local neighborhood features such as porches, roof pitch and direction, windows and entry doors.

The street-facing facades shall be designed to preserve the traditional streetscape by relating to the pedestrian, with facade articulation (doors, windows, surface treatment and detailing) and access to the structure or building designed to relate to the street and welcome people on foot.

### **Front Porches**

Front porches are an important architectural element to many homes in Eastport. The preservation and restoration of the open porch is important to maintaining the appearance of many older homes. Removing a porch or enclosing a front porch is strongly discouraged.



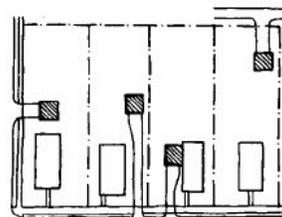
The architectural use of front porches in addition to the treatment of facade elements helps to enhance the streetscape and provides for a more pedestrian friendly environment. In addition, front porches also contribute to the social aspects of many communities.

## *Parking*

Garages and carports should be located toward the rear or side of a property, not in front. This helps reduce the presence of front garages along the public street.



An example of a detached two-car garage located toward the rear of lot.



Front of Street

Appropriate detached garage location. Notice the location in the rear or to the side of the principal structure.

Where a garage is located on a street facing façade, it shall not dominate the building and shall function as a secondary element. The garage shall not occupy more than one-third of the front façade of a house and shall be set back a minimum of 5 feet from the front façade.



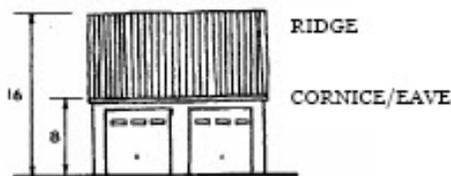
Attached garages may not occupy more than 1/3 of a front façade.

The residential parking requirement on narrow lots (33 feet or less) may be waived by the Planning and Zoning Department in cases where parking would jeopardize a house design and lot layout or for lots of record that are thirty-three feet or less in width. Commercial parking areas shall be landscaped in accordance with the City's current standards.

## Accessory Buildings

Accessory structures are those that serve a principal use and are not attached to the principal building lot. Accessory structures include such things as storage sheds and detached garages.

In general, accessory structures shall be secondary in size and appearance to the principal structure on the site. The height and size of accessory structures shall in no instance exceed the height and size of the principal structure.



Accessory structures within two feet of any property line except rear property line adjacent to an alley shall have a cornice height no greater than 8 feet and a maximum ridge height of 16 feet. The cornice and ridge heights of an accessory structure may increase 1 foot for each 1 foot of additional setback beyond that which is required up to a maximum height of two stories and/or a cornice height of 16 feet and a ridge height of compatible design. The Director of Planning and Zoning may increase the cornice height up to 10 feet and the ridge height up to 20 feet due to specific physical constraints of

the property or to achieve a more compatible design, provided the purpose of these guidelines are not jeopardized.

Accessory structures which are located in the rear 25 percent of the lot have a reduced side yard requirement of 2 feet instead of 6 feet. The minimum front yard setback is 30 feet for an accessory structure.

## Demolitions

In addition to demolition permit requirements set forth in Section 21.14 of the City Code, Planning staff reviews and makes findings based upon the following criteria:

- i. Loss of the structure or building would not be adverse to the R2-NC district or the public interest by virtue of the structure's uniqueness or contribution to the significance of the district;
- ii. The proposed demolition would not have an adverse effect on the design and historic character of the structure and surrounding environment of the R2-NC district;
- iii. Demolition is not for the purposes of assembling properties for the construction of a large-scale structure, if such assemblage is determined to be incompatible with the purposes and intent of the R2-NC district;
- iv. The replacement structure or parts of the structure is designed and sited in a fashion that reflects the compatibility objectives of Chapter 21.40.060;
- v. The proposed partial demolition will not impact the stability or structural integrity of the remaining portions of the structure and appropriate measures are proposed to stabilize the building during demolition and construction. In the case of total demolition a structural analysis and evaluation has been conducted and determined the building to be unsound and is a threat to the public health and safety. The department of planning and zoning may require that such an evaluation be prepared by a certified structural engineer at the applicant's cost;
- vi. In order to approve any demolition request, the Director of Planning and Zoning may require a structural analysis of a structure or building, by a registered structural engineer, to determine if it is sound and not a threat to public health and safety before a demolition is authorized.

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## Critical Area Overlay District

A majority of the Eastport peninsula is located in the Critical Area Overlay District (See map). This district exists to foster more environmentally sensitive land development activity so as to minimize damage to water quality and natural resources. The City of Annapolis Critical Area program is consistent with and supports the State of Maryland Critical Area Law under the Critical Area Commission which oversees implementation of the statewide program.

Most property located in Eastport is designated as Intensely Developed Area (IDA) of the Critical Area Program. With this designation, lot coverage is limited to 50 percent of the lot area for residential and 60 percent for business-zoned properties. Lot coverage refers to those areas which do not have a vegetative cover with a naturally permeable soil substrate.

### ***What is included in lot coverage?***

Lot coverage includes structures, parking areas, driveways, patios and walkways. In addition, those areas covered in gravel, stone, shell, impermeable decking, pavers, permeable pavement, or any other manmade material are factored into lot coverage calculations. Decks built over open ground with adequate gaps to allow water to pass freely do not count towards lot coverage.

### ***“10% Rule” Requirement for mitigation***

If there will be more than 250 square feet of new lot coverage added to the site during development or redevelopment, a stormwater narrative or planting mitigation will be required. If the owner chooses planting, then for every 100 square feet of new lot coverage, the owner must plant one tree or three shrubs.

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## Trees



Please note that most tree removal is regulated by the City. Please be considerate of existing trees and contact the City Department of Neighborhoods and Environmental Programs if contemplating any tree removal.

New trees will be required to be planted in lieu of any trees that are removed. Cutting and clearing of trees before, during and after construction shall be in accordance with City Code Section 17.09.

## Flood Plain

A number of properties are located in a flood plain. Structures built in the flood plain must be at least 9 feet above sea level. A licensed surveyor can determine if you are located in a flood plain. Additionally, flood plain maps are available in the Survey Office of the Department of Public Works.

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## Useful Code References

<b>Chapter 21.22</b>	<b>SITE DESIGN PLAN REVIEW</b>
<b>Chapter 21.38</b>	<b>REGULATIONS APPLICABLE TO ALL DISTRICTS</b>
<b>Chapter 21.48</b>	<b>USE TABLES</b>
<b>Chapter 21.50</b>	<b>BULK REGULATIONS TABLES</b>
<b>Chapter 21.58</b>	<b>OCD OFFICE AND COMMERCIAL OVERLAY DISTRICT</b>
<b>Chapter 21.62</b>	<b>SITE DESIGN STANDARDS</b>
<b>Chapter 21.72</b>	<b>TERMS AND DEFINITIONS</b>
<b>Chapter 21.40.060</b>	<b>R2-NC: SINGLE FAMILY RESIDENCE– NEIGHBORHOOD CONSERVATION DISTRICT.</b>

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## Helpful Resources

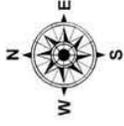
City of Annapolis: [www.annapolis.gov](http://www.annapolis.gov)

City of Annapolis Forms, Permits and Licenses: <http://www.annapolis.gov/Government/FormsAndPermits.aspx>

City of Annapolis Planning and Zoning: <http://www.annapolis.gov/Government/Departments/PlanZone.aspx>

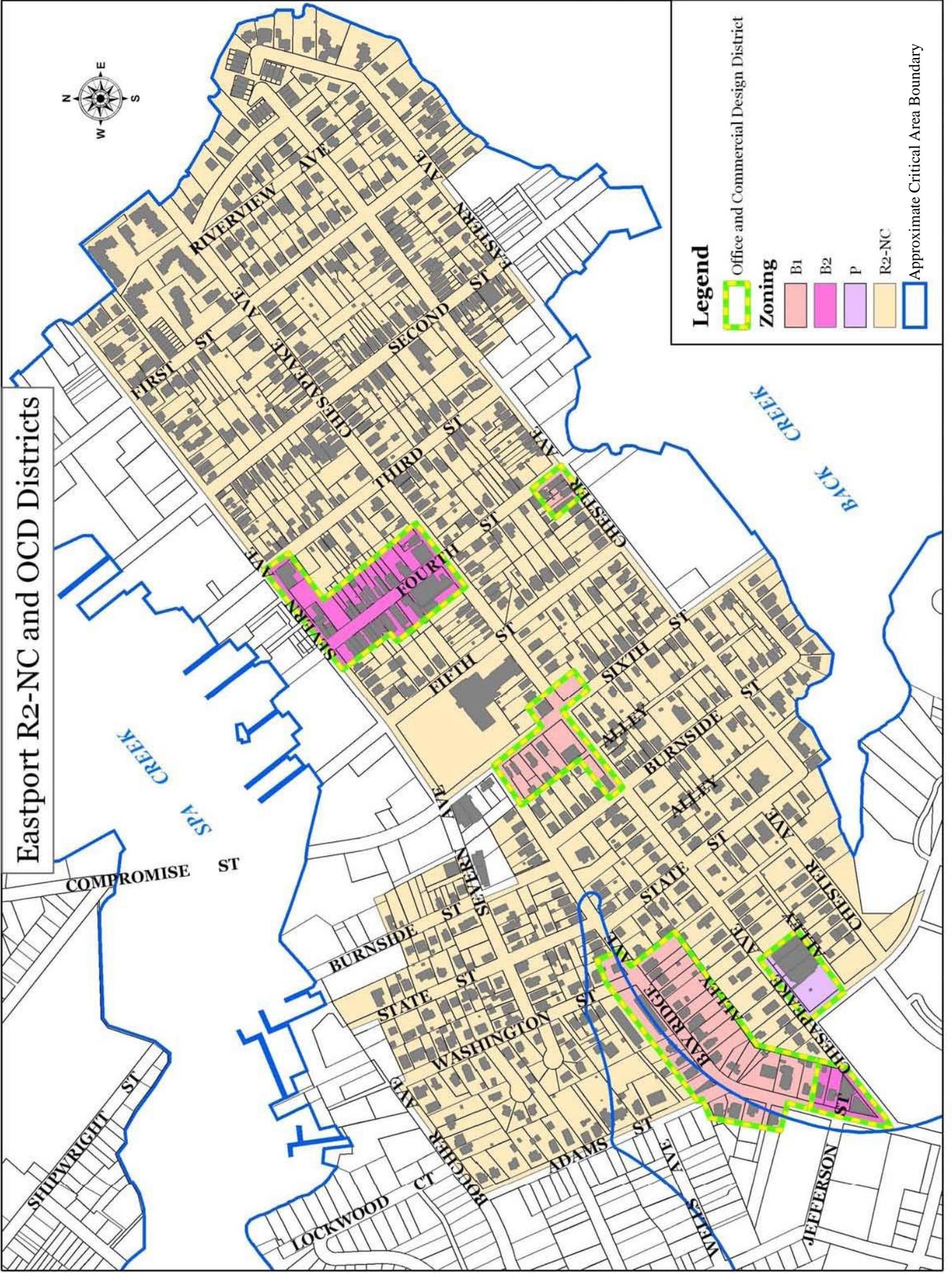
City of Annapolis Municipal Code: <http://library.municode.com/index.aspx?clientId=16754&stateId=20&stateName=Maryland>

# Eastport R2-NC and OCD Districts



**Legend**

- Office and Commercial Design District (Green outline)
- Zoning
  - B1 (Pink)
  - B2 (Magenta)
  - P (Purple)
  - R2-NC (Yellow)
- Approximate Critical Area Boundary (Blue outline)





**FOR MORE INFORMATION  
PLEASE CONTACT:**

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