

**AMENDMENTS TO COUNCIL BILL 25-0065
(1st Reader Copy)**

By: Councilmember Torrence
{To be offered on the Council floor}

Amendment No. 1

On page 2, in line 3, strike “Section 16-204” and substitute “Sections 16-204 and 16-205”;
and, on page 5, after line 17, insert:

“§ 16-205. EXEMPTIONS AND RELIEF.

(A) IN GENERAL.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS CODE, OFF-STREET PARKING IS
REQUIRED FOR THE FOLLOWING USES OR AREAS:

- (1) ARTS AND ENTERTAINMENT DISTRICTS, AS DESIGNATED BY THE STATE OF
MARYLAND UNDER SUBTITLE 7 {“ARTS AND ENTERTAINMENT DISTRICTS”} OF
THE STATE ECONOMIC DEVELOPMENT ARTICLE;
- (2) HEALTH-CARE CLINICS, AS DEFINED IN § 1-307(F) OF THIS CODE;
- (3) MIDDLE NEIGHBORHOODS, AS DESIGNATED BY THE DEPARTMENT OF HOUSING
AND COMMUNITY DEVELOPMENT, AND DEFINED AS A RESIDENTIAL AREA IN
WHICH: (I) THE MEDIAN HOUSEHOLD INCOME IS GREATER THAN 60 PERCENT
BUT LESS THAN 140 PERCENT OF THE CITYWIDE MEDIAN HOUSEHOLD INCOME;
(II) THE MEDIAN HOUSING VALUE IS GREATER THAN 60 PERCENT BUT LESS
THAN 140 PERCENT OF THE CITYWIDE MEDIAN HOUSING VALUE; AND (III) THE
AREA IS NOT DESIGNATED BY THE UNITED STATES DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT AS A LOW-INCOME OR DISTRESSED CENSUS TRACT
AND IS NOT DESIGNATED BY THE CITY AS A HIGH-VALUE OR LUXURY HOUSING
MARKET; AND
- (4) RESIDENTIAL-CARE FACILITIES AND RESIDENTIAL-CARE FACILITIES (AGE
RESTRICTED), AS DEFINED IN § 1-312(P) AND (Q) OF THIS CODE.

(B) REQUIRED OFF-STREET PARKING.

FOR THOSE USES AND AREAS INCLUDED IN SUBSECTION (A) OF THIS SECTION, THE FOLLOWING PARKING REQUIREMENTS APPLY:

<u>USES AND AREAS</u>	<u>PARKING SPACES REQUIRED</u>
<u>ARTS AND ENTERTAINMENT DISTRICTS</u>	<u>1 PER 10 PERSONS OF FIRE-RATED CAPACITY OF THE LARGEST PLACE OF PUBLIC ASSEMBLY WITHIN THE DISTRICT AT THE TIME OF ESTABLISHMENT OF THE DISTRICT</u>
<u>HEALTH-CARE CLINIC</u>	<u>3 PER 1,000 SQ. FT. OF GFA</u>
<u>MIDDLE NEIGHBORHOODS</u>	<u>1 PER DWELLING UNIT</u>
<u>RESIDENTIAL-CARE FACILITY</u>	<u>1 PER 4 EMPLOYEES ON PEAK SHIFT + 1 PER 6 RESIDENTS; HOWEVER, IF THE FACILITY DOES NOT PERMIT RESIDENTS TO HAVE VEHICLES AT THE FACILITY, THE FACILITY NEED NOT PROVIDE OFF-STREET PARKING SPACES FOR RESIDENTS</u>

(C) INCLUSIONARY HOUSING; AFFORDABLE HOUSING.

(1) INCLUSIONARY HOUSING.

NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, OFF-STREET PARKING IS NOT REQUIRED FOR A RESIDENTIAL PROJECT THAT IS SUBJECT TO THE INCLUSIONARY REQUIREMENTS UNDER § 2B-21 {"INCLUSIONARY REQUIREMENTS"} OF ARTICLE 13 OF THIS CODE.

(2) AFFORDABLE HOUSING.

- (i) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, NO MORE THAN 1 PARKING SPACE NEED BE PROVIDED FOR EVERY 2 DWELLING UNITS IN DWELLINGS THAT ARE ERECTED OR REHABILITATED SUBJECT TO A RESTRICTION THAT THE UNITS BE LEASED TO RESIDENTS WITH INCOMES AT OR BELOW 60% OF THE AREA MEDIAN INCOME, WITH THAT RESTRICTION BEING FOR A TERM OF NOT LESS THAN 15 YEARS FROM THE DATE OF THE ISSUANCE OF A USE PERMIT AND RECORDED IN THE LAND RECORDS OF BALTIMORE CITY.
- (ii) THE HOUSING COMMISSIONER MUST VERIFY, BY LETTER TO THE PLANNING DIRECTOR AND THE ZONING ADMINISTRATOR, THE RECORDATION, TERM, AND TENOR OF THE RESTRICTION.

(D) ANNUAL PARKING UTILIZATION ANALYSIS.

(1) THE PARKING AUTHORITY OF BALTIMORE CITY SHALL CONDUCT AN ANNUAL ANALYSIS OF PARKING UTILIZATION ACROSS THE CITY, THAT INCLUDES:

(I) THE OCCUPANCY RATES OF OFF-STREET PARKING FACILITIES;

(II) THE PARKING UTILIZATION PATTERNS IN RESIDENTIAL, COMMERCIAL AND MIXED-USE DISTRICTS; AND

(III) RECOMMENDATIONS FOR ADJUSTMENTS TO POLICY OR INFRASTRUCTURE.

(2) A COPY OF THE RESULTS OF EACH ANNUAL ANALYSIS CONDUCTED UNDER THIS SUBSECTION SHALL BE:

(I) SUBMITTED TO THE CITY COUNCIL, THE PLANNING COMMISSION, AND THE DEPARTMENT OF TRANSPORTATION; AND

(II) POSTED PUBLICLY ON THE PARKING AUTHORITY’S WEBSITE.

(3) IF THE PARKING AUTHORITY DETERMINES, BASED ON THE ANNUAL ANALYSIS CONDUCTED UNDER THIS SUBSECTION, THAT PARKING UTILIZATION WITHIN A DEFINED AREA HAS REACHED A LEVEL SUCH THAT CREATES OR MATERIALLY CONTRIBUTES TO CURBSIDE CONGESTION OR INADEQUATE PARKING SUPPLY, THE PARKING AUTHORITY MAY RECOMMEND TO THE CITY COUNCIL THAT MINIMUM OFF-STREET PARKING REQUIREMENTS IN THAT AREA BE REAUTHORIZED BY ORDINANCE.”;

and, on page 21, after line 10, insert:

“SECTION 3. AND BE IT FURTHER ORDAINED, That, the provisions of this Ordinance repealing off-street parking minimum requirements do not apply to a property with a use that was designated prior to the enactment of this Ordinance, unless the property meets the criteria for an exemption under § 16-205(a) or (b) of the Zoning Code of Baltimore City or the property owner is granted a variance pursuant to § 16-205(d) of the Zoning Code of Baltimore City.”;

and, on that same page, in line 11, strike “3.” and substitute “4.”.

Amendment No. 2

Strike beginning with line 3 on page 1 down through and including line 12 on page 21, and substitute:

“For the purpose of providing relief from any off-street parking requirement by variance.

By adding

Article 32 - Zoning
Section 16-209
Baltimore City Code
(Edition 2000)

Section 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That
the Laws of Baltimore City read as follows:

Baltimore City Code

Article 32. Zoning

Title 16. Off-Street Parking and Loading

Subtitle 2. General Applicability

§ 16-209. RELIEF BY VARIANCE.

(A) IN GENERAL.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS CODE, ANY PERSON MAY REQUEST
RELIEF FROM AN OFF-STREET PARKING REQUIREMENT BY VARIANCE UNDER SUBTITLE
3 OF THIS CODE.

(B) REVIEW STANDARD.

A VARIANCE FROM REQUIRED OFF-STREET PARKING IS A MINOR VARIANCE AND SHALL
BE REVIEWED UNDER THOSE STANDARDS ESTABLISHED IN § 5-304 {“MINOR
VARIANCES.”} OF THIS CODE.

Section 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the
30th day after it is enacted.”.