



**BALTIMORE CITY COUNCIL  
ECONOMIC AND COMMUNITY DEVELOPMENT  
COMMITTEE**

*Mission Statement*

*On behalf of the Citizens of Baltimore City*, the Committee on Economic and Community Development (ECD) is responsible for supporting strong thriving communities. ECD will review proposed zoning and land use changes, tackle issues related to economic development, oversee housing policy, and promote equitable economic opportunity for all Baltimore residents.

**The Honorable Sharon Green Middleton**

**PUBLIC HEARING**

**April 1, 2024**

**2:02 PM**

**CLARENCE "DU" BURNS COUNCIL CHAMBERS**

**23-0468**

**Off-Street Parking - Affordable Housing**

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**BILL SYNOPSIS**

**Committee: Economic and Community Development**

**Bill: 23-0468**

**Title: Off-Street Parking – Affordable Housing**

**Sponsor: Councilmember Ramos**

**Introduced: October 2, 2023**

**Purpose:** 3 FOR the purpose of eliminating off-street parking requirements for a residential project that is subject to inclusionary housing requirements.

BY repealing and re-ordaining, with amendments

- Article 32 - Zoning
- Section 16-601(g)
- Baltimore City Code
- (Edition 2000)

**Effective: On the 30<sup>th</sup> day after enactment**

**Agency Reports**

City Solicitor	Approve w/ amendments
Dept of Transportation	No Objection
Dept of Finance	Defers to Parking Authority
Parking Authority	Favorable with amendments
Housing & Community Development	Favorable
BMZA	Defer to Planning
Planning Commission	Favorable

Baltimore City Health Department

Favorable

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## Analysis

### Background

#### City Law

Subtitle 16 of the City Zoning Code (Article 32) describes regulations relating to requirements for off-street parking and loading in the City of Baltimore. Subtitle 6 describes exemptions and reductions in the requirements for off-street parking. In this section (g), under affordable housing, there is a requirement that no more than 1 space needs to be provided for every 2 units being leased to residents with incomes at or below 60% of the Area Median Income if that restriction is for a term of not less than 15 years from the issuance of a use permit.

### Bill Analysis

This bill if enacted would add to 16-601 (g) that off-street parking is not required for a residential project that is subject to the inclusionary requirements of Article 13 (Housing and Urban Renewal) of the City Code. A residential project would be subject to these requirement if:

1. It provides 30 or more residential units.
2. Receives a major public subsidy.
3. Meets the requirements that:
  - a. At least 20% of all residential units must be affordable units.
  - b. For rental units:
    - i. At least 30% must be provided to eligible households at an extremely low rental cost.
    - ii. At least 25% must be provided to eligible households at or below a very low rental cost.
    - iii. 3. at least 25% must be provided to eligible households at or below a low rental cost.
    - iv. the remainder must be provided to eligible households at a rental cost that does not exceed 1/12 of 30% of 100% of the AMI.
  - c. For ownership units:
    - i. At least 25% must be provided to eligible households at a very low ownership cost.
    - ii. At least 50% must be provided to eligible households at a low ownership cost.
  - d. The remainder must be provided to eligible households at a moderate ownership cost.

## Proposed Amendments

The Law Department is requesting several technical and corrective amendments to the bill including changing it from Affordable Housing to Inclusionary Housing to clarify what is being amended.

The Parking Authority is proposing an amendment to lower the requirement for parking to 1 space per 4 affordable dwelling units.

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## **Additional Information**

**Fiscal Note:** Not Available

**Information Source(s):** Agency Reports, 23-0468 1<sup>st</sup> reader, Baltimore City Building Code,

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Analysis by: Anthony Leva  
Analysis Date: March 29, 2024

Direct Inquiries to: 410-396-1091

**CITY OF BALTIMORE**  
**COUNCIL BILL 23-0468**  
**(First Reader)**

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Introduced by: Councilmember Dorsey, Conway, Schleifer, Ramos, Burnett, Cohen, Bullock,  
Porter

Introduced and read first time: December 4, 2023

Assigned to: Economic and Community Development Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of  
Housing and Community Development, Planning Commission, Board of Municipal and Zoning  
Appeals, Department of Transportation, Parking Authority of Baltimore City

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Off-Street Parking – Affordable Housing**

3 FOR the purpose of eliminating off-street parking requirements for a residential project that is  
4 subject to inclusionary housing requirements.

5 BY repealing and re-ordaining, with amendments

6 Article 32 - Zoning  
7 Section 16-601(g)  
8 Baltimore City Code  
9 (Edition 2000)

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

12 **Baltimore City Code**

13 **Article 32. Zoning**

14 **Title 16. Off-Street Parking and Loading**

15 ***Subtitle 6. Required Off-Street Parking***

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

**Council Bill 23-0468**

1 **§ 16-601. Exemptions and reductions from requirements.**

2 (g) Reductions – Affordable housing.

3 (1) *IN GENERAL.*

4 (i) No more than 1 parking space need be provided for every 2 dwelling units in  
5 dwellings that are erected or rehabilitated subject to a restriction that the units  
6 be leased to residents with incomes at or below 60% of the Area Median  
7 Income, with that restriction being for a term of not less than 15 years from the  
8 date of the issuance of a use permit and recorded in the Land Records of  
9 Baltimore City.

10 (ii) The Housing Commissioner must verify, by letter to the Planning Director and  
11 the Zoning Administrator, the recordation, term, and tenor of the restriction.

12 (2) *RESIDENTIAL PROJECTS SUBJECT TO INCLUSIONARY REQUIREMENTS.*

13 OFF-STREET PARKING IS NOT REQUIRED FOR A RESIDENTIAL PROJECT THAT IS SUBJECT  
14 TO THE INCLUSIONARY REQUIREMENTS UNDER § 2B-21 {"INCLUSIONARY  
15 REQUIREMENTS"} OF ARTICLE 13 OF THIS CODE.

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
17 after the date it is enacted.


# **Economic and Community Development Committee**

**23-0468**

**Off-Street Parking – Affordable Housing**

## **Agency Reports**



F R O M	Name & Title	Dr. Ihuoma Emenuga, Commissioner of Health	Health Department  AGENCY REPORT	
	Agency Name & Address	Health Department 1001 E. Fayette Street Baltimore, Maryland 21202		
	Subject/ Position	23-0468 – Off-Street Parking - Affordable Housing <b>Favorable</b>		

To: President and Members  
of the City Council  
c/o 409 City Hall

April 2, 2024

The Baltimore City Health Department (BCHD) is pleased to review Council Bill 23-0468, entitled “Off-Street Parking - Affordable Housing.” This ordinance eliminates off-street parking requirements for residential projects that are subject to inclusionary housing requirements (which require developers to set aside a certain percentage of units within a residential project for affordable housing purposes).<sup>i</sup> According to current Baltimore City Code, one parking space is required for every two dwelling units.<sup>ii</sup> Other cities, including Hartford, CT and Austin, TX, have already implemented similar ordinances to reduce or eliminate minimum parking requirements for new housing being built.<sup>iii,iv</sup> Not only will this bill decrease barriers to building new affordable housing stock, it will also promote walkable, active neighborhoods and improve environmental sustainability.

*Public health benefits of Council Bill 23-0468*

First and foremost, Council Bill 23-0468 will decrease barriers to constructing new affordable housing units by eliminating the requirement to provide one parking space for every two dwelling units. Access to affordable, quality, stable housing is a key social determinant of health.<sup>v</sup> Housing impacts physician and mental health in a variety of ways. For example, someone who spends a large proportion of their income on rent may be more likely to need to forego spending money on healthy food or health care.<sup>v</sup> Quality and safety of housing are also important considerations. For example, homes with structural issues and pest infestations can pose serious asthma triggers, which can cause people’s asthma – particularly children’s asthma – to be more severe.<sup>vi</sup> Increased quality, affordable housing stock is good for public health.

Second, by disincentivizing car-centric design, Council Bill 23-0468 may lead to more pedestrian-oriented development, which, in turn would encourage physical activity. When people can easily walk or bike to their destinations, they are more likely to engage in regular exercise.<sup>vii,viii,ix</sup> It is well established that regular exercise is strongly linked to lower rates of diabetes and cardiovascular diseases, improved brain health, and even lower risks of certain cancers.<sup>x</sup> This bill may also prove to be good for older adults and people with disabilities, as walkable neighborhoods are often more accessible for people with limited mobility and people who use mobility aids (such as walkers and wheelchairs) than neighborhoods designed around car use. While it may at first seem counterintuitive that walkable design is good for people with disabilities, studies show that improving neighborhood walkability can greatly benefit people with disabilities who would otherwise be limited in their ability and likelihood to travel around their urban environment.<sup>xi,xii</sup>

Council Bill 23-0468 can also improve public health in Baltimore City by indirectly leading to improved air quality. According to the US Environmental Protection Agency, the transportation sector contributes the greatest proportion of greenhouse gas emissions compared to other sectors (including industry and agriculture).<sup>xiii</sup> Greenhouse gas emissions contribute to climate change and can negatively impact health.<sup>xiv,xv</sup> Pollution – including vehicle emissions – can lead to increased rates of asthma and cardiovascular disease.<sup>xiv</sup> Limiting parking options could encourage communities to reduce their dependence on cars, subsequently leading to decreased air pollution.<sup>xvi</sup>

For the reasons noted above, BCHD respectfully requests a favorable report on Council Bill 23-0468.

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- <sup>i</sup> [Baltimore City, Maryland, City Code Article 13 Subtitle 2B \(2022\)](#).
- <sup>ii</sup> [Baltimore City, Maryland, City Code, Article 32 § 16-602 \(2021\)](#).
- <sup>iii</sup> [City of Austin, Texas, Resolution No. 20230504-022 \(2023\)](#).
- <sup>iv</sup> [Hartford, Conn., Zoning Regulations, Title 7 § 7.2.1 \(2023\)](#).
- <sup>v</sup> Taylor, L. (2018). Housing And Health: An Overview of The Literature. *Health Affairs*. doi:10.1377/hpb20180313.396577
- <sup>vi</sup> Bryant-Stephens, T., Strane, D., Robinson, E., Bhambhani, S., & Kenson, C. (2021). Housing and asthma disparities. *The Journal of Allergy and Clinical Immunology*, 148(5): 1121-1129. <https://doi.org/10.1016/j.jaci.2021.09.023>
- <sup>vii</sup> Wang, M., Narcisse, M., & McElfish, P. (2022). Higher walkability associated with increased physical activity and reduced obesity among United States adults. *Obesity*, 31(2), 553-564. <https://doi.org/10.1002/oby.23634>
- <sup>viii</sup> Frank, L.D., Sallis, J.F., Conway, T.L., Chapman, J.E., Saelens, B.E., & Bachman, W. (2006). Linking Objectively Measured Physical Activity With Objectively Measured Urban Form: Findings From SMARTRAQ. *American Journal of Preventive Medicine*, 28(2 Suppl 2), 117–125.
- <sup>ix</sup> Ewing, R., & Cervero, R. (2010). Travel and the Built Environment: A Meta-Analysis. *Journal of the American Planning Association*, 76(3), 265–294. <https://doi.org/10.1080/01944361003766766>
- <sup>x</sup> US Centers for Disease Control and Prevention. (2023). Benefits of Physical Activity. Retrieved from <https://www.cdc.gov/physicalactivity/basics/pa-health/index.htm>
- <sup>xi</sup> Kwon, K. and Akar G. (2022). People with disabilities and use of public transit: The role of neighborhood walkability. *Journal of Transport Geography*, 100. <https://doi.org/10.1016/j.jtrangeo.2022.103319>.
- <sup>xii</sup> Schreuer, N., Plaut, P., Golan, L., & Sachs, D. (2019). The relations between walkable neighbourhoods and active participation in daily activities of people with disabilities, 15. <https://doi.org/10.1016/j.jth.2019.100630>.
- <sup>xiii</sup> United States Environmental Protection Agency. (2023). Fast Facts on Transportation Greenhouse Gas Emissions. Retrieved from <https://www.epa.gov/greenvehicles/fast-facts-transportation-greenhouse-gas-emissions>
- <sup>xiv</sup> US Centers for Disease Control and Prevention. (2020). Climate and Health - Air Pollution. Retrieved from [https://www.cdc.gov/climateandhealth/effects/air\\_pollution.htm](https://www.cdc.gov/climateandhealth/effects/air_pollution.htm)
- <sup>xv</sup> National Institute of Environmental Health Sciences. (2022). Health Impacts of Air Quality. Retrieved from [https://www.niehs.nih.gov/research/programs/climatechange/health\\_impacts/asthma](https://www.niehs.nih.gov/research/programs/climatechange/health_impacts/asthma)
- <sup>xvi</sup> Christiansen, P., Engebretsen, Ø., Fearnley, N., & Usterud Hanssen, J. (2017). Parking facilities and the built environment: Impacts on travel behaviour. *Transportation Research Part A: Policy and Practice*, 95: 198-206. <https://doi.org/10.1016/j.tra.2016.10.025>.

<b>FROM</b>	NAME & TITLE	Robert Cename, Budget Director <i>RC</i>	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall		
	SUBJECT	City Council Bill 23-0468 – Off-Street Parking Requirements for Affordable Housing		

DATE:

**TO**

The Honorable President and  
Members of the City Council  
City Hall, Room 400

April 1, 2024

**Position: Defer**

The Department of Finance is herein reporting on City Council Bill 23-0468, Off-Street Parking – Affordable Housing, the purpose of which is to eliminate off-street parking requirements for a residential project that is subject to inclusionary housing requirements.

**Background**

City Council Bill 23-0468 would eliminate the parking minimums for affordable housing developments that are subject to the City’s Inclusionary Housing requirements. Current law requires affordable housing development to provide one parking space for every two affordable units.

**Fiscal Impact**


We do not anticipate a significant fiscal impact from this legislation. This bill does not impose any off-street parking maximums, which would still allow the market to dictate how much parking a developer wishes to provide in any new development. However, it is possible that eliminating parking minimums completely could lead to a shortage of available parking spaces in a neighborhood. In turn, this could put pressure on the City and the Parking Authority to develop other parking restrictions or even new off-street parking facilities.

**Conclusion**

We do not anticipate a significant fiscal impact from this legislation. We defer to the subject-matter experts in the Parking Authority to advise on the right policy for parking minimums in new developments and how that would impact neighborhood parking.

**For the reasons stated above, the Department of Finance defers to the Parking Authority on CCB 23-0468.**

cc: Yoanna Moisides  
Nina Themelis

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #23-0468 / OFF-STREET PARKING – AFFORDABLE HOUSING		

TO

The Honorable President and  
 Members of the City Council  
 City Hall, Room 400  
 100 North Holliday Street

DATE: January 29, 2024

At its regular meeting of January 25, 2024, the Planning Commission considered City Council Bill #23-0468, for the purpose of eliminating off-street parking requirements for a residential project that is subject to inclusionary housing requirements.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #23-0468 and adopted the following resolutions, with eight members being present (seven in favor, one recused):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #23-0468 be **approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office  
 The Honorable Eric Costello, Council Rep. to Planning Commission  
 Mr. Colin Tarbert, BDC  
 Ms. Rebecca Witt, BMZA  
 Mr. Geoffrey Veale, Zoning Administration  
 Ms. Stephanie Murdock, DHCD  
 Ms. Elena DiPietro, Law Dept.  
 Mr. Francis Burnszynski, PABC  
 Mr. Liam Davis, DOT  
 Ms. Natawna Austin, Council Services



Brandon M. Scott  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

### STAFF REPORT



Chris Ryer  
Director

January 25, 2024

**REQUEST:** City Council Bill #23-0468 / Off-Street Parking – Affordable Housing:

For the purpose of eliminating off-street parking requirements for a residential project that is subject to inclusionary housing requirements.

**RECOMMENDATION:** Approval

**STAFF:** Matt DeSantis, AICP

**PETITIONER:** Councilmembers Dorsey, Conway, Schleifer, Ramos, Burnett, Cohen, Bullock, Porter

**SITE/GENERAL AREA:** Citywide

### HISTORY

The Zoning Code (Article 32 of the Baltimore City Code) was adopted by Ord. #16-581 and #17-015, which became effective on June 5, 2017. The Zoning Code was last amended by Ordinance #22-181 effective February 8, 2023. The current version of the Zoning Code was published on June 2, 2023.

### ANALYSIS

This proposed amendment to Article 32: Zoning would eliminate any required vehicle parking for residential projects that are subject to the City's Inclusionary Housing requirements, as defined by Article 13: Housing and Urban Renewal, § 2B-21 "Inclusionary Requirements". Section 16-601 of the Zoning code already has vehicle parking exemptions and/or reductions for a number of situations, including:

- Exemptions/reductions for certain commercial districts
- Exemptions for certain infill rowhouse dwellings, Neighborhood Commercial Establishments, structures over 50 years old or that received historic tax credits
- Reductions for affordable and senior housing

This amendment represents a natural evolution of the City's trend to reduce required vehicle parking. The adoption of Transform Baltimore's new zoning code introduced a number of new vehicle parking exemptions and/or reductions, in addition to generally requiring less vehicle parking overall based on land use. Also, the provision of new parking lots or garages has higher standards than under the former zoning code, either through their prohibition in certain contexts or through the requirement to provide higher design through minimum buffer landscaping features.

From a wider point of view, parking reform has been steadily gaining steam across the country. Over the past ten years, what used to be viewed a highly technical topic far from public consciousness has been increasingly thrust into public debate, as increasing numbers of cities and counties have reduced or outright eliminate their vehicle parking requirements. Research has shown that minimum vehicle parking requirements:

- Are generally arbitrary in nature
- Lead to poor land use decisions
- Are contrary to good urban design principles
- Encourage more vehicle trips per person, which leads to increased congestion, pollution, and crashes
- Are extremely expensive and frequently subsidized by those who don't drive (pedestrians, cyclists, transit users, etc.)

This bill would not prohibit developers from letting the market dictate how much parking to provide – it would not impose a vehicle parking maximum but rather just eliminate the required minimum.

#### Equity:

- Impact:
  - How might the proposal impact the surrounding community in the short or long term?
    - This bill in the short term would make developments that are subject to inclusionary housing requirements less costly to construct, which is a direct benefit to future tenants. In the long-term it would serve to continue to move the City towards an environment that is less focused on and catering to the needs of private vehicles.
  - How would this proposal impact existing patterns of inequity that persist in Baltimore?
    - City residents who have lower incomes are statistically less likely to be car owners, and so the requirement to provide vehicle parking in developments where they live is inequitable as those car-free individuals are subsidizing expensive vehicle parking space for others.
- Engagement:
  - Has the community been meaningfully engaged in discussing this proposal?
  - How are residents who have been historically excluded from planning processes being authentically included in the planning of the proposed policy or project?
    - This bill would be effective City-wide and notice of this meeting agenda has been published widely, including via direct email to over 18,000 subscribers to the Department listserv.
- Internal Operations:
  - How would this bill impact staff time or resources?
    - This vehicle parking exemption would make for increased flexibility in site and architectural design, of which the Department of Planning oversees. Typical development oversight process would still apply.

Notification: Notification of this action was sent to over 18,100 recipients via GovDelivery.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

**Chris Ryer**  
**Director**

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CITY OF BALTIMORE

BRANDON M. SCOTT,  
Mayor



DEPARTMENT OF LAW  
EBONY M. THOMPSON,  
CITY SOLICITOR  
100 N. HOLLIDAY STREET  
SUITE 101, CITY HALL  
BALTIMORE, MD 21202

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March 18, 2024

The Honorable President and Members  
of the Baltimore City Council  
Attn: Natawna Austin, Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 23-0468 – Off-Street Parking – Affordable Housing

Dear President and City Council Members:

The Law Department reviewed City Council Bill 23-0468 for form and legal sufficiency. The bill would eliminate the off-street parking requirements for a residential project receiving a major public subsidy and that is subject to the inclusionary housing requirements in Article 13, § 2B-21. The bill would amend § 16-601 of the Zoning Code in Article 32 and would take effect 30 days after its enactment.

The formatting of 23-0468 may lead to confusion. The bill proposes an amendment to Art. 32, § 16-601 {Exemptions and reductions from requirements}. Section 16-601 subsections (b) through (f) provide for exemptions from off-street parking requirements, and subsections (g) through (i) provide for reductions to off-street parking requirements. Council Bill 23-0468 provides an exemption to the off-street parking requirements for residential development projects that receive a major public subsidy and are subject to the inclusionary housing requirements. As drafted, however, this new provision has been included as a subpart of § 16-601(g) entitled “Reductions – Affordable housing.” Affordable housing under City Code Art. 13, Subtitle 2A and inclusionary housing under City Code Art. 13, Subtitle 2B are two distinct programs. Additionally, the inclusion of the new provision which creates an exemption from off-street parking requirements in a subsection labelled as “Reductions” may result in members of the public being unable to find the new provision if they look only at the label of the subsection. Accordingly, the Law Department recommends amendments to 23-0468 as follows:

Pg 1, line 2 Off-Street Parking – ~~Affordable~~ INCLUSIONARY Housing

Pg 2, line 2 (g) RESIDENTIAL PROJECTS SUBJECT TO INCLUSIONARY HOUSING.

Pg 2, line 3 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.



Pg 2, line 6 ~~(g)~~ (H) Reductions – Affordable housing.

(1) 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.

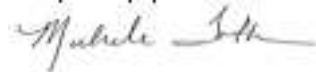
(2) The Housing Commissioner must verify, by letter to the Planning Director and the Zoning Administrator, the recordation, term, and tenor of the restriction.

~~(h)~~ (I) Reductions – Small dwellings. No more than 0.5 parking spaces need be provided for every dwelling unit that is 500 square feet or smaller.

~~(i)~~ (J) Reductions – Housing for elderly. For units designed for occupancy by the elderly in a government-assisted private or public housing dwelling, no more than 1 space need be provided for every 4 units.

Certain procedural requirements apply to this bill because an amendment of the Zoning Code is deemed a “legislative authorization.” Baltimore City Code, Art. 32, § 5-501(1). The bill must be referred for a written report and recommendations to specific agencies. See Art. 32, § 5-504. There are specific procedures that must be followed for a bill hearing before the Planning Commission and the City Council. See Art. 32, §§ 5-506, 5-507. Moreover, a text amendment must be evaluated by the standards set forth in the Zoning Code. See Art. 32, § 5-508(c). Notice of the City Council hearing must be given in accordance with the standards set forth in Art. 32, Title 5, Subtitle 6 for text amendments to the Zoning Code. The Law Department approves this bill for form and legal sufficiency.

Very truly yours,



Michele Toth  
Assistant Solicitor

cc: Ebony Thompson  
Nina Themelis  
Tiffany Maclin  
Elena DiPietro  
Hilary Ruley  
Ashlea Brown  
Jeff Hochstetler



## MEMORANDUM

**To:** Nick J. Mosby, President, Baltimore City Council

**From:** Peter Little, Executive Director

**Date:** February 9, 2024

**Subject:** City Council Bill 23-0468

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I am herein reporting on City Council Bill 23-0468 (the "Bill") introduced by Councilmembers Dorsey, Conway, Schleifer, Ramos, Burnett, Cohen, Bullock, and Porter.

The purpose of this bill is to eliminate off-street parking minimum requirements for a residential project that is subject to inclusionary housing requirements.

The Parking Authority of Baltimore City (PABC) has reviewed the proposed legislation. This city-wide legislation would remove the parking minimums for certain affordable dwelling unit developments that contains 20 or more dwelling units, receives a major public subsidy, and offers at least 5% of the dwelling units as affordable to low-income households as defined in Article 13 §2-21. Currently, affordable dwelling unit developments are required to provide 1 parking space for every 2 affordable dwelling units. The objective of this proposal to provide more affordable dwelling units in Baltimore is laudable and important but may have impacts that are not fully understood. Reviews of the parking standards should be conducted and can often identify needed modifications to the parking standards.

PABC staff conducted a sample survey of several multi-family affordable dwelling unit developments that were built in Baltimore City over the past decade. The developments were constructed with on-site parking at or near the minimum parking standard except for one development where parking was provided at the market rate minimum level of parking which is 1 parking space per dwelling unit. Average parking demand, though less than the current minimum requirement, is still present at a rate of about 1 parking space per 4 dwelling units. On-street parking was also available to some extent, but likely not to the full extent and would provide challenges to residents of the affordable dwelling

unit developments as well as the surrounding neighborhoods. The on-street parking would be inconvenient for some and unusable for others, especially for those with disabilities.

Passage of this bill could have moderate to high fiscal impact on PABC programs based on the current patterns of car ownership and usage observed at current affordable dwelling unit developments. The legislation, as drafted, would likely expand the impacts as described in the inclusive housing provisions where developments containing as few as 5% of dwelling units being considered affordable would not be subject to the minimum parking requirements. The PABC and City could be looked to remedy any shortfall through the provision of on-street parking restrictions or even off-street parking facilities. The cost would be variable but could be moderate to high.

In light of these concerns, the PABC recommends the following revision to the bill.

OFF-STREET PARKING IS ~~NOT~~ REQUIRED AT A MINIMUM RATE OF 1 PARKING SPACE PER 4 AFFORDABLE DWELLING UNITS FOR A RESIDENTIAL PROJECT THAT IS SUBJECT TO THE INCLUSIONARY REQUIREMENTS UNDER § 2B-21 {"INCLUSIONARY REQUIREMENTS"} OF ARTICLE 13 OF THIS CODE.

Based on the comments above, the PABC respectfully requests a favorable with amendment report for City Council Bill 23-0468.

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CITY OF BALTIMORE

Brandon M. Scott, Mayor



BOARD OF MUNICIPAL AND  
ZONING APPEALS

Rebecca Lundberg Witt, *Executive Director*

---

December 7, 2023

The Honorable President and  
Members of the City Council  
City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

**Re: CC Bill #23-0468- Off-Street Parking- Affordable Housing**

Ladies and Gentlemen:

City Council Bill No. 23-0468 has been referred to by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 23-0468 is to eliminate off-street parking requirements for a residential project that is subject to inclusionary housing requirements. BMZA is deferring its recommendation on the legislation to that of the report and recommendation of the Planning Commission.

Sincerely,

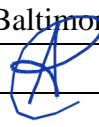
A handwritten signature in black ink that reads "Rebecca R Witt".

Rebecca Lundberg Witt  
Executive Director

CC: Mayor's Office of Council Relations  
City Council President  
Legislative Reference



CITY OF BALTIMORE  
MAYOR BRANDON M. SCOTT

<b>TO</b>	The Honorable President and Members of the Baltimore City Council
<b>FROM</b>	Alice Kennedy, Housing Commissioner 
<b>DATE</b>	April 2, 2024
<b>SUBJECT</b>	<b>CCB 23-0468 Off-Street Parking - Affordable Housing</b>

The Honorable President and  
Members of the City Council  
City Hall, Room 400

04/02/2024

**Position: Favorable**

### Introduction

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 23-0468 Off-Street Parking – Affordable Housing for the purpose of eliminating off-street parking requirements for a residential project that is subject to inclusionary housing requirements.

If enacted, City Council Bill 23-0468 would eliminate off-street parking minimums for residential projects receiving a major public subsidy and that is subject to the inclusionary housing requirements in Article 13, § 2B-21. The bill would also amend § 16-601 of the Zoning Code in Article 32 and would take effect 30 days after its enactment.

### DHCD Analysis

At its regular meeting of January 25, 2024, the Planning Commission concurred with its departmental staff and recommended that City Council Bill 23-0468 be approved by the City Council. The Law Department also recommended approval along with clarifying amendments, in which DHCD is in support of. This Bill does not have an operational or fiscal impact on DHCD and would not endanger public health, safety, or welfare.


This Bill would align Baltimore with cities around the country that have moved towards reducing or eliminating parking requirements making inclusionary housing projects less costly to build. Those reduced construction and maintenance costs could then potentially be passed down to future tenants, benefiting all. It is worth noting this bill does not impose any off-street parking

maximums, but instead only removes the minimum requirements already in place, when applied to inclusionary housing. This would allow the market to dictate how much a given developer wishes to provide.

The Bill would take effect 30 days after its enactment and it is unclear how the change will impact the planning around current projects subject to inclusionary housing requirements. The purpose of Inclusionary Housing is to require a given share of new construction receiving a major public subsidy to be affordable by people with low to moderate incomes. This legislation may lessen financial burdens on a developer of a residential project around the provision of off-street parking which in turn may promote the creation of more Affordable Housing for Baltimore City residents.

## Conclusion

DHCD respectfully requests a **favorable** report on City Council Bill 23-0468.

F R O M	NAME & TITLE	Corren Johnson, Director	CITY of <b>BALTIMORE</b>  MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	Council Bill 23-0468		

DATE: 3/27/2024

TO: Mayor Brandon Scott  
TO: Economic and Community Development Committee  
FROM: Department of Transportation  
POSITION: **No Objection**  
SUBJECT: Council Bill 23-0468

**INTRODUCTION** – Off-Street Parking - Affordable Housing

**PURPOSE/PLANS** – For the purpose of eliminating off-street parking requirements for a residential project that is subject to inclusionary housing requirements.

**COMMENTS** – Council Bill 23-0468 seeks to eliminate the requirement for off-street parking as a requirement for affordable housing residential projects. Reducing required off-street parking may lead to an increased use in alternative modes of transportation like walking, cycling, using transit, or carpooling. Off-street parking requirements tend to favor lower density developments that are not generally in alignment with urban, walkable environments.

Should the legislation be adopted, it may require further review of the Baltimore City DOT’s Traffic Mitigation fee structure to ensure impacts to the City Right of Way are adequately addressed. Without the requirement of some off-street parking, large developments could impact the right-of-way by increasing the number of cars parked in the roadway, drop-off deliveries, and other impediments to the previous traffic flow. Additionally, new housing developments are subject to state and federal regulations when providing accessible parking under the Americans with Disability Act and as stated in City Code Art. 32 16-208.

**AGENCY/DEPARTMENT POSTION** –Baltimore City Department of Transportation is open to discussing and reviewing how the legislation may impact the agency’s Traffic Mitigation fee structure and other DOT programs. The department currently has **no objection** towards the advancement of Council Bill 23-0468.

If you have any questions, please do not hesitate to contact Liam Davis at [Liam.Davis@baltimorecity.gov](mailto:Liam.Davis@baltimorecity.gov) or at 410-545-3207

Sincerely,

Corren Johnson,  
Director





# **Economic and Community Development Committee**

**23-0468**

**Off-Street Parking – Affordable Housing**

## **Additional Materials**

**AMENDMENTS TO COUNCIL BILL 23-0468  
(1<sup>st</sup> Reader Copy)**

By: Department of Law  
{To be offered to the Economic and Community Development Committee}

**Amendment No. 1**

On page 1, in line 2, strike “**Affordable**” and substitute “**Inclusionary**”.

**Amendment No. 2**

On page 1, strike lines 5 through 9 in their entireties and substitute:

“BY renumbering  
Article 32 - Zoning  
Sections 16-601(g) through (i)  
to be  
Sections 16-601 (h) through (j)  
Baltimore City Code  
(Edition 2000)

BY adding  
Article 32 - Zoning  
Section 16-601(g)  
Baltimore City Code  
(Edition 2000)”;

and, on page 2, strike lines 2 through 15 in their entireties and substitute:

“(G) RESIDENTIAL PROJECTS SUBJECT TO INCLUSIONARY HOUSING.

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.

(H) [(g)] Reductions – Affordable housing.

(1) 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.

(2) The Housing Commissioner must verify, by letter to the Planning Director and the Zoning Administrator, the recordation, term, and tenor of the restriction.

(I) [(h)] Reductions – Small dwellings.

No more than 0.5 parking spaces need be provided for every dwelling unit that is 500 square feet or smaller.

(J) [(i)] Reductions – Housing for elderly.

For units designed for occupancy by the elderly in a government-assisted private or public housing dwelling, no more than 1 space need be provided for every 4 units.”.

**AMENDMENTS TO COUNCIL BILL 23-0468  
(1<sup>st</sup> Reader Copy)**

By: Parking Authority of Baltimore City  
{To be offered to the Economic and Community Development Committee}

**Amendment No. 1**

On page 1, in line 3, strike “eliminating” and substitute, “requiring”; and, on page 2, in line 13, strike “NOT”; and, on that same page, in that same line, after “REQUIRED” insert, “AT A MINIMUM RATE OF 1 PARKING SPACE PER 4 AFFORDABLE DWELLING UNITS”.

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## GOVERNMENT

**Category:** Baltimore City

**Posted:** 3/18/2024

**Inserts:** 1

**Document:**  [Print Version](#)

**Summary:** BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 23-0468 The Committee on Economic and Community Development of the Baltimore City Council will conduct a public hearing on City Council Bill No. 23-0468 on Tuesday, April 2, 2024, at 2:03 PM in the Clarence "Du" Burns Chamber, City Hall, 100 N. Holliday Street, 4th Floor, Baltimore, MD 21202. Information on how the public can participate in the hearing virtually, via Webex, will be available at <https://baltimore.legistar.com/Calendar.aspx>.

### *Ad Text*

March 18, 2024

BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 23-0468 The Committee on Economic and Community Development of the Baltimore City Council will conduct a public hearing on City Council Bill No. 23-0468 on Tuesday, April 2, 2024, at 2:03 PM in the Clarence "Du" Burns Chamber, City Hall, 100 N. Holliday Street, 4th Floor, Baltimore, MD 21202. Information on how the public can participate in the hearing virtually, via Webex, will be available at <https://baltimore.legistar.com/Calendar.aspx>. CC 23-0468 - Off-Street Parking - Affordable Housing For the

purpose of eliminating off-street parking requirements for a residential project that is subject to inclusionary housing requirements. BY repealing and re-ordaining, with amendments Article 32 - Zoning Section 16-601(g) Baltimore City Code (Edition 2000) Applicant: Baltimore City Council For more information, contact committee staff at (410) 396-1091. NOTE: This bill is subject to amendment by the Baltimore City Council. SHARON GREEN MIDDLETON Chairmh18 2591231

**Ad # 2606808**

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# **Economic and Community Development Committee**

**23-0468**

**Off-Street Parking – Affordable Housing**

**Public Testimony**



March 31, 2024

President Nick Mosby  
Baltimore City Council  
100 N. Holliday Street  
Baltimore, MD 21202

## **SUPPORT: 23-0468 - Off-Street Parking - Affordable Housing**

Bikemore is writing in support of City Council Bill 23-0468, eliminating off-street parking minimum requirements for residential developments subject to inclusionary housing requirements.

Extensive research shows that parking minimums lead to poor land use decisions, induce demand for driving, increasing traffic, crashes, and harmful emissions, and significantly increase the cost of new housing construction, which is passed onto tenants or owners regardless of car ownership.

Bikemore has interviewed developers across Baltimore City and sought information about parking occupancy in new residential developments. The vast majority are significantly overparked, totaling hundreds of millions of dollars of unnecessary construction costs that have been passed onto residents in the form of higher rent.

This legislation does not remove the ability to construct parking. Developers will still be free to construct the amount of parking they believe will meet demand. This legislation will simply remove arbitrary minimums.

We support the legislation as written, without proposed amendments from PABC, which we feel will undermine the intent of the legislation and go against research-driven best practices.

68 cities across the country, including significantly more car-oriented cities like Richmond, VA and Austin, TX have gone further—completely removing parking minimums for all uses citywide. Baltimore is behind peer cities on this issue.

While this legislation doesn't go as far as we would like, it is a sensible, data-driven step forward toward a more sustainable, affordable Baltimore City.

We encourage passage of this legislation, and future support of broader evidence-based reforms that have long been proposed by Councilman Dorsey.

**Sincerely,**

**Jed Weeks**  
Executive Director



## Re: Baltimore City Council Bill 23-0468 testimony (Off-Street Parking - Affordable Housing)

Middleton, Sharon (City Council) <Sharon.Middleton@baltimorecity.gov>

Thu 3/21/2024 10:14 PM

To: Michael Scepaniak <hello@baltpop.org>

Cc: Bullock, John (City Council) <John.Bullock@baltimorecity.gov>; Conway, Mark (City Council) <Mark.Conway@baltimorecity.gov>; Dorsey, Ryan (City Council) <Ryan.Dorsey@baltimorecity.gov>; Glover, Antonio (City Council) <Antonio.Glover@baltimorecity.gov>; Ramos, Odette (City Council) <Odette.Ramos@baltimorecity.gov>; Stokes, Robert (City Council) <Robert.Stokes@baltimorecity.gov>; Authority, Parking <parkingauthority@bcparking.com>; Little, Peter (PABC) <Peter.Little@baltimorecity.gov>; David House <dahous1@umbc.edu>; Leva, Anthony F (City Council) <anthony.leva@baltimorecity.gov>

This bill is not heard until April 2nd. Your testimony will be added to the bill file.

Sharon Middleton

Sent from my Verizon, Samsung Galaxy smartphone

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**From:** Michael Scepaniak <hello@baltpop.org>

**Sent:** Thursday, March 21, 2024 9:03:18 PM

**To:** Middleton, Sharon (City Council) <Sharon.Middleton@baltimorecity.gov>

**Cc:** Bullock, John (City Council) <John.Bullock@baltimorecity.gov>; Conway, Mark (City Council) <Mark.Conway@baltimorecity.gov>; Dorsey, Ryan (City Council) <Ryan.Dorsey@baltimorecity.gov>; Glover, Antonio (City Council) <Antonio.Glover@baltimorecity.gov>; Ramos, Odette (City Council) <Odette.Ramos@baltimorecity.gov>; Stokes, Robert (City Council) <Robert.Stokes@baltimorecity.gov>; Authority, Parking <parkingauthority@bcparking.com>; Little, Peter (PABC) <Peter.Little@baltimorecity.gov>; David House <dahous1@umbc.edu>

**Subject:** Baltimore City Council Bill 23-0468 testimony (Off-Street Parking - Affordable Housing)

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Chair Sharon Green Middleton and members of the Economic and Community Development committee,

Our comment is regarding City Council Bill 23-0468, which proposes to eliminate off-street parking minimum requirements for certain inclusionary housing developments.

We appreciate the thorough review conducted by the Parking Authority of Baltimore City (PABC) on this matter. As an organization committed to fostering people-oriented urban spaces and advocating for the elimination of parking minimums, we understand the importance of considering potential community impacts when making legislative changes.

While we acknowledge the concerns raised by the PABC regarding potential parking shortages and impacts on surrounding neighborhoods, we believe that reducing or eliminating parking minimums is

essential for creating equitable and sustainable cities. These parking minimums were based on little more than guesswork. Developers will still be able to build parking when their research shows it will be used. Bill 23-0468 would end the practice of requiring developers to build spaces that sit unused.

By removing the mandate for developers to provide a minimum number of parking spaces, Bill 23-0468 will contribute to making housing more affordable, considering that each parking space can amount to an additional \$50,000 in costs. [1] Furthermore, eliminating parking minimums can significantly enhance walkability in urban areas and promote transit-oriented housing, thus reducing the burden of car ownership, particularly for those who can least afford it. [2] Walkable urban areas not only enhance quality of life, but also serve as efficient economic engines, attracting businesses, increasing property values, and fostering vibrant local economies. [3] In addition, increased property values and efficient land use brings increased tax revenue, which is critical for Baltimore's future.

Therefore, we respectfully disagree with the PABC's recommendation to retain a minimum parking requirement of 1 space per 4 affordable dwelling units. Instead, we urge the City Council to support the original intent of Bill 23-0468 and eliminate off-street parking minimums entirely for housing subject to inclusionary housing requirements.

This approach supports equitable access to housing, reduces reliance on cars, and contributes to vibrant, people-oriented communities. We urge you to consider our perspective as you deliberate on this important issue.

Thank you for your attention to this matter. We look forward to continuing the dialogue and working together towards a more inclusive, equitable and sustainable future for Baltimore.

[BaltPOP - Baltimoreans for People-Oriented Places](#)

David House, Co-President

Michael Scepaniak, Co-President

Teddy Walsh

Alex Grube

Isaac Leal

Melanie Scheirer

James Pizzurro

Robert J. Bennett

Thierry Peters

Adam Stone-Lord

Nick Snider

Brandy Savarese

Chris Guinnup

Josh Poland

Tim Pula

References:

[1] Hoyt, H., & Schuetz, J. (2020, June 2). Parking requirements and foundations are driving up the cost of multifamily housing. Brookings. <https://www.brookings.edu/articles/parking-requirements-and-foundations-are-driving-up-the-cost-of-multifamily-housing/>

[2] Bose, R. (2022, August 03). No parking anytime: How parking minimums impede transit-oriented housing. Urban Institute Housing Matters. Retrieved from <https://housingmatters.urban.org/articles/no-parking-anytime-how-parking-minimums-impede-transit-oriented-housing>

[3] Chamberlain, L. (2023, March 1). Why walkable urban areas are America's efficient economic engines. World Economic Forum. Retrieved from <https://www.weforum.org/agenda/2023/03/why-walkable-urban-areas-are-america-s-efficient-economic-engines/>

San Jose, CA	971,233	The City of San Jose removed parking minimums for all uses citywide. The changes will go into effect in March 2023.
San Francisco, CA	881,549	There are no parking mandates in the city of San Francisco for any use except Mortuary (8 spaces mandated). There are parking maximums for most uses.
Bend, OR	100,421	On January 18, the Bend City Council voted 4-2 to no longer require that developers create a minimum number of off-street parking spaces for new developments.
Eugene, OR	172,622	On November 13, 2023, Eugene repealed all minimum parking requirements, citywide.
Salem, OR	174,365	Salem City Council repealed parking mandates citywide by a vote of 7-2 on April 10, 2023.

Source: <https://parkingreform.org/resources/mandates-map/>

CITY	POPULATION	POLICY
Cambridge, MA	117,090	Cambridge City Council voted 8-1 in favor of eliminating all minimum parking requirements for residential and commercial developments citywide.
Hartford, CT	122,105	New form based zoning code with parking maximums city wide.
Richmond, VA	230,436	On April 24, 2023 the Richmond, VA city council voted unanimously to eliminate parking mandates citywide.
Raleigh, NC	467,665	On 3/15/2022 Raleigh City Council voted 7-1 to eliminate parking mandates citywide and impose parking maximums on many uses.
Durham, NC	278,993	On November 20, 2023, Durham eliminated parking mandates citywide for all uses.
Lexington, KY	341,000	On August 25th, 2022 The Planning Commission for Lexington-Fayette County (merged Urban-County Government unanimously approved 8-0 a Zoning Ordinance Text Amendment to eliminate minimum parking requirements
Minneapolis, MN	429,606	Minneapolis has no minimum parking requirements
St. Paul, MN	304,547	There are no requirements for a minimum number of parking spaces.
Gainesville, FL	140,398	On 11/29/2022 Gainesville City Council unanimously voted to eliminate parking mandates for all uses citywide.
Austin, TX	974,447	On November 2, 2023 Austin City Council voted 8-2 to eliminate car parking mandates citywide for all uses.