


TJS

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, 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 #11-0765 / SPECIAL-EVENT PARKING – ZONING – LICENSING AND REGULATION		

TO

DATE:

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

September 9, 2011

At its regular meeting of September 8, 2011, the Planning Commission considered City Council Bill #11-0765, for the purpose of providing for the licensing and regulation of special-event parking lots; limiting their operation to a specified Special-Event Parking District; defining certain terms; imposing certain fees; requiring payment of the parking tax; imposing certain penalties; conforming certain provisions of the Zoning and Building Codes; conforming, correcting, and clarifying other related provisions; and generally relating to the licensing, regulation, operation, and zoning of parking lots.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #11-0765 and adopted the following resolution; seven members being present (seven in favor).

**RESOLVED**, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #11-0765 be passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA/ewt

Attachment

- cc: Ms. Kaliope Parthemos, Deputy Mayor
- Mr. Peter O'Malley, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable Bill Henry, Council Rep. to Planning Commission
- The Honorable William H. Cole IV, 11<sup>th</sup> District Councilmember
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Nikol Nabors-Jackson, DHCD
- Ms. Barbara Zektick, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Karen Randle, Council Services



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

**September 8, 2011**

**REQUEST:** CCB #11-0765/ Special-Event Parking – Zoning – Licensing and Regulation:

For the purpose of providing for the licensing and regulation of special-event parking lots; limiting their operation to a specified Special-Event Parking District; defining certain terms; imposing certain fees; requiring payment of the parking tax; imposing certain penalties; conforming certain provisions of the Zoning and Building Codes; conforming, correcting, and clarifying other related provisions; and generally relating to the licensing, regulation, operation, and zoning of parking lots.

**RECOMMENDATION:** Approval

**STAFF:** Eric Tiso

**INTRODUCED BY:** Councilmembers Cole, Henry, Middleton, Holton, Curran, Stokes, D'Adamo, Kraft, Clarke, Conaway, Welch, Spector, Branch, and President Young

#### **SITE/ GENERAL AREA**

The proposed area for Special-Event Parking Lots includes portions of the following neighborhoods: Carroll/Camden Industrial Area, Washington Village, Barre Circle, Ridgely's Delight, the Stadium Area, the Inner Harbor, Otterbein, Federal Hill, and Sharp-Leadenhall.

#### **HISTORY**

The last comparable action would be the creation of the Parking Lot Districts in the Zoning Code. The Parking Lot Districts were created in 1976, and were last amended in 2004.

#### **CONFORMITY TO PLANS**

This bill is compatible with the City of Baltimore's Comprehensive Master Plan, LIVE EARN PLAY LEARN, specifically the EARN section, Goal 3, Objective 2: Promote Economic Development throughout the City by Improving Business-to-business Connectivity via Transportation Linkages.

## ANALYSIS

**Purpose:** The general purpose of this bill is to create an area of the City where the regulation and licensing of Special-Event Parking Lots may occur. These Special-Event Parking Lots (also known as gypsy parking lots) are intended to be used for short periods of time (not more than 100 days per year), in conjunction with sporting events, or other short-duration events. The benefit to this program is that these lots are already functioning now on a short-term or informal basis. Revenue will be created by requiring licensure of these lots on a pro-rata basis as compared to other commercial parking lots.

**Effects of the Bill:** The bill has a number of effects, and amends several portions of the City Code. A brief summary is as follows:

1. Amends text in the Zoning Code to substitute “motor vehicle” where “automobile” appears. These changes are intended to conform the text to other parts of City Code, or in this case, to State Law while more substantive edits are being made.
2. Amends §3-209 in the Zoning Code to allow Special-Event Parking to occur in all required setbacks. This is required, since parking is not permitted in required front yards today.
3. The land use category for parking lots is amended to reduce the number of parking spaces involved from four to three to conform to other parts of City Code, in the various zoning districts (*cf.* Art. 15, §12-1).
4. An exemption is created in the Zoning Code under Title 10, Subtitle 5, so that Special-Event Parking Lots do not require an Ordinance for establishment. This is required, since the authorization for a Special-Event Parking Lot is by licensure and is not to be a permanent land use.
5. It designates a Special-Event Parking District as a new Subtitle 6 under Title 10 of the Zoning Code, with the boundaries listed.
6. An exemption is created in the Zoning Code so that Title 11, Sign Regulations, does not apply to Special-Event Parking Lots. This is intended to provide flexibility, and to reflect that Special-Event Parking Lots are not intended to be permanent uses.
7. An exemption is created in the Building, Fire and Related Codes under Part II, Ch. 31, by inserting a new Section 3111.1 such that Special-Event Parking Lots do not have to comply with other requirements in the building code, so long as they comply with the requirements relating to their principal occupancy, use, or structure. This is intended to prevent a parking lot from having to conform to the requirements of multiple occupancy, use, or structure types (which may possibly conflict with each other).
8. Article 15, Licensing and Regulation, is amended so it does not apply to Special-Event Parking Lots, and instead refers to a newly created Subtitle 13 that outlines the regulations for Special-Event Parking Lots.
9. Article 28, Taxes, is amended for technical language edits.
10. Finally, Article 1, Mayor, City Council, and Municipal Agencies, Subtitle 40, Environmental Control Board, is amended to include penalties and fines relating to Special-Event Parking Lots of \$750 (the same as for other parking facilities).

These proposed changes will increase potential revenue for the City, and will legalize an activity that already occurs informally. For these reasons, staff recommends approval of the bill.

Notification: Notice of this action was sent to the following organizations: Sharp-Leadenhall Planning Committee, Inc., Ridgely's Delight Neighborhood Association, Inc., Citizens of Pigtown, Carroll/Camden Industrial Business Association, Otterbein Commons Homeowners Association, Federal Hill Neighborhood Association, and the South Baltimore Neighborhood Association



**Thomas J. Stosur**  
**Director**