
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

September 5, 2025

The Honorable President and Members
of the Baltimore City Council
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 25-0065 – Zoning – Eliminating Off-Street Parking Requirements

Dear President and City Council Members:

The Law Department reviewed City Council Bill 25-0065 for form and legal sufficiency. The bill would repeal certain sections and amend or renumber other sections of Title 16 of the City Zoning Code in Article 32 and repeal Table 16-406. The bill is for the purpose of repealing requirements for providing a minimum number of off-street parking spaces per use type; setting certain parking maximums; and correcting, clarifying, and conforming related Code provisions and tables.

On page 4 of Council Bill 25-0065 renumbered Section 16-202 provides the method for computing bicycle parking and loading facilities. Subsection (b)(2) of Section 16-202 in lines 23-24 of the bill refers only to a loading space. The remainder of Section 16-202 refers to loading and bicycle spaces. If the bill was intended in Subsection (b)(2) to refer to both bicycle and loading spaces then an amendment is required on page 4, line 24 to include a reference to bicycle parking.

The City Council must consider the following when evaluating changes to the text of the City's Zoning Code:

- (1) the amendment's consistency with the City's Comprehensive Master Plan;
- (2) whether the amendment would promote the public health, safety, and welfare;
- (3) the amendment's consistency with the intent and general regulations of this Code;
- (4) whether the amendment would correct an error or omission, clarify existing requirements, or effect a change in policy; and
- (5) the extent to which the amendment would create nonconformities.

Baltimore City Code, Art. 32, § 5-508(c).

A text amendment is not a piecemeal zoning, as it does not change the assigned zoning classification of any parcel but rather changes the requirements for a particular zone. *See MBC Realty, LLC v. Mayor of Balt.*, 192 Md. App. 218, 238 (2010). "Legislative revision of the language of a zoning ordinance by means of a text amendment is in the nature of a legislative action, and therefore is comparable to original zoning and comprehensive zoning." *Id.* at 236.

Any bill that authorizes a change in the text of the Zoning Code is a “legislative authorization,” which requires that certain procedures be followed in the bill’s passage, including a public hearing. Baltimore City Code, Art. 32, §§ 5-501; 5-507; 5-601(a). Certain notice requirements apply to the bill. Baltimore City Code, Art. 32, §§ 5-601(b)(1), (c), (e). The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506. Finally, certain limitations on the City Council’s ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507(c).

The Planning Report notes that removal of minimum off-street parking requirements conforms with the current City Comprehensive Master Plan. The Master Plan recommends removal of required off-street parking minimums in order to reduce pollutants, encourage use of mass transit, and protect the tree cover. The Planning Report notes that removal of required minimum off-street parking may negatively impact on-street parking in some neighborhoods. It is noted that removing required minimum off-street parking “will remove barriers to development of both market-rate and affordable housing.” The proposed bill would also remove the requirement to provide off-street parking for the 27% of Baltimore households that do not own a vehicle.

Assuming all the procedural requirements are met, the Law Department can approve the bill for form and legal sufficiency.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michele Toth", written in dark ink.

Michele Toth
Assistant Solicitor

cc: Ebony Thompson
Ethan Hasiuk
Ty’lor Schnella
Shamoyia Gardiner
Hilary Ruley
Jeff Hochstetler
Ashlea Brown
Desiree Luckey
Ahleah Knapp