

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2012, Legislative Day No. 11

Bill No. 45-12

---

Councilmembers Olszewski & Oliver

---

By the County Council, June 4, 2012

---

A BILL  
ENTITLED

AN ACT concerning

Parking Requirements

FOR the purpose of authorizing a certain reduction of off-street parking space requirements for certain large shopping centers; specifying the procedure for application and approval of a reduction in the number of required off-street parking spaces; and generally relating to parking space requirements for shopping centers.

BY adding

Section 409.13

Baltimore County Zoning Regulations

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike-out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

1 SECTION 409

2 OFF-STREET PARKING AND LOADING

3 **409.13. REDUCTION OF PARKING REQUIREMENTS FOR LARGE SHOPPING**  
4 **CENTERS.**

5 IN ORDER TO PREVENT THE ESTABLISHMENT OF A GREATER NUMBER OF  
6 PARKING SPACES THAN IS ACTUALLY REQUIRED TO SERVE THE NEEDS OF  
7 SHOPPING CENTERS WITH 100,000 SQUARE FEET OR MORE OF GROSS LEASABLE  
8 AREA, A REDUCTION OF THE NUMBER OF REQUIRED OFF-STREET PARKING  
9 SPACES IS PERMITTED. ON APPLICATION, THE DIRECTOR OF PERMITS,  
10 APPROVALS AND INSPECTIONS MAY REDUCE THE NUMBER OF REQUIRED  
11 PARKING SPACES BY UP TO 40 PERCENT IF THE FOLLOWING PROCEDURES AND  
12 CONDITIONS ARE SATISFIED:

13 A. THE APPLICANT SHALL SUBMIT A CERTIFIED SITE PLAN AND  
14 DOCUMENTARY EVIDENCE OF REDUCED PARKING NEEDS TO THE DIRECTOR.  
15 THE SITE PLAN SHALL SHOW ALL EXISTING SITE IMPROVEMENTS AND  
16 PROPOSED CHANGES. THE APPLICANT'S SUBMITTAL SHALL BE DISTRIBUTED TO  
17 THE DEPARTMENT OF PLANNING AND THE DEPARTMENT OF ENVIRONMENTAL  
18 PROTECTION AND SUSTAINABILITY FOR REVIEW AND RECOMMENDATIONS.

1 B. IN DETERMINING WHETHER TO GRANT ANY PARKING  
2 REDUCTION, THE DIRECTOR MAY PRESCRIBE ANY SITE IMPROVEMENTS THAT  
3 ARE APPROPRIATE FOR THE PROPER FUNCTION OF THE SHOPPING CENTER OR  
4 THAT ARE IN THE PUBLIC INTEREST. SITE IMPROVEMENTS MAY INCLUDE:

5 1. CHANGES THAT WILL CREATE A MORE ATTRACTIVE AND  
6 PLEASING APPEARANCE, SUCH AS ADDITIONAL OR ENHANCED SCREENING AND  
7 LANDSCAPING, ENHANCEMENT OF BUILDING ELEVATIONS, ELIMINATION OR  
8 REPLACEMENT OF EXCESSIVE OR UNSIGHTLY SIGNAGE, AND CREATION OF AN  
9 ATTRACTIVE COHESIVE ARCHITECTURAL DESIGN.

10 2. MODIFICATION OF EXISTING VEHICULAR ACCESS  
11 ARRANGEMENTS, SUCH AS CHANGING THE LOCATION OR DESIGN OF A  
12 VEHICULAR ENTRANCE OR CHANGES TO INTERNAL CIRCULATION DESIGN TO  
13 PROVIDE SAFER CONDITIONS FOR MOTORISTS.

14 3. CREATION OF A SAFE AND PEDESTRIAN-FRIENDLY  
15 ENVIRONMENT INCLUDING THE PROVISION OF BICYCLE AMENITIES, SUCH AS  
16 BIKE RACKS, AND CONNECTIONS TO ADJACENT NEIGHBORHOODS.

17 4. ENHANCEMENT OF ACCESSIBILITY FOR THE DISABLED.

18 5. REPLACEMENT OF EXISTING OUTDOOR LIGHTING FIXTURES  
19 TO ELIMINATE OR REDUCE THE IMPACTS OF GLARE, LIGHT TRESPASS, AND  
20 EXCESSIVE ILLUMINATION.

1                   6. PROVISION OF AMENITY OPEN SPACE THAT IS DESIGNED  
2                   AND INTENDED TO BE USED BY THE GENERAL PUBLIC.

3                   7. INCORPORATION OF SUSTAINABLE PRACTICES THAT WILL  
4                   REDUCE THE ENVIRONMENTAL IMPACT OF BUILDINGS OR ASSOCIATED SITE  
5                   IMPROVEMENTS. SUSTAINABLE PRACTICES INCLUDE:

6                   (A) APPLICATION OF BEST MANAGEMENT PRACTICES, SUCH  
7                   AS THE USE OF BIOSWALES, STORMWATER MANAGEMENT TREE PLANTERS,  
8                   STRUCTURAL SOILS AND POROUS PAVING.

9                   (B) PROPER INSTALLATION OF SHADE TREES TO MITIGATE  
10                  THE HEAT ISLAND EFFECT FROM PAVED SURFACES.

11                 C. AFTER CONSIDERATION OF AGENCY RECOMMENDATIONS, THE  
12                 DIRECTOR MAY GRANT A PARKING REDUCTION. THE PARKING SPACE  
13                 REDUCTION MAY NOT EXCEED 40 PERCENT OF THE NUMBER OF PARKING  
14                 SPACES OTHERWISE REQUIRED BY SECTION 409. ANY PRIOR REDUCTION OF  
15                 PARKING SPACE REQUIREMENTS THROUGH THE GRANT OF A VARIANCE (IF  
16                 STILL APPLICABLE) SHALL BE CONSIDERED THE REQUIRED AMOUNT OF  
17                 PARKING FOR THE PURPOSE OF CALCULATING THE REQUESTED REDUCTION.

18                 D. IF A PARKING SPACE REDUCTION IS APPROVED BY THE DIRECTOR,  
19                 WITH ANY REQUIRED CHANGES TO EXISTING OR PROPOSED SITE

1 IMPROVEMENTS, THE SITE PLAN SHALL BE REVISED TO BE CONSISTENT WITH  
2 THE APPROVAL BY THE DIRECTOR.

3 E. IF A PARKING REDUCTION IS GRANTED, THE SHOPPING CENTER MAY  
4 NOT BE ENLARGED OR INCREASED IN INTENSITY UNLESS APPLICATION IS MADE  
5 AND APPROVED FOR A NEW OR REVISED PARKING SPACE REDUCTION.

6 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
7 the affirmative vote of five members of the County Council, shall take effect on July 16, 2012.