

HOUSE BILL 38

L2

4lr1140

(PRE-FILED)

By: **Delegate Edelson**

Requested: October 24, 2023

Introduced and read first time: January 10, 2024

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Off-Street Parking Requirements Near Mass Transit Stations**

3 FOR the purpose of prohibiting the Mayor and City Council of Baltimore City from adopting
4 or enforcing a local law that requires the creation of new off-street parking for a
5 residential development that is located within a certain distance of a present or
6 planned MARC, Baltimore MTA Light Rail, or Red Line station; and generally
7 relating to requirements for off-street parking for residential developments in
8 Baltimore City.

9 BY adding to

10 Article – Land Use
11 Section 10-104
12 Annotated Code of Maryland
13 (2012 Volume and 2023 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article – Land Use
16 Section 10-202
17 Annotated Code of Maryland
18 (2012 Volume and 2023 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Land Use**

22 **10-104.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) IN THIS SECTION, “RED LINE” MEANS A RAIL TRANSIT FACILITY USING**
2 **ONE OR MORE VEHICLES OPERATING IN TANDEM ON A FIXED RAIL IN A**
3 **COMBINATION OF AT-GRADE, ELEVATED, AND UNDERGROUND CONFIGURATIONS**
4 **THROUGH BALTIMORE CITY AND BALTIMORE COUNTY ALONG A GENERALLY**
5 **EAST-TO-WEST ALIGNMENT BETWEEN THE TERMINUS OF SECURITY BOULEVARD**
6 **ON THE WEST AND JOHNS HOPKINS BAYVIEW MEDICAL CENTER ON THE EAST,**
7 **CONNECTING AS APPROPRIATE TO OTHER FIXED-ROUTE TRANSIT SERVICES.**

8 **(B) NOTWITHSTANDING § 10-202 OF THIS TITLE, THE MAYOR AND CITY**
9 **COUNCIL OF BALTIMORE CITY MAY NOT ADOPT OR ENFORCE A LOCAL LAW THAT**
10 **REQUIRES THE CREATION OF NEW OFF-STREET PARKING FOR A RESIDENTIAL**
11 **DEVELOPMENT THAT IS LOCATED WITHIN A 0.25-MILE RADIUS OF A PRESENT OR**
12 **PLANNED:**

13 **(1) MARC STATION;**

14 **(2) BALTIMORE MTA LIGHT RAIL STATION; OR**

15 **(3) RED LINE STATION, REGARDLESS OF TRANSIT MODE.**

16 10-202.

17 To promote the health, safety, and general welfare of the community, the Mayor and
18 City Council of Baltimore City may regulate:

19 (1) the height, number of stories, and size of buildings and other structures;

20 (2) the percentage of a lot that may be occupied;

21 (3) off-street parking;

22 (4) the size of yards, courts, and other open spaces;

23 (5) population density; and

24 (6) the location and use of buildings, signs, structures, and land.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2024.