

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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 2024

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – ~~Off-Street~~ Motor Vehicle ~~Off-Street~~ Parking Requirements**
3 **Near Mass Transit Stations**

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

10 BY adding to
11 Article – Land Use
12 Section 10–104
13 Annotated Code of Maryland
14 (2012 Volume and 2023 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – Land Use
17 Section 10–202
18 Annotated Code of Maryland
19 (2012 Volume and 2023 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Land Use

2 10-104.

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

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

- 16 (1) MARC STATION;
- 17 (2) BALTIMORE MTA LIGHT RAIL STATION; ~~OR~~
- 18 (3) RED LINE STATION, REGARDLESS OF TRANSIT MODE; OR
- 19 (4) METRO STATION.

20 10-202.

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

- 23 (1) the height, number of stories, and size of buildings and other structures;
- 24 (2) the percentage of a lot that may be occupied;
- 25 (3) off-street parking;
- 26 (4) the size of yards, courts, and other open spaces;
- 27 (5) population density; and
- 28 (6) the location and use of buildings, signs, structures, and land.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.