

ORDINANCE NO. O-18-10

AN ORDINANCE TO AMEND CHAPTER 24 OF THE CITY CODE (CITY ZONING ORDINANCE), ARTICLE XI, ENTITLED, "OFF-STREET PARKING AND LOADING," § 24-219, ENTITLED, "PARKING REQUIREMENT SCHEDULE," TO MODIFY SUBSECTION § 24-219(B), ENTITLED "PARKING SCHEDULE;" AND § 24-222A, ENTITLED "PARKING WAIVERS" SO AS TO ESTABLISH CRITERIA FOR PARKING WAIVERS

Text Amendment T-398

BE IT ORDAINED, by the Mayor and City Council of the City of Gaithersburg, Maryland, in public meeting assembled, that Chapter 24 of the City Code (City Zoning Ordinance), Article XI, of the City Code be amended to read as follows:

ARTICLE XI. OFF STREET PARKING AND LOADING

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Sec. 24-219. Parking requirement schedule.

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(b) Parking schedule. Off-street parking space shall be provided as follows:

* * * * *

Residential	Parking Spaces Required
Single-family and two-family	2/DU (Dwelling Units)
Multiple-family apartments and apartment hotels.*	
Efficiency	1/DU
1 B.R.	1.75/DU <u>1.25/DU</u>
2 B.R.	2/DU <u>1.5/DU</u>
3. B.R. and larger	2.5/DU <u>2/DU</u>
	*Plus one spaces for each 400 square feet of assembly area required

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Sec. 24-222A. Parking waivers.

(1) The planning commission may waive any requirement of this article, in whole or in part, which is not necessary to accomplish the objectives of this article. The waiver may be granted, after a public meeting has been conducted, only upon a finding by the planning commission that such a waiver would not be detrimental to the public health, safety and

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<u>Underlining</u>	<i>Added to existing law by original bill.</i>
Single strikethrough	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by Amendment.</i>
Double boldface strikethrough	<i>Deleted from existing law or the bill by amendment.</i>
***	<i>Existing law unaffected by bill.</i>

general welfare. In conjunction with the granting of any waiver, the planning commission may attach such conditions or safeguards as it deems necessary to protect and enhance the public health, safety and welfare. In granting reductions in the total number of spaces required, the planning commission may consider the following criteria:

~~(2) Any parking waiver granted by the city planning commission from and after November 9, 1994, is hereby cured, ratified and reaffirmed. The effect of this ordinance is to apply retroactively to all such waivers.~~

- a. The units are located in the Central Business District (CBD) Zone; Corridor Development (CD) Zone; Mixed Use Development (MXD) Zone; or other overlay district or zone that facilitates a mix of uses and incorporates traditional neighborhood development (TND) standards as defined in 24-22.3 of this chapter;
- b. The development site is located within 1500 feet of an existing transit station or has direct access to modal linkages;
- c. The construction of either on-site or off-site parking for use by the general public;
- d. The development site is within an established Transportation Management District or established parking district;
- e. The applicant pays fee-in lieu;
- f. The applicant adequately demonstrates that additional parking can be provided should the City require it in the future;
- g. The development provides bicycle, motor scooter, electric personal assistive mobility device (EPAMD), car share program, and/or other non-traditional vehicle parking spaces and facilities in lieu of required automotive parking; and
- h. The unit mix or type of use has unique characteristics and the applicant can demonstrate that parking can be met by other means.

ADOPTED by the City Council of Gaithersburg, Maryland, this 2nd day of August, 2010.

SIDNEY A. KATZ, MAYOR and
President of the Council

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DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this 2nd day of August, 2010. APPROVED by the Mayor of the City of Gaithersburg, this 2nd day of August, 2010.

SIDNEY A. KATZ, MAYOR

THIS IS TO CERTIFY that the foregoing Ordinance was adopted by the City Council of Gaithersburg, in public meeting assembled, on the 2nd day of August, 2010, and the same was approved by the Mayor of the City of Gaithersburg on the 2nd day of August, 2010. This Ordinance will become effective on the 23rd day of August, 2010.

Angel L. Jones, City Manager

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