

Commissioners of Bel Air
Agenda
May 18, 2020

Ordinance No. 795-20
Development Regulation Amendment

RECOMMENDED MOTION: "...that Ordinance No. 795-20, proposed amendment to the Development Regulations, Chapter 165, be received by the Bel Air Board of Town Commissioners."

I. BACKGROUND

Recent experience with proposed improvement projects has resulted in the identification of a vague section in the Development Regulations. Section 165-51.F(1)i provides for a limit to drives in the front yard along collector roads. This regulation is designed to keep roads with high traffic volume and high speeds free of obstructions, limit the access from individual drives and prioritize parking in the rear and side yards. The text is worded so that it does not apply to properties along local roads and that it must adhere to all development (residential and commercial). Requirements for location of parking for commercial zones are addressed in the district regulations. Individual homeowners in area townhome communities have made inquiries to double the width of their driveways. For interior lots, this type of construction would effectively pave the entire front yard area and create an unsightly appearance with rows of vehicles and pavement instead of intermittent green area. End units would not pave the entire front yard but would still exceed 60% depending on the amount of side yard available.

II. PRIMARY ISSUES

To regulate the limits of paving in the front yard for residential properties, the following is a summary of a proposed text change:

- Revision to **Section 165-51 Parking & Loading** to delete the 25% restriction on drives within the front yard on a collector road for all properties in the General Requirements section. At the same time, add similar language to the section pertaining to Residential District Requirements. The language is clarified to make the regulation specific to impervious surface and divide it to 25% impervious surface for collector roads and 50% impervious surface for local roads. Staff has added a provision under Section 165-51.F(1)h to allow for parking on pervious paving if approved through the Site Plan process.

DISCUSSION

The complete text changes are included with the attached Ordinance. Typically, the Town suspends changes to the code when the master plan update is near, however, this change is required to address possible resident applications that could be detrimental to the neighborhood.

III. RECOMMENDATION

The Planning Commission and staff recommend the Board of Town Commissioners receive Ordinance No. 795-20 amendments to Development Regulations. A public hearing has been scheduled for 7:30 pm, June 1, 2020 at Town Hall or through teleconference via Town website.

Ordinance No. 795-20

An Ordinance to Amend Development Regulations
Chapter 465, Article VII
Performance and Standards, Parking and Loading

WHEREAS, The Local Government Article of the Annotated Code of Maryland authorizes the Bel Air Board of Town Commissioners to pass ordinances to assure the protection of the health, safety and welfare of its citizens, and

WHEREAS, Section 401, Provision 44 of the Charter for the Town of Bel Air states that the Board of Town Commissioners shall have the power to adopt by ordinance and enforce within the corporate limits parking, land use and other similar regulations; and

WHEREAS, the Town of Bel Air desires to amend the language in Section 165-51 Parking & Loading to clarify the regulation more specific to impervious surface and divide the limitation between local and collector roads; and

NOW, THEREFORE, BE IT AMENDED AND ORDAINED by the Bel Air Board of Town Commissioners that Chapter 165, Article VII, Section 51, Parking and Loading of the Town Code be amended to reflect the following:

Article VII

§ 165-51 Parking and loading. ...

- F. Parking lot/driveway design, construction and maintenance.
 - (1) General Requirements.
 - (h) Parking of vehicles in areas other than a driveway, garage, parking pad, parking lot or other Town-approved parking area shall be prohibited. Further, the parking of vehicles or trailers on any grass or pervious area in any yard area shall be prohibited **unless part of an approved site plan.**
 - ~~(i) No more than 25% of the front yard area on the collector road shall be used for drives. Rear and side yard parking is encouraged.~~
 - ~~(j)~~ **i** Parking and vehicular access shall be clearly identified. A plan indicating proposed traffic-calming devices, such as speed limits, parking area signage and speed humps, shall be included on the site plan to be submitted for review and approval.
 - ~~(k)~~ **j** Vehicular access shall be from the side streets, where possible, provided

that traffic is not directed through an abutting residential district. Traffic mitigation measures designed to minimize or eliminate negative impacts

- (2) Residential district requirements.
 - (a) In a residential district, driveways shall not exceed 20 feet in width, except in the R-O District, where driveways shall not exceed 24 feet in width.
 - (b) The remaining required front yard area must be maintained in grass, ground cover or other landscape material.
 - (c) **No more than 25% of the front yard area on a collector road shall be impervious surface and no more than 50% of the front yard area on local roads shall be impervious surface.**

- (3) Nonresidential district requirements.
 - (a) A parking management plan shall be submitted for all parking areas designed to accommodate 25 vehicles or more. This plan shall specify the proposed layout, circulation, signage, drainage, access, traffic arrows (if applicable).

BE IT FURTHER AMENDED AND ORDAINED that this Ordinance 795-20 shall take effect _____, 2020.

INTRODUCTION:
PUBLIC HEARING:
ENACTMENT:
EFFECTIVE:

AYES:
NAYS:
ABSENT:

Amy G. Chmielewski, Chair
Board of Town Commissioners

Michael L. Krantz, Town Clerk