

Bel Air Board of Town Commissioners
October 4, 2021

Receipt of code text amendment Ordinance #806-21

RECOMMENDED MOTION: "...that Ordinance #806-21 to amend Sections 165-51, 165-53 & 165-59 of the Town Development Regulations be received by the Bel Air Board of Town Commissioners."

I. BACKGROUND

The Town of Bel Air allows for changes to the text of the code through a process that is governed by Section 4-2 of the State Land Use Article and by Article XIII in the Town code. 212 Archer Street LLC has submitted a request to revise portions of Section 165-51, (Satellite Parking), Section 165-53 (Outdoor Dining and Bar Service) and Section 165-59 (Minimum Planting Requirements) of Chapter 165 in the Town code.

II. PRIMARY ISSUES

The Bel Air Planning Commission reviewed the proposed amendments on September 9, 2021 and has provided the following recommendations:

- Establish a definition for Satellite Parking Lot in Section 165-104 (Terms Defined) that provides for a specific use related to parcels solely used for off-site parking as enforced by easement or agreement.
- Denial of the proposed exemption for Satellite Parking from the minimum standards for physical improvements such as paving, striping, landscape, and safe pedestrian access.
- Include minor changes to minimum planting requirements by establishing 'Non-Residential' parking in the appropriate categories.
- Denial of the proposed changes to outdoor dining and bar service to remove the exterior area limit currently set at 75% of the interior fire rated capacity for properties located only in the M1 (Industrial) district.
- Addition of a principal permitted use category for 'Parking Lot, Satellite' to the B2/B2A, B3/B3A & M1 zoning districts.

A memorandum outlining staff research along with salient points from the Planning Commission public meeting is attached along with supporting information.

III. DISCUSSION/EXPLANATION

The Board is tasked to review the ordinance which include the planning commission recommendations. Based on this information and comment received at the Public Hearing, render a decision to approve the recommended changes, amend the recommendation or deny the petition in its entirety. The attached memo includes minutes from the Planning Commission public meeting. A public hearing is tentatively scheduled for November 1, 2021 at 7:30pm at Town Hall, 39 N. Hickory.

IV. RECOMMENDATION

Staff recommends receipt of Ordinance #806-21

Ordinance No. 806-21

An Ordinance to Amend the Code of the
Town of Bel Air, Chapter 165 thereof entitled Zoning

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

WHEREAS, 212 Archer Street LLC submitted a petition to amend the Town code to facilitate the development of satellite parking and expand outdoor dining and bar service; and

WHEREAS, this petition was referred to the Bel Air Planning Commission by the Town Board for research and recommendation; and

WHEREAS, the recommendation from the Planning Commission was received by the Town Board and a public hearing was held on November 1, 2021 to solicit input from Town citizens; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Town Commissioners that Chapter 165 of the Town Code is amended to reflect the following:

Section 1. Article XIV, Section 165-104, Terms defined, shall be amended to provide the Planning Commission with guidance on regulating the type of use for an off-site parking lot where no principal use exists.

§ 165-104 Terms Defined ...

Parking Lot, Satellite – An off-street parking lot solely utilized by an adjacent use via a recorded easement or agreement for required spaces approved under Section 165-51.C(1)

Parking Lot, Commercial – An off-street parking structure or surface lot used for the daily or long-term storage of motor vehicles, with ~~or without~~ payment of a fee.

Section 1. Article VIII, Section 165-59, Table 165-59.1, Minimum planting

requirements, shall be amended to provide clarity regarding the buffer requirements for parking.

<i>Use</i>	<i>Use</i>	<i>Buffer Width</i>	<i>Buffer type</i>
<i>Commercial Non-Residential Parking</i>	<i>Residential</i>	<i>10</i>	<i>1 pu/10 LF</i>
<i>Commercial Non-Residential Parking</i>	<i>Right-of-way</i>	<i>3</i>	<i>1 pu/25 LF</i>
<i>Residential Parking</i>	<i>Right-of-way</i>	<i>5</i>	<i>1 pu/25 LF</i>
<i>Non-Residential Parking/industrial/commercial</i>	<i>Commercial</i>	<i>3</i>	<i>No buffer</i>

Section 1. Article VII, Section 165 Attachment 1, Permitted use tables, Table 3-7, shall be amended to provide a use category for Satellite Parking Lot and amend the existing Commercial Parking to define it as a lot.

<i>Use</i>	<i>R1</i>	<i>R2</i>	<i>R3</i>	<i>R0</i>	<i>B1</i>	<i>B2/B2A</i>	<i>B3/B3A</i>	<i>M1</i>
<i>Parking Lot, Satellite</i>						<i>P</i>	<i>P</i>	<i>P</i>
<i>Parking Lot, (commercial) Commercial</i>						<i>SD</i>	<i>SD</i>	<i>SD</i>

Section 2. Effective date. This Ordinance shall become effective on the ____ day of _____, 2021.

INTRODUCTION:

PUBLIC HEARING:

ENACTMENT:

EFFECTIVE:

AYES:

NAYES:

ABSENT:

 Amy Chmielewski, Chair
 Board of Town Commissioners

 Michael L. Krantz, Town Clerk