

**TOWN COUNCIL OF CENTREVILLE  
ORDINANCE NO 10-2016**

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**AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE AMENDING THE  
TOWN OF CENTREVILLE ZONING ORDINANCE, WHICH IS CHAPTER 170 OF  
THE TOWN CODE, TO MODIFY THE PARKING STANDARDS TO ALLOW FOR  
DEVIATIONS FROM THE PRESCRIBED STANDARDS**

**WHEREAS**, the Town Council has the authority under Section 5-213 of the Local Government Article of the Annotated Code of Maryland, to adopt zoning regulations;

**WHEREAS**, Section 4-201 *et seq.* of Land Use Article of the Annotated Code of Maryland enables the Town Council to divide the Town into districts and zones;

**WHEREAS**, the Town Council wishes to allow for deviations from the parking standards and flexibility in administration of the parking standards by the Planning Commission in certain situations;

**WHEREAS**, Section 170-62 of the Code of the Town of Centreville provides for amendments to the regulations, restrictions and boundaries set forth in Chapter 170 of the Code.

**WHEREAS**, the Town Council received a favorable recommendation on the zoning amendment from the Centreville Planning and Zoning Commission; and

**WHEREAS**, the Town Council held a public hearing on the zoning amendment on August 4, 2016.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of Centreville:

1. Article IX, Chapter 170 of the Centreville Town Code, Section 170-32.B Variations from parking standards is hereby amended as follows:

B. Variations from parking standards.

- (1) Determination of parking standard by Planning and Zoning Commission. *The Town recognizes that the Minimum Parking Requirements in Subsection A above do not cover every possible development scenario that may arise. Therefore, reasonable off-street parking requirements for uses that do not fall within the categories listed above may be approved by the Planning and Zoning Commission using the Minimum Parking Requirements in Subsection A as an expectation and considering additional information submitted by the applicant. An applicant for site plan approval for a use not listed above shall submit a parking needs study that provides:*
  - (a) An estimate of the parking needs for the use.

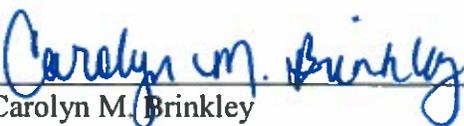
- (b) An explanation of the basis of the estimated parking needs.
  - (c) Any data used, including parking generation studies or experience with similar uses.
- (2) ***Deviations From Parking Standards. The Town recognizes that, due to the peculiarities of any given development, the inflexible application of the parking standards may result in a development either with inadequate parking space or parking space far in excess of its needs. The former situation may lead to traffic congestion or parking violations in adjacent streets, as well as unauthorized parking in nearby private lots. The latter situation wastes money, as well as space that could more desirably be used for valuable development or environmentally useful open space. Therefore, the Town (through the Planning and Zoning Commission) may permit deviations of up to 50% from the presumptive requirements of subsections A above and may require more or allow less parking as may be deemed appropriate during the process of site plan review. In determining whether or not it is appropriate to allow such deviations, the applicant shall have the burden of supplying evidence that such a change is warranted. This evidence shall include the applicant's experience with the same use in other jurisdictions, alternate standards (and an assessment of their adequacy) for the same use in other communities, or a suggested standard by a Nationally recognized authority in parking (e.g. The Institute of Transportation Engineers, the American Planning Association, etc.), and an explanation of the circumstances that necessitate a variation from the Minimum Parking Requirements.***
- (3) Shared parking. For structures or sites containing multiple primary uses, except neighborhood shopping centers, as defined in this chapter, the sum of the minimum parking for each use shall be required, ***except as the Planning and Zoning Commission may allow deviations in accordance with subsection (2) above.*** However, the Planning and Zoning Commission may approve a reduction in the required parking area if the applicant demonstrates that the periods of peak parking demand associated with each activity inherently occur at different times. Examples of uses with different times for peak demand include offices (day use) and hotels (evening use) of offices (weekday use) and churches (weekend use).
- (4) Parking in the CBD District. In the CBD District, when an existing (as of the effective date of this chapter) conforming use of land or structures is replaced by a similar conforming use within a two-year period, off-street parking regulations are waived. Any construction, rebuilding, expansion, or demolition and rebuilding of existing structures that results in increased square footage must meet the requirements for parking described in this section (Article IV, § 170-32), ***except as the Planning and Zoning Commission may allow deviations in accordance with subsection (2) above,*** only for the increased square footage, not for the existing square footage.

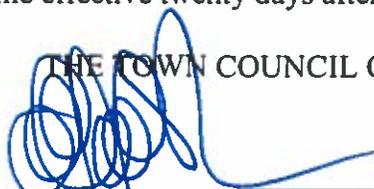
- (5) *In situations where the total parking area is not needed in the immediate future, but may be needed in the longer term, the Planning and Zoning Commission may require that all of the area be provided and reserved for parking, but may suspend or waive the requirement that it actually be paved, until such time as the Planning and Zoning Commission determines that it is necessary. The suspension or waiving of certain requirements, the trigger for their implementation, and the net change in parking requirements shall be expressed and documented in such a way as to be enforceable through the Zoning Code or through such other means that provides a mechanism for enforcement.*

(Language to be deleted from the existing Ordinance is indicated in ~~strikethrough~~ format and language to be added is indicated by ***bold italics*** text)

2. This Ordinance shall become effective twenty days after its enactment.

ATTEST:

  
Carolyn M. Brinkley  
Town Clerk

THE TOWN COUNCIL OF CENTREVILLE  
  
George G. Sigler, President

First Reading: July 7, 2016  
Second Reading: August 4, 2016  
Enacted: August 4, 2016  
Effective: August 25, 2016  
(21st calendar day after enactment)

Opposed  
Timothy E. McCluskey, Vice President  
  
Jim A. Beauchamp, Member