

CODE OF BALTIMORE REGULATIONS ANNOTATED

Regulations Effective as of January 15, 2021

Title 06 DEPARTMENT OF GENERAL SERVICES

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SUBTITLE 01 CURB CUT POLICY

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Administrative History

Effective Date: September 3, 2014

Baltimore City Curb Cut Policy

Preface

These Rules and Regulations are established under the provisions of Article 26, Subtitles 15 and 20 of the Baltimore City Code, which govern Surveys, Streets and Highways and Permits for Builders' Use of Streets. These Rules and Regulations specifically relate to the issuance of curb cut permits. During construction, applicants and their contractors must follow the applicable rules, regulations and technical requirements set forth in the City's street cut policy.

These Rules and Regulations shall take effect upon adoption by the Department of General Services, and anything heretofore adopted as Rules and Regulations that may be in conflict with the provisions contained herein shall be considered amended or superseded on and after the effective date of these rules and regulations.

Adopted and Approved:



STEVE SHARKEY
DIRECTOR OF GENERAL SERVICES

Date: 9/3/2014

Baltimore City Curb Cut Policy

Purpose

The primary purpose of the curb cut policy is to provide for better stewardship of a valuable public resource – our street edges. The availability and maintenance of our street edges are often in demand by competing interests, both for public and private parking use. Generally, availability of on-street parking takes priority over the privatization of an equivalent curb length, unless certain conditions can be demonstrated. In order to achieve this goal of better stewardship, the City will weigh each request for a curb cut against several factors, which include:

- Existing demand for on-street parking in the neighborhood;
- Whether the request will create a net gain in parking;
- Impact to traffic patterns in the area;
- Technical feasibility;
- Impact on overall pedestrian accessibility with additional consideration for individuals with disabilities; and
- Quality urban design and aesthetic impacts of the proposed work.

Policy

No person shall construct, widen, remove, or alter any driveway or curb cut without a permit issued by the Department of General Services (DGS). Permits will only be issued when they are found to comply with this curb cut policy. The City reserves the right to deny a curb cut permit for any reason. Individuals that fail to acquire the appropriate permit before constructing, widening, removing or altering any curb cut will be required to repair the changes back to the original condition immediately.

Each application is considered on its own merits, in its own context. Precedents or prior approvals in similar past cases will have no bearing on approval of an application. The mere existence of curb cuts or abandoned curb cuts does not guarantee approval. Please note that this policy was created and revised in response to agency and community reaction to many of the existing curb cuts and nonstandard street conditions. Curb cuts will be considered only under the following conditions:

1. A net gain in the amount of private parking is created that will outweigh the impacts of the amount of public parking lost in the creation of the curb cut.
2. Any associated work required in the public right-of-way in order to establish a curb cut will be borne entirely by the applicant.
3. The curb cut meets all technical requirements and concerns.
4. The curb cut will lead to a parking space or area that is completely contained within the property.
5. For residential properties:
 - a. Curb cuts will normally only be entertained for those properties that do not have access from the rear of the lot. If alley access is available, the alley will be used unless site characteristics allow for the provision of parking without impact to on-street parking. Please note that widening of the alley and/or

- locating the parking space further into the property may be required for approval.
- b. Curb cuts will not be considered that are purely for the convenience or preference of the applicant.
 - c. Unless site characteristics allow for the provision of parking without impact to on-street parking, curb cuts proposed on the front lot line will only be permitted:
 - For detached single family homes, for a driveway leading to a garage or to a parking pad on the side of the houses.
 - On streets where no public parking is permitted;
 - Where no other viable alternative is available; and
 - Where all other technical requirements and concerns can be met.
6. For unique proposals that can provide a net gain in parking, that otherwise meet the spirit and intent of this policy, and functional requirements.

Technical Concerns:

- The proposed parking space must function, and must be designed with safety in mind – for drivers, pedestrians, bicyclists, and other alternate modes of transportation.
- The proposed parking space must meet the dimensional requirements for parking spaces per the Baltimore City Zoning Code (BCZC), *cf.* §§10-305 and 10-306;
- Compliance with Department of Transportation (DOT) Book of Standards (*cf.* Standard No. BC 500.01 *Typical Driveway*), and other requirements;
- Compliance with ADA requirements for public sidewalks and rights-of-way affected by the proposed curb cut;
- Adequate sight distance for vehicles must be provided, both for vehicles on the street and in the proposed parking space, as determined by the Department of Transportation;
- All driveway entrances located on a public right-of-way must be constructed in accordance with the rules and regulations of the Department of Transportation and the permit requirements of the Department of General Services (*cf.* City Code, Part II, Ch. 31 §3112.2 *Driveway entrances*, et eq.); and
- The number of existing curb cuts within the same block is kept to a reasonable limit, so as not to unnecessarily interrupt the reasonable use of the sidewalk by pedestrians.

Procedures

Initial Applications: Please submit an “Install a Driveway/Curb Cut” application through the DGS, either in-person, or online. The permit will be routed to other agencies for consideration, and will include commentary from the DOT, Department of Planning, and the Department of Housing and Community Development (DHCD).

Appeals: Should the application be denied, it can be appealed to the Site Plan Review Committee (SPRC) – contact Eric Tiso in the Department of Planning at eric.tiso@baltimorecity.gov or 410-396-8358. Please refer to the SPRC Guidelines for

submittal requirements. Please include all relevant information about your request to assist the committee in forming a more complete picture of the context. Helpful information includes: the intended purpose for the parking area, photos of the site in its present condition, detailed site plans, and massing diagrams and elevations. If the appeal is rejected by the SPRC, final appeals may be made to the Director of DGS.

Permits Required: Please note that a permit is required for the curb cut, and separate building permits will be required for any work to be done on the property. Both permits are necessary for the installation of the curb cut and associated work. For DGS permits, please inquire at DGS, Abel Wolman Municipal Building, 200 Holliday Street. For building permits, please inquire at the One-Stop Shop located in the Charles Benton Building, 417 East Fayette Street, in Room 100, or call 410-396-3360 with questions.