

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1229 concerning Amending Chapter 122 Parking as it relates to Accessory Dwelling Units (ADUs)**
(Public Hearing)

Date: **9/9/2026**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

Purpose:

- ☐ FYI
- ☒ **Read and Comment as Needed**
- ☒ **Action Required by September 21, 2026**
- ☐ In Confidential File Drawer

Approve:

Johnny Boker ☐ Yes ☐ No ☐ No Comment

Comment: _____

Casi Boyer ☐ Yes ☐ No ☐ No Comment

Comment: _____

Lizz Clarke ☐ Yes ☐ No ☐ No Comment

Comment: _____

Matthew Ellis ☐ Yes ☐ No ☐ No Comment

Comment: _____

David Glenn ☐ Yes ☐ No ☐ No Comment

Comment: _____

Vicki Jones ☐ Yes ☐ No ☐ No Comment

Comment: _____

Note: Legislative summary attached.



CITY OF HAVRE DE GRACE

OFFICE OF THE MAYOR

William T. Martin

MEMORANDUM

TO: The Honorable Council President Casi Boyer and
The Honorable Members of the City Council

FROM: Adam Rybczynski, Senior Aide to the Mayor

DATE: September 4, 2026

SUBJECT: Introduction of Ordinance - Chapter 122 (Parking) for Accessory Dwelling Units (ADUs)

1. Administrative and Legal Review

At the direction of Mayor Martin, the City Attorney and the Director of Planning Geoff Goins, have drafted the attached ordinance.

2. Executive Summary

On behalf of Mayor Martin, the administration requests the introduction and passage of the attached ordinance amending City Code Chapter 122 (Parking) as it relates to Accessory Dwelling Units (ADUs).

This proposed ordinance aligns Havre de Grace's municipal parking code with recent updates to the Annotated Code of Maryland (Maryland Code, Land Use Article § 4-504) and harmonizes Chapter 122 with City Code § 205-9H. The legislation establishes off-street parking rules for ADUs, ensures tandem parking configurations are allowed, and creates statutory protections against arbitrary off-street parking mandates. Notably, the legislation dictates that ADUs within 0.75 miles of a mass-transit facility cannot be subject to any new off-street parking requirements, while those outside this radius may be subject to a maximum of one off-street space.

3. Existing City Code or Legislation

- **Code Citation:** City Code Chapter 122 (Parking), specifically §§ 122-2, 122-5(D)(3), and 122-6 (including Table I)
- **Current Process:** Under the existing Chapter 122 framework, general residential parking ratios apply across all residential units per "family unit" or dwelling unit. Existing regulations do not explicitly account for ADUs, leading to potential misinterpretation where an ADU might be treated as a standard full family unit—triggering strict off-street parking rules and prohibiting blocked or tandem parking arrangements.

4. Proposed Changes to the City Code

Specific Amendments & Citations

- **Proposed Code § 122-2 (Exclusions and ADU Controlling Provision):** Clarifies that general chapter exclusions do not alter ADU parking rules, and explicitly states that ADU parking is governed by § 205-9H and § 122-6(C) over any conflicting provisions in Chapter 122.
- **Proposed Code § 122-5(D)(3) (Tandem Parking):** Repeals and replaces the existing tandem parking prohibition to explicitly permit parking spaces serving a single-family dwelling and an ADU on the same lot to block one another (tandem parking).
- **Proposed Code § 122-6(C) (Accessory Dwelling Unit Parking):** Establishes comprehensive, exclusive standards for ADUs:
 - o **§ 122-6(C)(2):** Excludes ADUs from being counted as an additional "family unit" under standard residential parking ratios.
 - o **§ 122-6(C)(3):** Prohibits mandatory off-street parking requirements for ADUs located within a 0.75-mile radius of a mass-transit facility.
 - o **§ 122-6(C)(4)–(5):** Caps the parking requirement at a maximum of one space for ADUs outside the 0.75-mile transit radius, allowing that space to be placed in existing driveways or arranged in tandem without requiring independent street access.
 - o **§ 122-6(C)(6):** Prevents the City from mandating that every occupant vehicle be parked off-street.
 - o **§ 122-6(C)(7)–(8):** Restricts the City from imposing additional parking constraints unless a formal parking study is completed, an ordinance is passed, and an objective waiver process based on measurable criteria (excluding subjective grounds like neighborhood aesthetics) is established.
- **Table I Conforming Note:** Adds an explicit footnote to Table I in § 122-6 clarifying that ADUs are governed by § 122-6(C) and § 205-9H rather than general per-family-unit ratios.

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1229

Introduced by _____ Council Member Jones _____

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF
HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE
AUTHORITY OF ARTICLE XI-E OF THE MARYLAND
CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE
ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34
OF THE HAVRE DE GRACE CITY CHARTER TO AMEND
CHAPTER 122 PARKING AS IT RELATES TO ACCESSORY
DWELLING UNITS (ADUs)**

On: September 8, 2026
at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for September 21, 2026 at 7:00 p.m.

EXPLANATION

Underlining indicates matter
added to existing law.

[Bold Brackets] indicate matter
deleted from existing law.

Amendments proposed prior to
final adoption will be noted on a
separate page with line
references or by handwritten
changes on the draft legislation.

WHEREAS, Maryland Code, Land Use Article § 4-504(d)(4) limits off-street parking requirements for accessory dwelling units based on proximity to a mass-transit facility; and

WHEREAS, Maryland Code, Land Use Article § 4-504(e) requires a parking study and waiver process before adoption of additional off-street parking requirements; and

WHEREAS, conforming amendments to Chapter 122 are necessary to coordinate its generally applicable parking requirements with City Code § 205-9H;

NOW, THEREFORE, it is determined, decided, and ordained by the City Council of Havre de Grace that Chapter 122 of the City Code is amended as follows:

1. AMENDMENT TO § 122-2—EXCLUSIONS AND ADU CONTROLLING PROVISION

City Code § 122-2 is amended by adding the following:

The exclusion stated in this section does not enlarge or restrict an accessory dwelling unit parking requirement. Parking for an accessory dwelling unit is governed by § 205-9H and § 122-6(C), notwithstanding any inconsistent provision of this chapter.

2. AMENDMENT TO § 122-5(D)(3)—TANDEM PARKING

City Code § 122-5(D)(3) is repealed and replaced with the following:

(3) Parking spaces serving a single-family dwelling and an accessory dwelling unit on the same lot, parcel, or tract may be blocked by another parking space serving the same property with an accessory dwelling unit. All other required parking spaces shall not be blocked by another parking space.

3. AMENDMENT TO § 122-6—ACCESSORY DWELLING UNIT PARKING

City Code § 122-6 is amended by adding a new Subsection C as follows:

C. Accessory dwelling units.

(1) Definitions used in this subsection have the meanings stated in City Code § 205-13.

(2) An accessory dwelling unit shall not be counted as an additional “family unit” or dwelling unit when applying the generally applicable residential parking ratios in Subsections A and B or Table I. The parking requirement for an accessory dwelling unit is governed exclusively by this subsection and § 205-9H.

(3) No new off-street parking space shall be required as a condition of developing an accessory dwelling unit located within a 0.75-mile radius of a mass-transit facility.

(4) For an accessory dwelling unit located outside a 0.75-mile radius of a mass-transit facility, not more than one additional off-street parking space may be required.

- (5) A parking space required under Paragraph (4):
 (a) Shall satisfy the dimensional and surface requirements of § 122-5;
 (b) May be located within an existing lawful driveway;
 (c) May be arranged in tandem with a parking space serving the primary dwelling; and
 (d) Shall not be required to be independently accessible from a street or alley.
- (6) The City shall not require that every vehicle used by an occupant of an accessory dwelling unit be parked off street.
- (7) No additional off-street parking requirement for an accessory dwelling unit may be imposed unless the Mayor and City Council:
 (a) Complete the parking study required by Maryland Code, Land Use Article § 4-504(e), including consideration of construction cost, available curb area, impervious-surface and stormwater impacts, and lot-size variability;
 (b) Adopt the additional requirement by ordinance; and
 (c) Establish an objective waiver process.
- (8) Any future waiver process shall identify measurable eligibility criteria, required application materials, the deciding official, a written-decision requirement, and an appeal procedure. A waiver decision may not be based on neighborhood compatibility, aesthetics, generalized adverse impacts, or another subjective criterion.

4. TABLE I CONFORMING NOTE

The residential parking entries in Table I to § 122-6 are amended by adding the following note:

Accessory dwelling unit: See § 122-6(C) and City Code § 205-9H. An accessory dwelling unit is not subject to the general per-family-unit ratio in this table.

5. COORDINATION WITH CHAPTER 205

This Ordinance shall be interpreted consistently with City Code §§ 205-9H and 205-13 and shall take effect concurrently with the City's Chapter 205 accessory dwelling unit ordinance.

6. SEVERABILITY; CODIFICATION; EFFECTIVE DATE

- A. If any provision or application of this Ordinance is held invalid, the remaining provisions and applications are severable.
- B. The Director of Administration and Code publisher may correct numbering, capitalization, punctuation, cross-references, and nonsubstantive formatting necessary for codification.
- C. This Ordinance shall take effect as provided by the City Charter and applicable law.

ADOPTED by the City Council of Havre de Grace, Maryland this ___ day of ____, 2026.

SIGNED by the Mayor and attested by the Director of Administration this ____ day of _____, 2026.

ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

Christopher Ricci
Director of Administration

William T. Martin
Mayor

Introduced/First Reading: 9/8/2026
Public Hearing:
Second Reading/Adopted:
Effective Date: