

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
H.P. 281 - L.D. 427

An Act to Regulate Municipal Parking Space Minimums

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §4364-D is enacted to read:

§4364-D. Minimum parking space requirements; limitations

1. Definition. For purposes of this section, "parking agreement" means a legally binding agreement between a property developer and the owner of an off-site parking facility to provide required parking spaces within 0.25 miles of a development site.

2. Limitation of minimum parking space requirements in growth areas. A municipality may not require more than one off-street parking space per dwelling unit for a residential development within a designated growth area of a municipality, but a municipality may impose maximum parking space requirements or require parking demand management strategies that do not require more than one off-street parking space per dwelling unit.

3. Legalization of off-site parking agreements. A municipality must allow a developer to satisfy municipal parking requirements through off-site parking agreements with existing parking facilities located within 0.25 miles of a development site. A developer engaged in an off-site parking agreement shall provide to the municipality documentation demonstrating the availability of sufficient capacity at the off-site parking facility, as determined by a professional parking study or similar evidence acceptable to the municipality. A municipality may not impose additional barriers to the approval of such parking agreements beyond verifying the adequacy of parking supply.

4. Rulemaking. The Maine Office of Community Affairs may adopt rules to administer and enforce this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.