



May 1, 2023

Chief Clerk  
Baltimore City Board of Estimates  
100 Holliday Street, Room 204  
Baltimore, MD 21202

## **Statement of Conditional Opposition: SB-23-11546 Curbside Commercial Dining Schedule**

Bikemore is writing in conditional opposition to SB-23-11546 Curbside Commercial Dining Schedule.

Baltimore City charges a fixed \$1,100 Use of Right-of-Way Fee for valet parking services on public streets, regardless of valet zone size or operational hours. The proposed fee schedule for curbside dining ranges from \$5.00 to \$10.00 per square foot, depending on the composite equity score of the area in which the curbside commercial use is located.

The Baltimore Complete Streets Ordinance requires prioritization of pedestrian uses above automobile uses, and also requires promoting economic development to the greatest extent possible. Curbside dining is a pedestrian use, and research shows curbside dining is a more productive economic use than parking. Curbside dining in Toronto drove \$181 million of spending into the local business economy, more than 49 times the revenue of that space if allocated back to parking. In Manhattan and Brooklyn, eateries on streets without parklets faced a 29% drop in sales in 2021 vs. pre-pandemic figures, while eateries on open streets and streets with parklets saw a 19% increase in revenue.

The law is clear that we must prioritize this use over parking. So let's compare the proposed fee structure to the existing valet parking fee:

Example Restaurant	Valet Zone Size	Valet Price	Equity Rate	Curbside Price
Tagliatta	880 sq/ft	\$1,100	\$10.00 sq/ft	\$8,800
Guilford Hall	360 sq/ft	\$1,100	\$7.50 sq/ft	\$2,700
Equity Priority	240 sq/ft	\$1,100	\$5.00 sq/ft	\$1,200

As you can see from the above table, all curbside commercial dining fees would exceed the fixed valet price for use of the same space, even in the highest equity priority area (there are no current valet permits in equity zones, so the example there is a hypothetical using the smallest feasible valet zone).

As proposed, this fee structure violates the Baltimore City Complete Streets Ordinance. Bikemore first highlighted this disparity in the public comment period, and in email correspondence with BCDOT Leadership on January 12, 2023. We followed up with

BCDOT further in January, February, March, and April with no reply to our concern on the legality of this fee structure compared to the fixed fee for valet parking.

It is our position that Baltimore City must adopt a fee structure for valet parking and other automobile oriented curbside uses that exceeds this fee structure, or the city must adopt a fee structure for curbside commercial dining that is lower in cost than the fixed valet permit fee.

We are fully supportive of curbside commercial dining and want it to succeed in Baltimore City, but we believe that success will only come with compliance under Baltimore City law. If this schedule is approved today, we ask that it come with a commitment to adjust valet fees to bring the city into legal compliance with ordinance within the next 60 days.

**Sincerely,**



**Jed Weeks**

**Interim Executive Director**

