

**SUBJECT:** Proposed text amendment for §1425-19. Off-Street Parking and Loading Regulations.

**PURPOSE:**

To obtain approval from the City Planning Commission (CPC) on a text amendment to §1425-19. Off-Street Parking and Loading Requirements as it pertains to the 2000 square foot exemption from the parking requirements.

**PROPOSED TEXT AMENDMENT:**

**§ 1425-03. Requirements for Off-Street Parking and Loading.**

~~New~~ ~~o~~ Off-street parking and loading spaces must be provided for uses that are established, enlarged, extended or moved onto ~~a new~~ any lot after the effective date of these zoning regulations, or of a subsequent rezoning or other amendment establishing or increasing parking or loading requirements for the uses. When an expanded use results in an increase of more than ten percent in the number of currently required parking spaces, additional parking must be provided for the additional space based on the standards of this chapter.

**§ 1425-19. Off-Street Parking and Loading Requirements.**

Off-street parking and loading requirements must be provided in accordance with Schedules 1425-19-A and 1425-19-B. Unless a use is specifically noted under the appropriate use classification heading, the parking and loading requirements apply uniformly to all uses within a use classification. Off-street parking and loading requirements for uses in the DD Districts are subject to the provisions of Chapter 1411, Downtown Development Districts.

Off-street parking and loading facilities must be made permanently available to the use served. Where the use is undetermined or the parking requirement is not established in Schedule 1425-19-A, the Director of Buildings and Inspections must determine the probable use and number of spaces required.

Commercial uses located in Commercial, Office, and Manufacturing zoning districts are entitled to an exemption from the parking requirements as follows:

- (a) Commercial Uses in the CN-P and CC-P Zoning Districts. The first 2000 square feet of gross floor area of existing and new commercial uses is exempted from the off-street parking requirements.
- (b) Commercial Uses in the CN-M, CC-M, OL, OG, IR, RF-C and ML Zoning Districts. The first 2000 square feet of gross floor area of existing commercial

uses is exempted from the off-street parking requirements. New commercial uses are not exempted from the parking requirements.

**(c) Commercial Uses in the CC-A, CG-A, MG, and RF-M Zoning Districts.**  
Commercial uses are not exempted from the parking requirements.

**Schedule 1425-19-A: Off-Street Parking and Loading Requirements**

<b>Commercial Uses</b>		
<u>First 2000 square feet of Gross Floor Area of existing and new commercial uses in the CN-P and CC-P districts</u>	<u>Exempt – No spaces required</u>	
<u>First 2000 square feet of Gross Floor Area of existing commercial uses in the CN-M, CC-M, OL, OG, IR, RF-C and ML districts.</u>	<u>Exempt – No spaces required</u>	
<u>New commercial uses in the CC-M, CC-A, CG-A, OL, OG, IR, RF-C, ML, MG and RF-M districts</u>	<u>As required below</u>	
<u>Existing commercial uses in the CC-A and CG-A districts</u>	<u>As required below</u>	
<u>Under 2,000 square feet of floor area</u>	<u>No spaces required</u>	
<u>2,000 square feet of floor area or more</u>	<u>As required below</u>	
Ambulance services	1 for every 250 sq. ft.	
Animal services	1 for every 400 sq. ft.	
Banks and financial institutions	1 for every 200 sq. ft. of first floor area, plus 1 for every 250 sq. ft. of other floor area	2
Bed and breakfast inns	1 for every facility plus 1 for every guest room	
Building materials and services	1 for every 400 sq. ft.	4
Building maintenance services	1 for every 400 sq. ft.	
Business services	1 for every 250 sq. ft.	
Commercial meeting facility	1 for every 50 sq. ft.	3
Eating and drinking establishments		
Drinking establishments	1 for every 150 sq. ft.	
Restaurants, full service	1 for every 150 sq. ft.	
Restaurants, limited service	1 for every 150 sq. ft.	
Outdoor areas of eating and drinking establishments	1 for every 300 sq. ft. (*Revised 5/19/06 Ordinance #0096-2006)	
Food markets	1 for every 150 sq. ft. where it exceeds 2,000 sq. ft.	1
Food preparation	1 for every 750 sq. ft.	
Funeral and interment services	1 for every 50 sq. ft. used for assembly	
Garden supply stores and nurseries	1 for every 400 sq. ft.	
Hotels and commercial lodging	1 for every guest room	3
Loft dwelling units	1 for every unit	
Laboratories, commercial	1 for every 250 sq. ft.	
Maintenance and repair services	1 for every 400 sq. ft.	
Medical services and clinics	1 for every 150 sq. ft.	

**JUSTIFICATION:**

On April 4, 2005 the Planning Commission made recommendations to City Council on text changes to the Zoning Code regarding the 2000 square foot parking exemption for commercial uses. The Planning Commission recommended that buildings with a floor

area of less than 2000 square feet be exempted from the parking requirements and that buildings with more than 2000 square feet of floor area receive no exemption. On December 12, 2005 City Council indefinitely postponed all text amendments dealing with this issue. The City Council directed staff to draft new text amendments that would clearly state that the 2000 square foot exemption from the parking requirements is for the first 2000 square feet of all commercial uses as stated in the original motion passed by City Council on January 14, 2004.

The City Planning Commission approved a text amendment on April 7, 2006 recommending that the first 2000 square feet of existing buildings be exempt from the parking requirements. The Commission felt that there might be unintended consequences if the exemption was applied to newly constructed buildings. The example cited was the proposed Dunkin Donuts/Baskin Robbins in Mt. Washington that would have required only two parking spaces if the exemption were applied to this use. After discussion at the Economic Development Committee on whether the exemption should be applied to all commercial uses or just to existing commercial uses, City Council approved and filed a report from staff that discussed various options for dealing with the 2000 square foot exemption. Staff recommended the following:

The third option considered is to insert the parking exemption language into the existing hierarchy of commercial districts. The pedestrian-oriented commercial districts were established for areas that have a traditional urban character with a close relationship between pedestrians and shops. These areas are intended to encourage less dependence on automobiles by encouraging interesting pedestrian environments. In these districts, the buildings are required to be built to the street or sidewalk line. The uses are intended to be smaller scale and compatible with surrounding residential neighborhoods. Such areas were designated as CN-P or CC-P zoning districts. The 2,000 square foot parking exemption for both existing and new commercial uses may promote the pedestrian-oriented character envisioned in the CN-P and CC-P districts citywide.

Furthermore, the Mixed (M) commercial districts were intended to provide a mix of the pedestrian and auto-oriented uses. Older, pedestrian-oriented buildings may be intermixed with newer, auto-oriented uses in these zoning districts, which are designated as CN-M and CC-M. In these zoning districts, it may be more appropriate for existing pedestrian-oriented uses to have the 2000 square foot parking exemption and new commercial auto-oriented uses not to have the exemption.

The most intense commercial districts are the auto-oriented CC-A and CG-A districts. These district designations are intended for areas that need for easy automobile access. Large buildings are located on sites with parking in front. These uses are located along transportation corridors and are meant to support auto-oriented development. In these two districts there should be no parking exemption.

### **RECOMMENDATION**

Staff recommends that zoning text amendments be prepared that would allow the first 2000 square feet of existing and new commercial uses to be exempt from

the parking requirements based on whether they are located in a pedestrian-oriented, mixed, or auto-oriented commercial zoning district. In all other districts such as the Office and Manufacturing districts, the parking exemption would be limited to the first 2000 square feet of existing structures.

Additionally, staff recommends that these text amendments be submitted to the Planning Commission in April 2007 with a public hearing before the Economic Development Committee in May 2007.

The proposed text amendments incorporate the 2000 square foot exemption into the commercial, Office and Manufacturing districts as directed by the City Council.

**RECOMMENDATION:**

The Department of Community Development and Planning staff recommends that the City Planning Commission approve the requested text amendment.

**APPROVED:**

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Margaret A. Wuerstle, AICP, Chief Planner  
Department of Community Development & Planning

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3/8/07  
Amendment Committee