

STAFF EVALUATION

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Case No.: Zoning ordinance amendment, ZOA2021-00016

Planning Commission Date: October 21, 2021 **City Council Date:** November 10, 2021

General Information

<i>Description of Proposal</i>	To address both private and City development parking concerns, Staff is proposing to update the zoning ordinance to create the private parking lot/ garage and public parking lot/garage uses. This amendment would permit a private parking lot/garage in all districts with a use permit. This zoning ordinance amendment would allow parking lots and garages which are owned or operated by a governmental body in all districts by right. Both uses would need to comply with additional standards to address the unique impacts of this use.
<i>Zoning Definitions</i>	<p><u>Existing definitions:</u> Commercial parking garages and commercial parking lots are currently defined as garages/lots which are owned and operated by a private entity, but open to the public, where vehicles are parked for a fee.</p> <p><u>Related ZOA21-00017 adds the following definitions:</u> <i>Parking garage/lot, private.</i> Any parcel owned and operated by a private entity, but open to the public, where vehicles are parked for free or for a fee. This includes the term commercial parking lot and commercial parking garage. This does not include vehicle storage. <i>Parking garage/lot, public.</i> Any parcel owned or operated by a governmental body where vehicles are parked.</p>
<i>Community Outreach</i>	Developers and business owners have requested an off-site parking option.
<i>Current Regulations</i>	The current ordinance permits commercial parking garages by right in the C-3, M-2, M-3, LFA-1, LFA-2, DT-1, DT-2, and FM-4 districts and with a use permit in the FM-2 and FM-3 districts. The current ordinance permits commercial parking lots by right in the C-1, C-2, C-3, M-2, M-3, LFA-1, LFA-2, RT-1, and FM-4 districts and with a use permit in the FM-2 and FM-3 districts.

Analysis

The current ordinance allows parking lots as a primary use on a parcel only when operating as a 'commercial parking garage' or 'commercial parking lots'; 'commercial parking lots' are defined as requiring a fee for parking.

Staff has received requests from developers and small business owners who are redeveloping existing parcels with minimal parking on site and are looking to nearby vacant lots to establish the minimum number of parking spaces required by the zoning ordinance. Many of these buildings were built before the city's Zoning Ordinance was

adopted. Some of the requests have come from places of assembly, like religious facilities, in residential districts with expanding parking needs.

The proposed ordinance creates the use of 'private parking garage/lot' which would allow these establishments to develop nearby parcels as parking lots. In all proposed districts, a use permit would be required, allowing staff to review each location and create appropriate site specific conditions. The amendment would require the following additional standards for all parking lots established as a principal use on a lot: a minimum of twenty-five (25) percent of the surface area of the parking lot must be shaded by tree canopy; and parking must be setback at least ten (10) feet from any existing or proposed public rights-of-way and any property line abutting a residential district. Alternatives to the tree canopy requirement which meet the same intent, may be approved upon review and approval of the Zoning Administrator. Parking spaces in structured parking would not require tree canopy shading. This amendment removes the use of 'commercial parking garage' and 'commercial parking lot' and incorporates them into the new 'private parking garage/lot' use.

Also included in this amendment is the new use of 'public parking garage/lot'. This use is for parking garages and lots owned or operated by a governmental body to be established in any district by-right. The internal review for public projects is extensive and already includes review by City Council, removing the need for a use permit for these public projects. This amendment requires that public parking lots include the same additional standards, including tree canopy shading, staff has proposed be required in private parking lots.

This amendment does not impact development of parking lots developed on the same parcel as the primary use, e.g. a retail store with parking spaces on the same parcel to comply with minimum parking requirements.

This item is being brought forward in conjunction with Zoning Ordinance Amendment No. 21-00017 which adds the two new definitions for 'parking garage/lot, private' and 'parking garage/lot, public'.

Staff recommends approval of ZOA 21-00016.