

Item 1

GENERAL INFORMATION

Applicant: City of Bloomington

Request: Zoning Ordinance Update Project – Amend Parking and Loading Standards

BACKGROUND

As part of the Zoning Ordinance Update project, significant changes are proposed to the parking and loading standards. Based on the input over numerous meetings with the Planning Commission, City Council, the Traffic and Transportation Advisory Committee (TTAC), and Focus Groups, staff has been preparing a draft ordinance that would update the city-wide standards for parking and loading. Among other things, the proposed ordinance amends the minimum number of off-street parking spaces required for residential and non-residential uses; provides updated off-street parking flexibility measures such as for shared parking arrangements; amends dimension requirements for off-street parking space and drive aisles; and amends requirements for single family and two family resident driveways.

A copy of the proposed draft ordinance is attached, along with Study Meeting minutes and summaries, a meeting chronology, and correspondence from the public. Please note that changes will be made to the attached ordinance prior to the Planning Commission meeting. Staff will be reformatting the ordinance to move it to Chapter 21. A reformatted ordinance will be handed out at the November 2nd meeting.

MEETING PURPOSE

The purpose of the November 2, 2006 Meeting will be to review key provisions in the draft ordinance prepared by staff, an opportunity for additional input from the Commission, and public comment before forwarding the draft ordinance with a recommendation to the City Council for consideration. Discussion at the November 2nd Planning Commission Meeting will include:

- Key proposed ordinance amendments;
- An opportunity for Commission members to address preferences and any underlying concerns;
and
- Public comment.

ANALYSIS

- **Previous discussion on this item:**

In Commission Study Meetings, the discussion related to the parking and loading standards in the ordinance addressed the following.

1. Guiding principles specifically for parking and loading standards and policies derived from previous study meetings and Focus Group input:

- a. Flexibility in standards
- b. Promote reduced parking “sea of asphalt areas”
- c. Standards based on measure of gross square footage
- d. Promote pedestrian and bicyclist safety, access, and connectivity
- e. Promote environmental sensitivity

2. Key issues related to specific standards:

- a. Minimum and maximum off-street parking requirements
- b. Flexibility measures (i.e. proof of parking) applied district-wide
- c. Parking island design and minimum threshold for requirements
- d. Off-street parking space and drive aisle dimensions
- e. Single family and two family resident driveway areas
- f. Driveway and parking area surfacing

• **Key Issues Discussion in Detail**

The following is a summary in detail of key issues in the proposed ordinance on parking and loading standards.

1. Minimum and maximum off-street parking requirements

Issue: How many spaces at a minimum should be required for each use, in an effort to achieve the noted guiding principles?

Noted Guiding Principles

- Provide flexibility in standards
- Promote reduced parking “sea of asphalt” areas
- Promote environmental sensitivity
- Avoid unsightliness
- Provide reasonable opportunities for off-street parking

Selected Existing and Proposed Ordinance Recommendations:

➤ **Multiple-Family Residential**

- Existing: 2.20 spaces per dwelling unit of which one space per unit must be a garage space.
- Proposed:
 - 1 Bedroom- 1.8 spaces per dwelling unit
 - 2 Bedroom- 2.2 spaces per dwelling unit
 - 3 Bedroom- 2.6 spaces per dwelling unit
 - 4 Bedroom- 3.0 spaces per dwelling unit

Of which one space per unit must be within a garage, and where party room space is provided, an additional one space per 100 square feet of party room is required.

Guest spaces must be appropriately provided and dispersed throughout the development, subject to approval of the Issuing Authority.

➤ **Office**

- Existing: Business and Professional- one space for each 200 square feet of gross leasable area on each floor including basements. Medical and Dental- five spaces per doctor or dentist, plus one for each staff doctor and one space for each employee.
- Proposed: General, and Medical or Dental- one space per 285 square feet gross floor area. High Intensity (i.e. Centers, Telemarketing)- a range from one space per 165 to one space per 100 square feet of gross floor area, as determined by the Issuing Authority.

➤ **Retail Sales and/or Service**
General Retail

- Existing: One space per each 85 square feet of retail floor space.
- Proposed: Under 10,000 square feet of gross floor area- one space per 180 square feet of gross floor area

10,000 – 99,000 square feet of gross floor area- 55 spaces plus an additional one space per 220 square feet of gross floor area over 10,000 square feet

100,000 square feet and over of gross floor area- 460 spaces plus an additional one space per 285 square feet of gross floor area over 100,000 square feet

2. Flexibility measures applied district-wide

Issue: What additional flexibility measures could be offered in the Zoning Ordinance to further promote opportunities for flexibility in standards, which may reduce parking “sea of asphalt” areas in the future?

The current approach is to provide flexibility measures in some districts where blanket parking reductions are allowed only for that district. For example, in Commercial Service Districts (CS-0.5 and CS-1), the parking requirements are 80% of the other wise minimum requirements in Section 19.64 due to enhanced linkages to mass transit.

Other existing city-wide flexibility measures include proof of parking, joint facilities (such as shared parking), planned development allowances, and variances.

Issue: How to ensure if flexibility measures are agreed to, that transitioning business tenants and/or owners moving in and out of commercial retail properties will honor the agreements?

Issue: For the proof of parking flexibility measure, an issue is whether the City will continue to require the applicant to incorporate the full measure of land into the required land area for constructed parking spaces, plus land held in reserve for possible future parking needs.

Existing and Proposed Ordinance Recommendations:

➤ **Proof of Parking**

- Existing: A lesser number of spaces than the required minimum number of off-street parking spaces may be allowed, provided that a site plan indicating that the required number of spaces can be placed on site meeting all ordinance requirements is approved by the Issuing Authority, or a lesser number of spaces shown on final site plans is approved by the City Council.
- Proposed:
 - (1) Where an applicant is seeking a reduction of greater than ten percent in the total number of required constructed parking:
 - (A) The City may require a parking study in accordance with accepted methodology approved by the Issuing Authority, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant, demonstrating that there is not a present need for the portion of parking for which the applicant is requesting proof of parking flexibility;
 - (B) A site plan is submitted indicating that the required number of spaces meeting all ordinance requirements can be placed on the site if the need is later indicated by the City Issuing Authority in observance of a lack of parking, and is approved by the Issuing Authority; and
 - (C) Where a site plan is approved with proof of parking measures, a properly drawn legal instrument, executed by the parties concerned, must be filed on the property in the Recorder's Office of Hennepin County, indicating the proof of parking measures.
 - (2) Suitability of deferred spaces. The applicant must not assign deferred parking spaces to areas required for landscaping, required buffer zones, setbacks, fire lanes, drive aisles, or areas that would be unsuitable for parking spaces because of physical characteristics of the land or other requirements of the Code.
 - (3) Conversion of deferred spaces by the applicant. The applicant may at any time request Conversion of the deferred spaces to operable parking spaces.
 - (4) Remedies. If determined at a later date, that any or all of the deferred parking spaces are needed, the required number of deferred spaces must be converted to conform to this Code at the applicant's expense.

➤ **Shared Parking**

- Existing: Aka: Joint Facilities. Required parking facilities serving two or more uses may be located in the same lot or in the same structure provided that the total number of parking spaces furnished shall not be less than the sum of the separate requirements for each use. The City Council may approve the joint use of parking facilities by the following uses or activities under the following conditions.

- (1) Uses considered as daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair and service shops, manufacturing wholesale and similar uses.
- (2) Uses considered as night-time or Sunday uses: auditoriums incidental to a public or parochial school, churches, bowling alleys, dance halls, theaters, bars or restaurants.
- (3) Up to 50 percent of the parking facilities required for daytime uses may be supplied by the off-street parking facilities provided by day time uses, and vice versa.
- (4) Conditions required for joint uses:
 - (A) The proposed joint parking space is within 500 feet of the use it will serve.
 - (B) The proposed joint applicant shall show there is no substantial conflict in the principal operating hours of the two buildings or uses for off-street parking facilities is proposed.
 - (C) A properly drawn legal instrument, executed by the parties concerned, for joint use of off-street parking facilities shall be filed with the Division of Building and Inspection.

- Proposed: The City Council may approve the use of shared parking where:
 - (1) Proximity. The proposed shared parking is within 500 feet of the entrance to the use it will serve;
 - (2) Conflict in hours. The applicant demonstrates because of the hours, size, and mode of operation of the respective uses, there is no substantial conflict in the peak parking demands of the uses for which shared parking facilities is proposed, and there is adequate parking to meet the needs for each use. A shared parking plan must be submitted whenever shared parking is proposed that includes specific analysis on the peaking characteristics of the various uses indicated.
 - (3) Written consent and agreement. Where a shared use of parking exists within the same site or across sites, a properly drawn legal instrument, executed by the parties concerned, must be filed as a deed restriction on all impacted properties in the Hennepin County Recorder's Office.
 - (4) Revocation. The City may require a parking study in accordance with accepted methodology approved by the Issuing Authority, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant, demonstrating that there is not a present need for the portion of parking for which the applicant is requesting shared parking flexibility;
 - (5) Failure to comply with the shared parking provisions constitutes a violation of this Code. A shared parking agreement may be revoked by the parties to the agreement if parking is otherwise provided as required by Section 19.64 of this Code, or if an alternative shared agreement is approved by the City Issuing Authority.

➤ **Travel Demand Management Plan (TDM)**

- Existing: Not provided in the existing Zoning Ordinance.
- Proposed: Off-street parking requirements may be reduced subject to approval by the City Council, where a TDM plan is submitted and approved by the Issuing Authority that addresses the transportation impacts of the development and proposed TDM mitigating measures. Where a TDM plan is approved, a properly drawn legal instrument, executed by the parties concerned, must be filed on the property in the Recorder's Office of Hennepin County. This flexibility measure also provides details on TDM plan content, examples of mitigating measures, and terms for revocation for noncompliance with the plan.

➤ **Enhanced Linkages to Mass Transit**

- Existing: Not provided in the existing Zoning Ordinance.
- Proposed: Off-street parking requirements may be reduced subject to approval by the City Council, where a parking and transportation study conducted in accordance with accepted methodology approved by the City Issuing Authority, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant shows that parking demand will be decreased by access to nearby transit.

➤ **Planned Development (PD)**

- Existing: Allowances for a lesser number of off-street parking spaces shown on final site plans may be approved in some cases by the City Council.
- Proposed: Off-street parking requirements may be reduced through the PD process when an applicant demonstrates the need for a lesser number of off-street spaces due to available permitted on-street parking spaces. The Issuing Authority may require a parking study conducted in accordance with accepted methodology approved by the Issuing Authority, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant.

➤ **On-Street Parking**

- Existing: Not provided in the exiting Zoning Ordinance.
- Proposed: Off-street parking requirements may be reduced Subject to approval by the City Council, when an applicant demonstrates need for a lesser number of off-street spaces due to available permitted on-street parking spaces. The Issuing Authority may require a parking study conducted in accordance accepted methodology approved by the Issuing Authority, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant.

➤ **Variance**

- Existing: A variance may be granted in some cases in accordance with the provisions of section 2.98.01, to reduce the minimum off-street parking requirements of Section 19.64.
- Proposed: Same as existing above.

3. Parking island design and minimum threshold for requirements

Issues: The requirements for the number and location of parking islands raise the following issues:

- a. Should there be a minimum number of parking spaces in an off-street parking area before a parking island is required?
- b. Should there be a minimum number of required parking islands to visually break up parking lots (i.e. with plantings) and provide for traffic circulation and safety?

Issues: There are the following issues concerning how parking islands are designed:

- a. Where one or more trees are installed in a parking island, should there be parking island minimum dimension requirements?
- b. Should there be design requirements to promote traffic circulation and safety, environmental sensitivity, and tree planting survival?

Existing and Proposed Ordinance Recommendations:

- Existing: Traffic safety island shall be installed at the ends of each parking tier. Additional safety islands may be required to maintain a safe and orderly flow of traffic within the parking lot.
- Proposed:
 - (1) Parking islands must be installed at the ends of rows of parking spaces. Additional mid-row parking islands must be provided every 200 feet for interior parking rows and 300 feet for perimeter parking rows. Where a parking lot has ten parking spaces or less, the requirement for islands is waived, unless the Issuing Authority determines islands are needed for traffic circulation and safety.
 - (2) Where an island is immediately adjacent to one or more parking stalls, the island length must be three feet shorter than the adjacent stall to promote ingress and egress into the stall.
 - (3) A minimum of one deciduous tree must be provided per parking lot island, with exceptions as provided in Section 19.52. Where trees are present in a parking island, the minimum island width must be eight feet measured from the inside edges of curb to curb. Where no trees are present in a parking island, the minimum width is four feet measured from the inside edges of curb to curb.
 - (4) Parking islands must be delineated by raised concrete curbing or may be depressed to accommodate infiltration for storm water.

4. Off-street parking space and drive aisle dimensions

Issue: The primary issue is whether the City should continue to require a blanket minimum parking and drive aisle dimension per parking stall, vs. a standard minimum stall width and depth dimension. If a standard stall width and depth dimension and drive aisle dimension are required, what should the minimum dimensions be?

Existing and Proposed Ordinance Recommendations:

➤ Off-Street Parking Space and Drive Aisle Dimensions

- Existing: Minimum parking space of 300 square feet of standing and maneuvering area.
- Proposed:
 - (1) Minimum surface parking stall size, not including vehicle overhang area of 9 feet x 18 feet for 90 degree angle parking (for spaces that are not 90 degree angle, ITE standards will be applied as determined by the Issuing Authority).
 - (2) Minimum drive aisle width of 24 feet for 90 degree angle parking, and as determined by the Issuing Authority for one-way drive aisles.
 - (3) Compact spaces may be permitted, subject to approval of Issuing Authority, but are not factored into the minimum required number of spaces.

5. Single family and two family maximum number and type of vehicles parked and/or stored on the premises, location, and permitted surface.

Issue: What is the maximum number and type of vehicles permitted to be parked and/or stored off-street on single and two family residential premises? Should requirements be extended to include on-street parking limits in single family and two family residential districts? Key proposed ordinance amendments are as follows.

Existing and Proposed Ordinance Recommendations:

➤ Maximum number and type of vehicles permitted to be parked or stored off-street

- Existing: The maximum number of off-street vehicles permitted to be parked or stored outside of garage shall be limited to the number of licensed drivers residing at the premises, plus one.
- Proposed: A maximum of three vehicles (Type I or II Vehicles, to include automobiles, motorcycles, or Class II Recreational Vehicles as defined in Section 19.50.03 of this Code) may be parked or stored on the premises outside of a garage. (Note: Vehicles parked on-street are subject to the regulations provided in Chapter 8 of the City Code.).

Note- Relevant Definitions:

Type I Vehicles- A motor vehicle that is not greater than seven feet six inches in height and not greater than twenty-two feet in length, and that is not a “non-residential vehicle” or a “recreational vehicle” as defined in Section 19.50.03.

Type II Vehicles- (i) a motor vehicle that would, without roof attachments, qualify as a Type I vehicle, but which does not exceed eight feet in height with the roof attachments, or (ii) a motor vehicle with both the circumstances described in (i) and (ii) above, or (iv) taxis or limousines that do not exceed the Type III vehicle size threshold.

Class II Recreational Vehicles- (i) A recreational vehicle with a length of 20 feet or more or a height of six feet or more. (ii) A hobby vehicle.

Parked Vehicles- The temporary placement of motor vehicles for a period of less than 48 hours.

Stored Vehicles (outside)- Exterior stockpiling or safekeeping of vehicles. The parking of vehicles for a period of less than 48 hours does not constitute outside storage.

Issue: Where may the vehicles be parked or stored on the premises? Key proposed ordinance amendments are as follows.

Existing and Proposed Ordinance Recommendations:

➤ **Maximum driveway, curb cut and approach width**

- Existing: Driveway width is limited at property line to 30 feet in width at intersected property line. Resident driveway approaches shall not exceed 30 feet in width at the intersected property line, and the curb cut shall not exceed the width of such driveway approach at such property line by more than 15 feet.
- Proposed: Maximum permitted width of driveway is the maximum permitted width of the garage (wall to wall), not to exceed 36 feet within 100 feet of property line. Maximum approach at property line is the permitted drive width up to maximum 30 feet. Maximum approach at curb cut is the permitted drive width plus 6 feet up to maximum 30 feet cumulative total.

➤ **Off-drive parking areas (adjacent to garage, off main drive, hammerhead configurations, tapered pads, etc.)**

- Existing: No limit other than to meet setback requirements; and 35% maximum for all impervious surfaces on entire lot.
- Proposed: This item remains under discussion. Possible options include the following:
 - (1) Maximum permitted width of the driveway;
 - (2) Up to an additional 12 feet is permitted for the off drive area, provided the driveway is no greater than 24 feet in width; or
 - (3) Maximum permitted width of 36 feet at the garage.

In all cases, must continue to meet setback requirements and 35% maximum requirement for all impervious surfaces.

➤ **Driveway taper**

- Existing: By policy, taper is allowed in front yard: 45-degree maximum taper, between 10 feet and 20 feet from the front property line.
- Proposed: An ordinance standard of a 45-degree maximum taper between 10 feet and 20 feet from the front property line.

➤ **Second curb cuts and connecting driveways**

- Existing: No specific reference in the Code. Related provisions include: resident driveway approaches shall not exceed 30 feet in width at the intersected property line, and the curb cut shall not exceed the width of such driveway approach at such property line by more than 15 feet; a 35% maximum limit for all impervious surfaces on entire lot; and minimum 20 feet front landscaped yard requirement.
- Proposed: Limited to parcels with minimum 120 feet lot frontage and where cumulative curb cut requirement is met. Must continue to meet 35% maximum requirement for all impervious surfaces on entire lot, and 20 feet front landscaped yard from property line requirement. A third curb cut is prohibited.

➤ **Rear yard parking**

- Existing: Permitted where setback requirements are met; and a 35% maximum limit for all impervious surfaces on entire lot.
- Proposed: Allowed with garage in rear yard, on permitted surfaces. Unless there is a garage structure in the rear yard, parking in adjacent pad areas may not extend beyond the rear wall of the principal structure. Must continue to meet setback requirements and 35% maximum requirement for all impervious surfaces. (Note: Exceptions to this requirements are provided for recreational vehicles in Section 19.50.03 of the City Code).

Issue: What driveway surface materials should be permitted on single family and two family residences, and where on the premises? Discussion to focus on permitted materials, i.e. class V materials, gravel, grass, strips of grass between paving, etc., and key proposed ordinance amendments, as follows.

Existing and Proposed Ordinance Recommendations:

➤ **The permitted driveway surface**

- Existing: The driveway approach and that part of the driveway between the minimum required front yard setback line and the street shall be paved with Portland cement concrete, blacktop, or equivalent paving.
- Proposed: Off-street parking areas, not to include driveway approach areas, must be paved for the entire length of the driveway surface with: Portland cement concrete, plant bituminous surface (i.e. asphalt), brick or form concrete pavers, or equivalent material as approved by the Issuing Authority. The driveway approach must only be paved with Portland cement concrete, or plant bituminous surface, i.e. asphalt.

6. Driveway and parking area surfacing for uses other than single family and two family resident driveway areas

Issue: What driveway and parking area surface materials should be permitted for uses other than single family and two family residences? Discussion to focus on permitted materials, i.e. class V materials, gravel, grass, strips of grass between paving, etc., and key proposed ordinance amendments, as follows.

Existing and Proposed Ordinance Recommendations:

- Existing: Off-street parking areas except for single family residences shall paved with Portland cement concrete, or plant mixed bituminous surface, Section 19.64(c).
All business driveways and approaches must be paved with Portland cement concrete or asphaltic concrete or equivalent, (Section 17.14(b)).
- Proposed:
 - (1) Off-street parking areas and driveways, not to include driveway approach areas must be paved with Portland cement concrete, plant bituminous surface (i.e. asphalt), brick or form concrete pavers placed without gaps, or equivalent material as approved by the Issuing Authority.
 - (2) Consideration may be given for seasonal uses.
 - (3) All business driveway and/or parking lot approaches must be paved with Portland cement concrete or equivalent paving material as approved by the Issuing Authority.

7. Parking structures (issue not previously discussed with the Commission)

Issue: Parking structure height in relation to setbacks is not currently regulated for parking structures city-wide.

Existing and Proposed Ordinance Recommendations:

➤ **Setbacks and screening**

- Existing: A parking structure shall be deemed an underground garage for the level(s) of parking which are below grade and are unexposed except for an entrance and exit points. Where the roof or any portion of the roof of such a qualifying structure is used as surface parking, such parking shall meet the applicable zoning district and other ordinance requirements regarding surface parking location, setbacks, and screening.

A parking structure with one or more levels which may be all or partially below grade, which does not qualify as an underground garage, and where all such parking levels can be screened by the required screening of Subsections 19.52(a),(d) and (e) shall meet the applicable zoning district and other setbacks, and screening.

Any parking structure or portion thereof, other than a parapet wall screening a parking level, which does not qualify as an underground garage as above, or can not be screened as above shall be deemed a structure for the purpose of meeting the applicable zoning district and other requirements regarding building setbacks and screening.

- Proposed:

- (1) Setbacks-

- (A) Underground parking structure-required minimum 15 ft. setback;

- (B) Underground parking structure with surface parking- required minimum 20 ft. setback;

- (C) Above grade parking structure-required minimum setback is as set forth in the underlying zoning district.

- (2) Screening-

- (A) Above grade parking structure- must meet the applicable zoning district requirements regarding screening of surface parking.

- (B) Where the roof or any portion of the roof of an underground structure is used for surface parking, such parking must meet the applicable zoning district requirements regarding screening of surface parking.

- (C) Parking garage structures adjacent to single or two family use must provide and maintain visual screening at entrance and exit areas to the structure.

Issue: There are currently no minimum stall size or drive aisle requirements in the Zoning Ordinance specifically regulating parking structures. There are unique concerns with the spacing needed for parking and circulation in parking structures, as differentiated from off-street surface parking.

Existing and Proposed Ordinance Recommendations:

- **Parking space dimensions**

- Existing: Dimensions for parking spaces in parking structures are not differentiated in the code from off-street surface spaces, which requires a minimum dimension of 300 square feet of standing and maneuvering area.
- Proposed:
 - (1) Parking spaces in structured parking must be a minimum size, not to include vehicle overhang area, of 8.5 feet x 18 feet for 90 degree angle parking (for spaces that are not 90 degree angle, ITE standards will be applied as determined by the Issuing Authority).
 - (2) Drive aisles must be a minimum width of 24 feet for 90 degree angle parking, and as determined by the Issuing Authority for a one-way drive aisle in structured parking.
 - (3) Compact spaces may be permitted, subject to approval of Issuing Authority, but are not factored into minimum required number of parking spaces.

RECOMMENDATION

In Case 10000C-06, staff recommends approval of an ordinance to establish new parking and loading standards.