



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: February 15, 2021

Re: Zoning Text Amendments - **#A8: 29-4.3(a)(2)(ii)(A & B) Parking and Loading - Exceptions - Small Lots** (Case #49-2021)

## Executive Summary

Approval will amend the Unified Development Code (UDC) to revise and clarify when a property's required on-site parking may be waived.

## Discussion

Section 29-4.3(a)(2)(ii)(A) of the UDC was intended to waive parking requirements for uses located on "small lots" (i.e. those less than 10,000 sq.ft. in lot area). However, the text incorrectly refers to "gross floor area" which is a reference to the size of a building, instead of only referring to the lot area. The reference to gross floor area was thus deleted.

In addition, the lot size description (... smaller than 10,000 sq.ft.) was moved to be directly after "lot" in the sentence to make it clearer that it is referencing lot size.

Section 29-4.3(a)(2)(iii)(B) is proposed for deletion in its entirety. The section waives all minimum parking requirements for any *building* that is smaller than 10,000 square feet. The deletion is proposed as it does not appear to be in line with this section's intent to grant parking exceptions for "small lots". This section could result in waiving up to 34 spaces for a retail or office use, or up to 50 spaces for a restaurant. Given the range of relief possible it seems unlikely that this was the expected outcome and there is no evidence that this was the intent.

The Planning and Zoning Commission considered this request at their January 21, 2021 meeting. Staff presented its report. No member of the public spoke during the public hearing. Following limited discussion, a motion to approve the zoning text amendment passed (8-0). As a note, the PZC reviewed a draft of the proposed text amendment during three work sessions prior to the public hearing.

The Planning Commission staff report, proposed text amendment sheet, and meeting minute excerpts are attached.

## Fiscal Impact

Short-Term Impact: None

Long-Term Impact: None



## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

## Legislative History

Date	Action
3/20/2017	Approved Chapter 29 of the City Code, referred to as the Unified Development Code.

## Suggested Council Action

Approve UDC amendment A8 as recommended by the Planning and Zoning Commission.