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## Sec. 19-1.11. Definitions

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*Accessory use* means a use of land or building (or a portion thereof) that is subordinate to, and customarily associated with, the principal use.

**Adaptive reuse means the process to reconfigure or remodel an existing building and accommodate a new use or a new purpose other than original.**

*Addition* means a new structure on a site with an existing structure, or a new component to an existing structure, which causes an extension or increase in floor area or height of a building or structure.

[...]

## Sec. 19-6.1. Off-street parking and loading.

19-6.1.1 *Intent*. The intent of this section is to allow flexible methods ~~of providing to provide~~ an adequate number of parking and loading spaces, ~~while creating to create or improving improve~~ a pedestrian-oriented community, and ~~reducing reduce~~ excessive paved surfaces which ~~may otherwise~~ lead to unnecessary heat buildup and stormwater runoff.

19-6.1.2 *Applicability*.

- (A) *General*. The off-street parking, bicycle parking, and loading standards of this section shall apply to any new building constructed and to any new use established.
- (B) *Exemptions*: ~~The off-street parking and loading standards of this section shall not apply~~
  - (1) The off-street parking and loading standards shall not apply** in the C-4 district. However, prior to issuance of any building permit or certificate of occupancy, whichever is issued first, the owner of any new building constructed or any new use established in the C-4 district shall submit to the administrator an estimate of the parking requirements that the building or use is expected to generate, based on the ratios established in this section, and an indication of where or how that parking will be provided.
  - (2)** The off-street parking and loading standards of this section shall not apply to historic properties or properties located in a preservation overlay district.
  - (3)** The off-street parking, bicycle parking, and loading standards of subsections 19-6.1.2 and 19-6.1.3 shall not apply to parking areas which constitute the principal use of a site (commercial parking lots and parking structures).
  - (4)** The maximum off-street parking standards of subsections 19-6.1.2 and 19-6.1.3 shall not apply to developments which incorporate a parking structure.
- (C) *Expansions and alterations*. The off-street parking, bicycle parking, and loading standards of this section shall apply when an existing structure or use is expanded or enlarged. Additional off-street parking, bicycle parking, and loading spaces shall be required to serve on the enlarged or expanded area, provided that in all cases the number of off-street parking, bicycle parking, and loading spaces provided for the entire use (pre-existing plus expansion) must equal at least 75 percent of the minimum ratio established in this section.
- (D) *Change of use*. **With the exception of projects that are eligible for adaptive reuse parking reductions pursuant to Section 19-6.1.5(F),** off-street parking, bicycle parking and loading shall be provided for any change of use pursuant to the following:

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- (1) If the change of use constitutes less than 50 percent of the floor area of a structure or lot accommodating one or more uses (within a five-year period), the property shall comply with the provisions of this section to the greatest extent practicable as determined by the administrator provided the off-street parking and loading requirements equal at least 75 percent of the minimum ratio established by this section and provided further that compliance can be achieved in conformance with subsection 19-9.1.1(B).
  - (2) If the change of use constitutes 50 percent or more of the floor area of a structure or lot accommodating one or more uses (within a five-year period), the property shall comply with the provisions of this section to the greatest extent practicable as determined by the administrator provided the off-street parking and loading requirements equal at least 100 percent of the minimum ratio established by this section and provided further that compliance can be achieved in conformance with subsection 19-9.1.1(B).

19-6.1.3. *Off-street parking requirements.*

[...]

19-6.1.5. *Computation of parking and loading requirements.*

- (A) *Fractions.* When measurements of the number of required spaces result in a fractional number, any fraction of less than one-half shall be rounded down to the next lower whole number and any fraction of one-half or more shall be rounded up to the next higher whole number.
- (B) *Multiple uses.* Except as provided in subsection 19-6.1.8, lots containing more than one use must provide parking and loading in an amount equal to the total of the requirements for all uses.
- (C) *Gross floor area.* With regard to the parking standards in this section, square footage refers to the gross floor area of a building, excluding warehouse and storage space which is accessory to the primary use. With regard to the loading standards in this section, square footage refers to the total gross floor area of a building.
- (D) *Parking for unlisted uses.* Parking requirements for uses not specifically listed in Table 19-6.1-1 shall be determined by the administrator based on the provisions of Schedule B.
- (E) *Reduction of automobile parking for bicycle parking.* The administrator may reduce the required number of off-street parking spaces by one automobile space for every six, or portion thereof, bicycle parking spaces provided.

**(F) Reduction of automobile parking for adaptive reuse projects.**

**(1) Eligibility. To qualify for a parking reduction, adaptive reuse projects shall satisfy the following criteria:**

- (a) The existing building(s) shall be at least twenty-five (25) years old and constructed in accordance with building and zoning codes in effect at the time of construction; and**
- (b) A minimum of 50% of the total building area shall be converted to a land use category other than the land use category for which the building was originally designed, pursuant to Table 19-4.1-2, Table of Uses.**

**(2) Parking Reduction.**

- (a) The minimum number of parking spaces required per Table 19-6.1-1 may be reduced by 25% for eligible adaptive reuse projects. Where a mix of uses is proposed, the 25% reduction shall be applied to the minimum parking requirement for each individual land use type.**

- (b) Maximum parking space allowances shall remain applicable to eligible adaptive reuse projects pursuant to Table 19-6.1-1, Off-Street Parking Requirements.
- (c) Shared parking arrangements are encouraged for adaptive reuse projects pursuant to Section 19-6.1.9(A). Shared parking studies for eligible adaptive reuse projects may apply the 25% reduction offered under this sub-section to determine minimum parking requirements for each individual land use type.
- (d) Expansions/additions to the floor area of a building(s) associated with an eligible adaptive reuse project shall comply with the minimum parking requirements of Table 19-6.1-1 and shall not be included within the 25% minimum parking reduction.

[...]

19-6.1.9. *Parking alternatives.* The administrator may approve alternatives to providing the number of off-street parking spaces required by subsection 19-6.1.3, in accordance with the following standards:

- (A) *Shared parking.* The administrator may approve shared parking facilities for developments or uses with different operating hours or different peak business periods if the shared parking complies with all of the following standards:
  - (1) *Location.* If located off-site, the shared parking spaces must be located within 600 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided.
  - (2) *Shared parking study.* A shared parking study that clearly demonstrates the feasibility of shared parking shall be submitted to the administrator. The study must be provided in a form established by the administrator. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces. Use of data provided in Table 19-6.1-7 may be accepted as a shared parking study.

<b>Table 19-6.1-7: Shared Parking Demand by Land Use and Time of Day (Percentages are based on minimum parking requirements)</b>					
Land use	Weekday		Weekend		Nights (12:00 midnight—6:00 a.m.)
	Daytime (6:00 a.m.—5:00 p.m.)	Evening (5 p.m.—12:00 midnight)	Daytime (6:00 a.m.—5 p.m.)	Evening (5:00 p.m.—12:00 midnight)	
Office	100%	10%	10%	5%	5%
Retail	60%	90%	100%	70%	5%
Residential	30%	90%	80%	90%	100%
Restaurant	50%	100%	100%	100%	10%
Hotel/motel	75%	100%	75%	100%	75%
Entertainment	40%	100%	80%	100%	10%
Religious institution	10%	30%	100%	30%	5%

To use Table 19-6.1-7:

- 1) Determine the minimum parking requirements in accordance with Table 19-6.1-1 for each land use as if it is a separate use. Per Section 19-6.1.5(F), eligible adaptive reuse projects may apply a parking reduction for each individual land use type for the purpose of determining minimum parking requirements.
- 2) Multiply each amount by the corresponding percentages for each of the five time periods.
- 3) Calculate the total for each time period.

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4) Select the column with the highest total and use this number as the required minimum number of parking spaces.

- (3) *Agreement for shared parking.* A shared parking plan (where the minimum required parking spaces are provided off-site) will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the administrator in a form established by the city attorney. The agreement must be recorded with the country register of deeds before issuance of a building permit for any use to be served by the shared parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with the requirements of subsections 19-6.1.2 and 19-6.1.3.

[...]

**TABLE OF CHANGES**

Existing Text

**New Text**