

GENERAL INFORMATION

Subject

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|-----------|---|--|
| Request | - | Amending TMC Chapters 743, 1103, 1104, 1107, & 1116 Relating to the Downtown Parking Lot Review and Improvement Advisory Committee (DPLRIAC) and Surface Parking Lots in the Downtown and Warehouse Districts. |
| Applicant | - | Toledo City Plan Commission
One Government Center, Suite 1620
Toledo, OH 43604 |

STAFF ANALYSIS

In 2019 City Council passed Ordinance 355-19, which amended the Downtown Overlay District regulations to require all downtown surface parking lot owners to follow certain design criteria. The design criteria required lots to be fenced with black wrought iron or black heavy gauge aluminum tube fencing along with brick piers spaced according to parcel size. The text amendment required all surface parking lot owners to comply with the regulation within three (3) years of its passing. Unfortunately, the COVID-19 pandemic hit that following year, causing the text amendment to go unenforced.

This proposed Text Amendment to TMC Chapters 743, 1103, 1104, 1107, and 1116 seeks to reform these regulations for surface parking lots in both the Downtown Overlay and Warehouse Urban Neighborhood Overlay Districts and create more specific compliance criteria. A version of these reforms and compliance criteria was heard by the Plan Commission on September 14, 2023, however, the amendment was deferred to put some more thought into it. A second version of these reforms was heard by the Plan Commission and then Council's Zoning & Planning Committee on May 8, 2025 and June 11, 2025 respectfully, but was deferred again for additional changes. Multiple meetings of the DPLRIAC have been conducted to discuss this proposed amendment since September 2023.

Chapter 1103 Overlay Zoning Districts

The most prominent change in the proposed regulations is the merging of the Downtown Overlay and Warehouse Urban Neighborhood Overlay (UNO) surface parking lot design criteria. In the interest of removing overlap, the Toledo Warehouse District Architecture Review Committee (TWDARC) has agreed to give up its authority to review surface parking lots in the Warehouse UNO District to the Downtown Parking Lot Review and Improvement Advisory Committee (DPLRIAC). The two (2) boards currently maintain similar design criteria within their separate sections. This amendment removes the bulk of TMC§1103.1519, within the Warehouse UNO District regulations, and replaces it with references to TMC Sections 1103.0207, 1103.0208, 1103.0209, 1103.0210, 1103.0211, and 1103.0212, within the Downtown Overlay District regulations. In turn, those sections within the Downtown Overlay District regulations now state that they apply within both the Downtown Overlay and Warehouse UNO districts.

STAFF ANALYSIS (cont'd)

Chapter 1103 Overlay Zoning Districts (cont'd)

The proposed combined design criteria would break surface parking lots into two categories: accessory and non-accessory. Accessory parking would be defined as:

“Automobile parking as a subordinate use and of a nature incidental to but supportive of the principal use, building or structure. Accessory parking is characterized as a free service for employees and/or customers of the principal use, building or structure.”

Non-Accessory parking would be defined as:

“Automobile parking as a principal rather than a subordinate land use that is neither accessory to a specific use nor code-required. A parking lot that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Non-Accessory Parking use. A parking lot that contains parking spaces which are leased to an entity other than a tenant of the property owner, whether those leased spaces could be considered accessory to a specific use or not, shall be classified as a Non-Accessory Parking use. A parking lot containing parking spaces which fall under an alternative parking plan approved pursuant to Section 1107.1400 may be classified instead as an Accessory Parking use. Non-Accessory Parking is generally characterized as a commercial service.”

The Downtown Overlay and Warehouse District Overlay Districts would also be broken down into three (3) Zones of Compliance, all of which are shown on Exhibit “C” attached. All surface parking lots within Zone 1, whether considered accessory or non-accessory, would be required to comply with the design criteria by April 1, 2028. In Zones 2 & 3, accessory parking lots would be grandfathered while non-accessory parking lots would be required to comply with the design criteria on April 1, 2029 in Zone 2 and April 1, 2030 in Zone 3.

Other changes are proposed to clarify regulations, update references, or specify the role and makeup of the Downtown Parking Lot Review and Improvement Advisory Committee (DPLRIAC). Of note is TMC§1103.0207(B)(6), which permits the required brick piers/columns to encroach up to eighteen inches (18”) within the public right-of-way subject to certain criteria including the approval of an encroachment permit through the Division of Traffic Management.

Chapter 743 Parking Places and Enforcement

Chapter 743 requires “Public Parking Places”, or parking places in or upon which a business is conducted of storing motor vehicles where the owner or person storing such vehicle is charged a fee, to obtain an annual license from the Division of Taxation and Treasury. The definition of public parking place is proposed to be changed to make it similar to that of non-accessory parking discussed above. This annual license expires each year on April 1, which coincides with the compliance dates listed above. Public parking place / non-accessory parking lot owners will be unable to obtain a license through this chapter unless they comply with the compliance timelines of Chapter 1103. Other minor changes are proposed to make the chapter consistent with the proposed changes to Chapter 1103.

STAFF ANALYSIS (cont'd)

Downtown Parking Lot Review and Improvement Advisory Committee (DPLRIAC)

The Downtown Parking Lot Review and Improvement Advisory Committee (DPLRIAC) currently has the authority to review modifications and/or waivers of the design criteria. The proposed amendment seeks to also grant the DPLRIAC the authority to review extensions of the compliance timelines, provided the subject surface parking lot owner has shown diligent effort to comply with the requirements.

Other Changes to TMC Part 11 *Planning and Zoning Code*

At the request of members of the DPLRIAC, an amendment to TMC§1107.0102 is proposed to clarify when non-conforming non-accessory parking lots are required to come into full compliance with Chapter 1107 *Parking, Loading and Access*. The onus of this issue came from the requirement of TMC§1107.1911 *Dimensions* which requires all off-street parking spaces to have a minimum stall width of nine feet (9'). Most non-accessory parking lots in the downtown and warehouse districts currently have stall widths of eight and a half feet (8.5'). Among other things, this proposed amendment will permit non-accessory parking lot owners to maintain their nonconforming parking lots, including resurfacing, patching, or restriping which does not result in an alteration in the configuration or dimension of any parking or loading space, maneuvering area, aisle, or driveway, so long as such maintenance does not increase the parking lot's nonconformity.

A change to the definitions of TMC§1107 is proposed which replaces the term "Commercial Parking" with "Non-Accessory Parking", as they are essentially referring to the same use. The definition of "Accessory Parking" is added in TMC§1116 in the amendment as well.

The last notable change is to TMC§1107.0903, currently called Commercial Parking but proposed to be renamed to Non-Accessory Parking. The section currently requires commercial parking to provide a bicycle parking area equivalent to one (1) parking space, or two (2) parking spaces if the facility has more than 200 parking spaces. The space must contain lockers, hard covers or shells, or other similar structures or devices in which bicycles may be individually covered and locked. It was noted by members of the DPLRIAC that this may be overly burdensome for a non-accessory parking lot owner(s) which have small lots of, for example, ten (10) spaces. Staff recommends that these bicycle parking areas be permitted within the right-of-way subject to an encroachment permit approved by the Division of Traffic Management. Many cities currently permit or promote bicycle parking "parklets", taking the place of on-street parking spaces similar to other outdoor dining areas approved downtown.

STAFF ANALYSIS (cont'd)

Forward Toledo Comprehensive Land Use Plan

One of the goals of the Forward Toledo Plan under the Build theme is Quality Design. Numerous planning studies have explored the connection between neighborhood perception and the conditions or quality of existing buildings in an area. The general consensus is that design matters when creating urban spaces for people to interact. Thoughtful design can help establish unique areas that contribute to placemaking. This is the idea that a well-designed space can create an experience that we enjoy visiting. The proposed text amendment seeks to contribute to the placemaking of the Downtown and Warehouse districts by imposing design standards upon non-accessory parking lots. This is consistent with the goals and strategies of the Forward Toledo Plan. Additionally, the proposed amendment is also consistent with the goal of Expanding Right-of-Way Use which provides opportunities for parking lot owners to install bicycle parking areas within the right-of-way.

STAFF RECOMMENDATION

Staff recommends that the Toledo City Plan Commission recommend approval of M-4-23, Amending TMC Chapters 743, 1103, 1104, 1107, & 1116 Relating to the Downtown Parking Lot Review and Improvement Advisory Committee (DPLRIAC) and Surface Parking Lots in the Downtown and Warehouse Districts, to Toledo City Council for the following two (2) reasons:

1. The text amendment reforms regulations for surface parking lots in both the Downtown Overlay and Warehouse Urban Neighborhood Overlay Districts and creates more specific compliance criteria; and
2. The text amendment is consistent with the Comprehensive Plan and the stated purpose of the Zoning Code (**TMC§1111.0506(B)**).

ZONING TEXT AMENDMENT
TOLEDO CITY PLAN COMMISSION
REF: M-4-23
DATE: February 12, 2026
TIME: 2:00 P.M.

ZONING AND PLANNING COMMITTEE OF
CITY COUNCIL
DATE: March 18, 2026
TIME: 4:00 P.M.

AS

Three (3) Exhibits follow

Exhibit “A”

(Additions in blue underline. Deletions in red strikethrough.)

CHAPTER 517 **Parking Places**

- 743.01** Definitions.
- 743.02** License required.
- 743.03** Application for license.
- 743.04** License fees.
- 743.05** Issuance and transfer of licenses.
- 743.06** Revocation of license.
- 743.07** Signs required.
- 743.08** Change of rate.
- 743.09** Open parking places to be fenced in.
- 743.10** Limitation on storage.
- 743.11** Entrances and exits.
- 743.12** Loading and unloading passengers.
- 743.13** Claim checks to be furnished.
- 743.14** Transfer of parked vehicles.
- 743.15** Use of parked vehicles.
- 743.16** Construction materials.
- 743.17** Sidewalks to be kept clean; placing snow in public right-of-way.
- 743.18** Open parking places to be enclosed.
- 743.19** Employees
- 743.99** Penalty.

CROSS REFERENCES

Unauthorized use of a vehicle; vehicle trespass - see GEN. OFF. [545.06](#)

General business licensing provisions - see BUS. REG. [Ch. 701](#)

743.01. Definitions.

For the purposes of this chapter the following words and phrases shall have the following meanings:

(a) "Parking place" means any garage or other building or any plot, piece or parcel of land in or upon which motor vehicles, tractors or trailers are stored or parked.

(b) "Public parking place" means any parking place in or upon which a business is conducted of storing motor vehicles where the owner or person storing such vehicle is charged a fee. Public parking spaces are generally characterized as a principal rather than a subordinate land use. A parking place that provides both accessory parking for a specific use, building or structure and regular fee parking for people not connected to the use, building or structure is also classified as a public parking place. A parking place that contains parking spaces which are leased to an entity other than a tenant of the property owner, whether those leased spaces could be considered subordinate to a specific use or not, shall be classified as a public parking place. A parking place containing parking spaces which fall under an alternative parking plan approved pursuant to Section 1107.1400 may be classified instead as a private parking place.

(c) "Commercial parking place" means any parking place where motor vehicles, tractors or trailers are stored for purposes of sale or display.

(d) "Private parking place" means any parking place where one or more motor vehicles are stored ~~which is not defined as a public or commercial parking place, as a free service for employees and/or customers of a principal use, building or structure.~~ Private parking places are generally characterized as a subordinate land use and of a nature incidental to but supportive of a principal use, building, or structure.

(e) "Person" means any individual, partnership, firm, association or corporation.

(f) "Paint" or "Painted" means the application of waterproof paint.

(g) "Surface Parking Lot" ~~shall have the same meaning as set out in Section 1103.0202 of this Code~~ means any nonstructural property used for temporary parking and/or storage of vehicles upon real estate which is not part of any street, highway or alley. "Surface Parking Lots" shall not include parking garages.

(h) "Special Event Parking" means any private space offered for a public event such as a ball game, concert, parade or similar event that would require short term paid parking.

743.02. License required.

No person, firm or corporation shall conduct a business of parking or storing motor ~~vehicle-vehicles~~ for ~~hire-a fee~~ in a public parking place, including special event parking, within the limits of the City without first having obtained a license ~~therefore in the manner hereinafter set forth~~ as provided in this Chapter 743.

743.03. Application for license.

Applications for licenses for public parking places shall be made by the person or persons intending to conduct a business therein upon ~~blanks-forms~~ to be furnished by the Director of Finance in substantially the following form:

(a) The name and address of the applicant; and if a nonresident of the City, the name and address of a local representative inside the City limits upon whom service can be made under the provisions of this chapter or of summons or other process issued by any court;

(b) A site plan of the lot, [compliant with Toledo Municipal Code Chapter 1107](#), that indicates the size and location of the lot including aisle width, stall dimensions, what type of barrier is in place, entrance and exit location, and location of signage;

(c) Verification that the parking place is compliant with all Federal ADA guidelines as defined in Section 1107.1700 of the Toledo Municipal Code;

(d) Proof of public liability insurance;

(e) Proof that the applicant is registered to do business in Toledo and the State of Ohio;

(f) Verification that the applicant is compliant ~~within the appropriate time frame established for applicable design standards as provided for in this Section and Chapter 1103 of this Code~~ [with all applicable standards and requirements, including design standards, of this Chapter and Chapter 1103 of this Code](#).

743.04. License fees.

(a) The following shall be the license fees for operating all public parking place except for Surface Parking Lots in the Downtown Overlay District [and/or in the Warehouse UNO District](#):

(1) For any location that was not licensed as a public parking place for the immediately preceding license year, five hundred dollars (\$500.00) for the initial license year.

(2) For a public parking place having an area of 6,000 square feet or less that was licensed for the immediately preceding license year, one hundred fifty dollars (\$150.00) per year.

(3) For a public parking place having an area of 6,001 or more square feet that was licensed for the immediately preceding license year, two hundred seventy-five dollars (\$275.00) per year.

(b) The following shall be the license fees for operating a public parking place in a Surface Parking Lot in the Downtown Overlay District [and/or in the Warehouse UNO District](#):

(1) For any location that is in compliance with applicable design standards and was not licensed nor required to be licensed as a public parking place for the immediately preceding license year, five hundred dollars (\$500.00) for the initial license year.

(2) For a public parking place having an area of 6,000 square feet or less that was licensed for the immediately preceding license year, and is in compliance with any

applicable design standards, one hundred fifty dollars (\$150.00) per year.

(3) For a public parking place having an area of 6,001 or more square feet that was licensed for the immediately preceding license year, and is in compliance with any applicable design standards, two hundred seventy-five dollars (\$275.00) per year.

(c) All license fees collected pursuant to Section 743.04(b) shall be deposited into a segregated revenue accruing account and used for enforcement of the provisions of this Chapter and improvements to the public infrastructure in the Downtown Overlay District [and/or in the Warehouse UNO District](#).

743.05. Issuance and transfer of licenses.

(a) Applications for public parking place licenses shall be investigated by the Commissioner of Transportation and if after investigation he is reasonably satisfied that the applicant has a good reputation; that the statements set forth in the application are correct; that the issuance of such license will be conducive to the public welfare and safety; and if the proper fee is paid, then such license shall be issued to the applicant, which license shall continue in effect until the first of April following the issuance of such license, unless revoked prior thereto.

(b) Licenses may be transferred from location to location with the written consent of the Commissioner of Transportation.

743.06. Revocation of license.

The Commissioner of Transportation may revoke any public parking place license if upon a hearing and investigation after at least ten days' written notice of the time and place of such hearing, he finds:

- (a) The licensee has knowingly made any false or materially incorrect statement in the application.
- (b) The licensee knowingly violates or knowingly permits or countenances the violation of any provision of this article.
- (c) The licensee knowingly violates or knowingly permits or countenances the violation of any provision of any penal law or ordinance regarding theft, larceny or conversion of a motor vehicle or the operation of a motor vehicle without the owner's consent as prohibited by Section 743.14.

743.07. Signs required.

Each person operating a public parking place shall have erected at each entrance thereto a sign or signs so that following information is clearly visible from each customer entrance:

- (a) The rate by day or hour as specified in the permit, also if there is a different rate on certain days or nights.
- (b) The hours during which the parking place will remain open for business if access to the facility is restricted during certain hours of the day.

(c) The name and telephone number of the operator of the parking place.

743.08. Change of rate.

No operator of any public parking place shall make any charge for storing any motor vehicle in excess of that set forth on the sign erected on the premises as required by Section 743.07.

(a) However, nothing herein contained shall be deemed to prevent the operator of any parking lot from charging a rate in case of special events different from that ordinarily charged, if such operator has placed over that portion of the sign indicating the usual rate for a parking sign bearing the following legend: "SPECIAL EVENT PARKING" and rate indicated on such sign.

743.09. Open parking places to be fenced in.

(a) Persons operating open parking places shall keep same enclosed, so that motor vehicles stored within cannot be removed from such place except at regularly established entrances and exits.

(b) Persons operating open parking places, public or private, shall be enclosed in the same fashion on all sides pursuant to Section 1103.0207, except those sides adjacent to public alley ways.

(c) Surface Parking Lots in the Downtown Overlay District [and/or in the Warehouse UNO District](#) shall conform with the provisions set forth in Chapters 1103 and 1107 of this Code where applicable.

743.10. Limitation on storage.

Persons operating public parking places shall limit the storage of vehicles therein to the reasonable storage capacity thereof and shall not permit the crowding of vehicles beyond such reasonable storage capacity.

743.11. Entrances and exits.

(a) Unless otherwise permitted by the Commissioner of Transportation, each public parking place shall have one common entrance and one common exit, which may or may not be combined.

(b) Each public parking place must also comply with TMC Chapters 1103 and 1107 of this Code where applicable.

743.12. Loading and unloading passengers.

The operator of each and every public parking place shall provide for a suitable place, commensurate with the capacity of such place, for the loading and unloading of the occupants of cars to be delivered or parked. The loading or unloading of passengers or drivers of motor vehicles across or upon a public sidewalk is hereby expressly prohibited, and any operator or employee who by receiving or delivering motor vehicles other than within the space provided by such place, aids or assists in

blocking any sidewalk or street shall be deemed to have violated the provisions of this chapter.

743.13. Claim Checks to be Furnished.

(a) At the time of accepting a motor vehicle for storage or parking in a public parking place, the person conducting the same, his agent, servant or employee shall furnish to such person parking his or her motor vehicle a distinctive check which shall be numbered to correspond to a coupon placed upon such motor vehicle, which check shall contain the name and address of the person owning or operating such public parking place. This provision shall not apply where cars are stored on a weekly or monthly basis.

(b) No person shall affix any parking coupon to any motor vehicle so as to obliterate in whole or in part any portion of the motor vehicle license plate on such vehicle.

743.14. Transfer of parked vehicles.

No owner or operator of any public parking place shall move or transfer, or cause to be moved or transferred, any parked motor vehicle from the particular parking place at which it is parked to any other public parking place over, through or upon the streets or alleys of the City, unless by the written consent executed by the owner of such motor vehicle or person parking the same. The written consent shall be signed in duplicate by the owner or person parking the motor vehicle and one copy of such consent shall be retained by such person and the other copy shall be retained by the owner or operator of the public parking place and kept as a permanent record. It is not the intention of this section to prohibit the moving of cars into a protected area after the posted closing hours. It is not the intention of this section to prohibit the transfer of vehicles from one area within the public parking place where an alley separates the areas which are operated by a single management.

743.15. Use of parked vehicles.

No owner or operator of any public parking place shall make any use for any purpose whatsoever of any motor vehicle parked in such place, unless the use has first been authorized by the owner or person having control of such vehicle.

743.16. Construction materials.

All parking places shall be constructed of concrete, asphalt or equivalent clean, hard surface material. The Administrative Board, sometimes referred to as the Zoning Board of Appeals, created by Section 1112.0200 is hereby empowered in specific cases of practical difficulty or unnecessary hardship to vary the terms of this chapter and the off-street parking section of the zoning code in harmony with the general intent and purposes hereof and thereof.

743.17. Sidewalks to be kept clean; placing snow in public right-of-way.

Any person operating or maintaining any public, commercial or private parking place shall keep the sidewalks surrounding such places free from dirt, ice and snow, and other debris, and shall keep the sidewalks in safe condition for the travel of

pedestrians. The owner and/or operator of any public parking place, commercial parking place or private parking place shall not remove the natural accumulation of snow or ice thereon by shoveling, plowing or otherwise removing such natural accumulation of snow and ice by depositing same upon the paved portion of the public right-of-way.

743.18. Open parking places to be enclosed.

All open parking places shall be so enclosed as to prevent unauthorized encroachment upon the public right of way and such enclosure shall conform to the established building lines. Except in the Downtown Overlay District [and/or the Warehouse UNO District](#), open parking places in residential areas shall be screened and landscaped. Surface Parking Lots in the Downtown Overlay District [and/or in the Warehouse UNO District](#) shall conform with the provisions set forth in Chapter 1103 of this Code.

743.19 Employees.

While on duty at the parking facility, whether public or private, each employee shall display identification provided by the parking operator, identifying the individual as an employee.

743.99. Penalty.

~~Whoever~~ [Any property owner or agent thereof which](#) violates any provision of this chapter is guilty of a misdemeanor of the fourth degree.

Exhibit “B”

(Additions in blue underline. Deletions in red strikethrough.)

CHAPTER 1103 Overlay Zoning Districts

1103.0200 -DO, Downtown Overlay District.

1103.1500 Warehouse UNO District.

1103.0200 -DO, Downtown Overlay District.

1103.0201 Purpose.

The -DO, Downtown Overlay district is intended to provide a review process for proposed physical changes to structures within the Central Business District of the City and adjacent areas in order to evaluate the proposals in relation to the approved plan for the area.

1103.0202 Definitions.

The definitions of this section are to be used solely for the purpose of interpreting and administering the downtown overlay provisions of this Zoning Code.

A. “Demolition.” For the purposes of the downtown overlay provisions, "demolition" means the removal or tearing down of all or part of a structure.

B. “Physical change.” For the purpose of the downtown overlay provisions, "physical change" means any work such as alteration, remodeling, new construction or renovation of the exterior of a structure for which the total cost would be more than two hundred fifty thousand dollars (\$250,000) or twenty-five percent (25%) of the appraised value of the building, as listed by the County Auditor, whichever is the lesser amount. In computing the total cost, the cost of any such work accumulated in any three-year period shall be considered.

C. “Reasonable economic use.” For the purpose of the downtown overlay provisions, "reasonable economic use" means a use for a structure or property that will produce a reasonable return that is economically viable. In a situation involving a property or structure that is not income-producing, reasonable economic use means that the property structure can be put to a reasonable beneficial use in a reasonable period of time based upon all relevant criteria set forth in Section 1111.0904.

D. “Surface Parking Lots.” For purposes of the downtown overlay provisions. "Surface Parking Lots" means any nonstructural property used for temporary parking or storage of vehicles upon real estate which is not part of any street, highway or alley. “Surface Parking Lots” shall not include parking garages.

1103.0203 Creation and Boundaries.

The -DO District is created as an overlay district to be applied to land within and adjacent to the Central Business District as the City Council designates by ordinance. The boundaries of the -DO District are depicted on the Official Zoning

Map. A map of the boundaries and boundary description are also presented in Appendix A.

1103.0204 Effect of -DO Designation.

The -DO District regulations apply in combination with underlying base zoning district regulations and all other applicable standards of this Zoning Code. When -DO District standards conflict with the underlying base zoning district standards or other regulations of this Zoning Code, the regulations of the -DO District will always govern. When no special -DO District standards are specified, all other applicable regulations of this Zoning Code will govern.

1103.0205 Design Guidelines.

These guidelines are derived largely from the Design Guidelines chapter found in [the 2002 Downtown Toledo Master Plan](#), as adopted by Ordinance 280-02.

A. Rehabilitation of existing structures. Wherever possible, examples of the City's traditional commercial, civic and residential architecture should be preserved, renovated and where appropriate, adaptively reused. Specifically:

1. Where removed a cornice or fascia should be restored to reemphasize the original design intent of the structure and should be designed in proportion to the overall mass of the building.
2. The building's original wall surface and detailing should be restored whenever possible and all exposed mechanical equipment, unused electrical apparatus or sign supports should be removed.
3. Special attention should be given to the removal of storefront surface materials that will extend onto the piers and walls of the upper facade.
4. If new materials are to be used for buildings that are architecturally undistinguished, they should be selected to coordinate with neighboring structures and to complement the design of the storefront.
5. The proportions of restored windows and the rhythm of the window pattern should replicate the original facade design as closely as possible.
6. Display windows of a storefront should never be filled or covered except where there are residential uses abutting the sidewalk on the ground floor.
7. On traditional buildings, recessed entrances are encouraged and where entrances are flush with display windows, awnings can be used to give greater definition to the storefront and provide overhead protection. Awnings should be attached directly to the building without requiring a support column on the sidewalk, have a minimum clearance of eight [\(8\)](#) feet and a maximum clearance of [twelve \(12\)](#) feet above the sidewalk.
8. Loading and service entrances should be located at the rear and side of the building.
9. Trash containers, service and storage areas should be screened and

maintained. In larger developments, trash collection, service and loading areas should be separated from main circulation and parking areas.

B. New Development Infill.

1. The front setback of new development should replicate the setback of existing buildings to create a consistently developed edge, reinforce the City center's urban development pattern and enhance pedestrian orientation.
2. There should be no spacing between buildings except a mid-block pedestrian walkway would be allowed.
3. Building height and massing should be compatible with existing development. The building mass should be broken into increments that correspond to the scale and massing of existing buildings through the use of such devices as setbacks and variable roof heights.
4. The location and articulation of building entrances should complement those of existing buildings and should be oriented to street frontages.
5. Street facades of new infill development should be organized into:
 - a. ground-level pedestrian presentation; and
 - b. the upper architecture, with strong horizontal elements separating the two.

C. Major New Development Over 25,000 Square Feet. The principal challenge in designing major new downtown development projects is the successful incorporation of large-scale and/or high-rise structures into the existing context of smaller-scale buildings.

1. Unarticulated forms and masses should be avoided in new larger-scale development. Instead, the building should be broken into increments that relate to the human scale by using such devices as fenestration, architectural detailing, variable setbacks and rooflines to define a sequence of bays and provide transitions in height and scale. Multi-block mega-structures that erase the street grid and ~~weaken~~ weakens the basic urban block structure are discouraged.
2. Blank wall areas at sidewalk edge may not extend for more than 25 horizontal feet without articulation such as a window, glass-covered display area, entryway or recessed area.
3. To counter high-rise impacts the use of reflective glass at ground level should be avoided so that the building base meets the ground in a manner that is more inviting to the public. Controls designed to preserve solar access to streets and public spaces and measures that help minimize wind tunnel and down draft effects may also be considered.
4. Maintain pedestrian connections and view corridors along traditional street rights of way when a project spans several blocks (mega-structures) providing for a sequence of public spaces and walkways that are linked to the street grid.

D. **Facade Materials and Colors.** See Section 1109.0500 for building facade material and color standards.

E. **Streetscape.**

1. Street trees to the satisfaction of the ~~Department of Parks, Recreation and Forestry~~ [Division of Urban Beautification](#), light standards, street signs, etc., should be placed so that the trees are between the street lanes and any pedestrian walkway. Moveable seating is preferred to seating that is permanently anchored to the sidewalk.

2. Trees should be spaced at distances so that each tree can attain the appropriate form and shape at maturity. This could range between 30 and 40 foot spacing for large trees and 15 to 25 feet for smaller trees. Do not plant trees directly in front of entrances or other significant architectural features.

3. Any walkway or public spaces specifically designed to enhance pedestrian movement should not use plain asphaltic pavements for the walking surface or use tiles or similar surfaces that can become slippery when wet.

4. Existing and future transit stop locations should have ample space for patron amenities and waiting.

F. **Building Identification Signs.** Signage shall comply with Part 13, Title 9, Chapter 1387, Signs Permitted in Zoning Districts, and the following regulations:

1. Each building within the -DOD is limited to one (1) Building Identification Sign per building façade, with a maximum of two (2) Building Identification Signs.

2. Additional building signs, including projecting, marquee, fascia or monument, shall be limited to tenants and/or occupants located in the building. Such signs shall be located between the top of the first floor door or window lintel and the second floor windowsill. Unless architectural treatments and/or features preclude the installation of such signs, which then shall be reviewed and approved by the Plan Director.

3. No sign or part of a sign shall be located above the parapet of any facade. Roof mounted signs are prohibited.

4. Projecting signs are not allowed as Building Identification Signs.

G. **Exemptions.** The Plan Commission may ~~modify and/or waive~~ [exempt](#) all or parts of the design standards in this section for [commissioned buildings by an architect for a](#) site when, in the opinion of the Plan Commission, the design constitutes a unique, one of a kind building that meets the intent of these design standards. The Plan Commission may request the City Historic District Commission to review and comment.

1103.0206 Relationship to Comprehensive Plan.

Review of proposals for physical change ~~for or~~ demolition must be based on the Comprehensive Plan, the Downtown Toledo Master Plan approved through Ordinance

280-02, the CBD Architectural Survey Report (1986), and any other additions and amendments thereto as may be approved by the Plan Commission and City Council.

1103.0207 Special Design Standards – Surface Parking Lots.

Parking should be limited to structured facilities and on street parking. Parking structures located on pedestrian routes should accommodate streetscape related improvements such as entertainment, storefronts/retail, and/or landscaped treatments to soften the structure. Existing Surface Parking Lots, ~~public or private~~ accessory or non-accessory, permitted by this Code shall be subject to the following standards:

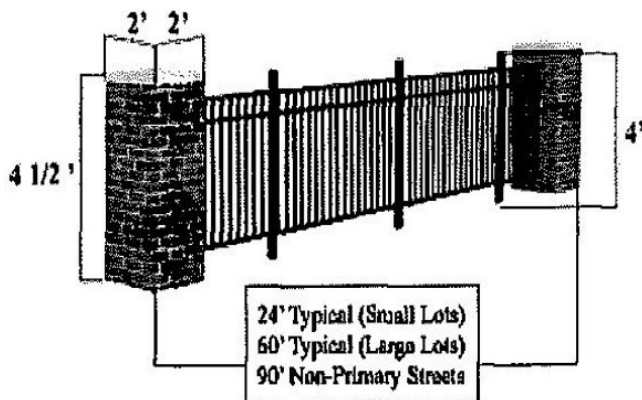
A. Surface Parking Lots that are permitted by this Code or are created after the effective date of this Section shall comply with the standards set forth herein prior to storage or parking occurring on the Surface Parking Lot.

B. Surface Parking Lots in the Downtown Overlay District and/or in the Warehouse UNO District ~~district~~ shall be bordered along public rights of way by a combination of fencing and brick columns ~~black wrought iron or black heavy gauge aluminum tube fencing that is at least four feet high with brick or thin brick columns that are at least 4'6" high and at least 18" wide or greater.~~

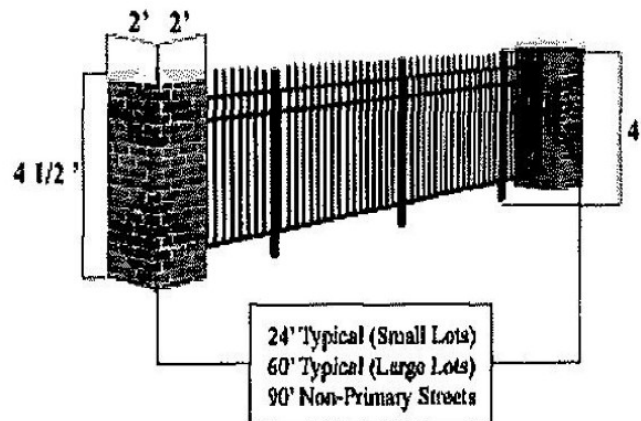
1. Columns shall be durably constructed of brick or with a thin brick veneer. Minimum acceptable material for thin brick veneer is lightweight high-density polyurethane that is all weather and has the appearance of real brick. ~~Brick columns shall meet the requirements for brick as defined in Sec. 1109.0502.A.~~
2. Columns shall be at least 4 feet 6 inches high and at least 18 inches wide.
3. Columns shall be constructed using earth tone colors.
4. Spacing of columns shall be as follows:
 - a On primary streets, ~~spacing of~~ columns shall be spaced at least every 24' for small lots (120' x 120' and under) and at least every 60' for large lots (with frontage of more than 120').
 - b On non-primary streets, ~~spacing of~~ columns may be spaced no more than 90' apart.
 - c The Plan Director may approve greater distance spacing of columns where recommended by Toledo Downtown Parking Lot Review and Improvement Advisory Committee (DPLRIAC).
5. Measurement as to placement of columns, new entrances, and exits will take into consideration turning radius needed for motor vehicles as well as two-way traffic.
6. Columns may encroach up to 18 inches into the right-of-way subject to the following:
 - a An encroachment permit shall be approved through the Division of Traffic Management.

- b Columns shall not interfere with right-of-way pedestrian movement. At a minimum a six foot wide unobstructed walkway shall be maintained within the right-of-way.
7. Fencing shall be black wrought iron or black heavy gauge aluminum tube fencing that is at least four feet high.
8. Fencing may connect to adjacent buildings rather than installing a pillar in instances where such connections are practical and do not detract from the purposes of this Chapter.
9. ~~The f~~ences shall be clear of signage or other obstructions.
10. ~~The specifications for the fencing are as follows~~ Fencing required by this section shall adhere to the following specifications:

Typical Flat Top Design



Typical Picket Top Design



1. ~~a~~ Sections: Standard sections are 6' wide.
2. ~~b~~ Pickets: Commercial 3/4" square x .055
3. ~~c~~ Spacing between Pickets: Commercial standard 3-5/8" and optional 1-1/2"
4. ~~d~~ Fasteners: Stainless steel
5. ~~e~~ Horizontal Rails: Commercial 1-1/4" x 1-3/8" with .088" side walls and .065" top walls
6. ~~f~~ Posts: Commercial 2" square x .080, or .125; 2-1/2" square x .100; and 3" square x .125
7. ~~g~~ Alloy: High-strength Ultram™ 6005-T5 alloy, min. strength 35,000 PSI
Finish: Powercoat. When applied, Powercoat is twice the thickness and hardness of a typical acrylic, baked enamel or "wet paint" finish, making it

more durable, fade-resistant and scratch-resistant than other coatings.

~~g.~~h Color: Black

C. Parking spaces in Surface Parking Lots in the Downtown Overlay District and/or in the Warehouse UNO District that abut fencing required by this Section shall have wheel stops of 4" high or a continuous 4 inch concrete inside the fence placed as to prevent cars from hitting or damaging the fence or columns.

D. Guard rails, bollards, chains, wires, ropes or similar type barriers are not permitted on any Surface Parking Lot in the Downtown Overlay District and/or in the Warehouse UNO District - even inside the black metal fences unless they are to protect electrical boxes/ conduit, drains, honor boxes, machines, or large investments within the lot.

E. Lighting fixtures located on the brick columns are encouraged, but not required.

F. Landscaping is encouraged but not required. Landscaping shall not be a substitute or replacement for the Fencing & Columns required above.

G. Streets classified as principle arterial and minor arterial on the Street and Highway Plan are considered primary for the purposes of this Chapter. ~~The Downtown Overlay Map on the following page indicates the primary and non-primary streets and the compliance timetable (See Sections 743.05 and 743.06). Primary streets are highlighted in the map.~~ All other streets are considered non-primary for purposes of this Chapter.

~~H. These provisions apply to all properties within the Downtown Overlay District with the exception of the area bounded by Woodruff Avenue, Cherry Street, Spielbusch Avenue, Southard Street, 12th Street, Jackson Street and 13th Street.~~

1103.0208 Other Provisions.

It is the intent of Section 1103.0207 of this Code to provide for uniform standards for Surface Parking Lots in the Downtown Overlay District and the Warehouse UNO District. Nothing in Section 1103.0207 should be interpreted as excusing or superseding any and all other applicable Code Provisions governing parking except to the extent that any other provision could be interpreted as allowing a lesser standard. To the extent that any other design standard in the Code conflict with the design standards set forth in Section 1103.0207, the provisions of Section 1103.0207 shall control.

1103.0209 Compliance.

A. There is hereby established three zones of compliance within the Downtown Overlay District and Warehouse UNO District; Zone 1, Zone 2, and Zone 3.

1. The boundaries of land included in Zone 1 shall be as follows:

Beginning at a point of intersection of the centerlines of Summit Street and Cherry Street, thence northwesterly along the centerline of Cherry Street to its intersection with of the centerline of North Erie Street; thence southwesterly along the centerline of North Erie Street to the

intersection of the centerline of Monroe Street; thence northwesterly along the centerline of Monroe Street to the centerline of Michigan Street; thence southwesterly along the centerline of Michigan Street to the former centerline of Eleventh Street; thence southerly along the current and former centerline of South Eleventh Street to the centerline of Nebraska Avenue; thence easterly along the centerline of Nebraska Avenue to the centerline of South Erie Street; thence southwesterly along the centerline of South Erie Street to a point of intersection of the westerly extension of the north line of Lot 3, Sprague’s Addition to Toledo; thence easterly along the westerly extension of, and the north line of, and the easterly extension of Lot 3, Sprague’s addition to Toledo to the centerline of Relocated Swan Creek; thence northeasterly, southeasterly, and northeasterly along the centerline of Relocated Swan Creek to a point of intersection of the southeasterly extension of the southwesterly right-of-way line of Jefferson Avenue; thence southeasterly along the southeasterly extension of the southwesterly right-of-way line of Jefferson Avenue to the center of the Maumee River; thence northeasterly along the center of the Maumee River to its intersection with the centerline of the Martin Luther King Bridge, being also the centerline of Cherry Street; thence northwesterly along the centerline of Cherry Street to the point of beginning.

2. The boundaries of land included in Zone 2 shall be as follows:

Beginning at a point of intersection of the centerlines of Cherry Street and North Erie Street, thence northwesterly along the centerline of Cherry Street to its intersection with the centerline of Spielbusch Avenue; thence southwesterly along the centerline of Spielbusch Avenue to the centerline of Jackson Street; thence southwesterly along the centerline of Michigan Street to the centerline of Monroe Street; thence southeasterly along the centerline of Monroe Street to the centerline of North Erie Street; thence northeasterly along the centerline of North Erie Street to the point of beginning.

3. Zone 3 shall include all lands within the Downtown Overlay District boundaries and/or the Warehouse UNO District boundaries which are not included in the boundaries of Zones 1 or 2.

B. ~~Surface Parking Lots within the part of the Downtown Overlay District bounded by Michigan Street, Jackson Street, Water Street and Lafayette Street shall be in full compliance with the provisions of Section 1103.0207 within three (3) years of the effective date of the adopting legislation unless granted a variance or extension as provided herein. All other~~ All Surface Parking Lots, Accessory and Non-Accessory in Zone 1 of the Downtown Overlay District and Warehouse UNO District shall be in full compliance with Section 1103.0207 ~~within five (5) years of the effective date of the adopting legislation by April 1, 2028,~~ unless granted a variance or extension as provided herein.

C. All Non-Accessory Surface Parking Lots in Zone 2 of the Downtown Overlay District and Warehouse UNO District shall be in full compliance with Section 1103.0207 by April 1, 2029, unless granted a variance or extension as provided herein.

D. All Non-Accessory Surface Parking Lots in Zone 3 of the Downtown Overlay District and Warehouse UNO District shall be in full compliance with Section 1103.0207 by April 1, 2030, unless granted a variance or extension as provided herein.

**1103.0210 ~~Existing~~ ~~Surface~~ ~~Parking~~ ~~Lot~~ ~~Fencing/~~
~~Extensions/Exemptions~~ Modifications and Waivers.**

~~Fencing on surface lots that are not used for commercial parking that existed on the day this code is enacted except for barbed wire fences, may be granted an extension of up to ten (10) years to comply with the requirements of this Chapter by a recommendation by the Toledo Downtown Parking Lot Review and Improvement Advisory Committee (DPLRIAC) to the Plan Commission Director. Additionally, surface lots that are not used for public parking that are determined by the DPLRIAC to currently have a unique landscaping design or perimeter finish may be granted an 'exemption' from the metal fencing & brick pillars, as long as the unique landscaping design or perimeter finish is maintained in excellent or good condition as determined by the DPLRIAC.~~

A. The Plan Commission or Plan Commission Director may, after proper application by the property owner and review of the application by the Downtown Parking Lot Review and Improvement Advisory Committee (the “DPLRIAC”), upon making findings of fact and consideration of DPLRIAC recommendation, modify and/or waive the requirements of Section 1103.0207, provided the existing or resulting design features of the subject surface parking lot comply with the spirit and intent of this Chapter and other applicable provisions of the Toledo Municipal Code.

B. The Plan Commission or Plan Commission Director may, after proper application by the property owner and review of the application by the Downtown Parking Lot Review and Improvement Advisory Committee (the “DPLRIAC”), upon making findings of fact and consideration of DPLRIAC recommendation, grant extensions of the compliance timelines of Section 1103.0209, provided the subject surface parking lot owner has shown diligent effort to comply with this Chapter and other provisions of the Toledo Municipal Code.

1103.0211 Downtown Parking Lot Review and Improvement Advisory Committee, Composition, Jurisdiction and Procedures.

A. Downtown Parking Lot Review and Improvement Advisory Committee ~~Authority~~

1. There is hereby established the Toledo Downtown Parking Lot Review and Improvement Advisory Committee ("DPLRIAC") which shall ~~have the responsibility for reviewing all Plans~~ review all site plans, and requests for ~~variances~~ modification/waiver, and requests for extension of compliance timelines for surface parking lots in the ~~DOD~~ Downtown Overlay District and Warehouse UNO District, for compliance with the provisions of this Chapter and make

recommendations to the Plan Commission Director. ~~The DPLRIAC shall review all Surface Parking Lot Design plans in the Downtown Overlay District and may issue variances from brick columns, the height of the fencing, or the spacing of the brick columns. No color variances for fence or columns shall be permitted.~~

2. The DPLRIAC shall recommend to the Plan Commission Director to approve, approve with modifications, or disapprove submissions for parking lot improvements, modifications, waivers, and/or extensions of a compliance timeline. ~~variances. Any applicant may appeal decisions on plans or variances by the DPLRIAC or any other interested person to the Plan Commission, in writing, within 7 days of an adverse decision of the DPLRIAC. The Plan Commission must hear such appeals within thirty (30) calendar days of the date of receipt of the appeal. The DPLRIAC may make recommendations to the Plan Commission Director for variances from requirements for brick columns, the height of fencing, or the spacing of the brick columns. No color variances for fence or columns shall be permitted.~~

3. ~~If the DPLRIAC forwards the Submission to the Toledo Plan Commission, or the decision under these Declarations is appealed to the Toledo Plan Commission, the Toledo Plan Commission shall review the Submission in accordance with these Declarations, the Toledo Municipal Code, and its Rules, and render its decision in writing. The Plan Commission Director shall review and consider the recommendations of the DPLRIAC, giving due weight to its findings and the submission's compliance with Section 1103.0207 and other applicable provisions of the Toledo Municipal Code and make determinations in writing. The DPLRIAC, applicant or other interested party may appeal the Plan Commission Director's decision to the Plan Commission in accordance with Section 1103.0212.~~

4. The DPLRIAC may recommend public improvements to the public ways in the Downtown Overlay District and/or in the Warehouse UNO District to the Mayor. ~~and may recommend to the Mayor expenditures of any funds maintained in the revenue accruing account established pursuant to Section 743.04(C) of this Code.~~

B. DPLRIAC Composition and Term

The DPLRIAC shall consist of not more nor less than seven (7) members who shall be appointed by the Mayor ~~in accordance with Charter Section 64~~ but shall include:

1. A representative of the Downtown Toledo Improvement District,
2. A representative from the Toledo City Plan Commission (or their designee),
- ~~3. A private parking lot owner/operator,~~
- 4.3. A Two non-accessory public parking lot owners/operators,
- ~~5.4.~~ A restaurant or retail store owner/operator,
- ~~6.5.~~ A downtown resident who owns their dwelling, and
- ~~7.6.~~ A representative of the Toledo Design Center or, if no such representative is available, an elector of the City of Toledo.

In the event that there is a vacant position on the DPLRIAC that has not been filled ~~by the process defined in these Declarations~~, the DPLRIAC, by majority vote, may temporarily appoint a person to serve on the DPLRIAC until a replacement is designated. The DPLRIAC members shall serve ~~three year~~three-year terms. A member may serve no more than two consecutive terms.

C. DPLRIAC ~~RULES~~ Rules/Procedures

~~The Chair shall be responsible for providing a non-voting Secretary for the DPLRIAC who shall be responsible for maintaining the minutes and records of the DPLRIAC. A quorum of the DPLRIAC shall consist of five (5) members, one (1) of which must be the Chair. Four (4) affirmative votes are necessary for all DPLRIAC review action, unless stated otherwise in these Declarations. In the event of a tie vote, the Chair shall render a decision on behalf of the DPLRIAC.~~

The DPLRIAC may adopt ~~Rules of Procedure~~ rules or procedures ("Rules") to govern the operations of the DPLRIAC, including the election of officers to include a Chair. Such Rules must be adopted by, and may be amended by, a vote of not less than four (4) members of the DPLRIAC. Robert's Rules of Order shall govern the actions of the DPLRIAC unless otherwise expressly provided for in the Rules.

The Chair shall be responsible for providing a non-voting Secretary for the DPLRIAC who shall be responsible for maintaining the minutes and records of the DPLRIAC. A quorum of the DPLRIAC shall consist of five (5) members, one (1) of which must be the Chair or Vice-Chair. Four (4) affirmative votes are necessary for all DPLRIAC review actions, unless stated otherwise in these Declarations. In the event of a tie vote, the Chair shall render a decision on behalf of the DPLRIAC.

~~The DPLRIAC may adopt provisions to allow the Chair to administratively approve certain Submissions conforming to the Declarations without review by the TWDARC.~~

D. DPLRIAC ~~Procedures~~ Parking Lot Site Plan Review Process

~~An applicant shall forward Submissions to the DPLRIAC for preliminary review in accordance with the Declarations before review of the Submission by the DPLRIAC. The DPLRIAC shall review the Submission for conformance with the Declarations and the Toledo Municipal Code, and shall respond in writing within thirty (30) days of the filing of the Submission as to whether the Submission materially conforms to the Declarations and Toledo Municipal Code, or what modifications are needed to achieve conformance.~~

~~If the Submission materially conforms to the Declarations and the Toledo Municipal Code, the DPLRIAC shall forward the Submission and all comments to the Toledo Plan Commission for review as provided for in this Article.~~

a. The Department of Finance shall forward an application for a license with the site for public parking places (non-accessory parking) under Code Section 743.01 to the Plan Commission.

b. The Plan Commission shall submit any such application within the Downtown Overlay District and/or within the Warehouse UNO District to the DPLRIAC for review.

- c. The DPLRIAC shall review the application site plan for conformance with Section 1103.0207 and other applicable Toledo Municipal Code provisions and make recommendations for approval, approval with modifications, or disapproval to the Plan Commission Director.
- d. The Plan Commission Director shall review the DPLRIAC recommendation and provide written notice of approval, disapproval or modification to the applicant in writing within forty-five (45) days of the filing of the application and site plan with the Plan Commission. If the site plan is disapproved, the Director shall indicate what modifications to the site plan are necessary for approval.

E. DPLRIAC Liability

The DPLRIAC, as a City of Toledo entity, shall have the liability protections granted to such bodies under the laws of the State of Ohio.

F. Exceptions

The DPLRIAC ~~is authorized to~~ may recommend exceptions from ~~any provision of the Declarations where~~ the requirements of Section 1103.0207 if it finds that such variances will assist in carrying out the intent and spirit of the ~~development~~ Downtown Overlay District development objectives and where strict application of the provision would result in a particular hardship to the applicant.

G. Public Meetings

Regular and Special meetings of the DPLRIAC shall be subject to the public meeting and notice requirements (commonly known as the "Sunshine Laws") of the Ohio Revised Code ~~and the Toledo Municipal Code~~.

H. In the event that the DPLRIAC is no longer an official, active organization for the Downtown Parking Lots then the development plans shall be subject to the Site Plan Review procedure of the TMC Section 1111.0800.

1103.0212 Appeals.

A decision made by the Plan Director or the Plan Commission under this Chapter 1103 shall be subject to appeal in accordance with the provisions set forth in Toledo Municipal Code Section 1111.0805.

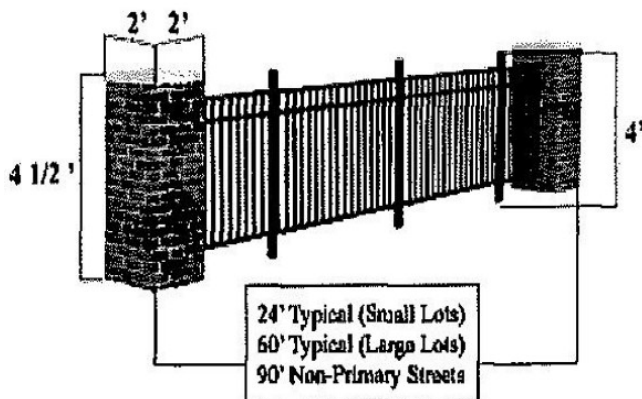
1103.1500 Warehouse UNO District.**1103.1519 Design Standards – Surface Parking Lots.**

Parking should be limited to structured facilities and on street parking. Parking structures located on pedestrian routes should accommodate streetscape related improvements such as entertainment, storefronts/retail and/or landscaped treatments to soften the structure. Existing Surface Parking Lots, ~~public or private~~ accessory or non-accessory, permitted by the City of Toledo shall be subject to the ~~following standards:~~ standards outlined in Toledo Municipal Code Sections 1103.0207, 1103.0208, 1103.0209, 1103.0210, 1103.0211, and 1103.0212.

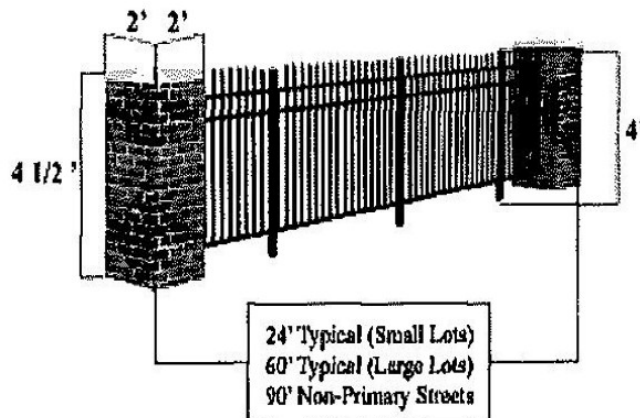
~~Surface Parking Lots shall be bordered along public rights-of-way by black-wrought iron or black heavy gauge aluminum tube fencing that is at least four feet high with brick or thin brick columns that are at least 4'6" high and at least 18" wide or greater. Brick columns shall meet the requirements for brick as defined in Sec. 1109.0502.A. Columns shall be constructed using earth tone colors. On primary streets, spacing of columns shall be at least every 24' for small lots (120' x 120' and under) and at least every 60' for large lots (with frontage of more than 120'). On non-primary streets, spacing of columns may be spaced no more than 90' apart. The Plan Director may approve greater distance spacing of columns where recommended by Toledo Downtown Parking Lot Review and Improvement Advisory Committee. Measurement as to placement of columns, new entrances, and exits will take into consideration turning radius needed for motor vehicles as well as two-way traffic. Fencing may connect to adjacent buildings rather than installing a pillar in instances where such connections are practical and do not detract from the site.~~

~~The fences shall be clear of signage or other obstructions. The specifications for the fencing are as follows:~~

Typical Flat Top Design



Typical Picket Top Design



~~1. Sections: Standard sections are 6' wide.~~

- ~~2. Pickets: Commercial $\frac{3}{4}$ " square x .055~~
 - ~~3. Spacing between Pickets: Commercial standard 3-5/8" and optional 1-1/2"~~
 - ~~4. Fasteners: Stainless steel~~
 - ~~5. Horizontal Rails: Commercial 1-1/4" x 1-3/8" with .088" side walls and .065" top walls~~
 - ~~6. Posts: Commercial 2" square x .080, or .125; 2-1/2" square x .100; and 3" square x .125~~
 - ~~7. Alloy: High strength Ultrum™ 6005 T5 alloy, min. strength 35,000 PSI Finish: Powercoat. When applied, Powercoat is twice the thickness and hardness of a typical acrylic, baked enamel or "wet paint" finish, making it more durable, fade-resistant and scratch-resistant than other coatings.~~
 - ~~8. Color: Black~~
 - ~~—Parking spaces in Surface Parking Lots that abut fencing shall have wheel-steps of 4" high or a continuous 4 inch concrete inside the fence placed as to prevent cars from hitting or damaging the fence or columns.~~
 - ~~—Guard rails, bollards, chains, wires, ropes or similar type barriers are not permitted on any Surface Parking Lot in the Downtown Overlay District—even inside the black metal fences unless they are to protect electrical boxes/ conduit, drains, honor boxes, machines, or large investments within the lot.~~
 - ~~—Lighting fixtures located on the brick columns are encouraged, but not required.~~
 - ~~—Landscaping is encouraged but not required. Landscaping shall not be a substitute or replacement for the Fencing & Columns required above.~~
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CHAPTER 1104
Use Regulations

1104.0107 Use Categories.

Use Category	RS12	RS9	RS6	RD6	RM (all)	R MH	CN	CO	CM	CS	CR	CD	IL	IG	IP	POS	IC
Parking, Commercial Non-Accessory	-	-	-	-	-	-	-	-	-	S	P	S	-	-	-	-	P

CHAPTER 1107

Parking, Loading and Access

1107.0102 Applicability.

E. **Non-Accessory Parking Lots.** Full compliance with the parking, loading, and access standards of this chapter shall apply to nonconforming non-accessory parking lots when the configuration or dimension of any on-site parking or loading space, maneuvering area, aisle, or driveway is altered. Maintenance of non-accessory parking lots, including resurfacing, patching, or restriping which does not result in an alteration in the configuration or dimension of any parking or loading space, maneuvering area, aisle, or driveway, is permitted by this chapter so long as such maintenance does not increase the parking lot's nonconformity.

1107.0903 ~~Commercial~~ Non-Accessory Parking.

A ~~Commercial~~ Non-Accessory Parking facility must provide bicycle parking area equivalent to one parking space, or two parking spaces if the facility has more than 200 parking spaces. The space must contain lockers, hard covers or shells, or other similar structures or devices in which bicycles may be individually covered and locked. Such bicycle parking area may be installed within the right-of-way subject to the following:

- a An encroachment permit shall be approved through the Division of Traffic Management.
- b Bicycle parking spots as outlined in Section 1107.0902 shall not interfere with right-of-way pedestrian movement. A clear Pedestrian zone of at least 6' shall be maintained, with no minor pinch-point (such as around a utility pole or tree) below 4' wide. Bicycle parking areas may take the place of an on-street parking space when protective bollards, wheel stops, or the like are installed subject to approval by the Division of Traffic Management.

CHAPTER 1116

Terminology

1116.0234 Parking, ~~Commercial~~ Accessory & Non-Accessory.

A. Parking, Non-Accessory

Automobile parking as a principal rather than a subordinate land use that is neither accessory to a specific use nor code-required. ~~Facilities that provide parking that is not accessory to a specific use. A fee may or may not be charged.~~ A facility parking lot that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a ~~Commercial~~ Non-Accessory Parking use. ~~Vehicles located on the property must have valid license plates associated with and displayed on each individual vehicle. All activities associated with vehicle sales or advertisements for vehicles sales are not permitted at the facility. A facility that provides parking or storage of vehicles without valid license plates is considered Vehicle Storage.~~ A parking lot that contains parking spaces which are leased to an entity other than a tenant of the property owner, whether those leased spaces could be considered accessory to a specific use or not, shall be classified as a Non-Accessory Parking use. A parking lot containing parking spaces which fall under an alternative parking plan approved pursuant to Section 1107.1400 may be classified instead as an Accessory Parking use. Non-Accessory Parking is generally characterized as a commercial service.

B. Parking, Accessory

Automobile parking as a subordinate use and of a nature incidental to but supportive of the principal use, building or structure. Accessory parking is characterized as a free service for employees and/or customers of the principal use, building or structure.

