

**TOLEDO - LUCAS COUNTY PLAN COMMISSIONS**

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: October 14, 2022

REF: M-11-22

TO: President Matt Cherry and Members of Council, City of Toledo

FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary

SUBJECT: Amendment to TMC 1107.0201 eliminating the requirement for on-site residential parking in the CD downtown commercial zoning district.

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, October 13, 2022 at 2:00 P.M.

**GENERAL INFORMATION**

Subject

Request	-	Amendment to TMC 1107.0201 eliminating the requirement for on-site residential parking in the CD downtown commercial zoning district.
Applicant	-	Toledo City Plan Commission One Government Center, Suite 1620 Toledo, OH 43604

**STAFF ANALYSIS**

This request is a text amendment to modify section 1107.0201 of the Toledo Municipal Code (TMC) Chapter 11 to eliminate the requirement for on-site residential parking in CD downtown commercial zoning districts. The proposed text amendment is part of an ongoing public and private effort to redevelop Downtown Toledo for dense commercial, residential, and civic life.

Proposed modification

The current code requires residential uses in CD Downtown Commercial zoning districts provide one (1) off-street parking space per dwelling unit, and one (1) additional per ten (10) dwelling units. Non-residential uses permitted in CD Downtown Commercial zoning districts are not required to provide parking. The proposed amendment to the code removes the distinction between residential and non-residential uses for the purpose of parking, and eliminates parking minimums in CD Downtown Commercial zoning districts. At the time of publication, approximately 185 Acres of land, excluding public rights-of-way, are zoned CD Downtown Commercial. Exhibit "B" depicts a map of CD Downtown Commercial zoning districts.

**STAFF ANALYSIS (cont'd)**

Justification

The intent of the text amendment is to help preserve existing building stock, encourage the construction of consolidated parking structures, and support pedestrian activity and utilization of public transportation.

Redevelopment adhering to the current code must utilize land for parking. Given the dense nature of Downtown, excess land for new parking is rarely available without demolition of adjacent structures and a decrease in total building stock downtown. Alternatively, projects can utilize parking structures. However, parking structures for a single project can be cost prohibitive and geometrically challenging. These factors can prevent reuse of existing buildings. The proposed amendment removes the requirement for project-based parking and instead places discretion for parking needs in the hands of developers and residents. Over time, the aggregate parking demand of multiple residential developments will incentivize the construction of multi-level parking structures which service multiple users. This is both a more efficient and valuable use of land than surface parking, and in line with the Surface Parking Lot bans as outlined in TMC§1107.0203. Roughly thirty percent (30%), approximately 56 acres, of CD Downtown Commercial zoned land falls within the Surface Parking Lot Ban Districts as defined by TMC§1107.0203.

Furthermore, the city has made consistent efforts to support alternative modes of transportation in and around Downtown. Completion of the Jefferson cycle track, renovation of TARTA's Downtown transit-hub, reconstruction of Summit Street, and cooperation with shared mobility services for bikes and e-scooters all reflect a dedication to enhancing pedestrian, bicycle, and public transit experience in the city. The proposed removal of residential parking minimums in CD Downtown Commercial zoning districts is in line with this commitment. While some developers may still choose to include parking for residential units, removal of the minimum in CD Downtown Commercial zoning is the removal of a significant barrier to redevelopment of Toledo's Downtown, preservation of building stock, and improvement of the pedestrian experience.

TMC§1107.0100 – *Purpose* sets forth the intent of off-street parking requirements. It states: “The regulations of this chapter are intended to ensure that the off-street parking, loading, and access demands of various land uses will be met without adversely affecting surrounding areas.” The section also states “In recognition of the fact that different approaches will be appropriate in different areas of the City, the regulations allow flexibility in addressing vehicle parking, loading, and access demand.” The proposed amendment aligns with this purpose by allowing greater flexibility in Toledo's Downtown where alternatives to personal vehicles are available and supported. While off-street parking for every residence may apply in less central areas of Toledo, the continued requirement of off-street parking for residential uses is counterproductive to the plans, actions, and built form of downtown. Existing lots, other modes of transportation, on-street parking, and parking structures all serve as viable alternative options in CD Downtown Commercial zoning districts.

**STAFF ANALYSIS (cont'd)**

Peer City Research

The three (3) largest cities in Ohio have implemented similar policies. The City of Columbus, Ohio exempts properties within their Downtown District from off-street parking requirements in section 3359.27 of the Zoning Code in the City of Columbus Code of Ordinances. The City of Cleveland, Ohio exempts properties within the Central Business District from off-street parking requirements in section 349.11 of the Zoning Code in the City of Cleveland Code of Ordinances. The City of Cincinnati, Ohio exempts residential developments within the Downtown Development District from off-street parking for the first twenty (20) living units. Additional units greater than twenty (20) require 0.75 off-street spaces per unit in section 1411-23 of the Zoning Code in the City of Cincinnati Code of Ordinances. Additionally, the City of Cincinnati has approved several "Urban Parking Overlay Districts" in a large portion of downtown and the Pendleton and Over-the-Rhine neighborhoods. Within this overlay, all uses are exempt from off-street parking requirements.

Downtown Toledo Master Plan

The Downtown Toledo Master Plan identifies 4,875 privately owned off-street spaces and 900 metered on-street spaces available for public use. The plan sites an abundance of off-street surface parking lots in Downtown Toledo. Furthermore, surface lots have detrimental impacts to the walkability, livability, attractiveness, and economic vibrancy of downtown. Surface parking lots adjacent to sidewalks interrupt the walkability of streets and divide areas of downtown and sections of streets in separate nodes of activities. Surface lots should be viewed as temporary development condition. The proposed text amendment conforms with the goals of the Downtown Toledo Master Plan.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan states that the vitality of Downtown will always be a struggle when most users get there by car. One key to revitalizing a downtown core is an aggressive plan for increasing the number of downtown residents, especially those with average to above-average spendable income. Aggressive steps must be taken to provide market rate, non-subsidized downtown housing choices. Steps must also be taken to encourage mixed-use zoning where residents and retail share the same buildings. As shown in this report, removal of off-street parking minimums for residential development aids in the achievement of this goal.

## PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of the amendment to TMC 1107.0201 eliminating the requirement for on-site residential parking in the CD downtown commercial zoning district as shown in Exhibit "A" to the Toledo City Council for the following two (2) reasons:

1. The proposed text amendment meets the challenge of a changing conditions that have resulted from shifts in transportation options in the city as well as the continued redevelopment of Downtown (TMC§1111.0506(A) Review and Decision-Making Criteria); and,
2. The proposed text amendment is consistent with the Comprehensive Plan, Downtown Toledo master Plan, and the stated purpose of the Zoning Code (TMC§1111.0506(B) Review and Decision-Making Criteria).

Respectfully Submitted,



Thomas C. Gibbons  
Secretary

JGL  
Exhibit "A" follows  
Exhibit "B" follows

Cc: Lisa Cottrell, Administrators  
Jonny Latsko, Planner

**Exhibit "A"**  
Existing

**1107.0200| Special Parking Districts**

**1107.0201 CD, Downtown Commercial District**

**A. Non-residential Parking**

Due to the unique characteristics of the central business district, including higher land values, integration with public transportation, and the presence of parking garages, allowed non-residential uses in the CD zoning district are exempt from providing off-street parking spaces.

**B. Residential Parking**

The minimum number of off-street parking spaces required is one space per residential unit, plus one space per 10 dwelling units for visitor parking.

**C. Residential Parking Exception**

No off-street parking spaces are required for residential building projects of 10 units or less.

Modifications

(Additions in italic highlight. Deletions in bold strikethrough.)

**1107.0200| Special Parking Districts**

**1107.0201 CD, Downtown Commercial District**

**A. ~~Non-residential Parking~~ *Exemption***

Due to the unique characteristics of the central business district, including higher land values, integration with public transportation, and the presence of parking garages, allowed ~~non-residential~~ uses in the CD zoning district are exempt from providing off-street parking spaces.

**~~B. Residential Parking~~**

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**~~C. Residential Parking Exception~~**

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Proposed

**1107.0200| Special Parking Districts**

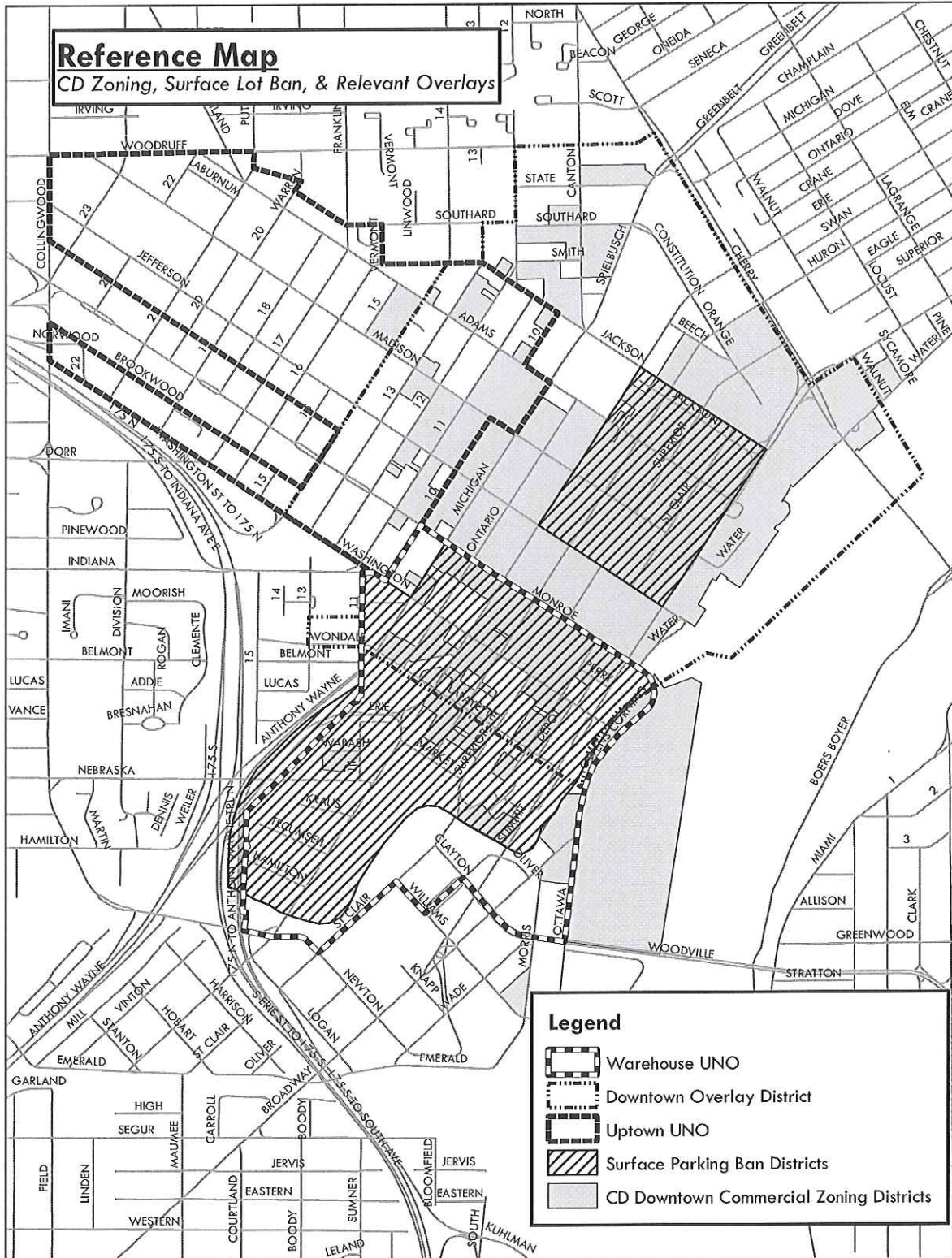
**1107.0201 CD, Downtown Commercial District**

**A. Parking Exemption**

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# EXISTING CD ZONING

M-11-22



M-11-22



300 Madison Avenue, Suite 0110 — Toledo, Ohio 43604

Toledo Plan Commission – Via Electronic Mail

October 10, 2022

c/o - Mr. Ken Fallows, Chair  
Mr. Thomas Gibbons, Director

**RE: Amendment to Toledo Municipal Code TMC 1107.0201**

Dear Plan Commission Members:

The Downtown Toledo Development Corporation dba ConnecToledo is working hard with our community partners and development community to continue to build on the amazing momentum that we have experienced in the renaissance of Downtown Toledo. Downtown has seen more than \$1 billion in investment over the past 7 years with the majority of that investment being led by the private sector in rehabilitation of primarily historic buildings and buildings that have been under invested and underutilized for much of the past several decades. For the most part, the low hanging fruit has been picked in downtown, and as we venture further away from Summit Street and the Central Business District, it becomes exponentially more difficult to make the economics of renovation and new construction work, especially with the current on-site parking requirements for CD downtown zoned development.

Earlier this year, we received approval from the National Parks Service for our Downtown Business Historic District that covers practically all buildings between the Maumee River and 10<sup>th</sup> Street between Monroe and Jackson. Buildings within this district are all eligible for Federal Historic Tax Credits and eligible to apply for competitive State Historic Tax Credits. In addition, last Friday, our consultant submitted the final application for the Uptown Historic District, which when approved will make 98% of the buildings between Monroe and Jackson from the Maumee River to 21<sup>st</sup> Street part of a historic district. This work lays the groundwork necessary to continue our momentum, and the Toledo Plan Commission has the ability to further support the foundation of downtown redevelopment with approval of the amendment of TMC 1107.0201, which will eliminate the requirement for on-site residential parking for projects in this area.

Downtown is Toledo's only growing neighborhood, and we have just begun our work in creating a vibrant walkable downtown that can support another billion dollars of investment and create a quality of place that we can all be proud of. ConnecToledo's top priority is to double the population of residents living in Downtown over the next 10 years – it is a bold vision, and to meet it we will all need to remove as many barriers to development as we can. Please let this letter serve as a strong support for the approval of the amendment to the parking minimums, which will allow us to find creative solutions to managing parking as we redevelop this neighborhood and as transportation innovation continues to change that way we use automobiles in our everyday life.

Thank you for your consideration of our support for this amendment, and please don't hesitate to contact me if you have any questions or require further information in support of this amendment.

Sincerely,  
**ConnecToledo**

*Paul L. Toth*

Paul L. Toth - President

M-11-22



**VIA ELECTRONIC MAIL**

October 3, 2022

Mr. Ken Fallows, Chair  
Toledo City Plan Commission

Mr. Thomas Gibbons, Director  
Toledo-Lucas County Plan Commissions

Re: October 13, 2022 Agenda, M-11-22, Amendment to TMC 1107.0201

Dear Chair Fallows, Director Gibbons, and the Members of the City Plan Commission:

On behalf of the Lucas County Land Bank, I write to urge your approval of the amendment to Toledo Municipal Code 1107.0201, which will eliminate the requirement for on-site residential parking in the CD downtown commercial zoning district.

The Lucas County Land Bank is a public non-profit organization with a mission to build neighborhoods and return vacant, abandoned, and tax-delinquent properties to productive use through an open and equitable process.

For too long, Toledo has struggled to preserve and redevelop its neighborhoods in the face of population loss and economic challenges. Today, our built environment is designed for a time that no longer exists and technological innovations continue to change our world at an amazing pace. This is all the more reason to reflect twenty-first-century ideas in all aspects of our planning, including formally in Toledo's zoning code.

Eliminating parking minimums where they do not make sense is one important innovation that should be heartily adopted. Parking minimums elevate one mode of transportation over other (often cheaper, cleaner, and safer) modes, encourage the demolition of the built environment in order to make space for vehicles, and discourage redevelopment in weaker markets where housing, commerce, and population density are desired.

The Land Bank is working with a coalition of partners to redevelop the Spitzer and Nicholas buildings in the downtown commercial zoning district. This mixed-use redevelopment project will be hard enough in long-vacant office buildings, but eliminating parking minimums will provide important support.

There's no question that most residents of our community continue to use and want ready access to a vehicle. But, there are creative and market-based solutions for these needs, and bright-line rules like parking minimums can make this problem harder, not easier.

Thank you for your time and consideration.

Sincerely yours,

David Mann  
President & CEO



Exhibit "A"  
Existing

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