

GENERAL INFORMATION

Subject

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| Request | - | Text Amendment to Modify TMC 1103.0600 to offer Market-Based Parking within the Pedestrian-Oriented Overlay |
| Architect | - | Toledo City Plan Commission |

Applicable Plans and Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning Code

STAFF ANALYSIS

The proposed text amendment to TMC§1103.0600 *-PO, Pedestrian-Oriented Overlay District* is designed to offer market-based parking within the Pedestrian-Oriented Overlay. Code changes are proposed for TMC§1103.0602 *Effect of Designation* and TMC§1103.0610 *Parking*. Updates are also proposed for TMC§1107.0200 *Special Parking Districts* to appropriately note the proposed changes.

The purpose of the proposed text amendment is to provide market-based parking within the Pedestrian-Oriented Overlay. Market-based parking gives liberty to the developer to determine how many parking spaces are needed for their development to be successful. Currently, every development in the City of Toledo is subject to mandatory parking minimums. This is necessary in regional commercial areas, where nearly all customers will drive. However, this is instead detrimental to historically walkable commercial areas, where parking minimums make existing storefronts difficult to occupy and call for the demolition of adjacent structures to make way for parking lots.

The Pedestrian-Oriented Overlay exists in the Planning and Zoning Code but has not been utilized to this date. Plan Commission staff intends to utilize this overlay in the future to preserve and promote a number of Toledo's historic commercial corridors. The overlay is intended to preserve historically walkable areas, and allows the Director to reduce the number of parking spaces, if desired. The proposed text amendment is in line with these existing objectives, and is designed to reduce regulation and encourage redevelopment of walkable historic districts.

STAFF ANALYSIS (Cont'd)

The proposed text amendment would make non-residential uses within the Pedestrian-Oriented Overlay exempt from off-street parking minimums. Residential developments of ten (10) units or less would also be exempt, and larger residential developments would require one (1) space per unit plus one (1) space per ten (10) units for guest parking. For all uses within the Overlay, a maximum number of parking spaces has also been established; this maximum number of parking spaces permitted is the number listed as the minimum number of off-street parking spaces listed in TMC§1107.0300. For example, a smaller retail store would traditionally need at least one parking space per 300 square feet of floor area. Under the proposed text amendment, if the business is in the Pedestrian-Oriented Overlay, the business is exempt from this requirement, and one parking space per 300 square feet is the maximum number of parking spaces that are permitted. The proposed text amendment also provides considerations for the establishment of a new -PO district including community engagement, the availability of public parking, and pedestrian and bicycle infrastructure within and surrounding the district.

Justification

The proposed text amendment followed by the implementation of the Pedestrian-Oriented Overlay in some of Toledo's historic corridors will allow businesses to more easily occupy existing commercial storefronts that do not have on-site parking lots. This will serve as an economic development driver in some of Toledo's older legacy neighborhoods.

Eliminating the need for off-street parking will not only allow new businesses to occupy commercial spaces; it will also help keep costs lower for their consumers. Currently, developers have to front the expenses of clearing land for parking as well as paving and striping the lot. The property owner is then responsible for paying property taxes on the land occupied by the parking lot, even though the parking lot does not directly produce income. Businesses then may charge more for their products and services to subsidize the cost of the parking lot. A business which is not required to provide a parking lot can avoid these unnecessary expenses and pass the savings on to customers.

This proposal is also intended to preserve historic buildings which may otherwise be slated for demolition. Currently, if a business owner wishes to occupy a storefront in a commercial corridor where the building occupies all or most of the parcel, they have few options for parking. Many developers have chosen to purchase adjacent buildings and demolish them to make room for parking lots. This development pattern damages neighborhood character and diminishes walkability, and is not one that Plan Commission staff wish to promote moving forward.

The development pattern mentioned above is damaging not only to the neighborhood, but to the property owner and to the City of Toledo over time. In this scenario, we demolish a building where people can live and work, and we replace it with only a parking lot. The value of a parcel with only a parking lot is typically significantly lower than the value of a parcel with a building. For this reason, the property value goes down, and the City of Toledo's property tax income goes down. When the pattern is repeated across the city, the negative impact is significant.

STAFF ANALYSIS (Cont'd)

The need for parking is often a self-created problem. An auto-centric development pattern leads to an auto-centric lifestyle. When commercial buildings are set back hundreds of feet from the sidewalk, it is challenging often and unsafe for pedestrians to access these buildings. For this reason, neighbors who live within walking distance of a business or place of employment may still elect to drive, in part because a large parking lot in front of the destination makes it unattractive and potentially unsafe to walk. Neighbors who cannot afford a car are neglected.

Requiring a set number of parking spaces in a city encourages people to live further away from their destination, and discourages urban connectivity. Property by property, large parking areas push buildings further apart. By forcing an office building to have a set number of parking stalls, we are subsidizing suburbanization. Suburbanization has been a leading cause of Toledo's population decline over the past fifty years. The population of the Toledo metropolitan area has remained relatively consistent; according to the U.S. Census the population of the Toledo metropolitan area was 644,262 people in 1970 and 645,857 people in 2016. By contrast, the population of the City of Toledo has decreased significantly from 383,818 in 1970 to 274,975 in 2018. The Cities of Sylvania, Perrysburg, Rossford, and Oregon have all seen population increases over this time. By requiring a minimum number of parking spaces for every new development, we are encouraging commuters to live far away while simultaneously ignoring people who cannot afford a car or who prefer to walk, bike, or use public transit. Forcing employers and businesses in the City of Toledo's historic commercial areas to provide a surplus of parking has already contributed to the suburbanization of Toledo over the past fifty years, further enables employees and customers to move out of Toledo, and should not be encouraged moving forward.

As mentioned previously, parking minimums are still necessary in more auto-centric commercial areas, and there are a variety of factors that will be taken into consideration with implementation of the Pedestrian-Oriented Overlay. It is crucial to ensure that customers and employees have multiple ways to get to their destinations besides driving and parking on-site. Many of the historic commercial corridors in Toledo already offer on-street parking, which greatly reduces the need for each site to provide parking. Nearby on-street parking needs to be sufficient so that visitors do not crowd surrounding residential neighborhoods with parked cars. Additional visitor traffic and "eyes on the street" are often beneficial for neighborhood safety, but residents of older neighborhoods may have no options besides on-street parking, and their needs must be prioritized. TARTA serves many of Toledo's historic commercial districts, and proximity to transit stops will be another important consideration during the implementation phase. Consideration will also be given to walkability and bicycle access. In the future, shared or publicly owned parking lots may be recommended to serve these primarily walkable commercial districts.

STAFF ANALYSIS (Cont'd)

Research From Other Cities Across the Country

Cities across the United States are either removing parking minimums entirely, removing them in certain zoning districts, or removing parking minimums in overlay districts. The most famous example is Buffalo, NY. Buffalo, much like Toledo, has a strong history of manufacturing on Lake Erie. The City of Buffalo's population has declined from 580,000 people in 1950 to around 250,000 people today. In 2016, Buffalo City Council approved "The Green Code" which incorporated more form-based zoning requirements and completely removed minimum parking requirements citywide. Detroit offers some zoning classifications with lower minimum parking requirements, and many property owners have rezoned to these more desirable classifications. Harrisburg, PA has removed parking minimums downtown, as well as in their Commercial Neighborhood (CN) zoning district.

Research From Other Cities in Ohio

Like Toledo, many cities in Ohio understand that parking minimums are not beneficial in dense urban areas, and have removed them in their Central Business Districts. Additionally, cities across Ohio are taking further steps to scale back their parking requirements. The City of Cleveland offers significantly reduced parking requirements in the Pedestrian Retail Overlay, the Urban Overlay, and the Urban Core Overlay. Cincinnati has recently passed zoning text to create a Parking Overlay which has no parking minimums. Zanesville has eliminated parking minimums for all commercial developments.

Use Regulations

Currently, all uses in nearly all of Toledo are required to provide a minimum number of off-street parking spaces. This is unnecessary and harmful in other historic commercial districts that are traditionally walkable.

The proposed text amendment will update the Pedestrian-Oriented Overlay District to offer market-based parking instead of being subject to parking minimums. Non-residential uses within the Overlay will be fully exempt from parking minimums. Small residential developments will also be exempt, and residential developments of more than 10 units will not be forced to provide as much parking as would otherwise be required. The amendment will also lower the maximum number of spaces permitted for any use within the Pedestrian Overlay, preventing unnecessarily large parking lots in districts which are intended to be walkable.

Conclusion and Recommendation

The proposed text amendment is in line with the stated purpose of the Pedestrian-Oriented Overlay District, and will encourage appropriate development in Toledo's historically walkable commercial districts. Staff recommends approval of the proposed text amendment for these reasons.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of the text amendment regarding the Pedestrian-Oriented Overlay District, amending TMC§1103.0600 and TMC§1107.0200 *Special Parking Districts* as shown in “Exhibit A” to the Toledo City Council for the following reason:

1. The proposed text amendment meets the challenge of a changing condition where buildings in districts which are designed to be walkable are still required to provide on-site parking.

ZONING TEXT AMENDMENT
TOLEDO CITY PLAN COMMISSION
REF: M-6-19
DATE: January 9, 2020
TIME: 2:00 P.M.

ZONING AND PLANNING COMMITTEE OF
CITY COUNCIL
DATE: February 12, 2020
TIME: 4:00 P.M.

ML
Exhibit “A” follows

Exhibit “A”

(Proposed additions are highlighted,
Proposed deletions are shown in strikethrough text)

1103.0600| -PO, Pedestrian-Oriented Overlay District

1103.0601 Purpose

The -PO, Pedestrian-Oriented Overlay district is intended to:

- A. protect, maintain and re-establish the physical character of older commercial corridors that are characterized by pedestrian-oriented development patterns;
- B. implement appropriate building and parking setbacks that accommodate redevelopment that is compatible with historical building patterns; and
- C. promote development that features retail display windows, rear parking lots, and other pedestrian-oriented site design features.

1103.0602 Effect of Designation

The -PO district is an overlay zoning classification that establishes additional design standards on development allowed by the underlying zoning district. **In the event of conflict between the -PO district regulations and the regulations of the underlying base zoning district, the -PO zoning regulations govern.** In all other cases, both the overlay zoning and underlying zoning regulations apply.

1103.0603 -PO Classification

Those areas classified in the -PO district shall be shown on the Official Zoning Map.

1103.0604 Establishment of District

-PO zoning districts are established in accordance with the Zoning Map Amendment procedures of Sec. 1111.0600. **The following factors should be considered when establishing a new -PO district:**

- A. Community engagement and public support of the proposed Pedestrian Overlay;**
- B. Availability of on-street parking, public parking, and other shared parking within and surrounding the district, including handicap accessible spaces; and**
- C. Ample pedestrian and bicycle infrastructure within and surrounding the district.**

1103.0605 Applicability

- A. The standards of the -PO district apply to the construction of any building or building addition that increases a building’s floor area by more than 10 percent, except for detached houses and duplexes. The standards also apply to the construction of off-street parking spaces and driveways.
- B. Building alterations that conflict with these standards or that otherwise increase the degree of non-compliance with these standards are prohibited.

1103.0606 Maximum Setbacks

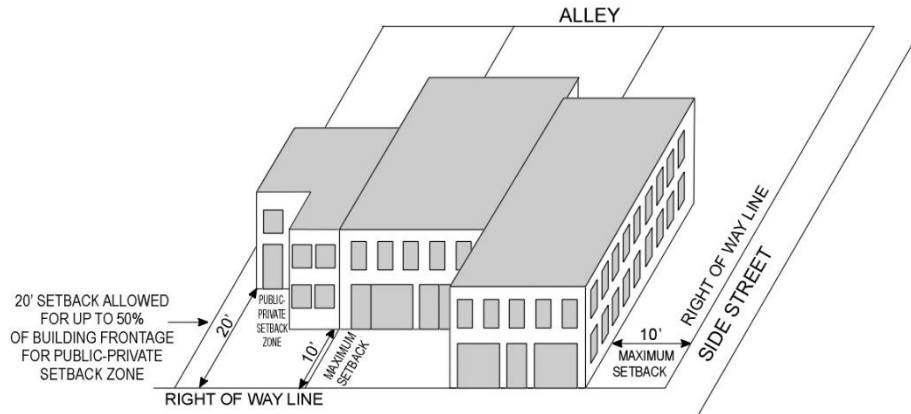
A. Building Setbacks

- 1. The maximum allowed front setback shall be 10 feet unless a public-private setback zone is provided.

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2. If a public-private setback zone is provided a maximum front setback of 20 feet is allowed for up to 50 percent of the building frontage.

Exhibit “A” (Cont’d)
(Proposed additions are highlighted,
Proposed deletions are shown in strikethrough text)



3. Buildings on corner lots must comply with maximum building setback standards along all lot frontages.

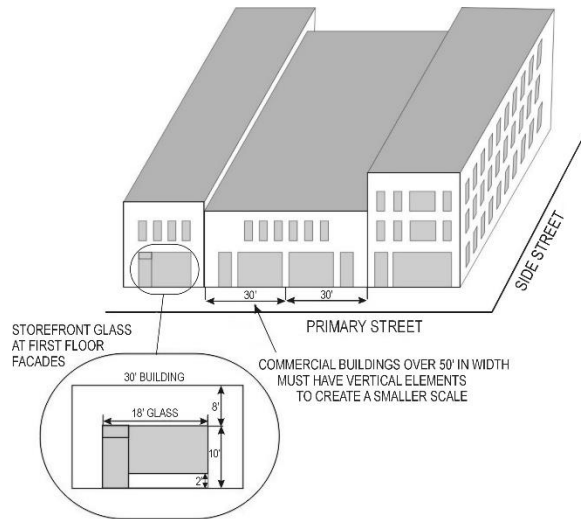
B. Parking Setbacks

1. Parking lots, on-site drive aisles and parking lanes must be set back from street rights-of-way a minimum of 5 feet.
2. Parking lots and accessory structures shall be located at the rear of the principal building. No corner parking lots are permitted. Parking may be located along the non-street side of the principal building if approved through the Major Site Plan review process of Sec. 1111.0800.
3. See also the parking area design standards of Sec. 1103.0610.

1103.0607 Design Standards

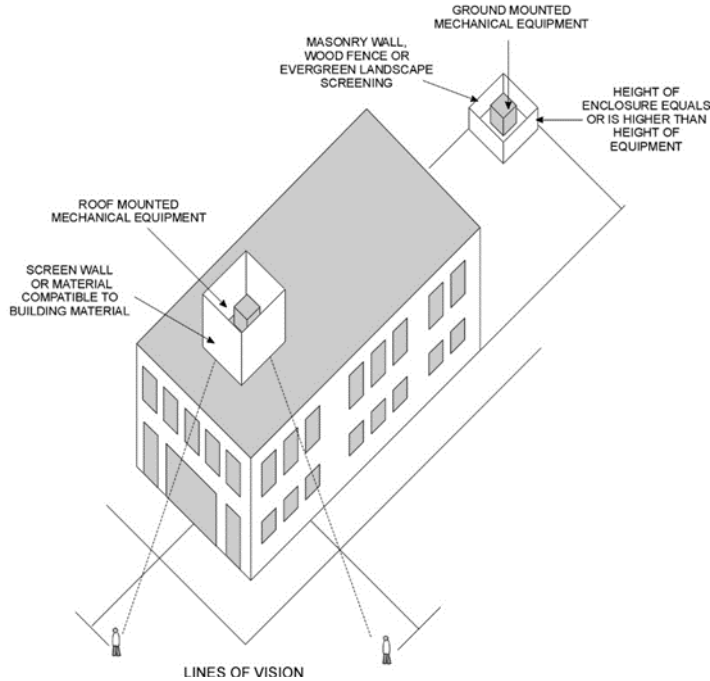
- A. Building facades facing a Primary Street must incorporate a main entrance door on the primary street.
- B. Building frontages that face Primary Streets and exceed a width of 50 feet must include vertical visual elements to break the plane of the building frontage. Such vertical elements must be spaced at intervals of 15 feet to 35 feet along the entire building frontage.

Exhibit "A" (Cont'd)
(Proposed additions are highlighted,
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- C.** For commercially used property at least 60 percent of each building frontage along a Primary Street, between the height of 2 feet and 10 feet above the nearest sidewalk grade, must consist of clear, non-tinted, non-mirrored, and uncovered window glass permitting views of the building's interior to a depth of at least 4 feet. For building frontages other than those on Primary Streets, the window glass must continue for a minimum of 10 feet. No exterior security bars or roll-down metal doors shall be allowed. This provision shall not apply for the conversion of a residential building to a commercial use.
- D.** All roof-mounted mechanical equipment must be screened from public view. The screening must be of a sufficient height to prevent persons located at the street level from viewing the screened items. The design, colors and materials used in screening must be consistent with the architectural design of the building. Dumpsters and trash receptacles must be screened in accordance with Sec. 1108.0304B).

Exhibit "A" (Cont'd)
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- E. This provision does not apply to buildings officially recognized as historic or those deemed eligible for listing in the National Register of Historic Places if the provision would result in a modification of the original historic appearance of the building.

1103.0608 Building Facade Material and Color

See Sec. 1109.0500. for building facade material and color standards

1103.0609 Drive-through Uses

Drive-through pickup windows and canopies are permitted only in accordance with the following standards:

- A. They must be attached to the principal building.
- B. They must be located at the rear of the building and are prohibited on building frontages.
- C. No multi-lane drive-through facilities are allowed, except for banks which may have up to two drive-through lanes.

1103.0610 Parking

- A. Non-residential uses are exempt from off-street parking minimums.
- B. No off-street parking spaces are required for residential developments of 10 units or less. For larger residential uses, 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.

Exhibit "A" (Cont'd)
(Proposed additions are highlighted,
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- C.** For non-residential and residential uses in the Pedestrian-Oriented Overlay, the maximum number of parking spaces permitted is the number listed as the minimum number of off-street parking spaces in Sec. 1107.0300, 1107.0400, or 1107.0500 for the subject use.
- D.** Parking, stacking, and circulation aisles between a street right-of-way and a building are not permitted.
- E.** Additional curb cuts are prohibited along streets identified in the Street and Highway Plan unless the Division of Transportation determines that a new curb cut is the only means available to provide vehicular access to the site and that the new location of the curb cut meets the requirements of the Division of Transportation.
- ~~**F.** The required number of off street loading spaces may be reduced or eliminated by the Planning Director in consultation with the Division of Transportation, with due consideration given to the following factors:
 - 1. frequency and time of deliveries;
 - 2. size and nature of vehicles accommodated by the loading spaces;
 - 3. the character of the neighborhood; and
 - 4. impact upon adjoining streets, places, or alleys.~~
- G.** Parking lots and parking facilities that front on street rights-of-way shall be screened as provided in Sec. 1108.0305.
- H.** Bicycle parking is still required. The minimum number of bicycle parking slots is listed in Sec. 1107.0300.
- ~~**I.** See also the 2,400 square foot floor area exemption in Sec. 1107.0205.~~
- J.** See also the parking area setback standards of Sec. 1103.0606B.

Exhibit “A” (Cont’d)
 (Proposed additions are highlighted,
 Proposed deletions are shown in strikethrough text)

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.

1107.0202 Central-City Special Parking District

Within the Central-City Special Parking District, which includes all of Census Tracts 16, 21, 22, 23, 27, 28, 29, 30, 34 and 37, the minimum off-street parking requirement for multi-dwelling units created through rehabilitation or conversion of an existing structure will be one space per dwelling unit, plus one space per 10 dwelling units for visitor parking.

1107.0203 Surface Parking Lot Ban Districts

- A. Surface Lot Prohibition**
 Within the Surface Parking Lot Ban Districts, one-level surface parking lots are strictly prohibited, and existing one-level surface parking lots may not be increased in size. Other modifications to existing one-level surface parking lots may occur subject to the provisions of this Chapter.
- B. Establishment of Surface Parking Lot Ban Districts**

Surface Parking Lot Ban District Name	Boundaries
Downtown Core District	Centerline of Summit Street, the centerline of Jefferson Street, the centerline of Erie Street, and the centerline of Jackson Street.
Warehouse District	Centerline of Michigan Street, Monroe Street, Washington Street, 11 th Street, the Anthony Wayne Trail, Interstate 75, Swan Creek, and Monroe Street.

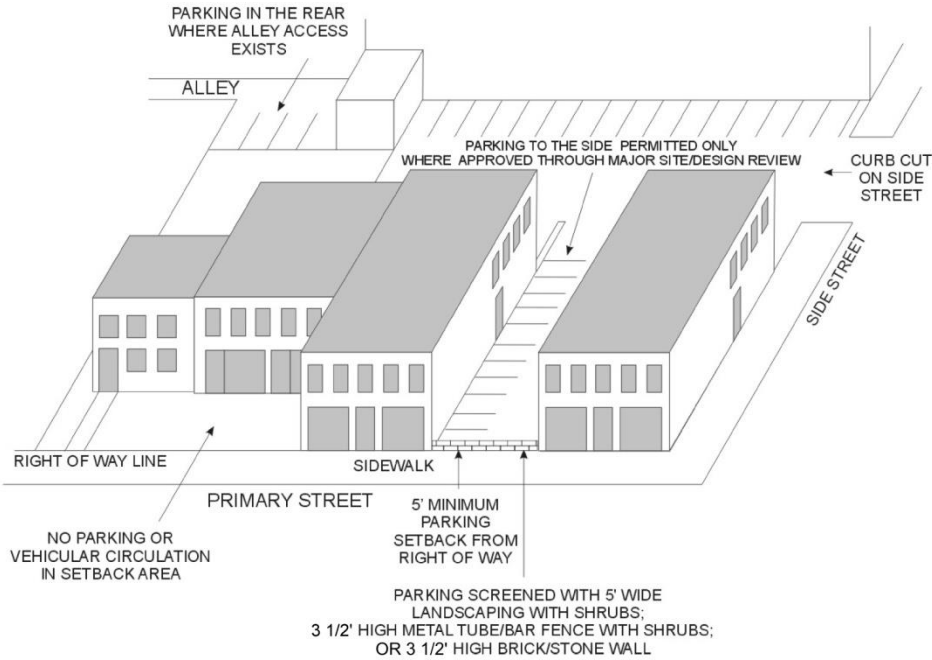
1107.0204 Locally Designated Historic Districts

No additional off-street parking or loading spaces are required for rehabilitation or reuse of existing structures within locally designated historic districts. For new construction within locally designated historic districts, minimum off-street parking ratios are reduced by 50 percent from the otherwise applicable standards of this Chapter.

Exhibit "A" (Cont'd)
(Proposed additions are highlighted,
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1107.0205 -PO, Pedestrian-Oriented Overlay District

- A. Non-residential Parking**
Due to increased pedestrian connectivity and a lesser need for parking, non-residential uses in the PO zoning overlay 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.
- D.** For non-residential and residential uses in the Pedestrian-Oriented Overlay, the maximum number of parking spaces permitted is the number listed as the minimum number of off-street parking spaces in Sec. 1107.0300, 1107.0400, or 1107.0500 for the subject use.



1107.0206 Landscape Standards
See Sec. 1108.0300, Urban Commercial Landscape Standards

1107.0207 Review Procedures
Unless otherwise expressly required in this Zoning Code, proposed new construction and exterior alterations are subject to the Site Plan Review procedures of Sec. 1111.0800.