



Legislation Text

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File #: O-247-20, Version: 1

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Zoning & Planning Committee

**Amending Toledo Municipal Code (TMC), Part Eleven, Subsection 1103.0600; Planning and Zoning regarding Pedestrian-Oriented Overlay District and TMC 1107.0200 regarding Special Parking Districts; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

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.

On March 12, 2020 the Toledo City Plan Commission considered and recommended approval of the requested text amendment.

On June 17, 2020, Toledo City Council, Planning and Zoning Committee reviewed, and sent without recommendation the requested text amendment.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1 That Part Eleven Subsection 1103.0600 Pedestrian-Oriented Overlay District;  
which reads as follows:

**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 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. XX1111.0600XX.

**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.

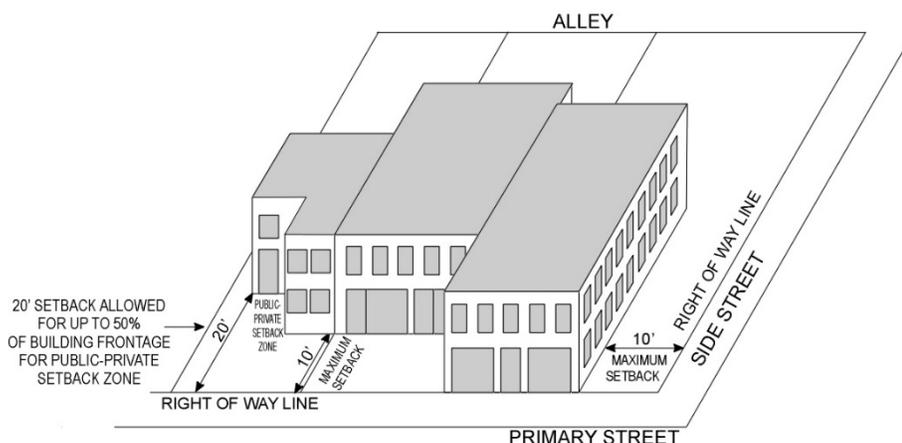
B. Building alterations that conflict with these standards or that otherwise increase the degree of non-compliance with these standards are prohibited.

**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.

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.



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.

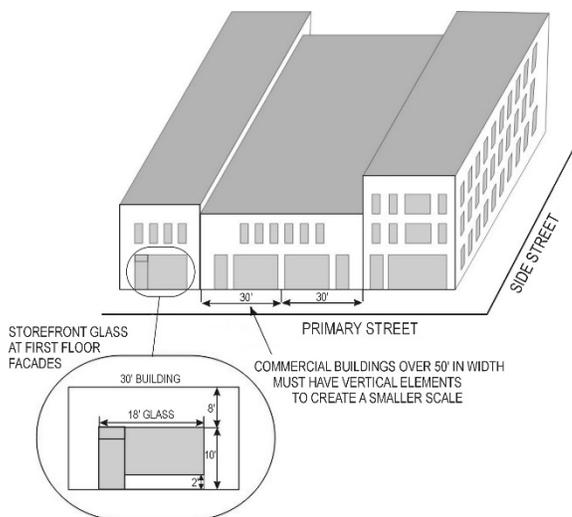
2. Parking lots and accessory structures shall be located at the rear of the principal building. No corner parking lots are permitted. Parking may be located along the non-street side of the principal building if approved through the Major Site Plan review process of Sec. XX1111.0800XX.

3. See also the parking area design standards of Sec. XX1103.0610XX.

**1103.0607 Design Standards**

A. Building facades facing a Primary Street must incorporate a main entrance door on the primary street.

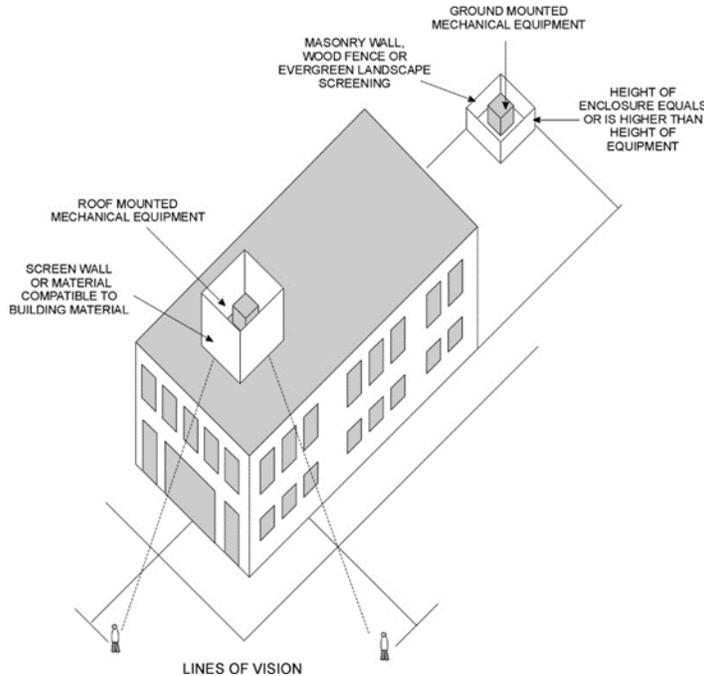
B. Building frontages that face Primary Streets and exceed a width of 50 feet must include vertical visual elements to break the plane of the building frontage. Such vertical elements must be spaced at intervals of 15 feet to 35 feet along the entire building frontage.



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. XX1108.0304BXX).



**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. XX1109.0500XX 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.** Parking, stacking, and circulation aisles between a street right-of-way and a building are not permitted.
- B.** 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.

C. 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.

D. Parking lots and parking facilities that front on street rights-of-way shall be screened as provided in Sec. XX1108.0305XX.

E. See also the 2,400 square foot floor area exemption in Sec. XX1107.0205XX.

F. See also the parking area setback standards of Sec. XX1103.0606BXX.

## **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**

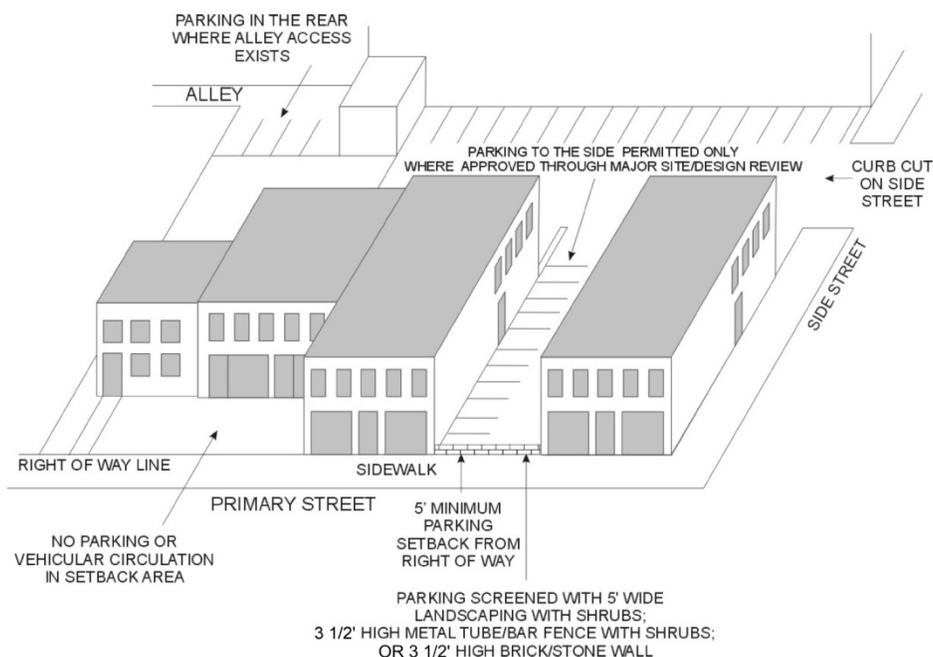
<b>Surface Parking Lot Ban District Name</b>	<b>Boundaries</b>
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Downtown Core District	Centerline of Summit Street, the centerline of Jefferson Street, the centerline of Erie Street, and the centerline of Jackson Street.
Warehouse District	Centerline of Michigan Street, Monroe Street, Washington Street, 11 <sup>th</sup> 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.

**1107.0205-PO, Pedestrian-Oriented Overlay District**



**1107.0206 Landscape Standards**

See Sec. XX1108.0300XX, 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. XX1111.0800XX.

be amended to read as follows;

## 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. XX1111.0600XX. 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.

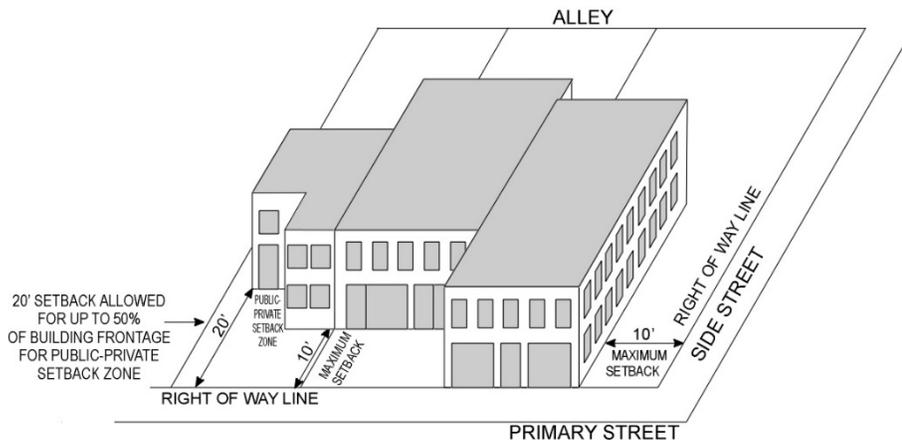
### 1103.0605 Applicability

- 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.
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.



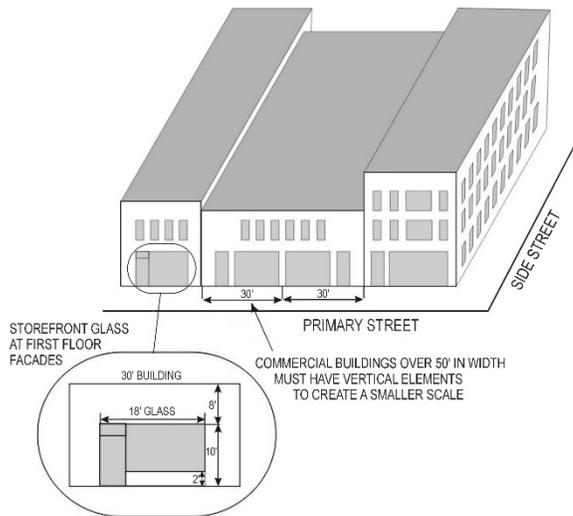
3. Buildings on corner lots must comply with maximum building setback standards along all lot frontages.

**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. XX1111.0800XX.
3. See also the parking area design standards of Sec. XX1103.0610XX.

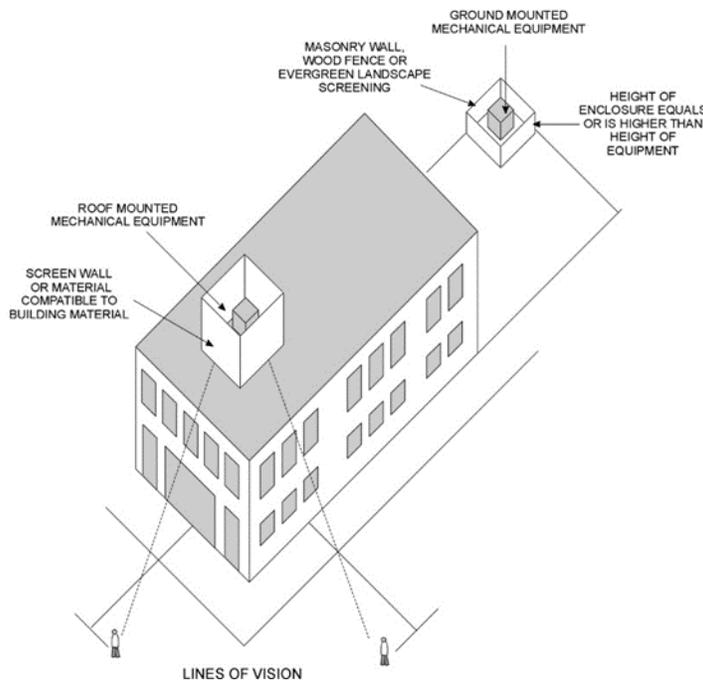
**1103.0607 Design Standards**

- 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.



**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. XX1108.0304BXX).



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. XX1109.0500XX for building facade material and color standards

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- 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.
- 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. Parking lots and parking facilities that front on street rights-of-way shall be screened as provided in Sec. XX1108.0305XX.
- G. Bicycle parking is still required. The minimum number of bicycle parking slots is listed in Sec. 1107.0300.
- H. See also the parking area setback standards of Sec. XX1103.0606BXX.

**1107.0201 | 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.

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**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.
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**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.

**1107.0205 Pedestrian-Oriented Overlay**

**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.

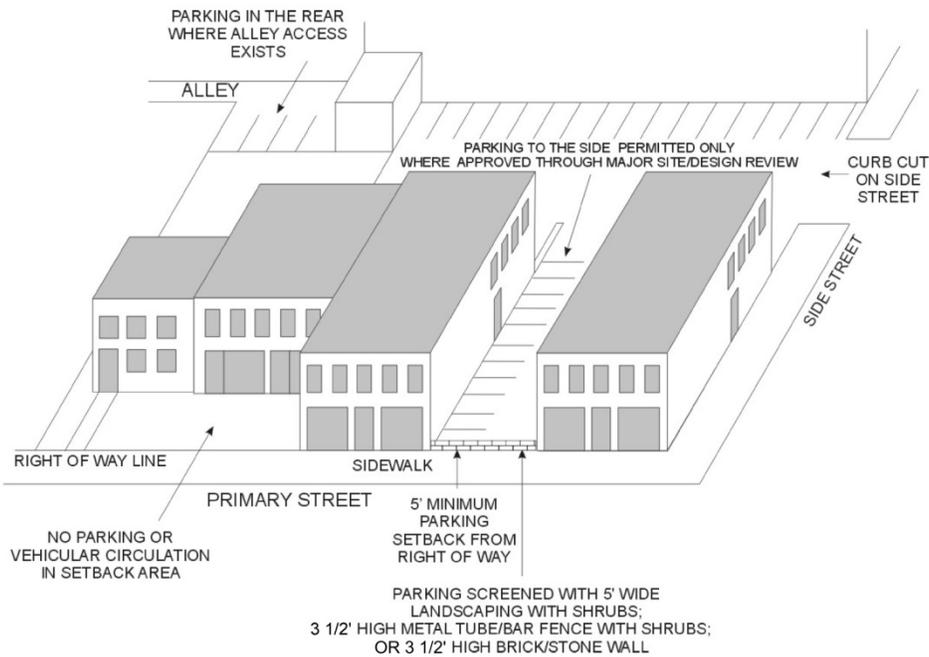
**B. Residential Parking**

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. XX1108.0300XX, 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. XX1111.0800XX.

SECTION 2. That this Ordinance hereby is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and that this Ordinance must be immediately effective in order to provide for the orderly development of the area and to protect the land values in the area.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

\_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council