



Legislation Details (With Text)

File #: O-615-22 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 11/17/2022 **In control:** City Council
On agenda: 11/22/2022 **Final action:** 11/22/2022
Title: Amending Toledo Municipal Code (TMC), Part Eleven, Subsection 1107.0201; Eliminating the requirement for on-site parking in the CD downtown commercial zoning district; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Plan Commission Report

Date	Ver.	Action By	Action	Result
11/22/2022	1	City Council		
11/22/2022	1	City Council		
11/22/2022	1	City Council		
11/22/2022	1	City Council		

Zoning & Planning Committee

Amending Toledo Municipal Code (TMC), Part Eleven, Subsection 1107.0201; Eliminating the requirement for on-site parking in the CD downtown commercial zoning district; and declaring an emergency.

SUMMARY & BACKGROUND:

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.

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.

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. NOW, THEREFORE,

Be it ordained by the Council of the City of Toledo:

SECTION 1. That Toledo Municipal Code, Part Eleven, Subsection 1107.0201 which reads as follows:
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.

be amended to read as follows:

1107.0201 CD, Downtown Commercial District

A. 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 uses in the CD zoning district are exempt from providing off-street parking spaces.

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