

## **Exhibit A**

**Redlines showing proposed changes to TMC §§ 1103.0610 and 1103.1008; and §§ 1107.0102, 1107.0103, 1107.0104, 1107.0200, 1107.0204, 1107.0205, 1107.0300, 1107.0301, 1107.0302, 1107.0303, 1107.0304, 1107.0400, 1107.0500, 1107.0601, 1107.0700, 1107.0701, 1107.1101, 1107.1102, 1107.1401, 1107.1402, 1107.1407**

SECTION 2. That a new Toledo Municipal Code, §1103.0610 is enacted to state as follows:

§1103.610 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 maximum 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. 1108.0305.
- 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. 1103.0606(B).

SECTION 4. That a new Toledo Municipal Code, §1103.1008 is enacted to state as follows:

§1103.1008 Commercial.

- A. Commercial developments shall be planned with common parking areas and common points of ingress and egress. Parking requirements shall be provided pursuant to Sec. 1107.0300, Off-Street Parking Loading, and the number of spaces shall be determined by each specific use within the Planned Unit Development. Parking and lighting shall be screened in accordance with Chapter 1108 - Landscaping and Screening.

B. An open space area void of buildings, structures, parking areas, or other above ground improvements except fencing shall be maintained on all perimeter property lines (except frontage) of the Planned Unit Development:

1. A minimum open space depth of 30 feet shall be provided unless a greater setback is required as listed in the underlying zoning district;

2. A minimum open space of 60 feet shall be provided when abutting a Residential District;

C. No less than 10 percent of the gross site acreage, none of which shall be a part of any required yard or perimeter open space, shall be allocated to usable, accessible and consolidated common open space (one-third of the required common open space may be a lake or pond or storm detention or retention area). Commercial development must include some noncommercial amenities within required common open space areas, such as open or closed plazas or mall areas, benches, tables, statuary, fountains, kiosks, pergolas and areas for public enjoyment.

D. No more than 70 percent of gross site acreage shall be devoted to coverage by buildings, structures, street, driveway and parking area pavement.

E. There shall be no minimum lot size, lot-width or building or structure setback requirements except as provided in Sec. 1103.1008 (B).

F. Telephone, electrical, cable and other utility appurtenances shall be buried and dumpsters shall be sufficiently screened.

SECTION 6. That a new Toledo Municipal Code, §1107.0102 is enacted to state as follows:

§1107.0102 Applicability.

A. New Development. The parking, loading and access standards of this chapter apply to all new buildings constructed and all new uses established in all zoning districts.

B. Expansions and Substantial Modifications. The parking, loading and access standards of this chapter apply when an existing structure or use is expanded or enlarged, whether through the addition of dwelling units, floor area, seating capacity, employees or other units of measurement used for establishing off-street parking and loading requirements.

1. Additional off-street parking and loading spaces to meet maximum ratios are allowed only to serve the entire building or use.

2. If the number of parking spaces on a site at the time of expansion or substantial modification exceeds the maximum ratios of this chapter, no additional spaces will be allowed, except through the Alternative Parking Plan provisions of Section 1107.1400.

C. Requirements for Change in Use. If a change in use causes an increase in the allowed number of parking, stacking, or loading spaces, 100 percent of such additional spaces may be provided in accordance with the requirements of this Zoning Code; except as required in the provision of Sec. 1107.1000, Sec. 1107.1600 and Sec. 1107.1700.

D. Applicability in the Event of Damage or Destruction of Existing Use.

1. When a conforming or nonconforming building or use that does not comply with current off-street parking and/or loading regulations is damaged and the cost of reconstruction does not exceed 75 percent of the assessed value at the time such damage occurred, the building may be constructed with the same number of parking and loading spaces that existed at the time of damage or destruction. However, when the cost of reconstruction exceeds 75 percent of the assessed value at the time such damage occurred, off-street parking and loading spaces may be provided in the amount allowed for new construction on the date the application for reconstruction is approved.

2. Notwithstanding the preceding, within a Historic (-HO) or Pedestrian-Oriented (-PO) Overlay Zoning District, any damaged building or use of 5,000 square feet or less that is nonconforming only in the amount of off-street parking and/or loading space that is provided, may be reconstructed (if authorized by Sections 1114.0205C. or 1114.0305B., without providing additional off-street parking and/or loading.

SECTION 8. That a new Toledo Municipal Code, §1107.0103 is enacted to state as follows:

§1107.0103 No Additions Above Maximums.

The number of parking and loading spaces existing on a site may not be above the maximum requirements of this chapter except by an Alternative Access and Parking Plan in Section 1107.1400.

SECTION 10. That a new Toledo Municipal Code, §1107.0104 is enacted to state as follows:

§1107.0104 Effect on Nonconforming Status.

A building or use that was legally established is not deemed nonconforming solely as a result of providing more than the maximum number of off-street parking or loading spaces specified in this chapter.

SECTION 12. That a new Toledo Municipal Code, §1107.0202 is enacted to state as follows:

§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 maximum 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.

SECTION 14. That a new Toledo Municipal Code, §1107.0204 is enacted to state as follows:

§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, maximum off-street parking ratios are reduced by 50 percent from the otherwise applicable standards of this Chapter.

SECTION 16. That a new Toledo Municipal Code, §1107.0205 is enacted to state as follows:

§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 maximum number of off-street parking spaces allowed 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 maximum number of off-street parking spaces in Sec. 1107.0300, 1107.0400, or 1107.0500 for the subject use.

SECTION 18. That a new Toledo Municipal Code, §1107.0301 is enacted to state as follows:

§1107.0301 Applicability.

Off-street parking spaces must be provided in accordance with the maximum ratios of the following, Schedule A. In lieu of complying with the maximum standards of Schedule A, an applicant may request approval of an Alternative Parking Plan, pursuant to Section 1107.1400.

SECTION 20. That a new Toledo Municipal Code, §1107.0302 is enacted to state as follows:

§1107.0302 Maximums.

No use may provide more than any of the maximum off-street parking ratios of Schedule A, except through approval of an Alternative Parking Plan pursuant to Section 1104.0100. This provision notwithstanding, Alternative Parking Plan approval is not required for four or fewer parking spaces. This provision is not to be interpreted as requiring Alternative Parking Plan approval for, or the removal of, parking spaces that legally exist on a site.

SECTION 22. That a new Toledo Municipal Code, §1107.0303 is enacted to state as follows:

§1107.0303 How to use Off-Street Parking Schedules A, B, C and D.

Look up the use category in Schedule A to find the maximum number of parking spaces allowed. Schedule A mirrors the uses found in the Use Table of Section 1104.0100. Some uses in Schedule A utilize a formula to determine the number of allowed parking spaces. These formulas are given in Schedule B for selected commercial uses and Schedule C for selected industrial uses. Schedule D gives the procedure to use when a study must be used to determine parking needs.

SECTION 24. That a new Toledo Municipal Code, §1107.0304 is enacted to state as follows:

§1107.0304 Schedule A.

Use Category	Maximum Number of Off-Street Parking Spaces Allowed	Minimum Number of Bicycle Parking Slots Required (See Sec. 1107.0900 Below)
Residential		
Detached House	No maximum	None
Detached House (Zero Lot Line)	No maximum	None
Attached House	No maximum	None
Duplex	No maximum	None
Cluster Housing	No maximum	None
Manufactured Home within a RMH district	No maximum	None
Multi-Dwelling Structure [1]	2 per dwelling unit plus 1 space per 10 units for visitor parking	1 per 10 parking spaces
Adult Foster Home	3 per dwelling unit	None
Certified Foster Home	3 per dwelling unit	None
Elderly and Disabled	See Sec. 1107.0700	1 per 10 parking spaces
Group Living		
Adult Family Home	1 per employee	1 per 10 parking spaces
Residential Facility, Small	1 per employee	1 per 10 parking spaces
Residential Facility, Large	1 per employee	1 per 10 parking spaces
Drug/Alcohol Residential Facility	1 per employee	1 per 10 parking spaces
Halfway House	1 per 4 residents plus 1 per employee	None
Nursing Home	1 per 2 residents/beds	1 per 10 parking spaces
Rest Home	1 per 2 residents/beds	1 per 10 parking spaces
Home for the Aging	1 per 2 residents/beds	1 per 10 parking spaces

Group Rental	2 per sleeping quarter	1 per 10 parking spaces
Homeless Shelter	1 per 2 residents/beds	1 per 10 parking spaces
Other Group Living	per Schedule D (§1107.0600)	1 per 10 parking spaces
Public and Civic		
Colleges and Universities	per Schedule D (§1107.0600)	1 per 4 students, faculty, and staff
Community Recreation	per Schedule D (§1107.0600)	1 per 10 parking spaces
Marinas	2 per boat space, plus spaces for other associated uses	1 per 10 parking spaces
Cultural Exhibits and Libraries	1 per 500 square feet	1 per 10 parking spaces
Day Care		
Type A Family Day Care Home	No maximum	None
Type B Family Day Care Home	No maximum	None
Day Care Center	1 per 3 person-capacity or 1 per 200 square feet, whichever is greater	1 per 10 parking spaces
Hospital	1 per 2 beds	1 per 10 parking spaces
Lodge, Fraternal and Civic Assembly	1 per 200 square feet	1 per 10 parking spaces
Postal Service	per Schedule D (§1107.0600)	1 per 10 parking spaces
Public Safety	per Schedule D (§1107.0600)	1 per 10 parking spaces
Religious Assembly	1 per 3 seats or 1 per 50 square feet of seating area, whichever is greater	1 per 10 parking spaces
Schools, Elementary and Middle	1 per faculty member plus 1 per 2 staff members plus 1 space per 25 students for student drop-off and pick-up	1 per 3 students plus 1 per 10 parking spaces for faculty and staff
Schools, High	1 per 5 students plus 1 per faculty member plus 1 per 2 staff members plus 1 space per 25 students for student drop-off and pick-up	1 per 3 students plus 1 per 10 parking spaces for faculty and staff
Utilities and Services, Minor	<i>per Schedule D (§1107.0600)</i>	None
Utilities and Services, Major	per Schedule D (§1107.0600)	None
Commercial Use Types		
Animal Services		
Sales and Grooming	per Schedule B (§1107.0400)	None
Kennels	per Schedule B (§1107.0400)	None
Veterinary	1 per 200 square feet	None
Building Maintenance Services	1 per vehicle used in business, plus 1 per 500 square feet	1 per 10 parking spaces

Business Equipment Sales and Services	per Schedule B (§1107.0400)	1 per 10 parking spaces
Business Support Services	1 per vehicle used in business, plus 1 per 250 square feet	1 per 10 parking spaces
Communications Service Establishments	1 per 250 square feet	1 per 10 parking spaces
Construction Sales and Services	1 per 250 square feet	1 per 10 parking spaces
Eating and Drinking Establishments		
Tavern	1 per 2 employees plus 1 per 75 square feet of customer area	1 per 10 parking spaces
Fast Order Food	1 per 2 employees plus 1 per 75 square feet of customer area	1 per 10 parking spaces
Fast Order Food, Drive-through	1 per 2 employees plus 1 per 75 square feet of customer area	1 per 10 parking spaces
Restaurant, Sit-Down	1 per 2 employees plus 1 per 75 square feet of customer area	1 per 10 parking spaces
Entertainment and Spectator Sports		
Limited	1 per 25 square feet	1 per 10 parking spaces
General	per Schedule D (§1107.0600)	1 per 10 parking spaces
Financial, Insurance and Real Estate Services	1 per 250 square feet	1 per 10 parking spaces
Food and Beverage Retail Sales	per Schedule B (§1107.0400)	1 per 10 parking spaces
Funeral and Interment Services		
Cremating	1 per vehicle used in the business	None
Interring	1 per vehicle used in the business	None
Undertaking	1 per 100 square feet	None
Cemeteries	per Schedule D (§1107.0600)	None
Gasoline and Fuel Sales	1 per pump (count as if parked at pump) + 1 per 200 square feet	None
Hair Salon	1 per 75 square feet	1 per 10 parking spaces
Marijuana Facilities		
Cultivator	per Schedule C (§1107.0500)	None
Dispensary	per Schedule B (§1107.0400)	1 per 10 parking spaces
Processor	per Schedule C (§1107.0500)	None
Testing Laboratory	per Schedule B (§1107.0400)	1 per 10 parking spaces
Medical Services		
Drug and Alcohol Treatment Center, Nonresidential	1 per 200 square feet	1 per 10 parking spaces
Other Medical Services	1 per 100 square feet	1 per 10 parking spaces
Office, Administrative and Professional	1 per 200 square feet	1 per 10 parking spaces

Parking, Commercial	No maximum	Per Sec. 1107.0903
Personal Convenience Services	per Schedule B (§1107.0400)	1 per 10 parking spaces
Personal Improvement Services	per Schedule B (§1107.0400)	1 per 10 parking spaces
Rental Halls	1 per 2 employees plus 1 per 75 square feet of customer area	1 per 10 parking spaces
Repair Services, Consumer	per Schedule B (§1107.0400)	1 per 10 parking spaces
Retail Sales, General	per Schedule B (§1107.0400)	1 per 10 parking spaces
Sexually Oriented Business Establishment	1 per 75 square feet	1 per 10 parking spaces
Sports and Recreation, Participant		
Indoor	1 per 100 square feet	1 per 10 parking spaces
Outdoor	1 per 300 square feet of customer/activity area	1 per 10 parking spaces
Sweepstake Terminal Cafes	1 per 200 square feet	1 per 10 parking spaces
Tattoo and Body Piercing	per Schedule B (§1107.0400)	1 per 10 parking spaces
Tobacco Shop	per Schedule B (§1107.0400)	1 per 10 parking spaces
Transient Habitation		
Bed and Breakfast	1 per sleeping room	1 per 10 parking spaces
Lodging	2 per room, plus spaces allowed for associated uses	1 per 10 parking spaces
Rooming House	1 per rooming unit	1 per 10 parking spaces
Vehicle Sales and Service		
Cleaning/Washing	4	None
Fleet Storage	1 per employee	None
Heavy Equipment Repairs	3 per service bay	None
Light Equipment Repairs	3 per service bay	None
Heavy Equipment Sales/Rental	1 per 5,000 square feet of open sales area, plus 1 per 500 square feet of enclosed sales area, plus 2 per service bay	None
Auto and RV Sales/Rental	1 per 5,000 square feet of open sales area, plus 1 per 500 square feet of enclosed sales area, plus 2 per service bay	None
Storage of Nonoperating Vehicles	1 per employee	None
Storage of Recreational Vehicles	1 per employee	None
Industrial Use Types		
Explosive Storage	per Schedule C (§1107.0500)	1 per 10 parking spaces



Freight Terminal	per Schedule C (§1107.0500)	1 per 10 parking spaces
Industrial, General	per Schedule C (§1107.0500)	1 per 10 parking spaces
Industrial, Intensive	per Schedule C (§1107.0500)	1 per 10 parking spaces
Laundry Service	per Schedule C (§1107.0500)	1 per 10 parking spaces
Manufacturing and Production, Limited	per Schedule C (§1107.0500)	1 per 10 parking spaces
Manufacturing and Production, Technological	per Schedule C (§1107.0500)	1 per 10 parking spaces
Scrap and Salvage Operations	2 per acre	1 per 10 parking spaces
Wholesale, Storage and Distribution	per Schedule C (§1107.0500)	1 per 10 parking spaces
Mini-Warehouse	5 + 1 per 250 rental spaces	1 per 10 parking spaces
Light	per Schedule C (§1107.0500)	1 per 10 parking spaces
Heavy	per Schedule C (§1107.0500)	1 per 10 parking spaces
Other Use Types		
Agriculture		
Major	per Schedule D (§1107.0600)	None
Minor	per Schedule D (§1107.0600)	None
Mining	per Schedule D (§1107.0600)	None
Recycling Facilities		
Large Collection Facilities	per Schedule C (§1107.0500)	None
Small Collection Facilities	per Schedule C (§1107.0500)	None
Processing Center	per Schedule C (§1107.0500)	None
Wireless Telecommunications Facilities		
Co-located Facility	per Schedule D (§1107.0600)	None
Freestanding Facility	per Schedule D (§1107.0600)	None

**Table Notes**

[1] Check Sec. 1107.0200 for special parking districts, such as the Central-City Parking District, for applicable parking reductions.

SECTION 26. That a new Toledo Municipal Code, §1107.0400 is enacted to state as follows:

§1107.0400 Off-street parking Schedule "B" additional commercial standards.

Off-street parking spaces for Schedule B uses must be provided in accordance with the following standards. This schedule is to be read cumulatively using each increment. For example, to determine the total allowed spaces for a 100,000 square foot building calculate the number of spaces allowed for the first 50,000 square feet at 1 per 200 square feet (250 spaces) and for the next 50,000 square feet at 1 per 300 square feet (167 spaces) for a total of 417 parking spaces.

<b>Floor Area (sq. ft.)</b>	<b>Off-Street Parking Spaces Allowed</b>
First 50,000	1 per 200 square feet
50,000+	1 per 300 square feet

SECTION 28. That a new Toledo Municipal Code, §1107.0500 is enacted to state as follows:

§1107.0500 Off-Street Parking Schedule “C” Additional Industrial Standards

Off-street parking spaces for Schedule C uses must be provided in accordance with the following standards. This schedule is to be read cumulatively using each increment.

<b>Floor Area (sq. ft.)</b>	<b>Off-Street Parking Allowed</b>		
		<b>Warehousing Floor Area</b>	<b>Manufacturing or Other Floor Area</b>
1-20,000	1 per vehicle used in the business +	1 per 1,000 sq. ft. +	1 per 750 sq. ft.
20,001-120,000		1 per 5,000 sq. ft. +	1 per 1,500 sq. ft.
120,001+		1 per 10,000 sq. ft. +	1 per 3,000 sq. ft.

SECTION 30. That a new Toledo Municipal Code, §1107.0601 is enacted to state as follows:

§1107.0601

Upon receiving a development application for a use subject to "Schedule D" standards, the Planning Director must apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use or establish maximum off-street parking requirements on the basis of a parking study prepared by the applicant.

SECTION 32. That a new Toledo Municipal Code, §1107.0700 is enacted to state as follows:

§1107.0700 Elderly and disabled housing parking.

These provisions are intended only for new developments and projects that involve major remodeling.

SECTION 34. That a new Toledo Municipal Code, §1107.0701 is enacted to state as follows:

§1107.0701 Parking Reservation.

The maximum parking for units restricted pursuant to Section 1107.0703 is one space for every two units plus an area on the site reserved for future parking to accommodate one parking space per dwelling unit. All other parking provisions of Chapter 1107 shall apply.

SECTION 36. That a new Toledo Municipal Code, §1107.1101 is enacted to state as follows:

§1107.1101 Multiple Uses.

Unless otherwise approved, lots containing more than one use may provide parking and loading in an amount equal to the total of the maximums for all uses.

SECTION 38. That a new Toledo Municipal Code, §1107.1101 is enacted to state as follows:

§1107.1102 Rounding of Fractions.

In computing the number of allowed spaces any fractional number may be rounded to the next highest whole number.

SECTION 40. That a new Toledo Municipal Code, §1107.1401 is enacted to state as follows:

§1107.1401 Scope.

An Alternative Access and Parking Plan represents a proposal to provide off-street parking spaces in excess of allowed maximums established in the parking schedules of this Chapter.

SECTION 42. That a new Toledo Municipal Code, §1107.1402 is enacted to state as follows:

§1107.1402 Applicability.

Applicants who wish to provide a greater number of off-street parking spaces than allowed in the off-street parking schedules of this Chapter (Secs. 1107.0201(B), 1107.0300,

1107.0400 or 1107.0500) must secure approval of an Alternative Access and Parking Plan, in accordance with the standards of this Section.

SECTION 44. That a new Toledo Municipal Code, §1107.1407 is enacted to state as follows:

§1107.1407 Eligible Alternatives.

A. General. The Planning Director is authorized to approve off-street parking spaces in excess of allowed maximums or any of the parking increases and access alternatives in this subsection if the applicant demonstrates to the satisfaction of the Planning Director that the proposed plan:

1. Will not adversely affect surrounding neighborhoods;
2. Will not adversely affect traffic congestion and circulation; and
3. Will have a positive effect on the economic viability or appearance of the project or on the environment.

B. Shared Parking. It is the City's stated intention to encourage efficient use of land and resources by allowing users to share off-street parking facilities whenever feasible. The Planning Director may authorize an increase in the number of allowed off-street parking spaces for multiple use developments or for uses that are located near one another and that have different peak parking demands or different operating hours. Shared parking arrangements are subject to the following standards.

1. Location. Shared off-street parking spaces may be located no further than 1,320 feet from the buildings and uses they are intended to serve, measured along the shortest legal, practical walking route. The Planning Director may waive this distance limitation if adequate assurances are offered that adequate van or shuttle service will be operated between the shared lot and the principal use. If the shared parking spaces are located off-site, they must comply with the off-site provisions of Section 1107.1407C.

2. Zoning Classification. Shared parking areas are accessory to the principal uses that the parking spaces serve. Shared parking areas require the same or a more intensive zoning classification than that required for the most intensive of the uses served by the shared parking area, unless approved as a Special Use pursuant to Section 1111.0700.

3. Required Study and Analysis. The applicant must submit a shared parking analysis to the Planning Director that clearly demonstrates the feasibility of shared parking. The study must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

4. Shared Parking Agreement. A shared parking plan, assuring the retention of shared parking spaces, must be enforced through written agreement among the owners of record. The agreement must be properly drawn and executed by the parties concerned and approved as to form and execution by the Law Department. The agreement must be recorded as required in Section 1107.1405. The parties to the agreement may revoke the shared parking agreement only if the otherwise required off-street parking spaces are provided on-site or if an Alternative Access and Parking Plan is approved by the Planning Director.

C. Off-Site Parking. The Planning Director may permit all or a portion of the allowed off-street parking spaces to be located on a remote and separate lot from the lot on which the principal use is located, subject to the standards of this section.

1. Location. No off-site parking space may be located more than 1,320 feet from the primary entrance of the use served, measured along the shortest legal, practical walking route. This distance limitation may be waived by the Planning Director if adequate assurances are offered that van or shuttle service will be operated between the shared lot and the principal use.

2. Zoning Classification. Off-site parking areas are accessory to the principal uses that the parking spaces serve. Off-site parking areas require the same or a more intensive zoning classification than that required for the most intensive of the uses served by the shared parking area, unless approved as a Special Use pursuant to Section 1111.0700.

3. Off-Site Parking Agreement. An off-site parking plan, assuring the retention of off-site parking spaces, must be enforced through written agreement among the owners of record. The agreement must be properly drawn and executed by the parties concerned and approved as to form and execution by the Law Department. The agreement must be recorded as required in Section 1107.1405. The parties to the agreement may revoke the agreement only if the otherwise required off-street parking spaces are or if an Alternative Access and Parking Plan is approved by the Planning Director.

D. Bicycle Parking. The Planning Director may authorize an increase in the number of allowed offstreet parking spaces for developments or uses that make special provisions to accommodate bicyclists. Examples of accommodations include enclosed bicycle lockers, employee shower facilities and dressing areas for employees. A reduction in parking may not be granted merely for providing outdoor bicycle spaces.

E. Transit Stops. The Planning Director may authorize up to a 20 percent increase in the number of allowed off-street parking spaces for developments that provide transit stops if the following conditions are met:

1. The transit stop must be designed to be a waiting area for transit riders, clearly identified as such, and open to the public at large;

2. The transit stop must be designed as an integral part of the development project, with direct access to the waiting area from the development site; and

3. The transit waiting area must be designed to accommodate passengers in a covered waiting area, with a capacity of at least five persons and must include internal lighting and other features that encourage use of the facility, such as temperature control within the waiting area.

4. The transit stop shall be owned and/or maintained as part of the project unless other arrangements are made to the satisfaction of TARTA.

F. Pervious Parking. The Planning Director may authorize all or a portion of allowed off-street parking spaces (not to include drive aisles) to be provided on permeable/porous surfaces, subject to the following criteria.

1. The findings of the Planning Director shall indicate what number or percentage of allowed parking spaces may be so provided.

2. The permeable/porous surface shall meet the approval of the Division of Engineering Services, Division of Environmental Services, Fire Prevention Bureau and Division of Transportation.

3. Parking spaces, aisles, etc. shall be marked by flags, biodegradable dyes or paints, or some other method that does not kill grass or plants.
4. Permeable/porous surfaces shall be adequately drained.
5. Permeable/porous parking areas shall be maintained by the property owner for their intended function for the duration of its life.