

F3. Zoning Text Amendment to Article VII

7-102.5 Variance in the Required Number of Parking and Loading Spaces (Overflow Spaces) -

The number of parking and loading spaces to be constructed may be less than the number of spaces required herein in the event that the following conditions are met to the satisfaction of the ~~Planning Commission~~ **Building Commissioner**:

1. Evidence is submitted firmly documenting that the special nature of the use, activity, or building proposed requires less parking area or spaces than required by this chapter for the same.
2. The Site Plan submitted to and approved by the **Planning and Codes Department and/or the Planning Commission** in accordance with ARTICLE XII, Subsection 12-102.3, Site Plan Requirements, indicates that the location and layout of that portion of the parking requirement deemed unnecessary can and will be constructed accordingly in the event that the **Board of Zoning Appeals** ~~Planning Commission~~ determines at any time that all or any portion of this parking is necessary in the interest of the public health, safety, and welfare.
3. In no event shall that portion of the required parking or loading, which is so designated, but not constructed as provided herein, be counted as open space or other non-paved area required by other provisions of this resolution.
4. If the **Board of Zoning Appeals** ~~Planning Commission~~ makes an exception to the construction of some of the required parking spaces, those exempted spaces shall be reserved in a pervious surface area. Such area shall be graded, cleared and maintained in a dustless surface and be accessible to vehicles in the event of overflow. Such area shall not be sold, transferred or used for any other permanent use.

Meeting Notes at Planning Commission: