

ORDINANCE NO. O-2122-6

ITEM NO. 19

STAFF MEMO

ITEM: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 (ZONING ORDINANCE), SECTION 431.5, OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL AND MULTI-FAMILY AND ALL OFFICE, COMMERCIAL AND INDUSTRIAL DISTRICTS, LESS C-3, INTENSIVE COMMERCIAL DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND: Over the last several years Planning staff has presented to the Community Planning and Transportation Committee (CPTC) various options for parking regulations; both minimum and maximum requirement discussions have occurred. There are and have been many opinions of how to develop (pervious/impervious/bio-swales) parking lots and how many parking spaces should be required for specific uses within the City of Norman.

Included in these discussions, most recently, was the discussion of reviewing the Engineering Design Criteria (EDC) and establishing LID (Low Impact Development)/green building codes, regulations/guidelines for developing parking areas that can be more environmentally friendly while still providing adequate parking for the associated businesses. Attached as Exhibit A, is the summary of the continued work of staff regarding the "green building codes". At the April 22, 2021 Community Planning and Transportation Committee meeting staff briefed Council on the current status of their work on this proposal. The EDC/LID discussion and presentation will be forwarded for review at a later date. The minutes from that meeting are attached as Exhibit B.

Staff presented information to Community Planning and Transportation Committee Members on April 22, 2021 and August 16, 2019, regarding parking regulations - for commercial businesses, more specifically, the discussion of larger retail/commercial establishments having excessively large parking lots - and typically utilized only a few times a year/seasonally, as well as other non-residential uses. More recently, July 20, 2021, staff presented possible parking ordinance changes to the City Council Study Session. (Minutes attached as Exhibit E.)

DISCUSSION: As stated, the Zoning Ordinance establishes the minimum number of parking spaces required as determined by specific uses; this is the standard for many cities. Off-street parking standards are an attempt to minimize spillover parking on public streets, residential neighborhoods and ensure safe and efficient movement of traffic by requiring the supply of parking at the site of the development is adequate to meet demand. The parking requirements adopted in the Z.O. have not seen much change in the last five decades.

While parking minimums require a certain number of parking spaces for a specific use there can be other alternatives to the traditional minimum parking requirement. Some developments do not need the required minimum parking established/determined by the Z.O. so they are "over-parked". In other cases, some uses need what is designated as a minimum in the Z.O. and even more in some cases.

The parking requirements adopted by cities over the years are one of, if not the most significant impacts on city form. In some cases, but not all, the adopted parking requirements can limit or restrict what an individual can do on the lot they are planning to develop. Money is tight, we all know and recognize this but so is the supply of land. We can all drive around Norman and other communities and see large, underutilized parking lots. So what can the City of Norman do to alleviate the requirements on businesses/developers to construct large parking facilities?

WHAT/WHO DETERMINES PARKING NEEDS FOR A USE?

Use. Different types of buildings require different parking levels. A restaurant with tightly packed tables needs more parking than a warehouse that is filled with boxes and very few employees. Offices tend to fall in the middle of industrial and dense retail uses.

Local regulations. Most building and zoning codes specify parking ratios. Before a developer can construct a building, they have to submit plans that describe the size of the building and of its parking lot. If the two do not align with local regulations, the property can't be built.

Market reality. Finally, the needs of the market also determine how much parking a building may need. If you are in an automobile driver heavy city -- like many suburbs -- or an area with limited public transportation options tenants will demand ample parking, even if it's in excess of what the local code requires.

PARKING "RECOMMENDATION" V. REQUIRED.

An opportunity the City has is to amend the current Zoning Ordinance to convert the existing "required" parking ratio regulation to a "recommended" parking ratio on a lot. This option will not only offer flexibility to smaller developers but also benefit the city with storm water runoff concerns while also creating more green space/open space.

A recommended parking ratio allows the developer to customize the development to their specific needs for the use, while not negatively impacting the community with additional runoff -- i.e., creating a large parking lot only to remain vacant the majority of the year.

Moving forward, after changing from "required to recommended", another option still may be to actually change the parking ratios across the board for all uses currently listed in the Z.O. and create maximum parking ratios, following suit with the EDC. However, at this point, with the EDC still in review, staff would like to give the EDC the opportunity to establish guidelines so that any Zoning Ordinance amendments will coordinate with the newly-adopted EDC/LID options.

It is possible establishing a "parking maximum" may be useful. Establishing parking maximums has been used most extensively in central business districts where there is an existing built environment. Establishing a maximum parking standard can be an effective tool for communities interested in maximizing green space, managing stormwater runoff, increasing densities and utilizing sustainable land development management tools while meeting transportation and parking demand throughout the community. Again, this possibility will be discussed/reviewed after the EDC is completed and adopted by City Council.

A variety of stakeholders may wish to be involved in the discussions leading to decisions about off-street parking requirements. Those include local developers, business owners and their employees and patrons, community residents as well as the general public, all of whom have an interest in many development aspects: providing adequate parking to keep their business successful, mobility within the city and in developing an attractive physical environment where automobile traffic is not overwhelming.

Parking literature argues that excessive parking supply discourages alternative modes of transportation, reduces density, increases the cost of development, creates an uninviting built environment, and degrades the natural environment. Sources that are commonly used to determine off-street parking requirements include the Institute of Transportation Engineers (ITE) and often zoning ordinances from other cities.

Parking is an important component to zoning and land use decisions. Parking availability affects trip generation, mode of transportation, urban form, as well as economic development. For decades, parking regulations in ordinances have made generous allowances for automobiles, as car ownership, driving and parking have become essential elements of the transportation system. A 2011 study conducted by the University of California estimated there is an average 3.4 parking spaces per vehicle and around 800 million parking spaces existing in the United States, covering approximately 25,000 square miles of land.

In addition, modes of transportation are changing and are expected to continue to change in years to come; evidence of these changing trends has never been more apparent than with the recent 2020/COVID year. The nation saw an increase in changes of modes of transportation; ride share, Uber, Lyft, scooters, buses, and bicycles; as well as shopping trends. With the recent shift to on-line shopping, with delivery or quick-stop pickup of orders, not all businesses need the amount of parking we have seen historically. Many communities will be in a stage of transition until transportation behaviors level off at some point in the future. After transportation behaviors become more consistent the parking ratios can be further studied and the minimum parking ratios in the Z.O. may be revised. The proposed amendment to go from "minimum required" to "recommended" is intended to provide an opportunity for discussion to determine what Council wants to see amended as an interim solution, providing more flexibility during this period of transition.

Ultimately, business owners know their needs; if a business does not have adequate parking they may lose business and the community may lose a business. In addition, we never want spillover parking to negatively impact the adjacent residential neighborhoods; therefore, further assessment may be a point of discussion.

Allowing a recommended parking count will undoubtedly reduce a great number of parking spaces. While setting the maximum parking count allowed with the existing requirement will allow businesses to develop to their needs while not allowing them to go over the City's already established parking requirements. Determining new maximum ratios across the board would prove a hefty endeavor at this time, and city staff recommends that implementation of such a change is best undertaken upon completion of the amended EDCs, receipt of stakeholder input, and professional study of industry mechanisms for these newer theories of parking controls and guidelines.

PROPOSED CHANGES: The single and two-family dwellings, fraternity or sorority houses, mobile home parks/subdivisions will see no change in the proposed amendments – they will still be required to provide the minimum parking as adopted in the Z.O.

The apartments and apartment hotels, boarding or rooming houses and hotels or motels are proposed to change as follows, with the below ratios proposed as recommended:

Apartments and apartment hotels;	1.8/du – 1.2/du
Boarding or rooming houses:	1.8/boarding or rooming unit – 1/boarding or rooming unit
Hotels or motels:	1.2/room – 1/room (in addition to spaces “recommended” for restaurant facilities)

The attached Exhibit D is the proposed amendments to the parking regulations, going from “required minimums” to “recommended” parking ratios for the overall majority of the uses – except as noted above. Attached as Exhibit C is copy of the current required parking requirements.

CONCLUSION: Several cities across the nation have already removed minimum parking requirements and many more are looking at the possibility of removing minimum requirements. Locally, the City of Edmond and City of Guthrie are reviewing possible changes to their parking requirements.

Staff presents this proposal and Ordinance NO. O-2122-6 to Planning Commission for discussion and consideration.

Exhibits:

Exhibit A – Green Building Code Update

Exhibit B - CPTC Meeting Minutes, April 22, 2021

Exhibit C – Existing Zoning Code Ordinance - Parking

Exhibit D – Annotated Zoning Code Ordinance - Parking

Exhibit E – Council Study Session, July 20, 2021