

Resolution Relating to

Comprehensive Development Ordinance, Minimum and
Maximum Parking Requirements and Transportation Demand
Management
ZA #22-07

RESOLUTION_____

Sponsor(s): Councilor Hanson
Introduced: _____
Referred to: _____

Action: _____
Date: _____
Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty-one.....

Resolved by the City Council of the City of Burlington, as follows:

1 That Appendix A, Comprehensive Development Ordinance, of the Code of Ordinances of the City of
2 Burlington, Article 4: Zoning Maps and Districts, Part 4: Base Zoning District Regulations, be and hereby
3 is amended by amending Section 4.4.1 (d) 5 Development Bonuses/Additional Allowances, Section 4.4.5
4 (d) 4. C. Residential Occupancy Limits; Section 4.5.3 (c) 6 Parking Requirements, Section 4.5.6 (c)
5 District Specific Regulations: Mouth of the River Overlay, Section 5.1.1 (c) Permitted Uses, Section 5.1.1
6 (d) Conditional Uses, Section 5.3.6 (c) Changes to a Nonconforming Lot, Section 5.3.8 Rebuilding After a
7 Catastrophe, Section 5.4.12 (a) Mobile Home Parks, and Article 8: Parking, Part 1: General Requirements,
8 be and hereby is amended by amending Sections 8.1.3, Parking Districts, Parking Districts, 8.1.6, Existing
9 Structures: Exemption in Downtown District, 8.1.8, Minimum Off-Street Parking Requirements, Table
10 8.1.8-1 Maximum Off-Street Parking Requirements, 8.1.9, Maximum Parking Spaces, 8.1.12 Limitations,
11 Location, Use of Facilities, 8.1.15 Waivers from Parking Requirements/Parking Management Plans, and
12 adding Section 8.1.16 Transportation Demand Management; and Article 8: Parking, Part 3: Institutional
13 Parking Plans be and hereby is amended by amending Section 8.3.3 Institutional Parking Management
14 Plans thereto to read as follows:

Sec. 4.4.1 Downtown Mixed Use Districts

(a) – (c) As written.

(d) District Specific Regulations

1-4 As written

5. Development Bonuses/Additional Allowances

A Public Parking

(i) As written

(ii) 10-feet of additional building height and corresponding FAR may also be permitted,
independent of subsection (i) above, where no less than 25 parking spaces or ~~an additional~~
~~ten percent (10%) above the minimum spaces required pursuant to Sec. 8.1.8, whichever~~
~~is greater~~, are made available to the general public at all times

Sec. 4.4.5 Residential Districts

(a) – (c) As written.

31 (d) District Specific Regulations

32 1-3 As written.

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34 4. Residential Density

35 A-B As written.

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37 C. Residential Occupancy Limits

38 In all residential districts, the occupancy of any dwelling unit is limited to members of a family
39 as defined in Article 13. Notwithstanding the following, the minimum square footage
40 requirements shall be reduced by ten (10%) percent in situations where the residential premises
41 are owner occupied.

42 Subject to Conditional Use approval by the DRB, a dwelling unit may be occupied by more
43 than four (4) unrelated adults if it contains at least twenty-five hundred (2,500) square feet
44 excluding its attic and basement pursuant to the following:

- 45 (i) If in a RL district, the dwelling unit also contains at least an additional two hundred fifty
46 (250) square feet and two (2) onsite parking spaces, plus one (1) additional parking space
47 per adult occupant in excess of four (4); or,
- 48 (ii) If in a RM district, the dwelling unit also contains at least an additional two hundred (200)
49 square feet and two (2) onsite parking spaces, plus one (1) additional parking space per
50 adult occupant in excess of four (4).
- 51 (iii) If in a RH district, the dwelling unit also contains at least an additional 150 square feet
52 and two (2) onsite parking spaces, plus and one (1) additional parking space per adult
53 occupant in excess of four (4).

54 In considering a request relating to permitting a greater number of unrelated individuals
55 residing in a dwelling unit within a residential zoning district, no conditional use permit may be
56 granted unless all facilities within the dwelling unit, including bathroom and kitchen facilities
57 are accessible to the occupants without passing through any bedroom. Each room proposed to
58 be occupied as a bedroom must contain at least one hundred twenty (120) square feet.

59 5-6 As written.

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61 **Sec. 4.5.3 RH- Density Bonus Overlay District**

62 (a)-(b) As written.

63 (c) District Specific Regulations: RH- Density Bonus Overlay

64 1-5 As written

65 6. Parking ~~Standards~~ Requirements

66 In addition to the parking ~~standards~~ requirements found in Article 8, the following shall also
67 apply within this Overlay:

68 ~~There shall be at least one parking space per residential unit (exceptions for senior and~~
69 ~~affordable housing, as outlined in Article 8, shall apply). There shall be an affirmative finding~~
70 ~~by the DRB that the proposed development provides adequate parking for its residents and non-~~
71 ~~residential uses. At least seventy-five (75%) of the parking spaces required after any waiver~~
72 ~~shall be provided onsite as structured parking spaces. Any structured parking shall be concealed~~
73 ~~by the structure or the building so that it is not visible from the street (the entrance and exit may~~
74 ~~be visible).~~

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Sec 4.5.6 Mouth of the River Overlay District

(a)-(b) As written

(c) District Specific Regulations: Mouth of the River Overlay:

1. Uses

A. Exception for Non-Residential Marine and Recreational Uses

(i)-(viii) As written

(ix) To the extent that ~~additional~~ parking is provided ~~required~~, the parking standards for Shared-Use Districts shall apply pursuant to Article 8;

Sec. 5.1.1 Uses

(a)-(b) As written

(c) Permitted Uses

A permitted use is allowed as of right in any district under which it is denoted by the letter "Y" in Appendix -.Use Table. Permitted uses are subject to such requirements as may be further specified in this ordinance such as but not limited to dimensional and intensity limitations, performance and design standards, and parking ~~requirements~~ standards.

(d) Conditional Uses

A conditional use is listed in any district where denoted by the letters "CU" in Appendix A - Use Table. Such uses may be permitted by the DRB only after review under the conditional use provisions provided in Article 3, Part 5, such further restrictions as the DRB may establish and such additional requirements as may be established by this ordinance such as but not limited to dimensional and intensity limitations, performance and design standards, and parking ~~requirements~~ standards.

(e)-(i) As written

Sec. 5.3.6 Nonconforming Lots

(a)-(b) As written

(c) Changes to a Nonconforming Lot

No change shall be permitted to any nonconforming lot which would have the effect of increasing the density at which the property is being used, or increasing the structure located upon such lot, if the dimensional requirements and standards, ~~including parking~~, of the underlying zoning district are not met as a result thereof. Allowance of adaptive reuse and residential conversion bonuses shall be an exception to the foregoing standards. ~~A lot shall be considered nonconforming if there is not sufficient parking, as determined by the standards provided in Article 8.~~ In such cases where a parking waiver or waivers may be or have been legally granted, such a waiver shall be considered superseded by the standards provided in Article 8. not be considered to increase the degree of non-conformity.

Sec 5.3.8 Rebuilding After Catastrophe

(a)-(c) As written

(d) Noncompliance, in terms of dimensional regulations ~~or parking requirements~~, shall not be increased beyond what existed prior to the catastrophe and, where physically possible, shall come into compliance;

Sec 5.4.12 Mobile Home Parks

(a) Mobile Home Parks

1-5. As written

~~6. One (1) on-site parking space shall be required per individual Mobile Home.~~

7-9. As written

Sec. 8.1.3 Parking Districts

The demand for parking is highly dependent on the context within which a given use or structure is located. Factors such as proximity to other related uses, availability of public transportation and alternative forms of and supports for transportation, the density of land uses, and the ability to share parking with nearby uses are all factors which influence the demand for individual and dedicated off-site parking. For the purposes of this Article, the following three (3) Parking Districts as illustrated in Map 8.1.3-1 are hereby created:

(a) Neighborhood Parking District:

This parking district ~~establishes the baseline of parking requirements throughout the city where~~ encompasses the primarily residential neighborhoods of the city where the demand for off-site parking is largely dependent on the needs and characteristics of and transportation resources available to an individual site or land use.

(b) Shared Use Parking District:

This parking district ~~reduces the requirements from the baseline standards recognizing~~ recognizes that opportunities exist to share parking demand between related nearby land uses, and that travel to and between these uses may not be strictly automobile dependent.

(c) Multimodal Mixed-Use Parking District:

This parking district recognizes that ~~eliminates the minimum on-site parking requirements of Sec. 8.1.8 recognizing~~ the opportunity for extensive sharing of parking demand between nearby mixed land uses makes travel to and between proximate land uses largely independent from an automobile; and that an array of non-vehicular transportation modes, public parking facilities, and frequent transit service greatly reduces the need for independent on-site parking for individual land uses.

This Parking District includes all properties in the following Zoning Districts:

- (a) Downtown Core (FD6)
- (b) Downtown Center (FD5)
- (c) Downtown Waterfront – Public Trust (DW-PT)
- (d) Neighborhood Activity Center (NAC)
- (e) Neighborhood Mixed Use (NMU)
- (f) NAC – Riverside (NAC-R)
- (g) NAC – Cambrian Rise (NAC-CR)

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With the exception of those properties subject to Part 3 - Institutional Parking Management Plans, this Parking District also includes all properties with street frontage on the following major thoroughfares to a maximum depth of 200-ft.:

- (a) North Avenue from Battery Park to Plattsburg Avenue
- (b) Colchester Avenue
- (c) Pearl Street
- (d) North Winooski Avenue
- (e) Riverside Avenue from N. Winooski Ave to Colchester Ave
- (f) Battery Street
- (g) Main Street
- (h) College Street to South Williams Street
- (i) Pine Street
- (j) Saint Paul Street
- (k) Shelburne Street

~~With respect to permits issued with parking requirements in this Parking District prior to the effective date of the amendment to eliminate minimum onsite parking, an administrative permit amendment may be requested to remove the parking requirement based upon the change in regulation. This does not apply to permits containing public parking provided in exchange for an Article 4 Development Bonus (See Sec. 4.4.1(d)(5)(A)). For those permits, the public parking provided shall be maintained.~~

Map 8.1.3-1 Parking Districts As written.

Sec. 8.1.4 Existing Structures

Any structure or land use lawfully in existence prior to the adoption of this ordinance shall not be subject to the requirements of this Article as long as the kind or extent of use is not changed, and provided further that any parking facilities now serving such structures shall not in the future be ~~reduced below such requirements~~ altered.

Within the Multimodal Mixed-Use Parking District, an administrative permit may be requested to remove the minimum off-street parking requirements associated with permits issued prior to December 16, 2020. This provision does not apply to permits containing public parking provided in exchange for an Article 4 Development Bonus (See Sec. 4.4.1 (d) (5) (A)). For those permits, the public parking provided shall be maintained. This provision does not apply within the Neighborhood or Shared Use Parking Districts.

Sec. 8.1.5 Existing Structures - Change or Expansion of Use

Whenever there is an alteration or conversion of a structure or a change or expansion of a use which does not involve complete redevelopment or substantial rehabilitation of the structures on a lot; increases affects the parking requirements

- the parking and TDM requirements of this Article shall apply only to the new use or net new area of the expanded use, and Standards total additional parking requirements for the alteration,

~~conversion, change, or expansion shall be provided in accordance with the requirements of this Article. A waiver may be requested pursuant to the provisions of Sec. 8.1.15.~~

- existing parking may exceed the maximum limits per Table 8.1.9-1 as a result of a change of use or change in the intensity of a use(s) on a lot, and
- changes to existing parking in Shared Use and Neighborhood Parking districts is not precluded by Sec. 8.1.4

Sec. 8.1.6 Affordable Housing and Historic Buildings Exemption (Reserved)

Regardless of location, the Minimum Off-Street Parking Requirements found under Sec. 8.1.8 below shall not apply to any of the following:

- (a) ~~The creation of permanently affordable inclusionary housing units satisfying the applicable provisions of Article 9 Part 1 – Inclusionary Housing (see Sec. 9.1.10 Income Eligibility and Sec. 9.1.11 Calculating Rents and Selling Prices);~~
- (b) ~~The adaptive reuse and/or substantial rehabilitation of a building listed on the State or National Register of Historic Places; and,~~
- (c) ~~The creation of an Accessory Dwelling Unit subject to the provisions of Sec. 5.4.5.~~

Sec. 8.1.7 Non-Conforming Residential Structure (Reserved)

~~Where additions or conversions to existing residential structures within a Neighborhood or Shared Use Parking District add living space but do not add dwelling units, and such sites do not currently meet the parking standards of Sec. 8.1.8, one (1) parking space shall be provided for each additional room. Single detached dwellings shall be exempt from this requirement.~~

Sec. 8.1.8 Minimum Off-Street Parking Requirements

Requirements for a minimum number of off-street parking spaces have been recognized as an impediment to building housing and other desired uses, inhibit the expansion of alternative transportation and transportation demand management, and act as an instrument to overbuild parking and incentivize single occupancy automobile use. Therefore, minimum off-street spaces are eliminated in all parking districts for all uses except for applications seeking to exceed occupancy of a dwelling unit by more than four (4) unrelated adults. Such applications are subject to the parking requirements of Sec. 4.4.5 (d), 4, C, Residential Occupancy Limits.

A minimum number of off-street parking spaces for all uses and structures shall be provided in accordance with Table 8.1.8-1 below.

- (a) ~~Where a use is not listed, the minimum parking requirements shall be determined by the administrative officer based upon a determination that the use is substantially equivalent in use, nature, and impact to a listed use.~~
- (b) ~~When the calculation yields a fractional number of required spaces, the number of spaces shall be rounded to the nearest whole number.~~
- (c) ~~The minimum off-street parking requirement for a development with inclusionary housing units provided on-site shall be reduced by the percentage of inclusionary units required by Article 9. (Example: A 100-unit residential development with a requirement of 15% inclusionary units shall provide minimum off-street parking based on 85 dwelling units.)~~

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Table 8.1.8 Minimum Off-Street Parking Requirements

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared Use Districts	Multimodal Mixed-Use Districts
RESIDENTIAL USES¹	Per Dwelling Unit except as noted		
Multi-unit attached dwelling units, studio units or 1-bedroom dwelling unit.	2	1	0
Single Family detached and Duplex	2	2	0
1. Adjusted for development with inclusionary housing units per Sec. 8.1.8(c).			
RESIDENTIAL USES - SPECIAL¹	Per Dwelling Unit except as noted		
Assisted Living	0.5	0.5	0
Bed and Breakfast (per room, in addition to single family residence)	1	0.75	0
Boarding House (per two (2) beds)	1	0.75	0
Community House	1	0.75	0
Convalescent Home (per four (4) beds)	1	1	0
Dormitory (per two (2) beds)	1	1	0
Emergency Shelter	0	0	0
Group Home (per two (2) beds)	1	1	0
Historic Inn (per room, in addition to single family residence)	1	0.75	0
Sorority & Fraternity (per two (2) beds)	1	1	0
NON-RESIDENTIAL USES	Per 1,000 square feet of gross floor area (gfa) except as noted		
Adult Day Care (per two (2) employees)	1	1	0
Agricultural Use	0	0	0
Amusement Arcade	2	1	0
Animal Boarding/Kennel/Shelter	2.5	1.5	0
Animal Grooming (per grooming station)	1	1	0
Animal Hospitals/Veterinarian Office	3	2	0

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared Use Districts	<u>Multimodal Mixed-Use</u> Districts
Appliance & Furniture Sales/Service	2.5	1	0
Aquarium	1.3	1	0
Art Gallery/Studio	3.3	2.5	0
Auction Houses	3.3	2.5	0
Automobile & Marine Parts Sales	2.5	1.5	0
Automobile Body Shop	2 plus 1/bay	2 plus 1/bay	0
Automobile Repair/Service	2 plus 1/bay	2 plus 1/bay	0
Automobile Sales—New & Used	2	2	0
Bakery	2.5	2.5	0
Bank, Credit Union	2.5	2	0
Bar/Tavern	4	3	0
Beauty/Barber Shop (per station/chair)	1	1	0
Bicycle Sales/Repair	2.5	1	0
Billiard Parlor (per game table)	1	1	0
Boat Repair/Service	2	2	0
Boat Sales/Rental	2	2	0
Boat Storage	3	2	0
Bowling Alley (per lane)	3	2	0
Building Material Sales	3.3	2.5	0
Café (per four (4) seats)	1	0	0
Camp Ground (per camping space)	1	1	0
Car Wash (stacking spaces per wash bay)	4	4	0
Cemetery	0	0	0
Cinema (per four (4) seats)	1	1	0
Club, Membership	3.3	2.5	0
Community Center	3.3	2.5	0
Community Garden (per ten (10) plots)	1	1	0
Conference Center	3	2	0

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared-Use Districts	<u>Multimodal Mixed-Use Districts</u>
Contractor Yard (per 1,000 gfa of office space)	2.5	2	0
Convenience Store	3	2	0
Convention Center	n/a	3	0
Courthouse	n/a	3.3	0
Crematory (per FTE employee)	1	1	0
Crisis Counseling Center	4	3	0
Daycare – Home (6 children or less)	<u>None (0)</u>	<u>None (0)</u>	0
Daycare – Large (Over 20 children) (per two (2) employees)	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	0
Daycare – Small (20 children or less) (per two (2) employees)	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	0
Dental Lab	2	1	0
Distribution Center (per 3,000 gfa)	1	0.75	0
Dry Cleaning Plant	1.3	1	0
Dry Cleaning Service	2.5	2	0
Film Studio	3.3	2.5	0
Fire Station (per apparatus)	2	2	0
Food & Beverage Processing	1.3, plus 3 per 1,000 gfa devoted to patron use	1, plus 2 per 1,000 gfa devoted to patron use	0
Fuel Service Station (per employee/shift)	1	1	0
Funeral Home (per four (4) seats)	1	1	0
Garden Supply Store (per 1,000 gfa of retail area.)	3	2	0
General Merchandise/Retail	3	2	0
Grocery Store	3	2	0

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared-Use Districts	Multimodal Mixed-Use Districts
Hazardous Waste Collection/Disposal (per two (2) employees on the largest shift)	1	1	0
Health Club	3	2	0
Health Studio	2	1	0
Hospitals (per patient bed)	2	2	0
Hostel (per two (2) beds)	0.5	0.5	0
Hotel/Motel (per room)	1	0.75	0
Laundromats (per washing machine)	1	1	0
Library	1.3	1	0
Lumber Yard (per 1,000 gfa of retail area.)	3	2	0
Manufacturing Light	1.3, plus 3 per 1,000 gfa devoted to patron use.	1.3, plus 2 per 1,000 gfa devoted to patron use.	0
Manufacturing	1.3, plus 3 per 1,000 gfa devoted to patron use.	1.3, plus 2 per 1,000 gfa devoted to patron use.	0
Marina (per berth)	0.5	0.5	0
Medical Lab	2	1	0
Museum	1.3	1	0
Office—General	2	2	0
Office—Medical, Dental	3	2	0
Office—Technical	2	2	0
Open Air Markets	0	0	0
Operations Center—Taxi (per three (3) employees)	1	1	0
Operations Center—Truck/Bus (per 3,000 gfa)	1	0.75	0

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared-Use Districts	Multimodal Mixed-Use Districts
Park (per playing area)	5	0	0
Parking Garage—Private	0	0	0
Parking Lot—Private	0	0	0
Performing Arts Center (per four (4) seats)	1	1	0
Performing Arts Studio	1	0	0
Pet Store	2.5	1	0
Pharmacy	3	2	0
Photo Studio	2.5	1	0
Photography Lab	1	1	0
Police Station	2.5	2	0
Post Office	1.3	1	0
Post Office—Local	2	2	0
Printing Plant	1.3	1	0
Printing Shop	2	2	0
Public Transit Terminal	1 per 200 gfa of public waiting space	1 per 200 gfa of public waiting space	0
Public Works Yard/Garage	0	0	0
Radio & TV Studio	2	2	0
Rail Equip. Storage & Repair	0	0	0
Recording Studio	1.3	1	0
Recreational Facility—Indoor (per four (4) seats)	1	1	0
Recreational Facility—Outdoor (per playing field)	15	10	0
Recreational Facility—Outdoor Commercial	Larger of 1 per 4 seats or 15 per playing field	Larger of 1 per 4 seats or 10 per playing field	0

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared-Use Districts	Multimodal Mixed-Use Districts
Recreational Vehicle Sales—New and Used	2	2	0
Recycling Center—Large above 2,000 gfa	0	0	0
Recycling Center—Small 2,000 gfa or less	0	0	0
Research Lab	2.5	2	0
Restaurant	4	3	0
Restaurant—Take Out	4	3	0
Salon/Spa	4	4	0
School—Secondary (per Classroom)	7	5	0
School—Primary (per Classroom)	1.5	1.5	0
School—Preschool (per two (2) employees)	1 plus 1 drop-off per 5 children	1 plus 1 drop-off per 5 children	0
School—Trade/Professional	5	3	0
School, Post-Secondary	2	2	0
Solid Waste Facility—Incinerator, Landfill, Transfer Station	0	0	0
Tailor Shop	2	1	0
Vehicle Salvage	0	0	0
Warehouse	0.5	0.35	0
Warehouse—Self Storage Facility	1 per resident manager, plus 1 per 100 leasable storage spaces	1 per resident manager, plus 1 per 100 leasable storage spaces	0
Warehouse—Retail	3.3	2.5	0
Wholesale Sales	1.3	1	0
Worship, Place of (per four (4) seats)	1	1	0

Sec. 8.1.9 Maximum On-Site Parking Spaces

The total number of off-street parking spaces provided in any parking district shall not be more than as ~~allowed~~ ~~required~~ in Table 8.1.9-1 below:

- (a) Where a use is not listed, the maximum parking requirements shall be determined by the administrative officer based upon a determination that the use is substantially equivalent in use, nature, and impact to a listed use.
- (b) When the calculation yields a fractional number of maximum spaces, the number of spaces shall be rounded to the nearest whole.

Table 8.1.9-1 Maximum Off-Street Parking Requirements

Neighborhood District	Shared Use District	Multimodal Mixed-Use District
125% of the minimum number of spaces required for the Neighborhood Parking District for any given use as required in Table 8.1.8-1	100% of the minimum number of spaces required for the Neighborhood Parking District for any given use as required in Table 8.1.8-1	100% of the minimum number of spaces required for the Shared Parking District for any given use as required in Table 8.1.8-1

Table 8.1.9-1 Maximum Off-Street Parking Requirements

	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>RESIDENTIAL USES¹</u>	<u>Per Dwelling Unit except as noted</u>		
<u>Multi-unit attached dwelling units, studio units or 1-bedroom dwelling unit.</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Single Family detached and Duplex</u>	<u>3</u>	<u>2</u>	<u>2</u>
1. <u>Adjusted for development with inclusionary housing units per Sec. 8.1.8(c).</u>			
<u>RESIDENTIAL USES - SPECIAL¹</u>	<u>Per Dwelling Unit except as noted</u>		
<u>Assisted Living</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Bed and Breakfast (per room, in addition to single-family residence)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Boarding House (per two (2) beds)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Community House</u>	<u>1</u>	<u>1</u>	<u>1</u>

<u>Table 8.1.9-1 Maximum Off-Street Parking Requirements</u>			
	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>Convalescent Home (per four (4) beds)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Dormitory (per two (2) beds)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Emergency Shelter</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Group Home (per two (2) beds)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Historic Inn (per room, in addition to single-family residence)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Sorority & Fraternity (per two (2) beds)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>NON-RESIDENTIAL USES</u>	<u>Per 1,000 square feet of gross floor area (gfa) except as noted</u>		
<u>Adult Day Care (per two (2) employees)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Agricultural Use</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Amusement Arcade</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Animal Boarding/Kennel/Shelter</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Animal Grooming (per grooming station)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Animal Hospitals/Veterinarian Office</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Appliance & Furniture Sales/Service</u>	<u>3</u>	<u>3</u>	<u>1</u>
<u>Aquarium</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Art Gallery/Studio</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Auction Houses</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Automobile & Marine Parts Sales</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Automobile Body Shop</u>	<u>3 plus 1/bay</u>	<u>3-plus 1/bay</u>	<u>2 plus 1/bay</u>
<u>Automobile Repair/Service</u>	<u>3 plus 2/bay</u>	<u>3 plus 2/bay</u>	<u>2 plus 1/bay</u>
<u>Automobile Sales – New & Used (for public and employee parking only; unregistered for-sale vehicles exempt from limits)</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Bakery</u>	<u>3</u>	<u>3</u>	<u>3</u>
<u>Bank, Credit Union</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Bar/Tavern</u>	<u>5</u>	<u>4</u>	<u>3</u>

Table 8.1.9-1 Maximum Off-Street Parking Requirements

	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>Beauty/Barber Shop (per station/chair)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Bicycle Sales/Repair</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Billiard Parlor (per game table)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Boat Repair/Service</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Boat Sales/Rental</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Boat Storage</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Bowling Alley (per lane)</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Building Material Sales</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Café (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Camp Ground (per camping space)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Car Wash (stacking spaces per wash bay)</u>	<u>5</u>	<u>4</u>	<u>4</u>
<u>Cemetery</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Cinema (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Club, Membership</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Community Center</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Community Garden (per ten (10) plots)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Conference Center</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Contractor Yard (per 1,000 gfa of office space)</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Convenience Store</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Convention Center</u>	<u>n/a</u>	<u>n/a</u>	<u>3</u>
<u>Courthouse</u>	<u>n/a</u>	<u>n/a</u>	<u>3</u>
<u>Crematory (per FTE employee)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Crisis Counseling Center</u>	<u>5</u>	<u>4</u>	<u>3</u>
<u>Daycare - Home (6 children or less)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Daycare - Large (Over 20 children) (per two (2) employees)</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>

Table 8.1.9-1 Maximum Off-Street Parking Requirements

	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>Daycare - Small (20 children or less) (per two (2) employees)</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>
<u>Dental Lab</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Distribution Center (per 3,000 gfa)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Dry Cleaning Plant</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Dry Cleaning Service</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Film Studio</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Fire Station (per apparatus)</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
<u>Food & Beverage Processing</u>	<u>2, plus 4 per 1,000 gfa devoted to patron use</u>	<u>1, plus 3 per 1,000 gfa devoted to patron use</u>	<u>1, plus 2 per 1,000 gfa devoted to patron use</u>
<u>Fuel Service Station (per employee/shift)</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Funeral Home (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Garden Supply Store (per 1,000 gfa of retail area.)</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>General Merchandise/Retail</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Grocery Store</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Hazardous Waste Collection/Disposal (per two (2) employees on the largest shift)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Health Club</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Health Studio</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Hospitals (per patient bed)</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Hostel (per two (2) beds)</u>	<u>0.6</u>	<u>0.5</u>	<u>0.5</u>
<u>Hotel/Motel (per room)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Laundromats (per washing machine)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Library</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Lumber Yard (per 1,000 gfa of retail area.)</u>	<u>4</u>	<u>3</u>	<u>2</u>

Table 8.1.9-1 Maximum Off-Street Parking Requirements

	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>Manufacturing-Light</u>	<u>2, plus 4 per 1,000 gfa devoted to patron use.</u>	<u>1, plus 3 per 1,000 gfa devoted to patron use.</u>	<u>1, plus 2 per 1,000 gfa devoted to patron use.</u>
<u>Manufacturing</u>	<u>2, plus 4 per 1,000 gfa devoted to patron use.</u>	<u>1, plus 3 per 1,000 gfa devoted to patron use.</u>	<u>1, plus 2 per 1,000 gfa devoted to patron use.</u>
<u>Marina (per berth)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Medical Lab</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Museum</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Office - General</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Office - Medical, Dental</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Office – Technical</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Open Air Markets</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Operations Center - Taxi (per three (3) employees)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Operations Center - Truck/Bus (per 31,000 gfa) (registered transit vehicles exempt from limits)</u>	<u>1, plus 1 per 1 employee</u>	<u>1, plus 1 per 1 employee</u>	<u>1, plus 1 per 1 employee</u>
<u>Park (per playing area)</u>	<u>6</u>	<u>5</u>	<u>1</u>
<u>Parking Garage – Private</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Parking Lot – Private</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Performing Arts Center (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Performing Arts Studio</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Pet Store</u>	<u>3</u>	<u>3</u>	<u>1</u>
<u>Pharmacy</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Photo Studio</u>	<u>3</u>	<u>3</u>	<u>1</u>
<u>Photography Lab</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Police Station</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
<u>Post Office</u>	<u>2</u>	<u>1</u>	<u>1</u>

Table 8.1.9-1 Maximum Off-Street Parking Requirements

	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>Post Office - Local</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Printing Plant</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Printing Shop</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Public Transit Terminal</u>	<u>1 per 200 gfa of public waiting space</u>	<u>1 per 200 gfa of public waiting space</u>	<u>1 per 200 gfa of public waiting space</u>
<u>Public Works Yard/Garage (for public and employee parking only; fleet parking exempt from limits)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Radio & TV Studio</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Rail Equip. Storage & Repair</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Recording Studio</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Recreational Facility - Indoor (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Recreational Facility - Outdoor (per playing field)</u>	<u>19</u>	<u>15</u>	<u>10</u>
<u>Recreational Facility - Outdoor Commercial</u>	<u>Larger of 1 per 4 seats or 19 per playing field</u>	<u>Larger of 1 per 4 seats or 15 per playing field</u>	<u>Larger of 1 per 4 seats or 10 per playing field</u>
<u>Recreational Vehicle Sales – New and Used</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Recycling Center - Large above 2,000 gfa</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Recycling Center - Small 2,000 gfa or less</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Research Lab</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Restaurant</u>	<u>5</u>	<u>4</u>	<u>3</u>
<u>Restaurant – Take-Out</u>	<u>5</u>	<u>4</u>	<u>3</u>
<u>Salon/Spa</u>	<u>5</u>	<u>4</u>	<u>4</u>
<u>School - Secondary (per Classroom)</u>	<u>9</u>	<u>7</u>	<u>5</u>

<u>Table 8.1.9-1 Maximum Off-Street Parking Requirements</u>			
	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>School - Primary (per Classroom)</u>	<u>2</u>	<u>2</u>	<u>2</u>
<u>School – Preschool Large (per two (2) employees)</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>
<u>School – Preschool Small (up to 20 children) (per two (2) employees)</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>
<u>School - Trade/Professional</u>	<u>6</u>	<u>5</u>	<u>3</u>
<u>School, - Post-Secondary</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Solid Waste Facility - Incinerator, Landfill, Transfer Station</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Tailor Shop</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Vehicle Salvage</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Warehouse</u>	<u>1</u>	<u>1</u>	<u>0</u>
<u>Warehouse - Self Storage Facility</u>	<u>1 per resident manager, plus 1 per 100 leasable storage spaces</u>	<u>1 per resident manager, plus 1 per 100 leasable storage spaces</u>	<u>1 per resident manager, plus 1 per 100 leasable storage spaces</u>
<u>Warehouse - Retail</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Wholesale Sales</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Worship, Place of (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>

(a) **Exemptions:** The following shall not be included in the maximum number of allowable spaces required by this section:

1. **Public Parking:** Spaces provided and available for use by the public shall not be counted towards the maximum. Such spaces shall be available to the public at a minimum of nights and weekends, and be signed or marked accordingly;
2. **Carpool, Vanpool, and Car-Share Parking:** Spaces dedicated for vehicles participating in a carpool, vanpool, or car-share program shall not be counted towards the maximum. Such spaces shall be reserved for such use, and be signed or marked accordingly; and,
3. **Alternative Fueled Vehicle Parking:** Parking spaces dedicated for vehicles operating on primarily alternative fuels including but not limited to electric, natural gas, and hydrogen shall not be counted

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towards the maximum. Such spaces shall be reserved for such use, and be signed and/or the space painted with the words “Alternative Fueled Vehicles Only.”

4. ADA Accessible Parking: Parking spaces specifically designed, located and reserved by persons according to the standards in the Federal Americans with Disabilities Act (ADA) as administered by the Dept. of Public Works.

5. Institutional Parking: Parking spaces, provided by institutions, that have been approved as part of a plan per the standards of Article 8, Part 3: Institutional Parking Plans

~~4.6. Waiver of Maximum Parking Limitations.~~ Parking in excess of the maximum parking limitation of this section, ~~or a request for one parking space where none would otherwise be permitted,~~ may be waived by the DRB pursuant to the ~~provisions of Sec 8.1.15 with the~~ following additional requirements:

- A. The applicant requesting the waiver shall also provide:
 - (i) a peak demand parking study for two similar uses in the area; and,
 - (ii) a TDM Plan pursuant to the requirements of Sec. 8.1.16
- B. The following additional review criteria shall be addressed regarding how:
 - (i) The need for additional parking cannot reasonably be met through provision of on-street parking or shared parking with adjacent or nearby uses;
 - (ii) The proposed development demonstrates that its design and intended uses will continue to support high levels of existing or planned transit and pedestrian activity; and,
 - (iii) The site plan indicates where additional parking can be redeveloped to a more intensive transit supportive use in the future.

Secs. 8.1.10 – 8.1.11 As written.

Sec. 8.1.12 Limitations, Location, Use of Facilities

~~(a) Off-Site parking facilities~~ **Shared Parking for Off-Site Use:**
~~Parking may be used by onsite or offsite users. Parking may not be the primary use of any property unless it is approved as such with a zoning permit where allowed. Except for single and two-family dwellings, required parking facilities may be located on another parcel of land. The off-site parking area shall be within the same zoning district as the use it serves or in a zoning district that allows parking lots or parking garages as Principal uses. Parking that serves any use located outside a residential zoning district shall not be located within a residential zoning district. Off-site parking facilities shall be as follows:~~

- ~~1. Neighborhood Parking District: No more than 50% of the total required offstreet parking from Table 8.1.8-1 shall be provided at a distance greater than 600 feet from the use it is intended to serve.~~
- ~~2. Shared Use Parking District: Any off-site parking shall be provided within 1,000 feet of the use it is intended to serve unless such parking is provided as part of a Parking Management Plan pursuant to Sec. 8.1.15 approved by the DRB.~~
- ~~3. The distance from the off-site parking to the associated use shall be measured in walking distance along a sidewalk or other pedestrian path separated from street traffic from the nearest parking space to the principle pedestrian entrance to the building housing the use. Such off-site parking shall not reduce the required parking for any other use utilizing the property on which it is located unless such shared~~

~~use is approved by the development review board per Sec. 8.1.15 (b). The right to use the off-site parking to meet the minimum parking requirements of Sec. 8.1.8 must be guaranteed for the duration of the use as evidenced by a deed, easement, lease, or similar written instrument as approved by the City Attorney and recorded in the Burlington land records.~~

~~(b)~~ ~~(f)~~ As written.

~~(c)~~ Shared Parking:

~~In the event that a mix of uses occupy a single structure or parcel of land located in a Neighborhood or Shared Use Parking District, the total requirement for off-street parking shall be the sum for all individual uses unless it can be shown that the peak parking demands are offset and spaces can be shared (for example: retail and residential, or theater and office uses) as evidenced by a shared parking analysis utilizing the most current edition of the Urban Land Institute’s Shared Parking Report, the ITE’s Shared Parking Guidelines, or other comparable and industry recognized publications.~~

~~(d)~~ Single Story Structures in Shared Use Districts:

~~In the event that a single story structure is proposed to be located in a Shared Use District, the total requirements for off street parking shall be calculated as for a Neighborhood Parking District. This provision does not apply to single story structures existing and occupied as of the effective date of this ordinance.~~

~~(e)~~ Joint Use of Facilities:

~~The required parking for two (2) or more uses, structures, or parcels may be combined in a single parking facility if it can be shown by the applicant to the satisfaction of the DRB that the use of the joint facility does not materially overlap with other dedicated parking in such facility, and provided that the proposed use is evidenced by a deed, lease, contract, reciprocal easement, or similar written instrument establishing the joint use acceptable to the city attorney.~~

~~(f)~~ (c) As written.

Secs. 8.1.13 – 8.1.14 As written.

Sec. 8.1.15 Waivers from Parking Requirements/ Parking Management Plans (Reserved)

~~(a) Parking Waivers The total number of parking spaces required regulated pursuant to this Article may be modified to the extent that the applicant can demonstrate that the proposed development can be adequately served by a more efficient approach that more effectively satisfies the intent of this Article and the goals of the municipal development plan to reduce dependence on the single-passenger automobile.~~

~~Any waiver granted for a residential use shall not exceed fifty percent (50%) of the required number of parking spaces. Any waiver granted for a non-residential use may be as much as ninety percent (90%). Waivers shall only be granted by the DRB, or by the administrative officer pursuant to the provisions of Sec. 3.2.7 (a)7.~~

~~In order to be considered for a waiver, the applicant shall submit a Parking Management Plan that specifies why the parking requirements of Sec. 8.1.8 or Sec. 8.1.9 are not applicable or appropriate for the proposed development, and proposes an alternative that more effectively meets the intent of this Article. A Parking Management Plan shall include, but not be limited to:~~

~~(1) A calculation of the parking spaces required pursuant to Table 8.1.82-1, and Sec. 8.1.9 regarding parking maximums where applicable.~~

~~(2) A narrative that outlines how the proposed parking management plan addresses the specific needs of the proposed development, and more effectively satisfies the intent of this Article and the goals of the Municipal Development Plan.~~

~~(3) An analysis of the anticipated parking demand for the proposed development. Such an analysis shall include, but is not limited to:~~

- ~~i. Information specifying the proposed number of employees, customers, visitors, clients, shifts, and deliveries;~~
- ~~ii. Anticipated parking demand by time of day and/or demand by use;~~
- ~~iii. Anticipated parking utilizing shared spaces or dual use based on a shared parking analysis utilizing current industry publications;~~
- ~~iv. Availability and frequency of public transit service within a distance of 800 feet.~~
- ~~v. A reduction in vehicle ownership in connection with housing occupancy, ownership, or type; and,~~
- ~~vi. Any other information established by the administrative officer as may be necessary to understand the current and projected parking demand.~~

~~(4) Such a plan shall identify strategies that the applicant will use to reduce or manage the demand for parking into the future which may include but are not limited to:~~

- ~~i. A telecommuting program;~~
- ~~ii. Participation in a Transportation Management Association including methods to increase the use of mass transit, car pool, van pool, or non-auto modes of travel;~~
- ~~iii. Implementation of a car share program;~~
- ~~iv. Development or use of a system using offsite parking and/or shuttles; and,~~
- ~~v. Implementation of public transit subscriptions for employees.~~

~~(5) An analysis and narrative pursuant to Sec. 8.1.9 regarding waivers of parking maximums where applicable. Prior to any approval by the DRB pursuant to this section, the means by which the parking management plan will be guaranteed and enforceable over the long term, such as a contract, easement, or other means, and whether the city should be a party to the management contract or easement, shall be made acceptable to the city attorney.~~

~~**(b) Shared Parking for Off-Site Use**~~

~~Onsite parking spaces may be made available for use by off-site users subject to review and approval of a Parking Management Plan by the DRB.~~

~~A Parking Management Plan for Shared Parking for Off-Site Use must include the following:~~

- ~~1. A calculation of the parking spaces required pursuant to Table 8.1.8-1 and a calculation of those parking spaces to be shared for off-site parking use.~~
- ~~2. Information specifying the actual onsite demand for required parking by day, time of day, and by use and also information specifying when and how much parking would be made available to off-site users.~~
- ~~3. A narrative that outlines how the proposed parking management plan will allow for shared use of required parking spaces with off-site users; how it will enable continued availability of required parking spaces pursuant to Table 8.1.8-1 while also affording off-site parking use of those spaces.~~

~~The Parking Management Plan must demonstrate to the satisfaction of the DRB that making spaces available to off-site users does not negatively affect their ability for onsite users to park due to either:~~

- ~~1. There being an excess of onsite spaces beyond that necessary to satisfy the requirements of Sec. 8.1.98; and/or,~~
 - ~~2. The spaces are to be made available during off-peak hours of the onsite and/or required users.~~
- ~~Parking spaces being made available to off-site users may be made available:~~
- ~~• Either with or without a fee;~~
 - ~~• For transient use by the general public; and/or,~~
 - ~~• By lease, provided the term of any lease does not exceed one (1) year.~~

~~Prior to any approval by the DRB pursuant to this section, the means by which the parking management plan will be guaranteed and enforceable over the long term, such as a contract, easement, or other means, and whether the city should be a party to the management contract or easement, shall be made acceptable to the city attorney.~~

Sec. 8.1.16 Transportation Demand Management

(a) **Purpose:** This section requires the implementation of a Transportation Demand Management (TDM) Program for certain projects for the purpose of advancing the goals of the City’s land use and transportation plans, and promoting public health, safety, welfare, and protection of the environment by:

- Reducing parking demand;
- Reducing car ownership;
- Reducing vehicle miles traveled (VMT) and congestion; and,
- Increasing transit use and non-motorized travel;

(b) **Applicability:**

(1) A Transportation Demand Management Program [meeting the requirements outlined in 8.1.16 \(c\)](#) shall be required for all projects [located in the Multimodal Mixed Use Parking District \(see Sec. 8.1.3\(e\)\)](#), and involving any one or more of the following:

Dwelling Units	Creation of ten (10) or more dwelling units
Non-residential or Mixed Use Development	A building footprint of eight thousand (8,000) s.f. or more; or, the creation of fifteen thousand (15,000) s.f. or more of gross floor area.

(2) Projects involving the creation of five (5) to nine (9) dwelling units shall be required to meet only the requirements in Sec. 8.1.16 (c) c. ii.

(c) **Transportation Demand Management (TDM) Program:** A TDM Program shall include each of the following elements at a minimum:

a. **Outreach and Education:**

i. Designation of a Transportation Coordinator who directly, or indirectly through membership in a Transportation Management Association, shall be responsible for each of the following:

1. Prepare and present informational and educational materials regarding available TDM strategies to all ~~tenants-residents~~ and employees;
2. Organize and host an annual meeting for all ~~tenants-residents~~ and employees to present and discuss available TDM strategies, and opportunities for increased use and participation;
3. Preparation and dissemination of an annual travel survey of all ~~tenants-residents~~ and employees; and,
4. Record-keeping and annual reporting to City of all TDM activities offered and rates of participation (including parking utilization if applicable).

b. **TDM Strategies:** In addition to compliance with the on-site Bicycle Parking requirements found in Article 8, Part 2, the following TDM strategies shall also be included at a minimum for a period of 10 years from receipt of a Certificate of Occupancy as follows:

- i. GMT Transit passes shall be provided to all ~~tenants-residents~~ and employees for free for the first year of occupancy or employment, and at a minimum discount of 50% for every year thereafter; and,
- ii. A car share membership shall be offered to all ~~tenants-residents~~ and employees for free for the first two years of occupancy or employment, and at a minimum discount of 50% for every year thereafter; or,
- iii. In lieu of i and ii above, maintain an ongoing and active membership in a Transportation Management Association (TMA) that offers equivalent TDM strategies or better.

c. **Parking Management:** Where on-site or off-site parking is also made available:

- i. Conduct parking utilization studies at least annually for a period of 10 years from receipt of a Certificate of Occupancy;
- ii. With the exception of permanently affordable housing units, the cost of parking shall be unbundled from all residential and nonresidential leases and deeds and made available at a market rate;
- iii. Where parking spaces are made available to off-site users, parking spaces may be made available by a renewable lease, provided the term of any lease does not exceed one (1) year; and,
- iv. Priority parking spaces - located in closest proximity to a primary building entrance and/or public street frontage - shall be made available for each of the following:
 1. ~~Handicapped-ADA Accessible~~ spaces;
 2. Bicycles, scooters, and motorcycles spaces;
 3. Car-share: where 1 space must be offered for every 20 residential units, not to exceed a total of 5 spaces, subject to an agreement with a car-share provider; and,
 4. Carpool and/or Vanpool vehicles: where more than 20 spaces are available for non-residential uses. In such cases, 5 spaces or 5% of the parking spaces on site, whichever is less, must be reserved for carpool/vanpool use before 9:00 AM on weekdays.

d. **TDM Agreement:** Each TDM Plan shall include a signed commitment to and acknowledgement of each of the following on a form provided by the Administrative Officer:

- i. Commitment to ongoing implementation of the TDM requirements as set forth above;
- ii. Acknowledgement that the project has no claim to the ongoing availability of nearby on-street public parking, and that, as is the case with other on-street public parking, the City retains the right to charge for or remove such on-street parking at any time;
- iii. Acknowledgement that failure to maintain transportation demand management as required above is a violation of this ordinance, and understanding that, pursuant to Sec. 2.7.8 of this ordinance, no zoning permit or certificate of occupancy may be granted until any such violation has been remedied; and,
- iv. Commitment to notify any subsequent owners and tenants in writing of their obligations under this section as part of any purchase and sale and/or lease agreements.

Review and Enforcement: The Administrative Officer shall be responsible for determining compliance with the TDM Program requirements as set forth above, and ongoing implementation shall be included as a condition of any discretionary or administrative permit required for development subject to the conditions of this Section.

Failure to maintain a TDM Program as required above shall be a violation of this ordinance, and pursuant to Sec. 2.7.8 of this ordinance no zoning permit or certificate of occupancy may be granted without a TDM Program in effect.

Guidelines regarding compliance with these TDM requirements shall be developed and provided to applicants by the Administrative Officer.

PART 3: INSTITUTIONAL PARKING PLANS

Sec. 8.3.1 Intent

As written.

Sec. 8.3.2 Applicability

As written.

Sec. 8.3.3 Institutional Parking Management Plans

~~In addition to the requirements of Sec. 8.1.15 above, A~~an Institutional Parking Management Plan shall include the following:

(a) A narrative that outlines how the proposed parking management plan addresses the specific needs of existing and anticipated development and effectively satisfies the intent of this Article and the goals of the Municipal Development Plan.

~~(a)(b)~~ Information specifying the current and proposed anticipated numbers over the ensuing 5 year period for: number of students of all academic programs (full-time, part-time, commuter, on-campus,

off-campus, and continuing education), faculty and staff (full-time and part-time), patients and visitors being served by the institution ~~and anticipated over the ensuing five year period.~~

~~(b)~~(c) An analysis of the anticipated parking demand by user group, time of day and/or demand by use and parking provided to meet that demand currently and anticipated over the ensuing five-year period;

~~(e)~~(d) Information specifying the number and composition of the institution’s vehicle fleet, where these vehicles are regularly kept, and designated “service vehicle-only” parking;

~~(d)~~(e) ~~Programs, policies, or incentives~~ Strategies used to reduce or manage the demand for parking which may include but are not limited to:

1. Policies which restrict and/or prohibit the bringing of vehicles to the institution for various users or groups of users;

2. A telecommuting program;

~~2.3~~ Programs and employee and student subsidies to encourage the use of public transit, car-share, walking, and bicycling;

4. Implementation of a shuttle service system serving off-site parking;

~~3.5~~ Implementation of a parking permit system to allocate parking throughout the system; and,

~~(e)~~(f) Implementation of a monitoring, compliance and enforcement system to measure and ensure compliance with the plan.

Sec. 8.3.4 Review and Approval of Institutional Parking Management Plans

(a) Plan Approval

Such a plan shall require review and approval by the DRB, after consultation with the planning commission, and after a public hearing. In order to approve a proposed Institutional Parking Plan, the DRB shall find:

- a. the proposed Institutional Parking Plan adequately serves existing and proposed development and user groups by the institution(s);
- b. the proposed Institutional Parking Plan ~~more~~ effectively meets the intent of this Article and the goals of the municipal development plan ~~than would strict adherence to the underlying requirements of this Article.~~

Such a plan, if approved by the DRB, shall be applicable for a period not to exceed five (5) years, and may be amended as necessary pursuant to the requirements of this Part.

(b) Annual Reporting

The institution shall provide a report annually to the administrative officer regarding the implementation and performance of the approved plan and any significant changes in the size or makeup of user groups, parking supply, travel by mode for user groups, availability and utilization of parking management strategies, anticipated development activity, and any other conditions impacting supply and/or demand.

Failure to submit such annual report shall be a violation of this ordinance.

Sec. 8.3.5 Review and Approval of Applications for Future Development

577 Pursuant to Sec. 2.7.8 of this ordinance, no zoning permit or certificate of occupancy may be granted without
578 an approved or amended plan.

579 (a) In reviewing any application for development from a post-secondary educational or medical institution
580 within the Institutional district, the DRB shall find that the proposal is included and addressed ~~consistent~~
581 with an approved Institutional Parking Plan and that the proposal is consistent with the approved Plan.

582 (b) Any development proposed by a post-secondary educational or medical institution within the
583 Institutional ~~Campus~~ district that is ~~found not to be consistent~~ not included and addressed within an
584 approved Institutional Parking Plan shall only be approved pursuant to the underlying parking
585 requirements of Parts 1 and 2 of this Article, and shall submit an amendment to an approved plan that
586 addresses how the development is consistent with or modifies supply and demand calculations and
587 applicable TDM strategies contained in the approved Plan. Such developments shall be reflected in
588 subsequent annual reports submitted to the administrative officer, and future plan updates.

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591 *JH/Resolutions 2021/Comprehensive Development Ordinance, Minimum and Maximum Parking*
592 *Requirements and Transportation Demand Management*
593 *9/7/2021 Referred to PC by CC 3/21/2022, with staff amendments 4/6/2022*
594
595