

## **STAFF REPORT**

**Case Number:** 20-ZA-05

**Request:** Conduct a public hearing and consider a request to amend the Comprehensive Zoning Ordinance Article 4.3 Parking and Loading, related to parking requirements for residential and non-residential uses; and take appropriate action.

**Applicant:** City of Farmers Branch

**Planning & Zoning Commission Meeting:** September 14, 2020

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### **Background:**

As part of the City's FY2019 strategic initiative, along with the Planning Department's work program and City Council's critical business outcomes, a review of the parking provisions of the Comprehensive Zoning Ordinance (CZO) has been initiated. Due to the increasing infill and redevelopment of property throughout the City, particularly on the East Side, it is appropriate to review the parking provisions within the CZO to ensure that these standards are supportive of development that occurs, as well as ensure that these standards align with the City's Comprehensive Plan.

The focus of the parking ordinance update has been to relax required parking ratios, reduce storm water runoff and improve storm water quality, promote adaptive reuse of existing buildings, encourage shared parking and other sustainable practices, and also add pertinent regulations that were either lacking in detail or were not addressed before. The 2020 Strategic Plan - Critical Business Outcome (CBO10) identified "sustainability initiatives" as one of the key elements in progress and success. Proposed amendments to the parking provisions are aligned with this goal.

Staff has reviewed recent literature and studies, as well as other cities' ordinances, that have useful recommendations for cities in terms of how to better plan for parking. Staff presented these proposed draft amendments to the Commission at their July 20, August 17, and August 31, 2020 study session discussions and have received feedback. Based upon the Planning and Zoning Commission's direction, staff has initiated the public hearing process to amend the parking regulations within the CZO.

### **Current CZO Parking Provisions**

The current CZO parking provisions are based on the traditional approach of requiring minimum parking ratios based on each land use and their respective sizes. Studies suggest that this approach of requiring minimum parking for any development results in oversupply of parking, inefficient use of land, poor storm water management, creation of urban heat islands and overall lack of aesthetics for a place. Municipalities across the nation are reducing parking minimum requirements and also adding maximum limits on how much parking can be provided for a project. Additionally,

municipalities are encouraging utilization of parking methods that promote improved storm water quality and reduce storm water runoff.

Under current CZO regulations, certain common land uses are not listed in the parking ratio table and thus staff has to interpret appropriate parking requirements for these land uses. There is little to no room for alternative parking solutions, such as shared parking and off-site parking. Parking space and parking lot layout dimensions for varying types of parking being provided (such as angled parking) are not addressed. Stacking requirements for uses with drive-through operations, and accessible space requirements are not addressed either. Overall, the CZO parking regulations need a comprehensive review and rewrite while addressing newer parking solutions and strategies that best address redevelopment sites and create attractive urban developments that are not dominated by surface parking areas.

### **Proposed Amendments**

The proposed parking amendments are focused mainly in four areas:

1. Relax required minimum off-street parking ratios and introduce parking maximums;
2. Allow shared parking and improved off-site parking opportunities;
3. Promote sustainable parking lot design; and
4. Promote adaptive reuse of existing properties.

Other details, such as, parking lot dimensions, stacking requirements, accessible space requirements, are also added in the proposed draft ordinance.

### **Parking Ratios**

Parking minimums can be unnecessarily burdensome and a barrier to new development, particularly for infill development and adaptive reuse of properties. To the extent that these minimum requirements are causing more parking to be built than the owners and users would be willing to pay for, this results in excessive development costs in the form of over-supply of parking amenities. Where excess parking is not used and parking lots are empty, this scenario can be considered unsightly—a dead space within a shopping area or a neighborhood. Therefore, this land could be put to better use, contributing to revitalization of older areas.

The city's East Side has many properties used and/or originally developed for industrial warehouse purposes where parking poses a serious threat to revitalization efforts. New desired land uses, as recommended by the East Side Plan, cannot occupy these warehouse buildings due to sites not meeting the required parking minimums. Reducing parking minimums allow for more flexibility and market driven parking for infill projects. It is important to note that reducing the minimum requirement does not eliminate parking—a developer will build parking where demand exists for it, even without minimums, in order to make their properties attractive to buyers and renters, and obtain financing.

In the table below, most of the proposed minimum parking requirements for non-residential uses are reduced from their existing parking ratios, and some land uses that were not addressed in the current CZO have been added as well.

Use	Minimum Parking Spaces Required
Adult Day Care Center	One space per 500 sq ft of GFA
Animal Clinic or Hospital	One space per 450 sq ft of GFA
Art Gallery or Museum	10 spaces plus one per 450 sq ft of GFA
Banquet Hall or Event Center, Indoor	One space per 400 sq ft of GFA
Bar or Tavern or Private Club	One space per 400 sq ft of GFA
Brewery or Brewpub	One space per 600 sq ft of GFA
Commercial Amusement (Indoor or Outdoor)	One space per 1000 sq ft of GFA
Distillery	One space per 600 sq ft of GFA
Furniture Store	One space per 800 sq ft of GFA
Gasoline Service Station	Minimum of 6 spaces
Hospitals	One space per 2 beds
Hotel	One space per room, unit or guest accommodation plus requirements for clubs, restaurants and other uses
Manufacturing, Industrial or Warehouse/Distribution	One space per 2000 sq ft of GFA
Nursing or Residence Home for Aged	One space per 6 beds
Offices, Professional and Administrative (includes Bank or Financial Institution, Medical or Dental Clinics or Offices)	One space per 400 sq ft of GFA
Places of Public Assembly not listed	One space per 3 seats
Religious Institution or Worship Facility	One space per 5 seats in primary worship area
Restaurant	One space per 400 sq ft of GFA (excludes outdoor seating area)
Retail, General or Personal Services	One space per 400 sq ft of GFA
Retail, Warehouse	One space per 800 sq ft of GFA
School, Day Care	One space per classroom plus one space per 450 sq ft of GFA
School, Elementary or Junior High	One space per classroom, plus one space per 4 seats in any auditorium
School, High, College or University	One space per classroom, laboratory or instruction area plus one space per 2 students based on the maximum permitted occupancy of each classroom
Smoking Establishment	One space per 400 sq ft of GFA
Theater, Indoor	One space per 3 seats
Vehicle Repair or Maintenance	3 spaces per service bay plus one space per employee

Besides reducing the parking minimums, the proposed amendment also adds a proposed soft parking maximum, where the number of parking spaces provided are limited to not exceed 125%

of the minimum parking requirement, unless mitigated by certain methods thereby allowing properties to exceed the 125% maximum requirement. Parking maximums can assist with preventing over-building of parking and promote more efficient use of land.

### Off-site Parking

Over-supply of parking can be reduced or managed by allowing multiple users to share the same parking facilities when the uses experience peak demand at different times of day or day of week. This optimizes the use of parking facilities, improves the financial return on investments in parking facilities, and enables the intensification of urban uses and creates potential opportunities for additional open space. Allowing off-site parking and shared parking (subject to the Director of Planning's approval) enables more efficient use of land.

A portion of the required off-street parking (not to exceed 25%) may be allowed off-site, on a lot or tract within five hundred feet (500') of the property boundary as long as an off-site parking easement is recorded and the site providing the additional parking has excess parking to spare.

### Shared Parking

Parking may be shared between two or more uses where peak parking demand occur at different times for the uses during the day allowing reduction in total required off-street parking. In the proposed ordinance, a parking study and alternate parking plan prepared by a licensed transportation engineer is required. The study should establish that the peak hours of parking demand from all uses sharing parking do not coincide and show that the shared parking and resulting reduction in total required parking shall not negatively affect optimum traffic flow and business operations of the property(s) in question. The proposed regulations are similar to shared parking regulations provided in existing planned development districts within the city, such as Planned Development District No. 80 (PD-80) located at the southwest corner of Inwood Road at Alpha Road and Planned Development District No. 104 located west of Simonton Road at Inwood Road.

### Sustainable Parking Lot Design

Sustainable parking lot design uses innovative stormwater management practices, vegetation, and permeable paving materials to mitigate adverse environmental impacts of large expanses of paving. It helps reduce storm water run-off, manage water as a resource by promoting infiltration, protect local water quality through effective filtration, and minimizes the heat island effect through effective landscape shading.

The proposed parking ordinance amendments incentivize sustainable design practices by allowing an increase in the maximum number of parking spaces for a particular nonresidential land use. Following design practices are recommended:

1. **Bioswale or rain gardens** – As part of the overall storm water management plan for the site, bioswale or rain gardens are recommended. Drainage area map and calculations shall incorporate bioswale or rain gardens proposed within the parking lot

and establish positive reduction in storm water drainage and sheet flow subject to review and approval by the Public Works Director

2. **Permeable pavement** - Minimum 30% of the parking lot surface shall use porous or permeable pavement to allow transmission of water to aggregate base and subsoils. Runoff shall be temporarily stored in the base for infiltration into the subsoils and/or slow released to storm drain system. The three permeable pavement systems are porous asphalt and concrete, permeable interlocking concrete pavers, and reinforced grass/gravel pavement systems. Additional types of permeable pavement may be considered subject to approval by the Director of Sustainability and Public Health and/or Public Works Director.
3. **Additional landscaping** - Enhanced landscaping and shade trees make parking lots more aesthetically pleasing while improving property values, enhancing air quality, and reducing urban heat island effect. Additional landscaping for parking lots means landscaping provided in excess of what is required per the CZO both in terms of area and number of shade trees.

### Loading Area Screening

The current CZO parking provisions do not have any screening requirements for loading areas. This has resulted in a vast majority of warehouse and industrial buildings, mainly within the City's East Side, with loading areas facing public streets, where large semi-tractor-trailer trucks are visibly parked or connected to the overhead doors for delivery or receiving operations for most of the day. This is visually unappealing and reduces attractiveness of surrounding properties for redevelopment and investment.

The proposed amendments to the parking provisions will add screening requirements for new loading areas and also attempt to address existing loading areas depending on certain conditions being met. This is a long-term approach, where over time, existing operations will come into compliance with the screening requirements of this ordinance and convert these industrial areas into more attractive developable properties.

Proposed screening requirements for loading areas and overhead rolling doors visible from public street view are comprised of three options:

1. Solid masonry screening wall of not less than six feet (6') height.
2. A living vegetative screen of not less than three feet (3') tall planted on top an earthen berm with a slope not exceeding 3:1. Minimum height of the berm also required to be not less than three feet (3') tall providing an overall minimum height of six feet (6') at installation.
3. A living vegetative screen with plant material that provide appearance of solid screening not less than six feet (6') in height at the time of planting that grows to fill in all gaps within two-years after planting.

Any combination of the screening methods described above are also permitted. Providing property/business owners with options to choose between a solid masonry wall or living screen gives them the flexibility to go with a cost-effective solution that is better suited for their property.

The proposed amendment also addresses existing properties that have loading areas or overhead rolling doors visible from public street view.

1. Properties with existing buildings constructed prior to October 13, 2020, with loading areas or overhead rolling doors that are currently not screened from public street view in accordance with this Section 4.3.I.4, shall be required to install screening for their entire loading areas or overhead rolling doors visible from public street view with the method described in Section 4.3.I.4, upon the occurrence of one or more of the following:
  - a. The building is damaged by fire or other cause where the cost to repair and restore the building to the condition prior to the damage plus upgrades and changes required to bring the building into compliance with the City's current construction codes exceeds 50% of the assessed fair market value of the improvement prior the date the damage occurred as determined by the most current certified tax rolls of the Dallas Central Appraisal District;
  - b. Expansion of the square footage of the building by five percent (5%) or more than the square footage of the building as it existed on October 13, 2020;
  - c. Addition of 2 or more overhead rolling doors.

The existing loading areas will have to comply with the new screening requirements when the building is expanded or the loading operations are expanded by adding more loading doors. These conditions are specific to site and structural alterations and thus more applicable and enforceable in this case. These provisions will encourage the property owners to comply with this ordinance over time.

#### *Other Provisions*

Stacking requirements, accessible space requirements and parking lot design/dimension standards are being introduced with this proposed amendment. Relevant amendments are also made to the commercial vehicle parking requirements and carports and garages to provide clarify to existing regulations.

#### **Comprehensive Plan Recommendation:**

The City of Farmers Branch Comprehensive Plan consists of the West Side Plan, Central Area Plan and East Side Plan. The West Side Plan recommends allowing "shared parking agreements between business owners". Allowing on-street parking and structured parking solutions are recommended in both the West Side Plan and Central Area Plan. The East Side Plan recommends allowing shared and off-site parking for optimum and efficient pavement utilization. The location of loading and trash areas are also recommended to be located away from existing neighborhoods or homes, and hidden from public view.

The East Side Plan supports green infrastructure and recommends incentivizing low-impact developments. The plan recognizes that the east side is mostly developed with buildings, concrete and other impervious surfaces. Specifically, the plan states: "To create a lasting impression, beneficial to the economic vitality, East Side must transform some of its "gray features" to "green features." Instead of just breaking up concrete and adding landscaping, this Plan is recommending that "green infrastructure" be put in place to serve both functional needs, such as improved drainage and stormwater filtration, and for aesthetic benefits, such as quality of life and scenic

views. The use of rain gardens, bioswales, rainwater harvesting, properly designed landscapes and streetscapes, permeable pavement, and even green roofs can all contribute to the overall system.”  
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These recommendations from the city’s long-range plans support: zoning ordinance amendments to encourage redevelopment; adaptive reuse of properties; promote more efficient use of properties; and support higher density of development. The proposed parking and loading section amendments to the CZO are consistent with the city’s various long-range plans’ recommendations.

**Public Response:**

The required public hearing notice was published in the Dallas Morning News on September 4, 2020. No zoning notification signs nor mailed notices are required for amendments to the CZO. Staff has received no correspondence related to this proposed CZO amendment.

**Staff Recommendation:**

Staff recommends approval of the proposed zoning request.