

BOARD OF ALDERMEN
AGENDA ITEM ABSTRACT

ITEM NO. (1)

MEETING DATE: Tuesday, April 27, 2004

**TITLE: PUBLIC HEARING: Land Use Ordinance Text Amendments
that Modify Downtown Parking Requirements**

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <u>X</u> NO <u> </u>
ATTACHMENTS: A. Draft Ordinance B. Downtown Carrboro: New Vision recommendation and Parking Task Force appointment info C. Parking Task Force Report D. Advisory Board Recommendations E. Article XVIII of the Land Use Ordinance	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327 Dale McKeel – 918-7328 Mike Brough – 929-3905

PURPOSE

A draft ordinance that will modify parking requirements has been prepared in follow-up to work of the Parking Task Force. It is necessary for the Board of Aldermen to receive public comments prior to acting on proposed changes to the text of the Land Use Ordinance.

INFORMATION

As was recommended in Downtown Carrboro: New Vision, Walkable Communities, Inc. report on visioning charrette for Carrboro's downtown, a Parking Task Force was appointed in 2002 (*Attachment B*). The task force evaluated opportunities for improving the parking situation and provided a report to the Board of Aldermen in August 2002 (*Attachment C*).

Staff assessments of the report were provided to the Board of Aldermen in the spring and fall of 2003. In December, the Planning Board and Transportation Advisory Board (TAB) considered whether or not the Town should develop a program to accept payments in lieu of the construction of parking spaces and both boards supported further consideration of this approach. A draft ordinance was prepared and presented on March 16, 2004.

A summary of the ordinance provisions, followed by comments noting the benefits or limitations of the proposed changes, is provided in the following section. Per the requirements of the Joint Planning Agreement and the Land Use Ordinance, the draft ordinance was referred to Orange County staff and the Planning Board. The ordinance was also referred to the TAB, the Environmental Advisory Board, and the Downtown Development Commission for their recommendations. Advisory board recommendations are attached (*Attachment D*).

Description of Draft Ordinance

The draft ordinance proposes a number of changes to Article XVIII, Parking. A copy of this article is attached (*Attachment E*). It should be noted though, if the ordinance appears lengthy and somewhat complicated, this is due to the replication of the Table of Parking Requirements in both of the options for Section 2 of the draft ordinance. Both options simply add a second part (named "Part II") to the Table of Parking Requirements and in so doing, require naming the existing provisions "Part I". The entire table is included in the draft ordinance to illustrate how the table would appear if the drafted changes were adopted.

Section #	Applies	Page No. (Draft Ordinance) and Description	Comments	Recommended Action
1	B-1(c), B-1(g), B-2	A-1. Adds a provision to Section 15-291 (Number of Parking Spaces Required) making it subject to the new section that creates an opportunity for projects in the B-1(C), B-1(G), and B-2 zoning districts that are developed for commercial purposes to request that the permit issuing authority authorize the developer to forego the construction of parking spaces otherwise required by making a payment-in-lieu of constructing such spaces.		Adopt
2(1)	Town-wide	A-5. The first option included in this section modifies the presumptive parking requirement for uses	The approach used here may be a limitation to residential development. There is no use-based distinction, so the standard multipliers may yield an excessive parking requirement. This may inhibit the inclusion	Do not adopt

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		1.300 through 3.250 and 8.100 through 8.600 when located in a building containing multiple tenants to one that is based on the location of the use on the ground or other floors of the building.	of residential uses in multi-tenant projects. This option was included in response to concerns about the ongoing compliance (and, consequently, adequacy) of parking with that approved during the permit approval. This option allows the uses to change without the need to evaluate how a certain tenant mix will or will not affect the supply of parking.	
2(2)	B-1(c), B-1(g), B-2	A-9. The second establishes a modified standard for uses in certain downtown zoning districts.	For specified uses in certain downtown zones, the existing presumptive standards have been simplified, as was recommended by the Parking Task Force.	Adopt with noted changes
3	B-1(c), B-1(g), B-2	A-9. Establishes a new shared parking provision that specifies a reduction ratio for combination uses that have different peak usage periods.	While the Carrboro Land Use Ordinance already allows shared parking, this section provides additional guidance for determining the shared parking requirements for multi-use projects.	Adopt
4	B-1(c), B-1(g), B-2	A-10. Clarifies that parking is not allowed in specified districts within the required street right-of-way setback or within a setback created when a development is seeking to utilize the extra building height provided in the April 2003 amendments.	This provision seeks to direct site designs so that will not result in parking lots in front of buildings along downtown streets. This provision might facilitate the creation of on-street parking, either in conjunction with the dedication of additional right-of-way or the creation of streetscapes that include parallel parking, sidewalks, and planting areas along downtown rights-of-way.	Adopt alternative language
5	B-1(c), B-1(g), B-2	A-10. Establishes a payment-in-lieu option for the provision of parking for commercial activities in the B-1(c), B-1(g), and B-2 districts, subject to the permit-issuing authority	It should be noted that the ordinance provision would be available to commercial development, subject to the permit-issuing authority's approval. The staff interpretation of this is that the payment could also be used by mixed commercial-residential developments but that solely residential developments could not be authorized to make a payment-in-lieu.	Adopt with the understanding that the Town will need to make provisions for public parking facilities before payments can be accepted.
6	Town-wide	A-11. Allows alternative parking dimensions and layout, so long as the plan is		Adopt

Section #	Applies	Page No. (Draft Ordinance) and Description	Comments	Recommended Action
		sealed by a registered engineer who has special expertise in the area of parking lot design and the plan is determined to provide sufficient parking without diminishing public safety.		
7	B-1(g), B-2	A-11. Makes the provision that allows unpaved parking lots in the B-1(c) also apply in the B-1(g) and B-2 districts	Pros and cons to expanding the B-1(c) paving requirement exception have been noted in the Parking Task Force report and, most recently, in the October 14, 2003 staff report.	Do not adopt. Existing provision allows consideration of alternative hard surface pavers, including pervious pavement.
8(1)	Town-wide	A-11. Provides two alternatives to limiting the amount of parking or the maximum area devoted to parking. The first establishes a limit on the maximum number of parking spaces that may be provided to 125 percent of the amount determined necessary by the permit-issuing authority.	Option 1 seeks to address a concern that has been noted during project reviews in the past when more than the number of spaces that would be required under the presumptive standard is proposed. In those instances, the Town has sought to reduce the total number, to reduce the impervious surfaces, et cetera, but there has been no specific ordinance requirement to induce a developer to do so. In most cases, the total number of spaces has not changed appreciably, despite comments and concerns of the Board of Aldermen and advisory board members.	Adopt with a maximum of 110 percent.
8(2)	Town-wide	A-11. The second establishes that parking lot areas cannot exceed 50 percent lot of a lot's total area	The second option takes a different approach in that it seeks to establish a physical maximum on surface parking that would be allowed on any lot. This approach may have some potential for limiting low-density development. If the 50 percent maximum is not accompanied by a reduction in the amount of required parking, this option may serve as incentive for parking partnerships (e.g. shared or satellite) or use of the payment-in-lieu. Otherwise, the provision could encourage low-density development by establishing a cap on the parking that could be provided or result in parking that does not provide	Do not adopt

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sufficient parking.				
9, 10	-	Standard provisions dealing with adoption of amendments to the Town's regulations.		

Discussion

In addition to the comments noted above, additional information is offered here in relation to two elements of the draft ordinance, expanding the use of unpaved parking lots in downtown, and the residual effects on the Town's role in relation to downtown parking due to changes in the parking supply.

It should be noted that gravel in lots can cause damage to vehicles and paved surfaces, and can be more difficult for walking, particularly for the elderly and disabled. Unpaved lots are required to have paved handicapped parking spaces and other accommodations for wheelchair users and therefore create additional issues where the gravel/paved surface interface may be problematic. When compacted, the imperviousness of gravel lots can approach that of a paved surface. The particulates that result due to wear and tear on gravel surfaces have also been identified as the source of water- and air-borne pollutants. Other strategies for reducing runoff and improving water quality on developed sites are available, such as the use of different pavement treatments and other "low impact" designs. Unpaved lots are sometimes noted as the lower cost alternative, yet this should be considered only for the short term. Long-term maintenance costs may be appreciably higher, particularly when air and water quality impacts are considered.

Creation of a payment-in-lieu option for parking, if utilized, involves a specific obligation on the part of the Town to participate in the provision of parking spaces. Planning, land acquisition, property development, and management costs are likely to accrue in relation to such an obligation.

To some degree, the pressure on the parking supply that has developed in recent years may be attributed to changes in regulations and the availability of parking in Chapel Hill and on the University of North Carolina at Chapel Hill campus. It has been observed that short-term parking areas are being used by commuters, reducing space that is available to patrons of downtown businesses. It may be necessary for the Town to consider increased enforcement and/or additional management responsibilities in order to ensure a sufficient supply of parking.

FISCAL IMPACT

Specific fiscal impacts associated with these changes have not been identified, although some associated costs have been noted in the discussion section above.

RECOMMENDATION

The Administration recommends that the Board adopt the noted provisions and/or recommended alternatives in the draft ordinance (*Attachment A*).