

STAFF REPORT ON PETITION FOR ZONING ORDINANCE TEXT AMENDMENT

**ZOTA 2012-12: OFF-STREET PARKING REQUIREMENTS IN A
“PEDESTRIAN-ORIENTED BUSINESS DISTRICT”**

INITIATED BY: Urban County Council

PROPOSED TEXT: Text underlined indicates an addition to the current Zoning Ordinance.

**ARTICLE 16: GENERAL REGULATIONS FOR PARKING,
LOADING AREAS, GARAGES, AUTOMOBILE SERVICE STATIONS,
VEHICLE SALES LOTS AND STACKING AREAS**

16-11 EFFECT OF PEDESTRIAN-ORIENTED BUSINESS DISTRICT – For any such district created under Code of Ordinances Article 18, Chapter XIII, the provisions of the district will take precedence over any off-street parking requirements or related provisions contained in the Zoning Ordinance.

STAFF REVIEW:

The Urban County Council recently initiated a text amendment to add a section to Article 16 of the Zoning Ordinance in order to clarify off-street parking requirements when the Council designates a “Pedestrian-Oriented Business District.” The Council adopted an amendment to Article 18 of the Code of Ordinances in April of this year that permits the creation of such a District in order to modify or eliminate the off-street parking requirements within portions of the Infill and Redevelopment Area. This special type of district has been created to assist in the redevelopment and adaptive reuse of business areas within the community where the predominant character of the area is of a pedestrian nature, and strict application of the Zoning Ordinance off-street parking requirements would be considered detrimental to maintaining the unique character of the business area.

In amending Article 18 of the Code of Ordinances to include the designation of a Pedestrian-Oriented Business District, the criteria by which to evaluate such a District, and the process by which the District can be applied to a business area, the Urban County Council has already allowed an avenue whereby off-street parking requirements can be eliminated or reduced for multiple properties at one time. This text amendment to the Zoning Ordinance would simply clarify that, in such cases where a Pedestrian-Oriented Business District is created, the parking provisions deemed appropriate by the Council shall take precedence over any parking-related provisions of the Zoning Ordinance.

Creation of such a special district is viewed by the staff as a more efficient way to address parking in many older commercial areas such as Jefferson Street, the Woodland Triangle or in the Collegetown area along South Limestone, than individual variance requests to the Board of Adjustment (or Planning Commission in the case of an associated zone change request), or the current process of tracking off-site parking lease agreements for individual properties. In whole, this type of special district can greatly facilitate the redevelopment and revitalization of business districts without fabricating a demand for additional surface parking lots. The staff is supportive of this amendment to clarify that the designation of this type of District, and the modification of off-street parking requirements as established by the Council, will take precedence over the Zoning Ordinance, as it will likely reduce staff and administrative time spent in enforcement actions in the future and will minimize any possible confusion to commercial property owners or leasing agents.

The Staff Recommends: **Approval**, for the following reason:

1. The text amendment to Article 16 will clarify that a designation of the new “Pedestrian-Oriented Business District” and the modification of off-street parking requirements as established by the Urban County Council will take precedence over the Zoning Ordinance. The amendment will minimize confusion and will likely reduce staff and administrative time spent in enforcement actions in the future.