



STAFF REPORT ON PETITION FOR ZONING ORDINANCE TEXT AMENDMENT

PLN-ZOTA-22-00014: AMENDMENT TO UPDATE PARKING REQUIREMENTS AND REVISE ARTICLES 1, 3, 8, 9, 10, 11, 16, 18, 21, 23, AND 28 OF THE LFUCG ZONING ORDINANCE

APPLICANT: Urban County Planning Commission

PROPOSED TEXT: See attached documentation
(Note: Text underlined indicates an addition to the existing Zoning Ordinance; text ~~stricken through~~ indicates a deletion.)

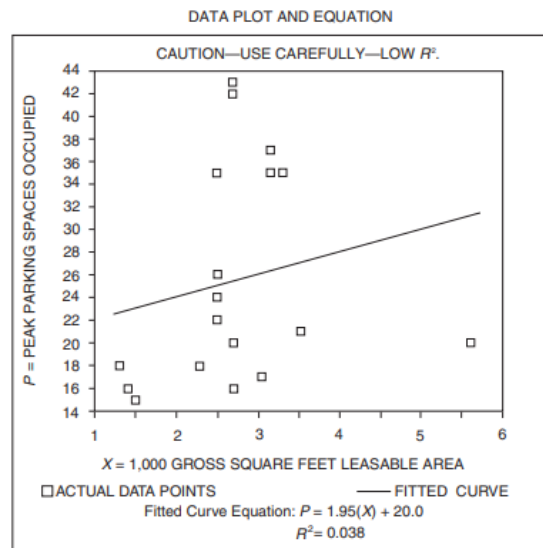
STAFF REVIEW:

Minimum parking requirements are as old as zoning. The first minimum parking requirement was established in 1923 in Columbus, Ohio; a year after they instituted zoning. The pattern was repeated time again as communities created their own zoning policies. By the 1950s, minimum parking requirements were a staple of urban planning. City after city adopted these practices and Lexington was no different. Lexington’s first minimum parking requirement that could be readily acknowledged was in the 1953 Zoning Ordinance.

Further entrenchment of minimum parking requirements took place over the following decades with the establishment and utilization of parking generation manuals from the Institute of Traffic Engineers (ITE). These ITE manuals, updated periodically, attempt to define for a range of over 100 land uses the number of parking spaces that are occupied at peak times. It further contrasts those counts against the leasable area, suggesting a connection between the size of a building and its parking utilization.

FIGURE 2 Fast Food Restaurant with Drive-In Window (Land Use 836)
Peak Parking Spaces Occupied vs:
1,000 Gross Square Feet Leasable Area
On a: weekday

PARKING GENERATION RATES				
Average Rate	Range of Rates	Standard Deviation	Number of Studies	Average 1,000 GSF Leasable Area
9.95	3.55-15.92	3.41	18	3



Institute of Transportation Engineers, *Parking Generation*, 2nd edition (Washington, DC: 1987), p. 146.



The figure above is from an early ITE Parking Generation manual for a very common Drive Through Fast Food Restaurant land use. This is a land use with hundreds of thousands of real world examples to draw on for guidance. However, the problems that this example presents when utilized as a strict application tool are numerous:

- The data only provides 18 surveys which according to their methodology could have been 6 locations monitored over 3 days. For context, over half of the land use parking generation rates are based on 4 or fewer surveys. 22% are based on a single survey data point¹.
- Survey sites are almost exclusively suburban and in areas lacking transit and pedestrian infrastructure, which can impact parking demand.
- The data presented clearly states a caution in using this data due to a low R² coefficient. This correlation information is key to understanding that there is no discernable link between floor area and parking utilization.
- ITE acknowledges their high standard deviations by showing an extremely broad range of rates. However, that is followed up by establishing an extremely precise average that is ultimately what communities and planners adopted for decades.
- No acknowledgement that these requirements over time dictate automobile use and spread out uses.
- No analysis at all on the cost or price of parking.

To summarize the impact that these parking generation standards have had on decades of land use planning, and specifically in Lexington, Donald Shoup of UCLA published in 2003 in the *Journal of Transportation and Statistics* a very accurate and concise cycle:

Step 1. *Transportation engineers survey the peak parking demand at a few suburban sites with ample free parking but no transit service, and ITE publishes the results in Parking Generation with misleading precision.*

Step 2. *Urban planners consult Parking Generation to set minimum parking requirements. The maximum observed parking demand thus becomes the minimum required parking supply.*

Step 3. *Developers provide all the parking that planners require, and the ample supply of parking drives the price of most parking to zero, which increases vehicle travel.*

Step 4. *Transportation engineers survey vehicle trips to and from suburban sites with ample free parking but no transit service, and ITE publishes the results in Trip Generation with misleading precision.*

Step 5. *Transportation planners consult Trip Generation as a guide to design the transportation system with adequate capacity to bring cars to the free parking.*

¹ Donald Shoup, "Truth in Transportation Planning", *Journal of Transportation and Statistics* (2003)
<http://shoup.bol.ucla.edu/TruthInTransportationPlanning.pdf>



Step 6. *Urban planners limit density so that development with ample free parking will not generate more vehicle trips than nearby roads can carry. This lower density spreads activities farther apart, further increasing both vehicle travel and parking demand.*

This process is colloquially known as “The Cycle of Automobile Dependency” and it represents a regulatory regime intended to provide ample free parking and should not be mistaken as a representation of what the market wants or needs, as that option has never been afforded under the vast majority of local zoning ordinances.

By its own admission, ITE is working to provide considerably more nuance to their data but ordinances that have codified these historical errors must be updated. Newer versions of their manuals and online tools provide considerably more factors to consider in determining a more accurate estimate of parking demand, but that is all it is...an estimate. The ITE manuals are a perfectly acceptable tool in assisting decision makers in providing context on matters related to parking but cannot be the prescriptive definition of determining how we develop land in Fayette County. No matter how useful a tool exists in predicting parking demand, it cannot take into account the public policy preferences of a community or land use goals of a comprehensive plan.

It is the conclusion of Planning staff that there is no method under the control and purview of a local zoning ordinance that can accurately predict with any certainty a parking generation number that is applicable to a land use across the board. Further, any attempt to do so through the establishment of minimum parking requirements serves only to enable development that exceeds those standards while also eliminating any development that cannot meet those standards. When the only developments that are possible, are those that meet or exceed that threshold, Lexington is eliminating any chance of a future that is not entirely dominated by vehicle travel.

The proposed text amendment eliminates minimum parking requirements, but also seeks to improve regulations for vehicular use areas that will enhance public safety and mitigate the environmental impacts of automobiles and the parking lots they occupy. While a zoning ordinance is a poor tool for accurately predicting parking demand, it is an excellent tool at managing and offsetting the negative externalities of specific land uses. Parking lots and other vehicular use areas create public nuisances and health problems that can be improved through the proposed text.

The proposed text is supported by numerous goals, objectives, and policies from the 2018 Comprehensive Plan. The reduction in required parking is supported by Theme A, Goal #1; Theme A Goals #1.a-d; Theme A, Goal #2; Theme A, Goal #3.a; Theme B, Goal #2.d; Theme D, Goals #3.b-c.; Theme E, Goals #1.c-d as well as the following policies; Theme B, Sustainability Policies #3 and #5, Theme C Prosperity Policy #10, and Theme E Growth Policy #9.

The revised locational standards for parking lots in Article 16 are supported by various goals, objectives, and policies in the comprehensive plan as well. Theme A, Goal #2.b; Theme A, Goal #3; Theme A, Goal #3.b; Theme D, Goal #1; Theme D, Goals #1.a-c; Theme D, Goal #2; Theme D, Goal #3 as well as the following policies; Theme A, Design Policy #5 and Theme A, Design Policy #7.

The improved standards for vehicular use area landscaping and tree canopy in Article 18 are also supported by numerous goals, objectives, and policies from the comprehensive plan. Theme A, Goal #2.c; Theme A, Goal #3.d; Theme B, Goal #2; Theme B, Goal #2.c; Theme B, Goal #3; Theme B, Goal #3.c; Theme E, Goal #1.b; as well as Theme B, Restoration Policy #4



These goals, objectives and policies in many cases are not possible to achieve without the significant revision to parking requirements. While many do not explicitly state that parking is an obstacle, each one is impeded by our current standards. Improved parking flexibility will foster a new, more sustainable pattern of development called for by *Imagine Lexington*, which is reflective of the desires of the community as a whole.

Applicable Goals, Objectives, and Policies:

Theme A, Design Policy #5: Provide pedestrian-friendly street patterns and walkable blocks to create inviting streetscapes.

Theme A, Design Policy #7: Provide car parking areas so as not to be the primary visual component of the neighborhood.

Theme B, Sustainability Policy #3: Encourage transit-oriented development, increase density along major corridors and in the Infill and Redevelopment Area to support transit ridership; thus reducing vehicle miles traveled.

Theme B, Sustainability Policy #5: Reduce/discourage vehicle-oriented development patterns, such as drive-through businesses within the Urban Service boundary, especially in the urban core areas. Reduce parking footprints.

Theme B, Restoration Policy #4: Improve air quality by reducing vehicle miles traveled (VMT).

Theme C, Prosperity Policy #10: Encourage flexible parking and shared parking arrangements.

Theme D, Placemaking Policy #3: Establish design standards for Placemaking.

Theme E, Growth Policy #9: Support the “Missing Middle Housing” types throughout Lexington.

Goals and Objectives:

Theme A, Goal #1: Expand housing choices.

Theme A, Goal #1.a: Pursue incentives and regulatory approaches that encourage creativity and sustainability in housing development.

Theme A, Goal #1.b: Accommodate the demand for housing in Lexington responsibly, prioritizing higher-density and mixture of housing types.

Theme A, Goal #1.c: Plan for safe, affordable and accessible housing to meet the needs of older and/or disadvantaged residents.

Theme A, Goal #1.d: Create and implement housing incentives that strengthen the opportunities for higher-density and housing affordability.



Theme A, Goal#2: Support infill and redevelopment throughout the Urban Service Area as a strategic component of growth.

Theme A, Goal #2.b: Respect the context & design features of areas surrounding development projects & develop design standards & guidelines to ensure compatibility with existing urban form.

Theme A, Goal #2.c: Incorporate adequate greenspace and open space into all development projects, which serve the needs of the intended population.

Theme A, Goal #3: Provide well-designed neighborhoods & communities.

Theme A, Goal #3.a: Enable existing and new neighborhoods to flourish through improved regulation, expanded opportunities for neighborhood character preservation, and public commitment to expand options for mixed-use and mixed-type housing through Lexington-Fayette County.

Theme A, Goal #3.b: Strive for positive & safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians & various modes of transportation.

Theme A, Goal #3.d: Promote, maintain, and expand the urban forest throughout Lexington.

Theme B, Goal #2: Reduce Lexington-Fayette County's carbon footprint.

Theme B, Goal #2.c: Provide incentives for green building, sustainable development, and transit-oriented development with civic agencies leading by example through the use of green building standards.

Theme B, Goal #2.d: Prioritize multimodal options that de-emphasize single-occupancy vehicle dependence.

Theme B, Goal #3: Apply environmentally sustainable practices to protect, conserve & restore landscapes & natural resources.

Theme B, Goal #3.c: Incorporate green infrastructure principles in new plans and policies, including, but not limited to, land use and transportation.

Theme D, Goal #1: Work to achieve an effective & comprehensive transportation system.

Theme D, Goal #1.a: Support the Complete Streets concept, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit and other vehicles.

Theme D, Goal #1.b: Develop a viable network of accessible transportation alternatives for residents and commuters, which may include the use of mass transit, bicycles, walkways, ride-sharing, greenways and other strategies.



Theme D, Goal #1.c: Concentrate efforts to enhance mass transit along our corridors in order to facilitate better service for our growing population, as well as efficiencies in our transit system.

Theme D, Goal #2: Support a model of development that focuses on people-first to provide accessible community facilities and services to meet the health, safety & quality of life needs of Lexington-Fayette County's residents and visitors.

Theme D, Goal #3: Protect and enhance the natural and cultural landscapes that give Lexington-Fayette County its unique identity and image.

Theme D, Goal #3.b: Incentivize the renovation, restoration, development and maintenance of historic residential and commercial structures.

Theme D, Goal #3.c: Develop incentives to retain, restore, preserve and continue use of historic site and structures, rural settlements and urban and rural neighborhoods.

Theme E, Goal #1.b: Ensure all types of development are environmentally, economically, and socially sustainable to accommodate the future growth needs of all residents while safeguarding rural land.

Theme E, Goal #1.c: Emphasize redevelopment of underutilized corridors.

Theme E, Goal #1.d: Maximize development on vacant land within the Urban Service Area and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features.

The Staff Recommends: Approval of the proposed Text Amendment to the Zoning Ordinance, for the following reasons:

1. The proposed text amendment supports and implements the 2018 Comprehensive Plan, in the following ways:
 - a. The amendment expands housing choices (Theme A, Goal #1) by allowing more types of residential development to be constructed where they are currently precluded due to inflexible parking requirements. (Theme A, Goal #1, Objectives a through d)
 - b. The amendment supports infill and redevelopment throughout the Urban Service Area (Theme A, Goal #2) by providing more flexible parking regulations to facilitate the construction on smaller and more constrained parcels often found in infill and redevelopment locations.
 - c. The amendment promotes the development of green building, sustainable development, and transit-oriented development (Theme B, Goal #2.c) by allowing more pedestrian and transit focused development to occur and by raising the landscaping and tree canopy requirements for vehicular use areas.
 - d. The amendment reduces Lexington-Fayette County's carbon footprint (Theme B, Goal #2) by reducing the requirements for additional unnecessary vehicular use areas that contribute to dangerous heat islands.

CT/TLW
8/2/22

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