



CITY OF CAMBRIDGE

Community Development Department

To: Yi-An Huang, City Manager

From: Iram Farooq, Assistant City Manager for Community Development

Date: October 13, 2022

Re: **Accessory Parking Requirements Zoning Petition**

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At the September 21, 2022 hearing of the Ordinance Committee on the Accessory Parking Requirements Zoning Petition (the "Petition"), CDD staff and City Councillors discussed the potential that the Petition in its current form could cause unanticipated conflicts or ambiguity with other sections of the Zoning Ordinance. We remarked that we could try to identify some of these issues before the Council votes on ordination, but that we would probably not be able to resolve every issue in that timeframe.

In consultation with the Law Department, we have reviewed Article 6.000 of the Zoning Ordinance to identify conflicts with the intent of the amended Petition text. The attached zoning text includes suggested edits to the first few sections of Article 6.000 to mitigate those conflicts. For instance, we have proposed to change wording that implies that off-street accessory parking is "required" in order to clarify that it would be "allowed" within the limitations of Article 6.000 if the Petition is adopted. We have also updated the Schedule of Parking Requirements to set only maximum off-street accessory parking requirements, where there are such requirements.

We have also identified portions of Article 6.000 that are not in direct conflict but may result in ambiguous or unexpected interpretations if the Petition is adopted. For example, some sections become irrelevant if there is no minimum off-street accessory parking requirement, so a reader might be confused about their intent. Other sections do not directly imply that parking is required, but imply that it might be relevant in other contexts, such as deciding whether to grant special permits or variances.

We did not suggest any changes to those sections because they could alter the fundamental character of the Petition, which would require new notice and a new hearing, pursuant to G.L. c.40A, §5. However, they may require further study and future action if they result in unintended outcomes.

Staff will be available to discuss at the upcoming City Council meeting.

Amend Article 6.000 to read as follows

ARTICLE 6.000 OFF STREET PARKING AND LOADING REQUIREMENTS AND NIGHTTIME CURFEW ON LARGE COMMERCIAL THROUGH TRUCKS

6.10 INTENT AND APPLICABILITY OF PARKING, BICYCLE PARKING AND LOADING REQUIREMENTS

6.11 Intent. It is the intent of this Article 6.000 to reduce traffic congestion, noise, vibrations, fumes and safety hazards caused by large commercial trucks, thereby promoting the safety, health and welfare of the public, by establishing requirements for off street parking, bicycle parking and loading and restrictions on the use of City street during the night-time by large commercial trucks with points of origin and destinations outside the City of Cambridge in order to implement the purposed of the The Zoning Act, Section 2A of Chapter 808, and Article 1.000. Section 1.30 of the Cambridge Zoning Ordinance, including:

- to lessen congestion in the streets;
- to conserve health;
- to conserve the value of land and buildings;
- to prevent pollution of the environment;
- to protect residential neighborhoods from incompatible activities; and
- to preserve and increase the amenities of the city.

The regulations for number of parking, bicycle parking and loading spaces ~~required~~ herein vary ~~varies~~ according to type, location and intensity of development in the different zoning districts, and to proximity of public transit facilities. This Article 6.000 allows ~~requires~~ development to provide ~~of~~ adequate parking facilities to meet the reasonable needs of all building and land users without establishing regulations which unnecessarily encourage automobile usage. The parking and bicycle parking standards contained herein are intended to encourage public transit, bicycle usage and walking in lieu of automobiles where a choice of travel mode exists. It is also the purpose of this Article to allow flexibility in providing ~~required~~ parking through shared or off site arrangements in order to accommodate the automobile in the urban environment in a less disruptive way. Development regulations and design standards have been established to reduce hazard to pedestrians on public sidewalks, to ensure the usefulness of parking, bicycle parking and loading facilities, and where appropriate, to avoid potential adverse impacts on adjacent land uses, and to enhance the visual quality of the city.

6.12 Applicability. The off street parking and loading provisions of this Article 6.000 shall apply as follows:

Throughout the Ordinance, existing language is structured based on an assumption that there is a required amount of off-street parking and that Cambridge's regulations are based on the existence of this required amount of parking. Where possible, staff have recommended reframing the ordinance instead to simply refer to the "regulation" of parking.

- (a) For new structures erected and new uses of land established or authorized after the effective date of this Article 6.000 or any amendment thereto, as well as for external additions of Gross Floor Area to existing structures for any use, accessory off street parking and loading facilities shall comply with ~~be provided as required by~~ the regulations for the districts in which such structures or uses are located.

In the case of an addition of Gross Floor Area to an existing structure (lawfully erected prior to the effective date of this Article 6.000 or any amendment thereto), which addition contains nonresidential uses, ~~off street parking and~~ loading facilities shall only be required when the total of such additions occurring from the effective date of this Article 6.000 or any amendment thereto increases the Gross Floor Area of the existing structure by fifteen (15) percent or more ~~and . If such an increase occurs,~~ additional off street parking or loading facilities as required herein shall be provided for the total increase in intensity subsequent to the effective date of this Article 6.000 or any amendment thereto.

- (b) When the intensity of an existing use within any existing structure (or lot in the case of 6.36.7 l and m and 6.36.8 f and g) is increased through addition of dwelling units, floor area, seating capacity or other units of measurement specified in Section 6.30 or Section 6.60 (but not including any uses in a new external addition to that structure, which shall be subject to the provisions of Paragraph (a) above), ~~off street parking and~~ loading facilities shall be provided as required for such increase in intensity of use and accessory off-street parking may be provided if it conforms to the regulations for the use and district.

However, a nonresidential use lawfully established prior to the effective date of this Article 6.000 or any amendment thereto shall not be required to provide ~~off street parking and~~ loading facilities for such increase unless and until the aggregate increase in units of measure shall equal fifteen (15) percent or more of the units of measurement existing upon said effective date. If such an increase occurs, ~~additional off street parking or~~ loading facilities as required herein shall be provided for the total increase in intensity subsequent to the effective date of this Article 6.000 or any amendment thereto.

- (c) When the use of an existing structure (but not including the use of a new external addition to that structure, which shall be subject to the provisions of Paragraph (a) above) is changed to a new nonresidential use, compliance with off street parking and loading facilities shall be provided as required in the schedule of parking requirements in Subsection 6.36 and the schedule of loading requirements in Subsection 6.60 shall be required. Any maximum requirements specified in Subsection 6.36, as well as minimum requirements, shall be applicable to such changes in use.

However, if said structure was lawfully erected prior to the effective date of this Article 6.000 or any amendment thereto, ~~additional off street parking and~~ loading facilities shall be required only to the extent that the required amount for the new nonresidential use would exceed the amount required for the previous use if said previous use were subject to the schedule of parking and loading requirements.

~~In either case, the first four (4) spaces required need not be provided.~~

- (d) When the nonresidential use of an existing structure is changed to a residential use, off street parking facilities shall conform to be provided as required in the schedule of parking requirements in Subsection 6.36. Any maximum requirements specified in Subsection 6.36, as well as minimum requirements, shall be applicable to such changes in use.
- (e) Bicycle Parking. Bicycle parking shall be provided according to the requirements set forth in Section 6.100. Wherever the term "parking" is used in this Zoning Ordinance without specific reference to bicycles, such term shall refer to parking for motor vehicles and not bicycles.

However, if said structure was lawfully erected prior to the effective date of this Article 6.000 or any amendment thereto and the nonresidential use of the structure is proposed to be changed to an Affordable Housing Project as herein defined, additional off street parking facilities shall be required as provided above, except that for that portion of the Project consisting of Affordable Units additional off street parking shall be provided at the rate of 60% of the parking otherwise required in Section 6.36.

For purposes of this Section 6.12 (d) an Affordable Housing Project shall be a residential development in which at least fifty percent (50%) of the dwelling units are considered Affordable Units for occupancy by Eligible Households as defined in Section 11.200 of the Zoning Ordinance.

6.13 Scope of Off Street Parking Regulations. All accessory parking facilities shall conform to all regulations set forth in this Article governing the use, design and operation of such facilities. However, the provisions of this Article 6.000, notwithstanding, any special parking requirements for townhouse developments specified in Section 11.10, for planned unit developments specified in Article 13.000, for projects in the Mixed Use Development District specified in Article 14.000 or for special permits specified elsewhere in this Ordinance shall be applicable for those projects, except that the minimum accessory off-street parking required for all uses in those instances shall be zero (0) parking spaces.

6.14 Restoration. When an existing structure or use is restored and resumes operation after being destroyed or damaged by fire, explosion, or other catastrophe, ~~off street parking,~~ bicycle parking and loading facilities shall be provided at least equivalent to that in existence at the time of such destruction or damage. If the extent of such damage is such that the cost of restoration is fifty (50) percent or more of the replacement value of the structure or use, ~~then parking,~~ bicycle parking and loading facilities meeting the requirements of this Article 6.000 shall be provided. However, in no case shall it be necessary to replace or continue any ~~parking,~~ bicycle parking or loading facilities which were in excess of those required by the ~~schedules of parking and loading~~ requirements for equivalent amounts of new uses or construction.

Section 6.13 conflicts with the proposed amendment before City Council. Nothing in the existing language indicates which of the two sections should be treated as the governing clause. Staff recommend that City Council add an additional sentence clarifying the minimum accessory parking required in these districts shall be zero (0).

6.15 Existing Parking Facilities. Accessory off street parking facilities established after March 15, 1961, shall not hereafter be reduced below - of if already less than, shall not be further reduced below - the minimum requirements under the provisions of this Article 6.000. Accessory off street parking facilities in existence as of March 15, 1961 shall only be required if such facilities have been used to satisfy parking requirements after March 15, 1961.

Section 6.15 does not directly contradict the elimination of minimum parking requirements but it may be confusing if it needs to be interpreted in a specific case.

6.16 Dedicated Off Street Parking Facilities. ~~Off Required~~ off street parking facilities, provided in accordance with these regulations, which after development are later dedicated to and accepted by the City and maintained by the City for off street parking purposes, shall be deemed to continue to serve the structures or uses ~~to meet the requirements~~ for which they were originally provided.

6.17 Compatibility with the E.P.A. Clean Air Regulations. In addition to the regulations contained in this Article, all off street parking facilities must comply with restrictions contained in the Transportation Control Plan for the Metropolitan Boston Interstate Air Quality Control Region as promulgated by the United State Environmental Protection Agency to the extent the same are in force and effect.

6.18 Compatibility with Handicapped Access Rules. In addition to the regulations contained in this Article 6.000, all off street parking facilities must comply with the currently applicable "Rules and Regulations of the Architectural Barriers Board of the Commonwealth of Massachusetts" to the extent the same are in force and effect.

6.20 OFF STREET PARKING REGULATIONS

6.21 Use. All accessory parking facilities provided in accordance with this Article shall be maintained exclusively for the parking of motor vehicles so long as the use exists which the facilities were designed to serve. Such facilities shall not be used for automobile sales, dead storage, or repair work, dismantling or servicing of any kind, with the exception of emergency service when needed. Notwithstanding anything to the contrary in this Ordinance, parking facilities maintained in accordance with this Article 6.000 may be used by Carsharing Vehicles subject to the provisions and limitations set forth in Section 6.24 of this Zoning Ordinance.

6.22 Location. All accessory off street parking facilities shall be located in accordance with the provisions of subsections 6.22.1, 6.22.2 and 6.22.3. For purposes of this Section 6.22 lot shall also mean the Development Parcel of any Planned Unit Development regulated by the provisions of Article 12.000 and Article 13.000 without regard to a lot or lots that may initially constitute the Development Parcel or any lot or lots created within the Development Parcel subsequent to the approval of the PUD by the Planning Board.

6.22.1 Accessory off street parking facilities may be located on the same lot as the use being served or on another lot that has the same or less restrictive zoning classification as the lot on which the use being served is located in accordance with the following conditions:

- (a) (1) Said other lot is contiguous to the lot on which the use being served is located; or

(2) Said other lot is within three hundred (300) feet of the lot on which the use being served is located and the use being served is nonresidential; or

(3) Said lot is within three thousand (3000) feet of the lot on which the use being served is located, such use is an institutional use listed in Subsection 6.36.3b and said use is located within a five acre area containing one or more lots, contiguous except for streets, owned by a single institution; and

(b) Said lot is not now and was not within the past five (5) years the location of a preferably preserved significant building (as defined in the General Ordinances of Cambridge) as determined by the Cambridge Historical Commission.

(c) However, no off site accessory parking facilities shall be allowed to meet the requirements for Subsection 6.36.5h "Theatre or hall for public gatherings".

6.22.2 The Board of Zoning Appeal may grant a special permit for off site accessory parking not allowed in Subsection 6.22.1 (a) provided that convenient and safe access from the parking facility to the use being served is provided in accordance with the following conditions:

(a) No off site accessory parking facility may be located on a lot which has a more restrictive zoning classification than the lot on which the use being served is located.

(b) Off site accessory parking facilities shall be located within four hundred (400) feet of the lot being served for residential uses and within one thousand (1000) feet of the lot for other uses.

6.22.3 [PARAGRAPH DELETED]

6.22.4 Accessory off street parking spaces provided ~~required~~ under the provisions of this Article 6.000 need not be in the City of Cambridge.

6.22.5 *Distance Measurements For Parking Facilities.* In all cases where distance measurements between a lot and off site parking facilities or other specified area are specified in this Article 6.000, such distance shall be measured as a straight line from the nearest point for the lot on which the off site accessory parking is located, to the nearest transit station entrance, or to the nearest street line or other boundary of another specified area.

6.23 *Control of Off Site Parking Facilities.* Where accessory parking facilities are allowed on land other than the lot on which the use being served is located said other land shall be in identical ownership or binding commitments shall exist to guarantee, to the reasonable satisfaction of the Superintendent of Buildings or to the special permit granting authority, that the off site parking will continue to be available for the period during which the use or uses that the parking serves may be expected to be in existence. Such commitments shall be evidenced by negotiated lease agreement, recorded covenant or comparable legal instrument. Such instrument shall be duly recorded at the Middlesex County Registry of Deeds and certification of such recording provided to the Superintendent of Buildings or the special permit granting authority.

Section 6.23 does not create a direct conflict but the interpretation becomes more challenging when the minimum required parking is zero.

Community Development Department
Suggested Edits to Accessory Parking Requirements Zoning Amendment

6.24 Carsharing Provisions. The provisions of this Section 6.24 shall govern the allowed use parking spaces for Carsharing. Where the provisions of this Section 6.24 may conflict with any requirements set forth elsewhere in this Ordinance, the provisions of this Section shall control.

6.24.1 Intent. This Section 6.24 is intended to allow the limited use of parking spaces for Carsharing as a means to provide mobility options for Cambridge residents, employees and visitors who may not possess a private automobile, thereby promoting City goals by increasing mobility, reducing reliance on automobile ownership and use, and lessening the total demand for parking spaces.

6.24.2 Definitions. For the purpose of this Ordinance, Carsharing shall mean the use of parking spaces by Carsharing Vehicles and Carsharing Organizations, as defined below:

- (a) Carsharing Vehicle shall be defined as a private motor vehicle that is made available to members of a Carsharing Organization primarily for hourly or other short-term use through a self-service fully automated reservation system, but not by means of a separate written agreement that is entered into each time a vehicle is transferred to a customer. A Carsharing Vehicle must be owned, maintained or administered by a Carsharing Organization.
- (b) Carsharing Organization shall be defined as a membership-based entity with a distributed fleet of Carsharing Vehicles that charges a use-based fee related to a specific vehicle.

6.24.3 General Limitations:

- (a) Carsharing Vehicles shall only be allowed in parking facilities that are lawfully established and conforming to the dimensional and other requirements of Article 6.000, or, if not, are lawfully non-conforming.
- (b) A Carsharing Vehicle authorized to this Section 6.24 shall be properly registered with the Registry of Motor Vehicle.
- (c) A Carsharing Vehicle located within an authorized parking facility shall be maintained for active use by authorized operators and not stored for other purposes. No sales, servicing, dead storage, repair, administrative or similar functions shall occur and no personnel shall be employed on the site except for occasional short-term maintenance of vehicles (such as interior vacuuming) unless otherwise permitted by the use regulations in the zoning district.
- (d) Carsharing Vehicles administered by a Carsharing Organization shall be routinely accessed directly by users without any assistance or supervision by company personnel.
- (e) All owners of that portion of a lot accommodating the operation or parking of a Carsharing Vehicle, or their legally authorized representative, including a condominium association where applicable, shall be required to grant permission for the operation or parking of a Carsharing Vehicle on their property.
- (f) Parking spaces devoted to Carsharing Vehicles shall be registered with the Traffic, Parking and Transportation Department (TPTD), which shall keep a recorded of the address, location, number of

spaces, property ownership, and Carsharing Organization if applicable, and certify that such spaces may accommodate the operation of Carsharing Vehicles in accordance with all applicable laws, rules, or regulations. If any such spaces are relocated within a facility, or if the property ownership or Carsharing Organization is changed, then the registration with TPTD shall be updated accordingly within one month. TPTD may promulgate more detailed regulations pertaining to the safe operation as to which parking spaces on a lot are best suited to Carsharing Vehicles operations.

- (g) Prior to assigning parking spaces for use by Carsharing Vehicles, the Carsharing Organization shall send a written notification to all residential dwellings within one hundred (100) feet of the facility in which the spaces are located, including any access and egress drives. Notifications shall be sent to individual dwelling units or to a residential building manager if applicable, to distributed to residents. The notification shall, at a minimum, provide contact information for the Carsharing Organization so that residents may ask questions or report concerns related to the operation of the Carsharing Vehicles. A copy of notification and a list of the addresses to which it was sent shall be provided to TPTD upon register the parking spaces.

6.25.4 Principal Use Parking Provisions:

- (a) Within principal use parking facilities established under the provisions of Section 4.32(b) (Automobile Parking Lot for Private Passenger Car) or Commercial Parking Facilities registered with the Department of Traffic, Parking and Transportation per the provisions of Chapter 10.16 of the Cambridge Municipal Code, there shall be no limitations on the number of Carsharing Vehicles that may be maintained for active use at the facility.
- (b) Notwithstanding anything to the contrary in this Ordinance, the maintenance of Carsharing Vehicles for active use within a principal use or commercial parking facility in accordance with this Section 6.24 shall not cause any change in the use designation of that facility or affect any other regulation that may be applicable to that facility.

6.24.4 Accessory Parking Provisions.

- (a) Within parking facilities that are accessory to non-residential uses, there shall be no limitation on the number of Carsharing Vehicles that may be maintained for active use at the facility.
- (b) Within parking facilities that are accessory to residential uses, the number of parking spaces maintained for active use by Carsharing Vehicles shall not exceed twenty-five percent (25%) of either the minimum number of parking spaces required by zoning or special permit or the number of parking spaces provided to serve the principal residential use on the lot, whichever is greater.
- (c) Driveways of single-family residential homes may not be used by Carsharing Vehicles, except when the Carsharing Vehicle is being used by a resident of or visitor to the single family home.
- (d) Notwithstanding anything to the contrary in this Ordinance, the maintenance of Carsharing Vehicles within an accessory parking facility in accordance with this Section 6.24 shall not cause any change in the use of that facility nor any violation of the accessory parking requirements applicable to the

Section 6.24.4(b) is not in direct conflict but making minimum parking requirements zero means that carsharing would be more restricted.

principal uses served by that facility, provided that such Carsharing Vehicles are available for use by any occupant of the principal use that is otherwise qualified to operate a motor vehicle. Where a Carsharing Vehicle is owned or operated by a Carsharing Organization, ordinary fees and other terms of service may apply.

6.24.5 Allowed Modifications.

- (a) Grandfathering. Parking spaces that were lawfully used by Carsharing Vehicles as of the date of the first publication of notice of the public hearing by the Planning Board of this Section 6.24 shall be allowed to continue to be maintained for active use by Carsharing Vehicles regardless of whether or not the limitations of this Section 6.24 are met. All such parking spaces must be registered with the Cambridge Traffic, Parking and Transportation Department in accordance with Section 6.24.3, paragraph (g) within six months of the date of adoption of this Section.
- (b) Special Permit. The Planning Board may approve any modifications to the limitations set forth in Section 6.24.5 upon issuance of a special permit, which shall be granted if the Planning Board finds that the requested modification is consistent with the intent set forth in Section 6.24.1 and conforms to the general special permit criteria set forth in Section 10.43 of this Zoning Ordinance.

6.30 PARKING QUANTITY REQUIREMENTS

6.31 Required Amount of Parking. Off street parking facilities shall be allowed ~~provided~~ for each use of a lot or structure in the amount specified in the schedule of parking requirements contained in Subsection 6.36. Said schedule specifies the maximum amount of accessory off street parking allowed ~~required~~ for each type of land use listed in "Table of Use Regulations" in this Ordinance. The maximum amount of allowed ~~required~~ parking is also based on the intensity of development permitted in the district in which the use is located. Notwithstanding any other provision in this Zoning Ordinance, the minimum accessory parking required for all uses shall be zero (0) parking spaces.

6.31.1 The schedule of parking requirements in Subsection 6.36 specifies the unit of measure regulating ~~requiring~~ the provision of ~~one~~ parking spaces. Square footage requirements are geared to gross floor area. Each unit of measure, however, shall specifically not apply to any Gross Floor Area devoted to parking facilities, which shall not require the provision of any accessory parking.

6.31.2 In general the schedule in Subsection 6.36 specifies ~~a minimum requirement, but in some instances a~~ maximum amount of parking ~~is stipulated~~ [Example: for a general office use (6.36.4 d) in a Business C district, the ~~minimum requirement is one space per 800 square foot of gross floor area and the~~ maximum is one space per 400 square feet of gross floor area.] Where there are two such listings the first is the minimum requirement and the second is the maximum limitation. Relief from ~~the both the minimum~~ parking requirements ~~and maximum parking limitation~~ may be obtained only after the grant of a special permit as provided in Section 6.35 below. With the grant of a special permit the maximum parking limitation may be

The added sentence to the end of 6.31 is the Petition currently under consideration by the Council. Staff recommend that the schedule of parking and loading requirements be amended to make clear that the ratios are maximum requirements, because the minimum would be set to be zero.

Section 6.31.4 - For unlisted uses requiring a variance from the BZA, it is ambiguous as to whether the BZA will maintain the authority to set a minimum accessory parking amount that is greater than zero.

exceeded provided, however, that the provisions with regard to gross floor area as set forth in Section 6.31.3 are met.

6.31.3 Any parking spaces provided in excess of the maximum requirements specified in Section 6.36 shall be counted in determining Gross Floor Area. In such cases a proportional share of the entire parking facility (not only the area of the spaces) shall be credited toward Gross Floor Area. The area counted as Gross Floor Area shall be determined by multiplying the total area of the parking facility by the percentage that the proposed number of spaces exceeds the maximum allowed number of spaces.

6.31.4 For uses not listed in Subsection 6.36, the Board of Zoning Appeal shall determine the required amount of parking if it issues a use variance for such use.

6.31.5 All commercial uses shall also be required to provide a parking space for each commercial vehicle customarily used in conjunction with the operation of such use at such location.

6.32 *Parking Exemptions.*

6.32.1 *Small Business.* The minimum amount of parking required by Subsection 6.36 Schedule of Parking and Loading Requirements shall be waived for any nonresidential use in an office, business, or industrial district if such use would require four (4) or fewer spaces, and such nonresidential use is located in a building or row of attached buildings which contains a total of ten thousand (10,000) square feet or less of gross floor area devoted to nonresidential use. Furthermore, for a new nonresidential use within a building in existence on or before October 19, 2020, no new accessory parking shall be required.

6.32.2 *Institutions.* Where an institution provides dormitory, fraternity, faculty, employee or other residence accommodations, the number of parking spaces provided as a result thereof may be deducted from the requirements established to satisfy the needs of classrooms, libraries, lecture halls, laboratories, similar educational areas or dining facilities normally used by such residential occupants. In order to qualify for such deduction, the institutional applicant shall submit to the Building Department the institution's current residential parking plan clearly indicating the location of all existing and proposed residential parking facilities available at the institution.

6.33 *Computation.* Where a building or lot is used by two or more activities that fall into different classes of use in Subsection 6.36, the off street parking requirements ~~required~~ shall be the sum of the requirements for each individual use. Parking Required ~~Required parking~~ spaces for accessory uses shall be determined in the same manner as for principal use. Where the computation results in a fractional number, only a fraction of one half or more shall be counted as one. Where the computation of ~~required parking~~ requirements for a building with more than one class of use results in multiple fractional numbers, such fractions shall be carried to the final sum.

6.34 *Parking Space Size Allocation.* In all parking facilities containing ~~required to have~~ five or more spaces, a combination of regular and compact spaces may be provided; however, no more than fifty (50) percent of the provided ~~required~~ spaces shall be designed for compact cars (as specified in Subsection 6.42). All off street parking facilities shall contain spaces designed for handicapped access. The number of such spaces

Section 6.31.5 – It is ambiguous whether a provision requiring parking spaces for commercial use vehicles conflicts with a zero (0) accessory off street parking minimum. Is it the Council's intent to allow commercial vehicles to be parked on-street?

Section 6.32 – Additional input needed. It does not directly contradict a zero (0) parking minimum, but may lead to confusing interpretations.

Section 6.34 – Projects that choose to construct no off-street parking will not be required to provide handicap access parking spaces. Applicants that choose to provide parking would still be required to provide handicap access parking spaces.

shall be determined by the requirements of the currently applicable "Rules and Regulations of the Architectural Barriers Board of the Commonwealth of Massachusetts."

6.35 Relief from Parking Requirements. Any required amount of parking may be reduced by issuance of a special permit from Board of Zoning Appeals, as provided below. However, handicapped parking required by Subsection 6.34, and commercial vehicle parking required by Subsection 6.31.5 shall not be reduced from the original requirement. Bicycle parking requirements may not be modified pursuant to this Section 6.35, and may be modified only as allowed in Section 6.100. The parking maximum limitation may be exceeded only with the grant of a special permit from the Planning Board, as provided below, subject to the provisions with regard to Gross Floor Area as provided in Section 6.31.3.

6.35.1 Reduction of Required Parking. Any minimum required amount of parking may be reduced only upon issuance of a special permit from the Board of Zoning Appeals. A special permit shall be granted only if the Board determines and cites evidence in its decision that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood, or that such lesser amount of parking will provide positive environmental or other benefits to the users of the lot and the neighborhood, including specifically, among other benefits, assisting in the provision of affordable housing units. In making such a determination the Board shall also consider whether or not less off street parking is reasonable in light of the following:

Section 6.35.1 – Additional input needed. It does not directly contradict a zero (0) parking minimum, but may lead to confusing interpretations.

- (1) The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of an MBTA transit station.
- (2) The availability of public or commercial parking facilities in the vicinity of the use being served provided the requirements of Section 6.23 are satisfied.
- (3) Shared use of off street parking spaces serving other uses having peak user demands at different times, provided that no more than seventy-five (75) percent of the lesser minimum parking requirements for each use shall be satisfied with such shared spaces and that the requirements of Subsection 6.23 are satisfied.

~~Example: Office and Theatre uses with peak user demands at different times. Office requires a minimum of one hundred and fifty (150) spaces and the theatre requires a minimum of one hundred (100). Seventy-five (75) percent of the lesser minimum requirement is seventy-five (75) (75% of 100). Therefore seventy-five (75) spaces can be shared but twenty-five (25) (100-25) would still be required, making the total amount of required parking for both uses (150 + 25) one hundred and seventy-five (175).~~

- (4) Age or other occupancy restrictions which are likely to result in a lower level of auto usage; and
- (5) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot,

impairment of the urban design objectives of the city as set forth in Section 19.30 of the Zoning Ordinance, or loss of pedestrian amenities along public ways.

- (6) The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and Dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

For a project seeking a reduction in required off-street parking for residential uses, a Parking Analysis shall be required as part of the Special Permit Application as set forth in Section 6.35.3.

6.35.2 *Exceeding Maximum Allowed Parking.* Any maximum allowed amount of parking may be exceeded only upon issuance of a special permit from the Planning Board. Any parking area in excess of the maximum limitation will have an impact on calculation of gross floor area as provided at Section 6.31.3. The Planning Board shall grant a special permit to allow exceedance of a maximum limitation only upon making the following determinations:

- (1) Reasonable parking and transportation demand management measures are being implemented to reduce the need for the additional off street parking;
- (2) The additional spaces reflect parking demand that exceeds that which is common for this use as categorized in Section 6.36, owing to unique characteristics of the users or the activity that result in a high level of automobile parking demand;
- (3) The additional parking demand cannot reasonably be accommodated through contract or other arrangement making use of available off-site parking;
- (4) The additional parking will provide positive environmental or other benefits to the users of the lot, to the neighborhood and the City which outweigh adverse effects, after consideration of the following: congestion, traffic increases on residential streets, danger to public safety or deterioration of travel conditions for pedestrians, cyclists or users of public transit.

In its decision the Planning Board shall cite evidence supporting its determinations, and may impose such conditions as are necessary to mitigate all negative impacts on the neighborhood and the environment which would otherwise result from the greater allowed amount of parking.

6.35.3 *Parking Analysis.*

6.35.31 The purpose of a Parking Analysis is to provide quantitative data to assist a special permit granting authority in considering certain projects. A Parking Analysis shall be submitted where it is specifically required by any provision of this Zoning Ordinance. A special permit granting authority may also request that elements of a Parking Analysis be provided when considering a project that proposes a deviation from parking

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requirements specified in the Zoning Ordinance or an increase in development density above the maximum allowed as-of-right under base zoning regulations.

6.35.32 Where a Parking Analysis is specifically required by any provision of this Zoning Ordinance, the proponent shall first consult with the Traffic, Parking and Transportation Department to determine the scope and methodology of such an analysis. The results of the Parking Analysis shall be included in any Special Permit Application for the project.

6.35.33 For residential projects, a Parking Analysis shall include some or all of the following, with the specific type and level of analysis to be determined by the Traffic, Parking and Transportation Department based on the relevant characteristics of the proposal:

- (a) Estimates of the project's parking demand, as evidenced by vehicle ownership rates and peak parking occupancy data for comparable nearby residential projects, resident parking permit and motor vehicle registration data for the area, and/or other indicators of parking demand. These estimates should account for daytime and nighttime parking. Estimates may account for differences in parking demand given the occupancy of units, such as owner-occupied vs. rental units, market-rate vs. below-market-rate units, or elderly-oriented vs. conventional units. Estimates may also account for anticipated vacancy rates.
- (b) Maps showing the distance to alternate transportation options in the area, including MBTA rapid transit stations and bus routes, bike facilities, and car-sharing services.
- (c) Studies of on-street parking capacity and utilization in the vicinity of the project. Such studies should be conducted at night, and should account for the normal activity hours of other land uses in the area.
- (d) Where applicable, inventories and peak occupancy data for nearby off-site parking that will be available to the project's residents or visitors, either on a round-the-clock basis or by way of a shared use arrangement. Private, off-site parking shall only be applicable to the analysis if a long-term leasing arrangement is proposed to be made. Shared parking arrangements should be studied thoroughly to determine the minimum amount of parking required to satisfy the demand from all proposed land uses during any given time period.
- (e) A description of measures that will be implemented to reduce demand for private automobile use, such as the availability of car-sharing programs and/or incentives for residents or employees to walk, bicycle, or use public transportation, and estimates of the anticipated impact of those measures on parking demand.

6.36 *Schedule of Parking and Loading Requirements.* Off street parking shall be provided as shown in the following table. Where one entry is given in the table, it is the maximum ~~minimum~~ requirement. All square foot measurements refer to gross floor area unless specified otherwise. The abbreviation "d.u." means dwelling unit. The abbreviation n/a means not applicable. In cases where a requirement is expressed in number of seats, twenty (20) square feet of public floor area shall equal one seat if there are no fixed seats. One column of the table contains the loading requirement standard applicable under Section 6.80

for each use and two columns refer to the Long-Term Bicycle Parking and Short-Term Bicycle Parking requirements applicable under Section 6.107 for each use.

| Land Use Category | | <u>Maximum Off Street Parking Requirements in Open Space, Res A-1, A-2, Res B</u> | <u>Maximum Off Street Parking Requirements in Res C, C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3¹⁴, A-4, Ind A-1, Ind B-2, Ind C</u> | <u>Maximum Off Street Parking Requirements in Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)</u> | <u>Maximum Off Street Parking Requirements in Ind B-1, Res C-3, C-3A, C-3B, Off 3-A, 3, Bus B, Ind A-2, Ind B, Bus B-1, B-2</u> | Loading Facility Category | Long-Term Bicycle Parking (6.107.2) | Short-Term Bicycle Parking (6.107.3) |
|-------------------|---|---|---|---|---|---------------------------|-------------------------------------|--------------------------------------|
| 6.36.1 | Residential Uses | | | | | | | |
| a. | Detached dwelling occupied by not more than one family | <u>No max 1 per d.u.</u> | <u>No max 1 per d.u.</u> | <u>No max 1 per d.u.</u> | <u>No max 1 per d.u.</u> | n/a | R1 | R1 |
| b. | Two family dwelling | <u>No max 1 per d.u.</u> | <u>No max 1 per d.u.</u> | <u>No max 1 per d.u.</u> | <u>No max 1 per d.u.</u> | n/a | R2 | R2 |
| c. | Existing one-family detached dwelling converted for two families | <u>No max 1 per d.u.</u> | <u>No max 1 per d.u.¹</u> | <u>No max 1 per d.u.¹</u> | <u>No max 1 per d.u.¹</u> | n/a | R1 | R1 |
| d. | Townhouse development ² | <u>No max 1 per d.u.³</u> | <u>No max 1 per d.u.³</u> | <u>No max 1 per d.u.</u> | <u>No max 1 per d.u.</u> | n/a | R2 | R2 |
| e. | Elderly oriented housing, elderly oriented congregate housing | <u>No max 1 per 2 d.u.'s⁴</u> | <u>No max 1 per 2 d.u.'s⁴</u> | <u>No max 1 per 2 d.u.'s⁴</u> | <u>No max 1 per 2 d.u.'s⁴</u> | n/a | R3 | R3 |
| f. | Existing dwelling converted for elderly oriented congregate housing | <u>No max 1 per 2 d.u.'s⁴</u> | <u>No max 1 per 2 d.u.'s⁴</u> | <u>No max 1 per 2 d.u.'s⁴</u> | <u>No max 1 per 2 d.u.'s⁴</u> | n/a | R3 | R3 |

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|---------------|---|-----|---|---|---|-----|----|----|
| g. | Multifamily dwelling | n/a | <u>No max 1-per</u> d.u. ³ | <u>No max 1-per</u> d.u. | <u>No max 1-per</u> d.u. | n/a | R2 | R2 |
| h. | Existing dwelling converted for more than two families | n/a | <u>No max 1-per</u> d.u. ¹ | <u>No max 1-per</u> d.u. ¹ | <u>No max 1-per</u> d.u. ¹ | n/a | R2 | R2 |
| i. | Transient and nonfamily accommodations | | | | | | | |
| | 1. Tourist house in an existing dwelling | n/a | <u>No max 1-per</u> d.u. + 1 per 4 guest rooms | <u>No max 1-per</u> d.u. + 1 per 4 guest rooms | <u>No max 1-per</u> d.u. + 1 per 4 guest rooms | n/a | R5 | R5 |
| | 2. Hotel | n/a | <u>No max 1-per</u> 2-sleeping rooms ⁵ | <u>No max 1-per</u> 2-sleeping rooms ⁵ | <u>No max 1-per</u> 2-sleeping rooms ⁵ | E | R5 | R5 |
| | 3. Motel | n/a | <u>No max 1-per</u> motel unit ⁵ | <u>No max 1-per</u> motel unit ⁵ | <u>No max 1-per</u> motel unit ⁵ | E | R5 | R5 |
| | 4. Lodging House | n/a | <u>No max 1-per</u> 4 bedrooms + one | <u>No max 1-per</u> 4 bedrooms + one | <u>No max 1-per</u> 4 bedrooms + one | E | R4 | R4 |
| j. | Trailer park or mobile home park | n/a | <u>No max 1-per</u> d.u. | <u>No max 1-per</u> d.u. | n/a | n/a | R2 | R2 |
| 6.36.2 | Transportation, Communication & Utility Uses | | | | | | | |
| a. | Bus or railroad passenger station | n/a | <u>No max 1-per</u> 300 sq. ft. | <u>No max 1-per</u> 500 sq. ft. | <u>No max 1-per</u> 900 sq. ft. | n/a | N5 | N3 |
| b. | Automobile parking lot or parking garage for private passenger cars | n/a | n/a | n/a | n/a | n/a | P | P |
| c. | Railroad freight terminal, railroad yards and shops | n/a | n/a | n/a | <u>No max 1-per</u> 2400 sq. ft. | A | N5 | N5 |
| d. | Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses; parking lot for trucks | n/a | n/a | <u>No max 1-per</u> 2000 sq. ft. | <u>No max 1-per</u> 2400 sq. ft. | A | N5 | N5 |

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| e. | Radio and television transmission station, including towers | n/a | No max 1 per 600 sq. ft. of office space | No max 1 per 800 sq. ft. of office space | No max 1 per 1000 sq. ft. of office space | A | N5 | N5 |
| f. | Radio and television studio | n/a | No max 1 per 600 sq. ft. | No max 1 per 800 sq. ft. | No max 1 per 1000 sq. ft. | D | N1 | N5 |
| g. | Telephone exchange, transformer station, substation, gas regulator, or pumping station | n/a ⁶ | No max 1 per 600 sq. ft. of office space | No max 1 per 800 sq. ft. of office space | No max 1 per 1000 sq. ft. of office space | A | N5 | N5 |
| h.—k. | Reserved | | | | | | | |
| l. | Cannabis Courier Establishment | n/a | No max 1 per 1200 sq. ft.¹⁶ | No max 1 per 1600 sq. ft.¹⁶ | No max 1 per 2000 sq. ft.¹⁶ | A | N5 | N5 |
| 6.36.3 | Institutional Uses | | | | | | | |
| a. | Religious Purposes | | | | | | | |
| | 1. Place of worship | No max 1 per 5 seats or 100 sq. ft. of public floor area⁷ | No max 1 per 8 seats or 100 sq. ft. of public floor area⁷ | No max 1 per 15 seats or 300 sq. ft. of public floor area⁷ | No max 1 per 20 seats or 400 sq. ft. of public area⁷ | F | N5 | N3 |
| | 2. Rectory, parsonage | No max 1 per dwelling unit | No max 1 per dwelling unit | No max 1 per dwelling unit | No max 1 per dwelling unit | n/a | R1 | R1 |
| | 3. Convent, monastery | No max 1 per 4 sleeping rooms | No max 1 per 4 sleeping rooms | No max 1 per 4 sleeping rooms | No max 1 per 4 sleeping rooms | n/a | R4 | R4 |
| | 4. Social or recreation center | No max 1 per 1000 sq. ft. | No max 1 per 1000 sq. ft. | No max 1 per 1500 sq. ft. | No max 1 per 2000 sq. ft. | F | N5 | N3 |
| | 5. Other use with religious purposes | No max 1 per 1000 sq. ft. | No max 1 per 1000 sq. ft. | No max 1 per 1500 sq. ft. | No max 1 per 2000 sq. ft. | F | N5 | N3 |
| b. | Educational Purposes | | | | | | | |
| | 1. Preschool, day care center kindergarten | No max 3 per 2 instructional rooms, or 1 per 5 seats in the main auditorium, whichever is greater | | | | F | E1 | E1 |

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|--|--|--|--|---|---|---|------------------|------------------|
| | 2. Primary School | <u>No max 3 per 2 instructional rooms, or 1 per 5 seats in the main auditorium, whichever is greater</u> | | | | F | E1 | E1 |
| | 3. Secondary School | <u>No max 5 per instructional room or 1 per 5 seats in the main auditorium, whichever is greater</u> | | | | F | E1 | E1 |
| | 4. College or university athletic facility, auditorium, theater or similar facility, any of which is customarily accessible to the general public on a paid admission fee or other basis. | n/a | <u>No max 1 per 5 seats or 100 sq. ft. public floor area</u> | <u>No max 1 per 15 seats or 300 sq. ft. public floor area</u> | <u>No max 1 per 20 seats or 400 sq. ft. public floor area</u> | F | E2 ¹⁵ | E3 ¹⁵ |
| | 5. College or university laboratory or research facility customarily involving radioactive materials and other controlled substances, high intensity electromagnetic radiation or chemical or biological processes which could entail a high level of danger to the public health. | n/a | <u>1 per 600 sq. ft.</u> <u>1 per 300 sq. ft.</u> | <u>1 per 1000 sq. ft.</u> <u>1 per 500 sq. ft.</u> | <u>1 per 1800 sq. ft.</u> <u>1 per 1200 sq. ft.</u> | F | E2 | E2 |
| | 6. Other college or university faculty | | | | | | | |
| | a. Dining halls, canteens and similar eating facilities | <u>No max 1 per 20 seats</u> | <u>No max 1 per 20 seats</u> | <u>No max 1 per 40 seats</u> | <u>No max 1 per 60 seats</u> | E | E2 | E3 |
| | b. Administrative faculty and staff offices, teaching facilities, libraries, museums, service facilities and facilities not specified in 6.36.3-4, 5, or 8. | <u>1 per 600 sq. ft.</u> <u>1 per 300 sq. ft.</u> | <u>1 per 600 sq. ft.</u> <u>1 per 300 sq. ft.</u> | <u>1 per 1000 sq. ft.</u> <u>1 per 500 sq. ft.</u> | <u>1 per 1800 sq. ft.</u> <u>1 per 1200 sq. ft.</u> | F | E2 | E2 |

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|----|---|---|--|--|--|---|----|----|
| | 7. Vocational or other schools | n/a | <u>No max 6-per</u> instructional room | <u>No max 6-per</u> instructional room | <u>No max 6-per</u> instructional room | F | E1 | E1 |
| | 8. Group residential and related facilities | | | | | | | |
| | a. Dormitories | n/a | <u>No max 1-per</u> 4 beds + 1 | <u>No max 1-per</u> 8 beds + 1 | <u>No max 1-per</u> 8 beds + 1 | E | R4 | R4 |
| | b. Fraternities and sororities | n/a | <u>No max 1-per</u> 2 beds | <u>No max 1-per</u> 4 beds | <u>No max 1-per</u> 4 beds | E | R4 | R4 |
| c. | Non-Commercial Research Facilities | | | | | | | |
| | 1. Laboratory or other research facility customarily involving research with radioactive materials, controlled substances, radiation or chemical or biological processes potentially entailing a high level of danger to the public health and safety | n/a | <u>1 per 600 sq. ft.</u> 1 per 300 sq. ft. | <u>1 per 800 sq. ft.</u> 1 per 400 sq. ft. | <u>1 per 1000 sq. ft.</u> 1 per 670 sq. ft. | F | N2 | N5 |
| | 2. Private library or study center | <u>No max 1-per</u> 300 sq. ft. | <u>No max 1-per</u> 300 sq. ft. | <u>No max 1-per</u> 600 sq. ft. | <u>No max 1-per</u> 1200 sq. ft. | F | N5 | N3 |
| | 3. Other noncommercial research facilities | n/a | <u>1 per 600 sq. ft.</u> 1 per 300 sq. ft. | <u>1 per 800 sq. ft.</u> 1 per 400 sq. ft. | <u>1 per 1000 sq. ft.</u> 1 per 670 sq. ft. | F | N2 | N5 |
| d. | Health Care Facilities | | | | | | | |

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|----|--|---|--|--|--|---|----|----|
| | 1. Hospital | n/a | No max 1-per 3 beds plus 1 per emergency or outpatient examining table, bed or facility | No max 1-per 4 beds plus 1 per emergency or outpatient examining table, bed or facility | No max 1-per 5 beds plus 1 per emergency or outpatient examining table, bed or facility | E | N3 | N4 |
| | 2. Infirmary | n/a | No max 1-per 6 beds | No max 1-per 8 beds | No max 1-per 10 beds | E | N3 | N4 |
| | 3. Nursing home, convalescent home | n/a | No max 1-per 6 beds | No max 1-per 8 beds | No max 1-per 10 beds | E | N3 | N4 |
| | 4. Clinic not affiliated with any other institution | n/a | No max 1-per 300 sq. ft. | No max 1-per 400 sq. ft. | No max 1-per 500 sq. ft. | E | N3 | N3 |
| | 5. Clinic affiliated with a hospital or accredited university medical school | n/a | No max 1-per 300 sq. ft. | No max 1-per 400 sq. ft. | No max 1-per 500 sq. ft. | E | N3 | N3 |
| | 6. Clinic connected to a community center | No max 1-per 300 sq. ft. | No max 1-per 300 sq. ft. | No max 1-per 400 sq. ft. | No max 1-per 500 sq. ft. | E | N3 | N3 |
| | 7. Other health care facilities | n/a | No max 1-per 300 sq. ft. | No max 1-per 400 sq. ft. | No max 1-per 500 sq. ft. | E | N3 | N3 |
| e. | Social Service Facilities | | | | | | | |
| | 1. Social service center | No max 1-per 600 sq. ft. | No max 1-per 600 sq. ft. | No max 1-per 1000 sq. ft. | No max 1-per 1800 sq. ft. | F | N5 | N3 |
| | 2. Community center | No max 1-per 600 sq. ft. | No max 1-per 600 sq. ft. | No max 1-per 1000 sq. ft. | No max 1-per 1800 sq. ft. | F | N5 | N3 |
| | 3. Community residence | n/a ⁶ | n/a ⁶ | n/a ⁶ | n/a ⁶ | E | R4 | R4 |
| | 4. Personal Care lodging house | n/a | n/a ⁶ | n/a ⁶ | n/a ⁶ | E | R4 | R4 |
| f. | Local government | | | | | | | |
| | 1. Administrative office | n/a | 1 per 600 sq. ft. 1 per 300 sq. ft. | 1 per 800 sq. ft. 1 per 400 sq. ft. | 1 per 1000 sq. ft. 1 per 670 sq. ft. | F | N1 | N3 |

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|---------------|---|---|---|---|--|-----|------------------|------------------|
| | 2. Fire or police station | <u>No max 2-per</u> engine company for fire; 1 per 600 sq. ft. 1 per 300 sq. ft. for police | <u>No max 2-per</u> engine company for fire; 1 per 600 sq. ft. 1 per 300 sq. ft. for police | <u>No max 2-per</u> engine company for fire; 1 per 800 sq. ft. 1 per 400 sq. ft. for police | <u>No max 2-per</u> engine company for fire; 1 per 1000 sq. ft. 1 per 670 sq. ft. for police | n/a | N3 | N5 |
| | 3. Library or museum | <u>No max 1-per</u> 600 sq. ft. | <u>No max 1-per</u> 600 sq. ft. | <u>No max 1-per</u> 1000 sq. ft. | <u>No max 1-per</u> 800 sq. ft. | F | N5 | N3 |
| | 4. Municipal service facilities | <u>No max 1-per</u> 2 employees | <u>No max 1-per</u> 2 employees | <u>No max 1-per</u> 2 employees | <u>No max 1-per</u> 2 employees | A | N1 | N3 |
| | 5. Public parks, playgrounds or public recreation building | <u>No max-0</u> | <u>No max-0</u> | <u>No max-0</u> | <u>No max-0</u> | n/a | N5 ¹⁵ | N3 ¹⁵ |
| g. | Other governmental facilities | n/a | n/a | n/a | n/a | n/a | N3 | N5 |
| h. | Other institutional uses | | | | | | | |
| | 1. Club, lodge or other fraternal or sororal meeting facility | <u>No max 1-per</u> 6 members based on maximum rated capacity | <u>No max 1-per</u> 6 members based on maximum rated capacity | <u>No max 1-per</u> 8 members based on maximum rated capacity | <u>No max 1-per</u> 10 members based on maximum rated capacity | F | N5 | N3 |
| | 2. Museum or noncommercial gallery (including facilities for cultural and ethnic heritage appreciation) | <u>No max 600</u> sq. ft. | <u>No max 600</u> sq. ft. | <u>No max 1000</u> sq. ft. | <u>No max 1800</u> sq. ft. | F | N5 | N3 |
| | 3. Cemetery | <u>No max 0</u> | <u>No max 0</u> | <u>No max 0</u> | <u>No max 0</u> | n/a | N5 | N5 |
| | 4. Other institutional use | n/a ⁶ | n/a ⁶ | n/a ⁶ | n/a ⁶ | F | n/a ⁶ | n/a ⁶ |
| 6.36.4 | Office and Laboratory Use | | | | | | | |
| a. | Office of a physician, dentist or other medical practitioner not located in a clinic listed under Subsection 4.33(d) n/a | n/a | <u>1 per 300 sq.</u> ft. 1 per 150 sq. ft. | <u>1 per 400 sq.</u> ft. 1 per 200 sq. ft. | <u>1 per 500 sq.</u> ft. 1 per 330 sq. ft. | F | N1 | N5 |

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| b. | Office of an accountant, attorney, or other nonmedical professional person n/a | n/a | 1 per 500 sq. ft. 1 per 250 sq. ft. | 1 per 700 sq. ft. 1 per 350 sq. ft. | 1 per 900 sq. ft. 1 per 600 sq. ft. | F | N1 | N5 |
| c. | Real estate, insurance or other agency office n/a | n/a | 1 per 500 sq. ft. 1 per 250 sq. ft. | 1 per 700 sq. ft. 1 per 350 sq. ft. | 1 per 900 sq. ft. 1 per 600 sq. ft. | F | N1 | N5 |
| d. | General office use n/a | n/a | 1 per 800 sq. ft. 1 per 400 sq. ft. | 1 per 800 sq. ft. 1 per 400 sq. ft. | 1 per 1000 sq. ft. 1 per 500 sq. ft. | F | N1 | N5 |
| e. | Bank, trust company or similar financial institution | (ground floor) n/a | 1 per 400 sq. ft. 1 per 200 sq. ft. | 1 per 600 sq. ft. 1 per 300 sq. ft. | 1 per 800 sq. ft. 1 per 530 sq. ft. | F | N1 | N3 |
| | | (upper floor) | 11 per 600 sq. ft. 1 per 300 sq. ft. | 1 per 800 sq. ft. 1 per 400 sq. ft. | 1 per 1000 sq. ft. 1 per 670 sq. ft. | F | N1 | N5 |
| f. | Technical office for research development laboratory or research facility subject to the restrictions in Section 4.21(m) | n/a | 1 per 1050 sq. ft. 1 per 525 sq. ft. | 1 per 1050 sq. ft. 1 per 525 sq. ft. | 1 per 1340 sq. ft. 1 per 670 sq. ft. | F | N2 | N5 |
| 6.36.5 | Retail Business and Consumer Service Establishments Retail Business and Consumer Service Establishment, not otherwise defined | n/a | 1 per 500 sq. ft. ⁶ 1 per 250 sq. ft. ⁶ | 1 per 700 sq. ft. ⁶ 1 per 500 sq. ft. ⁶ | 1 per 900 sq. ft. ⁶ 1 per 600 sq. ft. ⁶ | B ⁶ | N4 ⁶ | N2 ⁶ |
| a-1. | Convenience Store | n/a | 1 per 1000 sq. ft. 1 per 500 sq. ft. | 1 per 1400 sq. ft. 1 per 700 sq. ft. | 1 per 1800 sq. ft. 1 per 1200 sq. ft. | B | N4 | N1 |

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| a-2. | Merchandise Store | n/a | 1 per 500 sq. ft. 1 per 250 sq. ft. | 1 per 700 sq. ft. 1 per 500 sq. ft. | 1 per 900 sq. ft. 1 per 600 sq. ft. | B | N4 | N2 |
| a-3. | Grocery Store | n/a | 1 per 1000 sq. ft. 1 per 500 sq. ft. | 1 per 1400 sq. ft. 1 per 700 sq. ft. | 1 per 1800 sq. ft. 1 per 1200 sq. ft. | B | N4 | N1 |
| b. | Craft Retail and Production Shop | n/a | 1 per 800 sq. ft. | 1 per 1200 sq. ft. | 1 per 1600 sq. ft. | A | N5 | N5 |
| c. | Personal Services Establishment | n/a | 1 per 1000 sq. ft. 1 per 500 sq. ft. | 1 per 1400 sq. ft. 1 per 700 sq. ft. | 1 per 1800 sq. ft. 1 per 1200 sq. ft. | D | N4 | N2 |
| d. | Reserved | | | | | | | |
| e. | Reserved | | | | | | | |
| f-1. | Restaurant | n/a | 1 per 400 sq. ft.⁹ 1 per 200 sq. ft. | 1 per 800 sq. ft.⁹ 1 per 400 sq. ft. | 1 per 1200 sq. ft.⁹ 1 per 600 sq. ft. | C | N3 | N1 |
| f-2. | Bar | n/a | 1 per 400 sq. ft.⁹ 1 per 200 sq. ft. | 1 per 800 sq. ft.⁹ 1 per 400 sq. ft. | 1 per 1200 sq. ft.⁹ 1 per 600 sq. ft. | C | N3 | N1 |
| f-3. | Craft Beverage Establishment | n/a | 1 per 400 sq. ft.⁹ 1 per 200 sq. ft. | 1 per 800 sq. ft.⁹ 1 per 400 sq. ft. | 1 per 1200 sq. ft.⁹ 1 per 600 sq. ft. | C | N3 | N1 |
| f-4. | Food Stand or Kiosk | n/a | 1 per 400 sq. ft.⁹ 1 per 200 sq. ft. | 1 per 800 sq. ft.⁹ 1 per 400 sq. ft. | 1 per 1200 sq. ft.⁹ 1 per 600 sq. ft. | C | N3 | N1 |

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| f-5. | Food Hall | n/a | 1 per 400 sq. ft.⁹ 1 per 200 sq. ft. | 1 per 800 sq. ft.⁹ 1 per 400 sq. ft. | 1 per 1200 sq. ft.⁹ 1 per 600 sq. ft. | C | N3 | N1 |
| g. | Dance Hall or Nightclub | n/a | 1 per 400 sq. ft. 1 per 200 sq. ft. | 1 per 800 sq. ft. 1 per 400 sq. ft. | 1 per 1200 sq. ft. 1 per 600 sq. ft. | C | N3 | N1 |
| h. | Theater | n/a | 1 per 400 sq. ft. 1 per 200 sq. ft. | 1 per 800 sq. ft. 1 per 400 sq. ft. | 1 per 1200 sq. ft. 1 per 600 sq. ft. | F | N5 | N1 |
| i-1. | Commercial Recreation Establishment | n/a | 1 per 400 sq. ft. 1 per 200 sq. ft. | 1 per 800 sq. ft. 1 per 400 sq. ft. | 1 per 1200 sq. ft. 1 per 600 sq. ft. | F | N4 | N1 |
| i-2. | Fitness Center | n/a | 1 per 400 sq. ft. 1 per 200 sq. ft. | 1 per 800 sq. ft. 1 per 400 sq. ft. | 1 per 1200 sq. ft. 1 per 600 sq. ft. | F | N4 | N1 |
| j. | Funeral Home | n/a | No max 4 per chapel, parlor or reposing room | No max 4 per chapel, parlor or reposing room | No max 4 per chapel, parlor or reposing room | F | N4 | N2 |
| k. | Reserved | | | | | | | |
| l. | Animal Services Facility | n/a | 1 per 300 sq. ft. 1 per 150 sq. ft. | 1 per 400 sq. ft. 1 per 200 sq. ft. | 1 per 500 sq. ft. 1 per 330 sq. ft. | F | N3 | N3 |
| m. | Sales place for new and used cars, vehicle rental agencies | n/a | 1 per 1000 sq. ft. 1 per 500 sq. ft. | 1 per 1400 sq. ft. 1 per 700 sq. ft. | 1 per 1800 sq. ft. 1 per 1200 sq. ft. | C | N5 | N5 |

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|--------|---|-----|--|--|--|----------------|--------------------|--------------------|
| n. | Reserved | | | | | | | |
| o. | Quick-Service Food Establishment | n/a | 1 per 400 sq. ft.⁹ 1 per 200 sq. ft. | 1 per 800 sq. ft.⁹ 1 per 400 sq. ft. | 1 per 1200 sq. ft.⁹ 1 per 600 sq. ft. | C | N3 | N1 |
| q-1. | Art/Craft Studio ¹³ | n/a | No max 1 per 1000 sq. ft. | No max 1 per 1000 sq. ft. | No max 1 per 1000 sq. ft. | n/a | N1 | N5 |
| q-2. | Performing Arts Studio ¹³ | n/a | No max 1 per 1000 sq. ft. | No max 1 per 1000 sq. ft. | No max 1 per 1000 sq. ft. | n/a | N1 | N5 |
| r. | Bakery, Retail | n/a | 1 per 1000 sq. ft. 1 per 500 sq. ft. | 1 per 1400 sq. ft. 1 per 700 sq. ft. | 1 per 1800 sq. ft. 1 per 1200 sq. ft. | B | N4 | N1 |
| s. | Cannabis Retail Store | n/a | 1 per 1000 sq. ft. 1 per 500 sq. ft. | 1 per 1400 sq. ft. 1 per 700 sq. ft. | 1 per 1800 sq. ft. 1 per 1200 sq. ft. | B | N4 | N2 |
| 6.36.6 | Outdoor Retail or Consumer Service Establishments Outdoor Retail or Consumer Service Establishment, not otherwise defined | n/a | 1 per 330 sq. ft.⁶ 1 per 170 sq. ft. ⁶ | 1 per 450 sq. ft.⁶ 1 per 230 sq. ft. ⁶ | 1 per 600 sq. ft.⁶ 1 per 400 sq. ft. ⁶ | D ⁶ | N4 ^{6,15} | N2 ^{6,15} |
| a. | Open-Lot Retail Sales Establishment | n/a | 1 per 330 sq. ft. 1 per 170 sq. ft. | 1 per 450 sq. ft. 1 per 230 sq. ft. | 1 per 600 sq. ft. 1 per 400 sq. ft. | D | N4 ¹⁵ | N2 ¹⁵ |
| b. | Drive-In Food Service Establishment | n/a | n/a ⁶ | n/a ⁶ | n/a ⁶ | C | N3 ¹⁵ | N1 ¹⁵ |
| c. | Drive-In Consumer Service Establishment | n/a | n/a ^{6,10} | n/a ^{6,10} | n/a ^{6,10} | D | N1 ¹⁵ | N5 ¹⁵ |
| d. | Outdoor Entertainment and Recreation Facility | n/a | n/a ⁶ | n/a ⁶ | n/a ⁶ | n/a | N4 ¹⁵ | N1 ¹⁵ |

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|---------------|---|-----------------|---|---|---|-----------------|------------------|------------------|
| e. | Drive-In Theater | n/a | n/a | No max-1 per 2000 sq. ft. of lot area | No max-1 per 2000 sq. ft. of lot area | n/a | N4 ¹⁵ | N1 ¹⁵ |
| f. | Outdoor Auto Sales Facility | n/a | No max-1 per 1000 sq. ft. of sales area | No max-1 per 1400 sq. ft. of sales area | No max-1 per 1800 sq. ft. of sales area | C | N5 ¹⁵ | N5 ¹⁵ |
| g. | Auto Service Station | n/a | No max-2 spaces per bay but not less than 1 space¹⁰ | No max-2 spaces per bay but not less than 1 space¹⁰ | No max-2 spaces per bay but not less than 1 space¹⁰ | D | N5 ¹⁵ | N5 ¹⁵ |
| h. | Auto Wash | n/a | n/a ^{6,10} | n/a ^{6,10} | n/a ^{6,10} | D | N5 ¹⁵ | N5 ¹⁵ |
| i. | Reserved | | | | | | | |
| j. | Temporary Outdoor Retail or Consumer Service Use | No max. or min. | No max. or min. | No max. or min. | No max. or min. | No max. or min. | No max. or min. | No max. or min. |
| 6.36.7 | Light Industry, Wholesale, Business and Storage | | | | | | | |
| a. | Assembly or packaging of articles | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| b. | Manufacture, processing, assembly and packaging the following: | | | | | | | |
| | 1. Clothing but not the manufacture of the cloth or other material of which the cloth is made | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 2. Food products, including bakery confectionery and dairy products | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 3. Drugs | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 4. Electrical, electronic and communication instruments | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |

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|----|--|-----|--------------------------------------|--------------------------------------|--------------------------------------|----|----|----|
| | 5. Engineering, laboratory and scientific instruments, temperature controls | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 6. Jewelry, insignia, emblems and badges, lapidary, scale models, dolls, costume jewelry and costume novelties | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 7. Lamp shades except of glass or metal | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 8. Leather goods, excluding footwear and saddlery | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 9. Medical and dental instruments and supplies, optical instruments and lenses | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 10. Paper and paperboard products | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A. | N5 | N5 |
| | 11. Pens and pencils | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 12. Plaster of paris or paper mache products | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 13. Office machines, including cash registers, computing machines and typewriters, scales and balances | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 14. Umbrellas, parasols and canes | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| | 15. Watches, clocks, watchcases, clockwork mechanisms | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| c. | Bottling of beverages | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |

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|---------------|--|-----|--|--|--|---|------------------|------------------|
| d. | Distribution center, parcel delivery center, delivery warehouse | n/a | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | No max-1 per 2400 sq. ft. | A | N5 | N5 |
| e. | Laundry, dry cleaning plant | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| f. | Printing, binding, published and related arts and trades | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| g. | Auto body or paint shop | n/a | No max-2 per bay | No max-2 per bay | No max-2 per bay | A | N5 | N5 |
| h. | Automotive repair garage | n/a | No max-2 per bay | No max-2 per bay | No max-2 per bay | A | N5 | N5 |
| i. | Food commissary | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| j. | Wholesale business and storage in roofed structure, but not including wholesale storage of flammable liquid, gas or explosives | n/a | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | No max-1 per 2400 sq. ft. | A | N5 | N5 |
| k. | Storage warehouse, cold storage plant, storage building | n/a | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | No max-1 per 3000 sq. ft. | A | N5 | N5 |
| l. | Open lot storage of new building materials, machinery and new metals | n/a | No max-1 per 1600 sq. ft. lot area. | No max-1 per 2000 sq. ft. lot area. | No max-1 per 3000 sq. ft. lot area. | A | N5 ¹⁵ | N5 ¹⁵ |
| m. | Open lot storage of coal, coke, sand or other similar material, or such storage in silos or hoppers | n/a | No max-1 per 1600 sq. ft. lot area | No max-1 per 2000 sq. ft. lot area | No max-1 per 3000 sq. ft. lot area | A | N5 ¹⁵ | N5 ¹⁵ |
| n. | Cannabis Production Facility | n/a | No max-1 per 1200 sq. ft. | No max-1 per 1600 sq. ft. | No max-1 per 2000 sq. ft. | A | N5 | N5 |
| o. | Cannabis Delivery Operator Establishment | n/a | No max-1 per 1200 sq. ft. ¹⁶ | No max-1 per 1600 sq. ft. ¹⁶ | No max-1 per 2000 sq. ft. ¹⁶ | A | N5 | N5 |
| 6.36.8 | Heavy Industry | | | | | | | |

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|----|---|-----|----------------------------------|----------------------------------|----------------------------------|---|----|----|
| a. | Dismantling or wrecking of used motor vehicles and storage or sale of dismantled, inoperative or wrecked vehicles or their parts | n/a | n/a | n/a | n/a ⁶ | A | N5 | N5 |
| b. | Rendering or preparing of grease, tallow, fats, and oils, manufacturing or shortening, table oil, margarine and other food oils, but not including garbage, dead animals, offal or refuse reduction | n/a | n/a | n/a | <u>No max-1 per 2000 sq. ft.</u> | A | N5 | N5 |
| c. | Stone cutting, shaping, and finishing, in completely enclosed buildings | n/a | <u>No max-1 per 1600 sq. ft.</u> | <u>No max-1 per 2000 sq. ft.</u> | <u>No max-1 per 3000 sq. ft.</u> | A | N5 | N5 |
| d. | Textile mill, except mill for processing of jute, burlap, or sisal | n/a | n/a | n/a | <u>No max-1 per 2000 sq. ft.</u> | A | N5 | N5 |
| e. | Manufacturing, processing, assembly, packaging or other industrial operation, but the following are expressly prohibited: | n/a | <u>No max-1 per 1200 sq. ft.</u> | <u>No max-1 per 1600 sq. ft.</u> | <u>No max-1 per 2000 sq. ft.</u> | A | N5 | N5 |
| | 1. Acid manufacture | | | | | | | |
| | 2. Cement, lime, gypsum manufacture | | | | | | | |
| | 3. Explosives or fireworks manufacture | | | | | | | |
| | 4. Glue manufacture | | | | | | | |
| | 5. Incineration or reduction of garbage, offal or dead animals | | | | | | | |
| | 6. Petroleum Refining | | | | | | | |

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Additions are underlined.
Proposed deletions are in ~~strikeout~~.

| | | | | | | | | |
|----|---|-----|--|--|--|-----|------------------|------------------|
| | 7. Smelting of zinc, copper, tin or iron ores | | | | | | | |
| | 8. Stockyard or abattoir | | | | | | | |
| f. | Open lot storage of second hand lumber or other used building material | n/a | <u>No max-1 per 1600 sq. ft. of lot area</u> | <u>No max-1 per 2000 sq. ft. of lot area</u> | <u>No max-1 per 3000 sq. ft. of lot area</u> | n/a | N5 ¹⁵ | N5 ¹⁵ |
| g. | Open lot storage of junk, scrap, paper, rags, unrepared or unclean containers or other salvage articles | n/a | <u>No max-1 per 1000 sq. ft. of lot area</u> | <u>No max-1 per 2000 sq. ft. of lot area</u> | <u>No max-1 per 3000 sq. ft. of lot area</u> | n/a | N5 ¹⁵ | N5 ¹⁵ |

Parking Table Footnotes

1. Required parking may be reduced if a special permit is granted by the Board of Appeals upon determination that the criteria of Subsection 6.35 will be satisfied.
2. See also Section 11.16.
3. Special permit granting authority may require visitor spaces in excess of the minimum requirement.
4. ~~The requirement for elderly oriented housing may be reduced below the requirement specified in the table but not below one space per four dwelling units. [Deleted]~~
5. ~~Additional parking spaces shall be provided for public restaurants in excess of two thousand (2000) square feet for a hotel or motel containing up to one hundred (100) rooms, in excess of five thousand (5000) square feet for one containing between one hundred and one (101) rooms and two hundred and fifty (250) rooms, and eight thousand (8,000) square feet in one containing more than two hundred and fifty (250) rooms. The number of such spaces shall equal fifty (50) percent of the requirement for such uses specified in Subsection 6.36.5. Additional parking spaces shall also be provided for function rooms in an amount equal to one space per three hundred (300) square feet of floor area contained in such rooms. [Deleted]~~
6. The minimum and maximum amount of parking, loading, and bicycle parking required for a use requiring a special permit may be established at the discretion of the special permit granting authority. In making its determination of required parking, the Board shall consider the size of the staff customarily occupying the premises, the nature of the client, resident, or customer population and the extent to which additional off street parking will be detrimental to the physical character of the neighborhood.
7. ~~The required number of spaces shall be reduced by not more than fifty (50) percent if the place of worship is located within five hundred (500) feet of any public parking facility or any other parking facility where an equivalent number of spaces are available without charge during the time of services. [Deleted]~~

Footnote 3 - For uses requiring BZA approval, it is ambiguous as to whether the BZA will maintain the authority to require additional accessory parking.

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8. ~~The requirement for areas devoted to fabrication shall be based on the parking requirement for the applicable industrial use category listed in Subsection 6.36.7 or 6.36.8.~~~~[Deleted]~~
9. ~~This requirement shall not apply to accessory employee cafeterias.~~~~[Deleted]~~
10. A queue line for five (5) cars shall be provided for each window, bay, or other service providing unit. Such unit shall not block any parking spaces and shall be in addition to other applicable requirements.
11. A queue line for three (3) cars or comparable loading or live parking area shall also be provided for dropping off and picking up students.
12. ~~[Deleted]~~
13. In Residence C, C-1, C-2, C-2A, C-2B, C-3, C-3A districts the amount of parking required for this use may be reduced at the discretion of the Board of Zoning Appeal in accordance with Section 4.28.
14. No accessory parking or loading shall be required for any permitted nonresidential use in Business A-3 district.
15. Also see Subsection 6.107.4 regarding bicycle parking for Open-Air Uses.
16. Off-street parking for delivery and/or fleet vehicles shall be provided in accordance with Section 11.800 and may not be reduced or waived by the provisions of this Article 6.000.

(Ord. No. 1404 , 12-17-2018; Ord. No. 2021-3 , §§ iii, iv, 6-7-2021; Ord. No. 2021-8 , 6-28-2021)

6.37Bicycle Parking. Refer to Section 6.100.