

City of North Myrtle Beach, South Carolina

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: January 5, 2009

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| Agenda Item: | Prepared By: Aaron Rucker K:\PLANNING\Zoning\Zoning Text Amendments\2008\ZTX-08-06 Shared Parking\ZTX-08-06 (2nd Reading) 05JAN09.doc |
| Agenda Section: Business: Ordinance/Second Reading | Date: December 23, 2008 |
| Subject: Shared Parking Ordinance (ZTX-08-06) – amendment to the Zoning Ordinance to allow shared parking | Division: Planning & Development |

Background:

At the October 2008 Council workshop, staff presented an initiative discussing how to implement shared parking in the city. During the presentation, staff identified two (2) options for utilizing shared parking within the city:

Option 1: A parking lot is shared by uses on separate parcels of land. A classic example of that might be represented by a church leasing its parking lot to an adjacent business during times when the church is not using the stalls.

Option 2: Multiple uses on the same parcel of land sharing parking spaces on that parcel.

Option 1 is an administratively-intense system requiring the use and vigilant monitoring of private contracts between adjoining property owners. Consequently, staff is not recommending Option 1 at this time. Staff believes Option 2 to be preferable, and a good way to address some of the problems inherent with excessive parking.

The ordinance is structured to calculate the parking requirements for all evening / weekend uses, and for all daytime uses in separate tabulations. The higher of the two numbers would serve as the 'base' parking requirement for the site, to which 25% of the smaller number would be added. For example, if the daytime uses generate the need for 100 parking stalls, and the nighttime / weekend uses generate the need for 80 stalls, you would use the daytime requirement as your base parking requirement (larger of the two numbers). Then you would add 25% of the smaller number, or twenty stalls, to the base. The total parking requirement is reduced from 180 stalls to 120.

Applying for a shared parking permit as contemplated in this amendment would be strictly voluntary. Because it is a voluntary action, the applicant assumes any risk relative to the viability of future combinations of tenants.

The Planning Commission held a public hearing on the proposed Zoning Ordinance amendment on November 18, 2008 at which time they voted 5-0 to recommend approval to City Council. There was one public comment made in support of the amendment.

City Council considered First Reading of the proposed Zoning Ordinance amendment on December 1, 2008 at which time they voted 7-0 to approve. There was little discussion, and the amendment was generally well received.

6. A. ZONING TEXT AMENDMENT ZTX-08-06: An amendment to the Zoning Ordinance to create a shared parking ordinance.

A number of jurisdictions are wrestling with issues associated with excessive parking required in their zoning regulations. Many areas are realizing that too much parking causes the inefficient use of land, water quality and drainage problems, and a disincentive for investment or redevelopment.

Shared parking is a tool employed by many communities to combat the negatives associated with parking surplus. Shared parking allowances can help reduce excessive parking and impervious surfaces, enhance pedestrian mobility and safety, increase flexibility in land development, stimulate the local economy by encouraging mixed-use development, and allow more economically efficient use the land.

Shared parking is typically applied when land uses are in close proximity and have different peak parking demand characteristics, i.e. weekday versus evening/weekend peak demand. Staff has researched and identified two (2) options for utilizing shared parking within the city:

Option 1: A parking lot is shared by uses on separate parcels of land. A classic example might be when a church leases its parking lot to an adjacent business during times when the church is not using the stalls.

Option 2: Multiple uses on the same parcel of land share parking spaces on that parcel.

Recommendations

Option 1 is an administratively-intense system requiring vigilant monitoring and the use of private contracts between adjoining property owners. Consequently, staff is not recommending Option 1 at this time. Staff believes Option 2 to be preferable, and a good way to achieve the goals mentioned above.

In terms of long-term management of shared parking, a concern is that changes in the tenant mix may alter peak parking demand calculations and could result in the denial of certain uses. To reduce the chances of this occurring, an applicant with enough space on their site could illustrate areas to be held in reserve where extra parking may be placed to accommodate such adjustments.

For those left without the option to provide extra parking, they will need to understand that the shared parking arrangement they agree to may hinder potential tenants being able to locate on their site. Applying for a shared parking permit as contemplated in this ordinance is strictly voluntary. An applicant would have the choice of providing all the parking the Zoning Ordinance would normally require, *or* opt for the shared parking permit. Because it is a voluntary action, the applicant assumes any risk relative to future tenant mix.

To better understand how the proposed ordinance would operate, staff prepared a hypothetical example (also used for Council's October workshop):

Assume a 45,000 S.F. building with 20,000 S.F. of office, 15,000 S.F. of retail and 10,000 S.F. of restaurant.

§ Normal parking requirement:

- § Office – 1 space per 300 sf, = 67 stalls
- § Retail – 1 space per 300 sf, = 67 stalls
- § Restaurant – 1 space per 100 sf, = 100 stalls
- § Total requirement 234 stalls

§ Shared parking allowance:

- § Methodology: Break uses into two categories, weekday and evening/weekend peaks (following the Victoria Transport Policy Institute model)
- § For our example:
 - § Weekday peak uses: Office (67 stalls normally required)
 - § Evening/weekend peak uses: Retail and Restaurant (167 total stalls normally required)
- § Formula used: Use the higher of the two numbers as a 'base' parking requirement, and then add 25% of smaller number:
 - § 25% of 67 = 17
 - § Add 17 to larger number to get 184 (17 +167 = 184)
 - § New parking requirement would be 184. Reduction of 50 stalls.

The Ordinance is attached for your review and consideration. City Council discussed the concept of shared parking during their October workshop and it was very well-received.

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH PROVIDING THAT THE CODE OF ORDINANCES, CHAPTER 23, ZONING ORDINANCE, BE AMENDED BY REVISING ARTICLE IV, OFF-STREET PARKING AND LOADING, SECTION 23-43, AND ADDING SECTION 23-44 OF SAID CODE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA, IN COUNCIL DULY ASSEMBLED, THAT:

Section 1:

That Article IV, Off-Street Parking and Loading, Section 23-43, Off-street parking requirements per land use, be amended by making the existing sentence at the end of the land use/parking requirements number one (1) and creating a new sentence as number two (2) (new matter underlined, deleted matter struck-through):

(1) The minimum number of parking spaces required for a use not specifically mentioned in this section shall be as required for the most similar use listed herein as determined by the Zoning Administrator.

(2) Shared parking may be used on a voluntary basis in lieu of the land use/parking requirements chart according to the Section 23-44, Shared parking regulations.

Section 2:

That Article IV, Off-Street Parking and Loading, be amended by adding Section 23-44, Shared parking (new matter underlined, deleted matter struck-through):

Sec. 23-44. Shared parking.

(1) Purpose:

(a) The purposes of the ordinance are to:

1. Allow a reduction in the total number of parking spaces required for certain properties in cases where a mix of land uses on the same parcel of land have varying peak periods of parking demand;
2. Reduce the overall amount of impervious surfaces, specifically the amount of land devoted to surface parking;
3. Stimulate economic development to encourage mixed-use;

4. Encourage flexibility and adaptive use or reuse of parcels;
5. Support the North Myrtle Beach Comprehensive Plan, which calls for:
 - i. Reducing the amount of impervious surface in flood prone areas; reduce trip generation through land use controls such as zoning for lower density and mixed-use zoning that reduces trip generation; and enhance the use of alternative travel modes, including transit, pedestrian and bicycle.

(2) Applicability:

- (a) Shared parking may be approved on parcels containing more than one land use, provided at least one or more of the uses generates different peak parking demands from the other uses. Shared parking arrangements are voluntary, and approved by obtaining a Shared Parking Permit from the City. They may be approved in any commercial zoning district where off-street parking is required.

(3) General Provisions:

- (a) Shared parking is permitted between different categories of uses in conformance with the classification system described in Table 1 below.
- (b) Share Parking Permits shall apply to sites whose parking is provided on the same parcel of land as the uses described in the application.

(4) Calculation:

- (a) Where shared parking arrangements are proposed, a table of peak parking demand and associated formula shall be used to determine the number of parking spaces to be provided.
 - i. Each use shall be categorized by weekday and evening/weekend peak periods according to Table 1 below. Where proposed land uses do not fit neatly into the categories described, the Zoning Administrator shall make a determination as to which category the use most closely resembles in terms of parking demand;

Table 1
Peak Parking Demand

| <u>Weekday Peak</u> | <u>Evening/Weekend Peak</u> |
|--------------------------------|------------------------------------|
| <u>Banks</u> | <u>Auditoriums</u> |
| <u>Schools</u> | <u>Bars and dance halls</u> |
| <u>Distribution facilities</u> | <u>Meeting halls</u> |
| <u>Factories</u> | <u>Restaurants</u> |
| <u>Medical clinics</u> | <u>Theaters</u> |
| <u>Offices</u> | <u>Parks</u> |
| <u>Professional services</u> | <u>Retail and malls</u> |

Source: The Victoria Transport Policy Institute.

The formula for determining the amount of parking spaces required in a shared parking arrangement shall be computed as follows:

1. Calculate the normal parking requirement for all uses in the Weekday Peak category of land uses. Do the same for all uses in the Evening/Weekend Peak category.
2. The larger of the two categorical sums shall be considered the “base” parking requirement for the site.
3. Add twenty five (25) percent of the smaller of the two categorical sums to the base parking requirement. The total represents the number of required parking spaces for the shared parking arrangement.

Example: Consider a 45,000 square foot building ; consisting of 20,000 square feet of office, 15,000 square feet of retail and 10,000 square feet of restaurant space.

The normal parking requirement for this configuration would be:

Office: 1 space per 300 square feet = 67 stalls
Retail: 1 space per 300 square feet = 67 stalls
Restaurant: 1 space per 100 square feet = 100 stalls
Total requirement is 234 stalls

Under the shared parking allowance:

Weekday Peak Uses – Office: 67 stalls normally required.

Evening / Weekend Peak Uses - Retail and Restaurant: 167 stalls normally required.

The higher of the two categories is Retail and Restaurant (167 stalls). This becomes the Base Parking Requirement (BPR).

Add 25 percent (25%) of the smaller parking requirement to the base, as follows:

67 stalls x 0.25 = 17 stalls. Add 17 to the BPR to get a total shared parking requirement of 184 stalls. This represents a 50 stall reduction from the normal parking requirement.

(5) Shared Parking Permit

- (a) The Zoning Administrator shall require an applicant interested in shared parking to apply for a Shared Parking Permit. The permit shall include the following:
- i. Name of applicant
 - ii. Date of application
 - iii. Square footages and categories of uses (if known) for all individual uses located or proposed to be located on the subject property.
 - iv. Number of parking stalls normally required according to the North Myrtle Beach Zoning Ordinance, Article IV, Off-Street Parking and Loading.
- (b) As part of the permit application process, a shared parking plan shall also be submitted. A shared parking plan must be drawn at the same scale as the site plan and shall include the following:
- i. A site plan showing the total square feet of weekday peak, and evening/weekend peak uses, as per the categories described in Table 1 above.
 - ii. Areas on-site where additional parking may be created in the event of changes in uses that may alter the total shared parking requirement. These areas of extra parking shall be noted and illustrated on the plan, but do not have to be installed until such time as extra parking may be determined to be necessary to accommodate changes in use categories on the site. Such areas should be left as pervious open space in the meantime.
 - iii. In the event that insufficient space is available on the site to be reserved for future parking, the Zoning Administrator shall deny changes of use on the parcel that would have the effect of increasing the number of stalls required to satisfy the proposed new mix of uses, if providing such additional parking is unfeasible. The applicant for a shared parking permit assumes all risk that future land use changes may be disapproved due to insufficient parking.

(c) The shared parking plan and a copy of the signed permit shall be recorded at the Horry County Register of Deeds within fifteen (15) days of the Zoning Administrator's approval. The applicant shall provide the Zoning Administrator with written documentation (receipts, stamped copies, etc.) proving that the shared parking permit and plan were recorded. Such material shall be submitted within ten (10) days of recording. Failure to provide this documentation shall render the permit null and void.

Section 3:

That the North Myrtle Beach Planning Commission has provided the required public notice of this request and has held the necessary public hearings in accordance with applicable State Statutes and City Ordinances.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2009.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: _____

SECOND READING: _____

REVIEWED:

City Manager