COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. TMP-5688

Amending Chapter 88, the Zoning and Development Code, by repealing Section 88-420-16, "Alternative Compliance Parking Plans," and enacting in lieu thereof a new section of like number and subject matter for the purpose of establishing new alternative compliance standards for gravel parking areas.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, Zoning and Development Code, is hereby amended by repealing Section 88-420-16, "Alternative Compliance Parking Plans," and enacting in lieu thereof a new section of like number and title for the purpose of establishing new alternative compliance standards for gravel parking areas, with said new section to read as follows:

88-420-16 - ALTERNATIVE COMPLIANCE PARKING PLANS

88-420-16-A. SCOPE

This section authorizes several alternatives to strict compliance with the standards of this article.

88-420-16-B. APPLICABILITY

Applicants seeking approval of an alternative compliance parking plan must secure approval of such plan in accordance with the provisions of this section.

88-420-16-C. CONTENTS

Alternative compliance parking plans must be submitted in a form established by the city planning and development director and made available to the public. At a minimum, such plans must detail the type of alternative proposed and the rationale for such a proposal, including any supporting research or documentation required by the director.

88-420-16-D. REVIEW AND APPROVAL PROCEDURE

Applications for alternative compliance parking plans constitute an application for a site plan approval under Section 88-530. The city planning and development director is authorized to approve, approve with conditions, or deny alternative compliance parking plans in accordance with the site plan review procedure of 88-530.

88-420-16-E. RECORDING

The city planning and development director is authorized to require that an attested copy of an approved alternative compliance parking plan be filed with the appropriate county recorder of deeds office whenever the director deems necessary to ensure long-term availability and viability of the alternative parking arrangement. When recording of an agreement is required by the city planning and development director, no building permit,

parking facilities permit, or occupancy certificate may be issued without proof of recordation.

88-420-16-F. VIOLATIONS

Violations of an approved alternative compliance parking plan will be considered violations of this zoning and development code and be subject to the penalty and enforcement provisions of 88-615.

88-420-16-G. APPROVAL CRITERIA

The city planning and development director is authorized to approve an alternative compliance parking plan if the applicant demonstrates to the satisfaction of the city planning and development director that the proposed plan:

1. will comply with all applicable requirements of this section;

2. will not adversely affect surrounding neighborhoods;

3. will not adversely affect traffic congestion and circulation; and

4. will have a positive effect on the economic viability or appearance of the project or on the environment.

88-420-16-H. AUTHORIZED ALTERNATIVES

The city planning and development director is authorized to approve alternative compliance parking plans for the following:

1. Shared parking (See 88-420-16-I);

2. Off-site parking (See 88-420-16-J);

3. Special facilities for cyclists (See 88-420-16-K);

4. Valet parking (See 88-420-16-L);

5. Transportation demand management programs (See 88-420-16-M);

6. Transit accessibility (See 88-420-16-N);

7. Pervious parking surfaces (See 88-420-16-O);

8. Car-share vehicle spaces (See 88-420-16-P); and

9. Gravel parking (See 88-420-16-Q).

88-420-16-I. SHARED PARKING

1. **DESCRIPTION**

   Shared parking represents an arrangement in which two or more uses with different peak parking periods (hours of operation) use the same off-street parking spaces to meet their off-street parking requirements.

2. **AUTHORIZATION AND CRITERIA**

   a. The city planning and development director is authorized to approve an alternative compliance parking plan allowing shared parking arrangements for uses with different hours of operation.

   b. The city planning and development director may permit up to 100% of the parking required for one use to be supplied by the off-street parking spaces provided for another use if the city planning and development director determines that the various activities will have peak parking demands at different periods of the day or week.

   c. In order to approve an alternative compliance parking plan for shared parking, the city planning and development director must find, based on competent evidence provided by the applicant, that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed.

   d. A request for approval of a shared parking arrangement must be accompanied by such information determined by the city planning and development director to be necessary to evaluate the peak parking demand characteristics or difference in hours and/or days of operation, including, but not limited to, a description of the uses and their operational characteristics, a development plan, and a parking study prepared by a licensed professional traffic engineer or equivalent qualified professional which justifies the reduction in parking requested.

3. **LOCATION OF SHARED PARKING FACILITY**

   A use for which shared parking is proposed must be located within 1,000 feet walking distance of the shared parking, measured from the entrance of the use to the nearest parking space within the shared parking facilities.

4. **AGREEMENT**

   An agreement providing for the shared use of parking areas, executed by the parties involved, must be filed with the city planning and development director in a form approved by the city planning and development director. Shared parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use

served by the parking. If a shared parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this article.

88-420-16-J. OFF-SITE PARKING

The city planning and development director may permit any off-street parking spaces to be located on a remote and separate lot from the lot on which the principal use is located, subject to the standards of this section.

1. **LOCATION**

   No off-site parking space may be located more than 1,000 feet from the primary entrance of the use served, measured along the shortest legal, practical walking route. This distance limitation may be waived by the city planning and development director if adequate assurances are offered that van or shuttle service will be operated between the shared lot and the principal use.

2. **ZONING CLASSIFICATION**

   Off-site parking areas are accessory to the principal uses that the parking spaces serve. Off-site parking areas require the same or a more intensive zoning classification than that required for the most intensive of the uses served by the off-site parking area unless approved as a special use pursuant to 88-525.

3. **OFF-SITE PARKING AGREEMENT**

   An agreement providing for the use of off-site parking, executed by the parties involved, must be filed with the city planning and development director, in a form approved by the city planning and development director. Off-site parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use served by the parking. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this article.

4. **EXEMPTION**

   Off-site parking in facilities in O, B, D, and M districts which meet the location and zoning classification requirements indicated in this section and which are in the same ownership as the lot to be served will not require approval of an alternative compliance parking plan per 88-420-15.

88-420-16-K. SPECIAL FACILITIES FOR BICYCLISTS

The city planning and development director may authorize up to a 15% reduction in the number of required off-street parking spaces for developments or uses that make special provisions to accommodate bicyclists. Examples of eligible accommodations include enclosed bicycle lockers, employee shower facilities, dressing areas for employees, and on-site public bicycle sharing stations. A reduction in required vehicle parking does not entitle the applicant to a reduction in required bicycle parking.

88-420-16-L. VALET PARKING

The city planning and development director may authorize valet parking as a means of satisfying up to 100% of otherwise applicable off-street parking ratios. In order to approve an alternative parking plan for valet parking the city planning and development director must determine that the proposal satisfies the approval criteria of 88-420-15-G and that the valet parking will not cause interference with the public use of rights-of-way or imperil public safety.

88-420-16-M. TRANSPORTATION DEMAND MANAGEMENT PROGRAMS

The city planning and development director may authorize up to a 50% reduction in the number of required off-street parking spaces for large employers (150 employees or more) that institute and commit to maintain a transportation demand management program, in accordance with the standards of this section.

1. **REQUIRED STUDY**

   The applicant must submit a report to the city planning and development director that clearly indicates the types of transportation demand management activities and measures proposed.

2. **TRANSPORTATION MANAGEMENT ACTIVITIES**

   The following transportation demand management activities may qualify for a reduction in otherwise required off-street parking ratios:

   a. The appointment of a transportation coordinator with responsibility for disseminating information on transit, ride-sharing and other alternative transportation options.

   b. The institution of off-peak work schedules, allowing employees to arrive at times other than the peak morning commute period. The peak morning commute period is defined as 7:00—9:00 a.m.

   c. The provision of specially marked spaces for each registered car pool and vanpool vehicles.

   d. The provision of cash or in-kind financial incentives for employees commuting by car pool, vanpool, and public transit.

88-420-16-N. TRANSIT ACCESSIBILITY

The city planning and development director may authorize up to a 25% reduction in office parking ratios for uses located within 1,000 feet of a transit stop with 30-minute or more frequent service during the hours of 7:00 a.m. to 9:00 a.m. This reduction may not be applied in conjunction with the special rapid transit provisions of 88-420-04-J.

88-420-16-O. PERVIOUS PARKING SURFACES

The city planning and development director may authorize a portion of required off-street parking spaces to be provided on pervious surfaces if the city planning and development director finds that such spaces will be used only intermittently, either for special events or for seasonal peak parking demands or overflows in patronage of the principal use or uses.

1. The decision of the city planning and development director must indicate what number or percentage of required parking spaces may be provided on pervious surfaces.

2. The city planning and development director is authorized to determine acceptable pervious surfaces.

3. Parking spaces, aisles, etc. must be marked by flags, biodegradable dyes or paints, or some other method that does not kill grass or plants.

4. Previous parking areas must be adequately drained.

88-420-16-P. CAR-SHARE VEHICLES

The city planning and development director may authorize a portion of a development's required off-street parking to be met by providing car-share vehicle parking on the development site, as follows:

1. For any development, one parking space or up to 5% of the total number of required spaces, whichever is greater, may be reserved for use by car-share vehicles. The number of required parking spaces may be reduced by one space for every parking space that is leased by a car-share program for use by a car-share vehicle. Parking for car-share vehicles may be provided in any non-required parking space.

2. For any development that (a) is required to provide 20 or more spaces and (b) provides one or more spaces for car-share vehicles, the number of required parking spaces may be reduced by 3 spaces for each reserved car-share vehicle parking space or by 15% of the total number of required spaces, whichever is less. An agreement between the property owner and a car-share program must be filed with the city planning and development director, in a form approved by the city planning and development director. The parking reduction will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the car-share vehicles. If the agreement lapses or is no longer valid, then the normally required parking spaces must be provided as otherwise required by this article.

88-420-16-Q GRAVEL PARKING

The city planning and development director may authorize a portion of a development's off-street parking and vehicular use areas to be gravel subject to the standards of this section.

1. Gravel vehicular use areas shall only be permitted on lots within M districts with a minimum lot size of 2 acres.

2. Gravel is prohibited within 25 feet of public right-of-way or within 10 feet of any property line, whichever is greater.

3. All gravel areas situated on a lot with side or rear property lines contiguous with property in a R or D district must be screened along such side or rear property lines with a continuous row of evergreen shrubs and/or trees to form a continuous visual screen at least 3 feet in height after the first growing season.

4. Gravel may not be used for parking intended for use by the public. Gravel surfacing may not be used for the parking or storage of wrecked, salvaged, dismantled, or inoperable vehicles.

5. Gravel is not permitted on any lot or portion of a lot with a slope greater than 4 to 1.

6. Gravel surfaces shall comply with the standards of 88-420-15-M.

Section 2. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by law have been given and had.

I hereby certify that as required by Chapter 88, Code of Ordinances, the forgoing ordinance was duly advertised, and public hearings were held.

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Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter
Senior Associate City Attorney