

## City Council – Action Request Form

**Date:** December 13, 2022

**To:** Mayor, Mayor Pro Tempore, and Members of the City Council

**From:** Aaron King, Assistant City Manager  
Chris Murphy, Director of Planning & Development Services

**Council Action Requested:**

*Unified Development Ordinances (UDO) Amendment To Increase Parking Flexibility For Restaurant Uses In Older Nonconforming Buildings Within The City’s Urban Neighborhoods.*

**Strategic Focus Area:** Livable Neighborhoods

**Strategic Objective:** No

**Strategic Plan Action Item:** No

**Key Work Item:** No



**Summary of Information:**

In 2006, City Council approved provisions allowing changes of use to take place in older nonresidential buildings within Growth Management Areas (GMAs) 1 and 2 without meeting current parking standards, so long as any existing parking on-site was retained. Prior to this change, many older buildings in the City’s urban neighborhoods sat vacant due to a lack of adequate parking on-site. These older buildings were developed at a time when commercial sites included less parking and presumed a greater percentage of customers would arrive on foot.

These provisions have led to the re-use of many existing commercial sites in the urban core, in accordance with *Legacy* principles. Restaurant uses, however, were excluded from these provisions due to concerns that parking could spill over onto adjoining neighborhood streets without adequate on-site parking. Under current UDO requirements, restaurants wishing to open in GMAs 1 and 2 with parking not meeting today’s standards would need to seek approval via the City Council Special Use Permit (SUP) process.

Since 2006, seven City Council SUPs have been requested for restaurant parking exemptions, all of which were approved. Staff is unaware of any significant negative effects on surrounding residential neighborhoods related to these requests. Four of these exemptions were approved since August of 2020, demonstrating increased interest in reuse of existing buildings. The proposed amendment will simplify the approval process for older restaurant uses by removing the SUP requirement for such uses, thereby removing barriers to the adaptive reuse of existing structures.

**Committee Action:**

<b>Committee</b>	<u>CD/H/GG 12.13.2022</u>	<b>Action</b>	<u>Approval</u>
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<b>For</b>	<u>Unanimous</u>	<b>Against</b>	<u></u>
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**Remarks:**