

ORDINANCE G-5875

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 702.E.9 (OFF-STREET PARKING AND LOADING) REGARDING PARKING STANDARDS FOR NEWLY DEFINED INFILL DEVELOPMENT DISTRICT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. That Chapter 7, Section 702.E.9 (Off-Street Parking and Loading) is amended to read as follows:

9. **Reductions for infill developments DISTRICT.**

- a. Within the infill development incentive districts, as shown on the general plan for Phoenix, a development's on-street parking adjacent to and along the same side of a public, local or collector street may be counted toward parking requirements.
- b. ~~The Zoning Administrator or Board of Adjustment may grant a use permit in accordance with the standards and procedures of Section 307 to reduce the applicable parking requirements when property is located within the infill development incentive districts as shown on the general plan for Phoenix, and it can be shown there is less demand for parking or alternative sources of transportation are available.~~

THE REQUIRED PARKING FOR ANY USE WITHIN THE INFILL DEVELOPMENT DISTRICT MAY USE THE FOLLOWING REDUCTION. OFF-SITE PARKING MAY ACCOUNT FOR UP TO 50% OF THE REQUIRED PARKING, PROVIDED A USE PERMIT IS OBTAINED AND THE FOLLOWING CONDITIONS ARE MET:

- (1) THE USE IS WITHIN 1,320 FEET OF A PARKING LOT OR GARAGE TO BE USED BY PATRONS OF THE SUBJECT PARCEL. THIS SHALL BE MEASURED FROM THE CLOSEST POINTS FROM THE PARKING AREA TO THE MAIN ENTRANCE.
- (2) THE OWNER OF THE SUBJECT PARCEL MUST PROVIDE AN EXECUTED LEASE IN A MINIMUM FIVE-YEAR INCREMENT TO THE CITY DEMONSTRATING THE RIGHT TO USE THE OFF-SITE PARKING SPACES, WHICH SPACES SHALL NOT HAVE BEEN COUNTED FOR USE BY OTHERS, UNLESS A SHARED PARKING MODEL IS APPROVED FOR THE SITE.
- (3) THE LEASE MUST BE RENEWABLE IN A MINIMUM OF FIVE-YEAR INCREMENTS. IF AT ANY TIME THE LEASE IS NO LONGER IN EFFECT, THE OWNER OF THE SUBJECT PARCEL SHALL NOTIFY THE CITY IN WRITING WITHIN 30 CALENDAR DAYS OF THIS CONDITION AND PROVIDE THE CITY A REPLACEMENT EXECUTED LEASE FOR THE REQUIRED SPACES. A COPY OF THE EXECUTED RECORDED LEASE SHALL BE PROVIDED BY THE APPLICANT TO THE PLANNING AND DEVELOPMENT DEPARTMENT TRAFFIC ENGINEER. IF AT ANY TIME A LEASE FOR NECESSARY OFF-SITE PARKING IS NO LONGER IN EFFECT, IT SHALL BE CONSIDERED A VIOLATION OF THE APPROVED USE PERMIT.
- (4) THE OFF-SITE PARKING AREA MUST BE EXCLUSIVELY FOR USE BY PATRONS OF THE SUBJECT PARCEL AND SHALL NOT ELIMINATE REQUIRED PARKING FOR ANY OTHER USE.
- (5) THE USE PERMIT FOR INFILL DEVELOPMENT PARKING REDUCTIONS MAY BE REVOKED IF ANY OF THE USE PERMIT STIPULATIONS ARE

VIOLATED INCLUDING THE FAILURE TO OBTAIN AN EXECUTED LEASE.

- (6) ADDITIONAL BICYCLE PARKING MAY BE REQUIRED AS A CONDITION OF USE PERMIT APPROVAL.

c. USE PERMIT NOTICE PROCEDURE FOR INFILL PARKING REDUCTIONS.

THE FOLLOWING ADDITIONAL PROCEDURES SHALL BE FOLLOWED AS PART OF THE INFILL PARKING REDUCTION USE PERMIT PROCESS (IN ADDITION TO THE PROCEDURES REQUIRED BY SECTION 307):

- (1) A NEIGHBORHOOD TRAFFIC NOTIFICATION ZONE (NTNZ) AS DETERMINED BY THE STREET TRANSPORTATION DEPARTMENT.
- (2) THE APPLICANT FOR THE USE PERMIT SHALL SEND, BY FIRST CLASS MAIL, A NOTICE OF THE DATE, TIME AND PLACE OF THE USE PERMIT ZONING ADJUSTMENT HEARING TO ALL PROPERTY OWNERS WITHIN THE NTNZ. THE NOTICE SHALL ALSO INCLUDE AN INVITATION TO A MEETING TO DISCUSS THE PROPOSAL, AND SHALL INCLUDE A SHORT DESCRIPTION OF THE REQUEST.
- (3) THE FOLLOWING SHALL BE PROVIDED TO THE CITY AT LEAST SEVEN DAYS PRIOR TO THE ZONING ADJUSTMENT HEARING:
 - (a) A WRITTEN SUMMARY OF THE MEETING OR MEETINGS.
 - (b) A MAP SHOWING ALL LEASED OFF-SITE PARKING AREAS AND NUMBER OF SPACES, LOCATIONS OF SIGNS SHALL BE PLACED ON SITE TO CLEARLY SHOW THE LOCATION AND ADDRESS OF THE OFF-SITE PARKING AREAS, TOGETHER WITH EXECUTED LEASES FOR SUCH SPACES.
 - (c) A WRITTEN SUMMARY OF HOW PARKING NEEDS WILL BE MET AND ON-SITE

MANAGEMENT PROCEDURES TO MINIMIZE IMPACTS TO SURROUNDING RESIDENTIALLY ZONED PROPERTIES. IF VALET PARKING IS PROPOSED, A COPY OF THE VALET PARKING PLAN THAT HAS PRELIMINARY APPROVAL BY THE PLANNING AND DEVELOPMENT DEPARTMENT'S TRAFFIC ENGINEER.

- (d) A COPY OF A SHARED PARKING AGREEMENT AS DEFINED IN THIS SECTION, IF APPLICABLE.

PASSED by the Council of the City of Phoenix this 18th day of December, 2013.


MAYOR

ATTEST:


ACTING
City Clerk

APPROVED AS TO FORM:


Acting City Attorney

REVIEWED BY:


Acting City Manager

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