



To: South Bend Planning Commission
From: Dennis Houk, City Supervisor and John Kliem, Consultant

Re: Suggested Revisions to the Proposal on Amending the Off-Street Parking Regulations

At your last Planning Commission meeting, members requested staff to prepare an alternative to the city's proposed amendment to the off-street parking exemption that incorporated requirements for handicapped parking.

Below you will find something that we can begin working with; please keep in mind this is draft language and that you likely will want to do some additional wordsmithing. The changes, in red, contain several key points to keep in mind.

1. You will notice in this version that the accessible parking standard applies only to commercial uses that have greater than 2,000 square feet of floor area that is open to the public. This threshold represents the maximum square footage that the building code exempts from life-safety requirements. This would allow small, new businesses that locate on small lots and not worry about providing accessible parking.

Question: Do you want to have an exemption for newly constructed small businesses, and if so, is this an appropriate threshold or should this square footage be smaller or larger?

2. The new proposal reflects the number of accessible parking stalls that the city would require per Table 1106.1 of the IBC based on the city's current parking standard without applying the exemption. For instance, the IBC standard requires one accessible parking stall for parking areas that provide parking from 1 to 25 spaces. (So, if the code required only one parking space, it would need to be an accessible one.)

An example that demonstrates this new accessible parking standard: A newly constructed retail sales establishment with around 5,500 square feet of area serving the public would need 22 parking spaces without the exemption, one of which must be accessible. Under the proposed code amendment, the property owner in the exempt area would not need to provide 22 spaces, but only a single accessible one.

3. If members are uncomfortable with allowing required parking for any yard, it should strike provision E. However, if you do, we should clearly indicate that required parking may not be situated in a yard that you feel is inappropriate (e.g., the front yard). This provision, however, does address the problem developers may face in trying to build residential structures on small lots.

15.20.270 Off-street parking.

A. The off-street parking standards of this section, except as noted in subsection B, shall apply to:

1. New uses; and
2. The expanded portion of existing uses.

B. Uses on parcels adjacent to Robert Bush Drive/US 101 between Central Avenue and Ferry Street are exempt from the off-street parking standards of this section; **provided that Commercial Uses under SBMC 15.20.270(C) with greater than 1,000 square feet of area open to the public shall provide designated accessible parking, computed to the nearest whole number, based on the following standard:**

1. Retail sales and services and other uses not listed: minimum of one space per 6,000 square feet open to the public.
2. Offices and personal services: one space per 7,500 square feet open to the public.
3. Eating and drinking establishments: one space per 2,000 square feet open to the public.

C. The following table provides for the minimum required parking spaces for uses:

| Residential Uses | Spaces Required |
|--|--|
| Single-family, duplex, and multiple-family dwellings | 2 per dwelling unit |
| Accessory dwellings and studio apartments | 1 per dwelling unit |
| Group living facilities | 1 per 100 sq. ft. of sleeping area |
| Commercial Uses | Spaces Required |
| Retail sales and service | 1 per 250 sq. ft. |
| Offices and personal services | 1 per 300 sq. ft. |
| Other commercial uses not listed | 1 per 250 sq. ft. |
| Eating and drinking establishments | 1 per 75 sq. ft. of customer service and dining area |
| Hotels, motels, and bed and breakfast inns | 1 per guest room |
| Other Uses | Spaces Required |
| Indoor storage, equipment service, and manufacturing | 1 per 2,500 sq. ft. |

| Other Uses | Spaces Required |
|---|---|
| Places of public assembly and religious worship | 0.15 per person at maximum occupancy |
| Outdoor sales, service, or display area | 1 per 750 sq. ft. |
| Elementary and junior high school | 1 per employee + 10 |
| High school | 1 per employee + 1 for every 5 students |
| Public and private utility stations | None |

D. The city supervisor may determine an appropriate parking standard for any new development not listed in subsection (C) of this section. The standard must reflect the scale and location of the development.

E. The location of off-street parking may be in any yard unless otherwise indicated in this code.