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Filed: 11-22-16

Sponsored by: Prater

First Reading: November 28, 2016

Second Reading: December 12, 2016

COUNCIL BILL NO. 2016- 278

GENERAL ORDINANCE NO. 6326

AN ORDINANCE

AMENDING Chapter 36 of the Springfield, Missouri, City Code, titled 'Land Development Code of the City of Springfield,' Article III, 'Zoning Regulations,' Division 5, 'Supplemental District Regulations,' Section 36-455, 'Off-street parking requirements,' Subsection 36-455(2)(b)(10), for the purpose of modifying the off-street parking requirements for convenience food stores.

WHEREAS, City staff has reviewed other cities' regulations regarding off-street parking requirements for convenience food stores and determined that Springfield's regulations are more restrictive than necessary; and

WHEREAS, the City wishes to update and modify certain parking-related regulations to reduce the number of required off-street parking spaces for convenience food stores with onsite seating.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as follows, that:

Section 1 – Chapter 36 of the Springfield, Missouri, City Code, 'Land Development Code of the City of Springfield,' Article III, 'Zoning Regulations,' Division 5, 'Supplemental District Regulations,' Section 36-455, 'Off-street parking requirements,' Subsection 36-455(2)(b)(10), is hereby amended as follows (Note: Underlined language is to be added. ~~Stricken~~ language is to be removed):

(b) *Business and commercial uses.*

Use	Number of Required Spaces
10. Convenience food stores.	One for each 350 <u>250</u> square feet of total building floor area plus one for each two and one-half seats of on-site seating, but not less than ten. Service area <u>areas</u> at gas pumps shall not <u>can</u> be counted as parking spaces.

Section 2 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: December 12, 2016

Robert L. Stephen
Mayor

Attest: Anta J. Cotter, City Clerk

Filed as Ordinance: December 12, 2016

Approved as to form: Richard T. Widen, Assistant City Attorney

Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 278

FILED: 11-22-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend Subsection 36-455.(2)(b)10., 'Convenience food stores,' in the Zoning Ordinance to modify the off-street parking requirements for convenience food stores. (Planning and Zoning Commission and staff recommend approval).

BACKGROUND INFORMATION: ZONING ORDINANCE TEXT AMENDMENT – OFF-STREET PARKING FOR CONVENIENCE FOOD STORES AMENDMENTS

Planning and Zoning Commission initiated amendments regarding off-street parking for convenience food stores at their meeting on October 13, 2016.

Staff has recently discovered development issues with the current off-street parking requirements for convenience food stores. The current off-street parking requirements require one parking space for each 350 square feet of total building floor area plus one parking space for each two and one-half seats of on-site seating, but not less than ten. Pursuant to current Code, service areas at gas pumps are not be counted as parking spaces.

Staff is proposing amendments that will ultimately reduce the number of required off-street parking spaces for convenience food stores with onsite seating, while providing adequate parking similar to other cities in the area. The City of Fayetteville, Arkansas requires one parking space for each 250 square feet of retail floor area and allows spaces at the pump islands to be counted as required parking spaces. The City of Branson requires one parking space for every four occupants based on occupant loads established by the building code and each fueling bay station or pump may be counted as one parking space. The City of Columbia, Missouri requires one parking space for each 200 square feet of building floor area and also allows parking spaces at gas pumps to be counted toward required parking. By reviewing other surrounding cities in the area, staff believes that the current off-street parking requirements for convenience food stores are unduly restrictive.

This Ordinance will change the parking requirements for convenience food stores as follows:

- Modify the requirement for one parking space for each 350 square feet to one parking space for each 250 square feet (consistent with other retail use parking requirements).
- Remove the separate requirement for one parking space for each two and one-half seats of on-site seating and also remove the 10 parking space minimum.
- Allow fueling bays or gas pump spaces to be counted toward the required parking allotment.

The Development Issues Input Group (DIIG), Springfield Downtown Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments and have made no objections to date.

This Ordinance supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner.

FINDINGS FOR STAFF RECOMMENDATION:

1. Staff's review of similar regulations in other area communities found that Springfield's requirements are more restrictive than necessary. Adjusting the parking requirements as proposed will not result in a material adverse impact on surrounding land uses.
2. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

REMARKS:

The Planning and Zoning Commission held a public hearing on November 10, 2016, and recommended approval, by a vote of 7 to 0, of the proposed changes to the Zoning Ordinance. Please see "Exhibits A and B" which are attached hereto and incorporated herein by this reference.

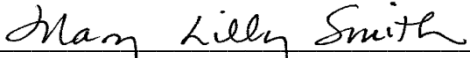
The Planning and Development Staff recommends approval of the proposed amendments.

Submitted by:

Daniel Neal, Senior Planner

Recommended by:

Approved by:



Mary Lilly Smith, Director



Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Proposed Changes to Zoning Ordinance (Redlined Version)

Attachment 2, Final Language after Proposed Changes (Clean Version)

Attachment 3, Existing Language in Zoning Ordinance (Current Text)

Exhibit A

**RECORD OF PROCEEDINGS
Planning and Zoning Commission October 13, 2016**

Off-Street Parking for Convenience Food Stores Amendments
Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this is a request to amend Subsection 36-455.(2)(b)10., to modify the off-street parking requirements for convenience food stores.

The proposed text amendment was initiated at the October 13, 2016 Planning and Zoning Commission meeting. Staff has had concerns with the required off-street parking requirements for convenience store uses being excessive especially for on-site seating activities. The current off-street parking requirements require one parking space for each 350 square feet of total building floor area plus one parking space for each two and one-half seats of on-site seating, but not less than ten. Service areas at gas pumps shall not be counted as parking spaces. Staff reviewed the City of Columbia, MO., Branson MO., and Fayetteville Arkansas parking requirements for convenience stores. The 1 parking space per 250 square feet of building is consistent with our general retail use parking requirements.

Note: Language to be deleted is stricken. Language to be added is underlined.

Sec. 36-455. - Off-street parking requirements.

(2) Required spaces.

(b) Business and commercial uses.

10. Convenience food stores.

One for each ~~350~~ 250 square feet of total building floor area ~~plus one for each two and one-half seats of on-site seating, but not less than ten.~~ Service areas at gas pumps can ~~shall not~~ be counted as parking spaces.

Staff recommends approval.


Mr. Ray opened the public hearing.

Mr. Cameron Smith, 550 St. Louis Street. Is in agreement with the proposal.

Mr. Ray closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to approve Off-Street Parking for Convenience Food Stores Amendments (Citywide). Ms. Ogilvy seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Ogilvy, Cox, Cline, Rose, and Coltrin. Nays: None. Abstain: None. Absent: Edwards and Shuler.



Bob Hosmer, AICP
Principal Planner

Exhibit B

PURPOSE: To amend Subsection 36-455.(2)(b)10., Convenience food stores., in the Zoning Ordinance to modify the off-street parking requirements for convenience food stores.

REPORT DATE: October 25, 2016

APPLICANT: City of Springfield

FINDINGS FOR STAFF RECOMMENDATION:

1. Staff's review of similar regulations in other area communities found that Springfield's requirements are more restrictive than the norm. Adjusting the parking requirements as proposed will not result in an adverse impact on surrounding land uses.
2. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

RECOMMENDATION:

Staff recommends **approval** of this request.

COMPREHENSIVE PLAN:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

STAFF COMMENTS:

1. Planning and Zoning Commission initiated amendments regarding off-street parking for convenience food stores at their meeting on October 13, 2016. Staff is proposing to modify the off-street parking requirements for convenience food stores in the Zoning Ordinance.
2. Staff has recently discovered development issues with the current off-street parking requirements for convenience food stores. The current off-street parking requirements require one parking space for each 350 square feet of total building floor area plus one parking space for each two and one-half seats of on-site seating, but not less than ten. Service areas at gas pumps are not to be counted as parking spaces.

3. Staff is proposing amendments that will ultimately reduce the number of required off-street parking spaces for convenience food stores with onsite seating, while providing adequate parking similar to other cities in the area. The City of Fayetteville, Arkansas requires one parking space for each 250 square feet of retail floor area and allows spaces at the pump islands to be counted as required parking spaces. The City of Branson requires one parking space for every four occupants based on occupant loads established by the building code and each fueling bay station or pump may be counted as one parking space. The City of Columbia, Missouri requires one parking space for each 200 square feet of building floor area and also allows parking spaces at gas pumps to be counted toward required parking. By reviewing other surrounding cities in the area, staff believes that the current off-street parking requirements for convenience food stores are excessive.
4. Staff is proposing the following modifications to the parking requirements for convenience food stores:
 - a. Modify the requirement for one parking space for each 350 square feet to one parking space for each 250 square feet (consistent with other retail use parking requirements).
 - b. Remove the separate requirement for one parking space for each two and one-half seats of on-site seating and remove the 10 parking space minimum.
 - c. Allow fueling bays or gas pump spaces to be counted toward the required parking.
5. The Development Issues Input Group (DIIG), Springfield Downtown Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments and have made no objections to date.

CITY COUNCIL MEETING:

November 28, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
PROPOSED CHANGES TO ZONING ORDINANCE
OFF-STREET PARKING FOR CONVENIENCE FOOD STORES AMENDMENTS

Note: Language to be deleted is ~~stricken~~. Language to be added is underlined.

Sec. 36-455. - Off-street parking requirements.

(2) *Required spaces.*

(b) *Business and commercial uses.*

10. Convenience food stores.	One for each 3 <u>2</u> 50 square feet of total building floor area plus one for each two and one-half seats of on-site seating, but not less than ten. Service area <u>s</u> at gas pumps can <u>shall not</u> be counted as parking spaces.
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ATTACHMENT 2
FINAL LANGUAGE AFTER PROPOSED CHANGES
OFF-STREET PARKING FOR CONVENIENCE FOOD STORES AMENDMENTS

Sec. 36-455. - Off-street parking requirements.

(2) *Required spaces.*

(b) *Business and commercial uses.*

10. Convenience food stores.	One for each 250 square feet of total building floor area. Service areas at gas pumps can be counted as parking spaces.
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ATTACHMENT 3
EXISTING LANGUAGE IN ZONING ORDINANCE
OFF-STREET PARKING FOR CONVENIENCE FOOD STORES AMENDMENTS

Sec. 36-455. - Off-street parking requirements.

(2) *Required spaces.*

(b) *Business and commercial uses.*

10. Convenience food stores.	One for each 350 square feet of total building floor area plus one for each two and one-half seats of on-site seating, but not less than ten. Service area at gas pumps shall not be counted as parking spaces.
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