



## Planning and Development Services Department

### Code Interpretation

**Subject:** Downtown Parking Exception  
**Date:** August 12, 2023

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**Code Section Impacted:** Section 144-5.1-1(b) Parking, loading, stacking and vehicular circulation, General provisions

**Proposal:** Buildings are allowed to be reconstructed and expanded, and still be eligible for the downtown parking exception.

**Analysis:** Based on past practices and interpretations, several buildings within the downtown parking exception area have been allowed to be reconstructed and expanded and have maintained their downtown parking exception. The wording of the existing code is ambiguous when it discusses reconstruction and enlargement and is not clear how to treat the parking if both reconstruction and enlargement have occurred, yet past practices have indicated this was the intent of the code provision. Clarification of the ambiguous language is necessary to bring consistency to the interpretation of this requirement.

**Interpretation:** Past practices indicate that the intention of this code section was to allow both the reconstruction and the enlargement of existing buildings and be required to only park that area greater than 10% of the original building size.

#### Recommended Code Amendment language to codify this interpretation:

(b) Exception to application for existing uses and changes in uses. Buildings existing in the area defined by the boundary shown on Figure 3 are exempt from having the number of off-street parking spaces required by this section when:

- (1) The use of the building is being changed, but the building is not being enlarged;
- (2) The building is being reconstructed or renovated, but not enlarged; or
- (3) The building is being brought back into use after being vacant;
- (4) Where an existing building is being enlarged or reconstructed and enlarged by more than ten percent, the parking shall be required for the expanded area only.



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Assistant Director, Planning and Development Services