

# **Parking Requirements for Retail and Personal Service Uses Utilizing Outdoor Areas**

**December 12, 2016**

# Purpose of Meeting

- Discuss issues related to parking for retail and personal service uses utilizing outdoor areas
- Get feedback from:
  - Residents,
  - Property owners, and
  - Bar & restaurant owners

# Retail and Personal Service Uses that Utilize Uncovered Outdoor Areas

- Land uses such as restaurants, bars, and breweries are increasingly utilizing outdoor areas to provide amenities such as:
  - Outdoor seating;
  - Outdoor game areas (horseshoe pits, bocce ball areas, volleyball courts); and
  - Live music
- These outdoor areas are:
  - Generally considered incidental to the main use
  - Typically are not detailed on the site plans submitted for building construction
  - If uncovered, the area is not used in the calculation of required off-street parking spaces

# Issues

- In most instances, uncovered seating and activity areas are not considered floor area as currently defined in the Dallas Development Code – and do not require additional parking;
- Overflow of parking into residential areas; and
- Noise issues in residential areas when patrons return to their cars

# Benefits

- Benefits of outdoor seating and activity areas include:
  - Enhanced pedestrian street life;
  - Increased opportunity for social interaction;
  - Provision of needed outdoor space in areas with dense populations

# Relevant Existing Off-Street Parking Requirements from Division 51A-4.200

## Bar, lounge, tavern, and private-club

- 1 space per 100 square feet of floor area
- 1 space per 500 square feet of floor area used for the manufacture of alcoholic beverages as an accessory use to the bar, lounge, or tavern use

## Microbrewery, micro-distillery, or winery

- 1 space per 100 square feet of floor area used for retail sales and seating
- 1 space per 600 square feet of floor area
- 1 space per 1,000 square feet of floor area used for storage

## Restaurant (without drive-in or drive-through service)

- 1 space per 100 square feet of floor area
- 1 space per 500 square feet of floor area used for the manufacture of alcoholic beverages as an accessory use to the restaurant with drive-in or drive-through service use

# Relevant Existing Off-Street Parking Requirements from Division 51A-4.200

## ☐ Commercial amusement (outside)\*

- 1 space per 200 square feet of floor area; plus
- 1 space per 400 square feet of site area exclusive of parking areas

*\* If an SUP is required for a commercial amusement use, the off-street parking requirements may be established in the ordinance granting the SUP*

# Relevant Definitions from Chapter 51A of the Dallas Development Code

## □ **Floor Area** - Section 51A-2.102 (38)

- The total square feet of floor space in a building measured to the outside faces of exterior walls or to the omitted wall lines, whichever produces the larger area.
- Floor area excludes areas:
  - Used solely for off-street parking;
  - Between an omitted wall line and the structural wall - when the area is used solely for foot or vehicular traffic or landscaping;
  - Private balconies that are not accessible to the public and do not provide a means of ingress or egress; and
  - Breezeways or unenclosed stairways located within the first three stories



# Relevant Definitions from Chapter 51A of the Dallas Development Code

- ❑ **Site Area-** Section 51A-2.102 (131)
  - Means that portion of a building site occupied by a use and not covered by a building or structure.
  - For purposes of determining required off-street parking site area does not include:
    - Areas occupied by off-street parking;
    - Landscaped areas; and
    - Open space (not used for storage or sales).

# Planned Development Districts & Uncovered Outdoor Areas

- ❑ Some Planned Development Districts have addressed outdoor activity areas for bars & restaurants by defining these areas and establishing some parking requirements.
  - PD No. 316 – Jefferson Boulevard Area
  - PD No. 468 – Oak Cliff Gateway
  - PD No. 714 – West Commerce Street/Fort Worth Avenue
  - PD No. 830 – Davis Street

# PD No. 316

## Jefferson Boulevard Area Special Purpose District

- Generally, 1 space is required per 125 square feet of floor area\*
  - If the outdoor dining area (covered or uncovered) is:
    - $\leq 25\%$  of the indoor floor area and
    - Located within 20 feet of (with direct access to) of a street, sidewalk, or publically accessible open space;
  - Then it is not included in the parking requirement
  - If the outdoor dining area is  $> 25\%$  of the indoor floor area, parking must be provided at 1 space per 125 square feet of floor area

\* This requirement is less than the requirement in Chapter 51A, which is 1 space per 100 square feet of Floor Area.

# PD No. 468

## Oak Cliff Gateway Special Purpose District

- Generally, 1 space is required per 125 square feet of floor area\*
  - **Restaurant or Bar Uses** - if the outdoor covered patio area is < 25% of the indoor floor area, the covered outdoor area is not included in the parking requirement
  - **Restaurants:**
    - If the combined area of covered and uncovered outdoor dining area is < 50% of the indoor dining area, the outdoor area is not included in the parking requirements
    - If the outdoor dining patio areas > 50% of the indoor dining area, parking must be provided at 1 space per 125 square feet of floor area\*

\* This requirement is less than the requirement in Chapter 51A, which is 1 space per 100 square feet of Floor Area.

# PD No. 714

## West Commerce Street-Fort Worth Avenue Special Purpose District

- Generally, requires any outdoor dining area (covered or uncovered) to be counted as floor area for calculation of the off-street parking requirements
  - Generally, 1 space is required per 125 square feet of floor area\*
  - In some subdistricts, if the outdoor dining area:
    - Has direct access to a street, sidewalk, or publically accessible open space and
    - Is  $\leq 50\%$  is of the indoor floor area;
  - Then, it is not included in the parking calculations
  - If the area is  $> 50\%$  of the indoor floor area, parking must be provided at 1 parking space per 125 square feet of floor area
- \* This requirement is less than the requirement in Chapter 51A, which is 1 space per 100 square feet of Floor Area.

# PD No. 830

## Bishop Davis Planned Development District

- Generally, 1 space is required per 125 square feet of floor area\*
  - If the outdoor dining area (covered or uncovered) is:
    - $\leq 25\%$  of the indoor floor area and
    - Located within 20 feet of (with direct access to) a sidewalk;
  - Then it is not included in the parking calculation
  - If the outside area is  $> 25\%$  of the indoor floor area, parking must be provided at 1 space per 125 square feet of floor area
- \* This requirement is less than the requirement in Chapter 51A, which is 1 space per 100 square feet of Floor Area.

# Division 51A-13.400 - Article XIII

## Form Districts

- ❑ Required parking in WMU (Walkable Urban Mixed Use) and WR (Walkable Urban Residential) Districts
  - Bars, private clubs – 1 space per 83 square feet\*
  - Restaurants – 1 per 100 square feet
- ❑ Outdoor Dining:
  - If the area of any uncovered outdoor dining is  $\leq 50\%$  of the indoor dining area it is not included in the calculation of required parking spaces

\* This requirement is more than the requirement in Chapter 51A, which is 1 space per 100 square feet of Floor Area.

# Planned Development Districts & Uncovered Outdoor Areas

- ❑ **Some Planned Development Districts treat bars and restaurants as a retail-related uses**
- ❑ **PD No. 375 – City Place**
  - 1 space per 200 square feet of floor area\*
  - No additional parking is required for uncovered outdoor dining and activity areas

\* This requirement is less than the requirement in Chapter 51A, which is 1 space per 100 square feet of Floor Area.



# Planned Development Districts & Uncovered Outdoor Areas

- ❑ **Some Planned Development Districts default to the parking requirements in Chapter 51A of the Dallas Development Code**
  - Meaning no additional parking is required for uncovered outdoor dining and activity areas

# Planned Development Districts & Uncovered Outdoor Areas

- ❑ **Other Planned Development Districts have specifically excluded uncovered outdoor areas from the off-street parking calculations**
- ❑ **PD No. 269 – Deep Ellum/Near East Side District**
  - **Bar, lounge, tavern and private-club uses:**
    - 1 space per 100 square feet of floor area
    - No parking spaces are required for the first 2,500 square feet of floor in a ground level use if located in an original building
  - **Restaurant uses:**
    - 1 space per 100 square feet of floor area
    - No parking spaces are required for the first 5,000 square feet of floor in a ground level use if located in an original building

# Planned Development Districts & Uncovered Outdoor Areas

- ❑ **Other Planned Development Districts have specifically excluded uncovered outdoor areas from the off-street parking calculations (Cont.)**
- ❑ **PD No. 269 – Deep Ellum/Near East Side District (Cont.)**
  - **Bar, lounge, tavern, private-club uses, and restaurant uses:**
    - Outdoor seating areas with non-permeable covers located within 20 feet of, and with direct access to a street, sidewalk, or publically accessible open space are not included in the parking requirements for up to 25% of the size of the interior floor area.
    - No off-street parking spaces are required for outdoor seating areas with uncovered or permeable covers

## **If Changes to the Parking Requirements in Chapter 51A for Retail and Personal Service Uses Utilizing Outdoor Areas are Adopted by City Council**

### **☐ If A Property is located within:**

- A Planned Development District with specific parking regulations, amendments to Chapter 51A would have no effect.
- A Planned Development District that defaults to the parking requirements in Chapter 51A, any amendments would impact how parking for these uses is calculated.

### **☐ If adopted, amendments would apply to:**

- First time finish-outs (new bar/restaurant in a new tenant space);
- Change of use (a new bar/restaurant in an existing space after any amendments are adopted); and
- Existing uses that increase the size of their outdoor areas

# Next Steps