

Staff Report

**Non-Compliant Front Yard Parking
and Driveways**

July 26, 2022

BACKGROUND:

The City's Zoning Ordinance contains a provision that prohibits the parking of vehicles in the front yard area of a residential property, with limited exceptions. Chapter 18 of the Municipal Code regarding parking regulations also prohibits front yard parking. In July 2021, Inspection staff was made aware of a property that had what appeared to be form boards laid out to pave a new parking area in front of the home. The location and dimensions of the parking area framed out were not compliant with the front yard parking requirements in the Zoning Ordinance. Staff contacted the property owner to inform them of the potential issue, hoping they would not pour the new concrete without approval. However, the owner stated that they had a permit from the City and proceeded to pour the concrete.

Staff determined that the property owner had a Driveway/Curb Cut Application that approved a curb cut to widen the driveway approach within the right-of-way. The original application was approved on December 1, 2018. Work was not completed at that time and on April 19, 2021, the application was "renewed" by the applicant for another year, extending it until April 19, 2022.

Unfortunately, there was miscommunication between the owner and staff. In subsequent discussions, the owner stated that they believed the approved application granted approval for the curb cut and driveway, while staff understood this approval to only authorize a change in the width of the curb cut within the City Right-of-Way. The design information for the driveway located on private property was not listed on the application and was not reviewed by staff as part of the curb cut application review process.

This enlarged parking area is in violation of the Zoning Ordinance. Staff has asked the owner to restore the driveway to its previous condition, which would facilitate parking only in the area of the front yard where parking is permitted under Zoning standards. The owner believes they did their best to communicate with City staff and received the proper approvals to construct the driveway addition and, therefore, wants to keep the driveway paving as-is. In addition, they have asked staff to enforce on all cases of illegal front yard parking at this property.

In response to the enforcement request, staff investigated this situation city-wide and attempted to estimate the number of nonconforming driveways that might be illegal. Staff's review revealed approximately 454 properties with parking areas that are non-conforming with respect to the current parking standards. Some of

these installations would be considered legal nonconforming, but many of them are noncompliant with current standards and are not legal. Staff has grouped them into five categories, discussed in greater detail beginning on page 7 of this report.

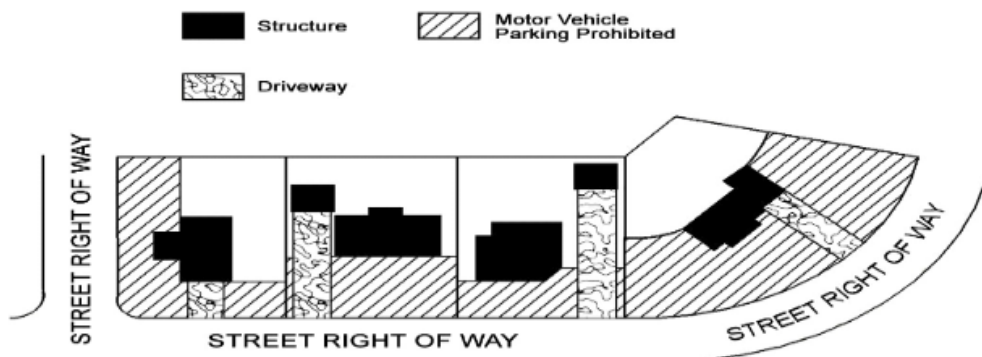
FRONT YARD PARKING HISTORY AND STANDARDS:

The issues of paving parking and front yard parking limitations have been a significant part of the City's design requirements since the 1980s. Restricting front yard parking locations assists in enforcement of illegal parking, maintaining a landscaped front yard, and support of existing residential character that is not dominated by parking and large driveways. **In the 1980s, the City required parking areas to be defined and improved to limit the parking of vehicles in grass or other unimproved areas of lots. Paving of defined areas and limitations in the front yard was required soon thereafter.**

It should be noted that a major impetus for these front yard parking changes was the influence by residents in neighborhoods where there were an increasing number of conversions from owner-occupied units to rental units. Because these conversions lacked sufficient off-street parking, cars in the rental units would be parking in the front yards on grass, making ruts in front yard, and thereby disturbing the character of the neighborhood.

City Council last addressed the intent of the current language and its enforcement with amendments to the Zoning Ordinance (Chapter 29) and Parking Enforcement (Chapter 18) to clarify the definition of front yard in 2008. **Note that the City relies upon the front yard parking terminology for parking enforcement of the act of parking a car as well as design standards in the Zoning Code for where paving can be placed.**

The City's zoning standards require two paved off-street parking spaces for every single-family and two-family dwelling unit. **Parking can be provided either covered or uncovered, but it must be located on a driveway in front of a garage or on a driveway that leads to a parking space in the side or rear yard.** It is not permitted to simply pave parking spaces in a front yard. The graphic below depicts limits of front yard parking and is incorporated into Zoning Ordinance Section 29.406(7).



The existing language pertaining to front yard parking in the City's Zoning Ordinance states:

Sec.29.406(7)(e) *Under no circumstances shall vehicular parking be permitted in the front yard of any Household Living or Short Term Lodging uses in any "RL", "RM", "RH", "UCRM", "FS-RL", or "FS-RM" zones, except upon a driveway that leads to the side or rear yard or to an attached garage; and, one parking space is permitted in the front yard in the case where there is an existing, one car attached garage and there is insufficient room between the side of the attached garage and the side property line. Such space shall meet the following requirements:*

- i) The parking space shall not exceed nine (9) feet in width;*
- ii) The parking space shall be contiguous to and parallel to the existing driveway; and*
- iii) The parking space shall be located between the existing driveway and the side property line.*

There shall be no installation at grade of any expanse of asphalt, concrete, gravel, brick, or other form of paving by any material whatsoever without the written authorization of the Zoning Enforcement Officer. Such authorization shall be granted only if under the facts and circumstances of the particular situation it is unlikely that the paving will facilitate the use of the front yard, or any part thereof, for the parking of vehicles, except on a driveway as stated. (Ord. No. 3591, 10-10-00; Ord. No 3675, 8-27-02; Ord. No 4205, 1-13-15).

Sec.29.406(7)(g) *As used in this section, front yard means the open space in that portion of a yard between the street and the face of the structure and a line originating from the left side of the lot and extending to the right side of the lot. The line, as viewed from the street, shall extend parallel to the street to the nearest corner of the principal structure and then along the face of the principal structure to the right corner, and from that point on a line parallel to the street to a point on the right lot line. As used in this section, the face of a principal structure shall be any and all portions of the structure fronting on a street. The front yard shall not include any portion of the city right-of-way. A corner lot shall be deemed to have two front yards.*

Driveways are considered front yard parking, but they are allowed to be parked upon when they lead to a garage or to the side/rear of the house. Many driveways have been altered by adding additional paving to the side of the driveway to accommodate one or more additional vehicle(s). According to the current language of the Municipal Code, these paved areas on the side are only allowed to be used as parking spaces if they lead to a space behind the front of the house, or if there is only a one car garage and no room to extend the drive into the side or rear yard, then paving may occur in a side yard.

The photo below shows a driveway that complies with the current standards because the paving extends beyond the front façade of the house and into the side yard.



The extended paving shown in the photo below is not compliant with the current Code language. The paving does not extend past the front of the house to the side or rear yard, and the property is not entitled to an allowance for an additional front yard space because the Code only allows such an extra space when there is:

- 1) an attached single car garage, and
- 2) no ability to extend the paving to the side or rear yard to obtain additional parking.

Structures with larger attached garages (as in the example below), or where there is no garage, are not able to use this exception.



Not Compliant

City Council could choose to create expanded paving opportunities for additional accessory parking as shown in the second example above. **Changes to the zoning standards could allow for additional opportunities to have paving in the front yard to increase on-site parking options and to address design expectations more clearly for where front yard paving is permitted compared to parking.** This would create flexibility for homeowners while generally ensuring aesthetic compatibility with the neighborhood. It would also create additional off-street parking opportunities, which may be beneficial in neighborhoods that believe on-street parking is overcrowded. Such changes may also reduce code compliance problems as well.

STAFF REVIEW:

Staff has conducted an in-depth review of single-family residential parking areas throughout Ames to identify those that are non-conforming compared to the current Zoning Code standards. This review was conducted using aerial and street-view photography from 2008 to present. In some instances, the photography can be used to pinpoint the timeframe when a driveway was modified. However, the photography is sometimes obscured by landscaping or picture quality, making a completely accurate historical review difficult.

Additionally, staff reviewed changes to the Zoning standards for parking areas in previous years to help determine if some of the driveways that do not conform to the present Zoning standards would have complied at the time they were constructed or modified. Staff has determined that the existing standards have philosophically remained the same since at least 1980, although refinement of the standards has taken place in the time since.

PROPOSED FRONT YARD PARKING PROCESS IMPROVEMENTS:

Process Improvement #1: Application Process

Through the in-depth review, staff has identified two areas for process improvement that should be focused on.

The application that was used in 2021 was called a 'Driveway/Curb Cut Application' and was reviewed by the Traffic Engineer. The name of this application was confusing because the application does not actually address the driveway (the paved area between the structure or the approach in the right-of-way). Instead, this form was used to ensure that the public street access is compliant with design and traffic standards. There was a note on the application that states, "All driveways must lead to side yard or attached garage," but on-site paving was not reviewed with the application.

Currently, the Code requires written approval (not a permit) from the Zoning Enforcement Officer prior to the installation of an expanse of concrete. There is a lack of information available to let customers know that obtaining this approval is a requirement. As a result, approval is very rarely sought.

Staff has revised the application to become both an “Access and Driveway Paving Permit,” so that it includes the curb cut and/or the on-site expense of paving. This new comprehensive permit requires a review by the Traffic Engineer, Zoning Enforcement Officer, and Planning Division. The application is processed through EnerGov, which is the same permitting software currently in use for other permits and plans. This process creates a one-stop-shop for customers, while ensuring all the appropriate City staff are aware of the permit and its status.

Options To Improve Application Process (Council could choose one or more of these):

- 1) Direct staff to modify Chapter 29 Zoning Ordinance to require approval of a permit for all driveways and access points, rather than “written authorization”. This would make it easier to communicate with future customers and reinforce the process recently implemented by staff.
- 2) Staff does not currently inspect driveway installations that receive written authorization. The ability to inspect new curb cuts by Public Works staff has been minimal due to the amount of larger infrastructure projects that staff is needed on. **Staff is recommending a text amendment to require inspections by the City Manager or their designee.** This will assure that improper installations are discovered before the pavement has been poured, when errors can still be fixed with minimal effort. Therefore, staff is requesting that the City Council provide direction to either:
 - a. Direct staff to draft a text amendment that would codify an inspection process for Access and Driveway Paving Permits prior to pouring concrete. Staff would designate several different employees to conduct inspections so that inspections can occur more regularly, OR
 - b. Leave the current text as-is. This would require approval of a permit to authorize the work but would not require an inspection to be part of the permitting process.
- 3) Appendix F of Municipal Code currently sets the fee for a Curb Opening at \$50. Since the new process will include a review for the expense of paving that will not always include a curb cut, staff is recommending the fee schedule be adjusted to reflect one \$100 fee for the new Access and Driveway Paving Permit. This fee will approximately cover staff’s review and inspection time. Therefore, staff is requesting that the City Council provide direction to either:
 - a. Direct staff to draft an amendment to Appendix F that would require the \$100 fee for all Access and Driveway Paving Permits, rather than just for the curb cut, OR

- b. Leave the current fee of \$50 for curb cut permits. This fee would only apply to Access and Paving Permits when a change to the curb cut is made. An Access and Paving Permit for a driveway expansion, with no change to the curb cut, would have no fee assessed.

Staff Recommendation:

Staff recommends Options 1, 2a, and 3a thereby codifying the permit and inspection processes to help ensure the paving plan is reviewed and that the forms for the paving match the approved plan prior to installation. Additionally, staff recommends increasing the permit fee to \$100 to cover the cost. If Council chooses to not require the inspection process, the fee could be adjusted to cover only the permit review cost.

Process Improvement #2: Addressing the Five Non-Conforming Driveway Types:

Staff’s review discovered approximately 454 properties with parking areas that are non-conforming with respect to the current parking standards. Of those 454, staff can verify that 131 of them have been installed since 2008. Staff was able to determine that the remaining 323 parking areas were installed prior to 2008 but are unable to confirm the exact year.

These 454 non-conforming parking areas have been grouped into five primary categories below. Pictures of each situation are included. Each type of non-conformity listed has different options for correction and/or potential text amendments for Council to consider. In the context of this discussion, these nonconformities are not considered “legal nonconforming” and may be in violation of Zoning standards. The five categories are:

Type	Description	# Existing
1	Flared Side Parking Areas	253
2	Flared Side Parking – No Side Yard	56
3	Parking in Front of House	51
4	Flared Side Parking – Corner Lot	56
5	Looped or Double Driveways	38

Non-Conformity Type 1: “Flared Side Parking Areas”

Type 1 non-conformities are described as parking surfaces that have been added to an existing, otherwise compliant, driveway. **The surface does not lead to a parking surface behind the front yard and is therefore non-compliant. Type 1 non-conformities have adequate room to expand behind the front yard but have not done so.**



Type 1 non-conforming parking areas account for 253 of the approximately 454 (55%) non-compliant parking areas. Staff can confirm that 58 of the 253 parking areas were installed after 2008. The remaining 195 Type 1 non-conforming parking areas were installed some time prior to 2008, but staff is unable to determine which year and, subsequently, which codes may have been in place at that time. Additionally, four of the Type 1 non-conforming parking areas were issued curb cut permits.

Options to address Type 1 non-conforming parking areas include:

- 1) Adopt a text amendment that would allow Type 1 non-conforming parking areas to legally exist as front yard parking when sited towards the adjacent side property line. This would make the 253 non-conforming parking areas compliant and would allow for this type of parking area to be added to other residential properties.
- 2) Require the 58 non-conforming parking areas that are confirmed to have been installed after 2008 (when the current code language was in place) to be made compliant by either extending the surface past the front of the yard or removing the excess paving. A compliance date would be set for the 58 non-conforming parking areas to be brought into compliance. This would allow those constructed prior to 2008 to remain as-is.
- 3) Establish a date by which all 253 non-conforming parking areas must be brought into compliance by adding additional paving beyond the front yard or removing the excess or provide evidence to city staff the condition was previously legally established.
- 4) Set a date by which all Type 1 non-conforming parking areas in existence may continue and require all new parking installed after that date to comply with the current Code. This would allow the 253 non-conforming parking areas to remain as-is but would continue to prohibit new Type 1 parking areas from being installed.

Staff Recommendation:

Staff feels that requiring additional paving beyond the front of the house or garage is unnecessary when there is a compliant driveway on site. The paved area unnecessarily increases the amount of impervious area on the property and does not provide a more aesthetically pleasing street view. **For this reason, staff recommends adopting a text amendment that would allow Type 1 non-conforming parking areas to legally exist. This would make the 253 non-conforming parking areas compliant and would allow for this type of parking area to be added to other residential properties (Option 1 above).** Paving would no longer be required to go beyond the front of the house when added to the side lot line. This would make 55% of the current non-conforming driveways compliant and would allow future driveways to be created in the same manner.

If Council chooses an alternative that does not allow existing non-conforming Type 1 parking areas to continue, Staff recommends allowing the four that have received curb cut permits to continue due to the confusion between curb cut and driveway permitting.

Non-Conformity Type 2: “Flared Side Yard Parking – No Side Yard”

Type 2 non-conformities are similar to Type 1 non-conformities, where a parking space has been added to the side of an existing driveway in the front yard. **However, the difference with this non-conformity is that they lack enough space to provide a compliant parking space beyond the front yard.** The Code currently provides an exception that allows structures with an attached, single-car garage that lacks space beyond the front yard to add paving between the existing driveway and side property line. The exception does not address properties with attached two-car garages (or larger), detached garages, or those that lack garages.



Staff's review showed that there are approximately 56 properties that have additional paving adjacent to the driveway that does not lead beyond the front yard due to insufficient room. None of the 56 properties meet the exception in the Code for properties

with attached two-car garages. Of the 56 properties, staff can confirm that 16 have been installed since 2008 and 40 were installed prior to 2008.

Options to address Type 2 non-conforming parking areas include:

- 1) Adopt a text amendment that would allow all properties with insufficient room for an additional parking area beyond the front of the house to pave additional parking area when sited towards the adjacent side property line.
- 2) Require the properties that are confirmed to have been installed after 2008 to remove the excess paving so that they comply with the current ordinance. A compliance date would be set for the 16 properties that have installed non-compliant parking areas since 2008. This would allow those constructed prior to 2008 to remain as-is.
- 3) Establish a date by which all 56 properties must be brought into compliance by removing the excess paving or provide evidence to city staff the condition was previously legally established.
- 4) Set a date by which all Type 2 non-conformities in existence may continue and require all new parking installed after that date to comply with the current Code. This would allow 56 non-conforming parking areas to remain as-is but would prohibit new Type 2 non-conformities from being created. In this option, the non-conforming parking areas would be required to come into compliance with the Code at the time they are modified or reconstructed.

Staff Recommendation:

These Type 2 non-conformities are similar in nature to Type 1 non-conformities. The recommendation for Type 1 non-conformities was to draft a text amendment that would allow paving to be added to the property-line side of a driveway without having to extend past the front yard. If approved, this text amendment would also make Type 2 non-conformities legal and resolve 68% of the non-compliant driveways. **Because of the similarities between Type 1 and Type 2 non-conformities, staff recommends adopting a text amendment that would allow properties with insufficient room for an additional parking area beyond the front of the house to pave additional parking between the existing driveway and adjacent property line (Option 1).** This would allow for additional paving to alleviate congested streets while not drastically changing the aesthetic of the neighborhood.

Non-Conformity Type 3: “Parking in Front of House”

Non-conformities categorized as Type 3 are parking areas that extend towards the center of the house (some extend fully to the structure and some end in the front yard) rather than towards a garage, side yard, or areas that provide an additional parking space

situated perpendicular to the existing driveway. Some of the spaces are adjacent to existing driveways and some serve as the only driveway or off-street parking.



Staff found approximately 51 properties that fit into the Type 3 category. It is possible that there are more because it is difficult to determine from the aerial view if a garage still exists or if it has been converted to a room in the house. Of the 51 identified, 11 of the parking areas have been installed since 2008. Additionally, two of the Type 3 non-conforming parking areas were issued curb cut permits.

Options to address Type 3 non-conforming parking areas include:

- 1) Allow for all existing front yard parking to allowed and adopt a text amendment that would allow front yard parking for all properties when added adjacent to an existing driveway and the total width does not exceed 20 feet. Clarify that a property with an existing home can create up to a 20-foot driveway if there is no garage or other parking on the site. New construction must still provide required parking outside of the front yard. This text amendment would allow properties to have at least two off-street parking spaces regardless of the number of garages or distance between the driveway and adjacent property line.

- 2) Require the 11 driveways that were constructed after 2008 to remove the paving in the front yard that does not lead to a garage or side yard. This would allow those constructed prior to 2008 to remain as-is.
- 3) Establish a date by which all 51 properties must be brought into compliance by removing the excess paving or provide evidence to city staff the condition was previously legally established.
- 4) Set a date by which all Type 3 non-conformities in existence may continue and require all new parking installed after that date to comply with the current Code. This would allow 51 non-conforming parking areas to remain as-is but would prohibit new Type 3 non-conformities from being added. In this option, the non-conforming parking areas would be required to come into compliance with the Code at the time they are modified or reconstructed.

Staff Recommendation:

Type 3 has a diverse set of circumstances based upon the example pictures provided. **Staff recommends adopting a text amendment that would allow existing areas to remain and to allow for parking areas to be added adjacent to the driveway so long as the maximum driveway width does not exceed 20 feet. This text amendment would allow properties to have at least two off-street parking spaces regardless of the number of garages or distance between the driveway and adjacent property line (Option 1).** New construction would still need to comply with requirements for required parking to be located outside of the front yard.

If Council chooses an alternative that does not allow existing non-conforming Type 3 parking areas to continue, staff recommends allowing the two that have received curb cut permits to continue due to the confusion between curb cut and driveway permitting.

Non-Conformity Type 4: “Flared Side Parking - Corner Lot”

Non-conformities that fall into the Type 4 category are all properties that are corner lots. **The Municipal Code treats corner lots as having two front yards and one side yard, as opposed to a typical lot that has a single front yard and two side yards.** Therefore, the area where parking is permitted on a corner lot is generally much more limited than on a typical lot of the same size. The code language that established two front yards on corner lots was adopted in 2000. Corner lots with parking areas added prior to 2000 may have been in compliance with the Code at that time, but staff is unable to determine when the parking areas were added.



There are approximately 56 corner lots that have non-compliant parking categorized as Type 4. Of those 56, staff has verified that 20 of them have been installed after 2008. Additionally, two of the Type 4 non-conforming parking areas were issued curb cut permits.

Options to address Type 4 non-conforming parking areas include:

- 1) Set a date by which all Type 4 non-conformities in existence may continue and require all new parking installed after that date to comply with the current Code with no changes to standards. This would allow the 56 non-conforming parking areas to remain as-is but would prohibit new Type 4 parking areas from being installed in the future.
- 2) Require the parking areas that are confirmed to have been installed after 2008 when the current code language was in place to be made compliant by removing paving in the front yard that does not lead to an approved parking area in the side or rear yard. A compliance date would be set for the 20 non-conforming parking areas to be brought into compliance. This would allow those constructed prior to 2008 to remain as-is.
- 3) Establish a date by which all 56 non-conforming parking areas must be brought into compliance by removing paving in the front yard that does not lead to an approved parking area in the side or rear yard or provide evidence to city staff the condition was previously legally established.
- 4) Adopt a text amendment that would allow Type 4 non-conforming parking areas to be installed legally for existing and new paving areas. This would make the 56 non-conforming parking areas compliant and would allow for this type of parking area to be added to other residential properties.

Staff Recommendation:

There are many different considerations (lot size, configuration of lot, location of lot, amount of paving, proximity to right-of-way) involved in drafting a text amendment to allow parking on corner lots. Staff believes that allowing for paving in a street side adjacent to a sidewalk is an undesirable environment for pedestrians and the aesthetic of the streetscape. **Therefore, staff recommends setting a date by which all Type 4 non-conformities in existence may continue and require all new parking installed after that date to comply with the current Code, with no changes. This would allow the 56 non-conforming parking areas to remain as-is but would prohibit new Type 4 parking areas from being installed in the future (Option 1).**

If Council chooses an alternative that does not allow existing non-conforming Type 4 parking areas to continue, staff recommends allowing the two that have received curb cut permits to continue due to the confusion between curb cut and driveway permitting.

Non-Conformity Type 5: “Looped or Double Driveways”

Type 5 non-conformities are parking areas that loop in front of the house and/or have two curb cuts. Some of the driveway areas lead to approved parking and some do not. Driveway loops that do not lead to any approved parking beyond the front yard (example on right below) cannot be used for parking under the current Code. An argument could be made in situations like that shown on the left below that both curb cuts lead to parking beyond the front yard so parking can occur anywhere since the current language does not address “directly” leading to parking. This illustrates one of the weaknesses of the current language in that it addresses an act of parking rather than addressing paving standards.



Staff found 38 properties that can be categorized under non-conformity Type 5. Four of the 38 are confirmed to have been constructed at the time the home was constructed (between 2009 and 2018). The remaining 34 parking areas were constructed prior to 2008.

Options to address Type 5 non-conforming parking areas include:

- 1) Allow the 38 non-compliant parking areas to remain and adopt a text amendment that creates new limitations on multiple driveways by limiting two curb cuts to lots that have at least 150 feet of frontage so long as the curb cuts can also be located at least 75 feet apart. Additionally, Council will need to decide if they want to allow loops in the front yard that do not lead to any parking (above photo on the right).
- 2) Require the four driveways that were constructed when the house was built after 2008 to remove the paving in the front yard so that there is only one driveway leading to the garage. This would allow those constructed prior to 2008 to remain as-is.
- 3) Establish a date by which all 38 properties must remove the additional paving so that there is only one driveway leading to the garage or provide evidence to city staff the condition was previously legally established.
- 4) Set a date by which all Type 5 non-conformities in existence may continue and require all new parking installed after that date to comply with the current Code. This would allow 38 non-conforming parking areas to remain as-is but would prohibit new Type 4 non-conformities from being added. In this option, the non-conforming parking areas would be required to come into compliance with the Code at the time they are modified or reconstructed.

Staff Recommendation:

Staff understands the desire for two curb cuts but finds it necessary to establish parameters to avoid the entire front yard from being paved. **Staff recommends adopting a text amendment that would allow two curb cuts on lots that have at least 150 feet of frontage so long as the curb cuts can be located at least 75 feet apart. Additionally, Council will need to decide if they want to allow loops in the front yard that do not lead to any parking (above photo on the right). This text amendment would allow the 38 non-compliant parking areas to remain and would allow the same type of parking areas to be installed moving forward (Option 1).**

With this frontage standard it is likely only a corner lot could qualify for a looped driveway. Additionally, staff feels that adding language to require the drive to lead 'directly' to an approved parking surface may help keep the amount of paving to a minimum in front yards.

SUMMARY OF STAFF RECOMENDATIONS:

Staff believes that the zoning standards should change to include a standard driveway permitting process and some additional flexibility for adding paving in the front yard to the side of a driveway. While the staff has not received many complaints about front yard parking related to the 454 non-conforming front yard parking situations, complaints have been received regarding on-street parking issues. This increase in flexibility could address this on-street parking concern for our Near Campus Neighborhoods.

Staff supports the continued expectations of limited paving in front yards to reinforce residential character, especially in older established neighborhoods of the RN-1 and RN-2 land use designations of Plan 2040. Newer neighborhoods of RN-3 typically have larger lots, garages, and driveways, which are some of the distinguishing factors from the other designations.

There are a number of different approaches that could be adopted by the City to continue to manage front yard paving issues and provide for additional parking flexibility, such as changes to the front yard parking diagram, limits on impervious coverage of a front yard, or front yard parking setbacks. In an effort to grant some flexibility for adding on-site parking within the structure of the current zoning standards, staff is supportive of the following changes and concepts as described in the previous section:

1. Adopt a text amendment to codify the permit and inspection process and establish a \$100 fee to cover the costs of the process.
2. Adopt a text amendment that would allow Type 1 non-conforming parking areas to legally exist and allow for paving sited towards the adjacent side lot line. This would make the 253 non-conforming parking areas compliant and would allow for this type of parking area to be added to other properties.
3. Adopt a text amendment for Type 2 non-conforming parking areas that would allow all properties with insufficient room for an additional parking area beyond the front of the house to pave additional parking area when sited towards the adjacent side lot line. This would make the 56 properties compliant and allow for this type of parking area to be added to other properties.
4. For Type 3 situations, allow for all existing properties with front yard parking to be allowed and adopt a text amendment that would allow front yard parking for all properties when added adjacent to an existing driveway and the total width does not exceed 20 feet. This text amendment would make 51 properties compliant and allow properties to have at least two off-street parking spaces regardless of the number of garages or distance between the driveway and adjacent property line. New construction would follow current requirements.

5. Set a date by which all Type 4 non-conformities in existence may continue and require all new parking installed after that date to comply with the current Code. This would allow the 56 non-conforming parking areas to remain as-is but would prohibit new Type 4 parking areas from being installed in the future.

6. Set a date by which all Type 5 non-compliant double or looped driveway parking areas to remain and adopt a text amendment that creates new limitations on multiple driveways by limiting two curb cuts to lots that have at least 150 feet of frontage so long as the curb cuts can also be located at least 75 feet apart. Additionally, Council will need to decide if they want to allow loops in the front yard that do not lead to any parking. This text amendment would allow the 38 non-compliant Type 5 parking areas, to remain and would allow some future similar parking areas to be installed moving forward.

NEXT STEPS

Provided City Council elects to make changes to the front yard parking standards and Council is comfortable with the description of the changes, staff would begin the public hearing process to approve changes to Chapter 29 Zoning and Chapter 18 Parking.

The first step will be for staff to draft the changes to the Zoning Ordinance to present to the Planning and Zoning Commission for their recommendation to the City Council. With the Planning and Zoning Commission's recommendation, staff next will finalize a draft ordinance for City Council approval at a public hearing. The draft ordinance will address front yard parking limitations and new specifications for paving and driveways.

Alternatively, City Council could direct staff to provide more specific language options to Council prior to proceeding with public hearings if the Council desires further information or explanation of the options before moving ahead with the public hearing.

Staff also notes that clarification of related driveway and parking issues in the Rental Code and Zoning Ordinance may also need to be addressed depending on the outcome of City Council's direction regarding issues in this report. Staff will provide a follow-up memo to City Council regarding these companion issues once direction is provided to staff on the base front yard parking standards described in this report.