

**PLANNING COMMISSION AGENDA**  
**COEUR D'ALENE PUBLIC LIBRARY**  
**LOWER LEVEL, COMMUNITY ROOM**  
**702 E. FRONT AVENUE**

**NOVEMBER 25, 2008**

**THE PLANNING COMMISSION'S VISION OF ITS ROLE IN THE COMMUNITY**

The Planning Commission sees its role as the preparation and implementation of the Comprehensive Plan through which the Commission seeks to promote orderly growth, preserve the quality of Coeur d'Alene, protect the environment, promote economic prosperity and foster the safety of its residents.

**5:30 P.M. CALL TO ORDER:**

**ROLL CALL:** Jordan ,Bowlby, Evans, Luttropp, Rasor, Messina, Klatt, (Student Rep), Anderson (Alt. Student Rep)

**PLEDGE OF ALLIGANCE:**

**APPROVAL OF MINUTES:**

**PUBLIC COMMENTS:**

**COMMISSION COMMENTS:**

**STAFF COMMENTS:**

**PUBLIC HEARINGS:**

1. Applicant City of Coeur d'Alene  
Request: Fees in Lieu of Parking
  - a. Change the method of establishing fee
  - b. Establishing the Fee in Lieu of parking in Mid-town and establishing distance to parking

**ADJOURNMENT/CONTINUATION:**

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ ,  
to continue meeting to \_\_\_\_\_, \_\_\_\_, at \_\_ p.m.; motion carried unanimously.  
Motion by \_\_\_\_\_,seconded by \_\_\_\_\_ , to adjourn meeting; motion carried unanimously.

***\*The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Shana Stuhmiller at (208)769-2240 at least 24 hours in advance of the meeting date and time.***

Planning Commission  
STAFF REPORT

Date: November 25, 2008

From: Parking Commission via  
Troy Tymeson, Finance Director & David Yadon, Planning Director

Subject: **O-8-08 In Lieu Parking Fee Update and expansion to Mid-Town**

**Decision Point**

The Planning Commission is asked to consider adjustments to the method of determining the In-Lieu Parking fee and expansion of program into the Mid-Town area.

**History**

***In Lieu Parking Fee Update***

Over two decades ago the City adopted an option of providing a fee to the city "In-Lieu" of constructing parking spaces in the downtown.

Section 17.05.727 of the municipal code states that the city council "adopt a resolution setting out the value of off street parking spaces *based on acquisition and construction costs of a surfaced parking lot* designed and constructed to standards then in effect in Coeur d'Alene. Such costs and value shall be reviewed at least every three (3) years by the city council."

The Parking Commission has recently recommended an update of a fee in-lieu of parking space. During that process the Commission examined the methodology of determining that fee based on a review of present practice as provided in the 2007 Comprehensive Parking Study by Rich and Associates. Of the range of options presented, the Parking Commission recommended that the fee is designed to be within 20% of the market value of the land. (Property value per square foot multiplied by 350 square feet (the size of a parking stall and a portion of the access drive).

In order to utilize the proposed methodology, the Planning Commission must also make a recommendation since this provision is contained with the zoning ordinance.

***Establishment of Fee In-Lieu of Parking in Mid Town***

The Parking Commission also considered a request by a property owner in the Mid-Town district to provide for a parking fee option in that area.

In a review of current practice the commission re-enforced earlier ideas that In areas of more intense activity or where the community wants to promote density, requiring each use to provide separate parking facilities can degrade the pedestrian environment, limit density, and encourage drivers to drive from one site to the next rather than parking once and walking between nearby destinations.

"Using in-lieu fees and centralized garages can:

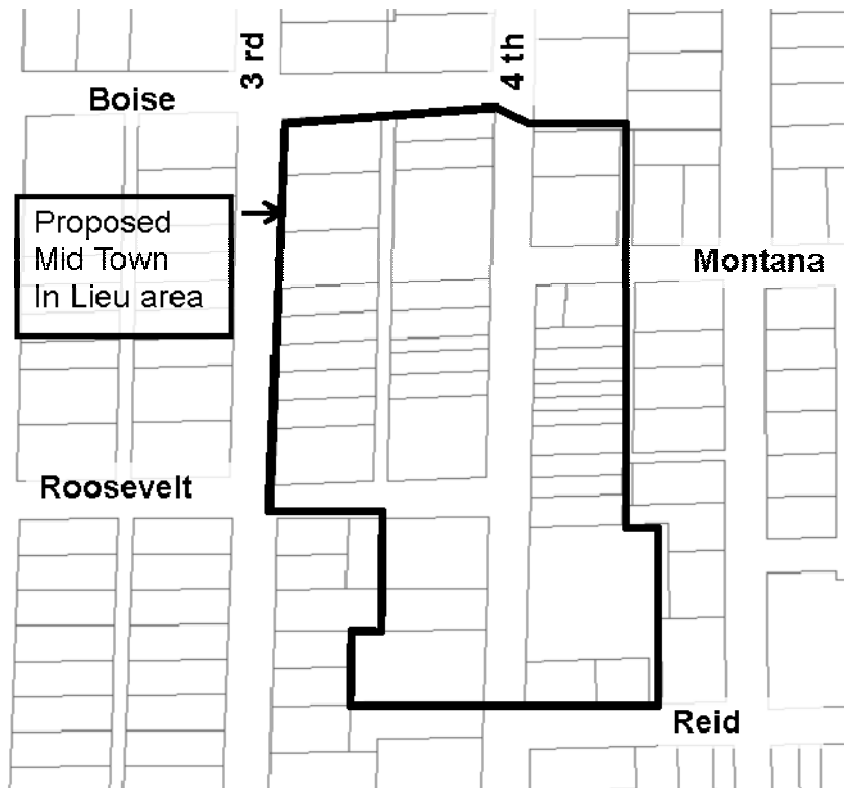
- Reduce overall construction costs;

- Avoid construction of awkward, unattractive onsite parking that could compromise historic buildings;
- Increase public access to convenient parking;
- Ensure that parking facilities will be used more efficiently; and
- Encourage better urban design with streetscapes uninterrupted by parking lots and driveways.”

(U.S. Environmental Protection Agency, *Parking Spaces / Community Places: Finding the Balance Through Smart Growth Solutions*,)

The recently completed parking study by Rich and Associates also endorsed the fees in lieu of concept.

The Parking Commission recommended that the following area be eligible for fee in lieu of parking.



In addition, the staff believes that extending the distance an off-site parking stall can be provided be extended from 400 feet to 1000 feet. This would match the existing standard in the downtown and is considered to be an easy five minute walk.

On October 21, 2008 the City Council elected to “move forward with the recommendation of the Parking Commission regarding fees-in-lieu of parking.”

### **Performance Analysis**

Comprehensive Plan reference pages including: 19 (3.07), 30, 31, 41, 43

**Decision Point Recommendation**

The Planning Commission is asked to recommend approval of:

1. The fee in-lieu of parking space to be within 20% of the market value of the land. Property value per square foot multiplied by 350 square feet (the size of a parking stall and a portion of the access drive).
2. That the provision of allowing fee in-lieu of parking spaces be established in the mid-town area as defined;
3. Modification of the maximum distance to off-site parking in the mid-town area from 400 feet to 1000 feet.

**D R A F T**

COUNCIL BILL NO. 08-  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING \_\_\_\_\_; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, *after public hearing on the hereinafter provided amendments, and after recommendation by the Parking Commission and the Planning and Zoning Commission*, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted; NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1. *Coeur d'Alene Municipal Code Section 17.05.727 is hereby amended to read as follows:*

**17.05.727: BASIC DEVELOPMENT STANDARDS; FEES IN LIEU OF PARKING:**

Instead of furnishing the off street parking spaces required for uses within the DC district, in lieu payments may be made as set forth in this section.

- A. Fee Established: The city council shall, after public hearing, adopt a resolution setting out the value of off street parking spaces. The fees, at the time of adoption, should reflect the cost of acquiring property within the DC district for the construction of parking stalls based on the average tax assessed market valuation of property within the district. The fee is to be calculated as follows: average tax assessed property value per square foot multiplied by 350 square feet (the size of a parking stall and a portion of the access drive).~~based on acquisition and construction costs of a surfaced parking lot designed and constructed to standards then in effect in Coeur d'Alene. Such costs and value~~ The adopted fee shall be reviewed at least every three (3) years by the city council.
- B. Payment Of Fee: An applicant for payment of in lieu costs instead of providing parking shall pay an amount equivalent to the costs and value of one parking lot space for each space of off street parking required for the proposed use by this chapter. Such payment of fees in lieu of parking shall be made in conjunction with the issuance of a building permit pursuant to section 17.44.130 of this title. To fulfill the total parking requirement, an applicant may utilize a combination of fees in lieu of parking spaces and actual spaces and fees in lieu of parking up to the following limits: ~~subject to resolution established by the city council.~~

# D R A F T

1. If eight (8) or fewer parking spaces are required, all of the parking spaces may be replaced with fees in lieu.
  2. If nine (9) to twenty (20) parking spaces are required, 60% (rounded up to the next space) of the spaces may be replaced with fees in lieu.
  3. If twenty-one (21) to forty (40) parking spaces are required, 50% (rounded up to the next space) of the spaces may be replaced with fees in lieu.
  4. Fees in lieu may not be used to replace parking spaces above forty (40) spaces.
- C. Fund To Be Established: The city council shall set up a special fund for revenues received from such payment of fees. Said revenues shall be used only for the purpose of providing public parking facilities reasonably related to serving the ~~central business~~ DC district by way of purchase of necessary land or improving such land for public parking purposes.
- D. Refund Of Fee If Unused: If such fees have not been utilized for the stated purpose within fifteen (15) years of payment, or if a project or land acquisition negotiations have not commenced for which the fees would be spent, such fees with interest shall revert to original subdivider or its successor in interest unless the city and the developer or its successor in interest agree in writing to an alternative method to provide public parking facilities, land, or parking spaces. Interest shall accrue at the average rate of interest received by the city for funds invested in the Idaho state investment pool for the period of time the city holds the fees paid in lieu of providing parking spaces.
- E. Certificate: An applicant for payment of in lieu costs shall, with payment of fees in lieu of off street parking, receive one nontransferable certificate for each space of off street parking which would otherwise be required by the terms of this chapter.
- F. Changes Requiring Parking: Off street parking and/or fees shall only be required for:
1. Existing Use: For the amount a building is expanded above and beyond one hundred twenty five percent (125%) of the existing gross floor area;
  2. Vacant Lot: Any new use(s);
  3. Off Street Parking And Loading: The number of off street parking spaces and loading berths shall be fifty percent (50%) of the standards specified in sections [17.44.030](#) through [17.44.090](#) and [17.44.500](#) through [17.44.540](#) of this title.

**SECTION 2. *Coeur d'Alene Municipal Code Section 17.07.930* is hereby amended to read as follows:**

# D R A F T

## 17.07.930: PARKING STANDARDS:

A. Residential Uses: The parking requirements for residential uses within the infill districts shall be as follows:

Residential Type	MO And DO-E Districts	DO-N District
Elderly housing	0.5 spaces per unit	0.5 spaces per unit
Studios	1.0 space per unit	1.0 space per unit
1 bedroom	1.0 space per unit	1.0 space per unit
2 bedrooms	1.75 spaces per unit	1.5 spaces per unit
3 bedrooms	2.5 spaces per unit	2.0 spaces per unit
4 or more bedrooms	1.0 space per bedroom	1.0 space per bedroom

B. Commercial And Other Uses:

1. General Requirement: For commercial and other nonresidential uses, one off street parking stall shall be provided for each three hundred thirty (330) square feet of interior floor area.

2. Exception: Restaurants with more than one thousand (1,000) square feet shall provide one stall per each two hundred (200) square feet of interior floor area.

C. Shared Parking: If different uses within a development share parking, the planning director may reduce the total amount of required parking by up to twenty percent (20%).

D. MO District Off Site Parking: Notwithstanding the distance requirements of section 17.44.250 of this title, parking in the MO district may be located off site, so long as it is within one thousand feet (1,000') of the property, is connected to the property by sidewalks or walkways, and is tied to the site by a contractual agreement. The agreement must run with the land and not be terminable without the prior authorization of the city council.

E. MO District Fees In Lieu Of Parking: Instead of furnishing the off street parking spaces required for uses within that portion of the MO district depicted in this section, in lieu payments may be made as set forth in this section.

1. Fee Established: The city council shall, after public hearing, adopt a resolution setting out the value of off street parking spaces. The fees, at the time of adoption, should reflect the cost of acquiring property within the in lieu parking area of the MO district for the construction of parking stalls based on the average tax assessed market valuation of property within the district. The fee is to be calculated using the formula found in Municipal Code Section 17.05.727(A). The adopted fee shall be reviewed at least every three (3) years by the city council.

# D R A F T

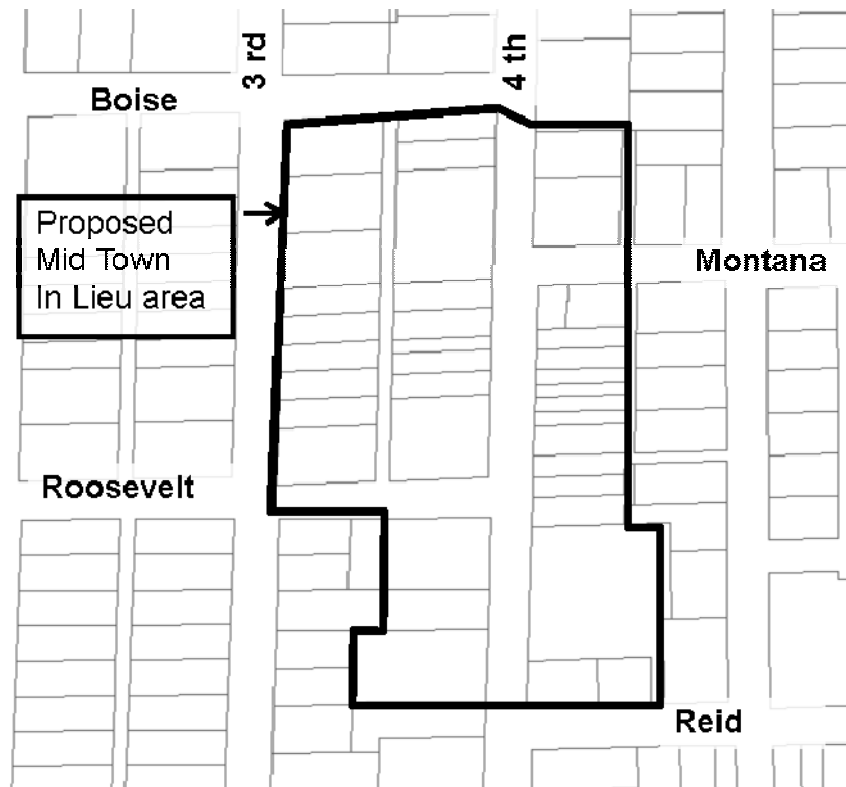
2. Payment Of Fee: An applicant for payment of in lieu costs instead of providing parking shall pay an amount equivalent to the costs and value of one parking lot space for each space of off street parking required for the proposed use by this chapter. Such payment of fees in lieu of parking shall be made in conjunction with the issuance of a building permit pursuant to section 17.44.130 of this title. To fulfill the total parking requirement, an applicant may utilize a combination of actual spaces and fees in lieu of parking up to the following limits:
  - a. If eight (8) or fewer parking spaces are required, all of the parking spaces may be replaced with fees in lieu.
  - b. If nine (9) to twenty (20) parking spaces are required, 60% (rounded up to the next space) of the spaces may be replaced with fees in lieu.
  - c. Fees in lieu may not be used to replace parking spaces above twenty (20) spaces.
3. Fund To Be Established: The city council shall set up a special fund for revenues received from such payment of fees. Said revenues shall be used only for the purpose of providing public parking facilities reasonably related to serving the in lieu parking area of the MO district by way of purchase of necessary land or improving such land for public parking purposes.
4. Refund Of Fee If Unused: If such fees have not been utilized for the stated purpose within fifteen (15) years of payment, or if a project or land acquisition negotiations have not commenced for which the fees would be spent, such fees with interest shall revert to original subdivider or its successor in interest unless the city and the developer or its successor in interest agree in writing to an alternative method to provide public parking facilities, land, or parking spaces. Interest shall accrue at the average rate of interest received by the city for funds invested in the Idaho state investment pool for the period of time the city holds the fees paid in lieu of providing parking spaces.
5. Certificate: An applicant for payment of in lieu costs shall, with payment of fees in lieu of off street parking, receive one nontransferable certificate for each space of off street parking which would otherwise be required by the terms of this chapter.
6. Changes Requiring Parking: Off street parking and/or fees shall only be required for:
  - a. Existing Use: For the amount a building is expanded above and beyond one hundred twenty five percent (125%) of the existing gross floor area;
  - b. Vacant Lot: Any new use(s);



# D R A F T

c. Off Street Parking And Loading: The number of off street parking spaces and loading berths shall be fifty percent (50%) of the standards specified in sections [17.44.030](#) through [17.44.090](#) and [17.44.500](#) through [17.44.540](#) of this title.

7. Mo District Fees In Lieu Of Parking Boundary: The boundary of the MO district fees in lieu of parking area is:



**SECTION 3.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 4.** Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Coeur d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

**D R A F T**

**SECTION 5.** The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

**SECTION 6.** After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

APPROVED, ADOPTED and SIGNED this            day of            , 2008.

\_\_\_\_\_  
Sandi Bloem, Mayor

ATTEST:

\_\_\_\_\_  
Susan K. Weathers, City Clerk

**D R A F T**

SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_

Insert brief description

Insert Title ; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. \_\_\_\_\_ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

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Susan K. Weathers, City Clerk

**D R A F T**

**STATEMENT OF LEGAL ADVISOR**

I, Warren J. Wilson, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. \_\_\_\_\_, Insert Brief Description, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this        day of        , 2008.

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Warren J. Wilson, Chief Deputy City