



The Town of Leesburg
Department of Planning and Zoning

To: Planning Commission

From: Gigi Robinson, Vice-Chair, Planning Commission
Susan Berry Hill, Director

Date: September 1, 2016

Subject: Parking

Issue: The Planning Commission requested a work session discussion of parking issues in Leesburg. This request was entered onto the Planning Commission Request Tracking Chart on June 6, 2016 and has been scheduled for discussion on September 1, 2016. This work session topic includes an idea pertaining to residential parking that was submitted to the Planning Commission and Town Council by Mr. McLister (see Attachment 1). The Council began discussion of Mr. McLister's idea in August and will continue this discussion at their September 12th work session. The work session topic also includes some of the Parking Task Force recommendations and the Town Council resolution regarding current direction on the Task Force recommendations (see Attachments 3 and 4).

The work session information and discussion topics are listed below:

- Proposal for no required parking for residential in the H-1;
- Parking payment in-lieu option – current Zoning Ordinance requirements;
- Sections of the Downtown Parking Task Force recommendations;
- Mr. McLister's proposal; and
- Planning Commission's Recommendations to Council.

Background Information and Discussion Topics:

1. Residential Parking Downtown.
 - a. Current ZO Requirements and Allowances – Residential uses are required to provide on-site parking with the exception of lots of record measuring 4,000 square feet or less that are within an area bounded by Liberty Street, Church Street, South Street, and North Street. Residential projects in this area may use the parking payment in-lieu to 'buy out' of providing on-site parking (See Attachment 5 - TLZO 11.4.3).
 - b. Residential Parking Permit Program - Town Code Section 32-238 through 32-252 covers Permit Parking zones in residential areas. This program

allows neighborhoods to petition to have permit-only parking subject to meeting qualifications:

- 51% of the residents must sign a petition to have a Parking Permit zone, and
- Inspection of the block(s) finds that 75% of the available parking on the block(s) is occupied, and
- Inspection of the block(s) finds that 25% of the available parking is occupied by out-of-area vehicles.

The Town currently has 12 residential parking permit zones (See Attachment 8).

Information about the Residential Parking Permit Program can be found at the Departments of Public Works and Finance websites:

<http://www.leesburgva.gov/government/departments/public-works/transportation-division-services/permit-parking>;

<http://www.leesburgva.gov/government/departments/finance/parking-permits#permitzones>.

- c. Mr. McLister's proposal – Mr. McLister's proposal is to waive parking requirements for any residential use in the H-1 Overlay District where it can be proven that a commercial building is being converted back to a residential use. This idea has been proposed in an effort to make residential development/redevelopment easier in the downtown which will increase 'feet on the street' and result in more business for downtown businesses and overall downtown vibrancy. Downtown Parking Task Force. Please note that only the sections that apply to this proposal will be addressed tonight.

2. Short term recommendations of the Parking Task Force:

- a. Regulatory recommendations

- 500 foot proximity to parking structure – For rehabilitation or use of existing *non-residential* properties, the Zoning Ordinance allowed for no on-site parking for properties that are within 500 feet of a public parking garage. The Parking Task Force recommended that the County garage not be included because it is full during business hours and offers no parking options for such businesses. The Town Council accepted this recommendation. The 2015 Zoning Ordinance Batch included this change. While this change applies to non-residential uses, it is relevant to the discussion of parking requirements for residential uses downtown because it made requirements *more strict* for business uses while the McLister proposal would make parking requirements *less strict* for residential uses. This has prompted staff to ask the question: what is our downtown parking strategy?

- Parking payment in lieu - The parking payment in-lieu provision was added to the Zoning Ordinance in 1985 as a means to allow non-residential uses in the downtown to ‘buy out’ of providing some or all on-site parking. Fees collected under this provision were to be added to a fund to be used toward public parking. The amount of the fee is established by Town Council resolution. It was approved at \$1600 in 1985 and was increased to \$3000 in 1987. In 2015 Town Council increased the fee to \$6270 to reflect a 109% increase in the Consumer Price Index. The Parking Task Force recommended that the fee be increased to reflect current costs to provide structured parking space but moreover, that the Town Council consider a public-private partnership to establish a cost-sharing formula. This would show public sector commitment to building a parking facility and it would establish a fee amount that is fair for the private sector.

3. Long term recommendation of the Parking Task Force:

- Increase parking capacity – The Parking Task Force recommended that the parking capacity downtown be increased. Additional demand forecasting would be done to predict the capacity needs of a future parking garage.
 1. Walkability to retail, business, residential, events – The Task Force noted that a future garage is most likely needed in the SE quadrant of downtown due to development and business expansion in that area. This location would be proximate where business expansion is occurring currently and reasonably proximate to where potential new business and residential expansion will take place in the Crescent Design District. The location of a future garage should maximize walkability to retail, business, events, and residential uses downtown.
 2. Average cost of surface and structured parking space - The average cost of an individual surface parking space is between \$7,000 and \$8,000. Structured parking spaces start at approximately \$25,000 per space and can increase dramatically depending on factors such as land costs, geotechnical conditions, whether the structure is “wrapped” with commercial/other uses, architectural design, and storm water management conditions.

Staff's Response to Mr. McLister's Proposal:

At the Town Council meeting on August 9, staff pointed out a number of concerns with Mr. McLister's proposal including:

- Historically, most of the buildings in the downtown were used as residential properties at one time or another. This proposal would require a significant amount of research to establish how a particular property was used over time. Staff has done such research for Mr. McLister for one of his downtown properties. In that case it was not only time-consuming but the historical information that was found was not necessarily helpful. Anecdotal information was available but there was no actual documentation in the form of zoning permits or other town documents that would verify residential usage.

If this proposal were to be entertained, staff would not advise that it be linked to past usage of properties in the downtown.

- Unlike highly urbanized areas, currently there is limited public transit in Leesburg and so most residents downtown will continue to have cars. If cars are not parked on-site, residents will seek to park them on surrounding local streets which in turn, may result in problems for other downtown residents. Or residents with no on-site parking may seek to park in public parking facilities such as the Liberty Lot or the Town garage. All public parking facilities currently do not allow overnight parking.
- A change to have no on-site residential parking requirements may make residential development/redevelopment more attractive from a profitability standpoint than commercial development/redevelopment. This may have the inadvertent effect of incentivizing too many conversions from non-residential to residential use which would be counter-productive to the Town's goals to achieve a healthy, vibrant business community in the downtown.

Staff is recommending a comprehensive approach to looking at the parking capacity question prior to taking piecemeal action on individual proposals such as Mr. McLister's (see Attachment 2). So, what does a comprehensive and strategic approach to the parking issues downtown entail? A typical study process might include something like the following:

1. Determine current parking inventory. We know capacity of public surface lots and/garages. We could also assess the current parking count for on-street parking and private surface lots.
2. Identify current concerns and issues. The Parking Task Force identified a current shortage of parking in the SE quadrant which has resulted in parking problems in

- the County garage and in private parking lots. Staff has been approached by businesses downtown wanting to convert existing on-site parking for outside dining. Should this be allowed? This step in the study process will cast a wide net to capture a broad range of concerns and issues from the perspective of downtown businesses and residents as well as residents in the rest of Leesburg, tourists, staff (considering downtown parking issues) and others.
3. Define Future Demand/Concerns
 - Do we need more parking
 - Where (site possibilities)
 - When will capacity be needed
 - Funding sources (payment in lieu or other)
 - Effects on residents, merchants, tourists, etc.
 4. Identify solutions, both long and short term and an implementation plan.

There could be many iterations of a comprehensive parking strategy. The preceding steps are provided so that the Planning Commission may have a common understanding of what is meant by a comprehensive parking strategy for purposes of discussion.

Planning Commission Discussion:

- Should a Comprehensive Parking Strategy be identified before individual parking proposals (such as Mr. Mclister's) are pursued?
- Should the parking payment in lieu be increased now to reflect a more "realistic" cost of structured parking? Repealed now until a Comprehensive Parking Strategy is completed? Remain at \$6,270?

Attachments:

- 1) Mr. Mclister's proposal
- 2) Staff report to Town Council on Mclister idea for August 9, 2016 Town Council work session
- 3) Parking Task Force Report
- 4) Town Council Resolution on Parking Task Force recommendations
- 5) TLZO Article 11 – Alternative Parking Provisions and Pedestrian Access
- 6) Town Council Resolution 2015-002, Increase the Payment in-lieu parking fee
- 7) Map of H-1 District
- 8) Map of approved Residential Parking Permit areas in the H-1 District

To: Leesburg Town Council and Planning and Zoning

Subject: Text amendment change or regulation removal of residential parking in lieu fees if a historic Property is changing use back to residential use - 11.4.

Our Historic Properties are the lifeblood of Leesburg's Historic District. All across the country, there is a transition to a commercial and residential mix in an urban renewal model. Downtown Leesburg has a tremendous opportunity to set the example and capture the incredible demand for this transformation. However, as recognized by the Virginia General Assembly, costly building regulations constrain the refurbishing of these precious assets. What's more, if a project can meet these stringent guidelines, our town has imposed yet another regulation above and beyond mandatory codes that is proving too costly, does not solve the issue it was designed to do and is a significant detriment to refurbishing these assets. This regulation also obstructs the town from providing customers/labor force/residents and stands in the way of increased tax revenues for one of the great small towns in America.

This is straight out of the 2012 Virginia Uniform Statewide Rehabilitation document.

SECTION 102 **PURPOSE AND SCOPE 102.1** Purpose. In accordance with § 36-99.01 of the Code of Virginia, the General Assembly of Virginia has declared that (i) there is an urgent need to improve the housing conditions of low and moderate income individuals and families, many of whom live in substandard housing, particularly in the older cities of the Commonwealth; (ii) there are large numbers of older residential buildings in the Commonwealth, both occupied and vacant, which are in urgent need of rehabilitation and must be rehabilitated if the state's citizens are to be housed in decent, sound, and sanitary conditions; and (iii) the application of those building code requirements currently in force to housing rehabilitation has sometimes led to the imposition of costly and time-consuming requirements that result in a significant reduction in the amount of rehabilitation activity taking place.

The parking in lieu regulation (11.4) forces property developers to pay the town of Leesburg a parking fee if a Historic rehabilitation project changes from commercial to residential (returning to its original use in most cases). Requirements include 1.5 parking spaces for a 1 bedroom apartment, 2 spaces for a 2 bedroom and the \$6,300 per spot fee is further rounded upwards (which tacks on yet another \$3,150 in fees - ex 1.5 goes to 2 etc.). It does not require any fee if a project remains commercial. To further discriminate, a commercial project must be 500 feet from a town parking facility (or procurement of other parking usage) while a residential change of use project must be 300 feet (33% less). A further bias against residential parking vs. commercial is found in "shared parking" 11.4.5 where the town alleviates parking requirements on a percentage basis for every sector except residential. This table infers a car is in a residential spot (or paid parking in lieu buy out) 100% of the time, 24 hrs. per days, 7 days per week, 365 days per year. There is no regulation relief as in other sectors. In fact, with 85% of population not working in Leesburg, one could assume a residential use most likely would be the most advantageous sector by leaving early in the morning and returning in the evening (both off peak parking times). This entire regulation is out of place and out of date in today's small town mixture of urban commercial/residential mix by stopping projects from going forward. Property developers willing to take the risk of a historic renovations (that already come with so many variables and unknowns) cannot afford a regulation that adds 10-33% additional costs to a project. If downtown Leesburg is to be at the forefront of this urban momentum, we should revisit and remove an unnecessary regulation that a) doesn't achieve its intended goal, B) adds huge costs to projects that enhance our core assets, c) prevents growth of our town revenue tax base and d) hurts our merchants.

This regulation is similar to a fine/penalty that stops projects in their concept/idea phase and a reason why little, if any, urgently needed projects don't take place. Many of our coveted properties are deteriorating rapidly because of the lack of funds to re-invest. Parking is an issue but this regulation doesn't solve the problem, doesn't provide parking and actually hurts the town's potential.

With a noble goals and objectives, sometimes regulations are out of place and need to be re-visited as market conditions present themselves. As Leesburg has grown over 320% in population since 1990, some of our building and zoning regulations have not been updated, are restrictive and are working against the trend of urban/residential mix. It takes real world situations to determine if they actually produce what they were intended to accomplish. In this case, this parking in lieu regulation penalizes the very residential mix use growth we are lacking. It may seem like a miniscule regulation but it has monumental effects on Historic projects going forward and ultimately delivers less dollars to the town and our merchants.

We have already done some fabulous changes to support this trend to include widening sidewalks, allowing outdoor dining, installing/improving bike paths et al. We need to also support refurbishing projects to maximize these investments. The demand is for nice, affordable, residential apartment's downtown is very high with vacancy rates near 0% while commercial vacancy rates are 19%.

It is obvious why most restaurants/shops close at 3 pm and many closed on Monday. Every business owner in the Historic District will echo that we need more "feet on the street" and we should remove all barriers holding us back from opportunities to provide more customers. This regulation is a direct barrier to the lack of activity meeting the demand and misses the "big picture" for both the town and merchants. Residential rehabilitation does not take away parking but it is treated as a different class than commercial rehabilitation. It is puzzling that change of use is considered a bad thing when it supports so many positive changes?

Nothing good comes from hampering residential rehabilitation projects for Historic Leesburg:

- We get less people living, working and spending money downtown
- We reduce the potential property tax assessment growth Leesburg could be obtaining with refurbished assets.
- Merchants are less successful
- We providing merchants with a smaller workforce to draw from
- We get less BPOL revenue
- People who desire to live and spend money in the Historic District are living elsewhere and spend money there
- Our local teachers, firefighters, single professionals, young couples, separated parents (who want to stay near home) live in WVA, Winchester, Ashburn, One Loudoun, Frederick, MD, instead of their first choice – downtown Leesburg, Va.
- By not maximizing revenues, property owners don't refurbish their buildings.
- Many restaurants/deli's/shops have limited hours and many close at 3 pm

Sitting in one of the richest counties coupled with the highest per capita income in the country, downtown Leesburg is in the midst of a fabulous opportunity to become the leader in the transition back to commercial/residential urban live, work and play. We discuss it but we need to act upon it. People want to live downtown, work near their home and spend their dollars in their town. Study after

study after study has indicated this transition is taking place all across America. National studies and local ad hoc committees have come to the same conclusion with neighboring cities/communities currently capturing our potential residents and new commercial tenants. Lack of demographics also do not allow us to put our best foot forward in the pursuing, recruiting and capturing of upscale merchants to complement the existing business/merchant base. As we all know, stores (both regional and national chains) look to demographics for their business model. If they don't see potential in downtown Leesburg as their best option, they opt to establish a location elsewhere in Northern, VA.

Print articles after print article (both local and regional) also detail the desire for our employees to live and work downtown only to find no supply or decent apartments. Although the theme has been upon us for quite some time, recent articles mirror the trend for both our competition and our employee's desires:

- Washington Post July 3, 2016 – Stop Saying No to Development in Your Neighborhood
- Loudoun Now June 30-July 6, 2016 – How Can Loudoun Keep its Firefighters?
- Loudoun Now July 7-13, 2016 – Nighttime Economy Committee Presents Recommendations
- Loudoun Tribune June 30, 2016 – Bill May His Way – One Loudoun one of most high profile, high visibility mixed use communities in the US.

Unfortunately, as the statistics show (see below), downtown Leesburg is not capitalizing on this trend and sadly, many of our historic assets are deteriorating or in dire need of a facelift. We could capture far more tax revenues, have enhanced and vibrant restaurants/shops from sun up to sun down and attract new tenants that want to locate to downtown Leesburg, VA. With our downtown commercial vacancy rate (19%), we could be having business' fighting over open commercial space with an improved demographic profile. Due to this regulation penalty, we are losing potential people, tenants and shops/offices are vacant.

There is no lack of desire or demand to live in downtown Leesburg, it is simply the supply of good quality affordable housing/apartments. We currently do not have enough feet on the street to support our merchants/restaurants and provide a workforce for our business community. If we had more living downtown, we have more customers for merchants. If we have merchants selling more goods and services, they make more money and tax revenues rise. If merchants make more money, business based revenue taxes rise, property owner's assessments rise and the town takes in more revenue. If they are more successful, they will put more into historic rehabilitation and old buildings will get refurbished or touched up. If we took regulations off the books penalizing property developers for converting former residences back to residences, more refurbishing would occur, more money would be spent in town, there would be a greater employee base to draw from.

[Statistics right of Leesburg Website – 2014 stats:](#)

- Only 15% of Leesburg's workforce live in Leesburg
- 62.5% of the population is of primary labor force age (20 to 64)
- Median household income is nearly double the national median – where are they spending their money?
- 85% of the workforce that live outside Leesburg and spend their disposable money elsewhere. 85 out of every 100 workers live elsewhere.

- 66% of Leesburg's workforce commutes to Leesburg from Loudoun County, Northern, VA, the Shenandoah Valley or, WVA – how many would live downtown if they had the option?
- 10,000 of Leesburg's population is single households -20%
- With 51,000+ residents, we have only 1,772 apartments (3.4%) in all of Leesburg proper. How many of these 1,772 are downtown – less than 10% of the total? How many would live, work and spend money in downtown is there was a good supply?

US Census Bureau - United States Trends are emerging:

- 36.5% rent vs homeowners – highest trend in 22 years (1st qtr. US Census Bureau)
- 65.8% under 35 rent their place to live
- 41.1% 35-44 yrs old rent
- 30.8% rent ages 44-54.

It is fair to say with a national average of 36% people leasing and Leesburg having a supply of 3.4% of apartments; we are very lopsided. With only 15% of our workforce living in our town, it is also fair to assume downtown leasing supply doesn't meet the demand.

A direct example: My commercial project at 105 Loudoun has been completed for over two months. They are 6 of the most beautiful single office suites in town with private entrances and bathrooms right in the middle of the Historic District– zero occupancy – not one contract, not one offer.

Conversely, right next door at 107 Loudoun St (Former Eiffel Tower Restaurant) there are 5 apartments (one 1 bedroom, 4 two bedrooms). We do not even have dry wall up yet, are 60 days from completion and it is almost sold out (3 of 5 units under contract). I am certain it will be completely sold out prior to completion. Pricing? Although built in 1840, it is brand new inside with 2016 amenities (electric, plumbing, roofing, paint, tile, granite counter tops, WIFI, FIOS/Xfinity ready, outdoor patio's and running on Natural Gas. It is at the average price levels for Leesburg and less than comparable Loudoun County options. Ironically, there is one office at that same property with a glass conference room and private bathroom, same amenities; zero offers, vacant.

Removal of this regulation for residential refurbishing would produce:

Historic District Positives:

1. Greater employee base for our town
2. More disposable income dollars being spent in downtown Leesburg
3. Increased tax revenues for the town in assessments
4. Increased tax revenues through BPOL growth
5. Enhanced Historic values with refurbishing projects
6. More funds for merchants to repair buildings
7. Shops stay open past 3 pm and some open into the evening to capture walkable traffic.
8. With increased demographics and spending, commercial vacancies are reduced, rents rise.
9. Recruitment/retention of different and diverse business' and shops
10. We don't lose merchants to Lansdowne, One Loudoun, Ashburn etc.

Historic District Negatives:

1. Leesburg forgoes the few parking in lieu fees it gains but economically gains in all areas above.

In conclusion, prosperity is at our door step for all; the town, our residents and our merchants. Downtown Leesburg is a great place to live, work and play. It is the posterchild of opportunity and we need to promote this and become the city we have the potential to be. All that can find a decent place absolutely love living in downtown Leesburg.

We should not have a 19% commercial vacancy rate. We should not have individuals who want to live here be turned away due to lack of supply or a beautiful place to call home. We should keep all the dollars in our town that we can. Our Historic District assets should not be deteriorating. Establishing a mixed base of both affordable and upscale living spaces for our teachers, firefighters, shop owners and professionals solves many of these issues.

The town council should remove this regulation and all detriments to this trend and it will foster growth. It is not too late to be part of this growing trend, however, we need to see the big picture of what is holding us back and have a vision of growth in this area. Some are willing to take the risk to meet this demand but under the current regulation, it is too risky, restrictive and costly to move forward.

Sincerely,

Michael J. McLister

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mclisterenterprises.net

PS - This request was not done without discussions with prominent business leaders and government officials all with the best interest of the town of Leesburg at heart. I will follow up this request with a list of personnel that would support abolishing this regulation so hindrances to growth can flourish.



Date of Council Meeting: August 9, 2016

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Initiation of Zoning Ordinance Text Amendment – Downtown Residential Parking

Staff Contact: Brian Boucher, Deputy Director, Planning and Zoning

Council Action Requested: Consider a resolution to initiate amendments to the Zoning Ordinance to waive the parking requirements for properties in the H-1 District that are converted back to residential use.

Staff Recommendation: Staff recommends that no initiation occur at this time, but that the potential for greater flexibility for residential parking be addressed as part of a comprehensive examination of parking issues facing the downtown area.

Commission Recommendation: None at this time. If initiated, the Planning Commission will review the amendments and make a recommendation to Town Council.

Fiscal Impact: Potential fiscal impact from the need for the public to provide parking for residential uses in the downtown area that would result from adoption of these regulatory changes.

Work Plan Impact: The work impact of this amendment will be larger than average due to the need for research to assess the impact of the proposal. Placement of newly initiated work in the Department of Planning and Zoning work queue is based on a combination of considerations including: date initiated, priorities of Council, legal considerations and priorities of the Town Attorney and/or Town Manager, staff availability, expertise needed, and level of difficulty. If the proposed project is initiated, Council should state if it is a priority and if so, how staff should address it given the existing work projects (see Attachment 3).

Executive Summary: The Zoning Ordinance requires residential uses in the H-1 District to provide on-site or approved off-site parking with the exception of a small area of downtown where required parking can be purchased using the payment in-lieu provision of TLZO Sec. 11.4.3. An owner/rehabilitator of downtown properties has requested consideration of an amendment to the Zoning Ordinance to waive the parking requirements for any residential use in the H-1 Overlay District where it can be proven that a commercial building is being converted back to a residential use. Most historic buildings in the H-1 District were all or partially residential at one time such as the Laurel Brigade or the Downtown Saloon building. In more urbanized areas such as Arlington or Washington, D.C., on-site residential parking is sometimes not required because there are parking garages within reasonable walking distance of the residential units, and many residents do not own cars because they can rely on mass

transit opportunities that Leesburg does not possess. This lack of mass transit and private parking garages means residential parking is required in Leesburg because residents expect to have dedicated parking spaces, and if they are not provided by developers, it will become the responsibility of the public to supply them at public cost. Given the concern with parking downtown generally this proposal should not be initiated separately, but should be considered as part of a comprehensive, planned approach to downtown parking issues.

Background: TLZO Sec. 11.4.3 Payments In-Lieu gives developers of nonresidential uses in the H-1 Overlay, Old and Historic District the option of purchasing required parking spaces by making a payment to the Town's parking fund. The current fee is \$6,300 per space. The funds will be used toward provision of public parking downtown. This option is specifically not available for residential uses except for the following circumstance (TLZO Sec. 11.4.3.A):

On lots of record existing as of February 14, 2012, measuring 4,000 square feet or less, situated between Liberty Street and Church Street and between South Street and North Street a portion or all required parking for residential uses may be provided by payment in-lieu in accordance with this section.

This provision allows a developer to convert property within this area to residential use and either provide the required parking on-site or off-site or to purchase the required spaces at the rate of \$6,300 per space. If the payment in-lieu option is exercised, the money will be used to provide public parking facilities in the downtown area. The money does not guarantee availability of any parking spaces for the residential users. Note that this provision was a relaxation of the previous rule which did not allow the payment in-lieu option for residential uses. In 2011, Town Council decided that the alternative parking provisions for non-residential uses in the Downtown, particularly the payment in-lieu, could be extended to residential uses in an effort to encourage residential conversions and development in the Downtown.

Mr. Michael J. McLister, owner and rehabilitator of several properties downtown, including conversion of portions of some properties to residential use, expressed to Town Council, the Planning Commission and planning staff a concern that the current parking requirements hinder residential conversions in the H-1 Overlay District (see Attachment 1). Mr. McLister believes that current regulations do not achieve intended goals of facilitating parking, add substantial cost to rehabilitation projects that enhance the Historic District, prevent growth of the Town's revenue tax base, and hurt downtown merchants.

The H-1 District encompasses the B-1, Community (Downtown) Business District; the R-HD, Residential Historic District; and the GC, Government Center District. There are over 700 buildings in the H-1 District (including 508 contributing structures). The exact number is not known at this time, but staff believes the majority of historic structures contained a residential use at one time. Staff has major concerns about the request. The potential impact

of so sweeping a change on parking in the H-1 District is difficult to determine and many questions arise, such as:

- What proof will be required to determine if a building has ever had a residential use? Zoning Permits or other documentation, such as compliance with Loudoun County building code requirements, have been necessary in the past to determine whether a building has been legally used for residential purposes. This can be a very time consuming process.
- If the use was as a single-family detached dwelling, may it be divided into apartments without payment in-lieu for the additional parking spaces? For example, single-family detached dwelling requires two off-street parking spaces, whereas a building with four one-bedroom apartments requires six spaces (1.5 spaces 4 one-bedroom units = 6).
- If the footprint of an existing residence is expanded to contain more apartment units, is it intended that no parking will be required for the addition?
- Can existing parking spaces in the B-1 and R-HD District be removed through building expansions?

Second, if the property owner/developer does not have to provide any parking, whose responsibility is it? Staff believes the answer is that the cost will fall upon the taxpayers in the shape of new public parking facilities. The number of spaces that may result from such a change is not known and the idea was not discussed as part of the Downtown Parking Task Force deliberations. The Task Force's recommendation that the payment in-lieu fee be increased was actually deferred and waiving the fee appears to be counter to their recommendation.

Third, where will people park? Downtown residents with no on-site parking will have to park somewhere and staff is concerned that they will park in locations that could lead to conflicts with existing residents.

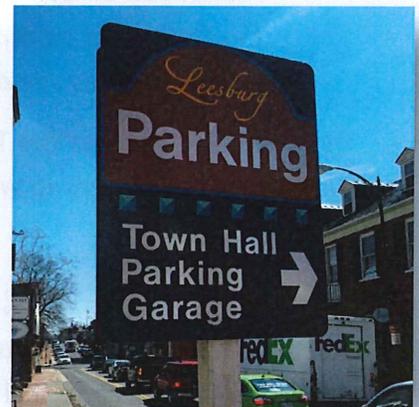
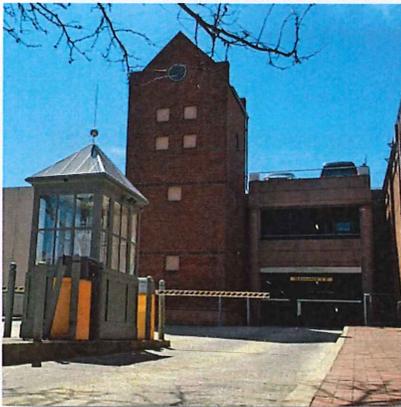
Based on these concerns, staff recommends that the existing regulations remain in place until a comprehensive examination of parking needs in the H-1 District, including proposals to add flexibility to the residential parking standards, has been undertaken.

Attachment:

1. Leesburg Residential Regulations Proposal from Michael J. McLister
2. Initiating Resolution
3. List of current Zoning Text and Town Plan amendments in the Department of Planning and Zoning work plan

DOWNTOWN PARKING TASK FORCE

REPORT OF FINDINGS AND RECOMMENDATIONS



JUNE 8, 2015

Leesburg 

the hometown of the 21st century

TOWN OF LEESBURG
DOWNTOWN PARKING TASK FORCE

REPORT OF FINDINGS AND RECOMMENDATIONS

June 8, 2015

INTRODUCTION:

For many years, the Town of Leesburg has been focused on providing relief to the demand for downtown parking. As the downtown continues to experience growth through the redevelopment of properties and the continued success of restaurants, retail, and business enterprises, the demand for public parking increases. Recognizing the need to address these demands the Town Council initiated the creation of a Downtown Parking Task Force and directed the group to focus on one, critical, overarching question:

“What can be done to incentivize all-day parkers in the downtown to relocate to alternative parking areas that are less convenient so more convenient parking spaces are available for short-term parkers?”

The Council asked that the Task Force explore this issue and provide recommendations for their consideration. The group was asked to report back to the Town Council in early June of 2015.

Task Force Members:

The Task Force was composed of eight Town residents and downtown business owners. The objective was to get a mixture of citizens that would be able to provide different perspectives on the perceptions and realities of parking in the downtown. Four members were selected to represent citizens from each of the Town’s four residential quadrants; two members were selected to represent downtown businesses; one member was selected to represent the Town Planning Commission; and the final representative was selected to represent the Economic Development Commission:

Task Force Membership:

Member:	Representing:
Alicia McFadden	North East Quadrant
Jerry Hill	North West Quadrant
Alexis Felton	South West Quadrant
Richard Smith	South East Quadrant
Paige Buscema	Economic Development Commission
Gigi Robinson	Planning Commission

Kate Armfield	Downtown Business
Carrie Whitmer	Downtown Business

BACKGROUND:

Meetings of the Task Force:

The Task Force held four meetings starting on April 23, 2015.

During their first meeting, the Task Force participated in a walking tour of the downtown parking facilities to experience firsthand the pedestrian environment. The group observed sidewalk conditions, traffic impacts, and distances from parking facilities to destinations.

At their second meeting, the Task Force heard from two guest speakers. Brian Boucher, the Town’s Deputy Director of Planning and Zoning presented the historical context of the current zoning ordinances that pertain to downtown parking. The second speaker was Peter Burnett, who is a local attorney, downtown business owner, and landowner. Mr. Burnett shared downtown parking needs from his perspective.

The third meeting of the Task Force was devoted to discussing parking issues and developing recommendations.

The fourth and final meeting was spent finalizing the recommendations and report to be presented to the Town Council on June 8, 2015.

Existing Conditions:

Parking in the downtown is provided through a combination of on-street parking, public structured parking, public surface parking, and private off-street parking. To better understand the public parking demands of the downtown, Town Staff undertook a major parking data collection program for the month of March 2015. Staff collected data each day of the month, including weekends. The purpose was to gather parking demand and various times throughout the day. For example, occupancy in the Town parking garage was counted four times each day, every week day, and three times a day on the weekend. Each public surface lot and on-street space was counted in the morning and afternoon each week day. An additional two weeks of data was collected in the month of April 2015 for the parking garage and on-street spaces. The results are attached to this report.

The data shows that at no time did parking demand exceed capacity in the Town garage or surface lots for the entire month. On average, the Town’s parking garage was at 56 percent capacity during the workday. The highest demand recorded in the month was at 7pm on Friday, March 13, which was a “First Friday” evening (several hours after Town staff had left for the day). These figures show that parking limitations in the garage are more perception than

reality. Because of this, the Task Force looked closely at how the garage could be made more welcoming to the public.

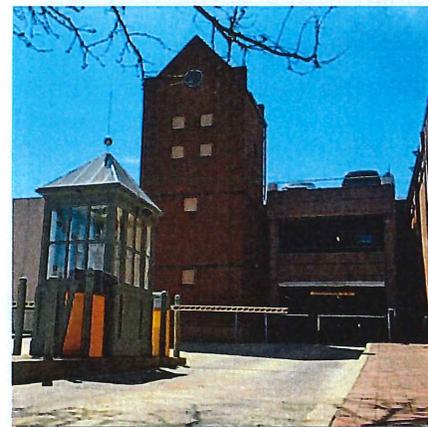
The highest demand for surface parking was in the County-owned Semones Lot. Which is a 68 space lot located near the County Court Complex off of North Street. This lot had an average of 79 percent occupancy during the workday. The County also owns the Pennington Lot which is a 202 space surface lot located off of North Street. This parking lot is used primarily for Court parking, along with some satellite parking for County motor pool vehicles, and had 37 percent weekday occupancy. The Town owns the 106 space Liberty parking lot. This lot had 40 percent weekday occupancy for the month of March.

For several months beginning last fall, the County ran a shuttle bus between the Pennington Parking Lot, the Liberty Street Lot, and the County Government Center. Because of extremely low ridership, the shuttle was eventually discontinued.

Current Parking Facilities:

Town Hall Parking Garage:

- 372 Spaces
- Town Owned
- Open to the public at all times
- Fees- First hour free, second hour free with validation. Hourly rate is \$1.00 from 7am to 7pm. Free to all on nights and weekends. Monthly reserved space (\$60) and unreserved (\$40) permit parking.
- Town staff required to park on top level



County Government Center Parking Garage:

- 290 spaces
- County Owned
- Levels 2-4 are for County staff only from 8am to 5:30pm. First floor of garage reserved for visitors of the Government Center during workday. Open to the public nights and weeknights
- Fees- no charge



Liberty Street Surface Lot:

- 106 Spaces
- Town Owned
- Open to the public at all times
- Fee- no charge



Semones Surface Lot:

- 68 Spaces
- County Owned
- Used for courts during weekdays, open to public on nights and weekends
- Fee- no charge



Pennington Surface Lot:

- 202 Spaces
- County Owned
- Used by courts and county staff on weekdays. Open to the public at all times
- Fee- no charge



On-Street Spaces:

- 148 Spaces
- Two hour maximum parking in all spaces
- Fee-\$1.50 per hour from 8am to 5pm.
Free nights and weekends



RECOMMENDATIONS:

The Task Force understands that solutions to downtown parking issues are complex. Modifications to regulations in one area can have far reaching impacts in other areas. Some changes are simple in nature with limited resources needed to make adjustments while other recommendations may involve significant funding and years of planning. With this in mind, the Task Force developed a wide range of recommendations that are identified for short term and long term implementation.

Short Term Recommendations:

Signage – Being able to efficiently inform visitors of public parking options should be a top priority of any improvement plan. Pursuant to Council direction, the Town is currently in the process of updating the existing way-finding signs to more clearly indicate the locations of free public parking. The Town should evaluate how motorists are directed to public parking options.

Pedestrian Experience – Being able to provide a safe and comfortable pedestrian experience from the public parking facilities to points of interest is a critical component of increasing the use of the surface lots. For example, currently, there is no continuous sidewalk between the Liberty Street Parking Lot and the Town Hall. The sidewalk starts and stops in several locations, handicap ramps are missing or in poor condition, and in several locations where there is sidewalk it is too narrow for two pedestrians to safely pass one another without stepping off the curb.



No sidewalks along Royal Street

Traffic Calming – Ways to lower speed and increase driver awareness should be considered. Options such as speed tables and lowering the 25 mile per hour speed limit should be explored.

Ordinance Modifications – The Town currently has several ordinances that impact downtown parking requirements. Two major ordinances are:

Payment in Lieu – 11.4.3 of the Town Code allows owners/developers of land in the H-1 Overlay District to make a payment to the Town’s parking fund in lieu of providing on-site parking. The current rate charged by the Town per space is \$6,270. This money is to be used for the future creation of off-street parking facilities in the H-1 Overlay District. The Task Force would only recommend keeping the Payment in Lieu program if the Town Council commits to a Capital Improvement Plan project that will increase parking capacity in the downtown. This will allow those paying into the Payment in Lieu program to know how their contribution will be used, and when new parking may be created. It is also recommended that the Payment in Lieu fee structure accurately reflect the true cost of creating parking spaces. The Town should consider increasing the current rate, and to show the Town’s commitment to future parking, the Town government should consider partnering with private developers in the total expense. The Task Force’s recommendation is to increase the payment in lieu fee to the fair market value of creating a new structured parking space. The Town should pay a percentage of this fee, as its commitment to the partnership. This percentage rate would need to be determined by the Town Council. Town staff should provide an annual report to the Town Council showing the balance in the fund.

500 foot Proximity to Public Parking – Any existing building in the B-1 District is not required to provide off-site parking if the property is located within 500 feet of an entrance to a public parking facility. The current ordinance counts all public parking facilities owned by the Town or County, but the County parking garage does not currently allow public parking during business hours. For this reason, the Task Force recommends that the Town eliminate the 500 foot waiver for future properties that may want to count the County garage as meeting their off-street parking requirement. If the County changes their public parking policy, the Town can revisit this modification.

Increase Parking Violation Fees – The current fees for parking at an expired meter is \$10. The cost to pay the meter for the full day is \$12. A higher meter penalty fee would encourage greater compliance. If possible, a graduated fee scale for repeat offenders should also be considered. For example, the third ticket on the same car in a month would be three times the fee paid by a first time violation.

Town Parking Garage – Much of the Task Force discussion centered on the operation of the Town Parking Garage. It was the consensus of the group that significant changes to the garage, both physical and administrative, need to be made to increase the public’s interest in using this facility. The Task Force shared anecdotal comments that the current configuration of the garage feels claustrophobic, poorly lit, uninviting, and poorly signed. It is believed that these

deficiencies deter out of town guests from using this facility to its full potential. To that end, the Task Force offers the following recommendations:

- a) **Make the second and third level of the deck free for all users** – It was the opinion of the Task Force that free parking on the second and third floor would be seen as a very pro-business approach to bringing more customers downtown and into the businesses and restaurants. It was cited that the large shopping centers located outside of the downtown offer abundant free parking. For the downtown to remain competitive with other areas such as the Villages at Leesburg, free, convenient parking must be a component of the downtown.
- b) **Charge for all spaces on the first (street) level** – Because the first floor spaces (level 1A & 1B) are the most convenient, there should be a charge for parking in these spaces. It is recommended that each space have a three hour parking limit to support space turn-over throughout the day. It is further recommended that the price per hour should be the same fee structure as is currently in place in the garage. Each hour would be \$1.00 or users could pay a fraction thereof.
- c) **Eliminate the parking validation program and remove the “first hour free” policy** – by going to a first floor payment system, there is no need for the validation program or free parking. If users of the deck want free parking they can park on the second or third level.
- d) **Remove the ticket booths, gate arms, and ticket machines** – By simplifying the garage’s fee collection system, the parking attendant booths, and related equipment will no longer be needed. This will provide a more welcoming approach to the garage and visitors would then be able to exit onto both Market and Loudoun Streets. Currently, only those with a pass can activate the exit gate arms on the Loudoun side of the garage. The staff who currently collect payments in the booths should be reallocated to provide enhanced parking space enforcement throughout the downtown. The Town may also want to consider reducing the hours of this staff to provide additional cost savings. Consideration should be given



to reusing the parking attendant booths for other uses in Town such as mobile information booths for special events, or visitor information booths in the Town parks.

- e) **Allow for alternative payment systems** – This would include the installation of payment kiosk machines, two on level 1A and two on level 1B. The machines could accept cash, credit, or other payment options. Payment apps such as “Park Mobile” or “Pango” could also be utilized. These declining balance parking fund apps would allow visitors with mobile devices to pay for parking through third party vendors electronically and eliminates the need for cash or credit cards.



Payment App Sign in Alexandria



- f) **Continue to rent personal spaces in the lower level on a monthly basis** – there is a consistent demand for these reserved spaces. Approximately one hundred spaces are currently reserved at a rate of \$60 per space.
- g) **Town staff should be asked to park in the Liberty Street Lot** – Approximately 70 Town employees work in Town Hall. On any given day approximately 60 Town staff vehicles are parked in the garage. Currently, Town staff is required to park on the top level of the garage. The Task Force recommends that staff be relocated to the Liberty Lot to free up space on the top level of the deck that is anticipated to be needed should the Town make the top two levels of the garage free.
- h) **Re-stripe the existing spaces** – A major concern of the current garage is the cramped feel of the spaces. Larger vehicles have an especially hard time parking in the current spaces. Restriping the garage to allow for wider spaces will reduce the total number of parking spaces, but will make the spaces that remain more user friendly and safe.

Several Task Force members remarked that they do not like to bring their cars into the deck for fear getting “dinged” by the opening of car doors.

- i) **Improve lighting** – To encourage more evening use of the garage it is recommended that lighting be increased to provide a safer feel.
- j) **Improve signage** – With the removal of the parking attendant booths and ticket dispensing equipment, there is space to install signage in the center drive lane that could welcome visitors and explain that the top two levels of the garage are free of charge and the most convenient parking is metered on the first floor. Large, easy to read, exterior wall mounted signs should be installed over the entrances to the garage on both the Market Street and Loudoun Street entrances that welcomes visitors to the “Public” and “Free on 2nd and 3rd Levels” parking garage. Additional signage should also be near the exits to the garage that direct drivers to alternative parking facilities if the garage is full.

County Government Center Parking Garage to Allow Public Parking – When opportunities present themselves, especially during County development proposals, the Town should explore ways to get the County to free up space in their garage for public use. Currently County staff fully occupies the County parking garage on Loudoun Street, except for the first floor that is reserved for visitors of the Government Center. If some of their staff parking was relocated to the Pennington Lot, spaces could be provided to the general public.

Drop-off /Pick-up Zones – Similar to what is found at metro stations and airports, the Town should consider people “loading zones” to allow friends and family to drop off and pick up visitors to the downtown. These zones should be located throughout the downtown and be improved with park benches to allow those waiting to be picked up a place to rest. These areas would be especially helpful for those who may not have handicap parking privileges but would benefit from friends or family retrieving a car from a more remote parking area and then coming back to pick up the rest of the party.

Long Term Recommendations:

After looking at parking demands throughout the downtown, the Task Force felt that the long term plan for addressing the ever-growing need for additional parking capacity requires that additional capacity be created. The area of the downtown that is experiencing the greatest demand on parking is in the South East Quadrant, the area south of East Loudoun Street and east of South King Street. Redevelopment and new construction has led to significant parking shortages near the areas of Market Station, South Street, and Church Street. The on-going growth and redevelopment in this area requires additional parking capacity. Currently the inadequate parking has led to visitors improperly using the County garage or illegally parking in spaces that are reserved for private businesses.

The Task Force recommends that the Town develop a long range plan to construct a parking garage in this general area. Additional demand forecasting would be needed to predict what capacity the future garage should accommodate, but at the very least, several hundred spaces would be needed. The Town should look at creative funding opportunities such as working with Loudoun County and private developers to partner in the garage's construction.

The Task Force also feels that there should be a long term strategy for on-street parking space payment collection. Currently the Town only has coin meters in place. New parking payment apps may allow the Town to allow collect payment using that tool. Consideration should also be given to locating payment kiosks throughout the downtown to allow visitors to pay with credit or debit cards. The Task Force understands that such kiosks are not economically viable at the current on-street parking rate structure.

CONCLUSION:

The Town has struggled with parking in the downtown for many years and no single recommendation will solve all the current issues. The recommendations found in this report are provided for the consideration of Town Council with the understanding that in some cases additional research from both a financial and logistical perspective will be needed before determining if a specific recommendation is truly viable. These recommendations represent the Task Force's best attempt at providing fresh and forward thinking solutions to Leesburg's downtown parking limitations. The Task Force feels strongly that Action is Required to address the downtown parking challenges.

The Task Force thanks the Mayor and Town Council for the opportunity to explore these issues and provide recommendations. Once Council members have time to fully review this report, the Task Force would request that a follow up meeting be scheduled where Council and Task Force members can further discuss these recommendations along with implementation strategies. The suggested date for this meeting would be the September 21, 2015 Council Work Session.

PRESENTED August 11, 2015

RESOLUTION NO. _____

ADOPTED _____

A RESOLUTION: AUTHORIZATION TO IMPLEMENT THE RECOMMENDATIONS OF THE JUNE 8, 2015 DOWNTOWN PARKING TASK FORCE REPORT

WHEREAS, the Town Council has recognized that providing sufficient short term parking in the downtown is important to sustain and enhance the downtown economy; and

WHEREAS, the Town Council directed the Town Manager to organize a Downtown Parking Task Force to develop recommendations; and

WHEREAS, the Downtown Parking Task Force presented their official findings and recommendations to the Town Council on June 8, 2015; and

WHEREAS, the Town Council discussed the recommendations of the Downtown Parking Task Force at the July 27, 2015 work session, and reached consensus on several items.

THEREFORE, RESOLVED, by the Council of the Town of Leesburg in Virginia:

SECTION I. The Town Council authorizes the implementation of the following changes related to downtown parking:

1. **Waive Off-site Parking Requirements for Proposed Development within 500 feet of Public Parking.** Town staff is directed to proceed with a Zoning Ordinance modification to eliminate the County of Loudoun garage as a qualifying facility since public parking is not allowed during work business hours.
2. **Sidewalk and Accessibility Improvements along Liberty Street and Royal Street to encourage public use of the Liberty Street parking lot.** Town staff is directed to develop a capital improvement project for Council consideration as part of the Fiscal Year 2017 budget.
3. **Passenger Pick-Up and Drop Off Zones.** Town staff is directed to provide passenger pick-up and drop zones where feasible to benefit those with mobility limitations.

A RESOLUTION: AUTHORIZATION TO IMPLEMENT THE RECOMMENDATIONS OF THE JUNE 8, 2015 DOWNTOWN PARKING TASK FORCE REPORT

4. **Increase Fee for Parking Meter Bags.** Town staff is authorized to increase the fee from \$3 to \$10.
5. **Increase Fee for Parking Violations.** Town staff is directed to investigate options to implement a graduated parking violation fee for habitual offenders, and report back to Council.
6. **Payment in Lieu Increase.** This item is deferred.
7. **Contribution to Payment in Lieu.** This item is deferred.
8. **Mobile Payment Apps for Parking.** Town staff is directed to investigate the use of mobile payment apps and report back to Town Council.
9. **Payment Kiosks for First Floor Parking in Town Garage.** This item is deferred.
10. **Free Parking on Second and Third Floors in Town Garage.** This item is deferred.
11. **Implement a Parking Rate for First Floor Parking in Town Garage.** This item is deferred.
12. **Remove Gates and Payment Booths in Town Garage.** This item is deferred.
13. **Reallocate Town Parking Attendants to Parking Enforcement.** This item is deferred.
14. **Widen Parking Spaces in Town Garage.** Town staff is directed to reconfigure parking spaces where feasible in order to increase the user friendliness of the parking garage.
15. **Paint Interior Walls of Town Garage.** Town staff is authorized to paint the garage walls in a bright white color in Fiscal Year 2016 if funds are available or to request an appropriation in the proposed Fiscal Year 2017 budget.
16. **Install Exterior Signage on Town Garage Wall.** Staff is directed to develop design options and cost for Council consideration.
17. **Welcome and Informational Kiosk.** Town staff is directed to develop a plan to install welcome and /informational kiosks for Council consideration.
18. **Eliminate the Town's Parking Validation Program.** This item is deferred.
19. **Eliminate "First Hour Free" Parking in Town Garage.** This item is deferred.

A RESOLUTION: AUTHORIZATION TO IMPLEMENT THE RECOMMENDATIONS OF THE JUNE 8, 2015 DOWNTOWN PARKING TASK FORCE REPORT

20. **Continue to Rent Basement Level of Garage.** Town staff is directed to continue this program.
21. **Update Signage in Town Garage that the 2nd and 3rd Floors are free to the public.** This item is deferred.
22. **Add Signage that Alerts the Public to Other Parking Areas.** Town staff is directed to develop and install additional signage using Fiscal Year 2016 funds.
23. **Additional Town Garage Safety Measures.** Town staff is directed to develop a list of improvements that can be considered by Council during Fiscal Year 2017 budget discussions.
24. **Relocate Town Staff Parking from the Town Garage to the Liberty Street Parking Lot.** The Town Manager is directed to delay relocation at this time. If changes to Town garage operations create parking shortages in the garage, the Town Manager may need to be relocate Town employee parking in whole or in part, to the Liberty Parking Lot.

SECTION II. The Downtown Parking Task Force is requested to attend the Town Council Work Session of September 21, 2015 to further discuss those recommendations that the Town Council has not yet reached consensus.

PASSED this _____ day of _____, 2014.

Kristen C. Umstatt, Mayor
Town of Leesburg

ATTEST:

Clerk of Council

Sec. 11.1 General

11.1.1 Purpose and Intent

The purpose of these regulations is to ensure the provision of adequate pedestrian circulation facilities and off-street parking and loading areas. It is further the intent of these regulations to avoid undue congestion on public streets; to protect the level of service and capacity of existing streets; to avoid unnecessary conflicts between pedestrians and vehicles; to preserve and enhance the H-1 Overlay District; and to promote the general health, safety and public welfare.

11.1.2 Applicability

These off-street parking and loading regulations of this article shall apply to all parking and loading areas, including driveways for single-family and duplex dwellings, established within the Town of Leesburg following February 25, 2003.

11.1.3 Procedures: Site Plan or Subdivision Requirement

An application for site plan or subdivision plat approval, as appropriate, shall be required prior to the construction of any new or expanded off-street parking and loading facilities for all uses other than single-family detached and duplex dwellings, pursuant to the procedures established in Section 13-64 of the Leesburg Subdivision and Land Development Regulations. Any plans for re-striping or modifying the number of parking or loading spaces shall be approved by the Zoning Administrator upon the submittal of a parking lot plan which complies with all applicable ordinance requirements.

11.1.4 Permanence of Requirements

No owner or operator of any structure or use shall discontinue, dispense with or cause a reduction in pedestrian access or in the number of required off-street parking or load spaces without establishing alternative vehicular parking and/or loading facilities which meet the requirements of this article. Any structure or use which is altered or expanded in a manner which would warrant the provision of additional off-street parking or loading facilities shall provide such facilities in compliance with this article prior to occupancy of the altered or expanded portion of the use. If, as a result of amendments to this Zoning Ordinance regarding the number and/or size of parking or loading spaces, an existing use is determined to have an excess number of spaces, such space may be removed upon approval of a revised site plan.

Sec. 11.2 Pedestrian Access

11.2.1 Purpose

The pedestrian access standards of this section pertain to a development's internal pedestrian circulation system. The section encourages a safe, attractive, and usable pedestrian circulation system internal to all developments. The purpose of the section is to ensure a direct pedestrian connection between the street and buildings on the site and between buildings and other activities within the site. In addition, it provides for connections between adjacent sites, where feasible.

11.2.2 Connections

- A. Connection to street.** The internal pedestrian circulation system must connect all adjacent streets and sidewalks to the main entrance.

- B. Internal connections.** The internal pedestrian circulation system must connect all buildings on the site, and provide connections to other areas of the site, such as parking areas, bicycle parking, recreational areas, common open space areas, and all pedestrian amenities.

11.2.3 Materials

- A.** The internal pedestrian circulation system must be hard-surfaced and shall have an unobstructed width of at least four (4) feet wide.
- B.** Where the system crosses driveways, parking areas, and loading areas, the system must be clearly identifiable through the use of elevation changes, a different paving material, texture change, or other similar method. Striping does not meet this requirement.
- C.** Where the system is parallel and adjacent to a vehicle travel lane, the system must be a raised path or be separated from the vehicle travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps.

11.2.4 Lighting

The on-site pedestrian circulation system must be lighted to a level where the system can be used at night by employees, residents and customers.

Sec. 11.3 Number of Parking Spaces Required

All uses shall be subject to the minimum off-street parking requirements established in this section unless modified parking standards are included as a proffer or as a condition of the approval of a special exception or conditionally permitted use, or otherwise modified by provisions of this Zoning Ordinance. Pursuant to the process outlined in Section 3.18 of this ordinance, these parking requirements may be modified by the Town Council.

Parking Standards Table	
Type of Use	Minimum Number of Spaces Required
Residential Uses	
Single-Family Detached	2.0 per dwelling if access to the lot is onto a public street; 3.0 per dwelling if access to the lot is from a private access way.
Single-Family Attached	2.0 per dwelling units if access to the lot is onto a public street; 2.5 per dwelling if access to the lot is from a private access way. For townhouses with a single-car garage the garage shall not be counted as a parking space. For townhouses with a two-car garage, the two-car garage shall count as a single (one) parking space.
Duplex	2.0 per dwelling if access to the lot is onto a public street; 3.0 per dwelling if access to the lot is from a private access way.
Multi-Family	1.5 per dwelling for efficiency and one bedroom units; 2.0 per dwelling for two bedroom units; and 2.5 per dwelling for units with three or more bedrooms.
Housing for Elderly with Central Dining Facilities	1.0 per three dwelling units, plus 1.0 per employee, provided that Zoning Administrator may approve reduced requirements (to as low as 1 per 4 dwelling units) if the

Article 11 | | Parking, Loading and Pedestrian Access
 Sec. 11.4 | Alternative Parking Provisions

Parking Standards Table	
Type of Use	Minimum Number of Spaces Required
Vehicular Sales or Rental, Motorcycles	1.0 per 500 square feet enclosed sales areas, plus 1.0 per two (2) service bays, plus 1.0 per employee and 1.0 per 1,000 square feet of open sales area.
Vehicular Sales or Rental	1.0 per 500 square feet enclosed sales area, plus 2.0 per service bay, plus 1.0 per employee, plus 1.0 per 2,500 square feet of open sales area.
Vehicle Service Facility, Motorcycles	1.0 per 200 square feet enclosed sales areas, plus 1.0 per two (2) service bays, plus 1.0 per employee.
Vehicle Service Facility	1.0 per 200 square feet of sales area, plus 2.0 per service bay, plus 1.0 per employee.
Industrial, Trade and Warehouse Uses	
Building Contractors and Similar Trades and Services	1.0 per 500 square feet gross floor area, plus 1.0 per company vehicle.
Heavy Equipment Sales	1.0 per 500 square feet enclosed sales area, plus 2.0 per service bay, plus 1.0 per employee, plus 1.0 per 2,500 square feet of open sales area.
Mini-Warehouse Facility	4.0 per 1,000 square feet gross floor area of office space, plus 1.0 per employee, plus 2.0 for resident manager quarters.
Printing or Publishing, Major	1.0 per 1,000 square feet gross floor area, or 1.0 per employee, whichever is more.
Research & Development or Production Facility	1.0 per 1,000 square feet gross floor area, or 1.0 per employee, whichever is more.
Warehousing Facility or Freight Terminal	1.0 per 1,000 square feet gross floor area, or 1.0 per employee, whichever is more.
Utility Uses	
Utility Facility, Major	1.0 per employee, plus 1.0 per company vehicle.
Utility Facility, Minor	Adequate parking for the emergency maintenance of utility facility, minimum of 2.0 plus 1 loading space with maneuvering room for 50-foot vehicle.

[1] Should a school increase in capacity, by any reason including the addition of portable classrooms, additional parking shall be provided in accordance with this Ordinance.

Sec. 11.4 Alternative Parking Provisions

11.4.1 Off-Site Parking

Off-street parking and loading spaces shall be provided on the same lot or within the same development as the use to which said use is appurtenant, except as provided below.

- A. General. The Planning Commission may authorize the utilization of off-site parking areas for uses within nonresidential zoning districts, and anywhere within the H-1 Overlay District, and may authorize valet parking for nonresidential uses in the R-HD and B-1 Districts if the Planning Commission determines that there are practical difficulties in satisfying the parking requirements on-site and/or that the public safety or convenience would be better served by an off-site location. If the Planning Commission authorizes the use of off-site parking, the following conditions shall apply:

1. The owner of a site utilizing an off-site parking area to satisfy on-site parking requirements shall deliver evidence satisfactory to the Town of the owner's right to use the off-site parking area by license, deed, easement, or by long-term lease which has a term equal to or exceeding the projected life of the facility to which the parking is appurtenant and available for use. Such evidence shall be recorded at the owner's expense in the land records of Loudoun County, Virginia. In addition, the owners of the site and the off-site parking area shall be bound by recorded covenants requiring the owners and all subsequent owners, heirs, or assigns, to maintain the required number of off-street parking spaces during the existence of the use to which the parking is appurtenant. Where a parking right is created under this section it shall not be subject to divestment except with the prior approval of the Town.
 2. Pedestrian access shall be available within a walking distance of 500 feet for nonresidential uses and 300 feet for residential uses, measured from the nearest point of the building lot to an entrance to the parking area, except that where valet parking is authorized, such off-site parking may be located anywhere within the R-HD and B-1 Districts.
 3. Such separated parking areas shall be usable without causing unreasonable traffic congestion, detriment to any residential neighborhood, or hazard to pedestrians.
- B. Valet Parking. In addition to other conditions that apply to off-site parking, valet parking requires (a) that vehicles are parked by a person other than the owner or operator; (b) that the vehicles so served are parked or stored in an off-street parking facility; (c) prior to cessation of valet parking, the operator must provide alternate parking in accordance with this Zoning Ordinance; and (d) no valet parking operation which involves the pick-up, delivery, stacking, storing or parking of motor vehicles by a valet or parking attendant on, to or from any public right-of-way shall be permitted.

11.4.2 Shared Parking (Joint Use)

Required off-street parking spaces may be provided cooperatively for two or more nonresidential uses, subject to the approval by the Land Development Official (LDO) of appropriate legal instruments to ensure the permanent availability of off-street parking for all such uses. The amount of parking provided for all such nonresidential uses shall equal the sum of the amounts of parking required for each of the respective uses; provided, however, the LDO may authorize a reduction in the total number of required parking spaces when the LDO makes a determination that two or more uses can be adequately served by the same parking spaces by reason of the characteristics of the land uses and the hours of operation. The LDO is also authorized to require restrictions on the use and hours of operation of any uses that share parking spaces.

11.4.3 Payments In-Lieu

Rather than providing the required off-street parking on-site due to a change of use, expansion of an existing use or new construction, developers of land within the H-1 Overlay District may provide a portion or all of such parking by means of a payment to the town's parking fund. Such payment shall be based on a one-time fee per parking space, as established from time to time by resolution of the Town Council. Any off-street parking satisfied in this matter shall run with the land, and any subsequent change in use that requires more off-street parking shall require subsequent action to satisfy additional parking

requirements. No refund of such payment shall be made when there is a change of use to require less parking. Such payment shall be made to the town in one lump sum prior to the issuance of a zoning permit; however, this payment shall not guarantee the availability of parking for the fee-paying development. Funds derived from such payment shall be deposited by the town in a special parking fund and shall be used for acquiring and developing off-street parking facilities within the H-1 Overlay District. NOTE: This option is not available for residential uses or structures except as provided below.

- A. On lots of record existing as of (February 14, 2012) measuring 4,000 square feet or less, situated between Liberty Street and Church Street and between South Street and North Street a portion or all required parking for residential uses may be provided by payment in lieu in accordance with this section.

11.4.4 Modified Requirements in the Downtown H-1 Overlay District

- A. **Building within 500 feet of Municipal Parking Facility.** Where an existing building or structure is used or rehabilitated for any nonresidential use in the B-1 District, no parking spaces shall be required for any such building or structure within 500 feet of a municipal parking facility, measured from the nearest point of the building lot to an entrance to the municipal parking facility. For purposes of this article a municipal parking facility is defined as any parking facility owned and maintained by the Town of Leesburg or Loudoun County, excluding the Loudoun County Government Center parking garage.
- B. **Building more than 500 feet from Municipal Parking Facility.** For buildings or structures used or rehabilitated for any nonresidential use in the B-1 Districts that are more than 500 feet from a municipal parking lot, one-half (50%) of the parking spaces required by Sec. 11.3 must be provided. The Land Development Official may authorize in writing a further reduction of required on-site parking of up to one hundred percent (100%) of the spaces required by Sec. 11.3 when deemed appropriate and necessary to facilitate the rehabilitation, reuse or expansion of an existing structure in the downtown H-1 Overlay District. The Land Development Official shall examine the nature of the proposed business or building addition and information regarding peak parking hours for the use when considering a reduction request.
- C. **Building Addition.** Where an addition is made to an existing building or structure in the B-1 District for any nonresidential use, off-street parking spaces required by Sec. 11.3 must be provided in full for the addition area unless modified by the Land Development Official as provided above. If the building expansion removes area used for existing parking on the site, the parking spaces eliminated thereby must be provided for in full, either through relocation, or as provided under Sec. 11.4.2 or Sec. 11.4.3.
- D. **Demolition and Redevelopment.** Where redevelopment of property in the B-1 District involves demolition of existing buildings to create new building sites, then off-site parking spaces required by Sec. 11.3 must be provided in full.
- E. **Development of Vacant Land.** Where previously vacant land is developed as nonresidential uses in the B-1 District, off-street parking spaces required by Sec. 11.3 must be provided in full.

11.4.5 Shared Parking (Mixed Use)

Required off-street parking spaces may be provided cooperatively for two or more uses within a mixed use development in accordance with the Time of Day Factors provided below. Use of shared parking reductions are subject to the determination by the Land Development Official (LDO) that two or more uses can be adequately served by the same parking spaces by reason of the characteristics of the land uses and the hours of operation. The LDO shall make a determination regarding any such proposed reduction in the number of required parking spaces. LDO is also authorized to require restrictions on the use and hours of operation of any uses that share parking spaces. Any shared parking reductions shall also be subject to the approval by the LDO of appropriate legal instruments to ensure the permanent availability of off-street parking for all uses.

A. Shared Use Time of Day Factors: In order to determine the minimum required parking spaces in a mixed use development, apply the Time of Day factors provided below to the minimum required parking spaces as provided by Section 11.3 to each land use type in the mixed use development, for example,

Mon-Fri	Use	Total Req'd x Time/Day Factor	Adjusted Total Required	Overall Total Spaces Req'd
8 AM – 5 PM	Office	191 x 96%	183	368
	Retail	86 x 77%	66	
	Restaurant	181 x 66%	119	

In the example above the time of day factors reduce the total number of required spaces by 90 from the minimum required per Section 11.3. The same calculation shall be repeated for each of the time periods found in the weekday and weekend tables below to determine the overall adjusted total number of spaces required by the development.

Compare the calculations: the lesser is the minimum number of parking spaces that need to be provided. The LDO shall make the determination as to whether this minimum will be sufficient to adequately serve the mixed use development.

Weekdays

	8AM – 5 PM	6PM – 9PM	10 PM – 7AM
Retail	77%	80%	12%
Fine/Casual Dining	55%	99%	65% (12am)
Family Restaurant	72%	75%	41%
Fast Food	66%	60%	10%
Movie Theater	48%	85%	62% (12 AM)
Health Club	70%	85%	39%
Lodging	64%	79%	96%
Residential	100%	100%	100%
Office (General)	89%	12%	11%
Office (Medical)	96%	37%	0%
Bank	96%	0%	0%

Weekends

	8AM – 5 PM	6PM – 9PM	10 PM – 7AM
Retail	71%	68%	14%
Fine/Casual Dining	32%	94%	77%

Family Restaurant	72%	59%	17%
Fast Food	66%	62%	10%
Movie Theater	58%	85%	77%
Health Club	46%	49%	32%
Lodging	64%	79%	96%
Residential	100%	100%	100%
Office (General)	63%	5%	0%
Office (Medical)	82%	0%	0%
Bank	66%	0%	0%

Sec. 11.5 Use of Parking and Loading Areas

11.5.1 Use of Parking and Loading Facilities, Generally

Off-street parking and loading facilities shall be used solely for the parking of vehicles in operating condition by the patrons, occupants or employees of the use to which such facilities are accessory. No motor vehicle repair work, except emergency service, shall be permitted in association with off-street parking and loading facilities. The storage of commercial vehicles or merchandise or the sale of vehicles shall be prohibited in a required off-street parking or loading area, except as specifically authorized in this Zoning Ordinance.

11.5.2 Trucks Parked in Residential Areas

Parking facilities accessory to residential uses shall be used for the parking of passenger vehicles, recreational vehicles, horse trailers or trucks which are owned by the occupants of the dwelling or their guests.

One (1) commercial vehicle may be stored on the premises whether privately owned or business provided, for the resident's use for commuting and/or work purposes. Such vehicle cannot exceed a one (1) ton hauling capacity. This section shall not apply to commercial vehicles while in the performance of providing delivery or service on the premises.

Dump trucks and vehicles designed to haul garbage, trash, refuse or waste of any type and for the towing and recovery of vehicles are strictly prohibited to be parked on residential properties.

11.5.3 Vehicle Sales and Display Areas

All areas used for the display of vehicles for the purposes of sale or rental shall comply with the provisions of this Zoning Ordinance regarding setback and pavement requirements.

Sec. 11.6 Parking and Loading Area Design Standards

All proposed off-street parking and loading facilities shall comply with the requirements of this section.

11.6.1 General

- A. Overall Internal Circulation Pattern.** All off-street parking and loading facilities shall be designed and constructed in a manner so as to provide for adequate circulation within the site and safe and convenient access onto adjoining streets. Among factors to be considered during the review of parking and loading areas shall be the following: number and location of entrances and travel aisles, need for acceleration, deceleration and turning lanes, and other traffic control improvements, the general arrangement and delineation of parking and loading

The Town of
**Leesburg,
Virginia**

PRESENTED January 27, 2015

ORDINANCE NO. 2015-O-002

ADOPTED January 27, 2015

AN ORDINANCE: TO INCREASE THE PAYMENT IN-LIEU PARKING FEE FOR PARKING REQUIREMENTS IN THE H-1, OLD AND HISTORIC OVERLAY DISTRICT

WHEREAS, adequate parking is essential to the viability of business and tourism in the downtown historic district; and

WHEREAS, Section 11.4.3 of the Leesburg Zoning Ordinance provides that developers within the H-1, Old and Historic Overlay District may provide a portion or all required off-street parking by means of an in-lieu payment to a town parking fund, such payment to be based on a fee established by resolution of the Town Council; and

WHEREAS, an in-lieu fee of \$1,600.00 per parking space was established on June 26, 1985, and subsequently increased to \$3,000.00 per parking space on January 14, 1987 to reflect the cost of constructing public parking in lieu of required private spaces; and

WHEREAS, Section 11.4.3 of the Leesburg Zoning Ordinance expressly states that the amount of the fee should be updated from time to time; and

WHEREAS, Town staff has analyzed the potential cost of providing public parking in the H-1 District and has determined that the cost of a parking space has risen substantially based on increased land and development costs in 2014; and

WHEREAS, the Consumer Price index has risen 109% between January 14, 1987 and September 1, 2014, meaning the value of \$3,000.00 in 1987 is equivalent to \$6,270.00 today; and

WHEREAS, an update to the established payment in-lieu fee is necessary to capture this rise in the cost of providing public parking under current costs and conditions based on the Consumer Price Index.

WHEREAS, on January 27, 2015 the Town Council held a duly advertised public hearing to

AN ORDINANCE: TO INCREASE THE PAYMENT IN-LIEU PARKING FEE FOR
PARKING REQUIREMENTS IN THE H-1, OLD AND HISTORIC
OVERLAY DISTRICT

consider the matter.

THEREFORE, RESOLVED, by the Council of the Town of Leesburg in Virginia that:

SECTION I. The current fee of \$3,000.00 per parking space as a payment in-lieu for providing required off-street parking within the H-1 Old and Historic District is hereby amended to \$6,270.00 per parking space.

SECTION II. The payment in-lieu fee shall be adjusted annually on January 1st of each year to reflect the latest Consumer Price Index figures.

SECTION III. Funds derived from such fees shall be deposited by the Town in a special account to be used exclusively for the purpose of planning, designing, acquiring and developing public off-street parking facilities in the H-1, Old and Historic Overlay District.

SECTION IV. All prior ordinances in conflict herewith are hereby repealed.

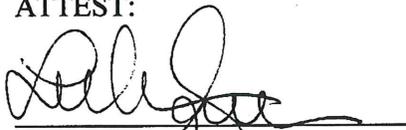
SECTION V. Severability. If a court of competent jurisdiction declares any provision of this ordinance invalid, the decision shall not affect the validity of the ordinance as a whole or any remaining provisions of the Leesburg Zoning Ordinance.

SECTION VI. This ordinance shall be effective upon its adoption.

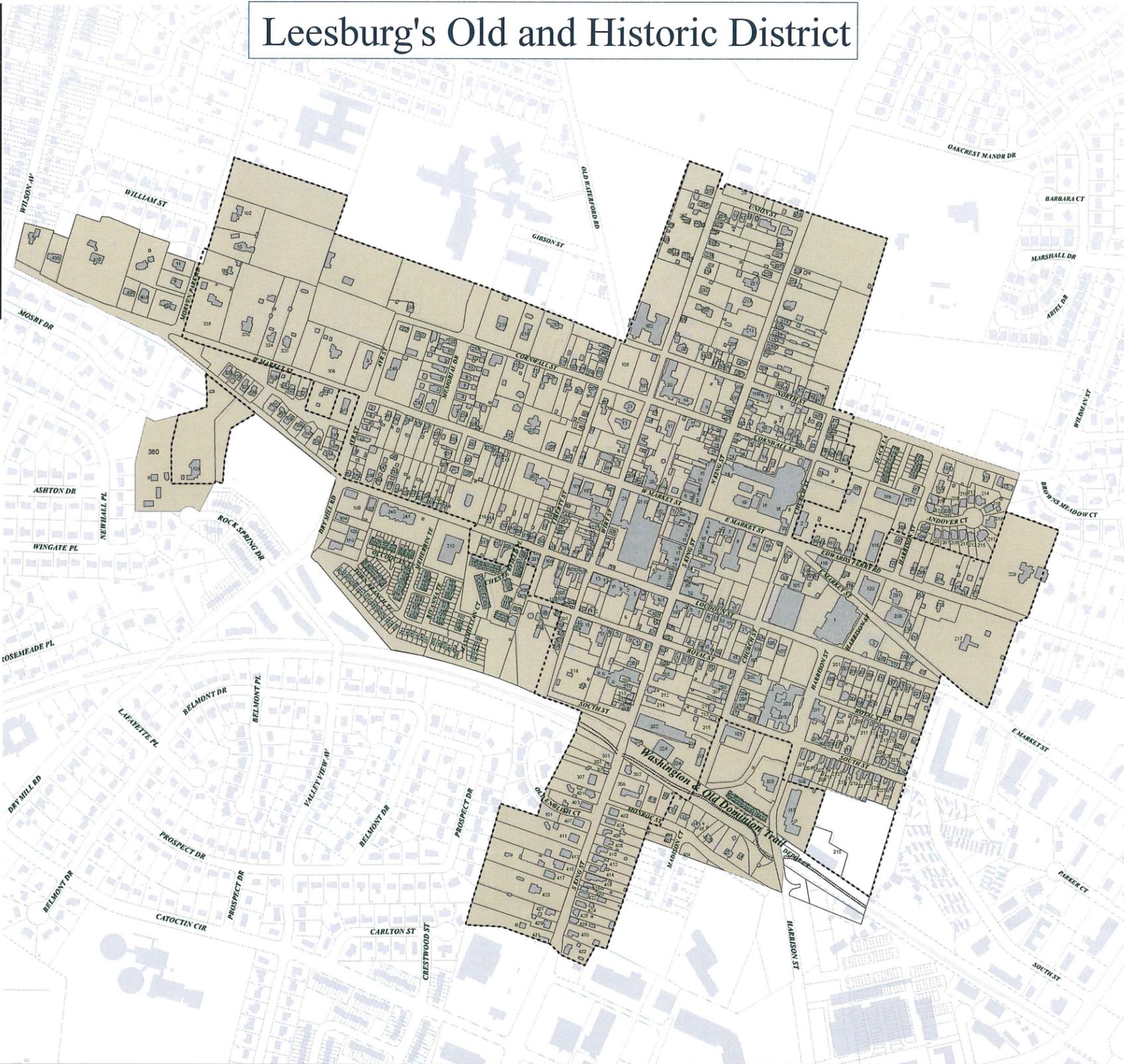
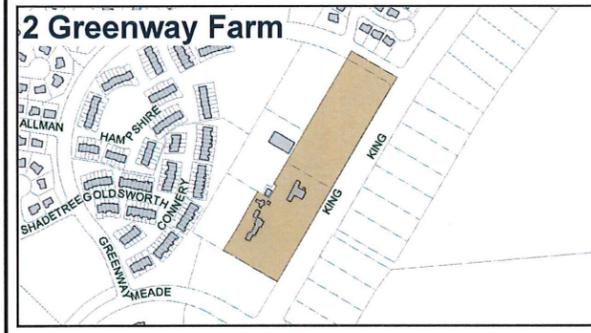
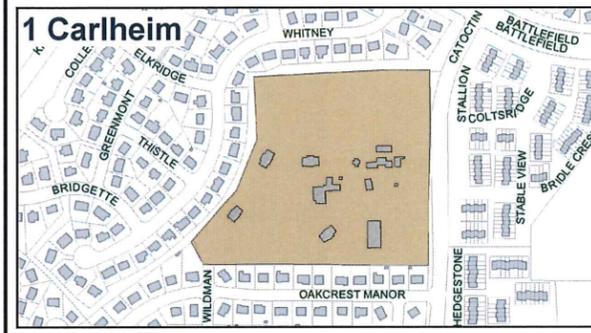
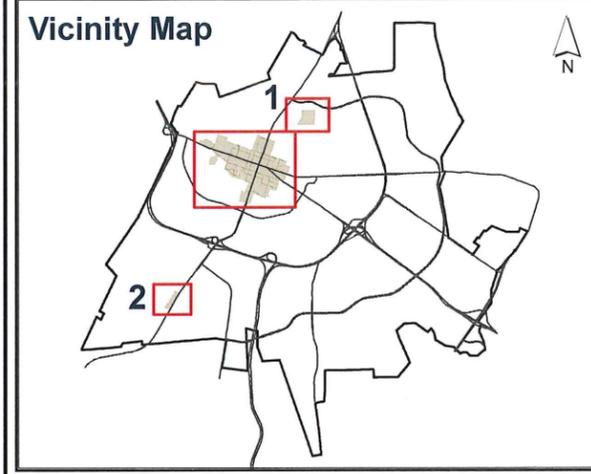
PASSED this 27th day of January, 2015.


Kristen C. Umstattd, Mayor
Town of Leesburg

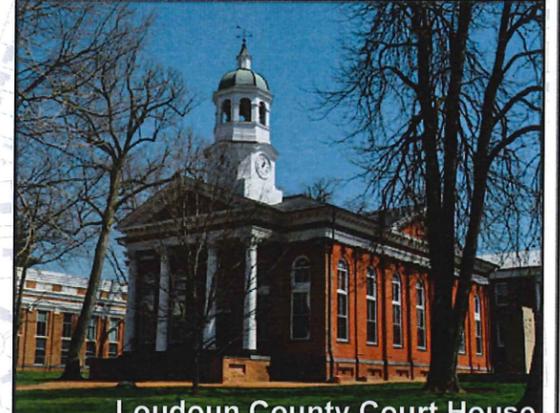
ATTEST:


Clerk of Council

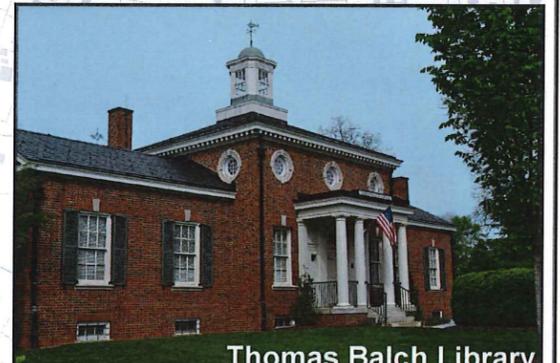
Leesburg's Old and Historic District



Market Station



Loudoun County Court House

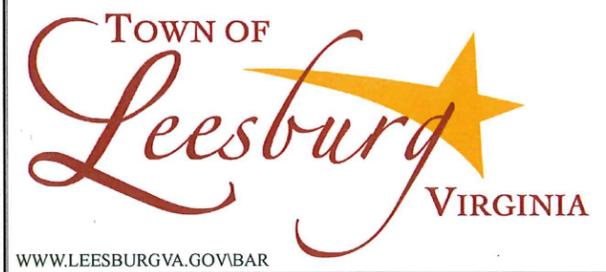


Thomas Balch Library

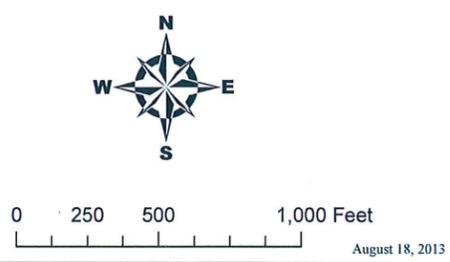


Marshall House

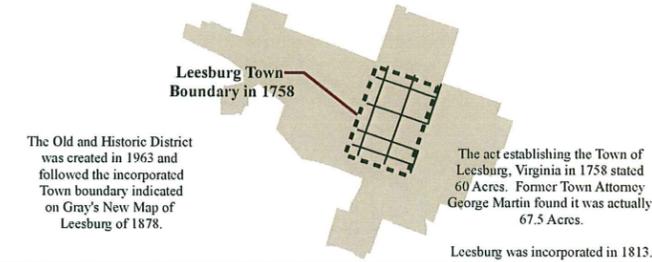
The Town of Leesburg Department of Planning and Zoning through the Department of Information Technology, makes every effort to produce and publish the most current and accurate mapping and property information as possible. No warranties, expressed or implied, are provided for the data herein, for its use, or its interpretation. Neither the Town of Leesburg, the Director of Planning and Zoning, nor the Manager of Information Technology assume digital data provided by the County of Loudoun, Office of Mapping and Geographic Information.



WWW.LEESBURGVA.GOV/BAR



For more information on Leesburg's Old and Historic District, "EXPLORING LEESBURG: guide to history and architecture," is available at Leesburg Town Hall and the Loudoun Museum.



- Historic Features**
- National Historic Register District
 - Buildings
 - Parcels
 - Historic District
 - 123 Building Address Number

Downtown Residential Permit Parking Areas

