SECTION 10.4.5   VEHICLE PARKING EXCEPTIONS

10.4.5.1 Vehicle Parking Exemptions

The following uses and circumstances are exempt from providing the minimum amount of vehicle parking otherwise required by this Code, but only to the extent specified in this Section.

A. Pre-Existing Small Zone Lot

1. Intent
    Encourage the preservation of pre-existing Small Zone Lots through exempted vehicle parking requirements to facilitate the reuse of existing buildings and/or the redevelopment of Small Zone Lots.

2. Applicability

    a. ~~In a~~All Mixed Use Commercial Zone Districts; and,~~,~~

    b. Where the subject Zone Lot is currently equal to or smaller than 6,250 square feet and was equal to or smaller than 6,250 square feet on June 25, 2010 ("Small Zone Lot") ~~buildings on zone lots which are equal to or smaller than 6,250 square feet in area on June 25, 2010, shall be exempt from providing parking otherwise required by this Division.~~

3. Exemption Allowed

    a. Reuse of Existing Buildings on Small Zone Lots

        i.   If a building (1) is located on a Small Zone Lot and (2) existed on March 23, 2017, then the Gross Floor Area of all uses in such building, including any modifications, alterations, and expansions, shall be exempt from providing vehicle parking.

        ii. Any building located on a Small Zone Lot that is voluntarily demolished shall not be considered an existing building. "Voluntary demolished' shall have the same meaning as the term "Demolition, Voluntary" defined in Article 13.

    b. New Buildings on Small Zone Lots Located within Proximity to Transit Service

        i.   The Gross Floor Area of uses housed in the lowest three Stories entirely above the base plane of a new building constructed on a Small Zone Lot located within 1/2 mile of the outer boundary of a Rail Transit Station Platform or located within 1/4 mile from a High-Frequency Transit Corridor may be exempt from providing vehicle parking. The Zoning Administrator shall determine whether a Small Zone Lot is within proximity to transit service as specified in Section 13.1.9.

    c. New Buildings on All Other Small Zone Lots

        i.   The Gross Floor Area of uses housed in the lowest two Stories entirely above the base plane of a new building constructed on any other Small Zone Lot may be exempt from providing vehicle parking.

    d. Vehicle Parking Exceptions for Required Vehicle Parking on Small Zone Lots

        i.   All exceptions to minimum vehicle parking requirements set forth in Section 10.4.5 are available to any required minimum vehicle parking not exempted as described in this Section 10.4.5.1.A.

        ii. The total number of vehicle parking spaces required may be reduced by up to 100% under any one or combination of the vehicle parking reductions provided in accordance with Section 10.4.5.3.

4.   Maximum Reduction Allowed

a.   The total number of vehicle parking spaces required on a zone lot shall not be reduced by more than 50% under any one or combination of this subsection's permitted reductions, with the following exceptions:

    i.   except as provided in Vehicle parking reductions for small lots in the C-CCN zone districts provided in Section 10.4.5.3.C, and except that

    ii.   reduced parking approved as part of a A General Development Plan shall not result in more than a 75% reduction in the required parking for the entire GDP area.

    iii.   Vehicle parking reductions for Pre-Existing Small Zone Lots provided in Section 10.4.5.1.A.

b.   Vehicle parking spaces provided through the alternative vehicle parking ratios in Section 10.4.5.2 do not count towards the maximum percentage of vehicle parking spaces that may be reduced through this subsection's permitted reductions.

    i.   For example, a Zone Lot in a G-MS-5 zone district includes 100 affordable housing units and office Primary Uses. The affordable housing use applies the alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit for a parking requirement of 25 required vehicle parking spaces. The alternative minimum vehicle parking ratio for the affordable housing units is a 75% reduction from the 1 vehicle parking space per unit requirement in the G-MS-5 zone district, but alternative minimum vehicle parking ratios do not count towards the maximum percentage of vehicle parking spaces that may be reduced for the entire Zone Lot through Section 10.4.5.3.A.4. Therefore, the minimum vehicle parking requirement for the office Primary Use may be reduced in accordance with the vehicle parking reductions in Section 10.4.5.3, but the alternative minimum vehicle parking requirement for the affordable housing units may not be reduced further.

5.   Informational Notice Required for Certain Reduction Requests

A request for greater than a 25% reduction in the required amount of parking shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice, with the following exceptions:

a.   Vehicle parking reductions requested as part of a General Development Plan

b.   Alternative vehicle parking ratios

c.   Vehicle parking reductions for small lots in the C-CCN zone districts under Section 10.4.5.3.C.

6.   Withdrawal from Participation in Plans or Programs

Upon application to the Zoning Administrator, the owners of the properties and land uses participating in a special parking arrangement authorized by this Section 10.4.5.3, may withdraw, either partially or completely, from any such arrangement or program, provided all uses, land, and structures remaining under such arrangement or program will comply with all conditions and limitations of the arrangement or program, and all primary uses, land and structures withdrawn from such arrangement or program can comply with this Division 10.4 and the applicable zone district parking requirements.   The Zoning Administrator shall keep the special parking arrangement/program withdrawal among its records and record the withdrawal in the Denver County real property records.