



PREPARED FOR THE PLAN COMMISSION

Subject: Downtown Madison Bicycle & Moped Parking Study February 14, 2017 Draft

Prepared By: Planning and Zoning Staff

Overview

At its May 22, 2017 meeting, the Plan Commission will be asked to approve the recommendations contained in the Downtown Madison Bicycle & Moped Parking Study February 14, 2017 Draft (Legislative Item [46218](#).) The Planning and Zoning Divisions have feedback and recommend that the Parking Study be updated to reflect this feedback before adoption. Our recommendations fall into four areas, all primarily related to zoning requirements for property outside of the public right of way: Bicycle Rack Design, Provision of Short-Term vs. Long-Term Bicycle Parking, and Existing Non-Conforming Uses.

Note: a copy of the Zoning Code’s Section 28.141(11) Bicycle Parking Design and Location and Section 28.141(12) Moped Parking Design and Location are included at the end of this memo for reference. These regulations apply city-wide, not just to the study area.

Rack Design

Overview of the Current Review and Maintenance Oversight Processes

Section 28.141(11) of the Zoning Code outlines the City’s requirements regarding the design and placement of bicycle racks. In practice, the design and placement of bicycle racks is overseen by two different entities and depends on where they are to be located. For racks in the public right-of-way, the placement and installation oversight is handled by the City’s Pedestrian and Bicycle Coordinator in the Traffic Engineering Division (). For racks not in the public right-of-way (i.e. on private land), the Zoning Section regulates approval and placement.

City oversight of the design, placement, and performance of the racks is currently conducted in two phases. First is during plan review prior to permitting. In order to gain final approval and obtain permits, the applicant must submit a detail of the proposed bike rack (which includes the make and model and installation instruction) and indicate where on the site the rack(s) will be located. Zoning has the opportunity at this point to weigh in and make changes before granting final approval. The second phase is post-installation. After the bicycle racks are installed, the racks are periodically inspected over time as part of the building inspection process. Maintenance issues are most typically raised at this point.

DMBM Study Recommendation Regarding the specific design of the bicycle racks, the DMBM Study recommends a number of changes to current city practice including only allowing particular rack designs that are cited as “acceptable” or “recommended” by the Association of Pedestrian and Bicycle Professionals current bicycle parking guide (see page 15 of the Study).

City Staff Response While Staff are generally supportive of many of these recommendations, some will be difficult to enforce (such as “Offer a user-friendly, intuitive design”), while others are too prescriptive (for example, only allowing specific bicycle rack models) which Staff believe will unnecessarily hamper creativity. During the past four years since the adoption of

the updated Zoning Code, there have been a number of innovative and creative bicycle rack designs proposed which would not have been approved by the City if the prescriptive list of bicycle racks recommended by the DMBM Study were adopted. That said, Staff believe in making clear the design and performance standards that must be met and as long as the proposed bicycle rack meets those criteria, the rack would be acceptable. From an enforcement perspective, keeping these requirements simple and understandable on the applicant's end will make the enforcement much easier for the City.

Maintenance

DMBM Study
Recommendation

The DMBM Study also brings up the issue bicycle racks in the downtown area rusting and corroding and offers the recommendation that *“all racks installed by the City or required to be installed through the Zoning Code, should be galvanized or stainless steel to prevent corrosion. If a color treatment is desired, powder coat or thermoplastic color can be applied over galvanized or stainless steel.”* (Pg. 16).

City Staff Response

Staff agree and suggest that a stipulation could be added requiring the racks to be “well-maintained”. To that end however, Staff would like to point out existing city ordinances which may already provide the type of oversight being sought:

- If the rack is on public property, Staff believe that the maintenance can be handled (i.e. enforced) via the maintenance agreement that is attached to privilege-in-street approvals (see MGO §10.31 for more information).
- If the rack is on private property, Staff believe the enforcement of the rack's maintenance can be enforced via MGO §27.05(2)(l) of the Minimum Housing and Property Maintenance Code which states *“Every supplied facility, piece of equipment, or utility shall be so constructed, installed and maintained so that it will function in a proper working condition.”* Staff note that while broken racks will be easy to enforce (as it is easy to define and determine), rust (and the determination of what amount is too much rust) may be more difficult to effectively enforce.

One additional suggestion would be to consider the creation of a city-run program which would incentivize the maintenance of bicycle racks (by offsetting associated costs). Similar programs would be the City's Graffiti Enforcement & Co-Pay Graffiti Removal Program (which reduces the associated costs with the graffiti removal) and the Façade Improvement Grant Program (which provides matching grants to small business owners and tenants to assist them in restoring or beautifying their facades or storefronts).

Requirement for Non-Standard Bicycle Stalls

DMBM Study
Recommendation

As noted in the DMBM Study, public input was collected via a public open house as well as an online survey about bicycle and moped parking. In order to satisfy the public feedback - which indicated a desire for diverse bicycle parking options to accommodate different styles of bicycles, locks, and parking styles - on page 16, the DMBM Study recommends the installation of a variety of rack types that meet the City's standards in

order to meet the needs of different users including cargo bikes (both long frame bicycles and cargo tricycles), bicycles with trailers, recumbents, tandems and other non-standard bicycles. The Study further recommends at least 10% of the spaces should be 3 feet wide by 10 feet long to allow space for tandems, cargo bikes, bikes with trailers, recumbents and other non-standard bicycles where 10 or more bicycle parking spaces are installed by the City or are required to be installed through the Zoning Code.

City Staff Response The Zoning Code does not currently include a requirement to provide stalls with the adequate access space for bicycles with trailers. While Staff believe that it would be difficult to determine the number (or percentage) that would be required to adequately respond to the demand, we acknowledge that there are certain land uses such as for example, day care centers, grocery stores, and hardware stores which could benefit from such a minimum non-standard bicycle parking requirement. Therefore, at this time, Staff do not recommend that such a requirement be included but instead request that the topic be further explored, to determine the actual need city-wide, and the potential impacts of such a change.

Staff note that businesses can always exceed the minimum requirements and add additional bicycle stalls to accommodate non-standard bicycles. Certain businesses will cater to different clientele (for example the East Side Willy Street Co-Op provides a few bicycle stalls especially for bikes with trailers). Staff support and encourage this practice.

PROVISION OF SHORT-TERM VS. LONG-TERM BICYCLE PARKING

Provision of Short-Term vs. Long-Term Bicycle Parking for Residential Uses

DMBM Study Recommendation On page 12, the DMBM Study points out the fact that anecdotal evidence exists from around the City that a number of residents of residential buildings (particularly those oriented towards students) seems to prefer (and prioritize) the convenient location of short-term stalls over the increased security and weather-protection of long-term stalls. The Study points out that the result is often underutilized long-term stalls and chronically full short-term stalls and stalls in the public right-of-way. Staff have toured several recently-constructed residential projects and found this to be the case in most. While recognizing the need for long-term stalls, the DMBM Study questions the appropriateness of the Zoning Code's 90%/10% ratio of long-term to short-term stalls in multi-family residential buildings, particularly in mixed-use buildings or mature neighborhoods, and suggests it may need to be modified to better reflect actual usage patterns.

City Staff Response Staff are currently undertaking a citywide analysis of short-term versus long-term bicycle parking. Modifications to the Zoning Code are yet to be determined, but staff generally supports reexamining the 90% / 10% ratio.

DMBM Study Recommendation The DMBM Study also brings up the issue of the siting of long-term bicycle parking being limited within structures due to the amount of floor space necessary to provide required

automobile parking. To this end, the Study recommends: *“City requirements should allow up to 50 percent of long-term bicycle parking to be wall-mounted or utilize double decker racks. All racks must allow for the use of “U” locks that can secure the bicycle frame, be spaced so that adjacent bicycles do not interfere with maneuvering bicycles in and out of spaces and provides room for users to get to the front of the bike and rack to lock and unlock their bicycles, and the location must provide adequate clear distance behind the rack for easy maneuvering. If double decker racks are used, the second level must offer a device that assists with lifting the bicycle up on the rack.”*

City Staff Response This recommendation is very prescriptive. As noted above, Staff are currently undertaking a citywide analysis of short-term versus long-term bicycle parking. Modifications to the Zoning Code are yet to be determined. Staff recommends the prescriptive language be modified to more generally recommend a review of the short/long term bicycle parking requirements, so that new uses are adequately addressing their real bicycle parking needs.

Staff would like to point out that the allocation proposed above by the DMBM Study is similar to what the Plan Commission and Zoning Administrator have approved for several projects over the past few years (i.e. allowing up to 50-percent of the long-term stalls to be otherwise non-conforming). Please note that these were primarily approved by utilizing the existing parking reduction allowances (outlined in §28.141(5) of the Zoning Code). These approved parking reductions will be among those which will be used in the preparation of ordinance amendments for future consideration.

Provision of Short-Term vs. Long-Term Bicycle Parking for Non-Residential Uses

DMBM Study Recommendation In response to the related issue of existing buildings not having enough space on the site to provide the number of short-term stalls required by the Zoning Code, the DMBM Study, on page 17, offers the policy recommendation to allow existing buildings the option of providing the short-term stalls in the public right-of-way (within 50 feet of the building entrance) via a Privilege in Streets permit. However, the Study recommends against such an allowance for new construction and instead recommends they provide all requires short-term parking within the property lot lines.

City Staff Response Zoning and Planning Staff agree with this recommendation and point out that Staff currently practice the same policies as the Report is recommending.

Staff would also like to bring up a related recommendation: the option to allow the provision of parking for employees to be accommodated as long-term rather than short-term parking stalls. Staff believe there to be a desire on behalf of employees who commute regularly by bicycle to have higher-quality bicycle parking accommodation than is provided by our short-term parking requirements. Staff would like to recommend that language be added allow for employee parking to be provided, with permission of the Zoning Administrator, not as short-term stalls but as long-term stalls, and may be located off-site (this includes within the public right-of-way) within three hundred (300) feet of the site provided they are 1) located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and are accessible to intended users and

are 2) ground-mounted parking stalls or structured parking, vertical parking or wall-mounted parking stalls, as long as they meet the relevant dimensional requirements noted in MGO §28.141(11). Staff believe this will encourage greater numbers of bicycle commuters.

DMBM Study
Recommendation

The DMBM Study also brings up the issue of the inadequacy of the existing bicycle parking requirements for dining establishments in the Central District and proposes several recommendations including: 1) increasing the bicycle parking requirement in the Central District for coffee shop, tea house, restaurant, restaurant-tavern, tavern, brewpub from 5% of capacity of persons to 10% and 2) requiring any changes to the seating capacity of a coffee shop, tea house, restaurant, restaurant-tavern, tavern, brewpub, or other dining establishment to trigger full compliance with bicycle parking requirements for the specific zoning type, including both the existing and the new capacity. This requirement includes seasonal outdoor seating including, but not limited to, patios, gardens, rooftops and sidewalk cafés. Annual application or renewal of sidewalk café permits shall trigger this requirement.

City Staff Response

Regarding the first recommendation to increase the required bicycle parking for coffee shops and the like from 5 to 10%, while Staff understand where this is coming from, Staff caution that this will result in more requests for greater bicycle parking reductions to offset an increase in the requirement due to the fact that the issue of finding space for these additional stalls has not been addressed. Therefore, Staff believe the requirement should be kept at 5-percent for this use.

Regarding the recommendation to require that changes to seating capacity (including the additional of seasonal outdoor seating) trigger full bicycle compliance, seating in the public right-of-way is not currently included in capacity calculations. Before changes are made to the Zoning Code, Staff believe that a more comprehensive study of the bicycle parking in the public right-of-way should occur. As a dearth of public space is frequently the primary issue in the downtown area, with bicycle parking and outdoor seating area competing with all of the other public furniture, Staff are concerned that the simply requiring more parking in these locations will not solve a problem but will instead likely result in an increase in parking reduction requests.

In order to address the lack of space in the right-of-way Staff do recommend that the City consider more seasonal installations which switch on-street automobile stalls to bicycle corals (e.g., the space in front of “Topsy Cow” on King Street).

While it may be purely editorial, Staff believe that Table 5 on Page 11 of the DMBM Study should be edited in order to make it relevant to the area which it applies. Staff recommend removing the hospitals line item (due to the fact that there are none in the Downtown area) and adding line items for retail and offices (*see the suggested change to Table 5 on next page*).

Table 5: Sampling of entries from Table 28I-3 Off-Street Parking Requirements

Use	Automobile Minimum	Automobile Maximum	Bicycle Minimum
Coffee Shop, Tea House, Restaurant, Restaurant-Tavern, Tavern, Brewpub	15% of capacity of persons	40% of capacity of persons	5% of capacity of persons ^^ <i>MAINTAIN</i>
<u>OFFICE</u>	<u>1 PER 400 SQ. FT. FLOOR AREA</u>	<u>1 PER 250 SQ. FT. FLOOR AREA</u>	<u>1 PER 2,000 SQ. FT. FLOOR AREA</u>
<u>RETAIL</u>	<u>1 PER 400 SQ. FT. FLOOR AREA</u>	<u>1 PER 200 SQ. FT. FLOOR AREA</u>	<u>1 PER 2,000 SQ. FT. FLOOR AREA</u>
Hospital	1 per 4 beds or based on a parking study or Campus Master Plan	Determined by Zoning Administrator	1 per 2,000 sq. ft. floor area
Place of worship	1 per 10 seats or 15 lineal feet of seating area in the main worship space. If no fixed seats, 1 per 70 sq. ft. of floor area in main worship space	150% of minimum	1 per 50 seats or 75 lineal feet of seating area or 1 per 350 feet of floor area in main worship space
Multi-family dwelling	1 per dwelling	2.5 per dwelling	1 per unit up to 2-bedrooms, ½ space per additional bedroom; 1 guest space per 10 units

Existing Non-Conforming Uses

DMBM Study Recommendation On Page 13, the DMBM Study discusses the issue of the inadequate provision of bicycle parking within existing buildings (i.e. non-conforming structures). As it points out: existing buildings constructed prior to 1988 are largely exempt from existing bicycle parking requirements and have instead been grandfathered by the current ordinance. In order to lessen the resulting overreliance on the bicycle parking that is provided by newer developments in areas with a mix of newer infill projects alongside older developments, the DMBM Study recommends requiring owners of existing residential buildings to provide a reasonable number of bicycle parking spaces within thirty (30) days after written request from one (1) or more tenants or property owners.

City Staff Response In conversations with the City Attorney, Staff believes that the City has no authority to require compliance with bike parking requirements for pre-1988 uses. Both city ordinance and state law establish the basis for requiring code-compliance for nonconforming uses, and that basis limits the City’s ability to require code-complaint bike parking for developments constructed before 1988. Also, some developed sites simply have no place to add bike parking in a code-compliant fashion, resulting in some noncompliance limbo if the law is changed to require installation of bike parking at the request of a tenant. (NOTE: some places have chosen to install non-code compliant bike parking, which is allowed but not counted per the zoning ordinance, but does serve some purpose for the property). Current zoning ordinance requirements for change-of-

use and increase of intensity of use will through time, and market pressures to provide bike parking for users will eventually add bike parking for many pre-1988 uses.

Similar to our recommendation related to the maintenance of bicycle racks, Staff also offer the suggestion that the City explore the creation of a city-funded program that incentivizes bringing older buildings into compliance with respect to the provision of bicycle parking.

Brief Summary of Staff Responses to the DMBM Study Recommendations

<u>Downtown Madison Bicycle & Moped Parking Study Recommendation</u>	<u>Staff Response</u>
4.1 Rack Design	
<u>Rec #1</u> : Adopt certain bike rack design standards	Oppose
<u>Rec #2</u> : Install a variety of bike rack types	Table for further study
<u>Rec #3</u> : 10% of required racks (when 10+ racks are required) should accommodate non-standard bikes	Table for further study
<u>Rec #4</u> : Racks should be galvanized or stainless steel to prevent corrosion.	Already in place
<u>Rec #5</u> : City should produce a Bicycle Parking Guide	Ok
<u>Rec #6</u> : Provide wayfinding signs on the exterior of the building to indicate the locations of parking facilities	Ok
<u>Rec #7</u> : Update City parking garage signs to indicate that bicycle parking is available within the facility.	Ok
<u>Rec #8</u> : Long-term bicycle parking should be visible to bicyclists and relatively easy to access...or else provide signs.	Ok
<u>Rec #9</u> : Allow up to 50 percent of long-term bicycle parking to be wall-mounted or utilize double decker racks.	Currently being studied by Staff.
4.2 - Provision of Bicycle Parking by the City Issue	
<u>Rec #1</u> : Bicycle racks should be installed at as many of the specific locations detailed in Chapter 5 of this document as possible.	n/a
<u>Rec #2</u> : Recommendations concerning installing racks on parking meters	n/a
<u>Rec #3</u> : The City should ensure that the amount of short-term bicycle parking within the special assessment area meets the requirements of the Zoning Code based on existing building uses.	Oppose (Staff feel City should search for as many locations as can be accommodated)
<u>Rec #4</u> : City should monitor changing uses of properties within the special assessment area and adjust the amount of bicycle parking provided nearby accordingly.	Ok (Staff already does)
4.3 Provision of Bicycle Parking by Private Parties	
<u>Rec #1</u> : Clarify the existing language in 28(11)(a)2 to state that “For all other uses, at least ninety percent (90%) of all bicycle parking shall be designed as short-term parking.”	Oppose (Does not seem necessary to Staff)
<u>Rec #2</u> : Recommendation concerning allowing required short-term parking to be provided in the public right of way (within 50 feet of the building entrance) and what would and wouldn’t qualify.	Ok (defer to Traffic Engineering & Real Estate)

<p><u>Rec #3</u>: Increase the bicycle parking requirement in the Central District for coffee shop, tea house, restaurant, restaurant-tavern, tavern, brewpub from 5% of capacity of persons to 10%.</p>	<p>Oppose (Increasing requirements will result in more bike parking reduction requests to offset increase)</p>
<p><u>Rec #4</u>: Require any changes to the seating capacity of a coffee shop or other dining establishments to trigger full compliance with bicycle parking requirements for the specific zoning type, including both the existing and the new capacity (including seasonal outdoor seating including, but not limited to, patios, gardens, rooftops and sidewalk cafés).</p>	<p>Oppose (Increasing requirements will result in more bike parking reduction requests to offset increase)</p>
<p><u>Rec #5</u>: Bicycle parking in residential structures built prior to 1988 should be required by amending the zoning code to include the following:</p>	<p>Oppose (Appears to conflict with legal non-conforming city ordinance and state statute)</p>
<p>4.4 Event Bicycle Parking</p>	
<p><u>Rec #1</u>: Establishing providing attended temporary bicycle parking for large events.</p>	<p>n/a</p>
<p><u>Rec #2</u>: Establishing the required features of attended temporary bicycle parking for large events</p>	<p>n/a</p>
<p><u>Rec #3</u>: City requiring at least one organization in the City to provide attended bicycle parking services at large events.</p>	<p>n/a</p>
<p>4.5 Sidewalk Cafés and Vending in Relation to Bicycle Parking</p>	
<p><u>Rec #1</u>: Suggested changes to the café/vending permit process and the zoning code.</p>	<p>Oppose (Increasing requirements will result in more bike parking reduction requests)</p>
<p>4.6 Other Bicycle Parking Recommendations</p>	
<p><u>Rec #1</u>: Establishing weekly or bi-weekly schedule for survey of bicycle racks and policy for removal.</p>	<p>n/a</p>
<p>4.7 Moped Parking Recommendations</p>	
	<p>Ok</p>