

**AN ORDINANCE TO AMEND CHAPTER 40.1 OF THE CODE OF THE CITY OF PORTSMOUTH, VIRGINIA (2006) PERTAINING TO ZONING FOR THE PURPOSE OF AMENDING PARKING REGULATIONS AND ESTABLISHING A SPECIAL EXCEPTION PROCESS, INCLUDING BY AMENDING TABLES 40.1-2.1(A) AND (G) AND 40.1-2.2(I) AND (J), AMENDING SUBSECTIONS 40.1-2.1(D) AND 40.1-2.3(D), AMENDING AND RESTATING SECTION 40.1-5.1 IN ITS ENTIRETY, AMENDING SECTION 40.1-9.7 OF APPENDIX A, AMENDING SECTIONS 702-705 OF APPENDIX B, AND DELETING SECTIONS 706-707 OF APPENDIX B.**

**BE IT ORDAINED** by the Council of the City of Portsmouth, Virginia:

1. That Chapter 40.1 of the Code of the City of Portsmouth, Virginia (2006) be amended by the adoption of the amendments shown on Exhibit A hereto and made a part hereof.
2. That this Ordinance shall take effect on the date of its adoption.

**ADOPTED** by the Council of the City of Portsmouth, Virginia at a meeting held on October 24, 2017.

Teste:

City Clerk

**EXHIBIT A**

**AMENDMENTS  
TO THE  
CITY OF PORTSMOUTH ZONING ORDINANCE  
OCTOBER 24, 2017**

INTERPRETATION: In the amendments listed below, instructions are provided in underlined italics. Where only a portion of a section or a table is to be modified, the language to be deleted is indicated with a ~~double strikethrough~~ and the language to be added is indicated by double underlining. Where an entire existing section or table is to be deleted, the deletion is noted in the instructions and no strikethrough is provided. Where an entire new section or table is to be added, the addition is noted in the instructions and the new section or table is shown in plain text, without underlining.

AMENDMENT #: 1

TABLE #: 40.1-2.1(A)

Table 40.1-2.1(A) is amended by deleting the Type II Development Plan line under the "Development Plans" category and adding a Special Exception line under the "Variances, Adjustments, and Exceptions" category, all as shown below. Table 40.1-2.1(A), including portions thereof not shown below, is not otherwise amended.

TABLE 40.1-2.1(A): SUMMARY TABLE OF DEVELOPMENT REVIEW STRUCTURE									
S = STAFF REVIEW		R = REVIEW AND ADVISE		D = DECISION		A = APPEAL		<> = PUBLIC HEARING	
PERMIT OR DEVELOPMENT APPROVAL	SEE SECTION	CITY COUNCIL	PLANNING COMMISSION	BZA	HPC	PLANNING DIRECTOR	ZONING ADMINISTRATOR		
<b>AMENDMENTS AND USE PERMITS</b>									
Zoning Map or Zoning Text Amendment	40.1-2.3(A)	<D>	<R>		R (1)	S			
Use Permit	40.1-2.3(B)	<D>	<R>			S			
<b>DEVELOPMENT PLANS</b>									
Type I Development Plan	40.1-2.3(C)		A			D			
<del>Type II Development Plan</del>	<del>40.1-2.3(D)</del>		<del>D (2)</del>			<del>S</del>			
...									
...									
<b>VARIANCES, ADJUSTMENTS, AND EXCEPTIONS</b>									
<u>Special Exception</u>	<u>40.1-2.3(D)</u>			<D>		S		S	
Variance Permit	40.1-2.3(G)			<D>				S	
Administrative Adjustment	40.1-2.3(H)			<A>		D			
...									

AMENDMENT #: 2

TABLE 40.1-2.1(G)

*Table 40.1-2.1(G) is amended as shown below.*

TABLE 40.1-2.1(G): STAFF RESPONSIBILITIES FOR APPLICATION PROCESSING	
APPLICATION TYPE	RESPONSIBLE CITY STAFF MEMBER
Zoning Map or Zoning Text Amendment	Planning Director
Use Permit	
Type I and II Development Plan	
Special Exception	Zoning Administrator
Temporary Use Permit	Zoning Administrator
Zoning Compliance Permit	Zoning Administrator (1)
Certificate of Appropriateness	Planning Director
Variance Permit	Zoning Administrator
Administrative Adjustment	Planning Director
Interpretations	Zoning Administrator
Appeals	Zoning Administrator
NOTES (1) The Planning Director shall be responsible for zoning compliance permit applications within the Downtown D2 district.	

AMENDMENT #: 3

TABLE 40.1-2.2(I)

*Table 40.1-2.2(I) is amended to add Special Exceptions, as shown below.*

TABLE 40.1-2.2(I): REQUIRED PUBLIC HEARINGS				
X= ADVISORY OR DECISION-MAKING BODY REQUIRED TO CONDUCT PUBLIC HEARING				
APPLICATION TYPE	SEE SECTION	ADVISORY OR DECISION-MAKING BODY (1)		
		CITY COUNCIL	PLANNING COMMISSION	BZA
Zoning Map or Text Amendment	40.1-2.3(A)	X	X	
Use Permit	40.1-2.3(B)	X	X	
Special Exception	40.1-2.3(D)			X
Variance Permit	40.1-2.3(G)			X
Appeal	40.1-2.3(K)			X
NOTES: (1) An "X" in more than one column means that the application type requires more than one public hearing. Second readings are not considered as public hearings				

*Table 40.1-2.2(J) is amended to add Special Exceptions, as shown below.*

TABLE 40.1-2.2(J): REQUIRED PUBLIC NOTICE		
X= TYPE OF NOTICE REQUIRED		
APPLICATION TYPE	NOTICE REQUIRED	
	WRITTEN (MAILED) (1)	PUBLISHED
Zoning Map Amendment	When an amendment affects 25 or fewer lots, written notice shall be mailed to owners, their agents, or the occupants of all abutting land (including land immediately across the street or in other jurisdictions). When a proposed application affects more than 25 lots, or the amendment decreases allowable residential density, written notice shall be mailed to owners, their agents, or the occupants of all abutting land that is 11,500 square feet in size or larger (including land immediately across the street and lots in other jurisdictions).	Once a week for 2 successive weeks, with the second notice not less than 6 nor more than 21 days prior to first public hearing
Text Amendment	None except when a proposed application affects more than 25 lots, or the amendment decreases allowable residential density, then written notice shall be mailed to owners, their agents, or the occupants of all abutting land that is 11,500 square feet in size or larger (including land immediately across the street and lots in other jurisdictions).	
Use Permit	Written notice shall be mailed to owners, their agents, or the occupants of all abutting land (including land immediately across the street or in other jurisdictions)	Once a week for 2 successive weeks, with the second notice not less than 6 nor more than 21 days prior to first public hearing
Special Exception		
Variance		
Appeal		
Administrative Adjustment	Written notice shall be mailed to owners, their agents, or the occupants of all abutting land (including land immediately across the street or in other jurisdictions) at least 21 days prior to consideration by the Planning Director	None required
NOTES		
(1) Written (mailed) notice shall be provided at least five days prior to the first public hearing (or consideration by the Planning Director in the case of Administrative Adjustments).		

Subsection 40.1-2.1(D)(5) is amended to add special exception permits, as shown below. Except as shown below Section 40.1-2.1(D) is not hereby amended.

**(D) Board of Zoning Appeals (BZA)**

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**(5) Powers and Duties**

In addition to any other authority granted to the BZA by City Council, the City Code, or the Code of Virginia (1950), as amended, the BZA shall have the following powers and duties under this Ordinance:

- (a) To hear and decide applications for variance permits; and
- (b) To hear and decide applications for special exception permits; and
- ~~(c) To hear and decide appeals taken from any interpretation or final decision made by the Planning Director or Zoning Administrator under this Ordinance (except for those heard and decided by the Planning Commission).~~

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**AMENDMENT #: 6**

**SUBSECTION 40.1-2.3(D)**

Existing Subsection 40.1-2.3(D) ("Type II Development Plan") is hereby **DELETED** in its entirety and a new Subsection 40.1-2.3(D) ("Special Exception") as set forth below is hereby **ADDED**.

**(D) Special Exception**

**(1) Purpose and Intent**

A use requiring a special exception is a use that may be appropriate in a zoning district, but because of its nature, extent, and external effects, requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the district and compatible with its surroundings. Special exceptions may also permit variations from other standards in this Ordinance expressly identified in this subsection 40.1-2.3(D), but only to the extent of the authorization. The Board of Zoning Appeals (BZA) authority to consider special exceptions is expressly granted by and subject to the parameters and criteria set by City Council through adoption, and amendment from time to time, of this Ordinance.

**(2) Applicability**

- (a) A special exception is required for any use designated in Table 40.1-4.1(A), Use Table, as a use requiring a special exception in accordance with this section;
- (b) A special exception may also be applied for where otherwise expressly authorized by this subsection 40.1-2.3(D), as adopted and amended from time to time by City Council;
- (c) The BZA shall not take any action that is construed as rezoning property, nor make a decision that is based solely on the general purpose and intent of the Ordinance as stated in Section 40.1-1.3.

- (d) Any legally established use which existed prior to the adoption of this ordinance, or any subsequent amendments, shall not be considered a nonconforming use where a special exception is now required for establishment of such use. Except as provided below, the use shall be allowed to continue in operation, and the building or structure housing the use may be reconstructed or structurally altered, without the necessity of obtaining a special exception. However, approval of a special exception shall be required, in accordance with this section, when either of the conditions below are present, in the opinion of the Zoning Administrator:
- (i) There is a fifteen (15) percent or greater net increase in the square footage of the use or structure proposed for expansion or enlargement; or,
  - (ii) The expansion or enlargement will substantially alter the site design and layout as it relates to circulation, parking or other site characteristics so as to adversely affect surrounding properties, as determined by the Zoning Administrator.
- (3) **Procedure**
- (a) **Basic Procedures**
    - (i) The procedures and requirements for the initiation, submission, completeness determination, review, and decision on an application for a special exception are as established in Section 40.1-2.2, Common Review Procedures.
    - (ii) The zoning administrator shall also transmit a copy of the application to the Planning Commission as required by Va. Code § 15.2-2310. The Planning Commission may send a recommendation to the BZA or appear as a party at the hearing.
  - (b) **Public Hearing, Review, and Determination by the BZA**
    - (i) Following staff review and public notification in accordance with Section 40.1-2.2(J), Public Notification, the BZA shall conduct a public hearing on the application in accordance with Section 40.1-2.2(K), Hearing Procedures.
    - (ii) After close of the hearing, the BZA shall consider the application, the relevant support materials, the staff report, comments of the Planning Commission, if any, and any comments given by the public, and by a majority vote of a quorum present, take one of the following actions based on the standards in Section 40.1-2.3(D)(4), Special Exception Standards and, if applicable, the standards in Section 40.1-2.3(D)(5), Use Specific Special Exception Standards:
      - Approval of the application as submitted;
      - Approval of the application with conditions (See Section 40.1-2.2(M), Conditions of Approval and Subsection 40.1-2.3(D)(6)); or
      - Denial of the application.
- (4) **General Special Exception Standards**  
An application for a Special exception shall be approved only upon a finding the applicant demonstrates all of the following standards are met:

- (a) The proposed use complies with the applicable standards of the Ordinance;
  - (b) The proposed use is consistent with the comprehensive plan;
  - (c) The proposed use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
  - (d) The proposed use is configured to minimize adverse effects, including the visual impacts of the proposed use on adjacent lands;
  - (e) The proposed use will directly or indirectly enhance the economic base of the community;
  - (f) The proposed use avoids significant deterioration of water and air resources, and other natural resources;
  - (g) The proposed use maintains safe and adequate egress and ingress onto the site, and safe road conditions around the site;
  - (h) The proposed use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning districts; and
  - (i) The use complies with all other city, state, and federal laws and regulations.
- (5) **Use Specific Special Exception Standards**
- (a) The BZA may grant a special exception for a modification to the number, form, or nature of the parking requirements contained in Section 40.1-5.1 (Off-Street Parking, Loading, and Circulation) of this Ordinance, provided:
    - (i) The applicant shall demonstrate that safe and convenient pedestrian access is provided from the designated use to an off-site parking facility or that transportation is available from an off-site parking facility to the premises;
    - (ii) The applicant shall demonstrate that off-site parking spaces to either supplement the on-site parking or meet the minimum parking requirement, or a combination of both, are available on a long-term basis of not less than twenty (20) years;
    - (iii) A parking modification which was granted based on an off-site parking plan shall be void in the event that said off-site parking plan is terminated in whole or in part;
    - (iv) The applicant shall provide an adequate amount of parking to accommodate the anticipated demand for parking generated by the specified use;
    - (v) The authorization of parking modifications shall be limited to the specified use or uses for which the special exception is requested. Any enlargement of a building or change in use or uses shall be subject to the parking requirement as specified in this Ordinance or as otherwise approved for increase or reduction as provided in this Ordinance; and
    - (vi) The applicant has demonstrated to the satisfaction of the City Engineer that any off-site or on-street parking requested would not have a negative impact on the surrounding neighborhood or

to any existing or proposed parking program or parking district impacted by the request.

(b) *Reserved.*

**(6) Conditions of Approval**

In authorizing a special exception, the BZA may impose such conditions regarding the location, character, and other features of the proposed special exception as may be deemed necessary to ensure compliance with the general intent and purposes of this Ordinance and to prevent or minimize adverse effects from the proposed use. Conditions, where imposed, shall be included as part of the approval.

**(7) Effect of Decision**

(a) A special exception authorizes only the particular use(s) and associated development that is approved. A special exception, including any approved plans and conditions, shall not be affected by a change in ownership unless specifically conditioned as part of the approval.

(b) No Zoning Compliance Permit shall be issued unless the use meets all conditions of approval.

(c) No application for substantially the same special exception request shall be considered for a period of one year from the date of the decision by the BZA.

**(8) Expiration**

(a) Special exceptions run with the land. Unless otherwise specified in the special exception or by the Code of Virginia (See Va. Code § 15.2-2209.1), an application for a building permit, business license or land disturbing permit (whichever is appropriate) shall be applied for and approved within two years of the date of the approval of the special exception; otherwise, the special exception shall become null and void, and automatically expire. Permitted timeframes do not change with successive owners.

(b) Upon written application submitted at least 30 days prior to the expiration of the special exception by the applicant, and upon a showing of good cause, the BZA may grant one extension not to exceed one year. The approval shall be deemed extended until the BZA has acted upon the request for extension. Failure to submit an application for an extension within the time limits established by this section shall render the special exception null and void, and the development approval shall automatically expire.

(c) After the approved use has been developed in accordance with a special exception permit, the special exception automatically expires and is immediately null and void when there is a change in use, or when the use approved in the special exception is inactive for a period greater than two years.

**(9) Revocation of Special Exceptions**

A special exception may be revoked or modified by the BZA after noticing a public hearing in the same manner as the original special exception pursuant to Section 40.1-2.2(J), Public Notification, and conducting a public hearing in accordance with Section 40.1-2.2(K), Hearing Procedures. The permit shall be revoked only upon a finding by the BZA that:

- (a) The special exception was obtained or extended by fraud or deception;
  - (b) The applicant has failed to comply with one or more of the conditions of approval;
  - (c) There is a change in conditions affecting the public health, safety, and welfare, since adoption of the special exception; or
  - (d) There are repeated violations of this Ordinance or other local, state and/or federal law(s) related to the development approved by the special exception.
- (10) **Interpretation and Amendments.**
- (a) Any conditions to a special exception shall be interpreted by the Zoning Administrator and any appeals of the interpretation shall be considered by the BZA under the procedures for an appeal set forth in Section 40.1-2.3(K) (Appeal) of this Ordinance.
  - (b) A special exception may be amended, extended, or modified only in accordance with the procedures and standards established for its original approval.

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**AMENDMENT #: 7**

**Entirety of Chapter 40.1**

All uses of the term "Type II Development Plan", and all associated language which solely references or refers to Type II Development Plans, in Chapter 40.1 (including Appendices A and B) are hereby **DELETED**.

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**AMENDMENT #: 8**

**Section 702 of Appendix B**

Section 702 of Appendix B is amended to delete subsection (b), as shown below.

**702. Other Applicable Regulations**

- A. The requirements of Chapter 32, Streets, Sidewalks and Local Improvements, apply to all parking and loading areas under this Code.
- ~~B. Pervious surfaces approved by the City Engineer are encouraged for surface parking lots.~~

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**AMENDMENT #: 9**

**Section 703 of Appendix B**

Section 703 of Appendix B is amended as shown below.

**703. Scope of Regulations**

- A. The parking requirements set forth in Section 40.1-5.1 and Table 40.1-5.1(E)(4) of the Zoning Ordinance are applicable to the D2-FBC District, unless superseded by the standards for the D2-FBC District contained in this Appendix B. Sites under 8,000 square feet in commercial floor area have no minimum parking requirements.

- B. ~~Sites over 8,000 square feet in land area (and all residential uses) have the following requirements:~~
- ~~1. A minimum of 1 and 1/4 parking space per residential unit, of which a minimum of 1/4 parking space per residential unit shall be provided as shared parking. There are no maximum limits on shared parking.~~
  - ~~2. A minimum of one and 1/4 parking spaces per 1,000 square feet of non-residential Gross Floor Area (GFA) shall be provided as shared parking; there are no set maximum limits on shared parking. New on-street parking spaces created in conjunction with the development, which did not previously exist, may be counted toward the minimum requirement for shared parking. Any limitations on the shared parking (time limits or hours of the day) shall be subject to approval by the CODE ADMINISTRATOR which shall be given upon a finding that at least 12 hours of public parking are provided in any 24-hour period and that at least 8 of those hours are provided during either business or nighttime hours depending on whether the code administrator determines that the primary public use will be for commercial or residential uses.~~
  - ~~3. Reserved parking above the maximum (see Section 704 below) may be provided upon payment to the City. Reserved parking includes all parking that is not shared parking. The code administrator shall establish the amount of payment annually based on the approximate cost to build structured parking.~~
- ~~C. Achieving parking requirements.~~
1. Parking requirements may be met either on-site or within an 800 foot walking distance of the development.
  - ~~2. In lieu of minimum parking requirements, the City may accept a one-time payment per each space of shared parking. The CODE ADMINISTRATOR shall establish the amount of payment annually based on the approximate cost to build structured parking.~~
- ~~CD. Shared parking shall be designated by appropriate signage and markings as determined by the CODE ADMINISTRATOR.~~
- ~~E. Sites over 10,000 square feet in land area have the following requirements for bicycle parking:~~
- ~~1. For COMMERCIAL development, the developer must provide 1 employee bicycle parking rack (2-bike capacity) per 5,000 square feet of GFA and 1 visitor/customer bicycle parking rack (2-bike capacity) per 18,000 square feet of GFA.~~
  - ~~2. For RESIDENTIAL development, the developer must provide 1 tenant bicycle parking rack (2-bike capacity) per 10 units and 1 visitor bicycle parking rack (2-bike capacity) per 25 units.~~
  - ~~3. Bicycle parking facilities are to be highly visible to intended users. The bicycle parking facilities shall not encroach on any area in the public right-of-way intended for use by pedestrians, nor shall they encroach on any required fire egress.~~
  - ~~4. On-street bicycle parking spaces may be counted toward the minimum customer/visitor bicycle parking requirement.~~
- DE. Existing parking and loading facilities.
- Required off-street parking and loading facilities in existence on the effective date of this ordinance and located on the same lot as the building or use served or located elsewhere shall not hereafter be reduced below or, if already less than, shall not be further reduced

below, the requirements for a similar new building or use under the provisions of this ordinance.

**EG. Permissive parking and loading facilities.**

Nothing in this ordinance shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings, in accordance with all regulations herein governing the location, design, and operation of such facilities.

**FH. Submission of site plan.**

Any application for a building permit, or for a business license where no building permit is required and there is a change in use, shall be accompanied by a site plan, drawn to scale and fully dimensioned, showing off-street parking or loading facilities to be provided in compliance with this ordinance. For parking facilities providing more than twenty (20) parking spaces or more than two loading spaces, the plans shall be prepared by a certified engineer licensed by the Commonwealth of Virginia.

**AMENDMENT #: 10**

**Section 704 of Appendix B**

Section 704 of Appendix B is amended as shown below.

**704. Maximum Parking Spaces**

**A. Reserved Parking**

1. Surface and structured parking spaces may be reserved for a specific tenant or unit, provided that the following standards in this Section or in Section 40.1-5.1(E) are not exceeded:

Use	Reserved (non-shared) Spaces (maximum)
RESIDENTIAL	2.0 per single family unit
	1.0 per one bedroom multifamily unit
	1.0 per two bedroom multifamily unit
	2.0 per three bedroom multifamily unit
Nonresidential	1.0 per 1,000 SF

~~**B. Maximum Surface Parking**~~

~~Surface parking may not exceed 110 percent of the required parking. Structured or underground parking may exceed the required quantity of parking without the imposition of maximum standards.~~

**AMENDMENT #: 11**

**Section 705 of Appendix B**

Section 705 of Appendix B is amended by deleting subsections 705(C)(2) and 705(C)(3) and subsection (D) as shown below. Section 705 of Appendix B, including those subsections not shown below, is not otherwise amended.

**705. Special Parking Standards**

**C. Off-Site Parking**

- 1. Off-site parking must be located within a walking distance of 800 feet from the site served by the off-site parking.
- ~~2. The off-site parking shall be located within the Uptown D2 District.~~
- ~~3. The off-site parking must be the subject of a long-term lease approved as to form by the City Attorney, or permanently dedicated for off-site parking use.~~

**~~D. Tandem Parking~~**

- ~~1. Tandem parking is allowed for:
 
  - ~~a. Single-family projects; and~~
  - ~~b. Multifamily projects and the RESIDENTIAL component of mixed-use projects.~~~~
- ~~2. Two parking spaces in tandem shall have a combined minimum dimension of 9 feet in width by 24 feet in length.~~
- ~~3. Up to 75 percent of the total off-street parking spaces provided for residential projects may incorporate tandem parking. For residential projects, both tandem spaces shall be assigned to the same dwelling unit. Tandem parking may not be used to provide guest parking.~~

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**AMENDMENT #: 12**

**Section 706 of Appendix B**

Section 706 of Appendix B is hereby **DELETED**.

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**AMENDMENT #: 13**

**Section 707 of Appendix B**

Section 707 of Appendix B is hereby **DELETED**.

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**AMENDMENT #: 14**

**Section 40.1-5.1**

Existing Section 40.1-5.1 ("Off-Street Parking, Loading, and Circulation") is hereby **DELETED** in its entirety and a new Section 40.1-5.1 ("Off-Street Parking, Loading, and Circulation") as set forth below is hereby **ADDED**.

**40.1-5.1 OFF-STREET PARKING, LOADING, AND CIRCULATION**

**(A) Purpose and Intent**

The purpose of this section is to ensure provision of off-street parking and loading facilities in proportion to the generalized parking, loading, and transportation demand of the different uses allowed by this Ordinance. The standards in this section are intended to provide for adequate off-street parking while allowing the flexibility needed to

accommodate alternative solutions. The standards are also intended to achieve city policies of supporting development and redevelopment of the activity centers, commercial corridors, and downtown areas. The standards are proposed to accommodate appropriate infill development and encourage pedestrian-oriented development, while avoiding excessive paved surface areas, promoting low impact development, and safeguarding historic resources.

**(B) Applicability**

**(1) General**

Except where exempted by Section 40.1-5.1(E) (2) (b), Exceptions, the off-street parking, loading, and circulation standards of this section shall apply to all new development in the city.

**(2) Time of Review**

Review of proposed development to ensure compliance with the standards of this section shall occur at time of Development Plan (Section 40.1-2.3 (C) & (D)), Master Plan associated with an Amendment to the Zoning Map to establish an Activity Center (AC) district (Section 40.1-3.5), Preliminary Subdivision Plat (Chapter 33.1 of the City Code) or Zoning Compliance Permit (Section 40.1-2.3(E)), whichever occurs first.

**(C) General Standards for Off-Street Parking, Stacking, and Loading Areas**

**(1) Use of Parking Area, Stacking Area, or Loading Space**

All vehicular parking areas, stacking areas, methods of vehicular ingress and egress, internal aisles, and loading spaces required by this section may be referred to as "vehicular use area" as well as off-street parking areas. This section, 40.1-5.1(C), does not apply to bicycle parking areas.

**(a) Business, Activity Center, and Special Districts**

A vehicular use area or off-street parking area shall be used solely for the parking of licensed motorized vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or storage of vehicles, boats, motor homes, campers, mobile homes, or building materials.

**(b) Residential Districts**

In addition to the standard driveway parking spaces provided in conjunction with any single-family residence, up to one additional off-street parking space may be provided for a commercial vehicle on a single-family lot in accordance with the standards in Section 40.1-5.1(F), Off-Street Parking Within Residential Districts, and Section 40.1-4.4(C) (15), Storage or Parking of Heavy Trucks, Trailers, Major Recreational Equipment, or Mobile Homes.

**(2) Identified as to Purpose and Location**

Off-street parking areas of four or more spaces and off-street loading areas shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and loading areas and distinguishing such spaces from aisles and other circulation features.

**(3) Surfacing**

**(a)** All off-street parking and loading areas shall be surfaced with asphalt, concrete, brick, stone pavers, aligned concrete strips, or an equivalent material.

- (b) Single-family detached residential development may use an alternative surfacing material in accordance with Section 40.1-5.1(F), Off-Street Parking Within Residential Districts.
- (c) Development subject to the standards of this section may include an alternative surfacing material as part of an alternative parking plan in accordance with Section 40.1-5.1(M), Off-Street Parking Alternatives, except industrial development in the IN district is not required to submit an alternative parking plan for use of crushed stone or a comparable surfacing material.
- (d) In cases where alternative surfacing materials are allowed, the surfaces shall be maintained in a smooth, well-graded, and dust-free condition.

**(4) Arrangement**

**(a) Convenient Access**

Off-street parking and loading areas shall be arranged for convenient access and safety of pedestrians and vehicles. Off-street parking areas with four or more spaces shall be arranged so no parking or maneuvering incidental to parking shall occur on a public street or sidewalk, and an automobile may be parked or un-parked without moving another automobile (except as provided in Section 40.1-5.1(K)(6), Tandem Parking).

**(b) Backing onto Streets Prohibited**

Except for parking areas serving Single-Family Detached, Townhouse, and Two-to-Four-Family Dwellings, all off-street parking and loading areas shall be arranged so that no vehicle is required to back from such areas directly onto a street.

**(5) Drainage**

All off-street parking and loading areas shall be properly drained so as not to cause any nuisance on adjacent land. Drainage may be directed to shared, community stormwater management devices.

**(a) Calculations**

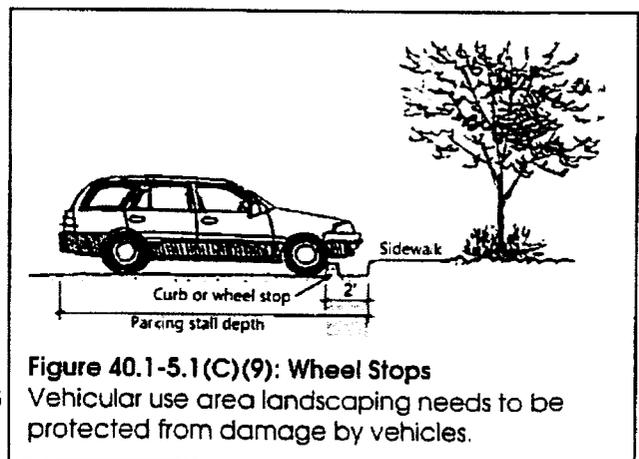
Stormwater calculations must address material used on site including entrances, parking areas and sidewalks.

**(6) Exterior Lighting**

When lighted, off-street parking and loading areas shall be lighted so as to prevent glare or illumination exceeding maximum allowable levels on adjacent land (See Table 40.1-5.9(E)(3), Maximum Illumination Levels), and unless exempted, shall comply with the standards of Section 40.1-5.9, Exterior Lighting.

**(7) Landscaping**

Except for off-street parking areas serving Single-Family Detached Dwellings, as well as Two-to-Four-Family Dwellings and Townhouse Dwellings of 5,000 square feet or less in floor



**Figure 40.1-5.1(C)(9): Wheel Stops**  
Vehicular use area landscaping needs to be protected from damage by vehicles.

area, all off-street parking and loading areas shall comply with the standards of Section 40.1-5.2(D), Vehicular Use Area Landscaping.

- (8) Maintained in Good Repair**
  - (a) Maintained at All Times**

All off-street parking, loading, and circulation areas shall be maintained in a safe condition and good repair at all times so as not to constitute a hazard to public safety or a visual or aesthetic nuisance to surrounding land. Poorly maintained parking shall not count toward required parking minimum.
  - (b) Periodically Restored**

All off-street parking, loading, and circulation areas shall be periodically painted or otherwise restored to maintain a clear identification of separate parking stalls or loading areas.
- (9) Markings**
  - (a) General**

Each required off-street parking space and off-street parking facility must be identified by surface markings and must be maintained in a manner so as to be readily visible and accessible at all times. Such markings must be arranged to provide for orderly and safe loading, unloading, parking, and storage of vehicles. Markings required to be maintained in a highly visible condition includes striping, directional arrows, lettering on signs and in handicapped-designated areas.
  - (b) Car Accessible**

One-way accesses into required parking facilities must be identified by directional arrows. Any two-way access located at any angle other than 90 degrees to a street must be marked with a traffic separation stripe the length of the access. This requirement does not apply to aisles.
- (10) Placement**

The location or placement of off-street parking areas on a development site shall be limited in accordance with the standards of this section, Section 40.1-5.5, Multi-Family Development Standards, Section 40.1-5.6, Commercial Development Standards, and Section 40.1-5.7, Transitional Standards, as appropriate.
- (11) Minimum Separation**
  - (a)** All off-street parking areas shall be separated at least seven feet from buildings in order to allow room for sidewalks, landscaping, and other plantings between the building and the parking area.
  - (b)** In the event foundation plantings are required in accordance with Section 40.1-5.2(G), Site Landscaping and Building Foundation Priming, additional minimum separation may be needed to maintain a minimum five-foot-wide pedestrian clear zone along with the minimum area needed for landscaping.
  - (c)** This separation may be eliminated to the rear of buildings in areas designed for unloading and loading of materials.
- (12) Completion**

All off-street parking, loading, and circulation areas shall be completed prior to the issuance of a certificate of occupancy for the development they serve. In the case of phased development, off-street parking, loading, and circulation areas should only be provided for portions of the development with development plan or subdivision approval.

**(D) Calculation of Required Off-Street Parking Spaces**

**(1) Fractions**

When computation of the number of required parking spaces results in a fraction, the result shall be rounded upward to the next highest whole number.

**(2) Multiple Uses or Mixed Use Development**

Unless otherwise approved, development containing more than one use must provide off-street parking in an amount equal to the total requirements of all individual uses. This does not apply to multi-tenant retail centers.

**(3) Seat Based Standards**

Except as otherwise provided in this section, where the minimum number of off-street parking spaces is based on the number of seats, all computations shall be based on the design capacity of the areas used for seating.

**(4) Floor-Area Based Standards**

Where the minimum number of off-street parking spaces is based on square feet of floor area, all computations shall be based on gross floor area.

**(5) Occupancy or Capacity-Based Standards**

Except as otherwise provided in this section, where the minimum number of off-street parking spaces required is based on the number of employees, students, or residents, all computations shall be based on the largest number of persons working on any single shift (for employees), maximum enrollment (for students), or the maximum fire-rated capacity (for residents), whichever is applicable.

**(6) On-Street Parking**

When available, on-street parking on public or private streets, driveways, or drives may be used to satisfy the off-street parking standards of this section.

**(7) Driveways Used to Satisfy Requirements**

For single-family detached, attached, townhouses, and two- to four-family dwellings, driveways may be used to satisfy minimum off-street parking standards, provided sufficient space is available to satisfy the standards of this section and this Ordinance.

**(E) Off-Street Parking Standards**

**(1) Parking Plan Required**

(a) Uses with four or more spaces, or parking areas proposed that could accommodate four (4) or more standard parking spaces and access facilities, shall submit a parking plan along with an application for a Development Plan (Section 40.1-2.3(C) & (D)), or a master plan associated with a Zoning Map Amendment to establish an AC District (Section 40.1-3.5), as appropriate.

(b) The parking plan shall be drawn to scale, and accurately designate the required parking spaces, access aisles, and driveways, and the relation of the off-street parking facilities to the development the facilities are designed to serve.

**(2) Minimum Number of Spaces Required**

Unless otherwise expressly stated in this section, the minimum number of off-street parking spaces shall be provided in accordance with Table 40.1-5.1(E)(2), Off-Street Parking Standards. Any property that has commercial sales, and does not fall into a use category listed in Table 40.1-5.1(E)(2), shall be required to have a minimum of two (2) parking spaces on site that meet the Section 40.1-5.1(K).

**(a) Exclusions to Parking Requirements**

The following areas shall be excluded from the calculation of parking requirements established in Table 40.1-5.1(E)(2), Off-Street Parking Standards.

- (i) Indoor areas used for vehicle storage or display.
- (ii) Outdoor storage, display, or sales areas, unless otherwise specified.
- (iii) Service bays for vehicles, including repair, painting, fueling, washing, and detailing.
- (iv) Animal kennel cage space, indoor and outdoor.
- (v) Parking located in the D2 District will be as shown in table 40.1-5.1(E)(4), D2 Parking Requirements.

**(b) Exceptions to Parking Requirements**

**(i) Existing Development**

**a. Change in Use**

- i. A change in use of an existing development shall provide the additional off-street parking and loading facilities required to comply with this section, except as follows:
  - (a) No additional automobile or bicycle parking spaces are required if the change in use would result in an increase of spaces of less than 25%. The percent increase is calculated by dividing the number of additional spaces required by the number of spaces required before the increase.
  - (b) When two or fewer additional automobile or bicycle parking spaces are required under this subsection as a result of a change in use, such additional parking is not required to be installed.
  - (c) Where there is any change of use of an existing development, on-site surface parking must comply with Section 40.1-5.1 (K).

**b. Expansion and Enlargement**

- i. Unless otherwise modified by Section 40.1-6.6, the off-street parking, loading, landscaping and circulation standards of this section apply when

an existing structure or use is expanded or enlarged, except as follows:

- (a) No additional automobile or bicycle parking spaces are required if the expansion or enlargement would result in an increase of spaces of less than 25%. The percent increase is calculated by dividing the number of additional spaces required by the number of spaces required before the increase.
- (b) When two or fewer additional automobile or bicycle parking spaces are required under this subsection as a result of an expansion or enlargement, such additional parking is not required to be installed.
- (c) When an existing structure or use is expanded or enlarged by 25% or more of GFA, on-site surface parking must comply with Section 40.1-5.1 (K).

(c) **Nonconforming Parking or Loading Facilities**

Expansion or enlargement of an existing development on a site that does not comply with the standards of this Section 40.1-5.1 (E) (2) shall require a Special Exception approval by the Board of Zoning Appeals.

**TABLE 40.1-5.1(E)(2): OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	AUTO SPACES (MINIMUM)	BICYCLE SPACES (MINIMUM)	BICYCLE SPACES (LONG TERM % OF TOTAL BICYCLE SPACES)
<b>RESIDENTIAL USE CLASSIFICATION</b>				
Household Living	Dwelling, live/work	1 per DU	1 per 4 DU	85%
	Dwelling, upper			
	Dwelling, multi-family	1.5 per DU	1 per 4 DU	85%
	Dwelling, townhouse			
	Dwelling, single-family attached	2 per DU	None	
	Dwelling, two-to four-family			
Group Living	Dormitory	1 per 2 resident beds	1 per 4 beds	85%
	Family care home	3 per home	None	
	Fraternity or sorority house	1 per every 2 resident beds	1 per 4 beds	85%
	Group home	1 per employee + 1 per every 3 adults	None	
	Rooming or boarding house	1 per guest room	None	
	Single room occupancy (SRO) facility	0.75 per guest room	1 per 4 beds	85%
<b>PUBLIC AND INSTITUTIONAL USE CLASSIFICATION</b>				
Community Services	Community center	1 per 500 sf	10% of automobile parking provided	25%
	Cultural facility			
	Library			
	Museum			
	Senior center			
	Youth club facility			
Day Care	Adult day care center	3 per home	None	
	Child day care center			
	Family child day care home (6 to 12 children)	2 plus minimum residential parking requirement	None	
	Home child day care for 5 or fewer children	1 plus residential minimum requirement	None	
Educational Facilities	College or university	1 per 500 sf, exclusive of dormitories	5% of automobile parking provided	25%
	School, elementary	1 per classroom	3 per classroom	50%
	School, middle			
	School, high	1 per 500 sf	5% of automobile parking provided	50%
	Vocational or trade school	1 per 500 sf	5% of automobile parking provided	25%

**TABLE 40.1-5.1(E)(2): OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	AUTO SPACES (MINIMUM)	BICYCLE SPACES (MINIMUM)	BICYCLE SPACES (LONG TERM % OF TOTAL BICYCLE SPACES)
Government Facilities	Government maintenance, storage, or distribution facility	1 per 1000 sf	None	
	Government offices	1 per 500 sf	5% of automobile parking provided	25%
	Other Government Facilities			
	Post office			
Health Care Facilities	Hospital	1 per 300 sf	5% of automobile parking provided	25%
	Medical or dental clinic	1 per 500 sf	5% of automobile parking provided	
	Blood/tissue collection facility			
	Drug or alcohol treatment facility			
	Medical or dental lab			
	Medical treatment facility			
Outpatient facility				
Institutions	Auditorium	1 per 500 sf	5% of automobile parking provided	
	Convention center			
	Halfway house	3 per house	1 per 4 beds	85%
	Assisted living facility	1 per 2 beds	None	
	Nursing home			
	Psychiatric treatment facility			
	Religious institution	1 per every 6 seats in worship area	1 per 1,500 SF of assembly area	
	Civic, social, or fraternal clubs or lodges	1 per 500 sf	5% of automobile parking provided	
Shelter	1 per 2 beds	None		
Parks and Open Areas	Arboretum or botanical garden	None	None	
	Cemetery, columbaria, mausoleum			
	Community garden			
	Golf course, public [publicly owned]	2 per tee plus 1 per 200 sf of clubhouse, restaurant and event facilities	1 per 2,500 sf of clubhouse, restaurant and event facilities	
	Park, public	Less than 1 acre, none	Greater of 10 or 5% of automobile parking provided	
Park, private	1 acre or more. See Table 40.1-5.1(E)(2)(A)			
Public Safety	Correctional facility	1 per employee on largest shift plus 2 per maximum visitors allowed at one time plus 1 per 1,000 sf	None	

**TABLE 40.1-5.1(E)(2): OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	AUTO SPACES (MINIMUM)	BICYCLE SPACES (MINIMUM)	BICYCLE SPACES (LONG TERM % OF TOTAL BICYCLE SPACES)
	Fire or EMS facility	1 per employee on largest shift	None	
	Fire or police substation			
	Police station			
Transportation	Airport	See Section 40.1-5.1(E)(5)	See Section 40.1-5.1(E)(5)	See Section 40.1-5.1(E)(5)
	Helicopter landing facility	None	None	
	Passenger terminal, surface transportation	1 per 500 sf of office space, plus 1 per 4 seats in waiting area when there are more than 20 seats	None	
Utilities	Telecommunications antenna, collocation on existing tower	1	None	
	Telecommunications antenna, placement on existing building			
	Telecommunications tower, freestanding			
	Utility, minor			
	Utility, major	Lesser of 1 per 500 sf or 1 per 2 employees on largest shift	None	
<b>COMMERCIAL USE CLASSIFICATION.</b>				
Adult Uses	Adult bookstore	1 per 500 sf	10% of automobile parking provided	
	Adult entertainment establishment	1 per 250 sf	10% of automobile parking provided	
	Adult motion picture theatre	1 per 5 seats	10% of automobile parking provided	
Animal Care	Animal grooming	1 per 500 sf	1 per 2,500 sf	
	Animal shelter			
	Veterinary clinic			
	Kennel, indoor			
	Kennel, outdoor			
Conference and Training Centers	Conference or training center	1 per 5 persons of design capacity	5% of automobile parking provided	

**TABLE 40.1-5.1(E)(2): OFF-STREET PARKING STANDARDS**

<b>USE CATEGORY</b>	<b>USE TYPE</b>	<b>AUTO SPACES (MINIMUM)</b>	<b>BICYCLE SPACES (MINIMUM)</b>	<b>BICYCLE SPACES (LONG TERM % OF TOTAL BICYCLE SPACES)</b>
Eating Establishments	Dinner theatre	1 per 4 seats	10% of automobile parking	10%
	Restaurant, with indoor and outdoor seating	1 per 200 sf, plus 1 per 5 seats for any outdoor seating areas	10% of automobile parking provided	
	Restaurant, with drive-through service			
	Restaurant, without drive through service			
	Restaurant, Brew-pub			
	Specialty eating establishment			
Offices	Offices, business services	1 per 500 sf	10% of automobile parking provided	25%
	Offices, financial services			
	Offices, professional services			
	Offices, sales (including real estate)			
	Radio and television broadcasting studio			
	Call Center	1 per 500 sf	10% of automobile parking provided	25%
Parking, Commercial	Parking lot	None	None	
	Parking structure			
Recreation/ Entertainment, Indoor	Commercial recreation, indoor	See Section 40.1-5.1(E)(5)	See Section 40.1-5.1(E)(5)	See Section 40.1-5.1(E)(5)
	Theater	1 per 4 seats	10% of automobile parking provided	10%

**TABLE 40.1-5.1(E)(2): OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	AUTO SPACES (MINIMUM)	BICYCLE SPACES (MINIMUM)	BICYCLE SPACES (LONG TERM % OF TOTAL BICYCLE SPACES)
Recreation/Entertainment, Outdoor	Arena, amphitheater, or stadium	See Section 40.1-5.1(E)(5)	See Section 40.1-5.1(E)(5)	See Section 40.1-5.1(E)(5)
	Commercial recreation, outdoor	See Section 40.1-5.1(E)(5)	See Section 40.1-5.1(E)(5)	See Section 40.1-5.1(E)(5)
	Country club	2 per tee plus 1 per 200 sf of clubhouse, restaurant and event facilities	1 per 2,500 sf	
	Golf course, public [privately owned]			
	Golf driving range	1 per tee	1 per 2,500 sf	
	Marina	1 per every 2 slips + 1 per every 4 dry storage spaces	1 per 2,500 sf	
	Marina, pleasure boats only			
	Membership sports or recreation club	See Section 40.1-5.1(E)(5)	See Section 40.1-5.1(E)(5)	See Section 40.1-5.1(E)(5)
Retail Sales & Services	Multi-tenant Retail Center	See Section 40.1-5.1[E][2][d]	See Section 40.1-5.1[E][2][d]	See Section 40.1-5.1[E][2][d]
	Bar, nightclub, or cocktail lounge	1 per 250 sf	1 per 2,500 sf	
	Entertainment establishment			
	Microbrewer/Micro-Distillery/Micro-Winery/Micro Cidery	1 per 1000 sf plus 1 per 250 sf of areas of accessory use for patrons	1 per 2,500 sf	
	Gasoline sales	2	None	
	Crematory	None	None	
	Dry cleaning and laundry drop-off establishment	1 per 500 sf	None	
	Laundry, self-service			
	Funeral home	1 per 5 seats in viewing area	None	
	Flea market	1 per 500 sf	None	
	Special events house	1 per 200 sf + 1 per every 4 persons of maximum outdoor facility capacity	None	
	Tattoo parlor/body piercing establishment	1 per 500 sf	1 per 2,500 sf	
	Massage therapy			
	Personal services establishment			
	Repair establishment			
Convenience store, with gas sales	1 per 500 sf	1 per 2,500 sf		
Convenience store, without gas sales				

**TABLE 40.1-5.1(E)(2): OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	AUTO SPACES (MINIMUM)	BICYCLE SPACES (MINIMUM)	BICYCLE SPACES (LONG TERM % OF TOTAL BICYCLE SPACES)
	Financial institution, without drive-through service	1 per 500 sf	1 per 2,500 sf	
	Financial institution, with drive-through service			
	Drug store or pharmacy, without drive-through service			
	Drug store or pharmacy, with drive-through service			
	Grocery store			
	Retail sales establishment, large			
	Other retail sales establishments			
Self-Service Storage	Mini-warehouse	3 for single-level facilities 3 plus 1 per 25 storage units for multi-level facilities	None	
Vehicle Sales and Services, Heavy	Aircraft parts, sales, and maintenance	1 per 500 sf	None	
	Automotive paint and body shop			
	Automotive wrecker service			
	Transmission shop			
	Boat and marine rental and sales			
	Truck stop			
Vehicle Sales and Services, Light	Automotive parts and installation	1 per 500 sf	None	
	Automobile repair and servicing, without painting/body work			
	Automobile sales or rentals			
	Automotive wrecker service			
	Car wash auto detailing			
	Motorcycle sales			
	Recreational vehicle sales or rental			
	Taxicab service			
	Tire/muffler sales and mounting			

**TABLE 40.1-5.1(E)(2): OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	AUTO SPACES (MINIMUM)	BICYCLE SPACES (MINIMUM)	BICYCLE SPACES (LONG TERM % OF TOTAL BICYCLE SPACES)
Visitor Accommodations	Bed and breakfast	1 per guest bedroom	None	
	Tourist home			
	Campground or recreational vehicle park	Visitor parking at 1 per 4 campsite or similar	None	
	Hotel or motel, extended service	1 per every 2 guest rooms plus 25% of spaces required for on-site accessory uses	1 per 20 guest rooms	85%
	Hotel or motel, full service			
<b>INDUSTRIAL USE CLASSIFICATION</b>				
Industrial Services	Port facilities	Lesser of 1 per 500 sf or 1 per 2 employees on largest shift	None	
	Building, heating, plumbing, or electrical contractor			
	Electric motor repair			
	Fuel oil/bottled gas distributor			
	Fuel oil storage			
	General industrial service			
	Heavy equipment sales, rental, or storage			
	Heavy equipment servicing and repair			
	Laundry, dry cleaning, and carpet cleaning plants			
	Machine shop			
	Repair of scientific or professional instruments			
	Research and development			
	Tool repair			
Manufacturing and Production	Brewery/Distillery/Winery/Cidery	1 per 1000 sf plus 1 per 250 sf of areas of accessory use for patrons	None	
	Concrete plants	Lesser of 1 per 500 sf or 1 per 2 employees on largest shift	None	
	Asphalt plants			
	Manufacturing of chemicals, fertilizers, paint, and turpentine			
	Manufacturing, heavy			
	Manufacturing, light			
	Petroleum Refining			
Rendering				

**TABLE 40.1-5.1(E)(2): OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	AUTO SPACES (MINIMUM)	BICYCLE SPACES (MINIMUM)	BICYCLE SPACES (LONG TERM % OF TOTAL BICYCLE SPACES)
Warehouse and Freight Movement	Bulk fuel sales and storage	Lesser of 1 per 500 sf or 1 per 2 employees on largest shift	None	
	Cold storage plant			
	Outdoor storage, as principal use			
	Parcel services			
	Shipping container storage yard			
	Truck or freight terminal			
	Warehouse (distribution)			
Warehouse (storage)				
Waste-Related Services	Energy recovery plant	Lesser of 1 per 500 sf or 1 per 2 employees on largest shift	None	
	Hazardous waste collection site			
	Incinerator			
	Recycling and salvage center			
	Salvage and junkyard			
	Tire disposal or recycling			
Waste composting				
Wholesale sales	All uses	Lesser of 1 per 500 sf or 1 per 2 employees on largest shift	None	

NOTES:  
 (1) DU = dwelling unit; sf = square feet (of floor area unless otherwise noted)

**TABLE 40.1-5.1(E)(2)(A): MINIMUM PARKING REQUIREMENTS FOR PUBLIC AND PRIVATE PARK ACTIVITIES**

USE CATEGORY	AUTO SPACES
Sport fields	20 per field
Tennis and other courts for fewer than 8 players	2 per court
Basketball and other courts for 8 or more players	4 per court
Swimming facilities	25 per pool or sprayground
Golf facilities	2 per tee plus 1 per 200 sf of clubhouse, restaurant and event facilities
Group picnic shelter	25 per shelter
Individual picnic table	1 per table

**(d) Multi-Tenant Retail Center Parking Requirements**

- (i) Parking requirements for multi-tenant retail centers are calculated based on the gross floor area total for all uses, rather than by individual uses.
- (ii) The minimum required automobile parking is 1 space per 500 sf. The minimum required bicycle parking is 1 per 2,500 sf. Loading requirements are per Section 40.1-5.1(P)(1), Number of Required Off-street Loading Berths.
- (iii) Where a retail center also includes residential space, the residential parking requirements shall be additional, per Table 40.1-5.1(E)(4), D2 Parking Requirements, depending on zoning.

**(3) Parking Requirements for Certain Elderly Housing**

Multi-family that is designated as "housing for older persons" by the US Department of Housing and Urban Development under the Fair Housing Act is allowed a 20 percent reduction of the required parking in Table 40.1-5.1(E)(2), Off-Street Parking Standards.

**(4) Parking Requirements for the D2 District**

Parking requirements for the D2 District shall be provided in accordance with Table 40.1-5.1(E)(4), D2 Parking Requirements. As indicated in the table, for multifamily residential uses and non-residential uses, some of the required minimum automobile spaces shall be unrestricted, that is, available to any resident or visitor. Spaces that are not reserved for specific residents or employees are subject to the maximum parking requirements shown in the table. There are no maximum parking requirements for spaces that are unrestricted.

<b>TABLE 40.1-5.1(E)(4): D2 PARKING REQUIREMENTS</b>				
	<b>AUTO SPACES MINIMUM</b>	<b>AUTO SPACES MINIMUM UNRESTRICTED</b>	<b>AUTO SPACES MAXIMUM RESERVED</b>	<b>BICYCLE SPACES MINIMUM</b>
<b>RESIDENTIAL</b>				
Single Family	1 per DU	None	2 per DU	None
Multifamily - 1 bedroom	1 per DU	0.25 per DU	1 per DU	1 per 4 DU
Multifamily - 2 bedroom	1 per DU	0.25 per DU	1 per DU	1 per 4 DU
Multifamily - 3 bedroom	1 per DU	0.25 per DU	2 per DU	1 per 4 DU
Dwelling, live/work and upper	0.5 per DU	None	1.5 per DU	1 per 4 DU
<b>NON-RESIDENTIAL</b>				
≤ 5,000 sf	None	None	None	None
>5,000 sf	1.25 per 1,000 sf	1.25 per 1,000 sf	1 per 1,000 sf	10% of automobile parking provided

**(a) Achieving parking requirements**

- (i) Surface parking may not exceed 150 percent of the required parking. Structured or underground parking may exceed the required quantity of parking without the imposition of maximum standards.
  - (b) **Existing parking and loading facilities**
    - (i) Required off-street parking and loading facilities in existence on the effective date of this ordinance shall not be reduced below or, if already less than, shall not be further reduced below, the requirements of this ordinance.
- (5) **Uses with Variable Parking Demand Characteristics**

Uses that reference this subsection in Table 40.1-5.1(E)(2), Off-Street Parking Standards, have widely varying parking and loading demand characteristics, making it difficult to establish a single off-street parking or loading standard. Upon receiving a development application for a use subject to this subsection, the Zoning Administrator shall apply the off-street parking and loading standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking standards on the basis of a parking and loading demand study prepared by the applicant. Such a study shall include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE) or other acceptable estimates as approved by the Zoning Administrator, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.
- (6) **Unlisted Uses**

Upon receiving a development application for a use not expressly listed in this section, the Zoning Administrator is authorized to apply the off-street parking standard in the listed use that is deemed most similar to the use, or establish the off-street parking requirements by reference to standard parking resources published by the National Parking Association or the American Planning Association. Alternatively, the Planning Director may require the applicant to submit a parking demand study that justifies estimates of parking demand based on the recommendations of the Institute of Traffic Engineers (ITE), and includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location.
- (F) **Off-Street Parking within Residential Districts**

Off-street parking serving Single-Family Detached or Two-to-Four Family Dwellings and located within front yard and/or corner side yard areas shall comply with the following standards:

  - (1) **Parking in Vehicular Use Area Required**

Commercial vehicles, whether parked or stored, shall be located in a vehicular use area. For the purposes of this subsection, "vehicles" shall include but not be limited to, passenger vehicles, all trucks under 20,000 pounds of gross vehicle weight (GVW), vans, golf carts, or other similar vehicles, whether operable or otherwise. Vehicles exceeding 20,000 pounds GVW are subject to the standards in Section 40.1-4.4(C)(15), Storage or Parking of Heavy Trucks, Trailers, Major Recreation Equipment, or Mobile Home.

- (2) **Maximum Area Available for Vehicular Use**  
 Vehicular use areas located within the front or corner side yard (as measured from the edge of the lot line to the closest portion of the building) shall be limited to the lesser of 33 percent of the entire front and/or corner side yard area, or 880 square feet. For parcels with lot widths less than 50 feet, the vehicular use area shall be limited to the lesser of 50 percent of the entire front/or corner side area yard area (as measured from the edge of the lot line to the closest portion of the building), or 500 square feet. Nothing in this subsection shall be construed to limit the size of the vehicular use area located beyond the setback line of a front or corner side yard area, nor does it apply to indoor parking. This not applicable to historic districts or any other "district" that has specific or special parking provisions.
- (3) **In Historic Districts**  
 Off-street parking in the Front yards is prohibited except as normally exists in driveways.
- (G) **Motorcycle Parking**
  - (1) Parking for motorcycles, mopeds and motor-driven cycles may substitute for up to 2 spaces, or 5 percent of required automobile parking, whichever is greater.
  - (2) Motorcycle parking spaces shall be a minimum of 4' wide and 8' deep, accessible by an aisle at least 5' wide.
- (H) **Low-Emission Vehicles**  
 Spaces within parking lots and structures may include designated parking spaces for battery-electric vehicles, hybrid vehicles, and fuel cell vehicles. Spaces reserved for low-emission vehicles count towards minimum parking space requirements.
- (I) **Provision of Electric Vehicle Charging Stations**  
 Spaces within parking lots and structures may include designated parking spaces for electric vehicle charging. Spaces reserved for electric vehicle charging count towards minimum parking space requirements.
  - (1) **Spaces available for public use**
    - (a) Where electric vehicle charging stations are available for public use, spaces reserved for electric vehicle charging counts towards minimum parking space requirements at the rate of two per each space reserved for electric vehicle charging.
    - (b) To be considered "available for public use", spaces reserved for electric vehicle charging shall be available and accessible to the public during all hours that the parking facility is open.
- (J) **Accessible Parking Spaces for Physically Disabled Persons**  
 Development required to provide off-street parking spaces shall ensure that a portion of the total number of required off-street parking spaces shall be specifically dimensioned, designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the federal American with Disabilities Act.
- (K) **Dimensional Standards for Automobile Parking Spaces and Aisles**
  - (1) **General**  
 Car parking spaces and parking lot aisles shall comply with the minimum dimensional standards established in Table 40.1-5.1(K)(1), Dimensional Standards for Parking Spaces and Aisles, and the illustrations in Figure 40.1-5.1(K)(1), Parking Stall Measurement. The following dimensional standards

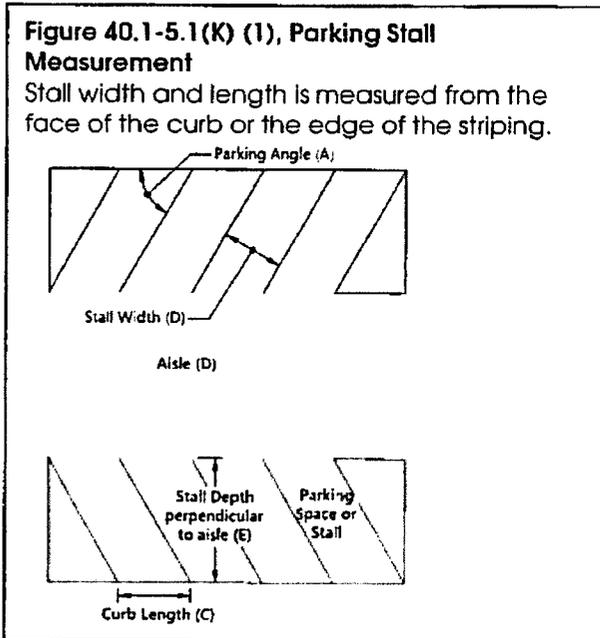
apply to automobile parking spaces other than those provided per Section 40.1-5.1(J):

<b>TABLE 40.1-5.1(K)(1): DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES</b>					
<b>PARKING ANGLE (A)</b>	<b>STALL WIDTH (B)</b>	<b>CURB LENGTH (C)</b>	<b> AISLE WIDTH FOR ONE-WAY TRAFFIC (D)</b>	<b> AISLE WIDTH FOR TWO-WAY TRAFFIC (D)</b>	<b>STALL DEPTH PERPENDICULAR TO AISLE (E)</b>
<b>STANDARD SPACES</b>					
Parallel	8.0 ft	22.0 ft	12 ft	24 ft	8.0 ft
45 degrees	9.0 ft	12.7 ft	14 ft	n/a	19.0 ft
60 degrees	9.0 ft	10.4 ft	18 ft	24 ft	20.0 ft
90 degrees	9.0 ft	9.0 ft	n/a	24 ft	18.0 ft
<b>COMPACT SPACES</b>					
Parallel	8.0 ft	20.0 ft	12 ft	24 ft	8.0 ft
45 degrees	8.0 ft	11.3 ft	12 ft	24 ft	18.0 ft
60 degrees	8.0 ft	9.3 ft	16 ft	24 ft	19.0 ft
90 degrees	8.0 ft	8.0 ft	n/a	24 ft	17.0 ft

Notes:

For parking other than 90 degrees or parallel, the stall depth perpendicular to aisle may be reduced by 2' if the rows of angle parking are interlocked rather than abutting a wall or curb.

- (2) **Compact Spaces**  
Up to 25% of all spaces may be reduced to compact spaces. All compact spaces must be clearly marked for "Compact Cars Only".
- (3) **Vertical Clearance**  
All off-street parking spaces must have a minimum overhead clearance of seven feet.



**(4) Vehicle Overhang**

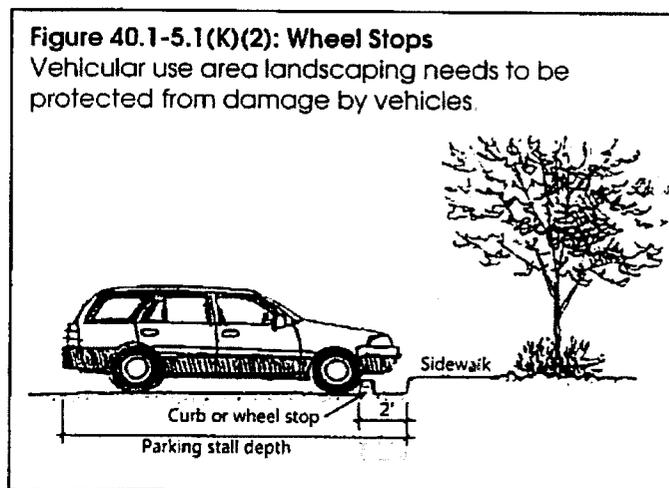
When a parking space abuts a public right-of-way, sidewalk, walkway, landscape area, or adjacent property, off-street parking and loading areas shall provide curbs, motor vehicle stops, or similar devices at a minimum

distance of 2 feet as to prevent vehicles from overhanging (see Figure 40.1-5.1(K)(2). Wheel Stops).

**(5) Spaces Near Obstructions**

(a) When the side of a parking space abuts a wall, column, or other structure that is taller than six inches, the width of the parking spaces shall be increased by two feet on the obstructed side. This does not apply to columns in a parking garage.

(b) Columns, poles, bollards or similar, positioned at the front of a parking space, may protrude up to 6 inches into the required parking stall dimensions.



- (c) Columns, poles, bollards or similar, positioned at the front corner of a parking space, may protrude up to 12 inches along the front or side of the required parking stall dimensions.

**(6) Tandem Parking**

Tandem parking is allowed for residential projects, including the residential component of mixed-use projects, when both tandem spaces are assigned to the same dwelling unit. Up to 75 percent of the total off-street parking spaces provided for residential projects may incorporate tandem parking.

**(L) Bicycle Parking**

Bicycle Parking Spaces may be classified as Long-Term or Short-Term. Long-term bicycle parking spaces are intended to primarily serve residents and employees whose bicycles will be left for longer periods of time and require a safe and weatherproof storage area. Long term bicycle parking shall be located in an enclosed, limited access area designed to protect bikes from precipitation and theft. Short-term bicycle parking spaces are intended to primarily serve visitors, such as retail patrons, whose bicycles will be left for short stops, requiring a high degree of convenience.

**(1) Required Number of Bicycle Parking Spaces**

**(a) General:**

- (i) The required number of bicycle parking spaces is shown in Tables 40.1-5.1(E)(2), Off-Street Parking Standards, and 40.1-5.1(E)(4), D2 Parking Requirements.
- (ii) The minimum number of parking spaces provided when required shall be two (2).
- (iii) For residential land uses with individual garages, each garage shall account for one (1) long term bicycle space up to a maximum of 90% of long-term bicycle parking requirement.

**(b) Exemptions:**

- (i) No bicycle parking spaces are required for any commercial facility of less than 1,000 sf.
- (ii) Requirements for a percentage of bicycle parking to be Long-Term shall not apply when the required amount of Long-Term bicycle parking is two (2) or fewer.

**(c) Design of Bicycle Parking Spaces**

**(i) Location**

- a. Short-term bicycle parking spaces shall be located as close as the closest vehicular parking space or within 50 feet of a publicly accessible entrance to the building or buildings containing the use or uses it serves, whichever is greater.
- b. Long-term bicycle parking spaces shall be located indoors or fully covered, which can be achieved through use of an overhang or covered walkway, weatherproof outdoor bicycle lockers, or an indoor storage area. Where bicycle parking is not located within a building or locker, the cover design shall be of permanent construction, designed to protect bicycles from rainfall, snow, and inclement weather, and with a minimum

vertical clearance of seven feet. Required bicycle parking for residential uses may not be provided within dwelling units.

- c. Bicyclists shall not be required to travel over stairs to access parking. Access routes to bicycle parking areas must have a minimum five-foot width, with an allowable constriction of no less than 3' for distances totaling no more than 5'. Access and egress for bicycle parking in a parking structure shall not be via gated or ramped entrance/exit lane shared with motor vehicles.
- d. The property owner may make suitable arrangement to place required bicycle parking spaces in the public right-of-way as approved by the City Engineer.

**(M) Off-Street Parking Alternatives**

The Zoning Administrator shall be authorized to approve an alternative parking plan that proposes alternatives to providing the number of required off-street parking spaces required by Tables 40.1-5.1(E)(2), Off-Street Parking Standards and 40.1-5.1(E)(4), D2 Parking Requirements, in accordance with the standards listed below. The alternative parking plan shall be submitted with an application for a Development Plan (Section 40.1-2.3(C) & (D)), Master Plan associated within an Amendment to the Zoning District Map to establish an AC district (Section 40.1-3.5), or Zoning Compliance Permit (Section 40.1-2.3(E)), as appropriate. Nothing in this subsection shall limit the utilization of one or more of the following off-street parking alternatives by a single use.

**(1) Shared Parking**

Shared parking is feasible when the same parking spaces can be used to serve two or more individual lands uses without conflict or encroachment. Requests for shared parking shall comply with all of the following standards:

**(a) Location**

- (i) Shared parking spaces shall be located within 800 linear feet of the building served.
- (ii) Shared parking spaces shall not be separated from the use they serve by an arterial or collector road unless the shared parking area or parking structure is served by an improved pedestrian crossing.

**(b) Pedestrian Access**

Adequate and safe pedestrian access must be provided from and to the shared parking areas.

**(c) Maximum Shared Spaces**

The maximum reduction in the total number of parking spaces required for the uses sharing the parking area shall be 50 percent of the total required parking for each individual use.

**(d) Directional Signage**

Directional signage that complies with the standards of this Ordinance shall be provided to direct the public to the shared parking spaces. It is preferable for the employees of an establishment to utilize these spaces.

**(e) Shared Parking Plan**

**(i) Justification**

Those requesting to use shared parking as a means of satisfying the off-street parking standards must submit a shared parking plan as part of an alternative parking plan that justifies the feasibility of shared parking. Justification shall include information on the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

(ii) **Recorded Agreement**

A shared parking plan portion of an alternative parking plan shall be enforced through written agreement among all owners of record. A shared parking agreement may be revoked only if all required off-street parking spaces are provided in accordance with the requirements of Table 40.1-5.1(E)(2), Off-Street Parking Standards.

(2) **Off-Site Parking**

Requests to locate required off-street parking spaces on a separate lot from the lot on which principal uses are located, shall comply with all of the following standards.

(a) **Ineligible Uses**

The off-site parking shall not be used to satisfy the off-street parking standards for residential uses (except for guest parking), convenience stores or other convenience-oriented uses. In addition, required parking spaces reserved for persons with disabilities may not be located off-site.

(b) **Location**

No off-site parking space shall be located more than 800 feet from the primary entrance of the use served (measured along the shortest legal pedestrian route), unless a remote parking shuttle bus service is provided. Off-site parking spaces may not be separated from the use served by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway is provided or other traffic control or a remote parking shuttle bus service is provided.

(c) **Zoning Classification**

The zoning district classification of the off-site parking area is the same or a more intensive zoning classification than that required for the use served.

(d) **Agreement for Off-Site Parking**

(i) In the event that an off-site parking area is not under the same ownership as the principal use served, the off-site parking arrangement shall be established in a written agreement between the record owners.

(ii) An off-site parking plan portion of an alternative parking plan shall be enforced through written agreement among all owners of record.

(3) **On-Street Parking**

As approved by the City Engineer, the use of on-street parking to meet a portion of the minimum off-street parking requirements shall comply with the following:

- (a) Adequate on-street parking exists within 800 linear feet from the primary entrance of the proposed development;
- (b) The developer plans on utilizing on-street parking; and
- (c) There is no negative impact to existing or planned traffic circulation patterns or on-street parking demand.

**(N) Vehicular Circulation**

**(1) Stacking Spaces for Drive-through and Related Uses**

- (a) In addition to meeting the off-street parking standards in Tables 40.1-5.1(E)(2), Off-Street Parking Standards and 40.1-5.1(E)(4), D2 Parking Requirements, uses with drive-through facilities and other auto-oriented uses where vehicles queue up to access a service facility shall provide the minimum number of stacking/standing spaces established in Table 40.1-5.1(N)(1), Required Stacking/Standing Spaces.
- (b) The entrance to any building with a bay (i.e. car wash, auto shop, etc.) shall be located to allow the required stacking/standing distance without encroaching on public right-of-way.
- (c) Stacking spaces shall be provided between the drive-through window and the menu board. Additional spaces shall be provided past the menu board to allow for stacking. If two or more drive-through lanes are provided, then stacking/standing spaces required beyond the menu board may be divided by the number of available stacking lanes.

**(2) Design and Layout**

Required stacking spaces are subject to the following design and layout standards.

- (a) **Size**  
Stacking spaces shall be a minimum of eight feet by 20 feet in size.
- (b) **Location**  
Stacking spaces shall not impede onsite or offsite traffic movements or movements into or out of off-street parking spaces.

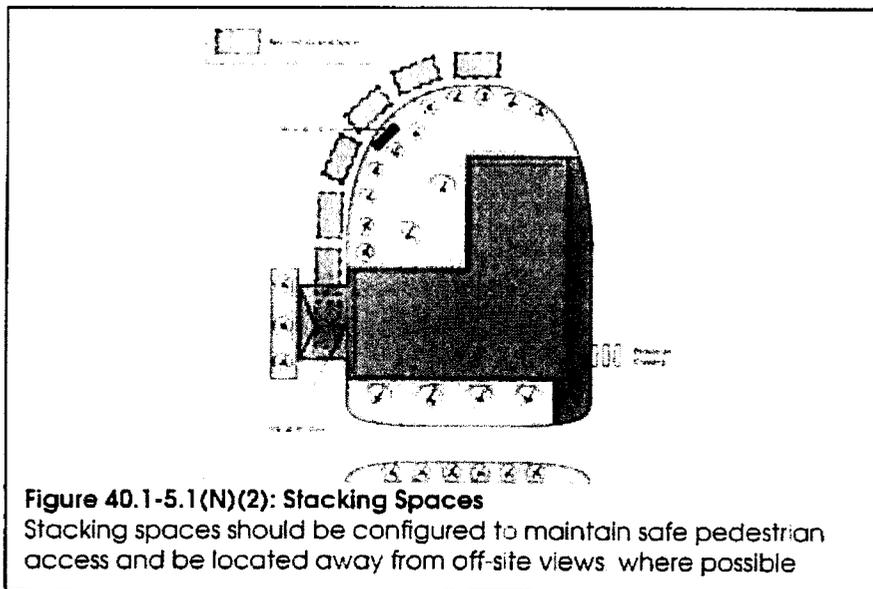
**TABLE 40.1-5.1(N)(1): REQUIRED STACKING/STANDING SPACES**

<b>USE OR ACTIVITY (1)</b>	<b>MINIMUM NUMBER OF STACKING/STANDING SPACES</b>	<b>MEASURED FROM EACH (2)</b>
Automated teller machine	3	Teller machine
Automobile repair and service (all types)	2 per bay	Bay entrance
Bank Teller	3	Teller window
Car wash, automatic	2	Bay entrance
Car wash, self-service	1 per bay	Bay entrance
Drug store or pharmacy, with drive-through service	4 per lane	Agent window
Dry cleaner, with drive-through service	4 per lane	Window
Nursing home	3	Main building entrance

TABLE 40.1-5.1(N)(1): REQUIRED STACKING/STANDING SPACES		
USE OR ACTIVITY (1)	MINIMUM NUMBER OF STACKING/STANDING SPACES	MEASURED FROM EACH (2)
Personal services with drive-through (e.g. laundry/dry-cleaning establishment)	3 per lane	Agent window
Restaurant, with drive-through service	4	Pick-up window
	plus 3	Menu Board
Other	Uses not specifically listed are determined by the Zoning Administrator based on standards for comparable uses	
NOTES: (1) See Table 40.1-4 1(A): Use Table (2) Distance measured from window where products are delivered when more than one window is present		

**(3) Stacking Lanes for Parking Lot Entrances.**

Except in the UR-H, NMU, NAC, D-1 and D-2 districts, nonresidential uses shall provide stacking areas for entering vehicles in accordance with the minimum stacking lane distance established in Table 40.1-5.1(N)(2), Stacking Lanes for Parking Lot Entrances:



<b>TABLE 40.1-5.1(N)(2): STACKING LANES FOR PARKING LOT ENTRANCES</b>	
<b>NUMBER OF OFF-STREET PARKING SPACES (1)</b>	<b>MINIMUM STACKING LANE DISTANCE (FEET) (2)</b>
1-24	10
25-49	20
50-249	40
250 or more	100
NOTES: (1) Entrances into parking structures may be credited towards the stacking lane distance requirement provided the parking structure entrance is accessed from a development driveway and not a primary drive aisle. (2) Stacking lane distance is measured within the driveway apron from the right-of-way line along the centerline of the stacking lane to its intersection with the centerline of the adjacent drive aisle.	

**(a) Design and Layout**

Required stacking spaces are subject to the following design and layout standards.

**(i) Size**

Stacking spaces shall be a minimum of eight feet by 20 feet in size.

**(ii) Location**

Stacking spaces shall not impede onsite or offsite traffic movements or movements into or out of off-street parking areas.

**(iii) Design**

Stacking spaces shall be separated from other internal driveways by raised medians if deemed necessary by the Planning Director for traffic movement and safety.

**(4) Medians in Driveway Entrances**

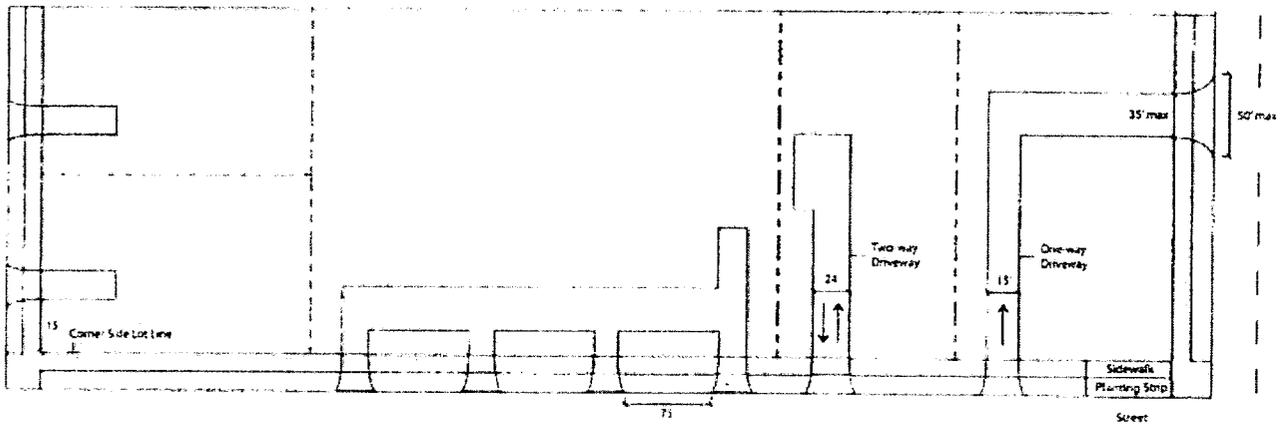
Medians may be provided within driveway entrances provided:

- (a)** The median is surrounded by valley or "roll" curbing,
- (b)** No signage is included within sight triangles;
- (c)** Planted material within the median is limited to understory trees, shrubs, and ground cover to not block sight triangles and sight distance; and
- (d)** The minimum aisle width is maintained for each travel and turning lane.

**(O) Driveway Standards**

- (1)** Any required parking area shall have direct access to a public or private street via a driveway.
- (2)** Unless otherwise approved by the City Engineer, no driveway shall exceed 50 feet in width at the curblines or more than 35 feet at the front lot line.
- (3)** One-way driveways shall have a minimum width of 15 feet, and two-way driveways shall be at least 24 feet wide.
- (4)** Driveway aprons shall be constructed to standards furnished by the City Engineer and shall be provided between the curblines and the front lot line.

- (5) No driveway shall be located within 15 feet of a corner side lot line or closer than five feet from the end of a curb radius.
- (6) Lots with two or more driveways along the same street frontage shall provide at least 75 feet between driveways.
- (7) In no instance shall the number of driveways serving a single lot along a single street frontage exceed a maximum of four.



**Figure 40.1-5.1(O)(1): Driveway Standards**

Driveways should be separated from one another and major intersections to maintain street capacity.

**(P) Loading Space Standards**

**(1) Number of Required Off-Street Loading Berths**

The following uses shall provide on-site loading areas or berths in accordance with the requirements in Table 40.1-5.1(P)(1), Required Off-Street Loading Berths.

**(a) Exceptions for Older Buildings**

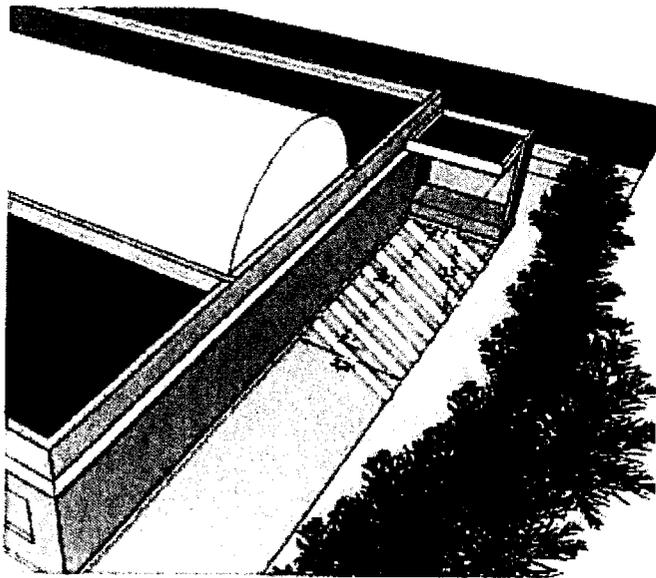
Buildings that were built prior to 2017 and do not currently have any loading berths are exempt from off-street loading requirements.

**(b) Maximum Number of Required Off-Street Loading Berths**

No property is required to provide more than three loading berths.

TABLE 40.1-5.1(P)(1): REQUIRED OFF-STREET LOADING BERTHS		
USE OR ACTIVITY	GROSS FLOOR AREA (GFA) (1)	MINIMUM NUMBER OF LOADING BERTHS
Offices and personal service establishments	50,000 sf or more	1
All other commercial or industrial use types	20,000 sf - 70,000 sf	1
	Greater than 70,000 sf	1 + 1 per every additional 50,000 sf of GFA
NOTES: (1) Residential floor area within a mixed-use development is not included within the GFA.		

- (c) **Design of Off-Street Loading Berths Minimum Dimensions**  
Each loading space required by this subsection shall be at least 10 feet wide by 35 feet long (or deep), with at least 15 feet of overhead clearance. Each off-street loading space shall have adequate, unobstructed means for the ingress and egress of vehicles.
- (d) **Location**  
Where possible, loading areas shall be located to the rear of the use they serve. In addition, the loading area shall be located adjacent to the buildings loading doors, in an area that promotes their practical use.
- (e) **Delineation of Loading Spaces**  
All loading spaces shall be delineated by signage and striping and labeling of the pavement.
- (f) **Access to a Street**  
Every loading area shall be provided with safe and convenient access to a street, but in no case shall the loading space extend into the required aisle of the parking lot. Off-street loading spaces shall be configured to avoid the need for vehicles to back up within the street right-of-way, to the maximum extent practicable.
- (g) **Paving**  
The ground surface of loading areas shall be paved with a durable, dust free, and hard material, such as surface and seal treatment, bituminous hot mix, Portland cement, concrete, or some comparable material. Such paving shall be maintained for safe and convenient use at all times.
- (h) **Landscaping**  
Loading areas shall be landscaped in accordance with Section 40.1-5.2(D), Vehicular Use Area Landscaping.
- (i) **Exterior Lighting**  
Exterior lighting for loading areas shall comply with the standards in Section 40.1-5.9, Exterior Lighting.



**Figure 40.1-5.1(P)(1): Loading Zone**

Loading zones shall be striped and located to the side or rear of buildings.

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**AMENDMENT #: 15**

**SECTION 40.1-9.7 of  
APPENDIX A**

*Section 40.1-9.7 of Appendix A to the zoning ordinance is amended as shown below.*

**Section 40.1-9.7. Parking**

No off-street parking or loading facility shall be required for those properties zoned T4, T5 or T6 and which are located downtown north of Interstate 264. Where parking or loading is provided, parking shall be designed in accordance with the requirements of Section 40.1-5 of this Ordinance, with the exception of Section 40.1-5.1(D) and (F). Parking in the T3 district and T4 district south of Interstate 264 shall be in accordance with the number of spaces required in Table 40.1-5.1(E) (2). Single family residences are exempt from the 30 foot parking setback contained in this section.