

# Title 88 Zoning Code Amendments – Off Street Parking

## New proposed section

### 88-420 PARKING AND LOADING

#### 88-420-01 – PURPOSE

The regulations of this article intend to provide adequate parking while reducing the demand for parking by promoting other modes of transportation including public transportation, biking, walking and rideshare. The regulations promote flexibility and recognize excessive off-street parking conflicts with the city's policies related to transportation, land use, urban design, and sustainability.

#### 88-420-02 – APPLICABILITY AND GENERAL REQUIREMENTS

##### 88-420-02-A. APPLICABILITY

1. **NEW DEVELOPMENT.** Unless otherwise expressly stated, the parking and loading standards of this article apply to all new buildings constructed and all new uses established in all zoning districts after September 10, 1951.
2. **ENLARGEMENTS AND EXPANSIONS**
  - a. Unless otherwise expressly stated, the parking and loading standards of this article apply whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, seating capacity, employees or other units of measurement used for establishing off-street parking and loading requirements.
  - b. In the case of enlargements or expansions triggering requirements for additional parking or loading, additional off-street parking and loading spaces are required only to serve the enlarged or expanded area, not the entire building or use. In other words, there is no requirement to address lawfully existing parking or loading deficits.
  - c. In cases of change of use, where the existing off-street parking supply meets or exceeds the maximum parking allowance, the provision of Demand Reduction Amenities or adjustments to the parking supply are not required.
3. **CHANGE OF USE OR OCCUPANCY.** Unless otherwise expressly stated, when the use or occupancy of property changes, additional off-street parking and loading facilities must be provided to serve the new use or occupancy only when the number of parking or loading spaces required for the new use or occupancy exceeds the number of spaces required for the use that most recently occupied the building, based on the standards of this zoning and development code. In other words, credit is given to the most recent

lawful use of the property for the number of parking spaces that would be required under this zoning and development code, regardless of whether such spaces are actually provided. A new nonresidential use is not required to address a lawful, existing parking deficit.

4. **DAMAGE OR DESTRUCTION.** When a use that has been damaged or destroyed by fire, collapse, explosion, or other cause is re-established, off-street parking or loading facilities must also be re-established or continued in operation in an amount equal to the number maintained at the time of such damage or destruction. It is not necessary, however, to restore or maintain parking or loading facilities in excess of those required by this zoning and development code.

## **88-420-02-B. USE OF PARKING AREAS IN ALL DISTRICTS**

### **1. USE OF PARKING AREAS**

- a. These spaces may only be used for the temporary parking of licensed, operable motor vehicles.
- b. Parking areas may not be used for the display or sale of goods, leasing activities, or storage of materials.
- c. No vehicle repair or maintenance work is allowed within any parking facility.

2. **MAINTENANCE REQUIREMENT.** All required off-street parking spaces must be maintained and remain available for use for the duration of the principal use.

### **3. USE OF PARKING IN RESIDENTIAL DISTRICTS**

- a. Off-street parking located outside of an enclosed building in residential districts may be used solely for the parking of passenger motor vehicles.
- b. Commercial vehicles shall not be parked in any R district except for the temporary purposes of making deliveries or providing services.
- c. Any use permitted in Districts R-80 and AG-R may park commercial vehicles being used in conjunction with their services and activities.
- d. Any public/civic use permitted in an R district may park emergency vehicles in conjunction with their services and activities.
- e. No buses of any kind shall be parked in an R district. However, the users of any public/civic or group living use permitted in an R district, may park buses on their lots in conjunction with their services and activities.

4. **LIGHTING.** Parking facilities, which are normally used by employees and the general public during the hours of darkness after 6:00 p.m. shall be provided with lighting meeting the requirements of 88-430.

## **5. INGRESS/EGRESS AND MANEUVERING IN THE PUBLIC RIGHT-OF-WAY**

- a. No vehicular use area shall use the public sidewalk, parkway, street or thoroughfare for parking, loading, unloading, or other operations that restrict the movement of vehicles or pedestrians.
- b. All non-residential parking areas must be designed to allow vehicles to enter and exit (to the street) in a forward motion.

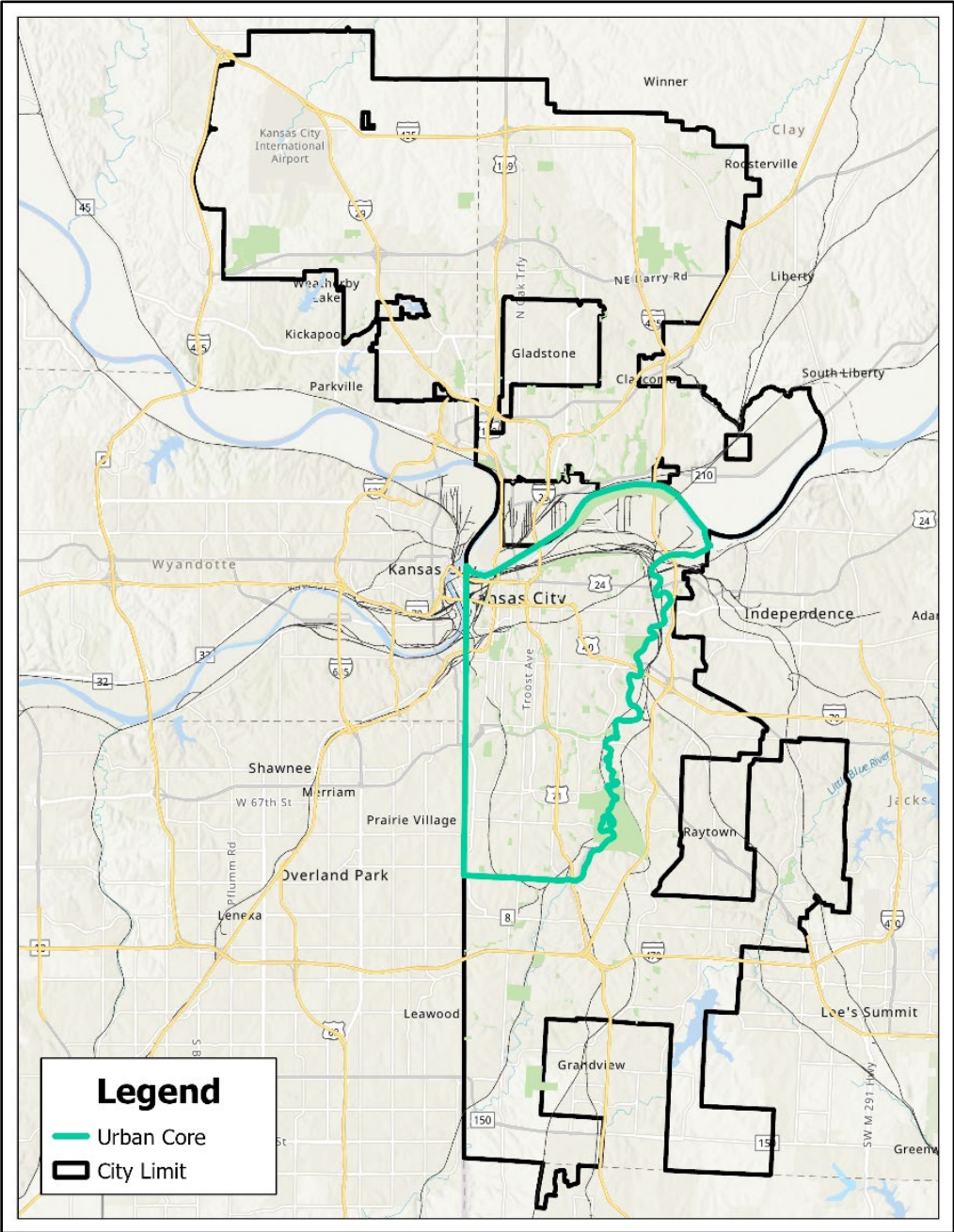
- 6. WHEEL STOPS.** A curb or wheel stop shall be provided for all parking spaces adjacent to planting or pedestrian areas to prevent parked vehicles from overhanging those areas.

## **88-420-03 VEHICULAR PARKING RATIOS**

### **88-420-03-A. PARKING RATIOS**

1. Except as otherwise expressly stated, off-street parking must be provided in accordance with the following ratios.
2. Single-family dwellings are exempt from parking maximums outlined in Table 420-1 Parking Ratios.
3. Properties located within the designated Urban Core area - generally bound by the Missouri River to the north, 85th Street to the south, State Line Road to the west, and the Blue River to the east - are exempt from minimum off-street parking requirements. All properties are subject to the maximum limit on the number of off-street parking spaces permitted as provided in Table 420-1.

Figure 1. Urban Core Parking Boundary



**Table 420-1 Parking Ratios**

| <b>USE GROUP</b>                   |                                                         |                   |                                                                                                                           |                                                                                                                           |
|------------------------------------|---------------------------------------------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <b>Use Category</b>                | <b>Minimum Vehicle Parking Ratio</b>                    |                   | <b>Maximum Vehicle Parking Ratio</b>                                                                                      |                                                                                                                           |
| <b>» specific use type</b>         | <b>Outside Urban Core</b>                               | <b>Urban Core</b> | <b>Outside Urban Core</b>                                                                                                 | <b>Urban Core</b>                                                                                                         |
| <b>RESIDENTIAL</b>                 |                                                         |                   |                                                                                                                           |                                                                                                                           |
| <b>Household living</b>            | 1 per dwelling unit (unless exempted by 88-420-03-D(7)) | None              | 2 per dwelling units (unless exempted by 88-420-03-D(7))                                                                  | 1.25 per dwelling units (unless exempted by 88-420-03-D(7))                                                               |
| <b>Group living</b>                | 1 per 4 dwelling units or 1 per 4 beds/sleeping rooms   | None              | 2 per 4 dwelling units or 1 per 4 beds/sleeping rooms                                                                     | 1.5 per 4 dwelling units or 1 per 4 beds/sleeping rooms                                                                   |
| <b>PUBLIC/CIVIC</b>                |                                                         |                   |                                                                                                                           |                                                                                                                           |
| <b>College/University</b>          | 1 per 4 employees, plus 1 per 10 students               | None              | 2 per 4 employees, plus 1 per 10 students                                                                                 | 1.5 per 4 employees, plus 1 per 10 students                                                                               |
| <b>Day Care</b>                    |                                                         |                   |                                                                                                                           |                                                                                                                           |
| <b>» Home-based (1—5)</b>          | None                                                    | None              | Single-family residential and lawfully occupied home occupations in a single-family home are exempt from parking maximums | Single-family residential and lawfully occupied home occupations in a single-family home are exempt from parking maximums |
| <b>» All other day care uses</b>   | 1 per 4 employees                                       | None              | 2 per 4 employees                                                                                                         | 1.5 per 4 employees                                                                                                       |
| <b>Hospital</b>                    | 1 per 3 beds, plus 1 per 4 employees                    | None              | 2 per 3 beds, plus 1.5 per 4 employees                                                                                    | 1.5 per 3 beds, plus 1.5 per 4 employees                                                                                  |
| <b>Library/Cultural Exhibit</b>    | 2.5 per 1,000 square feet                               | None              | 5 per 1,000 square feet                                                                                                   | 3.75 per 1,000 square feet                                                                                                |
| <b>Park/Recreation</b>             |                                                         |                   |                                                                                                                           |                                                                                                                           |
| <b>» Community center</b>          | 2.5 per 1,000 square feet                               | None              | 5 per 1,000 square feet                                                                                                   | 3.75 per 1,000 square feet                                                                                                |
| <b>» All other park/recreation</b> | per 88-420-03-C(4)                                      | None              | per 88-420-03-C(4)                                                                                                        | per 88-420-03-C(4)                                                                                                        |
| <b>Religious Assembly</b>          | 1 per 7 seats in main assembly area                     | None              | 2 per 7 seats in main assembly area                                                                                       | 1.5 per 7 seats in main assembly area                                                                                     |
| <b>Safety Service</b>              | 1 per 4 employees                                       | None              | 2 per 4 employees                                                                                                         | 1.5 per 4 employees                                                                                                       |
| <b>School</b>                      |                                                         |                   |                                                                                                                           |                                                                                                                           |
| <b>» Elementary/Junior High</b>    | 1 per 4 employees                                       | None              | 2 per 4 employees                                                                                                         | 1.5 per 4 employees                                                                                                       |

|                                                      |                                                 |      |                                                 |                                                     |
|------------------------------------------------------|-------------------------------------------------|------|-------------------------------------------------|-----------------------------------------------------|
| » Senior High                                        | 1 per 4 employees,<br>plus 1 per 15<br>students | None | 2 per 4 employees,<br>plus 2 per 15<br>students | 1.5 per 4 employees,<br>plus 1.5 per 15<br>students |
| <b>Utilities and Services</b>                        |                                                 |      |                                                 |                                                     |
| » Basic, minor                                       | None                                            | None | None                                            | None                                                |
| » All other utilities and<br>services                | per 88-420-03-C(4)                              | None | None                                            | None                                                |
| <b>All other public/civic<br/>uses</b>               | per 88-420-03-C(4)                              | None | per 88-420-03-C(4)                              | per 88-420-03-C(4)                                  |
| <b>COMMERCIAL</b>                                    |                                                 |      |                                                 |                                                     |
| <b>Adult Business</b>                                |                                                 |      |                                                 |                                                     |
| » Adult media store                                  | 2.5 per 1,000<br>square feet                    | None | 5 per 1,000 square<br>feet                      | 3.75 per 1,000 square<br>feet                       |
| » Adult motion picture<br>theater                    | 1 per 4 seats or<br>person capacity             | None | 2 per 4 seats or<br>person capacity             | 1.5 per 4 seats or<br>person capacity               |
| <b>Animal Service</b>                                |                                                 |      |                                                 |                                                     |
| » Stable                                             | 1 per 10 stalls                                 | None | 2 per 10 stalls                                 | 1.5 per 10 stalls                                   |
| » All other animal<br>service                        | 2.5 per 1,000<br>square feet                    | None | 5 per 1,000 square<br>feet                      | 3.75 per 1,000 square<br>feet                       |
| <b>Building Maintenance<br/>Service</b>              | 1 per 4 employees                               | None | 2 per 4 employees                               | 1.5 per 4 employees                                 |
| <b>Business Support Service</b>                      |                                                 |      |                                                 |                                                     |
| » Day labor employment<br>agency                     | per 88-420-03-C(4)                              | None | per 88-420-03-C(4)                              | per 88-420-03-C(4)                                  |
| <b>Drive-Through Facilities</b>                      | per 88-420-03-C(1)                              | None | per 88-420-03-C(1)                              | per 88-420-03-C(1)                                  |
| <b>Eating and Drinking<br/>Establishments</b>        | 5 per 1,000 square<br>feet                      | None | 10 per 1,000 square<br>feet                     | 7.5 per 1,000 square<br>feet                        |
| <b>Entertainment Venues<br/>and Spectator Sports</b> | 1 per 4 seats or<br>person capacity             | None | 2 per 4 seats or<br>person capacity             | 1.5 per 4 seats or<br>person capacity               |
| <b>Funeral and Interment Service</b>                 |                                                 |      |                                                 |                                                     |
| » Cemetery/<br>columbarium/<br>mausoleum             | per 88-420-03-C(4)                              | None | per 88-420-03-C(4)                              | per 88-420-03-C(4)                                  |
| » All other funeral and<br>interment services        | 1 per 4 employees                               | None | 2 per 4 employees                               | 1.5 per 4 employees<br>or person capacity           |
| <b>Gasoline and Fuel Sales</b>                       | 1 per pump                                      | None | 2 per pump                                      | 1.5 per pump                                        |
| <b>Lodging</b>                                       |                                                 |      |                                                 |                                                     |
| » 1—20 rooms                                         | 1 per room                                      | None | 2 per room                                      | 1.5 per room                                        |
| » 21—40 rooms                                        | 1 per 4 rooms                                   | None | 2 per 4 rooms                                   | 1.5 per 4 rooms                                     |
| » 41+ rooms                                          | 1 per 6 rooms                                   | None | 2 per 6 rooms                                   | 1.5 per 6 rooms                                     |
| <b>Office, Admin.<br/>Professional or General</b>    | 1 per 1,000 square<br>feet                      | None | 2 per 1,000 square<br>feet                      | 1.5 per 1,000 square<br>feet                        |

|                                             |                                                                  |      |                                                                  |                                                                    |
|---------------------------------------------|------------------------------------------------------------------|------|------------------------------------------------------------------|--------------------------------------------------------------------|
| <b>Office, Medical</b>                      | 4 per 1,000 square feet                                          | None | 8 per 1,000 square feet                                          | 6 per 1,000 square feet                                            |
| <b>Research Service</b>                     | 1 per 1,000 square feet                                          | None | 2 per 1,000 square feet                                          | 1.5 per 1,000 square feet                                          |
| <b>Retail Sales</b>                         | 1.5 per 1,000 square feet                                        | None | 5 per 1,000 square feet                                          | 3.75 per 1,000 square feet                                         |
| <b>Sports and Recreation, Participant</b>   |                                                                  |      |                                                                  |                                                                    |
| » Indoor                                    | 1 per 4 seats or person capacity                                 | None | 2 per 4 seats or person capacity                                 | 1.5 per 4 seats or person capacity                                 |
| » Outdoor                                   | per 88-420-03-C(4)                                               | None | per 88-420-03-C(4)                                               | per 88-420-03-C(4)                                                 |
| <b>All other commercial</b>                 | 2.5 per 1,000 square feet                                        | None | 5 per 1,000 square feet                                          | 3.75 per 1,000 square feet                                         |
| <b>Vehicle Sales and Service</b>            |                                                                  |      |                                                                  |                                                                    |
| » Car wash/cleaning service                 | per 88-420-03-C(4)                                               | None | per 88-420-03-C(4)                                               | per 88-420-03-C(4)                                                 |
| » Motor vehicle repair, limited and general | 2 per service bay                                                | None | 4 per service bay                                                | 3 per service bay                                                  |
| » Vehicle storage/towing                    | 1 per employee                                                   | None | 2 per employee                                                   | 1.5 per employee                                                   |
| » All other vehicle sales and service       | 1 per 1,000 square feet of office space and covered display area | None | 2 per 1,000 square feet of office space and covered display area | 1.5 per 1,000 square feet of office space and covered display area |
| <b>INDUSTRIAL</b>                           |                                                                  |      |                                                                  |                                                                    |
| <b>Residential Storage Warehouse</b>        | 3, plus 1 per 75 storage spaces                                  | None | 6 plus 2 per 75 storage spaces                                   | 4.5 plus 1.5 per 75 storage spaces                                 |
| <b>All other industrial uses</b>            | 1 per 4 employees                                                | None | 2 per 4 employees                                                | 1.5 per 4 employees                                                |
| <b>OTHER</b>                                |                                                                  |      |                                                                  |                                                                    |
| <b>Agriculture, Crop</b>                    | None                                                             | None | None                                                             | None                                                               |
| <b>Agriculture, Animal</b>                  | per 88-420-03-C(4)                                               | None | per 88-420-03-C(4)                                               | per 88-420-03-C(4)                                                 |
| <b>Wireless Communication Facility</b>      | None                                                             | None | None                                                             | None                                                               |

#### **88-420-03-B. EXCESS PARKING**

1. Existing parking and loading space requirements may not be reduced below the minimum ratios established in this article. Unless otherwise expressly stated, off-street parking spaces in excess of ratios established in Table 420-1 may be provided only in conjunction with the use of Excess Parking Amenities as provided in accordance with Table 420-2.
2. For each parking space provided over the maximum specified in Table 420-1, a point is required, as identified in the list below.
3. When allowed, all public infrastructure improvements must be located within the right-of-way no more than a 1/4 mile from the building entrance, unless otherwise approved by the Public Works Director or Parks and Recreation Director.

4. Offsite improvements are subject to approval by the City Planning and Development Director, Public Works Director or Parks and Recreation Director.
5. No more than 50% of all spaces in excess of the required off-street parking may be satisfied by bicycle racks and/or fix-it stations.
6. In order to satisfy the excess parking amenities requirements, all provided amenities are in addition to any requirements in 88-440.
7. Modifications to parking amenity requirements provided in Table 420-2 that implement alternative or innovative practices consistent with the intent of the modified standard(s) and provide equivalent public benefits without significant adverse impacts on surrounding development are subject to approval of the city planning and development director.
8. At the discretion of the city planning and development director, existing amenities may be credited towards the amenity total.

**Table 420-2 Excess Parking Amenities**

| Amenity                 |                                                                                                                                                                                                                     | Points                               |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| Location Improvements   | Parking provided at the rear of the building or side of the building, not adjacent to a public street                                                                                                               | 1 point per space provided           |
| Multimodal Improvements | Shower and changing facility for employees                                                                                                                                                                          | 20 total points                      |
|                         | *Marked multimodal facilities including, but not limited to: bicycle lane(s); paved multi-use trail at least eight (8) feet wide; connection to public trail; and/or dedicated and protected bicycle infrastructure | 1 point per 10 linear feet           |
|                         | *Bicycle fix-it station                                                                                                                                                                                             | 5 points per station                 |
|                         | Covered bicycle parking and/or secure bicycle lockers with a minimum five (5) bicycle capacity                                                                                                                      | 10 points per 5 bicycle stalls       |
|                         | *E-bicycle charging station                                                                                                                                                                                         | 3 points per station                 |
|                         | *Bicycle parking rack                                                                                                                                                                                               | 1 point per 2 bicycle parking spaces |
| Carpool Improvements    | Carpool designated space                                                                                                                                                                                            | 1 point per space                    |

|                                                                                                                |                                                                                                                                                         |                                                                        |
|----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
|                                                                                                                | Covered carpool designated space                                                                                                                        | 15 points per space                                                    |
| Transit Improvements                                                                                           | *Sidewalk improvements connecting to a transit/bus stop                                                                                                 | 10 points per connection                                               |
|                                                                                                                | *Improved transit/bus stop located no more than 1,320-feet walking distance from a building entrance (subject to KCATA or Streetcar Authority approval) | 10 points per stop improvement                                         |
|                                                                                                                | *New transit/bus stop (subject to KCATA approval)                                                                                                       | 20 points per stop                                                     |
| Electric Vehicle (EV) Improvements                                                                             | Type 2 EV charging station                                                                                                                              | 15 points per charging station                                         |
|                                                                                                                | Type 3 EV charging station                                                                                                                              | 80 points per charging station                                         |
| Pedestrian Improvements<br>(offsite improvements are subject to Public Works or Parks and Recreation approval) | *High Intensity Activated Crosswalk (HAWK) pedestrian crossing                                                                                          | 150 points per HAWK signal                                             |
|                                                                                                                | *Rectangular Rapid-Flashing Beacon (RRFB) Crosswalk                                                                                                     | 50 points per crosswalk                                                |
|                                                                                                                | *Raised Crosswalk                                                                                                                                       | 25 points                                                              |
|                                                                                                                | *Sidewalk or trail connection not otherwise required                                                                                                    | 1 point per 10 linear feet                                             |
|                                                                                                                | *Crosswalk improvement to high-visibility standards using durable materials such as thermoplastic paint                                                 | 10 points                                                              |
|                                                                                                                | *Pedestrian refuge island                                                                                                                               | 35 points per 10 linear feet                                           |
| Landscape Improvements                                                                                         | *Landscape median of native planting at least ten (10) feet wide                                                                                        | 8 points per 10 linear feet                                            |
|                                                                                                                | Landscape median with a minimum width of fifteen (15) feet wide that includes a pedestrian walkway of a minimum eight (8) feet wide                     | 25 points per 10 linear feet                                           |
|                                                                                                                | *Additional trees exceeding                                                                                                                             | 1 per tree                                                             |
|                                                                                                                | *An increase in trees planted for all new deciduous trees provided                                                                                      | 3 points per tree                                                      |
|                                                                                                                | Significant tree(s) preserved above the required minimum found in 88-424, Tree Preservation and Protection                                              | 3 points per 10% of significant trees preserved                        |
|                                                                                                                | *A minimum 5-feet landscaped berm adjacent to properties with an "R" base zoning classification or public right-of-way                                  | 25 points per 50 linear feet of berm                                   |
| Alternative Pavement                                                                                           | *Pervious Pavement subject to Public Works and Fire Department approval                                                                                 | 10 points per 1,000 square feet of pervious parking provided           |
| Solar Power                                                                                                    | *Ground or roof mounted solar panel array                                                                                                               | 10 points per KWH of energy produced (based on manufacturer estimates) |
| *Allowed offsite subject to 88-420-03-B(4)                                                                     |                                                                                                                                                         |                                                                        |

### 88-420-03-C. CALCULATIONS

The following rules apply when calculating the number of parking spaces required:

1. **MULTIPLE USES.** Unless otherwise expressly stated, lots containing more than one principal use must provide parking in an amount equal to the total (cumulative) requirements for all principal uses.
2. **AREA-BASED STANDARDS.** Unless otherwise expressly stated, all area-based (square footage) parking standards must be computed on the basis of gross floor area, which is to be determined by the outside dimensions of the building, less any area within the building devoted to parking. The city planning and development director is authorized to determine the floor area measurement of uses not located within buildings, based on the nature of the use, the expected duration of use and the amount of customer and employee-related vehicle traffic expected to be generated by the outdoor area.
3. **EMPLOYEE- OR OCCUPANCY-BASED STANDARDS**
  - a. When calculating parking requirements based on employees, students, or other occupants, calculations are to be based on the total persons and employees present or on duty at any one time when the maximum functional use of the building or land is being made.
  - b. The number of persons in assembly areas with fixed seating or a designed functional seating capacity is to be based on maximum functional seating capacity.
  - c. The number of persons in assembly areas without fixed seating or without a designed functional seating capacity is to be based on the total net floor area actually used for public assembly, divided by 15.
  - d. If more than one assembly area within a building is used simultaneously by different adult persons, then the capacity of all such assembly areas must be computed.
  - e. If several assembly areas within a building are not used simultaneously but are used by the same group of persons separately at different times, then the computation is to include only the assembly area comprising the maximum simultaneous occupancy.
4. **ESTABLISHMENT OF OTHER PARKING RATIOS**
  - a. Upon receipt of an application for a use which no parking ratio is established in 88-420-03, decision-making bodies may apply the parking ratio that applies to the most similar use or establish a different minimum parking requirement on the basis of parking data provided by the applicant and the city planning and development department.
  - b. When the use requires special use or similar approval, the final decision-making body on the special use or other approval is authorized to establish the

applicable parking ratio. When the use is permitted, the city planning and development director is authorized to establish the applicable parking ratio.

- c. Parking data and studies must include estimates of parking demand based on reliable data collected from comparable uses or on external data from credible research organizations. Comparability will be determined by density, scale, bulk, area, type of activity and location. Parking studies must document the source of all data used to develop recommended requirements.

#### **88-420-03-D. EXEMPTIONS, REDUCTIONS AND SPECIAL AREA STANDARDS**

In the case of multiple exemptions, reductions, or special area standards existing on a property, the one that provides the greatest level of exemption shall apply.

- 1. B1 ZONING DISTRICT.** Nonresidential uses in the B1 district are not required to provide off-street parking unless such uses exceed 2,500 square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of 2,500 square feet.
- 2. PEDESTRIAN-ORIENTED OVERLAY DISTRICT.** Nonresidential uses that are subject to the P/O district regulations of 88-230 are not required to provide off-street parking unless such uses exceed 4,000 square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of 4,000 square feet.
- 3. LANDMARKS AND HISTORIC DISTRICTS**
  - a. No off-street parking or loading spaces are required for rehabilitation or reuse of an official local or national historic landmark.
  - b. No off-street parking or loading spaces are required for rehabilitation or reuse of an existing contributing building within an official local or national historic district.
- 4. RAPID TRANSIT STOPS.** Special parking regulations apply to uses on lots located within 1,000 feet of a rapid transit stop, as follows.
  - a. All non-residential uses are not required to provide off-street parking spaces for the first 10,000 square feet of gross floor area.
  - b. Residential uses shall provide .5 off-street parking spaces per unit.
- 5. AFFORDABLE HOUSING.** For a multi-unit building with more than 10 units, when at least twenty percent (20%) of the total number of units is provided as affordable housing, as defined in 88-810-058, parking shall be required in the amount of 0.5 space per dwelling unit. However, if required parking is less than 0.5 space per dwelling unit due to other provisions of this section 88-420-03, the lesser requirement is applicable.

- 6. SINGLE FAMILY OR DUPLEX STRUCTURE.** For any detached house or semi-attached house on a lot platted prior to September 10, 1951, no off-street parking shall be required.

**7. INFILL RESIDENTIAL DEVELOPMENT STANDARDS**

- a. See 88-110-07 for special parking and loading standards that apply to infill residential development. If the standards of this section conflict with those in 88-110-07, the standards of 88-110-07 shall apply. All other standards of this section shall apply to infill residential development.
- b. Any infill residential development of 8 or fewer units is exempt from the minimum parking requirement.

- 8. EFFECT OF VEHICLE PARKING REDUCTION OR EXEMPTION ON BICYCLE PARKING REQUIREMENTS.** The bicycle parking requirements of 88-420-09 apply regardless of any vehicle parking exemptions and reductions authorized in this section 88-420-03.

**9. ON-STREET PARKING CREDITS**

- a. Any on-street parking within a non-residentially zoned area, authorized by the City and within 150 feet of the lot, may be credited towards the on-site parking requirements. A maximum of 50 percent of the required parking may be satisfied by on-street parking credits. On-street parking spaces may be counted by more than one user in meeting this requirement. In the case that on-street parking is removed by the City, lawfully occupied properties will receive legal non-conforming status and not be required to provide additional parking while the use continues to lawfully operate at the property. If the use changes or expands beyond the 10% threshold outlined in 88-420-02, additional parking may be required.
- b. Public on-street parking spaces may not be used to satisfy the minimum required number of accessible parking spaces and does not count towards any parking maximums.

**88-420-03-E. ALTERNATIVE PARKING COMPLIANCE**

- 1. REVIEW CRITERIA AND APPROVAL PROCEDURE.** Applications for alternative compliance parking plans constitute an application for a site plan approval under Section 88-530. Plans must detail the type of alternative proposed and the rationale for such a proposal, including any supporting research or documentation. The city planning and development director is authorized to approve an alternative compliance parking plan if the applicant demonstrates to the satisfaction of the city planning and development director that the proposed plan:

- a. Will comply with all applicable requirements of this section;

- b. Will not adversely affect surrounding neighborhoods;
- c. Will not adversely affect traffic congestion and circulation; and
- d. Will have a positive effect on the economic viability or appearance of the project or on the environment.

## **2. SHARED PARKING**

- a. The city planning and development director is authorized to approve an alternative compliance parking plan allowing shared parking arrangements. The city planning and development director may permit up to 100% of the parking required for one use to be supplied by the off-street parking spaces provided for another use if the city planning and development director determines that the various activities will have peak parking demands at different periods of the day or week. Parking reductions are based on an analysis of each use's shared operating hours and minimum required off-street parking.
- b. To qualify for a parking reduction, a shared parking study must demonstrate the reduced parking needs and justify the request.
- c. A use for which shared parking is proposed must be located within 1,320 feet walking distance of the shared parking, measured from the entrance of the use to the nearest parking space within the shared parking facilities.
- d. The City Planning and Development Director may consider the following when evaluating shared parking plans:
  - i. Peak demand patterns of each use.
  - ii. Availability of nearby on-street or off-street parking.
  - iii. Compatibility of the proposed shared parking arrangement with surrounding areas to avoid spillover effects.
  - iv. The potential for reducing parking needs through multimodal transportation options like public transit, biking, or carpooling.
  - v. Any other alternate parking solution identified in 88-420-03-E. Authorized Alternatives.

## **3. OFF-SITE PARKING.** The city planning and development director may permit any off-street parking spaces to be located on a remote and separate lot from the lot on which the principal use is located, subject to the standards of this section.

- a. No off-site parking space may be located more than 1,320 feet from the primary entrance of the use served, measured along the shortest legal, practical walking route. This distance limitation may be waived by the city planning and

development director if adequate assurances are offered that van or shuttle service will be operated between the shared lot and the principal use.

- b. Off-site parking areas are considered accessory to the primary use they serve. These areas must be located in a zoning district that is the same as, or more intensive than, the zoning required for the most intensive use they support—unless a Special Use Permit is approved under Section 88-525. All off-site parking must meet the design standards outlined in Section 88-420-04.
- c. An agreement providing for the use of off-site parking, executed by the parties involved, must be filed with the city planning and development director, in a form approved by the city planning and development director. Off-site parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use served by the parking. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this article.
- d. If the off-site parking is located in a UR (Urban Redevelopment) or MPD (Master Planned Development) district, the agreement must demonstrate that the parking area serves a use of equal or greater intensity than the use being supported. This agreement must be reviewed and approved by the city planning and development director.
- e. Off-site parking in facilities in O, B, D, and M districts which meet the location and zoning classification requirements indicated in this section and which are in the same ownership as the lot to be served will not require approval of an alternative compliance parking plan per 88-420-03-E.

4. **VEHICLE STORAGE.** The city planning and development director may permit the use of gravel as a surface for vehicle storage, subject to the standards of this section.

- a. Gravel surfacing for vehicle storage is permitted only on lots within M districts with a minimum lot size of 2 acres.
- b. Gravel is prohibited within 25 feet of public right-of-way or within 10 feet of any property line, whichever is greater.
- c. All gravel areas situated on a lot with side or rear property lines contiguous with property in an R or D district must be screened along such side or rear property lines with a continuous row of evergreen shrubs and/or trees to form a continuous visual screen at least 3 feet in height after the first growing season.
- d. Gravel surfacing may not be used for parking intended for use by the public.

- e. Gravel surfacing may not be used for the parking or storage of wrecked, salvaged, dismantled, or inoperable vehicles.
- f. Gravel is not permitted on any lot or portion of a lot with a slope greater than 4 to 1.
- g. Gravel surfaces shall comply with the standards of 88-420-04.

#### **88-420-03-F. MOTORCYCLE AND SCOOTER PARKING**

For any non-residential use providing 50 or more off-street spaces, a maximum of 3 required off-street parking spaces per 50 vehicle spaces may be reduced in size or otherwise redesigned to accommodate parking for motorcycles and scooters. When provided, motorcycle and scooter parking must be identified by a sign.

#### **88-420-03-G. SMALL CAR PARKING**

All parking facilities must accommodate standard-sized vehicles. The Director of City Planning and Development may approve spaces for smaller vehicles if a demonstrated need is provided. These small car spaces may not exceed 50% of the total parking and must be clearly marked on the parking plan and identified with pavement markings or signage.

#### **88-420-03-H. ACCESSIBLE PARKING**

Where parking facilities are provided or required, accessible parking spaces shall be provided in parking areas servicing each building entrance, and shall have the number of level parking spaces for person(s) with disabilities set forth in the current version of the Americans with Disabilities Act Accessibility Guidelines and be identified by above-grade signs as reserved for person(s) with disabilities. Such parking spaces shall conform with the requirements of the Building Code and applicable state law with regard to parking space dimensions and signage. Each parking facility on a site shall be calculated separately.

All applicable provisions of the ADA, including its implementing regulations and design standards, are hereby incorporated by reference and made part of this zoning and development code.

1. **VAN ACCESSIBLE SPACES.** One van accessible parking space shall be provided for every six accessible parking spaces required by the ADA standards.

#### **2. EXCEPTIONS**

- a. Detached houses, zero lot line houses, cottage houses, attached houses, and two-unit houses are exempt from providing accessible parking spaces.
- b. Parking facilities used exclusively for the storage of motor vehicles shall not be required to provide accessible parking provided that parking facilities accessed by the public comply with this section.

### 3. LOCATION

- a. Accessible parking spaces shall be located on the shortest possible accessible route of travel to an accessible building entrance. In facilities with multiple accessible building entrances with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances. Wherever practical, the accessible route of travel shall not cross lanes of vehicular traffic. Where crossing traffic lanes is necessary, the route of travel shall be designated and marked as a crosswalk.
- b. All van parking spaces shall be permitted to be grouped on one level within a multi-story parking facility.
- c. Parking spaces shall be permitted to be located in different parking facilities if substantially equivalent or greater accessibility is provided in terms of distance from an accessible entrance or entrances, parking fee, and user convenience.

### 88-420-04 VEHICULAR PARKING DESIGN

#### 88-420-04-A. VEHICULAR PARKING AREA DIMENSIONS

The following provisions apply to all uses not listed in 88-420-04-B. Vehicular parking areas shall provide the minimum dimensions as follows:

| Table 420-3 Minimum Parking Area Dimensions                                                                                                   |               |        |               |        |
|-----------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------|---------------|--------|
| Angled Parking Spaces                                                                                                                         | Length        |        | Width         |        |
| Standard Car Space                                                                                                                            | 18 ft.        |        | 8.5 ft.       |        |
| Small Car Space                                                                                                                               | 15 ft.        |        | 7.5 ft.       |        |
| Parallel Parking Spaces                                                                                                                       | Length        |        | Width         |        |
| Standard Car                                                                                                                                  | 22 ft.        |        | 8.5 ft.       |        |
| Small Car                                                                                                                                     | 19 ft.        |        | 7.5 ft.       |        |
| Drive Aisle Dimensions                                                                                                                        | One-Way Aisle |        | Two-Way Aisle |        |
|                                                                                                                                               | Standard      | Small  | Standard      | Small  |
| Parallel and 30°                                                                                                                              | 10 ft.        | 10 ft. | 21 ft.        | 17 ft. |
| 45°                                                                                                                                           | 12 ft.        | 10 ft. | 23 ft.        | 19 ft. |
| 60°                                                                                                                                           | 18 ft.        | 15 ft. | 24 ft.        | 21 ft. |
| 90°                                                                                                                                           | 22 ft.        | 18 ft. | 24 ft.        | 21 ft. |
| The city planning and development director may approve the use of other commonly recognized national standards in lieu of these requirements. |               |        |               |        |

#### 88-420-04-B. RESIDENTIAL PARKING AREA DESIGN

The following provisions apply to detached houses, zero lot line houses, cottage houses, attached houses, two-unit houses, and multi-unit houses. All other uses permitted in residential districts shall comply with 88-420-04-A, except as otherwise expressly stated.

| Table 420-4 Residential Vehicular Use Area Dimensions                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                            |                                 |                               |                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-------------------------------|---------------------------|
| Minimum Parking Space                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                            |                                 |                               |                           |
| Length                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                            | Width                           |                               |                           |
| 15 ft.                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                            | 7.5 ft.                         |                               |                           |
| • Parking space shall be as wide and long as the vehicle parked thereon                                                                                                                                                                                                                                                       |                                                                                                                                                                                                            |                                 |                               |                           |
| Driveways                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                            |                                 |                               |                           |
| Minimum width at property line                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                            | Maximum width at property line  |                               |                           |
| 7.5 ft.                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                            | 22 ft.                          |                               |                           |
| • Parking spaces must be connected to a public street or alleyway by a driveway                                                                                                                                                                                                                                               |                                                                                                                                                                                                            |                                 |                               |                           |
| • The width of the driveway at the property line shall not exceed the width of the garages or parking spaces to which the driveway leads                                                                                                                                                                                      |                                                                                                                                                                                                            |                                 |                               |                           |
| Ribbon Driveway                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                            |                                 |                               |                           |
| Minimum width of paved strip                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                            | Maximum distance between strips |                               |                           |
| 2.5 ft.                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                            | 3 ft.                           |                               |                           |
| Vehicular Use Area                                                                                                                                                                                                                                                                                                            | Minimum setbacks - extend entire length of property                                                                                                                                                        |                                 |                               |                           |
|                                                                                                                                                                                                                                                                                                                               | Front Yard                                                                                                                                                                                                 | Street-side yard                | Side yard                     | Rear yard                 |
| Parking space accessed from non-alley right-of-way                                                                                                                                                                                                                                                                            | 0 ft. from property line                                                                                                                                                                                   | 18 in. from property line       | Minimum building line setback | 18 in. from property line |
| Parking space located in the side or rear yard accessed from an alley                                                                                                                                                                                                                                                         | n/a                                                                                                                                                                                                        | n/a                             | 0 ft. from property line      | 0 ft. from property line  |
| Shared Driveways                                                                                                                                                                                                                                                                                                              | Shared driveways are allowed to extend across a property line onto abutting private properties if there is a recorded easement guaranteeing reciprocal access and maintenance for all affected properties. |                                 |                               |                           |
| Driveways                                                                                                                                                                                                                                                                                                                     | Unless connected to the right-of-way through an approved curb cut, driveways must be setback 18 in. from the side, rear or street-side yard property line.                                                 |                                 |                               |                           |
| Maximum percentage of pavement                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                            |                                 |                               |                           |
| Front Yard                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                            | Street-side yard                |                               |                           |
| 40%                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                            | 20%                             |                               |                           |
| Properties located on a cul-de-sac with parking areas situated in the front yard may exceed the standard maximum pavement coverage of forty percent (40%), provided that the total paved area does not exceed sixty percent (60%) of the front yard. All other applicable dimensional parking requirements shall still apply. |                                                                                                                                                                                                            |                                 |                               |                           |

#### **88-420-04-C. GENERAL VEHICULAR PARKING AREA DESIGN REQUIREMENTS**

1. Surface parking lots containing more than 50 parking spaces must:
  - a. Be visually and functionally segmented into smaller parking bays by interior landscaping in accordance with 88-425-06 to reduce visual and stormwater runoff-related impacts;

- b. Provide safe, visible access for non-motorized traffic to and through the development site through such techniques as changes in paving surface materials, landscaped pedestrian walkways or pedestrian refuge islands and safety and directional lighting; and
  - c. Use traffic calming techniques for pedestrian safety.
- 2. Attendant buildings and ticket machines, when provided, shall be located inside the vehicular use area at least 20 feet away from the entrance to minimize congestion on public property, except where compliance would require the alteration or relocation of an existing permanent structure.
- 3. Parking surfaces shall be kept in good repair. The parking surface shall not have loose gravel or potholes or fall into a condition where mud or gravel may be tracked onto the street.
- 4. All screening and barriers shall be maintained in good condition and shall not be allowed to fall into a state of disrepair.
- 5. All vehicular use areas established either after September 10, 1951 or after annexation by the city shall be continuously paved with pavers or a permanent, asphaltic or concrete paving unless otherwise allowed. Pervious pavements and impervious materials may be allowed, subject to approval by the city planning and development director.
- 6. Gravel vehicular use areas shall be paved, unless otherwise permitted, when providing parking and/or loading for new buildings or building expansions which constitute a major amendment per 88-516-06-A or require a development plan per 88-517, project plan per 88-518, or special user permit per 88-525.
- 7. When allowed, the surface of gravel vehicular use areas shall consist of a uniform layer of gravel evenly distributed from edge to edge and shall be free of bare spots and vegetation. The depth of the gravel layer shall be at least 2 inches. The material used for a gravel vehicular use area shall be rock or crushed stone not more than 2 inches in diameter and shall not contain dirt, sticks, construction debris or other foreign material. Sand, rock dust or other similar material less than one-eighth inch in diameter is not prohibited, but shall not be included in the measurement of minimum gravel depth.
- 8. Properties zoned AG-R, R-80, R-10 with an area of at least 3 acres may have a gravel driveway and residential parking spaces if paved for the first 25 feet from the right-of-way.

#### **88-420-04-D. LOCATION OF VEHICULAR PARKING AREAS**

- 1. Unless otherwise permitted, required parking spaces must be located on the same lot as the use to be served by the parking. Accessory parking areas require the same or a

more intensive base zoning classification than that required for the most intensive of the uses served by the accessory parking area, unless approved as a special use pursuant to 88-525.

2. Unless otherwise permitted, All vehicular use areas shall provide access to a public right-of-way, either through a direct connection or via a recorded access easement, in accordance with applicable zoning and subdivision regulations.
3. Parking facilities are prohibited in required front and side setback areas and in required landscape areas.
4. Access to off-street parking areas serving nonresidential uses may not traverse residentially zoned property.

## **88-420-05 – BICYCLE PARKING**

### **88-420-05-A. BICYCLE PARKING RATIOS**

1. Any on-street bicycle parking within a non-residentially zoned area, authorized by the City and within 150 feet of the lot, may be credited towards the on-site bicycle parking requirements. On-street bicycle parking spaces may be counted by more than one user in meeting this requirement. In the case that on-street bicycle parking is removed by the City, lawfully occupied properties will receive legal non-conforming status and not be required to provide additional bicycle parking while the use continues to lawfully operate at the property. If the use changes or expands beyond the 10% threshold outlined in 88-420-02-C, additional bicycle parking may be required.
2. Short- and long-term bicycle parking is required in accordance with the following minimum ratios:

| <b>Table 420-5 Bicycle Parking Ratios</b>                                                                                                                                                                                            |                                                                         |                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <b>USE GROUP</b>                                                                                                                                                                                                                     | <b>Minimum Short-Term Bicycle Parking Requirement</b>                   | <b>Minimum Long-Term Bicycle Parking Requirement</b>                    |
| <b>RESIDENTIAL</b>                                                                                                                                                                                                                   |                                                                         |                                                                         |
| Household living, 1-7 dwelling units                                                                                                                                                                                                 | No spaces required                                                      | No spaces required                                                      |
| Multi-unit building, 8-11 units                                                                                                                                                                                                      | 2 spaces                                                                | 2 spaces                                                                |
| Multi-unit building, 12+ units                                                                                                                                                                                                       | 2 spaces per the first 12 units + 1 space per every additional 12 units | 2 spaces per the first 12 units + 1 space per every additional 12 units |
| For multi-unit buildings of 12+ units, after the first 10 short-term bicycle parking spaces and 20 long-term bicycle parking spaces are provided, additional bicycle parking may be provided at 25% of the otherwise required ratio. |                                                                         |                                                                         |
| <b>PUBLIC/CIVIC</b>                                                                                                                                                                                                                  |                                                                         |                                                                         |
| Hospital                                                                                                                                                                                                                             | 1 space per 200,000 sq ft                                               | 1 space per 25 employees                                                |
| Libraries/Cultural Exhibit                                                                                                                                                                                                           | 1 space 10,000 sq ft                                                    | 1 space per 10 employees                                                |
| Schools                                                                                                                                                                                                                              | 1 space per 20 students                                                 | 1 space per 10 employees                                                |
| College/University                                                                                                                                                                                                                   | 1 space per 100 students                                                | 1 space per 100 students                                                |
| Community Center                                                                                                                                                                                                                     | 1 space per 10,000 sq ft                                                | 1 space per 10 employees                                                |
| All other Public/Civic Use                                                                                                                                                                                                           | 1 space per 100,000 sq ft                                               | 1 space per 10 employees                                                |

|                                                                                                                                                                                                                     |                           |                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|
| For Public/Civic uses after the first 40 short-term bicycle parking spaces and 25 long-term bicycle parking spaces are provided, additional bicycle parking may be provided at 25% of the otherwise required ratio. |                           |                           |
| <b>COMMERCIAL</b>                                                                                                                                                                                                   |                           |                           |
| Eating and Drinking Establishments                                                                                                                                                                                  | 1 space per 2,000 sq ft   | 1 space per 25 employees  |
| Entertainment Venues                                                                                                                                                                                                | 1 space per 1,000 seats   | 1 space per 25 employees  |
| Office                                                                                                                                                                                                              | 1 space per 20,000 sq ft  | 1 space per 10,000 sq ft  |
| Retail                                                                                                                                                                                                              | 1 space per 5,000 sq ft   | 1 space per 12,000 sq ft  |
| All other Commercial Use                                                                                                                                                                                            | 1 space per 5,000 sq ft   | 1 space per 10,000 sq ft  |
| For Commercial uses after the first 10 short-term bicycle parking spaces and 5 long-term bicycle parking spaces are provided, additional bicycle parking may be provided at 25% of the otherwise required ratio.    |                           |                           |
| <b>INDUSTRIAL</b>                                                                                                                                                                                                   |                           |                           |
| Industrial                                                                                                                                                                                                          | 1 space per 200,000 sq ft | 1 space per 100,000 sq ft |
| For industrial uses after the first 20 short-term bicycle parking spaces and 10 long-term bicycle parking spaces are provided, additional bicycle parking may be provided at 25% of the otherwise required ratio.   |                           |                           |
| Non-accessory parking facilities containing more than 50 parking spaces must provide at least two long-term bicycle parking spaces for each 50 vehicle parking spaces within the parking facility.                  |                           |                           |

### **88-420-05-B. DESIGN AND LOCATION**

Where bicycle parking facilities are provided or required, they shall be provided in compliance with the design standards, definitions, construction and installation standards, and locational requirements established by the Association of Pedestrian and Bicycle Professionals (APBP) Essentials of Bike Parking, as amended. All applicable provisions of the Essentials of Bike Parking are hereby incorporated by reference and made part of this zoning and development code.

### **88-420-05-C. ADMINISTRATIVE ADJUSTMENTS**

The city planning and development director is authorized to approve an administrative adjustment reducing the number of bicycle spaces required for a particular use in accordance with 88-570.

## **88-420-06 – LOADING**

### **88-420-06-A. RATIOS**

Off-street loading spaces must be provided in accordance with the following schedule:

| <b>Table 420-6 Loading Requirements</b>             |                                |
|-----------------------------------------------------|--------------------------------|
| <b>Use Type (Size)</b>                              | <b>Loading Spaces Required</b> |
| <b>Public/Civic, Commercial and Industrial Uses</b> |                                |
| Under 20,000 square feet                            | None                           |
| 20,000—49,999 square feet                           | 1                              |
| 50,000+                                             | 2                              |
| <b>Household Living Uses</b>                        |                                |
| Under 50 units                                      | None                           |
| 50+ units                                           | 1                              |

## **88-420-06-B. DESIGN AND LOCATION**

1. **PLANS.** Plans for location, design, and layout of all loading spaces must be indicated on required development plans.
2. **SPACE SIZE.** Off-street loading spaces, excluding maneuvering areas, must be at least 10 feet wide and 25 feet long unless off-street loading will involve the use of semi-tractor trailer combinations or other vehicles in excess of 25 feet in length, in which case the minimum size of a space is 12 feet by 60 feet.
3. **SURFACING AND MAINTENANCE.** All off-street loading areas must be paved.
4. **SIGNS.** "No Idling" or "Idle-Free Zone" signs must be posted in all off-street loading areas.
5. **LOADING, UNLOADING, AND MANEUVERING.** Unless otherwise approved by the city planning and development director, all loading and unloading spaces and related maneuvering areas must be located on the subject lot and may not be located in the right-of-way.

## **88-420-07 OUTDOOR SEATING FOR EATING AND DRINKING ESTABLISHMENTS**

### **88-420-07-A. PURPOSE**

To allow eating and drinking establishments to use underutilized outdoor space for dining and seating purposes.

### **88-420-07-B. AUTHORIZATION**

Notwithstanding Section 88-420-11 and the parking ratios set forth in Section 88-420-06, eating and drinking establishments as defined in Section 88-805-04-I may use parking lots and open space for outdoor seating and dining space, and for no other use other than parking and open space, in conformance with the provisions of this zoning and development code.

### **88-420-07-C. STANDARDS AND CONDITIONS**

Parking lots and open space may be used for outdoor seating at eating and drinking establishments, subject to the following standards and conditions:

1. Seating in parking lots shall only be permitted in striped parking spaces; no seating shall be permitted in drive aisles.
2. Open space or other areas of the subject property may also be used for seating.
3. Driveways or entrances to vehicular use areas from the public right-of-way shall not be obstructed.
4. Landscaped areas or areas designated for stormwater management shall not be used for outdoor seating.

5. Accessible spaces shall not be used for outdoor seating.
6. Seating shall be ADA accessible.
7. Pedestrian paths such as sidewalks or crosswalks shall not be obstructed.
8. The property owner shall supervise and maintain outdoor seating areas in a clean, orderly and safe condition and in such manner as to protect the public health and safety. All tables, chairs, seating areas, umbrellas, tents, and any other furnishings or equipment used in outdoor seating areas shall be kept and maintained in good repair.
9. Service of alcohol shall be permitted, provided the property owner meets the requirements of Chapter 10 of the City Code, as required.
10. Parking lots and open space used for outdoor seating shall be restored to their original condition and use when not in use for outdoor seating.

**88-420-07-D. ENFORCEMENT**

Violations, penalties and enforcement shall be as stated in Section 88-615 of this zoning and development code.