

Article 22: Off Street Parking, Loading and Unloading Regulations

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SECTION 22-1 PURPOSE

22-101. These regulations require off-street parking proportional to the need created by each use in order to ensure functionally adequate, aesthetically pleasing, and secure off-street parking facilities. Regulations and standards are intended to ensure usefulness of parking and loading facilities, to protect public safety, and where appropriate, to limit potential adverse impacts on adjacent property.

SECTION 22-2 GENERAL PROVISIONS

22-201. Applicability. Off-street parking facilities, as required in this Article, shall be provided for any new building and for any new use established, additions to existing use, or any change in manner of use which results in increased capacity. Additional parking need only be provided for the addition, enlargement, or change and not the entire building or use. No off-street parking facilities shall be required in the C-4 Central Business District.

22-202. Maintenance. All existing and required parking facilities shall be maintained and shall not be reduced so long as the use requiring such parking remains.

22-203. Utilization. Required off-street parking facilities shall be located on the same site as the use for which such facilities are required, except as authorized by Section 22-6. Such facilities shall be used exclusively for temporary parking of motor vehicles and shall not be utilized for sale or storage of merchandise, or for storage or repair of vehicles, equipment or trailers.

22-204. Residential districts. Parking facilities which make provisions for more than three (3) vehicles shall not be located within the required front yard for the district.

22-205. Computation. Where the determination of number of off-street parking spaces required results in a fractional part of a space, a fraction of one-half or more shall be counted as a full space and a fraction of less than one-half shall be disregarded. Where requirements are established on the basis of seats or person capacity, the provisions of the City-adopted building code applicable at the time shall be used to calculate maximum design capacity.

22-206. Zoning Administrator. The Zoning Administrator is authorized to approve minor variations from the location, size and number of parking spaces otherwise required under this Article when, in his or her discretion, such variation does not violate the purpose of these regulations and does not harm public health, safety or welfare. The Zoning Administrator is specifically authorized to allow some required parking spaces on commercial properties to be used, for a fixed number of days, for temporary sales purposes, including but not limited to lawn and garden and other seasonal materials.

SECTION 22-3 LAYOUT AND DESIGN REQUIREMENTS

22-301. Area size. Each required parking space shall consist of a rectangular area of not less than nine (9) feet in width, by nineteen (19) feet in length. All required spaces shall be clearly marked and defined except for spaces for single-family and two-family dwellings, where parking spaces may be those portions of a driveway that are not within the city right-of-way.

22-302. Access. Except in R-1 and R-2 districts, each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. Streets and alleys shall be used only for access to and from parking facilities and shall not be used for maneuvering of vehicles. Any alley used for access to other than a single-family residence shall be paved according to City-adopted specifications.

22-303. Design standards. Minimum parking facility design standards shall comply with City-adopted specifications and the most current version of the U.S. Department of Justice ADA Standards for Accessible Design.

22-304. Driveways. Driveway location and spacing shall comply with the Corridor Management Policy Manual of the Kansas Department of Transportation. Site plans for commercial properties shall include a traffic impact analysis and an internal traffic circulation plan making full use of shared entrances.

22-305. Surfacing. All off-street parking facilities, loading areas, ~~vehicular storage areas and drives and access to and from such areas~~ shall be surfaced and maintained with four (4) inches of asphalt, or concrete to create a permanent all-weather, dust-free surface. Such paving must be completed prior to occupancy of the facility that the paving is intended to serve, unless temporary occupancy approval is received from the Zoning Administrator. An exception to the surfacing requirements may be granted by the Zoning Administrator in instances where the off-street areas take access from a graveled public street.

Gravel areas in existence prior to the effective date of these regulations may be maintained with six (6) inches of gravel, including base, as an alternative to these surfacing requirements.

The Zoning Administrator may, upon receiving a specific written request from an owner of a property, authorize temporary occupancy for a time period not to exceed twelve (12) months prior to accomplishing the required paving or a portion thereof.

In reviewing a request for temporary occupancy prior to accomplishing required paving, the Zoning Administrator shall consider the following criteria:

- a. Season of the year.
- b. Affect on the adjoining property.
- c. Surfacing of the connecting street.
- d. Surfacing of existing adjoining parking facilities.

Should the owner receive approval of the Zoning Administrator for a delay in paving, the owner shall, prior to occupancy, present written verification to the Zoning Administrator that guarantees all paving shall be complete prior to the deadline given by the Zoning Administrator.

22-306. Lighting. Any lighting provided to illuminate any parking facility shall be designed and installed in such a manner as to reflect away from any residential use upon adjoining properties.

22-307. Drainage. All parking facilities shall be graded and/or designed with storm drainage facilities so as to channel surface water away from adjoining properties and to an approved storm drainage system.

Commented [JW1]: This better matches practice and allows some additional flexibility in parking design. There are some situations in which paved surfacing is unnecessary. In general, required parking spaces should be paved but certain circumstances make gravel surfaces acceptable.

22-308. Parking facilities in residential districts. Any parking facilities for eight (8) or more vehicles (1) when in residential zoning districts and (2) which are adjacent to a residential or manufactured home-zoned district, shall have a screened fence or wall to prevent the passage of vehicular lights and to prevent the blowing of debris. Such fence or wall shall be at least six (6) feet in height and have a visual density of not less than seventy percent (70%). Whenever a fence shall be required along a required front yard, such fence shall not be more than forty-eight (48) inches in height.

Commented [JW2]: This aligns better with Section 20-9 Fences.

SECTION 22-4 PERMIT REQUIRED

22-401. Plans showing the layout, landscaping and design of all off-street parking, loading, or other vehicular use areas shall be submitted to, and approved by the Zoning Administrator prior to beginning construction. A permit shall be obtained prior to starting work on any parking area designed to accommodate four or more vehicles.

SECTION 22-5 REQUIRED PARKING SPACES

22-501. Off-street parking spaces shall be provided as follows:

Commented [JW3]: Staff compared the minimum parking requirements for Andover, Derby, Olathe, Salina and Wichita and modified this chart based on an average of these cities. Winfield was also consulted but theirs is nearly identical to ours.

RESIDENTIAL USES:		MINIMUM OFF-STREET PARKING SPACES:
1.	Single-family	2 spaces per unit for residences on lots 50' or less in width and 3 spaces for residences on lots greater than 50' in width. See Section 22-301.
	Two-family	2 spaces per unit for residences on lots 50' or less in width and 3 spaces for residences on lots greater than 50' in width. See Section 22-301.
	Multiple-family: Efficiency One or more bedroom	1 space per unit. 2 spaces per unit.
2.	Dormitories	1 space for each 2 persons based on maximum design capacity.
3.	Lodging houses, rental sleeping rooms in a dwelling unit	1 space for each 2 tenants
4.	Nursing home, rest home, similar facilities	1 space for each 3 beds based on maximum design.
5.	Manufactured home park or subdivision	2 spaces per unit.
6.	Bed and breakfast inns	1 space per rental unit.
NONRESIDENTIAL USES:		MINIMUM OFF-STREET PARKING SPACES:
1.	Automobile, truck, recreation vehicle, mobile home sales and rental lots	1 space per 3,000 square feet of display area, plus 1 space per employee.
2.	Automobile or truck wash	3 holding spaces for each stall, plus 1 drying space per stall.
3.	Banks, business or professional offices	1 space for each 200 square feet up to 1,000 square feet, plus 1 space for each 400 <u>300</u> square feet. thereafter.
4.	Bowling alleys	5 <u>4</u> spaces for each lane or alley <u>plus seventy-five (75) percent of spaces required for accessory uses such as restaurants or game rooms.</u>

5.	Community college or high school	1 space for each 3 employees, plus 1 additional space for each 45 students enrolled.
6.	Day care or nursery schools	1 space for each 15 students enrolled.
NONRESIDENTIAL USES:		MINIMUM OFF-STREET PARKING SPACES:
7.	Elementary, junior high schools, and equivalent	2 spaces per classroom.
8.	*Funeral homes and mortuaries	1 space for each 4 seats based on maximum design capacity <u>as determined by the fire marshal</u> , plus 1 space per employee.
9.	Furniture and appliance stores	1 space per 400 square feet of floor area
10.	Hospitals	1 space for each 3 beds plus 1 space for each 2 employees on a maximum shift.
11.	Laundromats	1 space for every 2 washing machines. <u>1 space per 300 square ft.</u>
12.	Manufacturing, processing, assembly plants	1 space for each 1.5 workers on a maximum shift.
13.	Medical and dental clinics	5 spaces for each doctor or dentist. <u>1 space per 400 square feet</u>
14.	Motel and hotels	1-2 spaces <u>1 space</u> per rental unit plus 1 space for each 2 employees per working shift. <u>seventy-five (75) percent of spaces otherwise required for accessory restaurants, assembly rooms and related facilities.</u>
15.	Motor vehicle repair or body shop	1 space for each 2 <u>per</u> employees, plus 1 <u>2</u> spaces per service bay.
16.	Restaurants with fixed seating , provided that drive-up restaurants shall provide a minimum of 10 spaces <u>1 space per employee on maximum shift.</u>	3 spaces for each 5 seats <u>1 space per 2.5 seats</u> based on maximum occupancy as determined by the Fire Marshal.
17.	Retail stores and shops	1 space per 175 <u>300</u> square feet of retail area.
18.	Service stations	1 space for each employee, plus 2 spaces per service bay.
19.	Taverns, private clubs	1 space for each 3 persons based on maximum design capacity as determined by the Fire Marshal.
20.	*Theaters, auditoriums, churches and other places of assembly having fixed seating	1 space for each 4 seats.
21.	*Theaters, auditoriums, churches and other assembly places without fixed seating	1 space for each 4 persons based on maximum capacity as determined by the Fire Marshal.
22.	Trade, commercial schools	1 space for each 3 students and employees.
23.	Warehouse, storage, wholesale establishments	1 space for each 2 employees.

24.	All other uses not specified above	1 space per each 200 300 square feet of gross floor area or 1 space for each 4 persons based on maximum occupancy as determined by the Fire Marshal, whichever is the lesser <u>or as otherwise determined by the Zoning Administrator based on the most similar use. A parking analyses may be required if no similar use can be found.</u>
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* NOTE: Where a use has different rooms of assembly with different maximum occupancies the parking space requirement will be based upon the capacity of the main place of assemblage, as determined by the Zoning Administrator.

SECTION 22-6 EXCEPTIONS GRANTED BY BOARD OF ZONING APPEALS OR BY ADMINISTRATIVE EXCEPTIONS

22-601. Districts permitted. In order to provide off-street parking areas, the Zoning Administrator or the Board of Zoning Appeals may, after public notice and hearing, grant as an exception, the establishment of parking areas in any zoning district under the following provisions:

- a. **Location.** Parking provided under this section must be within three hundred (300) feet (along lines of public access) from the boundary of the use for which the parking is provided. Access to such parking facilities from the use must be adequately lighted to provide for safety of the public. The Zoning Administrator may approve such off-premises parking, subject to appeal to the Board of Zoning Appeals.
- b. **Use.** The parking area shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, dismantling or servicing of vehicles, equipment, materials or supplies. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
- c. **Improvements.** Parking areas and driveways on private property providing ingress and egress to parking areas shall be surfaced with concrete or asphalt to the specifications of the City Engineer and shall be maintained in good condition and free of all weeds, dust, trash, and other debris.
- d. **Guards.** Parking areas shall have adequate guards to prevent extension or the overhanging of vehicles beyond property lines or parking spaces; and parking areas shall have adequate markings for channelization and movement of vehicles.
- e. **Screening.** A fence (such as solid-wall masonry, wood, louvered wood, metal or other similar materials) at least six (6) feet high and having a density of not less than seventy (70) percent per square feet, shall be erected along any property line adjacent to or adjoining any dwelling district to eliminate the passage of light from vehicles and to prevent the blowing of debris. Whenever a fence shall be required along a front yard, such fence shall not be higher than forty-eight (48) inches. ~~and such fence shall be located within one foot of the front yard setback line. Fences along said yards shall not extend nearer to the street than the front yard setback line.~~

Commented [JW4]: Confusing and somewhat conflicting statement. Fences should follow the regulations in Section 20-9.

22-602. Alternate surface. The Board of Zoning Appeals, after due public notice and hearing, may grant a variance to the surfacing materials required in this article.

22-603. Exception revocable. The Zoning Administrator shall be responsible for the enforcement of the conditions and requirements made by the Board of Zoning Appeals in the approval of any off-street parking exceptions. The Zoning Administrator, upon discovery of any violation of this regulation or the conditions and requirements established by the Board, shall notify the Board through its secretary as to such violations. The Board of Zoning Appeals is hereby authorized to revoke the exception after public hearing for any of the following reasons:

- a. Abandonment of the area for use for parking purposes for six (6) continuous months (180 calendar days).

- b. Failure to comply with the requirements contained in this section, or other requirements imposed by the Board.

SECTION 22-7 LOADING AND UNLOADING SPACE REQUIREMENTS

22-701. On-premise loading and unloading spaces shall be provided off-street and in the side or rear for such uses involving receipt or distribution of materials or merchandise by motor vehicle or rail. All loading and unloading operations shall be located to avoid undue interference with traffic and public use of streets, alleys and walkways. Such space shall include a minimum of twelve (12) feet by twenty-five (25) feet for loading and unloading operations and shall have a minimum height clearance of fourteen (14) feet. The number of spaces shall be provided as follows:

<i>Number of Spaces</i>	<i>Gross Floor Area in Square Feet</i>
1.....	3,000 to 20,000
2.....	20,001 to 40,000
3.....	40,001 to 60,000
4.....	60,001 to 80,000
5.....	80,001 to 100,000
6.....	100,001 to 150,000

One additional space shall be provided for each fifty thousand (50,000) square feet above one hundred fifty thousand (150,000) square feet.

SECTION 22-8 DISTRICTS REQUIRING LOADING AND UNLOADING SPACE

22-801. Loading and unloading spaces shall be provided in the following zoning districts:

- a. "C-1" Office and Service Business.
- b. "C-2" Restricted Commercial.
- c. "C-3" General Commercial.
- d. "I-1" Light Industrial.
- e. "I-2" Heavy Industrial.