

CHAPTER 163: OFF-STREET PARKING AND LOADING REGULATIONS

**§163.01 Purpose.**

The purpose of this Chapter is to reduce the number of off-street parking spaces and amount of impervious surfaces that may be permitted on a parcel of land; to protect water quality and capacity of drainage and storm water management systems; to establish flexible minimum and maximum standards for off-street parking and loading; and to promote the use and development of shared parking facilities.

**§163.02 Scope.**

With the exception of the B-2, Central Business District which shall comply with the provisions of §160.16(B), the regulations of this Chapter shall be met when any use is established; any structure is erected, enlarged, or increased in capacity; or any existing use is changed to a different use, expanded, extended, or increased in intensity.

**§163.03 Definitions.**

For the purposes of this Chapter, the following definitions shall apply:

- A. **FLOOR AREA:** That area used or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers, but excluding floor areas which are used or intended for use exclusively for storage, building hallways, utilities, or maintenance facilities. Measurement of Floor Area shall be the sum of the horizontal area of each floor of the building measured from the interior faces of the exterior walls.
- B. **PARKING SURFACE AREA:** That area required for each parking space as specified in §163.06, including the area required for maneuvering lanes and access drives.

**§163.04 Standards for Parking and Loading Calculations.**

The following standards shall apply to all parking calculations:

- A. **Multiple or mixed uses.** Where more than one (1) principal use exists or is proposed to occupy a site, the parking requirements for each use shall be calculated separately. The total parking obligation for the site shall equal the cumulative total of the parking requirements for the individual uses.
- B. **Fractions.** When units of measurement determining the number of required parking spaces result in requirement of a fractional space, any fraction shall be counted as one (1) additional space.

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- C. **Employees.** For requirements stated in terms of employees, the calculation shall be based upon the number of employees likely to be on the premises during the largest shift or busiest period of the workday.
- D. **Capacity or Permitted Occupancy.** For requirements stated in terms of capacity or maximum permitted occupancy, the number shall be determined on the basis of the largest occupancy ratings by the State Construction Code, or applicable local, county or state fire or health codes.
- E. **Uses not specifically mentioned.** For those uses not specifically mentioned in this Ordinance, the requirements for off-street parking shall be in accordance with a listed use that the Planning and Zoning Administrator deems to be similar in type.

### §163.05 General Requirements.

The following requirements shall apply to all off-street parking and loading facilities:

- A. Except as noted in §163.02 above, there shall be provided in all Zoning Districts, off-street parking space with adequate ingress and egress to all spaces. The minimum number of parking spaces for specific uses of land specified in this Chapter is based upon consideration of the maximum number of motor vehicles that can be expected on the premises at the same time during an average day.
- B. No parking, loading, unloading, or standing space that exists at the effective date of this Ordinance or is provided for the purpose of complying with this Ordinance shall be relinquished or reduced in any manner below the requirements established in this Ordinance.
- C. Off street parking in the R-1, R-2, and R-3, Single Family Residential Districts shall be subject to the following additional requirements:
  - 1. The minimum required spaces per §163.06 of this Chapter shall be located on the premises of the principal dwelling.
  - 2. Such parking shall be provided in an accessory garage, carport, driveway, parking pad or bay, or combination thereof. Parking spaces may be located within a rear or side yard, but, off-street parking shall not be permitted within the front yard setback unless otherwise provided in this Zoning and Unified Development Code.
  - 3. Parking of motor vehicles accessory to single-family or two-family dwellings shall be limited to passenger vehicles and a maximum of one (1) light commercial vehicle (not to exceed one (1) ton capacity) per dwelling unit.

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4. The parking of any commercial vehicle exceeding one (1) ton capacity shall be prohibited unless contained within a garage, or effectively screened from adjacent properties.
  5. Unlicensed or inoperable motor vehicles may not be parked or stored on any premises unless parked or stored within a completely enclosed structure.
- D. Off-street parking facilities for other than residential use shall be subject to the following additional requirements:
1. The minimum required spaces per §163.06 shall be located on the same lot as the principal building or use for which the parking is intended or on a lot under the same ownership as the principal building, except where otherwise permitted under §163.06(E), Shared Parking Facilities. The minimum required off-street parking for each specific land use shall be located within 300 feet of a primary entrance to the building or use for which the parking is intended.
  2. No commercial activity or selling of any kind shall be conducted within required parking areas, except as part of a permitted temporary use.
  3. Parking lots and loading areas shall not be used for parking or storage of inoperable vehicles for more than 48 consecutive hours, storage or display of vehicles for sale (unless owned by the property owner of record), vehicle repairs, dumping of refuse, or storage of any merchandise, equipment, products or materials unless otherwise permitted in this Zoning and Unified Development Code.

### **§163.06 Schedule of Off-street Parking Requirements.**

The minimum number of required off-street parking spaces and maximum number of permitted spaces by type of use shall be determined in accordance with the following schedule:

- A. Minimum Parking Requirements: Off-street parking, stacking, and loading spaces shall be provided for specific uses of land and structures in the Village in accordance with the minimum requirements of this Section.
- B. Maximum Parking Requirements: The maximum amount of off-street parking permitted for any use shall not exceed one hundred twenty percent (120%) of the minimum parking requirements of this Section. This requirement shall not apply to spaces reserved for off-site uses as part of a shared parking facility agreement per §163.06(E), Shared Parking Facilities.

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- C. Table of Off-Street Parking Requirements. Off-street parking, stacking, and loading spaces shall be provided for specific uses of land and structures in the Village in accordance with the following:

USE	MINIMUM REQUIRED PARKING
<b>RESIDENTIAL USES</b>	
Single-Family, Two-Family Dwellings	Two (2) per dwelling unit.
Multi-Family Developments	Two (2) per dwelling unit plus one (1) additional space for every five (5) units.
Bed and Breakfast Establishment	One (1) per guest sleeping room plus required spaces for the dwelling.
Elderly and Senior Housing	One (1) per dwelling unit plus one (1) per on-duty employee.
Adult Foster Care, State Licensed Residential Facilities, and Other Managed Residential Facilities	One (1) per resident sleeping room plus one (1) per on-duty employee.
Fraternity or Sorority Houses	One (1) for each two beds.
Child Day Care Home	Required spaces for the dwelling.
Manufactured (Mobile) Home Parks	Two (2) per dwelling.
<b>INSTITUTIONAL USES</b>	
Churches, Temples	One (1) space (either off-street or on-street within 300 feet of the main building) for each four (4) seats in the main unit of worship
Hospital or Urgent Care Center	One (1) per two (2) beds plus one (1) per on-duty employee.
Clinic or Laboratory, Massage Therapist, or Physical Therapy Facility.	One (1) per examination or treatment room plus one (1) per on-duty employee.
Nursing or Convalescent Home	One (1) for each four (4) beds plus one (1) per on-duty employee.
Private Elementary and Middle Schools	One (1) per teacher or on-duty staff person plus requirements for auditorium if applicable.
Private Senior High Schools	One (1) per teacher or on-duty staff person plus one per each seven (7) students and the requirements for auditorium if applicable.
Libraries	One (1) per 800 square feet of floor area plus one (1) per on-duty employee.
Post Offices	One (1) per 800 square feet of floor area plus one (1) per on-duty employee.
Government Offices and Facilities	One (1) per 300 square feet of floor area.

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<b>USE</b>	<b>MINIMUM REQUIRED PARKING</b>
<b>OFFICE USES</b>	
Professional, Service or Administrative Offices	One (1) per 300 square feet of floor area.
Medical, Osteopathic, Chiropractic, Optical or Dental Offices	One (1) per examination or treatment room plus one (1) per on-duty employee.
<b>RECREATION FACILITIES</b>	
Campground and Recreational Vehicle Parks	One (1) per campsite.
Health Club or Fitness Center	One (1) per 300 square feet of floor area
Theaters or Auditoriums	One (1) per four (4) seats plus one (1) per two (2) on-duty employees.
Private Recreation Membership, Swimming Pool Clubs	One (1) per four (4) persons within the maximum occupancy.
Golf Courses, except Miniature	Four (4) per hole plus one (1) per two (2) on-duty employees.
Marina's	One (1) per three (3) slips or mooring locations excluding designated transient slips plus one (1) per on-duty employee.
Miniature Golf, Batting Cages or Similar Uses	One (1) per golf hole, batting cage or similar station plus one (1) per on-duty employee.
Bowling Alleys	Three (3) per bowling lane plus one (1) per on-duty employee.
Dance Halls, Pool and Billiard Parlors, Skating Rinks	One (1) per four (4) persons within the maximum occupancy plus one (1) per two (2) on-duty employees.
<b>COMMERCIAL USES</b>	
Bank, Credit Union or Similar Financial Institution	One (1) per 300 square feet of floor area.
Planned Shopping Centers	One (1) per 200 square feet of floor area.
Barber Shop, Beauty Salon or Nail Care	One (1) per service chair or station plus one (1) per on-duty employee.
Day Care Center – Child or Adult	One (1) per six (6) children or adults of state licensed or authorized capacity plus one (1) per on-duty employee.
Dealership Sales or Rental Showrooms, Furniture and Appliance Household Equipment	One (1) per 800 square feet of floor area plus one (1) per on-duty employee.
Drive-in or Drive-through Facilities	Two (2) per service window plus six (6) stacking spaces per service lane.
Hotel, Motel or Tourist Home	One (1) per rental unit plus one (1) per on-duty employee.
Laundromat or Dry Cleaners	One (1) per five (5) washing and drying machines or 300 square feet of floor area for uses without machines plus one (1) per on-duty employee.

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<b>USE</b>	<b>MINIMUM REQUIRED PARKING</b>
<b>COMMERCIAL USES (Cont.)</b>	
Funeral Parlor or Mortuary	One (1) per four (4) persons within the maximum occupancy.
Motor Vehicle Fueling Station	One (1) at each fueling location plus one (1) stacking space per two (2) fueling locations plus one (1) per on-duty employee.
Motor Vehicle Service or Repair Facility	One (1) per service bay plus one (1) per on-duty employee.
Outdoor Garden Center or Dealership Sales	One (1) per 4000 square feet of outdoor sales area
Restaurants and Food Service, Carry-Out Only	One per 200 square feet of floor area plus one per on-duty employee.
Restaurants and Food Service, Dine-In Seating	One (1) per four (4) persons within the maximum occupancy plus one (1) per on-duty employees.
Retail Stores and Commercial Uses not otherwise listed in this table.	One (1) per 300 square feet of floor area.
Sexually Oriented Business	One (1) per four (4) persons within the maximum occupancy plus one (1) per on-duty employees.
Tavern, Pub, Brewpub, Cocktail Lounge or Night Club	One (1) per four (4) persons within the maximum occupancy plus one (1) per on-duty employees.
Veterinary Clinic, Animal Hospital or Kennel	One (1) per 500 square feet of floor area plus one (1) per on-duty employee.
<b>INDUSTRIAL, RESEARCH AND LABORATORY USES</b>	
Industrial or Manufacturing Facility, Research and Testing Laboratories, and Related Offices and Showrooms.	Five (5) plus one (1) per on-duty employee.

D. Deferment of Parking Spaces.

Where an applicant can demonstrate to the satisfaction of the Planning Commission that the minimum required number of parking spaces is excessive, the Planning Commission may approve the construction of a lesser number of parking spaces, provided that the deferred parking is shown on the site plan and set aside as open space.

E. Shared Parking Facilities.

The minimum required parking spaces for a use per §163.06(C) of this Section shall not be considered as providing the required parking facilities for any other use, unless a shared parking facility agreement has been approved by the Planning Commission in accordance with the following:

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1. Prior to approval of a shared parking facility, the Planning Commission shall determine that the operating hours of the uses do not overlap, or the peak activity for each use will occur at different periods of the day or week.
2. The Planning Commission shall determine the conditions of overlapping requirements and the amount of reductions in the required number of spaces to be permitted in accordance with this subsection.
3. Where shared parking facilities are provided, the minimum number of required parking spaces shall not be less than the sum of the minimum required number of spaces for the largest user of parking.
4. Where shared parking facilities are provided, the minimum required parking for each use shall be located within 300 feet of a primary entrance to the principal building or use for which the parking is intended.
5. Shared parking facilities and the permitted reduction in required parking shall be subject to the acceptance and approval by the Planning Commission of a Shared Parking Facility Agreement between the property owners. The property owners shall provide two (2) Notarized copies of the document to the Planning and Zoning Administrator.

### **§163.07 Off-Street Parking Design and Site Development Requirements.**

Any off-street parking area providing spaces for five (5) or more vehicles for all land uses which require a Site Plan Review in accordance with Chapter 153 of this Ordinance, shall be designed, constructed and maintained in accordance with the following standards and requirements:

- A. No parking area providing spaces for five (5) or more vehicles for all land uses which require a Site Plan Review shall be constructed until a permit is issued by the Planning and Zoning Administrator and Site Plan approval, in accordance with Chapter 153 of this Ordinance, has been authorized by the Planning Commission.

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**B. Barrier-Free Parking Requirements.**

Barrier-free parking spaces shall be provided at conveniently accessible locations within each parking area providing spaces for five (5) or more vehicles per the State Construction Code and the following:

<b>Number of Parking Spaces Provided</b>	<b>Minimum Number of Barrier-Free Spaces Required</b>	<b>Van Accessible Parking Spaces Required</b>
Up to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1

**C. Setback Requirements.**

A no-building buffer strip, to be used exclusively for landscaping, screening or drainage as required herein, shall be provided around the perimeter of all off-street parking areas containing spaces for five (5) or more vehicles in accordance with the following requirements:

1. Off-street parking spaces and driveways shall be set back a minimum of ten (10) feet from any side or rear property line and shall be effectively screened in accordance with §169.07 of this Ordinance. The required setback shall not apply to parking spaces and driveways that serve single-family or two-family residential lots.
2. Off-street parking spaces and driveways shall be set back a minimum of six (6) feet from the public road right-of-way for the entire length of the roadway frontage, minus ingress and egress driveways, and shall be effectively screened in accordance with §169.06 of this Ordinance.
3. Each ingress and egress to and from any parking lot located in an area zoned for other than Single or Multiple Residential Family use shall be at least twenty-five (25) feet from adjacent property located in any residential district and forty (40) feet from any public road intersection.
4. Distance measurements for setback requirements shall be made from the pavement edge to the nearest point along the lot boundary or right-of-way.

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D. Ingress/Egress.

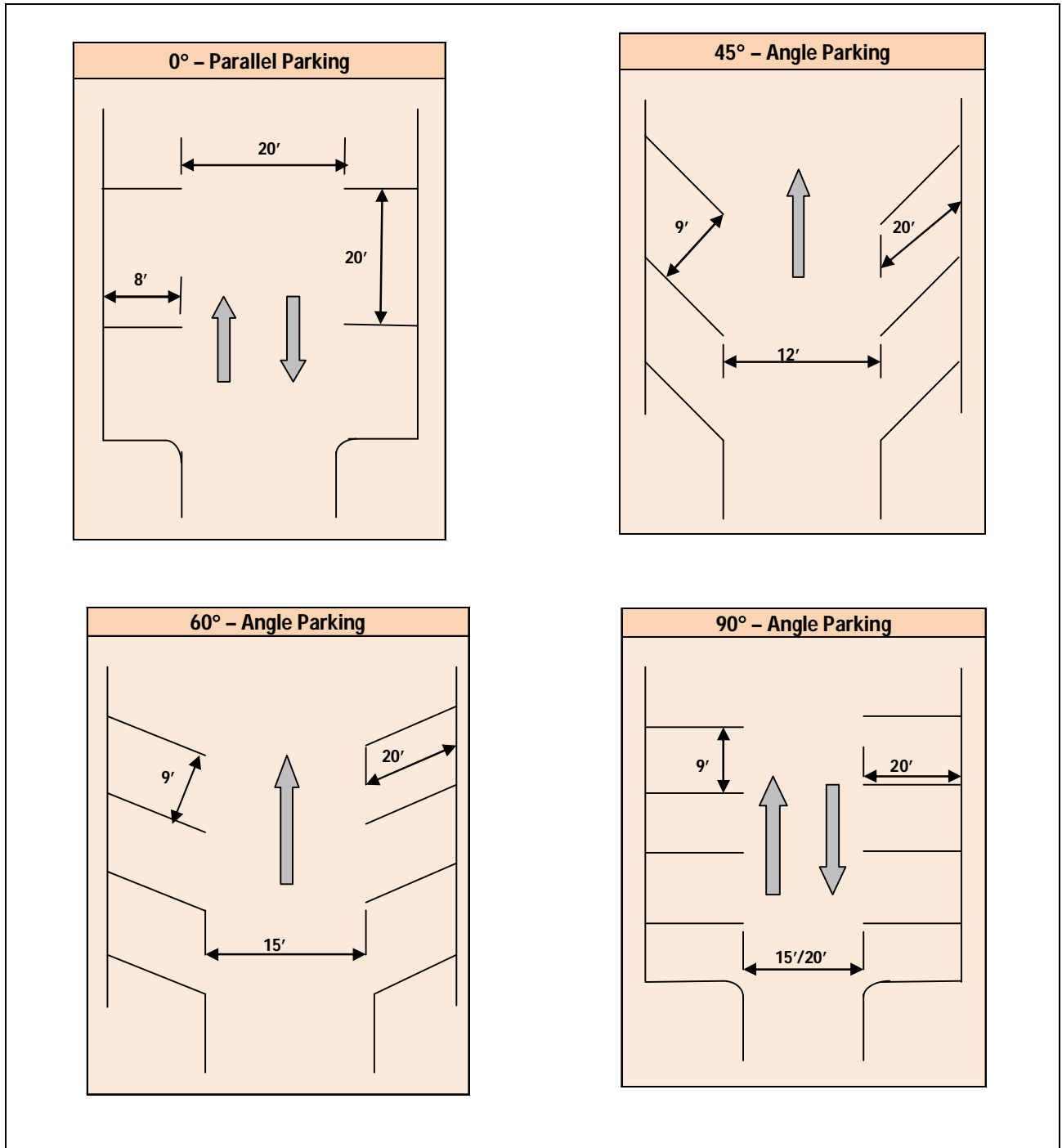
Adequate means of ingress and egress shall be provided for all parking and loading facilities by means of clearly defined drives, curb cuts, and maneuvering lanes. Driveways and maneuvering lanes for any off-street parking area providing spaces for five (5) or more vehicles shall comply with the following requirements:

1. Aisles for access to all parking spaces on two-way aisles shall be designed and clearly marked for two-way traffic flow. Aisles for angle parking spaces shall be limited to one-way movement, and shall be clearly marked as such.
2. Ingress and egress to a parking lot shall not be across land located in any Single-Family Residential District if the parking lot is located in any district zoned for non-residential use.
3. Backing directly onto a road or using a road for maneuvering between parking rows shall be prohibited.
4. Not more than twenty (20) parking spaces shall be permitted in a continuous row without interruption by a landscaped island or similar site element in accordance with §169.09(C) of this Ordinance.

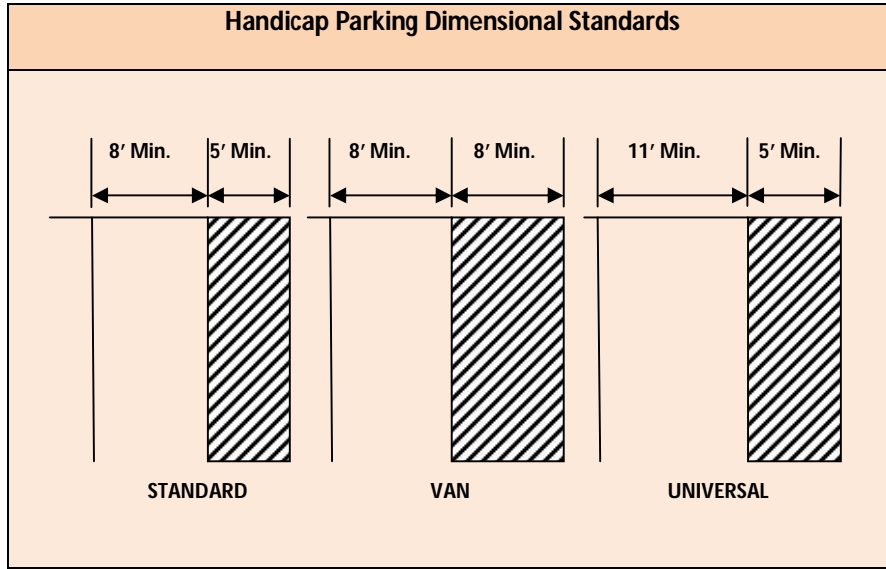
E. Parking Layout.

The layout of off-street parking shall be in accordance with the following minimum requirements (see Parking Layout illustration):

<b>Parking Pattern (degrees)</b>	<b>Parking Space Width</b>	<b>Parking Space Length</b>	<b>Maneuvering Lane Width</b>
0° (parallel)	8.0 feet	22 feet	20 feet (two-way)
45°	9.0 feet	20 feet	12 feet (one-way)
60°	9.0 feet	20 feet	15 feet (one-way)
90°	9.0 feet	20 feet	20 feet (two-way) 15 feet (one-way)



TYPICAL PARKING DIMENSIONAL STANDARDS



**HANDICAP PARKING DIMENSIONAL STANDARDS**

1. Parking space dimensions shall be exclusive of access drives or aisles. Maneuvering lanes and aisles shall be designed to meet Village of Elk Rapids and other outside agency standards for emergency vehicle access.
  2. Where required by this Chapter, stacking spaces shall be nine (9) feet wide by twenty (20) feet long. Stacking spaces shall not intrude into any road right-of-way or maneuvering lane for an off-street parking lot.
- F. Grading and Drainage.
1. Driveways and off-street parking areas shall be graded and provided with adequate storm water management and drainage facilities to dispose of surface waters in accordance with §164.10 of this Zoning and Unified Development Code and the Village of Elk Rapids Infrastructure Standard Specifications and Details Manuel.
  2. Surface water shall not drain on to abutting properties, toward buildings or across a public roadway, except in accordance with an approved drainage plan.
- G. Surfacing.
1. In keeping with §163.01, Purpose, of this Chapter, the priority surface application for new off-street parking and loading areas requiring Site Plan Review and containing five (5) or more parking spaces, shall be the use of alternative pervious surface materials for all or a portion of a off-street parking, loading or unloading facilities.

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2. Alternative pervious materials used for these areas may include, but not necessarily be limited to, permeable concrete, permeable asphalt, open jointed blocks, permeable pavers, or other materials designed to allow the maximum infiltration of water. Regular maintenance of these pervious areas is required to ensure that they continue to function properly after installation.
3. The Planning Commission may approve the use of impervious paving surface materials when the Applicant has shown that alternative pervious surface materials are not appropriate due to particular site conditions or particular proposed land use where an off-street parking area is constructed or Substantially Expanded.
4. With authorization of the Planning Commission, parking lots abutting sensitive natural features like a stream, river, lake, wetland or the Great Lakes, may utilize gravel, grass, crushed stone or other dust producing surface, providing said surface will better protect the environmental quality of the sensitive natural feature without creating a nuisance for an abutting landowner, or result in inadequate surface quality for vehicles and pedestrians.

### H. Striping and Signage.

Pavement striping shall be provided in accordance with applicable State Construction Code requirements. All signage shall conform to the requirements of Chapter 162 of this Zoning and Unified Development Code.

### I. Lighting.

Light fixtures used to illuminate off-street parking areas shall conform to the requirements of §158.26 of this Zoning and Unified Development Code.

### **§163.08 Off-Street Loading and Unloading Requirements.**

For any Commercial, Industrial, Institutional or Office land use that customarily receive or distribute vehicles with materials or merchandise, the following requirements shall be followed in order to avoid interference with public use of roads and parking areas:

1. Each off-street loading or unloading space shall be of sufficient size and configuration to accommodate the largest type of delivery vehicle anticipated for the proposed use.
2. Loading spaces shall be located within or immediately adjacent to the building to be served.
3. Off-street loading or unloading areas that result in vehicles backing directly into a public road are prohibited. All maneuvering shall take place on the site and not within a road right-of-way.

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4. Each loading or unloading space shall be a minimum ten (10) feet in width, twenty-five (25) feet in length and, if a roofed space, not less than fifteen (15) feet in height.
5. The minimum number of off-street loading and unloading spaces shall be as follows:
  - a. First 2,000 square feet of floor area – None.
  - b. Each additional 20,000 square feet of floor area or fraction thereof – One (1).
  - c. In the case of two (2) or more uses on one (1) lot or parcel, the total requirements for off-street loading or unloading shall be the sum of the various uses.