

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 260219

Amending Chapter 88, the Zoning and Development Code, by repealing Section 88-420, "Parking and Loading", and enacting in lieu thereof a new section of like number and subject matter for the purpose of updating parking and loading standards to support more walkable development and reduce on-site parking requirements. (CD-CPC-2025-00143)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, the Zoning and Development Code, is hereby amended by repealing Section 88-420, "Parking and Loading," and enacting in lieu thereof a new section of like number and subject matter, said section to read as follows:

88-420 PARKING AND LOADING

88-420-01 ~~SCOPE AND~~ PURPOSE

~~88-420-01-A~~ The regulations of this article ~~are intended~~intend to ~~ensure provision of off-street~~provide adequate parking and loading facilities in rough proportion to the ~~generalized~~while reducing the demand for parking and loading demands of different land uses. By ~~requiring such facilities~~, it is the intent of this article to help avoid the ~~negative impacts associated with spillover parking into adjacent neighborhoods, while at the same time avoiding the negative environmental and urban design impacts that can result from parking facilities and~~by promoting other ~~vehicular use areas~~.

~~88-420-01-B~~ modes of transportation including public transportation, biking, walking and rideshare. The regulations promote flexibility and recognize ~~that~~ excessive off-street parking conflicts with the city's policies related to transportation, land use, urban design, ~~historic preservation~~, and sustainability.

88-420-02 ~~—~~ APPLICABILITY AND GENERAL REQUIREMENTS

**88-420-02-A. APPLICABILITY
NEW DEVELOPMENT**

1. 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. ~~88-420-02-B~~ ENLARGEMENTS AND EXPANSIONS

- a. ~~1.~~ 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. ~~2.~~ 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. Additional parking shall not be required when the gross floor area added through an enlargement or expansion is less than ten percent (10%) of the existing building's total gross floor area.

- c. In cases of change of use, where the existing off-street parking supply meets or exceeds the maximum parking allowance, the provision of excess parking amenities pursuant to Section 88-420-02-C, 03-B are not required.

CHANGE OF USE OR OCCUPANCY

3. 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 shall 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. Notwithstanding the foregoing, any lawfully established commercial use permitted in Districts R-80 and AG-R may park commercial vehicles being used in conjunction with their services and activities.

Any **88-420-02-D. ACCESSIBLE PARKING SPACES**

~~Whenever parking facilities are provided, either existing or to be developed, accessible parking spaces shall be provided in accordance with 88-420-14.D.~~

d. public/civic use permitted in an R district may park emergency vehicles in conjunction with their services and activities.

e. Buses may only be parked in R districts when associated with a lawfully established public/civic or group living use permitted in a R district, and then only on property associated with such use.

f. **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.

g. 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.

h. **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 420- 1. Urban Core Parking Boundary

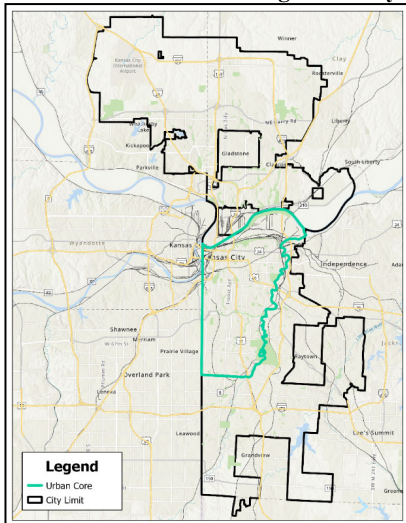


Table 420-1 Parking Ratios

USE GROUP				
Use Category	Minimum Vehicle Parking Ratio		Maximum Vehicle Parking Ratio	
» specific use type	Outside Urban Core	Urban Core	Outside Urban Core	Urban Core
RESIDENTIAL				
Household living	1 per dwelling unit (unless exempted by 88-420-03-D(7))	None	2.5 per dwelling units (unless exempted by 88-420-03-D(7))	2 per dwelling units (unless exempted by 88-420-03-D(7))
Group living	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
PUBLIC/CIVIC				
College/University	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
Day Care				

» Home-based (1—5)	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
» All other day care uses	1 per 4 employees	None	2 per 4 employees	1.5 per 4 employees
Hospital	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
Library/Cultural Exhibit	2.5 per 1,000 square feet	None	5 per 1,000 square feet	3.75 per 1,000 square feet
Park/Recreation				
» Community center	2.5 per 1,000 square feet	None	5 per 1,000 square feet	3.75 per 1,000 square feet
» All other park/recreation	per 88-420-03-C(4)	None	per 88-420-03-C(4)	per 88-420-03-C(4)
Religious Assembly	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
Safety Service	1 per 4 employees	None	2 per 4 employees	1.5 per 4 employees
School				
» Elementary/Junior High	1 per 4 employees	None	2 per 4 employees	1.5 per 4 employees
» Senior High	1 per 4 employees, plus 1 per 15 students	None	2 per 4 employees, plus 2 per 15 students	1.5 per 4 employees, plus 1.5 per 15 students
Utilities and Services				
» Basic, minor	None	None	None	None
» All other utilities and services	per 88-420-03-C(4)	None	None	None
All other public/civic uses	per 88-420-03-C(4)	None	per 88-420-03-C(4)	per 88-420-03-C(4)
COMMERCIAL				
Adult Business				
» Adult media store	2.5 per 1,000 square feet	None	5 per 1,000 square feet	3.75 per 1,000 square feet
» Adult motion picture theater	1 per 4 seats or person capacity	None	2 per 4 seats or person capacity	1.5 per 4 seats or person capacity
Animal Service				
» Stable	1 per 10 stalls	None	2 per 10 stalls	1.5 per 10 stalls

» All other animal service	2.5 per 1,000 square feet	None	5 per 1,000 square feet	3.75 per 1,000 square feet
Building Maintenance Service	1 per 4 employees	None	2 per 4 employees	1.5 per 4 employees
Business Support Service				
» Day labor employment agency	per 88-420-03-C(4)	None	per 88-420-03-C(4)	per 88-420-03-C(4)
Drive-Through Facilities	per 88-420-03-C(1)	None	per 88-420-03-C(1)	per 88-420-03-C(1)
Eating and Drinking Establishments	5 per 1,000 square feet	None	12 per 1,000 square feet	10 per 1,000 square feet
Entertainment Venues and Spectator Sports	1 per 4 seats or person capacity	None	2.5 per 4 seats or person capacity	2 per 4 seats or person capacity
Funeral and Interment Service				
» Cemetery/ columbarium/ mausoleum	per 88-420-03-C(4)	None	per 88-420-03-C(4)	per 88-420-03-C(4)
» All other funeral and interment services	1 per 4 employees	None	2 per 4 employees	1.5 per 4 employees or person capacity
Gasoline and Fuel Sales	1 per pump	None	2 per pump	1.5 per pump
Lodging				
» 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
Office, Admin. Professional or General	1 per 1,000 square feet	None	2 per 1,000 square feet	1.5 per 1,000 square feet
Office, Medical	4 per 1,000 square feet	None	8 per 1,000 square feet	6 per 1,000 square feet
Research Service	1 per 1,000 square feet	None	2 per 1,000 square feet	1.5 per 1,000 square feet
Retail Sales	1.5 per 1,000 square feet	None	6 per 1,000 square feet	4.5 per 1,000 square feet
Sports and Recreation, Participant				
» 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)
All other commercial	2.5 per 1,000 square feet	None	5 per 1,000 square feet	3.75 per 1,000 square feet
Vehicle Sales and Service				
» 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
INDUSTRIAL				
Residential Storage Warehouse	3, plus 1 per 75 storage spaces	None	6 plus 2 per 75 storage spaces	4.5 plus 1.5 per 75 storage spaces
All other industrial uses	1 per 4 employees	None	2 per 4 employees	1.5 per 4 employees
OTHER				
Agriculture, Crop	None	None	None	None
Agriculture, Animal	per 88-420-03-C(4)	None	per 88-420-03-C(4)	per 88-420-03-C(4)
Wireless Communication Facility	None	None	None	None

88-420-03-B. EXCESS PARKING

- 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~~excess parking amenities as provided in accordance with Table 420-2.
- For each parking space provided over the maximum specified in Table 420-1, a point is required, as identified in ~~the list below~~Table 420-2.
- 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.
- Offsite improvements are subject to approval by the City Planning and Development Director, Public Works Director, or Parks and Recreation Director.
- 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.
- In order to satisfy the excess parking amenities requirements, all provided amenities are in addition to any requirements in 88-440.
- 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.
9. Each non-residential property may provide up to 10 off-street parking spots regardless of building square-footage or number of employees, without triggering the need to provide demand reduction amenities.

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-foot 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 (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-foot 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-A-2.b, 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-zoning and development code](#).

- 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~~city planning and ~~Development~~development director 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 EXEMPTIONS, REDUCTIONS AND SPECIAL AREA STANDARDS VEHICULAR PARKING DESIGN

~~88-420-04-A. DC ZONING DISTRICT~~VEHICULAR PARKING AREA DIMENSIONS

~~No off street parking is required~~The following provisions apply to all uses not listed in the DC (Downtown Core) zoning district.

~~88-420-04-B. DX ZONING DISTRICT~~

~~Nonresidential uses in the DX district outside of the Crossroads area are not required to~~
Vehicular parking areas shall 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.

~~88-420-04 C. CROSSROADS AREA~~

- ~~1. Retail sales related uses in the Crossroads area are not required to provide off street parking for the first 4,000 square feet of gross floor area. For purposes of this paragraph, "retail sales related uses" include general retail sales, food and beverage retail sales; and other uses that are primarily involved in the sales of goods to the general public.~~
- ~~2. Restaurants in the Crossroads area are not required to provide off street parking spaces for the first 2,000 square feet of gross floor area, per building.~~

~~88-420-04 D. BROOKSIDE BUSINESS DISTRICT AREA~~

- ~~1. There are no the minimum nonresidential parking requirements or residential parking requirements for residential units in mixed use structures in the Brookside Business District Area. Individual non residential uses may not provide more than 1.5 times the minimum parking requirements of 88-420-06 on the same lot or on a combination of the same and contiguous lots in any zoning district, provided however, any individual use that would require 4 or fewer spaces may provide up to 6 parking spaces. Multiple tenants in a common structure or structures sharing a common wall will be considered an individual use for purposes of this calculation. Mixed use structures may provide a maximum of one parking space per dwelling unit for purposes of this calculation~~dimensions.

~~88-420-04 E. DOWNTOWN LOOP~~

- ~~1. Uses within the Downtown Loop are not required to provide off street parking or loading.~~

~~88-420-04 F. B1 ZONING DISTRICT~~

~~Nonresidential uses in the B1 district are not required to provide off street parking unless such uses exceed 2,000 square feet of gross floor area, in which case off street parking must be provided for the floor area in excess of 2,000 square feet.~~

~~88-420-04 G. 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.

~~88-420-04 H. LANDMARKS AND HISTORIC DISTRICTS~~

- ~~1. No off-street parking or loading spaces are required for rehabilitation or reuse of an official local or national historic landmark.~~
- ~~2. 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.~~

~~88-420-04 I. WESTPORT AREA~~

~~Restaurants in the Westport Area must provide off-street parking at a minimum rate of 2.5 spaces per 1,000 square feet.~~

~~88-420-04 J. RAPID TRANSIT STOPS~~

~~Special parking regulations apply to uses on lots located within 1,000 feet of a rapid transit stop, as follows:-~~

- ~~1. Office and manufacturing uses are not required to provide off-street parking spaces for the first 10,000 square feet of gross floor area.~~
- ~~2. The following uses are not required to provide off-street parking for the first 4,000 square feet of gross floor area: artist work or sales space, food and beverage retail sales, personal improvement service, and retail sales. Uses may not exceed otherwise applicable minimum off-street parking requirements by more than 3 spaces or 33%, whichever is greater, unless such "extra" spaces are provided in a parking garage.~~
- ~~3. Restaurants are not required to provide off-street parking for the first 2,000 square feet of gross floor area per building.~~
- ~~4. The above exemptions may be used in combination with any other exemption, reduction, or special area standards.~~

~~88-420-04 K. 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 (88-420-04).~~

~~88-420-04 L. DOWNTOWN STREETCAR AREA~~

~~Uses within the Downtown Streetcar Area are not required to provide off-street parking.~~

~~88-420-04 M. 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, 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 88-420-04, the lesser requirement is applicable.~~

88-420-04 N. 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.

88-420-04 O. INFILL RESIDENTIAL DEVELOPMENT STANDARDS

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.

88-420-04 P. INFILL RESIDENTIAL DEVELOPMENT PARKING STANDARDS

Any infill residential development of 8 or fewer units is exempt from the minimum parking requirement.

88-420-05 COMPLIANCE REQUIRED

Existing parking and loading spaces may not be reduced below the minimum ratios established in this article or increased above any maximum parking ratios established in this article.

88-420-06 PARKING RATIOS

Except as otherwise expressly stated, off-street parking must be provided in accordance with the following minimum ratios. In lieu of complying with these minimum standards, applicants may apply for approval of an alternative compliance parking plan, in accordance with 88-420-15. See also the exemptions, reductions and special area standards of 88-420-04. Bicycle parking must be provided in accordance with 88-420-09.

Table 420-1 Parking Ratios				
Table 420-3 Minimum Parking Area Dimensions				
USE GROUP	Length		Width	
Angled Parking Spaces				
Use Category » specific use type	Minimum Vehicle Parking Ratio		8.5 ft.	
Standard Car Space	18 ft.			
RESIDENTIAL	15 ft.		7.5 ft.	
Small Car Space				
Household Living	Length		Width	
Parallel Parking Spaces				
» Elderly Housing	1 per 3 dwelling units		22 ft.	
Standard Car			8.5 ft.	
» All other	1 per dwelling unit (unless exempted by 88-420-04 N)		7.5 ft.	
Small Car	19 ft.			
Group Living	1 per 4 dwelling units or 1 per 4 beds/sleeping rooms		Two-Way Aisle	
Drive Aisle Dimensions	One-Way Aisle			
PUBLIC/CIVIC	Standard	Small	Standard	Small

Inserted Cells

Inserted Cells

Inserted Cells

Merged Cells

Inserted Cells

Inserted Cells

Inserted Cells

College/University parallel and 30°	1 per 4 employees; plus 1 per 10 students 10 ft.	10 ft.	21 ft.	17 ft.
Day-Care 45°	12 ft.	10 ft.	23 ft.	19 ft.
—» Home-based (1—5) 60°	None 18 ft.	15 ft.	24 ft.	21 ft.
—» All other 90°	1 per 4 employees 22 ft.	18 ft.	24 ft.	21 ft.
Hospital		1 per 3 beds, plus 1 per 4 employees		
Library/Cultural Exhibit		2.5 per 1,000 square feet		
Park/Recreation				
—» Community center		2.5 per 1,000 square feet		
—» All other park/recreation		per 88-420-08		
Religious Assembly		1 per 7 seats in main assembly area		
Safety Service				
—» Fire station		1 per 4 employees		
—» Police station		1 per 4 employees		
—» Ambulance service		1 per 4 employees		
School				
—» Elementary/Junior High		1 per 4 employees		
—» Senior High		1 per 4 employees, plus 1 per 15 students		
Utilities and Services				
—» Basic, minor		None		
—» All other utilities and services		Per 88-420-08		
COMMERCIAL				
Adult Business				
—» Adult media store		2.5 per 1,000 square feet		
—» Adult motion picture theater		1 per 4 seats or person capacity		
—» Sex shop		2.5 per 1,000 square feet		
Animal Service				
—» Sales and grooming		2.5 per 1,000 square feet		
—» Shelter or boarding		2.5 per 1,000 square feet, not including animal pen areas		
—» Veterinary		2.5 per 1,000 square feet, not including animal pen areas		
—» Stable		1 per 10 stalls		
Artist Work or Sales Space		2.5 per 1,000 square feet of sales space		
Building Maintenance Service		1 per 4 employees		
Business Equipment Sales and Service		2.5 per 1,000 square feet		
Business Support Service				
—» Day labor employment agency		per 88-420-08		
—» Employment agency		2.5 per 1,000 square feet		

Inserted Cells

—» All other business support service	2.5 per 1,000 square feet
Communication Service	2.5 per 1,000 square feet
Eating and Drinking Establishments	
—» Tavern or nightclub	20 per 1,000 square feet
—» » uncovered patios or decks	20 per 1,000 square feet
—» All other eating/drinking establishments	10 per 1,000 square feet
—» » uncovered patios or decks	5 per 1,000 square feet
Entertainment— Venues—and—Spectator Sports	1 per 4 seats or person capacity
Financial Services	
—» Pawn shop	2.5 per 1,000 square feet
—» All other financial services	2.5 per 1,000 square feet
Food and Beverage Retail Sales	2.5 per 1,000 square feet
Funeral and Interment Service	
—» Cemetery/ columbarium/mausoleum	per 88-420-08
—» Cremating	1 per 4 employees
—» Undertaking	1 per 4 seats or person capacity
Gasoline and Fuel Sales	1 per pump
Lodging	
—» 1—20 rooms	1 per room
—» 21—40 rooms	1 per 4 rooms
—» 41+ rooms	1 per 6 rooms
Office, Admin. Professional or General	1 per 1,000 square feet
Office, Medical	4 per 1,000 square feet
Personal Improvement Service	2.5 per 1,000 square feet
Repair or Laundry Service, Consumer	2.5 per 1,000 square feet
Research Service	1 per 1,000 square feet
Retail Sales	2.5 per 1,000 square feet
Sports and Recreation, Participant	
—» Indoor	1 per 4 seats or person capacity
—» Outdoor	per 88-420-08
Vehicle Sales and Service	
—» Car wash/cleaning service	None
—» Heavy equipment sales/rental	1 per 1,000 square feet of office space and covered display area
—» Light equipment sales/rental (indoor)	1 per 1,000 square feet of office space and covered display area
—» Light equipment sales/rental (outdoor)	1 per 1,000 square feet of office space and covered display area
—» Motor vehicle repair, limited	2 per service bay
—» Motor vehicle repair, general	2 per service bay
—» Vehicle storage/towing	1 per employee
INDUSTRIAL	

Manufacturing, Production and Industrial Service	1 per 4 employees
Recycling Service	1 per 4 employees
Residential Storage Warehouse	3, plus 1 per 75 storage spaces
Warehousing, Wholesaling, Freight Movement	1 per 4 employees
OTHER	
Agriculture, Crop	None
Wireless Communication Facility	None

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

<u>Minimum Parking Space</u>				
<u>Length</u>	<u>Width</u>			
15 ft.	7.5 ft.			
• Parking space shall be as wide and long as the vehicle parked thereon				
<u>Driveways</u>				
<u>Minimum width at property line</u>	<u>Maximum width at property line</u>			
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				
<u>Ribbon Driveway</u>				
<u>Minimum width of paved strip</u>	<u>Maximum distance between strips</u>			
2.5 ft.	3 ft.			
<u>Vehicular Use Area</u>	<u>Minimum setbacks - extend entire length of property</u>			
	<u>Front Yard</u>	<u>Street-side yard</u>	<u>Side yard</u>	<u>Rear yard</u>
<u>Parking space accessed from non-alley right-of-way</u>	<u>0 ft. from property line</u>	<u>18 in. from property line</u>	<u>Minimum building line setback</u>	<u>18 in. from property line</u>
<u>Parking space located in the side or rear yard accessed from an alley</u>	<u>n/a</u>	<u>n/a</u>	<u>0 ft. from property line</u>	<u>0 ft. from property line</u>
<u>Shared Driveways</u>	<u>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.</u>			
<u>Driveways</u>	<u>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.</u>			
<u>Maximum percentage of pavement</u>				
<u>Front Yard</u>	<u>Street-side yard</u>			

<u>40%</u> <u>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.</u>	<u>20%</u>
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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-A02.b, additional bicycle parking may be required.
2. Short- and long-term bicycle parking is required in accordance with the following minimum ratios:

Table 420-5 Bicycle Parking Ratios		
USE GROUP	Minimum Short-Term Bicycle Parking Requirement	Minimum Long-Term Bicycle Parking Requirement
RESIDENTIAL		
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.		
PUBLIC/CIVIC		
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.		
COMMERCIAL		
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.		
INDUSTRIAL		
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.

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:

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

88-420-88-620 B. APPLICATIONS TO THE CITY PLAN COMMISSION, THE BOARD OF ZONING ADJUSTMENT, AND ADMINISTRATIVE APPROVALS

Certain fees are hereby established for the filing of applications to the board of zoning adjustment and the city plan commission as follows:

1. City plan commission:

a. For applications to rezone: \$678.00.

b. Development plan:

1. Residential: \$678.00 plus \$4.00 per dwelling unit, not to exceed \$3,793.00.

2. Nonresidential: \$678.00 plus \$97.00 per acre or fraction thereof, not to exceed \$3,793.00.

c. Project plan:

1. Residential: \$271.00 plus \$4.00 per dwelling unit.

2. Nonresidential: \$271.00 plus \$97.00 per acre or fraction thereof.

d. Major amendments:

1. Residential: \$325.00 plus \$4.00 per dwelling unit, not to exceed \$1,355.00.

2. Nonresidential: \$325.00 plus \$97.00 per acre or fraction thereof, not to exceed \$1,355.00.

e. Urban redevelopment district:

- ~~1. \$678.00 plus \$97.00 per acre or \$4.00 per dwelling unit, whichever is greater, not to exceed \$3,793.00.~~
- ~~f. Master plan development:~~
 - ~~1. \$678.00 plus \$97.00 per acre or \$4.00 per dwelling unit, whichever is greater, not to exceed \$3,793.00.~~
- ~~g. For approval of a council approved signage plan: \$271.00.~~
- ~~h. For application for special review district: \$460.00.~~
- ~~i. For text amendments: \$542.00.~~
- ~~j. For land use plan amendments: \$867.00.~~
- ~~k. For major street plan amendments: \$433.00.~~
- ~~l. For applications for appeal from the decision of the director of city planning and development: \$542.00.~~
- ~~m. For neighborhood rezoning projects and overlay districts:~~
 - ~~from 0 — 200 parcels/lots \$2,709.00.~~
 - ~~from 201 — 500 parcels/lots \$4,876.00.~~
 - ~~from 501+ parcels/lots \$5,960.00.~~
- ~~n. Vacation of alleys, streets, and plats: \$303.00.~~
- ~~o. For all other applications: \$651.00.~~
- ~~2. Board of zoning adjustment:~~
 - ~~a. For applications for variances involving the following uses:~~
 - ~~1. One and two family dwelling and accessory uses: \$271.00.~~
 - ~~2. All other uses: \$542.00.~~
 - ~~b. For applications for appeal from the decision of the director of city planning and development: \$542.00.~~
 - ~~e. For applications for rehearing before the board of zoning adjustment: \$271.00.~~
 - ~~d. Certificates of legal nonconformance: For all applications for certificate of legal nonconformance, there shall be a charge of \$136.00 for applications~~

~~related to one and two family residences and \$325.00 for all other applications. For all requests for approval of a change in use for an existing legal nonconforming use pursuant to 88-610 there shall be a charge of \$54.00 for requests related to one and two family residences and \$189.00 for all other requests.~~

~~e. For applications for all other requests: \$407.00.~~

~~f. For stay of enforcement: \$433.00.~~

~~g. Special use permits:~~

~~1. Ambulance service: \$894.00.~~

~~2. Bed & breakfast: \$623.00.~~

~~3. Blood/plasma center: \$867.00.~~

~~4. Car wash/cleaning service: \$894.00.~~

~~5. Cemetery/columbarium/mausoleum: \$894.00.~~

~~6. Check cashing, short term loan/title loan establishment: \$1,571.00.~~

~~7. College/university: \$894.00.~~

~~8. Community center: \$407.00.~~

~~9. Community supported agriculture: \$105.00.~~

~~10. Crematory: \$894.00.~~

~~11. Day care (home & family): \$623.00.~~

~~12. Day care (11-20 children) (group): \$623.00.~~

~~13. Day care center (21+): \$867.00.~~

~~14. Day labor employment agency: \$867.00.~~

~~15. Demolition debris landfill: \$1,571.00.~~

~~16. Detention and correctional facilities: \$1,571.00.~~

~~17. Drive thru facility: \$894.00.~~

~~18. Entertainment venue and spectator sports: \$894.00.~~

- ~~19. Entertainment venue and spectator sports: small venue (1-149 capacity): \$487.00.~~
- ~~20. Entertainment venue and spectator sports: medium venue (150-499 capacity): \$894.00.~~
- ~~21. Entertainment venue and spectator sports: large venue (500+ capacity): \$1,571.00.~~
- ~~22. Entertainment venue and spectator sports: outdoor (all sizes): \$1,571.00.~~
- ~~23. Financial services (except check-cashing and pawn shops): \$867.00.~~
- ~~24. Gasoline and fuel sales: \$894.00.~~
- ~~25. Group living: \$623.00.~~
- ~~26. Heavy equipment sales/rental: \$894.00.~~
- ~~27. Historic landmark (reuse of officially designated historic landmark, local or national): \$271.00.~~
- ~~28. Hospital: \$894.00.~~
- ~~29. Hotel/motel: \$894.00.~~
- ~~30. Household living: \$894.00.~~
- ~~31. Junk/salvage yard: \$1,571.00.~~
- ~~32. Library/museum/cultural exhibit: \$407.00.~~
- ~~33. Light equipment sales/rental (indoor): \$894.00.~~
- ~~34. Light equipment sales/rental (outdoor): \$1,571.00.~~
- ~~35. Manufacturing, production, and industrial service—limited: \$1,571.00.~~
- ~~36. Manufacturing, production, and industrial service—general: \$1,571.00.~~
- ~~37. Mining and quarrying: \$1,571.00.~~
- ~~38. Motor vehicle repair limited: \$894.00.~~
- ~~39. Motor vehicle repair general: \$894.00.~~

- 40. ~~Neighborhood serving retail: \$894.00.~~
- 41. ~~Nursing homes: \$867.00.~~
- 42. ~~Office, administrative, professional or general: \$894.00.~~
- 43. ~~Park/recreation: \$487.00.~~
- 44. ~~Parking, non-accessory: \$894.00.~~
- 45. ~~Pawn shops: \$1,571.00.~~
- 46. ~~Recreation vehicle park: \$1,571.00.~~
- 47. ~~Recycling service limited: \$1,571.00.~~
- 48. ~~Recycling service general: \$1,571.00.~~
- 49. ~~Religious assembly: \$407.00.~~
- 50. ~~Repair or laundry service, consumer: \$894.00.~~
- 51. ~~Residential storage warehouse: \$894.00.~~
- 52. ~~Safety service (except for police and fire stations \$894.00.~~
- 53. ~~School: \$407.00.~~
- 54. ~~Signs: \$353.00.~~
- 55. ~~Solid waste separation facility: \$1,571.00.~~
- 56. ~~Sports and recreation, participant (indoor): \$894.00.~~
- 57. ~~Sports and recreation, participant (outdoor): \$1,571.00.~~
- 58. ~~Stable: \$867.00.~~
- 59. ~~Tavern or nightclub: \$894.00.~~
- 60. ~~Transfer station: \$1,571.00.~~
- 61. ~~Undertaking: \$894.00.~~
- 62. ~~Utilities and services (except basic, minor): \$894.00.~~
- 63. ~~Vehicle sales and service: \$894.00.~~

~~64. Vehicle storage/towing: \$1,571.00.~~

~~65. Warehousing, wholesaling, freight movement indoor: \$894.00.~~

~~66. Warehousing, wholesaling, freight movement outdoor: \$1,571.00.~~

~~67. Waste related use: \$1,571.00.~~

~~68. All other uses: \$894.00.~~

~~3. Administrative fees:~~

~~A. Minor amendment to an approved development plan:~~

~~1. Residential: \$244.00 plus \$4.00 per dwelling unit, not to exceed \$678.00.~~

~~2. Nonresidential: \$244.00 plus \$97.00 per acre or fraction thereof, not to exceed \$678.00.~~

~~B. Administrative adjustment: \$271.00.~~

~~C. Administrative approval: \$271.00.~~

~~D. For any request for continuance by the applicant: \$136.00.~~

~~E. Short term rental:~~

~~1. Administrative approval: \$271.00~~

~~2. Special use permit: \$623.00~~

~~3. First year registration: \$288.00 (if administrative approval or special use permit not required, as those fees include first year registration)~~

~~4. Annual renewal of registration: \$183.00~~

~~4. The city plan commission and the board of zoning adjustment shall have the authority to waive the fees set out in this subsection in the interests of justice.~~

~~5. Transcripts on appeal to circuit court. Transcripts, necessary upon appeal to the circuit court, shall be furnished by the appellant. These may be obtained, upon payment of the current charge, from the reporting service employed by the board of zoning adjustment to take testimony given at the public hearing. The board may waive the transcription costs where it is determined that the appellant is unable to pay the costs. The cost of the transcript will be refunded to the appellant if the appellate court orders such refund upon judgment.~~

6. ~~The city manager shall have authority annually to adjust the fees listed above to reflect an increase equal to an increase in the consumer price index (all items/all urban consumers/Kansas City, Missouri-Kansas) published by the United States Department of Labor, Bureau of Labor Statistics, provided that the increases are reflective of the costs of the services being provided. If the costs in processing the applications fall below the fees being charged, the fees shall be reduced so that they are equal to or less than the costs of processing the applications. The adjustments shall be made annually by the city manager in conjunction with the adoption of the annual budget of the city by filing a notice with the city clerk.~~

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 CALCULATIONS

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

88-420-07-A. — MULTIPLE USES PURPOSE

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

88-420-07-B. AUTHORIZATION

Notwithstanding Section 88-420-02.B and the parking ratios set forth in Section 88-420-03, 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- 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.~~

~~88-420-07-B. 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.~~

~~88-420-07-C. EMPLOYEE OR OCCUPANCY-BASED STANDARDS~~

1. ~~For the purpose of 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.~~

- ~~2. 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.~~
- ~~3. 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.~~
- ~~4. 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.~~
- ~~5. 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.~~

07-D. ENFORCEMENT

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

Section 2. That the Council finds and declares that before taking any action on the proposed amendment(s) hereinabove, all public notices and hearings required by law have been given and had.

I hereby certify that as required by Chapter 88, Code of Ordinances, the forgoing ordinance was duly advertised and public hearings were held.

Sara Copeland, FAICP
Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney