

**ARTICLE XVII  
PARKING REGULATIONS**

**Section 1. Off-Street Parking.** In any applicable zoning district, all structures built and all uses established hereafter shall provide accessory off-street parking in accordance with the following regulations. When an existing structure or use is expanded, accessory off-street parking shall be provided in accordance with the following regulations for the area or capacity of such expansion. Plans showing the layout and design of all off-street parking spaces and loading areas must be submitted and approved by the Zoning Administrator before a zoning permit and/or occupancy certificate is issued for such spaces or areas.

**Applicability:** Off-street parking and loading space, as required in this article, shall be provided for all new structures, and for alterations and additions to existing structures. Off-street parking and loading space shall be required for any existing structure or structure which is altered in any manner so as to enlarge or increase capacity by adding or creating dwelling units, guest rooms, floor area or seats. Existing parking areas previously required shall not be used to satisfy required off-street parking for any new structures, alterations, or additions to existing structures or uses of land. Such existing parking space shall be maintained and shall not be reduced so long as the main structure or use remains, unless an equivalent number of such spaces are provided elsewhere as provided in this article; except that no off-street parking or loading space shall be required for any use located in the "C-3" Central Business District, unless the Board of Zoning Appeals requires parking as a condition of special use permit approval.

**A. General Provisions.**

1. **Utilization:** Required accessory off-street parking facilities provided for the uses hereinafter listed shall be solely for the parking of motor vehicles in operating condition of patrons, occupants, or employees of such uses; and shall be expanded, removed, or added only upon approval of the City.
2. **Front Yard Setbacks:** Unless excepted by site-plan review, off-street parking of heavy-haul commercial trucks and vehicles of similar bulk shall be provided in other than the established front yard in all residential districts.
3. **Licensing:** All vehicles parked off-street and on-street that are required to be licensed shall be current.
4. **Accessory Use:** Off-street parking shall be considered as an accessory use of the use for which the parking is provided. Parking not located on the same tract on which the main use is located must be

located within the zoning district in which parking or storage lots are permitted as a main use; or be located in accordance with the provisions of this article relating to off-street parking exceptions. In no instance shall off-street parking required by this article be located more than 300 feet (as measured along lines of public access) from the use that it serves.

5. **Repair Service:** No motor vehicle repair work or service of any kind shall be permitted in association with any off-street parking facilities.
6. **Mixed Uses:** When a structure or development contains mixed uses, the off-street parking requirements shall be calculated for each individual use and the total parking requirement shall be the sum of individual parking requirements.
7. **Carport Plans:** Engineered drawings shall be submitted for a proposed carport either sealed by an architect or engineer, or sufficiently detailed to assure proper design and installation to meet building codes and manufacturer's specifications.
8. **Impervious Surface Ratios:** A surface that has been paved or compacted to the extent that it is highly resistant to absorption of water is considered an impervious surface. The ratio of impervious surfaces to pervious surface shall be sufficient to meet the no-net run-off requirements of storm water management standards; or, the site shall be improved with storm water detention facilities to achieve the same objective. For multifamily residential development, the ratio shall not exceed 80/20 impervious to pervious.

**B. Design and Maintenance:**

1. **Parking space dimension:** an off-street parking space shall be at least eight feet six inches (8'6") in width and at least nineteen feet (19') in length, exclusive of access drives or aisles, ramps or columns, unless special parking is designated for variable sizes of vehicles.
2. **Access:** Each off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. No parking space shall be designed to exit or back directly onto a public street or use the public right-of-way for parking space, unless specifically approved by the Governing Body. Such arrangements are to be discouraged, except in unusual circumstances wherein the traffic safety of the public can still be protected.

3. **Design:** Off-street parking spaces shall comply with such design standards relating to curb cuts and curb length, stall depth, driveway width, island width, barriers, and the location of ingress and egress as may be established from time to time by the City. Off-street parking spaces may be open to the sky or enclosed in a building or structure. Parking on driveways for single and two-family dwellings and all types of manufactured and mobile homes is considered to be permitted parking. **All parking spaces must be in an identifiable area where all spaces are contained thereon.**
4. **Surfacing:** All open off-street parking spaces, whether required spaces or not, and driveways shall be graded and paved with an asphalt, asphaltic concrete, concrete or other comparable hard-surfaced, all weather, dustless material which shall be maintained in good condition; provided, however, graveled parking areas are permitted in the industrial districts.
5. **Plans and approval required:** Plans showing the layout and design of all off-street parking spaces and loading areas, whether required spaces or not, shall be submitted and approved by the Zoning Administrator prior to issuance of a zoning permit and/or occupancy certificate for the parking lot itself or as part of an application for a larger related project. Before approving any parking layout, the zoning Administrator shall determine that the spaces provided are usable and meet standard design criteria as well as all parking requirements of these regulations. Parking spaces shall be clearly indicated or otherwise marked to designate the individual spaces.
6. **Screening:** Screening for parking spaces and loading areas is incorporated into the general screening and landscaping provisions of Article XXI, Section 5.
7. **Lighting:** Any lighting used to illuminate off-street parking spaces shall be shaded so that direct light is not cast upon property located in a residential district and so that glare is not a problem to traffic on any public street.
8. **Repair and service:** No motor vehicle repair work or service of any kind shall be permitted in association with any off-street parking spaces or structures, except as incidental repairs to a personal vehicle.
9. **Computation:** When determination of the number of off-street parking spaces required by these regulations results in a requirement of a fractional space, the fraction of one-half or less may be disregarded, and a fraction in excess of one-half shall be counted as one parking space.

10. **Collective provisions:** Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so furnished is not less than the sum of the separate requirements for each such use; provided, that wherever there is a common plan of parking for land in single ownership that such space whenever large places of assembly are present which vary in their times of use and season of the year to the end that all parking is contained on the site or on accessory parking lots except for infrequent periods of peak use. The off-street parking spaces required by Article XVII, Section 1 may be increased; however, where it is anticipated that peak parking periods will be a consistently recurring problem. All regulations must be adhered to which cover the location of accessory parking spaces in relation to the use served.
11. **Location:** All parking spaces required to serve structures or uses shall be located on the same zoning lot as the structure or use served unless a conditional use permit is obtained under Article XVII, Section 3.
12. **Employee parking:** Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.
13. **Handicapped parking:** Parking spaces according to the number of spaces and their designated signage shall be provided for persons with a disability in conformance to the standards of the federal Americans with Disabilities Act of 1990 as incorporated into state statutes. (See K.S.A. 8-1128 and 42 USCA 12101 et seq.)
14. **Curbing:** The perimeter of all multifamily off-street parking and loading areas and their access drives shall be curbed; except that, off-street parking facilities adjacent to industrial and commercial districts shall not require curbs. Curbs shall also protect landscape islands and other interior parking features in commercial districts. Curbs shall meet the City minimum construction standards.
15. **Residential Development Standards:** Hard surfacing shall consist of a minimum of four (4) inches of asphaltic concrete on compacted subgrade as required by city engineering standards customary to the site, or as otherwise approved by the City Engineer.

Residential development on a legal lot of record consisting of two (2) acres or greater shall only be required to hard surface the drive approach from the edge of the public travel way to a distance

measured seventy-five (75) feet beyond the abutting public right-of-way.

**16. Loading and Unloading Regulations:** Loading and unloading space shall be provided off-street and on the same premises with every structure or part thereof, hereafter erected, established or enlarged and occupied for goods display, retail operation, department store, market, hotel, mortuary, laundry, dry cleaning, office uses or warehouses, manufacturing or other uses, involving the receipt or distribution of materials or merchandise by motor vehicles. The loading and unloading space or spaces shall be so located to avoid undue interference with public use of streets, alleys and walkways.

**A. Spaces Required:**

(1) For all uses in the Central Business District, loading facilities shall be provided in accordance with the following table:

Gross Floor Area of Establishments <u>in Thousands of Sq. Ft.</u>	Required Number and <u>Size of Loading</u>
<u>Berths</u>	
1 - 10	1 - (10' x 25')
10 - 25	2 - (10' x 25' each)
25 - 40	2 - (10' x 70' each)
40 - 100	3 - (10' x 70' each)

(2) For all uses in the "I-1" and "I-2" Districts, loading facilities shall be provided in accordance with the following table:

Gross Floor Area of Establishments in <u>Thousands of Sq. Ft.</u>	Required Number and <u>Size of Loading</u>
<u>Berths</u>	
1 - 10	1 - (10' x 25')
10 - 40	1 - (10' x 70')
40 - 100	2 - (10' x 70' each)

For each additional 100,000 square feet of gross floor area or any fraction thereof over 100,000 square feet of gross floor area, one additional berth shall be provided. Each such additional berth shall be at least 10 feet in width by 60 feet in length

**Section 2. Required Parking Spaces.** Off-street parking spaces accessory to the uses hereinafter designated shall be provided as follows, except no such spaces shall be required in the "C-3", Central Business District unless the Board of Zoning Appeals requires parking as a special use.

**A. Dwelling and Lodging Uses.**

1. Single and two-family dwellings, residential-designed manufactured homes and manufactured/mobile homes: At least one parking space for each dwelling unit.
2. Multiple-family dwellings: At least one and one-half parking spaces per unit, except in housing for the elderly, one space for two units.
3. Boarding or rooming houses: One parking space for each two rooms.
4. Dormitories, fraternities, sororities and similar lodging facilities: At least two parking spaces for each three occupants.
5. Hotels, motels and bed and breakfast homes and inns: One parking space for each rental unit, plus such additional spaces as are required for restaurants, assembly rooms and affiliated facilities.

**B. Business and Industrial Uses.**

1. Automobile, truck, trailer and manufactured/mobile home sales and rental lots: One parking space for each 3,000 square feet of open sales lot area devoted to the sale, display and rental of such vehicles, plus one parking space for each service bay and employee.
2. Business and professional offices: One parking space for each 300 square feet of floor area, not including meeting rooms.
3. Bowling alleys: Four parking spaces for each lane.
4. Cartage, express, parcel delivery and freight terminal establishments: One parking space for each two employees.
5. Car washes: Two holding spaces for each car washing stall, plus one drying space for each car washing stall.
6. Funeral homes and mortuaries: One parking space for each four seats based upon the designed maximum capacity of the parlor, plus one additional parking space for each employee and each vehicle maintained on the property.

7. Furniture or appliances stores and service or repair shops: One parking space for each 400 square feet of floor area.
8. Manufacturing, production, processing, assembly, disassembly, cleaning, servicing, testing, or repairing of goods, materials or products: One parking space per two employees.
9. Medical and dental clinics or offices: One and one-half parking spaces for each examining or treatment room, plus one for each doctor and employee.
10. Restaurants, private clubs and taverns: One parking space for each 2.5 seats based on the maximum designed seating capacity; provided, however, that drive-in restaurants shall have a minimum of least 10 parking spaces.
11. Retail stores and financial institutions: One space per 250 square feet of floor area, not including meeting rooms. (See Article XVII, Section 2.B.13 for places of assembly.)
12. Service stations: One parking space for each employee, plus two spaces for each service bay.
13. Theaters, auditoriums and places of assembly: One space for each four seats. (See Article XVII, Section 1.A.4.G for collective provisions.)
14. Warehouses, storage and wholesale establishments: One parking space for each two employees.

**C. Other Uses.**

1. Churches: One parking space for each 5 seats based upon the maximum designed seating capacity in the main worship area, including choir lofts.
2. Elementary, junior high and equivalent parochial and private schools: One space for each faculty and staff person plus places of assembly. Regular parking spaces must be provided off the street for all buses serving the school. (See Article XVII, Section 1.A.4.G for collective provisions.)
3. Secondary schools: One parking space for every four persons based on the maximum design capacity for pupils, faculty and staff, plus places of assembly. Regular parking spaces must be provided off the street for all buses serving the school. (See Article XVII, Section 1.A.4.G for collective provisions.)

4. Hospitals: One parking space for each two beds, plus one parking space for each resident or staff doctor and one space for each two employees.
5. Child care centers and preschools: One parking space for each employee.
6. Nursing homes, convalescent homes and retirement centers: One parking space per each five beds based on the maximum designed capacity of the building, plus one parking space for each employee.
7. Private social and hobby clubs, associations and lodges: One parking space for each three seats based upon the maximum designed seating capacity.
8. Trade and commercial schools: Two parking spaces for each three students, plus one for each employee based on full-time equivalency.

Parking spaces for other permitted uses not listed above shall be provided in accordance with the determination of the Zoning Administrator with respect to the number of spaces that are required to serve employees and/or the visiting public at each such use. Parking for special and conditional uses may be established as part of processing their application or when issuing the zoning permit.

**Section 3. Conditional Use for Parking.** In order to provide off-premises required or additional off-street parking areas, the Board of Zoning Appeals may grant as a conditional use for the establishment of parking areas in any zoning district under the following provisions:

1. Location. The nearest access to the parking area provided under this section must be within 300 feet (along line of public access) from the boundary of the nearest entrance to the structure for which the parking is provided.
2. Use. The parking area shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies. Only such signs as are necessary for the property operation of the parking lot shall be permitted.
3. Improvements.
  - a. Parking spaces and driveways on private property providing ingress and egress to parking areas shall be surfaced with concrete, asphaltic concrete, asphalt or any other comparable surfacing which meets the



approval of the Board and shall be maintained in good condition and free of weeds, dust, trash and other debris.

- b. Parking areas shall have adequate guards to prevent extension or the overhanging of vehicles beyond property lines or parking spaces. Such areas shall have adequate markings for channelization and movement of vehicles.
- c. If lighting facilities are provided, they shall be so arranged as to deflect or direct light away from any adjacent dwelling or residential district.
- d. A fence (such as solid-wall masonry, wood, louvered/wood, metal or other similar materials) not less than six feet high, may be required to be erected along any property line adjacent to or adjoining any residential district to reduce noise, eliminate the passage of light from vehicles and prevent the flowing of debris. Whenever a fence shall be required along a front yard, which includes a driveway area, such fence shall not be higher than four feet.
- e. When located in a residential district, **NO** parking will be allowed on unimproved surfacing (Article XVII, Section 1.A.4.b) in the front yard other than the required parking for Dwelling and Lodging Uses (Article XVII, Section 2.A). The use of non-conforming unimproved parking spaces for the minimum set forth in Article XVII, Section 2.A will be permitted.
- f. The Board shall determine the necessity of additional improvements in order to protect adjacent property owners and the public interest. Such improvements shall include, but not be limited to proper drainage, setbacks, screening, grass, shrubs, trees and the maintenance thereof, and the extent of access permitted to public streets and alleys.

**Section 4. Off-Street Loading and Unloading.** In all zoning districts except the "C-3" Central Business District, loading and unloading space shall be provided off-street and on the same premises with every building, structure or part thereof, hereafter erected, established, or enlarged and occupied which requires the receipt or distribution of materials or merchandise by motor vehicle. The loading and unloading space shall be so located as to avoid undue interference with public use of streets, alleys and walkways. Such vehicular access shall be maintained in good condition and surfaced in such manner as required in Section 1.A.4.B for parking spaces. When off-street parking space is used to fulfill this loading and unloading requirement, the latter shall be scheduled so as not to interfere with meeting the parking needs.

