

MODEL ORDINANCE FOR OFF-STREET PARKING**PLEASE NOTE**

- The following model parking ordinance is recommended as part of a community's regulations to minimize impervious cover and improve stormwater management.
- This model may need to be modified to fit the needs of each community. This includes integration with current local parking requirements and comprehensive stormwater management regulations. Please contact CRWP for assistance in tailoring this model to your community's needs, development patterns, and current requirements.

Throughout this model duties are assigned to the "***Community***." These should be assigned to specific staff and departments. Areas in ***bold/italics*** need to be adjusted for your community.

WHEREAS, the construction of parking areas in the [*watersheds to which community belongs*] watershed[s] increases impervious cover, alters the hydrologic response in *these/this* watershed[s], and increases in the rate and volume of stormwater runoff; and,

WHEREAS, flooding is a significant threat to property and public health and safety, and pervious surfaces lessen the damage from flooding by slowing water velocity, enabling water to soak into the ground, and by providing temporary storage of runoff; and,

WHEREAS, streambank erosion is a significant threat to property and public health and safety, and limitations on impervious cover, including in parking areas, slow runoff and reduce its erosive force; and,

WHEREAS, sedimentation of eroded soil adversely affects aquatic communities and incurs removal costs to downstream communities; and,

WHEREAS, there are watershed-wide efforts to minimize flooding and streambank erosion in the [*watersheds to which community belongs*] watershed[s] and to protect and enhance the water resources of the [*major watercourses to which community drains*] and its tributaries and [*Community*] recognizes its obligation as a part of *these/this* watersheds to minimize flooding and streambank erosion by controlling runoff within its borders; and,

WHEREAS, the [*river, if State Scenic*], including that portion which flows through the [*Community*], has been designated as an "Ohio Scenic River" in recognition of the fact that its watershed harbors an extraordinary array of wildlife, including fish, freshwater mussels, birds, mammals, reptiles, and amphibians; and,

WHEREAS, the [*Community*] finds that the lands and waters within its borders are finite natural resources and that their quality is of primary importance in promoting and maintaining public health and safety within its borders; and,

WHEREAS, 40 C.F.R. Parts 9, 122, 123, and 124, and Ohio Administrative Code 3745-39 require designated communities, including the [*Community*] to develop a Stormwater Management Program that, among other components, requires the [*Community*] to implement standards,



principles, and procedures to regulate the quality of stormwater runoff during and after soil disturbing activities, including the construction of parking areas; and,

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution grants municipalities the legal authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary, and other similar regulations, as are not in conflict with general laws.

SECTION 1: Codified Ordinance *Chapter XXXX Off Street Parking Regulations* is hereby adopted to read in total as follows:

**CHAPTER XXXX
OFF STREET PARKING REGULATIONS**

XXXX.01 PURPOSE AND SCOPE

- A. The purpose of this regulation is to establish technically feasible and economically reasonable parking standards to achieve a level of stormwater quality and quantity control that will minimize damage to property and degradation of water resources and will promote and maintain the health, safety, and welfare of the citizens of the *[Community]*.
- B. This regulation requires owners who develop or re-develop their property within the *[Community]* to control the volume, rate, and quality of stormwater originating from their parking areas so that surface water and ground water are protected, and flooding and erosion are not increased. Specifically, applicants must:
 - 1. Minimize the creation of excess impervious cover.
 - 2. Preserve infiltration and ground water recharge, and maintain subsurface flow that replenishes water resources, except in slippage prone soils.
 - 3. Incorporate stormwater quality and quantity controls into parking area design at the earliest possible stage in the development or redevelopment process.
- C. The *[Community]* established this regulation to:
 - 1. Reduce minimum parking requirements and set minimum and maximum parking ranges.
 - 2. Encourage stormwater management practices in parking areas including pervious pavements, bioretention, and other practices that integrate stormwater management into parking and landscaping areas.
 - 3. Reduce the pollutant load and temperature of stormwater runoff from parking areas.
 - 4. Promote the general convenience, welfare, and prosperity of residential, industrial, commercial, and institutional uses that depend on off-street parking.
 - 5. Promote shading and cooling of parking areas.
 - 6. Promote multiple modes of transportation, including bicycling.
- D. This regulation shall apply to all parcels used or being developed, either wholly or partially, for new or redevelopment projects involving parking areas on industrial, commercial, institutional, or residential projects.

XXXX.02 DEFINITIONS

For the purpose of this regulation, the following terms shall have the meaning herein indicated:

- A. ALLEY: A dedicated public way not more than 30 feet wide affording a secondary means of access to abutting property and not intended for general traffic circulation.
- B. COMMERCIAL VEHICLE: Any vehicle serving purposes other than the transportation of persons or registered for a gross vehicle weight of more than 9,000 pounds. This definition includes, but is not limited to buses, semi-trailers, tractors, skid loaders, flatbeds, dump trucks, hearses, farm equipment, trailers, and trucks that are designed for use in construction, snow removal, or tree trimming.
- C. IMPERVIOUS COVER: Any surface that cannot effectively absorb or infiltrate water. This may include roads, streets, parking lots, rooftops, sidewalks, and other areas not covered by vegetation.
- D. IN-LIEU PARKING FEES: Provides the developer with an option to build the required number of parking spaces or contribute fees to a fund at the direction of the *[Community]*. These fees may be used at a future date for off-street parking facilities. Fees may also be used to fund programs that promote alternative modes of transportation. In-lieu fees provide opportunities to cluster parking, to build parking more efficiently, and to facilitate development in locations with difficult parcel configurations. Fees can be calculated on a case-by-case or on a fee per space basis.
- E. LOADING SPACE: An off-street space, on the same lot with a building or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.
- F. LOADING DOCK: A large building door primarily used for loading/unloading items from trucks. The floor of a loading door dock is raised above the truck ramp's surface. This excludes bay doors that are large building doors through which vehicles can drive.
- G. LAND BANKING: An adjustment to parking requirements that is a specific agreement between a property owner and the *[Community]* that the number of spaces actually needed for a building or land use is, or will likely be, less than otherwise required due to the site-specific circumstances such as provision for shared parking or alternative transportation reduction actions. The petitioner for an adjustment must agree to provide an area of land or the right to the use of land set aside for possible future development of a surface lot or parking structure so that if circumstances prove that more parking is required, it can be added. This set aside area is called a Land Bank.
- H. PARKING: The placement of automobiles, trucks, trailers, semi-trailers, inter-modal cargo containers, or other vehicles for five (5) or fewer days.
- I. PARKING AREA: All areas, spaces, and structures designed, used, required, or intended to be used for the parking of more than three (3) motor vehicles. This definition is intended to include adequate driveways, access ways, parking bays, garages, or a combination thereof, but does not include public roads, streets, highways, and alleys.
- J. PARKING SPACE: An area of definite length and width designed for parking of motor vehicles; said area shall be exclusive of drives, aisles, or entrances giving access thereto.
- K. SHARED PARKING: Parking areas that serve two (2) or more land-uses, either on the same

site or nearby sites.

XXXX.03 APPLICABILITY

All off-street parking for new or redevelopment projects in industrial, commercial, institutional, or residential areas shall meet the requirements of this regulation.

XXXX.04 GENERAL REQUIREMENTS.

- A. Required off-street parking shall not occupy livable space or loading facilities.
- B. Required off-street parking shall not be used for the storage, sale, dismantling, or servicing of vehicles, equipment, materials, or supplies.
- C. Required off-street parking shall be located on the lot containing the use for which the required parking is being provided, unless a shared parking agreement has been accepted by the *[Community]* per *Section XXXX.07* of this regulation.
- D. The capacity of an off-street parking area shall be the number of parking spaces, having required dimensions.
- E. The construction and surfacing of required off-street parking shall be completed prior to the initiation of the use, unless an extension is granted by the *[Community]*.
- F. The final design of all off-street parking shall be approved by the *[Community]* engineer.

XXXX.05 DESIGN STANDARDS FOR OFF-STREET PARKING

The following standards shall apply:

- A. All required off-street parking spaces shall have a vertical clearance of at least six (6) feet and six (6) inches.
- B. Handicapped off-street parking spaces shall be provided in size and number as specified in the Ohio Basic Building Code.
- C. Required off-street parking spaces shall have a maximum square foot area of no more than 162 square feet or nine (9) feet wide and eighteen (18) feet in length exclusive of access drives and aisles.

XXXX.06 STANDARD SPECIFIC DESIGN REQUIREMENTS FOR REDUCING IMPERVIOUS COVER ON PARKING AREAS

- A. Compact car parking spaces and minimizing stall dimensions:
 - 1. Parking areas designed to hold 100 parking spaces or more shall dedicate at least 20% of the spaces to compact cars.
 - 2. The maximum dimensions for compact car parking spaces shall be 8 feet by 16 feet.
 - 3. The owner of the parking area shall designate compact car spaces by signs approved

by the *[Community]* with a minimum of one (1) sign per every four (4) compact car spaces.

4. Compact car parking spaces shall be grouped to promote better use.

Note: Please review the above requirements regarding the percentage of off-street parking dedicated to compact cars to ensure it is acceptable to your community.

B. Parking lot access drives and aisle ways:

1. Access drives and drive aisle widths: The paved width of entrance and exit drives to parking areas shall follow the standards listed below:
 - a. Two-way access drives shall be eighteen (18') – twenty-four (24') feet wide.
 - b. One-way access drives shall be twelve (12') – eighteen (18) feet wide.
 - c. Joint use driveways: A system of joint use driveways and cross access easements shall be established and used to the maximum extent practicable as determined by the *[community]*. The system of joint use driveways shall incorporate the following:
 - i. A design speed of ten (10) miles per hour (mph) and a maximum width of twenty-four (24) feet to accommodate two-way travel aisles designated for automobiles, service vehicles, and loading vehicles.
 - ii. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive.
 - iii. A unified access and circulation plan for coordinated or shared parking areas.
 - iv. An easement with the deed recorded by all participating property owners allowing cross access to and from other properties served by the joint use driveways.
2. Parking lot aisle widths:
 - a. Two-way parking aisle widths shall not exceed twenty-two (22) feet.
 - b. One-way parking aisle widths shall have the following maximum widths based on the configuration of the adjacent parking spaces:
 - i. Perpendicular 22 feet
 - ii. 60° 20 feet
 - iii. 45 -30° 18 feet

C. Incorporation of stormwater control measures.

The following stormwater control measures shall be incorporated into the Comprehensive Stormwater Management Plan for the proposed development or redevelopment project involving the construction of off-street parking. Review and approval by the *[Community]* engineer shall be as detailed in *Chapter XXXX Comprehensive Stormwater Management* as well as the required inspection and maintenance agreements and easements.

1. Permeable pavement: Permeable pavements shall be allowed upon review and approval by the *[Community]* engineer.
2. Interior landscaping: In addition to parking lot perimeter landscaping and screening requirements, surface parking lots shall include landscaping to cover not less than ten percent (10%) of the parking and maneuvering area. This landscaping requirement shall include bioretention cells or tree filters for stormwater management where suitable and appropriate. The layout of the interior landscaped areas shall meet the following requirements:
 - a. Bioretention or tree filters for stormwater management shall be allowed upon review and approval by the *[Community]* engineer.
 - b. Bioretention cells shall be arranged between rows of parking stalls to provide the maximum stormwater management benefit. Where parking lot dimensions, slopes, or other constraints make landscape strips between rows of parking unfeasible, interior landscaping shall be arranged in areas at the ends of rows of parking or between spaces within rows.
 - c. Curbs separating landscaped areas from parking areas shall allow stormwater runoff to pass through them. Curbs shall be:
 - (A) Perforated with gaps or breaks, and
 - (B) Removed from the perimeter of paved areas, allowing sheet flow from stormwater runoff into the bioretention cells or other stormwater control measures.
3. Bioretention cells shall be designed and clearly signed so that they are not used for snow piling or any other above ground storage area(s).

XXXX.07 SHARED PARKING

The *[Community]* encourages parking lots for different land uses, or for mixed land-uses, to be shared in any zoning district. At the applicant's request, shared parking may be provided, subject to the following provisions:

- A. A reciprocal written agreement shall be executed by all the parties concerned that guarantee the perpetual joint use of such common parking, a copy of which has been submitted to and is accepted by the *[Community]*.
- B. The *[Community]* may require the applicant to provide a parking study with information deemed necessary to its review of a shared parking arrangement. This information includes

but is not limited to:

1. The type and hours of operation and parking demand, for each land use.
 2. A site plan displaying shared use spaces in the lot and walking distance to the uses sharing the lot.
 3. A description of the character of land-use and parking patterns of adjacent land uses.
 4. An estimate of anticipated turnover in parking space use over the course of 12 to 24 hours at the site.
- C. Parking spaces to be shared must not be reserved for individuals or groups on a 24-hour basis.
- D. Users sharing a parking facility do not need to be contained on the same lot, but each user shall be a maximum of 500 feet from the closest parking space in the lot providing the shared parking spaces. A waiver of the maximum allowable distance between the user and associated shared parking may be approved by the *[Community]* with written justification and supporting information provided by the applicant.
- E. Users sharing a parking facility shall provide for safe, convenient walking between land-uses and parking, including safe, well-marked pedestrian crossings, signage, and adequate lighting.
- F. If the conditions for shared parking become null and void and the shared parking arrangement is discontinued, this will constitute a violation of zoning regulations for any use approved expressly with shared parking. The applicant must then provide written notification of the change to the *[Community]* within 60 days of change, providing a remedy satisfactory to the *[Community]* to ensure adequate parking.
- G. Reduction in parking space requirements for shared parking: Where shared parking is provided among mixed land uses, the *[Community]* may allow the following reductions in parking space requirements, at the applicant's request:
1. Up to 30% of the parking spaces required for the predominant use on a site may be shared with other land uses operating during the same time of day and days of the week. The predominant land-use is considered to be that which requires the most parking of those sharing the parking facilities.
 2. Up to 75% of the parking spaces required for uses such as theaters, public auditoriums, bowling alleys, nightclubs, movie theaters, and similar predominantly evening uses may be shared with uses such as banks, offices, and similar predominantly daytime uses.
 3. Up to 75% of the parking spaces required for land uses such as churches and other land uses predominantly operating during the weekend may be shared with uses such as medical offices, banks, and other similar uses predominantly operating on weekdays.

XXXX.08 LAND BANKING OF REQUIRED PARKING

Land banking for parking spaces may be authorized by the *[Community]* in the same manner as any other variance per the following conditions:

- A. Reduction in the number of parking spaces to actually be constructed may be authorized by the *[Community]* when the applicant shows that the required number of parking spaces set forth in the Exhibit A is substantially in excess of the parking needed to reasonably serve the employees, patrons, and other persons frequenting the subject property. The *[Community]* shall determine the number of parking spaces to actually be constructed as may be appropriate, in its opinion, based on the evidence submitted.
- B. Land bank provisions shall provide a site plan showing how the additional number of spaces otherwise required could subsequently be provided on the site. The additional parking area shall maintain all required yards, setbacks, and driveways for subject property and shall meet all requirements of this code. The additional parking areas design may be a surface lot or parking garage, as determined in the site plan.
- C. Sufficient usable space shall be reserved upon the subject property for the future construction of such additional spaces as may be necessary to accommodate any differential between the number of spaces to actually be constructed as part of the proposed project and the number of spaces required by the *[Community]* per Exhibit A. The reservation of said spaces and the purpose therefore, shall be shown upon the approved plan and shall be a component of any future submittal involving the subject property.
- D. The property deed shall be revised and re-recorded to include a deed restriction setting forth the area to be land banked and a statement of the purpose thereof and binding any future assigns or heirs to said restrictions and any other conditions as may be required by the *[Community]*, in associated with this variance.
- E. A certified copy of the recorded deed with said restrictions shall be provided to the *[Community]*, within 60 days of the *[Community]* action to approve this variance.

XXXX.09 IN-LIEU PARKING

The *[Community]* encourages parking lots for different land uses, or for mixed land uses, to have in-lieu parking in any zoning district. At the applicant's request, in-lieu parking may be provided, subject to the following provisions:

- A. Within designated parking districts established by the *[Community]*, and shown on the map, a parking requirement serving nonresidential uses on a site may be met by a cash in-lieu payment to the *[Community]* prior to issuance of a building permit or a certificate of occupancy if no permit is required. The fee shall be to provide public off-street parking in the vicinity of the use. The *[Community]* shall not be obligated to accept a fee for more than the contraction, acquisition and maintenance per space, and then only with the express approval of the *[Community]*.
- B. In establishing parking districts, the *[Community]* may set limitations on the number of spaces or the maximum percentage of parking spaces required for which an in-lieu fee may be tendered.

XXXX.11 PARKING SPACES PER LAND USES

Exhibit A attached to this regulation and incorporated thereto details the parking requirement per each land use permitted in the [Community]. Parking requirements for any land use may be decreased, increased, and/or land banked by determination of the [Community] based upon evidence provided by the applicant from an acceptable industry publication (for example, the Institute of Transportation Engineers, Urban Land Institute, American Planning Association) or by a parking generation study prepared by a qualified professional that documents the requirements for said land use.

☞ The following list of parking recommendations has been cross-referenced with the 2002 American Planning Association “Parking Standards” Report

Exhibit A

	Minimum	Maximum
(a) Residential		
Single Family	2 spaces per dwelling	None
Efficiency/Studio	1 spaces per unit	2 per unit
1 Bedroom Unit	1 spaces per unit	2 per unit
2 Bedroom Unit	1.5 spaces per unit	2.5 per unit
3 Bedroom Unit	2.25 spaces per unit	2.5 per unit
4 Bedroom Unit	2.5 space per unit	3 per unit
Extended-Stay Hotel/Rooming/Boarding House	0.5 space guest parking per dwelling unit	1. 5 spaces/unit
(b) Commercial Residential		
Hotel	1 space per guest room	1.5 spaces/ guest room
Motel	1 space per guest room	1.5 spaces/ guest room
(c) Institutions		
Welfare or correctional	1 per employee of largest shift	1.5 per each employee of largest shift

Convalescent hospital, nursing home, sanitarium, rest home, home for the aged	1 space per 3 beds for patients or residents	1 space per 2.5 beds for patients or residents
Hospital	1.5 spaces per bed	2 spaces per bed
(d) Places of Public Assembly		
Church	1 space per 4 seats or 8 feet of bench length in the main auditorium	1 per 3 seats
Library, reading room, museum, art gallery	1 space per 400 square feet of usable floor area plus 1 space per 2 employees	1 per 250 sq. ft. of gross floor area
Pre-school nursery or kindergarten	2 spaces per teacher	2.5 spaces per teacher
Elementary or Junior High School	1 space per employee or 1 space per 4 seats or 8 feet of bench length in auditorium or assembly room, whichever is greater	1 per 15 classroom seats
High School	1 space per employee plus 1 space for each 6 students or 1 space per 4 seats or 8 feet of bench length in the main auditorium, whichever is greater	1 per 8 classroom seats
College or commercial school for adults	.33 space per classroom seat	0.4 space per classroom seat
Other auditorium or meeting room	1 space per 4 seats or 8 feet of bench length. If no fixed seats or benches, 1 space per 60 square feet of usable floor area	.3 space per seat
(e) Commercial Amusements		
Stadium, arena or theater	1 space per 4 seats or 8 feet of bench length	.3 space per seat

Bowling alley	6 spaces per lane plus 1 space per 2 employees	4 spaces per lane
Dance Hall or Skating Rink	1 space per 100 square feet of usable floor area plus 1 space per 2 employees	1 per 80 sq. ft. of usable floor area
Fitness facility or health center	1 space per 300 square feet of gross floor area	1 per 150 sq. ft. of gross floor area
(f) Commercial		
Beauty parlor and Barber shop	2 spaces for each beauty or barber chairs	3 spaces per beauty or barber chair
Retail store except stores selling bulky merchandise	1 space per 300 square feet of usable floor area	1 per 200 sq. ft. of gross floor area
Service or repair shops, retail stores and outlets selling furniture, automobiles, or other bulky merchandise where the operator can show the bulky merchandise occupies the major area of the building	1 space per 600 square feet of usable floor area	1 per 500 sq. ft. of gross floor area
Bank or office (except medical and dental)	1 space per 300 square feet of usable floor area	1 per 150 sq. ft. of gross floor area
Medical and dental office or clinic	1 space per 150 square feet of usable floor area	4 per examination room
Eating or drinking establishments	1 per 4 seats	1 per 2.5 seats
Mortuaries	1 space per 5 seats or 10 feet of bench length in chapels	1 per 4 seats of maximum capacity

(g) Industrial		
Manufacturing establishment	1 per employee of largest shift	1.25 per employee of largest shift
Storage warehouse, wholesale establishment, rail or trucking freight terminal	1 per employee of largest shift	1.5 per employee of largest shift

*Usable Floor Area; refers to areas that are NOT storage, shelf space, areas of floor standing equipment and walking areas/aisle.

XXXX.12 BICYCLE PARKING

Bicycle parking must be provided for all new non-residential development projects. Required bicycle spaces must meet the following design standards:

- A. Bicycle racks shall be capable of locking the bicycle and of supporting the bicycle in an upright position.
- B. Bicycle racks and lockers shall be securely anchored to the ground or a building. Bicycle racks must provide a stable frame to which the bicycle may be conveniently secured, such as the inverted-U, post and loop, or another type of rack that meets these standards. Bicycle racks that support the wheel but not the frame of the bicycle may not be used.
- C. Installation of bicycle racks shall conform to the requirements set forth by the bicycle rack manufacturer with a rectangular space no less than two and a half (2.5) feet wide by six (6) feet long per bicycle, unless a locker or permanent device to stand the bicycle on end is provided.
- D. Bicycle rack shall be installed with adequate space beside the parked bicycle so that a bicyclist will be able to reach and operate the locking mechanism.
- E. Pervious pavement in bicycle rack areas shall be encouraged.
- F. Bike racks shall be located such that they are highly visible from the street and/or building entrance from where bicyclists approach. Bicycle parking areas shall be separate from motor vehicle parking areas.

Bicycle parking shall be provided according to the following schedule. Non-residential uses not identified in the table below shall provide bicycle spaces equal to at least five percent (5%) of the required automobile parking spaces.

Use	# of Bike Spaces
Church	1 per 40 seats
Theater	0.4 space/seat
Office	0.4 space/1,000 sq. ft.
Medical Office	0.4 space/1,000 sq. ft.

Nursing Home	1 per 20 employees
School	8 per classroom
Retail	0.3 per 1,000 sq. ft.
Restaurant	1 per 1,000 sq. ft.

☞ *Upon request, CRWP can provide language for reducing the number of car spaces provided if bicycle parking is offered.*