

**ARTICLE 6
OFF-STREET PARKING AND LOADING REGULATIONS**

1. 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 area 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-1” Business - Central District.

2. General Provisions:
 - A. 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.

 - B. Front Yard Setbacks: Unless excepted by site plan review, off-street parking spaces shall be provided in other than the front yard in all districts, except that in the event an attached garage is converted to a livable room of a dwelling, the parking space may occupy the existing concrete or asphaltic drives when located within the required front yard.

 - C. 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.

 - D. Repair Service: No motor vehicle repair work or service of any kind shall be permitted in association with any off-street parking facilities.

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- E. Computation: When determination of the number of off-street parking spaces required by this regulation results in a requirement of a fractional space, the fraction of 1/2 or less may be disregarded, and a fraction in excess of 1/2 shall be counted as one parking space.
- F. 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.

3. Layout and Site Design Requirements: Off-street parking improvement in other than “R-A”, “R-0,” “R-1,” and “R-1A” Districts shall be subject to site plan review. The construction and renovation of certain structures and facilities must conform to the provisions of the Americans with Disabilities Act (ADA) Title III of 1990. Structure plans for construction, alteration or remodeling permits must identify how compliance to the ADA parking and other site requirements are to be met. Permits for new construction must comply with the entire Title III of the Act as it relates to the structure and site. **(Ord. 2017, 2237)**

The Planning and Zoning Department will provide information upon request to assist the public in interpreting the requirements of the ADA, which generally provide for at least one accessible route within the boundary of the site from a parking space or street to an accessible structure entrance. Accessible spaces and access aisles are required, as well, among other detailed provisions.

For parking layout and site design which is not subject to the ADA requirements, the following standards apply:

- A. Area: A required off-street parking space shall be at least 8 feet 6 inches in width and at least 19 feet in length, exclusive of access drives or aisles, ramps, and columns.
- B. Access: Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space.
- C. Design: Off-street parking spaces shall comply with the design standards relating to curbing, minimum surfacing, stall depth, driveway width, island width, barriers, and ingress and egress as contained in the Off-Street Parking Standards of this article.
- D. Curbing: The perimeter of all off-street parking and loading area and their access drives shall be curbed, with the exception of driveways for single-family and duplex residences. Curbs shall also protect landscape islands and other interior parking features. Curbs shall meet the City of De Soto’s minimum construction standards.

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E. Minimum Surfacing Standards: Minimum Surfacing Standards. All open off-street parking surfacing, including aisles, approaches and driveways shall be hard surfaced as follows: (**Ord. 1183**)

(1) *Non-Residential Development and Multi-family Residential Development: Hard surfacing shall consist of a minimum of six (6) inches asphaltic concrete on six (6) inches of compacted subgrade or six (6) inched Portland cement concrete on four (4) inches of compacted AB-3 aggregate subgrade, unless otherwise recommended by a geotechnical engineer and approved by the City Engineer. Concrete reinforcing steel shall be provided for all concrete surfaces. The reinforcing steel shall be number 4 rebar on twenty-four (24) inch centers each way, or six (6) inch by six (6) inch W14 x W14 welded wire fabric, or as otherwise approved by the City Engineer. (**Ord. 1183**)*

Certain research and development activities (except administrative or non-research and development related office activity) that are agricultural in nature and with low volumes of traffic, shall not be required to **hard surface** and curb their parking lots and entry drives except that seventy-five (75) feet of the drive approach from a public right-of-way shall in all cases be hard surfaced. In addition, any non-agricultural related office use parking area shall be hard surfaced. Ingress and egress shall be by means of paved driveways not exceeding thirty-five (35) feet in width.

(2) *Residential Development: Hard surfacing shall consist of a minimum of four (4) inches of asphaltic concrete on four (4) inches of compacted subgrade or a minimum of four (4) inches of steel reinforced concrete on four (4) inches of compacted AB-3 aggregate subgrade, unless otherwise recommended by a geotechnical engineer and approved by the City Engineer. Concrete reinforcing steel shall be provided for all concrete surfaces. The reinforcing steel shall be number 4 rebar on twenty-four (24) inch centers each way, or six (6) inch by six (6) inch W14 x W14 welded wire fabric, or as otherwise approved by the City Engineer. (**Ord. 1183**)*

*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. (**Ord. 1183**)*

(3) *Compacted Subgrade: For the purposes of these regulations, compacted subgrade shall be defined as ninety-five (95) percent of the standard maximum density for the material used as determined by ASTM 698 with a tolerance of minus three (3) percent and plus two (2) percent of the optimum moisture at the maximum density as determined by the moisture density curve obtained. (**Ord. 1183**)*

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(4) *Right-of-way Determination: In an instance where more or less street right-of-way exist than required by the Subdivision Regulations and/or the Comprehensive Plan, the distance to be hard surfaced shall be measured from a location equal to the minimum “required” right-of-way location as opposed to the actual existing right-of-way location. (Ord. 1183)*

F. *Lighting: Illumination of open and covered parking areas shall be required for all parking areas with more than twenty (20) parking spaces within the site plan. Illumination of all public use areas within thirty (30) feet of the building (e.g. entryways, courtyards, and all other pedestrian areas) shall be required to a minimum foot candle level of illumination as specified in Section F-6. The illumination may not be provided by building mounted light fixtures except for industrial zoning districts (“M-1”, “M-2”) where the fixture is not visible from street right-of-way or residential properties. All building mounted lighting fixtures shall be shielded on all three exposed sides to focus light downward and prevent off-site glare. No fixtures that shine outward and create a glare from street right-of-way or residential properties shall be permitted. Lighting used to illuminate parking areas shall be arranged, located or screened to direct light away from any adjoining or abutting residential district or any street right-of-way. Light poles and fixtures shall meet the following criteria: (Ord. 2083)*

- (1) *The style of light poles and fixtures must complement the design and scale of the building(s).*
- (2) *Lighting poles and fixtures should be of the same style, height, color and luminance throughout the development unless it is demonstrated that variation contributes to the overall character of the area.*
- (3) *The maximum pole height shall be twenty-five (25) feet. Commercial shopping centers and industrial uses may be granted a maximum height of thirty-five feet at the discretion of the Planning Commission unless located adjacent to residential development.*
- (4) *Light fixtures shall be nonadjustable, horizontally mounted fixtures with less than ninety (90) degree luminaire cutoff. Fixtures that project light or glare toward street right-of-way or adjoining properties shall not be permitted.*
- (5) *Average Maintained Foot-candles: The maximum average maintained foot-candles for all parking lots shall be three (3), unless otherwise approved by the Planning Commission. The average maintained illuminance shall be calculated at 80% of the initial foot-candle rating.*

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- (6) *Minimum Foot-candles and Uniformity Ratio Table: The minimum amount of maintained illuminations for parking shall be as provided in the following table:*

<u>Uses</u>	<u>Foot Candles</u>	<u>Uniformity Ratio</u>
<i>Low Activity</i>	<i>0.5</i>	<i>4:1</i>
<i>Medium activity</i>	<i>1.0</i>	<i>3:1</i>
<i>High activity</i>	<i>2.0</i>	<i>3:1</i>

High activity uses shall include major league athletic events, major cultural or civic events, major regional shopping centers and similar uses; medium activity uses include fast food facilities, area shopping centers (fifteen [15] acres or more), hospitals, residential complex parking and similar uses; low activity uses include local merchant parking (less than fifteen [15] acre sites), industrial employee parking, educational parking and similar uses. The light fixtures shall be arranged in order to provide uniform illumination throughout the parking lot as indicated by the table.

- (7) *The maximum maintained vertical foot-candle at an adjacent residential property line shall be one-half (0.5) foot-candle measured five (5) feet above grade. The required illumination within a nonresidential development shall be measured at grade.*

A point-by-point photometric plan and/or proposed hours of illumination shall be required when deemed necessary by the City Engineer. Typically, a plan will be required for properties visible from an arterial roadway or adjacent to residential or site sensitive locations in order to show compliance with the lighting standards.

- G. Landscaping and Screenings: All off-street parking facilities in other than “R-0,” “R-1,” and “R-1A” Districts shall be screened and landscaped as required in site plan review. **(Ord.2017)**
- H. Location of Parking Facilities: Off-street parking facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facility to the entrance of the building that it is required to serve:
- (1) For one and two-family dwellings: On the same lot as the principal structure, with two or more spaces per unit contained within an enclosed garage, except that legal lots of record prior to November 2, 1994 shall be required to provide one or more spaces per unit contained within an enclosed garage.

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- (2) For multifamily dwellings: Not more than 200 feet from the premises they are required to serve, with one or more spaces per unit covered with a carport.
- (3) For commercial and institutional uses (for hospitals, sanitariums, asylums, orphanages, rooming houses, club rooms, fraternity and sorority houses): Not more than 300 feet from the building they are required to serve.
- (4) For uses other than those specified above, not more than 1,000 feet from the building they are intended to serve.

4. Required Spaces: Off-street parking spaces shall be provided as follows:

A. Dwelling and Lodging Uses:

- (1) Boarding or rooming houses: One parking space per each three sleeping rooms.
- (2) Dormitories, fraternities, and sororities: Two parking spaces for each three occupants based on the maximum design capacity of the structure.
- (3) Hotels and motels: One space per each rental unit plus one space per each two employees in the largest working shift and such spaces as are required for restaurants, assembly rooms, and other affiliated facilities provided.
- (4) Manufactured home parks: Two parking spaces per each manufactured home.
- (5) Nursing homes, rest homes, etc.: One parking space per each five beds based on the designed maximum capacity of the structure, plus one parking space for each employee.
- (6) Single-family: Three spaces per dwelling unit.
- (7) Two-family and multifamily: Two spaces per dwelling unit. Two-family and multifamily dwelling units designed specifically for the elderly, one space per two dwelling units.

B. Business, Commercial, and Industrial Uses:

- (1) Automobile, truck, recreational vehicle and manufactured 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 said vehicles, plus one parking space for each employee.

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- (2) Automobile salvage yards: One parking space for each employee, plus one parking space for each 10,000 square feet of storage area.
- (3) Financial, business, and professional offices: One parking space for each 300 square feet of gross floor area.
- (4) Bowling alleys: Four parking spaces for each lane.
- (5) Cartage, express, parcel delivery and freight terminal establishments: One parking space for each two employees in the largest working shift in a 24-hour period, plus one parking space for each vehicle maintained on the premises.
- (6) Automobile wash: Three holding spaces for each car washing stall plus two drying spaces for each car washing stall.
- (7) 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 premises.
- (8) Furniture and appliance stores, household equipment or furniture repair shop: One parking space for each 400 square feet of floor area.
- (9) Manufacturing, production, processing, assembly, disassembly, cleaning, servicing, testing or repairing of goods, materials or products: One per three employees based upon the largest working shift in any 24-hour time period.
- (10) Medical and dental clinics or offices: One parking space for each 200 square feet of gross floor area.
- (11) Restaurants, private clubs and taverns: One parking space for 2.5 seats based on the maximum designed seating capacity; provided, however, that drive-in restaurants shall have a minimum of at least ten parking spaces.
- (12) Retail stores and shops: One space per 200 square feet of floor area.
- (13) Service stations: One parking space for each employee plus two spaces for each service bay.

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- (14) Theaters, auditoriums, and places of assembly with fixed seats: One space for each 3.5 seats.
- (15) Theaters, auditoriums, and places of assembly without fixed seats: One parking space for each four people, based upon the computed occupant load of the structure or the assembly area.
- (16) Warehouse, storage and wholesale establishments: One parking space for each two employees based upon the largest working shift in any 24-hour period.
- (17) All other business and commercial establishments not specified above: One parking space for each 300 square feet of floor area.

C. Other Uses:

- (5) Churches: One parking space for each six seats based upon the maximum designed seating capacity, including choir lofts.
- (6) Elementary, junior high and equivalent parochial and private schools: Two spaces for each classroom.
- (7) High schools, colleges, universities and other similar public or private institutions of higher learning: Eight parking spaces for each classroom, plus one space for each two employees.
- (8) Hospitals: One parking space for every four beds, plus one parking space for each resident or staff doctor plus one space for each two employees based on the largest working shift in any 24-hour period.
- (9) Laundromats: One space for each two washing machines.
- (10) Nursery schools and day care centers, public or private: One parking space for each employee.
- (11) Fraternal associations and union headquarters: One parking space for each three seats based upon the design maximum seating capacity.
- (12) Swimming pools and clubs: One parking space for each 50 square feet of water area.

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- (13) Trade and commercial schools: One parking space for each three students and employees.

5. Special Uses:

- A. District Permitted: In order to provide off-street parking areas, the Planning Commission may, after public notice and hearing, grant as a special use the establishment of parking areas in any zoning district under the provisions further set forth in this section.
- B. Location: Parking provided under this section must be within 300 feet (along lines of public access) from the boundary of the use for which the parking is provided.
- C. 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 proper operation of the parking lot shall be permitted.

6. 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 “C-1” Business District, loading facilities shall be provided in accordance with the following table:

<u>Gross Floor Area of Establishments in Thousands of Sq. Ft.</u>	<u>Required Number and Size of Loading 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 “M-1” and “M-2” Districts, loading facilities shall be provided in accordance with the following table:

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

- (3) 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.