

SECTION 1107.00 SPECIAL PROVISIONS.

SECTION 1107.12 OFF-STREET PARKING.

1107.12 SUBD. 1. PURPOSE.

The regulation of off-street parking spaces is to alleviate or prevent congestion of the public right-of-way and to promote the safety and general welfare of the public, by establishing minimum requirements for off-street parking of motor vehicles in accordance with the utilization of various parcels of land or structures.

1107.12 SUBD. 2. APPLICATION OF OFF-STREET PARKING REGULATIONS.

The regulations and requirements set forth herein shall apply to all off-street parking facilities in all of the zoning districts of the City.

1107.12 SUBD. 3. SITE PLAN DRAWING NECESSARY.

All applications for a building permit in all zoning districts shall be accompanied by a site plan drawn to scale and dimensioned indicating the location of off-street parking and loading spaces in compliance with the requirements set forth in this Section. All site plans for single family homes must provide for location of garage, not less than 400 square feet.

1107.12 SUBD. 4. GENERAL PROVISIONS.

1. Floor Area. The term "floor area," for the purpose of calculating the number of off-street parking spaces required, shall be determined on the basis of the square footage floor area of the buildings, structures or use except as may hereinafter be provided or modified.
2. Reduction of Existing Off-Street Parking Space or Lot Area. Off-street parking spaces and loading spaces or lot area existing upon the effective date of this Section shall not be reduced in number or size unless said number or size exceeds the requirements set forth herein for a similar new use.
3. Non-Conforming Structures. Should a non-conforming structure or use be damaged or destroyed by fire, it may be re-established if elsewhere permitted in this Ordinance, except that in doing so, any off-street parking or loading space which existed before shall be retained.
4. Change of Use or Occupancy of Land. No change of use or occupancy of land already dedicated to a parking area, parking spaces or loading spaces shall be made, nor shall any sale of land, division or subdivision of land be made which reduces area necessary for parking, parking stalls or parking requirements below the minimum prescribed by this Section.
5. Change of Use or Occupancy of Buildings. Any change of use or occupancy of any building or buildings, including additions thereto, requiring more parking area

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shall not be permitted until there is furnished such additional parking spaces as required by this Section.

6. Residential Area Parking. On and off-street parking facilities accessory to residential use shall be utilized solely for the parking of licensed and operable passenger automobiles; no more than one (1) truck not to exceed gross capacity of nine thousand (9,000) pounds; and recreational vehicles and equipment. Under no circumstances shall required parking facilities accessory to residential structures be used for the storage of commercial vehicles used on-site or equipment, or for the parking of automobiles belonging to the employees, owners, tenants or customers of business or manufacturing establishments.
7. Calculating Space.
  - A. When determining the number of off-street parking spaces results in a fraction, each fraction of one-half (1/2) or more shall constitute another space.
  - B. In stadiums, sports arenas, churches and other places of public assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each twenty-two (22) inches of such seating facilities shall be counted as one seat for the purpose of determining requirements.
  - C. Except as provided for under joint parking and shopping centers, should a structure contain two (2) or more types of use, each use shall be calculated separately for determining the total off-street parking spaces required.
8. Design.
  - A. Except for handicapped parking spaces, each parking space shall be not less than nine (9) feet wide and twenty (20) feet in length exclusive of access aisles, and each space shall be served adequately by access aisles.
  - B. The off-street parking requirements may be furnished by providing a space so designed within the principal building or one structure attached thereto; however, unless provisions are made, no building permit shall be issued to convert said parking structure into a dwelling unit or living area or other activity until other adequate provisions are made to comply with the required off-street parking provisions of this Section.
  - C. Except in the case of single and two-family townhomes, parking areas shall be designed so that circulation between parking bays or aisles occurs within the designated parking lot and does not depend upon a public street or alley. Except in the case of single and two-family townhomes, parking area design which requires backing into the public street is prohibited.

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- D. Except in the case of single and two-family townhomes, parking areas and their aisles shall be developed in compliance with the standards of this Section.
- E. All impervious surfaces shall be a minimum of two (2) feet from the property line on all sides.
- F. The grade of any parking area shall not exceed five (5) percent, except single and two-family dwellings.
- G. All areas intended to be utilized for parking space and driveways shall be surfaced with materials suitable to control dust and drainage. Driveways and stalls, as well as parking for recreational vehicles and equipment shall be surfaced with asphalt or concrete, or other approved surfaces. Plans for surfacing and drainage of driveways and stalls for five (5) or more vehicles shall be submitted to the City Engineer for his/her review and the final drainage plan shall be subject to his/her written approval.
- H. Except for single and two family townhomes, all parking stalls shall be marked with white or yellow painted lines not less than four (4) inches wide.
- I. Any lighting used to illuminate an off-street parking area shall be hooded and so arranged as to reflect the light away from adjoining property, abutting residential uses and public rights-of-way and be in compliance with Section 1107.01, Subdivision 3, of this Ordinance.
- J. Except for single and two-family townhomes, all open, off-street parking shall have a perimeter curb barrier around the entire parking lot; said curb barrier shall not be closer than five (5) feet to any lot line.
- K. Except for single and two-family townhomes, all open, off-street parking areas, in a commercial or industrial district and abutting or adjacent to TH 169, shall have a buffer between the curb of said parking area and sidewalk, street, lot line or adjacent parking area. The buffer shall consist of at least one or a combination of the following:
1. Shade trees at maximum intervals of thirty (30) feet.
  2. Decorative fence, masonry wall or hedge. A solid wall or dense hedge shall be no less than three (3) feet and no more than four (4) feet in height.
- L. Adequate space for snow storage shall be provided on the site so as not to reduce the required minimum number of parking spaces.
- M. A Driveway Permit is required prior to modification of an existing driveway or new construction of a driveway.

- N. Driveways, curb cuts and surfacing conditions existing as of the date of this ordinance, shall come into conformance with the requirements of Section 1107.14 Subd 4 and 5, at the time of city reconstruction projects. A driveway permit will be obtained prior to work commencing on-site. There will be no fee for the driveway permit at this time.

#### 1107.12 SUBD 5. DRIVEWAY PERMIT.

All property owners are required to obtain a driveway permit prior to modification of an existing driveway or the construction of a new driveway. The permit must be obtained from the Zoning Administrator prior to commencement of work.

1. Permits will be reviewed by the Zoning Administrator, Public Works Superintendent and City Engineer, as necessary.

#### 2. Residential Properties:

- A. The maximum residential driveway width at the curb shall be twenty-four (24) feet unless a wider driveway is requested and approved in the driveway permit. A driveway width of up to a maximum of thirty-six (36) feet may be permitted based upon the City's evaluation of the following considerations:

1. The following criteria must be met prior to consideration of a wider driveway than twenty-four (24) feet:

- a) The property setbacks allow for the curb cut to be located greater than five (5) feet from the property line.
- b) No curb cut access shall be located less than thirty (30) feet from the intersection of two or more street rights-of-way.
- c) The entire driveway must be improved with asphalt, concrete, or other approved surfaces.

2. The following criteria will be used to determine if a wider driveway will be approved:

- a) Safety concerns relative to the functionality of the street, such as backing up into a major thoroughfare, will also be considered.
- b) The driveway leads to an attached or detached garage with three (3) vehicular stalls.
- c) Consideration will be to curb cuts in existence at the time the permit is made, but will not be guaranteed approval to remain as is unless it meets one of these conditions listed above.

- B. Each property, whether residential or commercial, shall be allowed one (1) curb cut access. A permit to request multiple driveways on a single family or multi-family property may be permitted based upon the City's evaluation of the following considerations:

1. The following criteria must be met prior to consideration for multiple driveways on a property:
  - a) Driveway access curb openings on a public street, except single and two-family townhomes, shall not be located less than forty (40) feet from one another.
  - b) The property setbacks allow for the curb cut to be located greater than five (5) feet from the property line.
  - c) No curb cut access shall be located less than 30 feet from the intersection of two or more street rights-of-way.
  - d) The street frontage is greater than one hundred twenty-five (125) feet for the side of the property where multiple driveways are being requested.
  - e) The entire driveway must be improved with asphalt, concrete, or other approved surface.
  
2. The following criteria will be used to determine if multiple driveways will be approved on a property:
  - a) Safety concerns relative to the functionality of the street, such as backing up into a major thoroughfare, will also be considered.
  - b) The driveway(s) leads to a structure with vehicular access.
  - c) Consideration will be given to multiple curb cuts in existence at the time the permit is made, but will be not guaranteed approval to remain as is unless it meets one of these conditions listed above.
  
3. Commercial Properties:
  - A. The maximum commercial driveway width at the curb shall be thirty-two (32) feet unless approved by the City Engineer. The driveway approach/apron shall be constructed to city design standards, per City Code, Chapter 12, Section 1205.00 Design Standards.
  - B. Driveway access curb openings on a public street, except single and two-family townhomes, shall not be located less than forty (40) feet from one another.
  - C. All areas intended to be utilized for parking spaces and driveways shall be surfaced with materials suitable to control dusty and drainage. Driveways and stalls, as well as parking for recreational vehicles and equipment shall be surfaced with concrete or asphalt, or other approved surfaces. Plans for surfacing and drainage of driveways and stall for five (5) or more vehicles shall be submitted to the City Engineer for his/her review and the final drainage plan shall be subject to his/her written approval.
  
4. Restoration of City Right-of-Way

The curb needs to be replaced/restored to B-6, high back curb, unless otherwise indicated on the permit. The driveway approach/apron shall be constructed to city standards, per City Code, Chapter 12, Section 1205.00 Design Standards.

1107.12 SUBD. 6. MAINTENANCE.

It shall be the joint responsibility of the lessee and owner of the principal use, uses or buildings to maintain in a neat and adequate manner the parking space, access ways, striping, landscaping and required fences.

1107.12 SUBD. 7. LOCATION.

All accessory off-street parking facilities as required by this Ordinance shall be located and restricted as follows:

1. Required accessory off-street parking shall be on the same lot under the same ownership as the principal use being served, except under the provisions of Subdivisions 10 and 11 of this Section.
2. The boulevard portion of the street right-of-way shall not be used for parking.
3. In the case of single and two-family townhomes, parking shall be prohibited in any portion of the required front yard except designated driveways leading directly into a garage, or one open, surfaced space located on the side of a driveway, away from the principal use. Said extra space shall be surfaced with concrete or bituminous material.

1107.12 SUBD. 8. USE OF REQUIRED AREA.

Required accessory off-street parking spaces in any district shall not be utilized for open storage, sale or rental of goods, storage of inoperable vehicles and/or storage of snow.

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1107.12 SUBD. 9. HANDICAPPED PARKING SPACES.

Except for single and two-family townhomes, at least one (1) handicapped parking space shall be provided for each development. An additional space shall be provided for each increment of fifty (50) spaces in excess of the initial fifty (50) spaces. Handicapped spaces shall be located so as to provide convenient, priority access to the principal use and shall conform to Minnesota Statutes, Section 168.021, as may be amended.

1107.12 SUBD. 10. NUMBER OF SPACES REQUIRED.

The following minimum number of off-street parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth:

1. Single Family and Two Family Townhome Units. Two (2) spaces per unit.
2. Multiple Family Dwellings. Two (2) spaces per unit.
3. Motels, Bed & Breakfast Inns, Hotels. One (1) space per each rental unit plus one (1) space for each ten (10) units and one (1) space for each employee on any shift.
4. School, Elementary and Junior High. One (1) parking space for each classroom plus one (1) additional space for each fifty (50) student capacity.
5. School, High School Through College and Private and Day or Church Schools. One (1) parking space for each five (5) students based on design capacity plus one (1) for each classroom.
6. Church, Theater, Auditorium. One (1) parking space for each four (4) seats based on the design capacity of the main assembly hall. Facilities as may be provided in conjunction with such buildings or uses shall be subject to additional requirements which are imposed by this Ordinance.
7. Community Centers, Health Studios, Libraries, Private Clubs, Lodges. Ten (10) spaces plus one (1) for each one hundred fifty (150) square feet in excess of two thousand (2,000) square feet of floor area in the principal structure.
8. Nursing Home. Four (4) spaces plus one (1) for each three (3) beds for which accommodations are offered.
9. Elderly (Senior Citizen) Housing. One (1) parking space per unit. Initial development is, however, required of only one-half (1/2) space per unit and said number of spaces can continue until such time as the Council considers a need for additional parking spaces has been demonstrated.
10. Drive-In Establishment and Convenience Food. One (1) parking space for each thirty-five (35) square feet of gross floor area of service and dining area, but not less than fifteen (15) spaces. Two (2) additional parking spaces shall be added

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for drive-through services facilities and one (1) space for each eighty (80) square feet of kitchen/storage area.

11. Office Buildings, Animal Hospitals, Professional Offices and Medical Clinics. Three (3) spaces plus one (1) space for each two hundred (200) square feet of floor area.
12. Bowling Alley. Five (5) parking spaces for each alley, plus additional spaces as may be determined by the City Council herein for related uses contained within the principal structure.
13. Motor Fuel Station. Four (4) off-street parking spaces plus two (2) off-street parking spaces for each service stall. Those facilities designed for sale of other items than strictly automotive products, parts or service shall be required to provide additional parking in compliance with items 10, 16, 18 and 21 of this Section.
14. Retail Store and Service Establishment. One (1) off-street parking space for each two hundred (200) square feet of floor area.
15. Retail Sales and Service Business With Fifty (50) Percent or More of Gross Floor Area Devoted to Storage, Warehouse and/or Industry. Eight (8) spaces or one (1) space for each two hundred (200) square feet devoted to public sales or service plus one (1) space for each five hundred (500) square feet of storage area; or eight (8) spaces or one (1) space for each employee on the maximum shift, whichever is appropriate as determined by the City Council.
16. Restaurants, Cafes, Private Clubs Serving Food and/or Drinks, Bars, On-Sale Nightclubs. One (1) space for each forty (40) square feet of gross floor area of dining and bar area and one (1) space for each eighty (80) square feet of kitchen area.
17. Funeral Services. Thirty (30) parking spaces for each chapel or parlor, plus one (1) parking space for each funeral vehicle maintained on the premises. Aisle space shall also be provided off-street for making up a funeral procession.
18. Auto Repair, Major Bus Terminal, Taxi Terminal, Boats and Marine Sales and Repair, Bottling Company, Shop for a Trade Employing Six (6) or Less People, Garden Supply Store, Building Material Sales in Structure. Eight (8) off-street parking spaces, plus one (1) additional space for each eight hundred (800) square feet of floor area over one thousand (1,000) square feet.
19. Manufacturing, Fabricating or Processing of a Product or Material. One space for each three hundred fifty (350) square feet of floor area, plus one (1) space for each company owned truck (if not stored inside principal building).
20. Warehousing, Storage or Handling of Bulk Goods. That space which is solely used as office shall comply with the office use requirements and one (1) space per each one thousand (1,000) square feet of floor area, plus one (1) space for each



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employee on maximum shift and one (1) space for each company owned truck (if not stored inside principal building).

21. Car Wash. (In addition to required magazine or stacking space.)
  - a. Automatic Drive Through Services. A minimum of five (5) stacking spaces and one (1) space for each employee on the maximum shift, whichever is greater.
  - b. Self-Service. A minimum of two (2) spaces.
  - c. Motor Fuel Station Car Wash. Zero (0) in addition to that required for the station.
22. Shopping Centers. Five and one-half (5 1/2) spaces per each one thousand (1,000) square feet of gross leasable floor area (exclusive of common areas).
23. Day Care Nurseries. Three (3) spaces plus at least one (1) space for each two hundred (200) square feet of floor area.
24. Other Uses. Other uses not specifically mentioned herein or unique cases shall be determined on an individual basis by the Council. Factors to be considered in such determination shall include (without limitation) size of building, type of use, number of employees, expected volume and turnover of customer traffic and expected frequency and number of delivery or service vehicles.
25. Space Reductions. Subject to the review and processing of a conditional use permit as regulated by Section 1103.08 of this Ordinance, the City may reduce the number of required off-street parking spaces when the use can demonstrate in documented form a need which is less than required. In such situations, the City may require land to be reserved for parking development should use or needs change.
26. Parking in the B-3, Central Business District:
  - a. No off-street parking requirements shall be required for facilities with commercial uses only.
  - b. For facilities that contain residential units, two (2) parking spaces per unit.

#### 1107.12 SUBD. 11. JOINT FACILITIES.

The Council may, after receiving a report and recommendation from the Planning Commission, approve a conditional use permit for one (1) or more businesses to provide the required off-street parking facilities by joint use of one (1) or more sites where the total number of spaces provided are less than the sum of the total required for each business should they provide them separately. When considering a request for such a permit, the Planning Commission shall not recommend that such permit be granted, nor the Council approve such a permit except when the following conditions are found to exist.

1. Up to fifty (50) percent of the parking facilities required for a theatre, bowling alley, dance hall, bar or restaurant may be supplied by the off-street parking facilities provided by types of uses specified as primarily daytime uses in Item No. 4 below.
2. Up to fifty (50) percent of the off-street parking facilities required for any use specified under Item No. 4 below as primarily daytime uses may be supplied by the parking facilities provided by the following night time or Sunday uses: auditoriums incidental to a public or parochial school, churches, bowling alleys, dance halls, theaters, bars, apartments or restaurants.
3. Up to eighty (80) percent of the parking facilities required by this Section for a church or for an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities provided by uses specified in Item No. 4 below as primarily daytime uses.
4. For the purpose of this Section, the following uses are considered as primarily daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing, wholesale and similar uses.
5. Conditions Required for Joint Use:
  - A. The building or use, for which application is being made to utilize the off-street parking facilities provided by another building or use, shall be located within three hundred (300) feet of such parking facilities.
  - B. The application shall show that there is no substantial conflict in the principal operating hours of the two (2) buildings or uses (for which joint use of off-street parking facilities is proposed).
  - C. A properly drawn legal instrument, executed by the parties concerned for joint use of off-street parking facilities, duly approved as to form and manner of execution by the City Attorney, shall be filed with the Zoning Administrator and recorded with the Scott County Recorder.

#### 1107.12 SUBD. 12. OFF-SITE PARKING.

1. Any off-site parking which is used to meet the requirements of this Ordinance shall be a conditional use as regulated by Section 1103.08 of this Ordinance and shall be subject to the conditions listed below.
2. Off-site parking shall be developed and maintained in compliance with all requirements and standards of this Ordinance.
3. Reasonable access from off-site parking facilities to the use being served shall be provided.

4. Except as provided below, the site used for meeting the off-site parking requirements of this Ordinance shall be under the same ownership as the principal use being served or under public ownership.
5. Off-site parking for multiple family dwellings shall not be located more than one hundred (100) feet from any normally used entrance of the principal use served.
6. Except as provided below, off-site parking for non-residential uses shall not be located more than three hundred (300) feet from the main public entrance of the principal use being served.
7. Any use which depends upon off-site parking to meet the requirements of this Section shall maintain ownership and parking utilization of the off-site location until such time as on-site parking is provided or a site in closer proximity to the principal use is acquired and developed for parking.
8. Compliance with off-street parking requirements provided through leased off-street parking may be approved by the Council, subject to the following conditions:
  - A. The lease shall specify the total number and location of parking spaces under contract and this number, when added to any on-site parking required, must be equal to the total number of parking spaces required.
  - B. The lease instrument shall legally bind all parties to the lease and provide for amendment or cancellation only upon written approval from the City.
  - C. The lease agreement shall incorporate a release of liability and any other provisions, as recommended by the City Attorney that are deemed necessary to ensure compliance with the intent of this Section.

*(Ord. 12-02, Section 1107.12, Off Street Parking, Adopted May 21, 2012.)*

