

## CHAPTER 19

### OFF-STREET PARKING AND LOADING REQUIREMENTS

#### SECTION:

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**01-19-1: PURPOSE:** The regulation of off-street parking spaces and loading areas in this Article is to alleviate or prevent congestion of the public rights of way and to promote the safety and general welfare of the public, by establishing minimum requirements for off-street parking and loading areas for motor vehicles in accordance with the intensity of utilization of various parcels of land or structures.

**01-19-2: APPLICATION:** The regulations and requirements set forth herein shall apply to all off-street parking and loading areas in all of the zoning districts of the City, except the B-2 District, which shall be exempt from the provisions of Section 01-19-5 of this Article.

#### **01-19-3: GENERAL PROVISIONS:**

- A. **Reduction Of Existing Off-Street Parking Space Or Lot Area:** Off-street parking spaces and loading areas existing upon February 10, 2003 hereof shall not be reduced in number or size unless said number or size exceeds the requirements set forth herein for a similar new use.
- B. **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 areas shall be made, nor shall any sale of land, division or subdivision of land be made which reduces area necessary for parking, loading, or circulation below the minimum prescribed by this Article.
- C. **Change Of Use Or Occupancy Of Buildings:** Any change of use or occupancy of any building or buildings including additions thereto requiring

more parking and loading area shall not be permitted until there is furnished such additional parking and loading areas as required by this Article.

- D. **Disability Accessible Parking:** Disability accessible parking spaces shall be provided as applicable pursuant to Minnesota Statutes 168.021, as may be amended.

E. **Restrictions On Parking:**

1. 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. All site plans required by this Article shall illustrate the size and location of snow storage space on the property in question.
2. Except as may be otherwise allowed by this Article, on- and off-street parking facilities accessory to a residential use shall be utilized solely for the parking of licensed and operable motor vehicles not to exceed twenty two feet (22') in length and eight feet (8') in height; and recreational vehicles and equipment. Exceptions, for cause and in compliance with the intent and purpose of this Article, may be approved by the Zoning Administrator as an administrative permit.
3. Except as may otherwise be allowed by this Article, shall required parking facilities accessory to residential structures be used for the storage of commercial vehicles or equipment or for the parking of automobiles belonging to the employees, owners, tenants, or customers of business or manufacturing establishments.
  - a. **Semi-Tractor Parking.** Semi-tractors shall be permitted to park within residential zoned districts provided the semi-tractor is parked off the street and the motor is shut off while the semi-tractor is so parked.
  - b. **Semi-Trailer Parking.** Semi-trailers shall not be permitted within residential zoned districts except for the specific purpose of actually loading or unloading cargo or freight.
4. Except where specifically allowed, contracting, excavating equipment, or other commercial vehicles and equipment may not be parked or stored on any property in the City unless it is being used in conjunction with a temporary service benefiting the premises.

- F. **Repair Work:** No motor vehicle repair work of any kind shall be permitted in conjunction with exposed off-street parking facilities, except for temporary (not exceeding eight (8) hours) minor repairs of vehicles owned by the occupant or resident of the principal use for which the parking space is intended. No exterior storage of car parts is allowed at any time.
- G. **Maintenance:** It shall be the joint and several responsibility of the lessee and owner of the principal use, uses or building to maintain in a neat and adequate manner, the parking space, loading areas, accessways, striping, landscaping, and required fences/screening.
- H. **Location:** All accessory off-street parking and loading areas required by this Article shall be located and restricted as follows:
1. **Lot and Ownership:** Required off-street parking and loading areas shall be on the same lot under the same ownership as the principal use being served, except under the provisions of Section 01-19-8 of this Article.
  2. **Direct Access:** Except as allowed by administrative permit for guest parking and except for single family, two family, townhouse and quadraminium dwellings, head-in parking, directly off of and adjacent to a public street, with each stall having its own direct access to the public street, shall be prohibited.
  3. **Boulevard:** The boulevard portion of the street right-of-way shall not be used for parking, loading areas, or circulation.
  4. **Setback Area:** Required accessory off-street parking shall not be provided in required front yards or in required side yards adjacent to a public right-of-way in the case of a corner lot in residential districts defined by Chapter 50 of this Article.
  5. **Prohibited in Yard:** In the case of single family, two family, townhouse and quadraminium dwellings, parking shall be prohibited in any portion of the front, side, or rear yard, except on 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 paver bricks, concrete or bituminous material.

**01-19-4: PARKING STALL, AISLE AND DRIVEWAY DESIGN:**

- A. **Design Standards:**

1. Except for single-family and two-family residential uses or as otherwise provided for herein, all off-street parking facilities shall conform with the following design standards:

**PARKING LOT DIMENSIONS TABLE\***

Angle Of Parking	Curb				Angle Of Parking	Curb			
	Stall Width	Length Per Car	Stall Depth	Aisle Width		Stall Width	Length Per Car	Stall Depth	Aisle Width
<b>0 degrees</b>	9'0"	23' 0"	9' 0"	12'0"	<b>50 degrees</b>	9'0"	11' 9"	20' 5"	12'0"
	9'6"	23' 0"	9' 6"	12'0"		9'6"	12' 5"	20' 9"	12'0"
	10'0"	23' 0"	10' 0"	12'0"		10'0"	13' 2"	21' 0"	12'0"
<b>20 degrees</b>	9'0"	26' 4"	15' 0"	11'0"	<b>60 degrees</b>	9'0"	10' 5"	21' 0"	18'0"
	9'6"	27'10"	15' 6"	11'0"		9'6"	11' 0"	21' 3"	18'0"
	10'0"	29' 3"	15'11"	11'0"		10'0"	11' 6"	21' 6"	18'0"
<b>30 degrees</b>	9'0"	18' 0"	17' 4"	11'0"	<b>70 degrees</b>	9'0"	9' 8"	21' 0"	19'0"
	9'6"	19' 0"	17'10"	11'0"		9'6"	10' 2"	21' 3"	18'6"
	10'0"	20' 0"	18' 3"	11'0"		10'0"	10' 8"	21' 3"	18'0"
<b>40 degrees</b>	9'0"	14' 0"	19' 2"	12'0"	<b>80 degrees</b>	9'0"	9' 2"	20' 4"	24'0"
	9'6"	14'10"	19' 6"	12'0"		9'6"	9' 8"	20' 5"	24'0"
	10'0"	15' 8"	19'11"	12'0"		10'0"	10' 3"	20' 6"	24'0"
<b>45 degrees</b>	9'0"	12' 9"	19'10"	13'0"	<b>90 degrees</b>	9'0"	9' 0"	20' 0"	24'0"
	9'6"	13' 5"	20' 2"	13'0"		9'6"	9' 6"	20' 0"	24'0"
	10'0"	14' 2"	20' 6"	13'0"		10'0"	10' 0"	20' 0"	24'0"

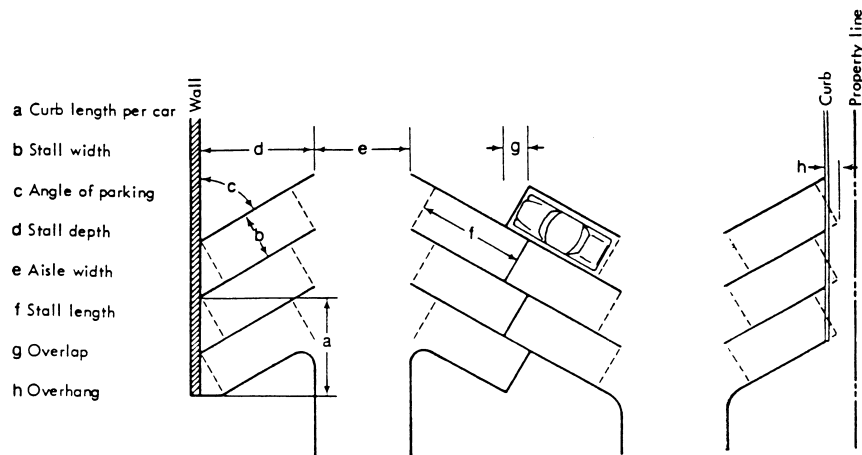
\* This table pertains to a wall-to-wall situation.

2. Parking Area and Drive Aisle Setbacks:

Parking Area And Drive Setbacks		
Dimension	Land Use	Setback
Front yard and side yard abutting a street setback of parking and drive to lot line	R districts	30.0 feet
	Commercial districts	10.0 feet
	Industrial districts	10.0 feet
Interior side and rear yard setback of parking to lot line	R districts	5.0 feet

	Commercial districts	10.0 feet
	Industrial districts	10.0 feet

3. Joint or combined parking facilities on separate lots as authorized and when constructed adjacent to a common lot line separating two (2) or more parking areas are not required to observe the parking area setback from such common lot line.
4. For commercial and industrial uses, side and rear yard setbacks shall be twenty feet (20') when abutting a residential district.



5. Within Structures:
  - a. The off-street parking requirements may be furnished by providing a space so designed within the principal building or detached accessory structure.
  - b. Unless alternative provisions in compliance with this Chapter and Title are made, no building permit shall be issued to convert said parking structure into a dwelling unit or living area or other activity.
6. Circulation:
  - a. Except in the case of single-family, two-family, townhouse and quadraminium dwellings, access and 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.

- b. Except in the case of single-family, two-family, townhouse and quadraminium dwellings, access and parking area design which requires backing into the public street is prohibited.
- c. Subject to approval of an administrative permit by the Zoning Administrator, the required parking spaces serving one- and two-family dwellings constructed prior to February 10, 2003, may be designed for parking not more than two (2) vehicles in a tandem arrangement for each dwelling unit in order to comply with the requirements of this Chapter. In no case shall such space project into a sidewalk, or public or private street or driveway.

7. Curb Cut Location/Driveway Access Spacing: Curb cut locations and driveway access spacing shall meet the following setbacks:

MINIMUM DRIVEWAY DISTANCE FROM INTERSECTING STREET					
Uses (a) Street w/ Proposed Driveway	Nearest Intersecting Street				Minimum Spacing Between Adjacent Driveways
	Local	Minor Collector	Major Collector	Arterial	
Local Residential Indiv. Com./Indust./Instit./M.F. Multiple Commercial	40 ft. 50 ft. 90 ft.	40 ft. 50 ft. 90 ft.	50 ft. 90 ft. 125 ft.	50 ft. 90 ft. 125 ft.	-- 50 ft. 100 ft.
Minor Collector Residential Indiv. Com./Indust./Instit./M.F. Multiple Commercial	40 ft. 50 ft. 90 ft.	40 ft. 50 ft. 90 ft.	50 ft. 90 ft. 125 ft.	50 ft. 90 ft. 125 ft.	-- 50 ft. 100 ft.
Major Collector Residential Indiv. Com./Indust./Instit./M.F. Multiple Commercial	N.P. 90 ft. 125 ft.	N.P. 90 ft. 125 ft.	N.P. 220 ft. 220 ft.	N.P. 220 ft. 220 ft.	N.P. 200 ft.(b) 200 ft.(b)

Arterial					
Residential (B)	N.P.	N.P.	N.P.	N.P.	N.P.
Indiv.	N.P.	N.P.	N.P.	660 ft.	230 ft.(c)
Com./Indust./Instit./M.F.	N.P.	N.P.	N.P.	660 ft.	230 ft.(c)
Multiple Commercial					

- a. Driveways onto arterials and major collectors shall be prohibited where alternative street access is available. For existing lots of record, where alternative access is not available, direct access onto arterial and major collectors may be permitted, provided a site plan is submitted for review and approval of the City Engineer.
  - b. Location of driveways less than the distances specified in the aforementioned table may be approved by conditional use permit subject to Chapter 5 of this Article..
  - c. Site access will not be permitted within right turn lanes or taper areas of a street.
  - d. As applicable, permits shall also be required from Wright County and the Minnesota Department of Transportation.
8. Curb Cut Width: No driveway curb cut access within the public right-of-way shall exceed twenty four feet (24') in width unless approved by the City Engineer.
  9. Property Lines: Except as allowed by administrative permit, curb cut openings shall be a minimum of five feet (5') from the side yard property line in all districts.
  10. Grade Elevation:
    - a. Parking Spaces And Areas: The grade elevation of any parking area shall not exceed five percent (5%), except as approved by the City Engineer.
    - b. Driveways: Unless approved by the City Engineer, the grade elevation of any driveway shall not exceed:
      - (1) Ten percent (10%) for single-family and two-family dwellings.
      - (2) Five percent (5%) for all other uses.

11. Number Allowed: Each property shall be allowed one curb cut access for each one hundred twenty five feet (125') of street frontage, except by administrative permit. All property shall be entitled to at least one curb cut. Single-family uses shall be limited to one curb cut access per property unless an administrative permit is approved, subject to the following criteria:
  - a. The additional access is necessary to provide adequate on-site circulation.
  - b. The additional access shall create a minimum of conflict with through traffic movement and shall comply with the requirements of this Chapter.
12. Surfacing:
  - a. All areas intended to be utilized for parking space and driveways shall be surfaced with materials suitable to control dust and drainage. Except in the case of farm dwellings and farm operations, driveways and parking stalls shall be surfaced with asphalt, concrete, cobblestone or paving brick.
  - b. Except for single family, two family, townhouse and quadraminium dwellings or as required or exempted by the City Engineer, drive aisles and parking stalls shall be constructed in accordance with the following minimum tonnage standards:
    - (1) One and one-half inch (1.5") wear course.
    - (2) Two inch (2") base course.
    - (3) Six inch (6") aggregate base (Class 5).
    - (4) Subgrade subject to City Engineer's approval.
  - c. Plans for surfacing and drainage of driveways and stalls for five (5) or more vehicles shall be submitted to the City Engineer for review and the final plans shall be subject to the Engineer's written approval.
13. Striping: Except for single-family, two-family, townhouse, and quadraminiums, all parking areas of five (5) spaces or more shall be marked with white or yellow painted lines not less than four inches (4") wide.



14. Lighting: Any lighting used to illuminate an off-street parking area shall be in compliance with Section 01-16-8 of this Article.
15. Curbing: Except for single-family, two-family, townhouse and quadraminiums, all open off-street parking shall have a perimeter continuous concrete curb around the entire parking lot.
16. Pedestrian Provision: Off-street parking areas shall be designed such that vehicle and pedestrian circulation is accommodated in a safe, complementary, and orderly fashion. When curb separated sidewalks are provided at the head of parking stalls, the minimum width shall be five feet (5').
17. Parking Lot Landscaping:
  - a. Required Screening: All open, nonresidential off-street parking areas of five (5) or more spaces shall be screened and buffered from abutting or surrounding residential districts in compliance with Chapter 20 of this Article.
  - b. No landscaping or screening shall interfere with drive or pedestrian visibility for vehicles entering, circulating, or exiting the premises.
18. Compact Car Spaces: Up to twenty percent (20%) of the parking spaces in a parking lot may be permanently marked for compact cars only, provided that:
  - a. The parking lot contains eighty (80) or more off-street parking spaces.
  - b. All compact car spaces are a minimum of eight feet (8') in width and sixteen feet (16') in length.
  - c. Signs and markings, as approved by the City, are placed and maintained in each compact car space.
  - d. All required off-street parking aisle widths are maintained.
  - e. The compact car stalls shall not displace preferred disability accessible parking stall locations.
  - f. The design, layout, and location of designated compact car spaces shall not be located in immediate proximity to building entrances, shall not encourage utilization by

oversized vehicles, and shall be subject to approval by the Zoning Administrator.

19. Cart Storage: Retail commercial uses shall be required to provide ample space for the storage of customer service carts within off-street parking areas, subject to the approval of the Zoning Administrator. The need and specific amount of required cart storage space shall be determined as part of site plan review. When required, cart storage areas shall not occupy required off-street parking space, shall be clearly delineated, and shall include facilities for cart confinement.
20. Drive-Through Windows: Service windows shall be allowed subject to the following requirements:
  - a. Stacking: Not less than one hundred eighty feet (180') of segregated automobile stacking lane must be provided for the service window.
  - b. Traffic Control: The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings, and green area on the site.
  - c. Use of Street: No part of the public street or boulevard may be used for stacking of automobiles.

**01-19-5: NUMBER OF PARKING SPACES REQUIRED:**

**A. Calculating Space:**

1. 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.
2. 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 exterior floor area dimensions of the buildings, structure or use times the number of floors, minus ten percent (10%), except as may hereinafter be provided or modified.
3. 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 eighteen inches (18") of such

design capacity seating facilities shall be counted as one (1) seat for the purpose of determining requirements.

4. Except as provided for under joint parking and for 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.

- B. 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:

Use	Number of Required Stalls
<b><i>Residential:</i></b>	
Single family	2 spaces
Two family	2 spaces per unit
Multiple family, townhouses, Manor homes	2.5 spaces per unit – The City Council may require additional clustered guest parking for projects with more than 8 units.
<b><i>Use</i></b>	
<b><i>Number of Required Stalls</i></b>	
Housing for the elderly (uses with occupancy limited to persons age 55 and over)	1 space per unit – ½ of required stalls may be provided at initial development for projects with occupancy restricted to persons age 55 and older. The City Council shall reserve the right to require additional stalls if determined necessary.
<b><i>Institutional:</i></b>	
Auditoriums, theaters, religious institutions, sports arenas	1 space per 3 seats of design capacity of the main assembly with a maximum capacity less than or equal to 1,000 persons or 1 space per 2.5 seats of design capacity of the main assembly with a maximum capacity greater than 1,000 persons, plus additional spaces required for adjoined facilities, not including private or private non-profit baseball fields (see below).
Community center, physical culture Studio, libraries, museums	10 spaces plus 1 space per 300 square feet over 2,000 square feet of floor area for the principal structure
Nursing homes, rest homes, residential facility	2 spaces per unit for uses serving 6 or fewer persons in a residential district. Other. 4 spaces plus 1 space for each 3 beds and additional space as determined by the Zoning Administrator.
Private or private non-private baseball Fields	1 space per 8 seats of design capacity
School, elementary and junior high	1 space per 7 students based upon building design
School, high school and post high School facilities	1 space per 3 students based on building design capacity, plus 1 space per classroom.
<b><i>Commercial/Industrial</i></b>	
Animal hospital/kennel	5 spaces plus 1 space per 500 square feet over 1,000 square feet.

Auto sales	1 space per 500 square feet of showroom plus 1 space for each 3,000 square feet of outdoor sales lot, plus additional parking required for ancillary service or repair.
Auto repair, major bus terminal, boat/marine sales and repair, bottling company, trade shop with 6 or less employees, garden supply or building material sales	8 spaces plus 1 space per 800 square feet of manufacturing or display floor area over 1,000 square feet.
Auto wash, drive through	10 spaces
Auto wash, self-service	1 space per wash bay
Auto wash, motor fuel stations	None in addition to that required for the principal use
Banks (remote)	1 space per 350 square feet of floor area
Beauty or barber shop	2 spaces per chair
Bowling alleys	5 spaces per lane plus spaces as required for other uses within the principal structure.
Office and/or retail commercial uses not including restaurants	3 spaces per 1,000 square feet of floor area
All restaurant uses	5 spaces per 1,000 square feet of floor area
Day care facilities in a residential district serving less than 12 persons	2 spaces per use. All others – 1 space for each 4 persons of licensed capacity.
Fitness centers	1 space per exercise station (e.g. strength machine or cardiovascular) plus 1 space per employee on the largest shift plus additional parking required for ancillary uses.
<b>Use</b>	<b>Number of Required Stalls</b>
Furniture sales	1 space per 400 square feet for first 25,000 square feet, plus 1 space per 600 square feet thereafter.
Golf course	4 spaces per hole, plus 50 percent of the requirements for any other associated use, except in planned residential, resort, or commercial developments, which have otherwise adequate provisions for parking.
Manufacturing	1 space per 350 square feet of floor area, plus 1 space per company vehicle not stored within the principal structure.
Medical, chiropractics, dental office or clinics	3 spaces plus 1 space for each 200 square feet of floor area
Motels/hotels/lodging or boarding	1 space per person for whom accommodations are provided
Hotels/motels	1 space per unit, plus 1 space for every 10 units
Motor fuel stations and auto repair	4 spaces plus 2 spaces for each service stall plus other requirements for uses or sale of goods not directly auto related.
Office buildings and professional Offices, banks, public administration (other than medical)	3 spaces plus 1 space for each 200 square feet of floor area
Restaurant, drive in or convenience	1 space per 15 square feet of gross floor area designated for patron queuing, but not less than 15 spaces plus 1 space per 40 square feet of dining area and 1 space for each 80 square feet of kitchen area.
Restaurants, clubs, lodges	1 space per 40 square feet of dining area and 1 space for each 80 square feet of kitchen area

Retail commercial uses (other)	1 space per 200 square feet
Retail sales and service with 50% or more gross floor area as storage/warehouse or industry	8 spaces or 1 space for each 200 square feet of public sales/service area, plus 1 space for each 500 square feet of storage area.
Shopping center	5.5 spaces per 1,000 square feet of gross leasable floor area. The total required spaces may be reduced by up to 15 percent based upon approval of an administrative permit by the Zoning Administrator.
Skating rink, banquet hall, private or public auction house	20 spaces plus 1 space per 200 square feet over 2,000 square feet.
Truck wash	3 spaces plus 1 space per service bay
Undertaking	20 spaces per chapel or parlor, plus 1 space for each company vehicle maintained on site. Adequate stacking space shall also be provided for staging funeral processions.
Warehousing	Office: 1 space per 200 square feet. Other: 1 space per 1,000 square feet plus 1 space per company vehicle not stored within the principal structure.
Uses not specified or not precisely Identified	Calculated by Zoning Administrator based upon, but not limited to, characteristics for similar uses and professional studies prepared by APA or ITE.

- C. **Off-Street Bicycle Parking:** Provisions shall be made for the off street parking of bicycles in all multiple-family and nonresidential developments and uses. Plans for such facilities shall be reviewed and evaluated on an individual project or use basis as part of site plan review provisions of Chapter 9 of this Article.

**01-19-6: PARKING DEFERMENT:** The City may allow a reduction in the number of required parking stalls for commercial, industrial, and institutional uses by administrative permit provided that:

- A. The proposed use will have a peak parking demand less than the required parking under Section 01-19-5.B of this Chapter. Factors to be considered when reviewing the proposed parking demand shall include, but not be limited to:
1. Size of building.
  2. Type and use.
  3. Number of employees.
  4. Projected volume and turnover of customer traffic.

5. Projected frequency and volume of delivery or service vehicles.
  6. Number of company-owned vehicles.
  7. Storage of vehicles on-site.
- B. In no case shall the amount of parking provided be less than one-half ( $\frac{1}{2}$ ) of the amount of parking required by ordinance.
  - C. The site has sufficient property under the same ownership to accommodate the expansion of the parking facilities to meet the minimum requirements of this Chapter if the parking demand exceeds on-site supply.
  - D. On-site parking shall only occur in areas designed and constructed for parking in accordance with this Chapter.
  - E. The applicant and City enter into a development agreement, to be recorded against the subject property, which includes a clause requiring the owner to install the additional parking stalls, upon a finding of the Zoning Administrator that such additional parking stalls are necessary to accommodate the use.
  - F. A change of use will necessitate compliance with the applicable Zoning Ordinance standard for parking.

**01-19-7: JOINT FACILITIES:** The City Council may, after receiving a report and recommendations from the planning commission, approve as applicable a conditional use permit for long term permanent joint parking facilities as regulated under the provisions of Chapter 5 of this Article, or an interim use permit for short term temporary joint parking facilities as regulated under the provisions of Chapter 6 of this Article, for one or more businesses to provide the required off street parking facilities by joint use of one 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:

- A. Up to fifty percent (50%) of the parking facilities required for a conference center, theater, bowling alley, banquet hall, bar or restaurant may be supplied by the off street parking facilities provided by types of uses specified as primarily daytime uses in Section 01-19-7.D of this Article.

- B. Up to fifty percent (50%) of the off street parking facilities required for any use specified under Section 01-19-7.D of this Article as primary daytime uses may be supplied by the parking facilities provided by the following nighttime or Sunday uses: auditoriums incidental to a public or parochial school, religious buildings, bowling alleys, banquet halls, theaters, bars, apartments, restaurants, or health clubs.
- C. Up to eighty percent (80%) of the parking facilities required by this chapter for a religious building or for any auditorium incidental to a public or parochial school may be supplied by the off street parking facilities provided by uses specified under subsection D of this section as primarily daytime uses.
- D. For the purpose of this section the following uses are considered as primarily daytime uses: banks, business offices, manufacturing, wholesale and similar uses, as determined by the zoning administrator.
- E. Conditions required for joint use:
  - 1. 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 five hundred feet (500') of such parking facilities.
  - 2. There shall be 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).
  - 3. A properly drawn legal instrument, executed by the parties involved in 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 city clerk and recorded with the Dakota County recorder. The legal instrument shall legally bind all parties and provide for amendment or cancellation only upon written approval from the City.

**01-19-8: OFF SITE PARKING:**

- A. Any off site parking which is used to meet the requirements of this chapter may, as applicable, be allowed by a conditional use permit for long term off site parking facilities as regulated under the provisions of Chapter 5 of this Article, or an interim use permit for short term temporary off site parking facilities as regulated under the provisions of Chapter 6 of this Article, and shall be subject to the conditions listed below.
- B. Off site parking shall be developed and maintained in compliance with all requirements and standards of this chapter.

- C. Reasonable access from off site parking facilities to the use being served shall be provided.
- D. Except as provided by subsection H of this section, the site used for meeting the off street parking requirements of this chapter shall be under the same ownership as the principal use being served or under public ownership.
- E. Off site parking for multiple-family dwellings shall not be located more than two hundred fifty feet (250') from any normally used entrance of the principal use served.
- F. Off site parking for nonresidential uses shall not be located more than five hundred feet (500') from the main public entrance of the principal use being served. Off site parking located more than five hundred feet (500') from the main entrance may be allowed with the provision of a private shuttle service.
- G. Any use which depends upon off site parking to meet the requirements of this Article 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.
- H. Compliance with off street parking requirements provided through leased off street parking may be approved by the city council, subject to the following additional conditions:
  - 1. **The lease shall specify the total number and location of parking spaces under contract and this number, when added to any on site parking provided, must be equal to or exceed the total number of parking spaces required.**
  - 2. The lease instrument shall legally bind all parties to the lease and provide for amendment or cancellation only upon written approval from the City.
  - 3. The lease agreement shall incorporate any other provisions, as recommended by the City Attorney that are deemed necessary to ensure compliance with the intent of this Article.

**01-19-9: OFF-STREET LOADING:**

- A. Any structure erected or substantially altered for a use that requires the receipt of distribution of materials or merchandise by trucks or similar



vehicles, shall provide off-street loading area as required for a new structure.

**B. Number of Loading Spaces Required:** The number of required off-street loading area spaces shall be as follows:

1. Residential Uses:

- a. Single family and two family dwellings, townhomes, quadraminiums: None.
- b. Manor homes and single family dwellings:
  - (1) Less than four (4) dwelling units: None.
  - (2) Four (4) to twenty-four (24) dwelling units: One (1).
  - (3) For each additional twenty-four (24) dwelling units over twenty-four (24): One (1).

2. Non-Residential Uses:

Gross Floor Area (Square Feet)	Spaces Required
Less than 25,000	1
25,001 to 50,000	2
50,001 to 75,000	3
75,001 to 100,000	4
For each additional 50,000 over 100,000	1

**C. Reduction in Spaces:** Reductions to the number of loading spaces required by this section may be granted by administrative permit upon determination of facility need.

**D. Location:**

- 1. Except for uses allowed within residential districts, loading areas established after February 10, 2003 shall be prohibited within one hundred feet (100') of residentially zoned or guided property unless completely screened by an intervening building.
- 2. Loading areas not screened by an intervening building shall be screened from adjacent residentially zoned or guided property by the use of berms, fences, or walls to provide one hundred percent (100%) opacity to a height of at least ten feet (10').

3. Loading areas shall not occupy the required front yard in residential districts and the front yard or side yard of a corner lot in commercial and industrial districts, except by conditional use permit provided that:
  - a. Loading areas shall not conflict with pedestrian movement.
  - b. Loading areas shall not obstruct the view of the public right-of-way from off-street parking access.
- E. **Surfacing:** All loading areas and accessways shall be improved to control the dust and drainage according to a plan submitted to and subject to the approval of the City Engineer.
- F. **Accessory Use, Parking and Storage:** Any space allocated as a required loading area or access drive so as to comply with the terms of this Article shall not be used for the storage of goods, inoperable vehicles or snow and shall not be included as part of the space requirements to meet the off-street parking area.
- G. **Screening:** Except in the case of multiple family dwellings, all loading areas shall be screened and landscaped from abutting and surrounding residential uses and districts and public rights-of-way in compliance with Chapter 20 of this Article.
- H. **Size:**
  1. The first loading area shall be not less than seventy feet (70') in length and additional areas required shall be not less than thirty feet (30') in length and all loading areas shall be not less than ten feet (10') in width, exclusive of aisle and maneuvering space, and fourteen feet (14') in clearance height.
  2. The size of the loading area may be reduced upon approval of an administrative permit. To qualify for such exception, the following provisions must be met:
    - a. It must be demonstrated that the site cannot physically accommodate a loading area to the size required.
    - b. It must be demonstrated that semi-trailer truck deliveries will not occur at the site or all deliveries will occur at such a time as to not conflict with customer or employee access to the building and parking demand.

- I. **Circulation:** In addition to the required loading space, all loading spaces shall include a maneuvering area. The maneuvering area shall not use any of that portion of the site containing parking stalls or customer service areas. Maneuvering areas shall be of such size as to permit the backing of truck tractors and coupled trailers into the loading space, without blocking the use of other loading spaces, drives, parking spaces, or maneuvering areas on public right-of-way.
- J. **Construction Standards:** The construction and setback standards listed in Section 01-19-04 of this Article shall apply to all loading spaces.