

SUBJECT: Policy & Procedure for Review and Approval of Off-site Parking Arrangements

EFFECTIVE DATE: March 2004

POLICY NUMBER: PL - 007

SEE ALSO:

POLICY SUMMARY

If an applicant for a building permit, site plan approval or change in occupancy proposes to meet their off-street parking requirement by utilizing parking spaces that are not under the ownership and control of the applicant, the proposed off-site parking arrangement / agreement must be reviewed and approved by the Planning Department.

Location of Parking Spaces

All off-site parking spaces must be located no further than 600 ft. from the main entrance of the buildings or uses they are intended to serve, measured along the shortest legal, practical walking route in order to be counted toward meeting the requirement. This distance limitation may be waived as part of the site plan review process if adequate assurances are offered that adequate van or shuttle service will be operated between the off-site lot and the principal use. Example - Hospital employees shuttled from Bi-Center.

Zoning of Off-Site Parking Area

Off-site parking areas require the same or a more intensive zoning classification than that required for the use served by the off-site parking area. Off-site parking areas are to be considered accessory uses to the principal uses that the parking spaces serve. Example - If a church is a conditional use in R-1 then a Conditional Use Permit is required for a parking lot to serve the church. Parking for a commercial use cannot be located on residential zoned property.

Binding Parking Agreement or Lease Requirement

An off-site parking arrangement must be guaranteed by a legally binding agreement or lease, duly executed and acknowledged, between the owner of the parking area and the owner of the use which is located on a different lot and served by the parking area. The agreement must be properly drawn and executed by the parties concerned and approved as to form and execution by the City Attorney.

Approved off-site parking agreements must be recorded with the Register of Deeds.

Submittal with Application

The applicant for a building permit, site plan approval or certificate of occupancy for the use that is served by parking spaces on the other lot must submit an executed copy of such agreement along with the application for the permit or certificate.

Violations

If an off-site parking lease or agreement expires and is not renewed by the owner of the parking area or is revoked by the owner resulting in the use served by that parking area having insufficient off-street parking, that shall be considered a violation of Section 42-553 of the Zoning Ordinance and enforcement action shall be taken to bring that use into compliance with the city's off-street parking requirements.