

ORDINANCE NO. 159

**AN ORDINANCE TO REGULATE PARKING
IN COMMERCIAL DISTRICTS WITHIN THE
CITY AND FOR OTHER PURPOSES**

WHEREAS, the City of Goshen has minimal regulations related to parking within its Zoning Regulations;

WHEREAS, the anticipated growth of the City warrants that a comprehensive set of parking regulations be implemented at this time; and

WHEREAS, the City Council of the City of Goshen deems it advisable to establish more extensive regulations regarding parking within the City of Goshen.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GOSHEN:

SECTION 1. PURPOSE. The regulations of this section are intended to reinforce community standards and to promote safe and attractive parking lots for new, redeveloped, and expanded development in all commercial districts within the city. The size, number, design, landscaping, and location of parking lots are regulated in order to:

- A. Provide for the safe and orderly circulation of motor vehicles within parking lots;
- B. Provide safe ingress and egress to parking lots from public and private streets;
- C. Protect adjoining properties from the adverse impacts associated with parking lots such as noise, lighting, appearance, drainage, and effect on property values;
- D. Provide adequate areas for off-street parking and storage of motor vehicles, while at the same time preventing over-supply of parking in mixed-use circumstances; and,
- E. Enhance the appearance of parking lots in all zoning districts.
- F. Provide predictability as what is required for development in a commercial district. However, the Planning Commission, in its discretion, may consider relaxing certain requirements of this ordinance when justified by the circumstances and overall compliance with this ordinance as well as the landscaping and commercial design standards is demonstrated.

SECTION 2. PARKING LOT CONSTRUCTION STANDARDS.

- A. Permits and Plan. For parking lots containing two (2) or more spaces, building,

and grading permits and site and grading plans shall be required prior to any initiation of work.

B. Surfacing. Parking lots shall be asphalt, semi-permeable soil pavers, or concrete, graded and drained to dispose of surface water into appropriate structures.

C. Barriers. Parking lots shall be provided with wheel guards or curbs so located that no part of a parked vehicle will extend into or over the sidewalks, property lines, or street right-of-way.

D. Striping and Marking. Parking lots spaces shall be striped to indicate the location of the individual spaces, directional arrows shall be provided at the entrance of aisles and entry drives, and accessible spaces shall be marked meeting current Americans with Disabilities Act (ADA) requirements. Such striping and marking shall be in accordance with the Manual on Uniform Traffic Control Devices.

SECTION 3: PARKING LOT DESIGN STANDARDS. (See: Illustration: Parking Dimension Factors in the attached Appendix 1)

A. Maneuvering. Parking lots shall be designated, maintained, and regulated so that no parking or maneuvering incidental to parking will encroach into the areas designated for sidewalks, streets, or required landscaping. Parking lots shall be designed so that parking and un-parking can occur without moving other vehicles, unless a valet service has been approved as part of the development plans. Vehicles shall exit the parking lot in a forward motion.

B. Pedestrian Access. Pedestrian access shall be provided from the street to the entrance of the structure by way of designated pathway or sidewalk.

C. Compact Spaces. A maximum of 35% of the total spaces may be compact spaces. Compact spaces shall be marked either by marking on the pavement or by separate marker.

D. Parking dimensions.

1. Standard 90° parking space size. The size of an off-street parking space for one vehicle shall be rectangular with dimensions of not less than nine (9) feet by nineteen (19) feet. Such measurement is exclusive of access drives or aisles.

2. Access drive width. If the off-street parking space does not abut on a street, alley or easement of access, there shall be provided an access drive of at least fifteen (15) feet in width in all other cases leading from the street to the parking.

3. Standards. Where different parking angles are utilized for off-street parking, the following widths, depths and maneuvering areas shall be followed according to the Parking Dimensions Table 1 included in the attached Appendix 1.

SECTION 4: STANDARDS FOR THE NUMBER OF SPACES BY USE

A. Number of spaces. There shall be no minimum number of spaces required. The

maximum number of spaces shall be limited based on the ratios in Table 2 (see attached Appendix 1) and the allowable increases over the baseline ratio as described herein. The applicant shall provide a statement or parking analysis indicating how they will provide adequate parking for the proposed commercial use to succeed without negatively impacting adjacent properties or creating or compounding a dangerous traffic condition.

B. **Maximum Number Allowed for Commercial Uses.** Commercial developments may utilize the following increases to the required spaces listed in Table 2 (See attached Appendix 1) when the following standards are met:

1. Developments may increase the number of off-street parking spaces by 15% above the parking ratios listed in Table 2 (See attached Appendix 1).
2. Developments may increase the number of off-street parking spaces by an additional 10% when alternative stormwater treatment techniques are utilized, such as:
 - a. Bioswales
 - b. Constructed wetlands
 - c. Pervious pavement
 - d. Other such techniques that aid in improving water quality and quantity as approved by the City Engineer
3. Developments may increase the number of off-street parking spaces by an additional 5% when one (1), 2-inch caliper tree for every ten (10) additional parking spaces is planted on-site in addition to all other landscaping requirements.

C. **Parking Ratio Calculation.** The number of spaces required for a use not specifically included in Table 2 (See attached Appendix 1) shall be as required for the most similar use listed or as otherwise determined by the City Planning Division utilizing industry standards. For all parking space requirements resulting in a fraction, the fraction shall be:

1. Rounded to the next higher whole number when the fraction is 0.5 or higher.
2. Rounded to the next lower whole number when the fraction is less than 0.5.

D. **On-Street Parking.** Each permitted on-street parking space adjacent to a project frontage may count toward the parking requirements for all development. The approval of on-street parking is subject to approval by the Zoning and Development Administrator.

E. **Motorcycle and Scooter Parking.** One (1) Motorcycle and scooter parking. In parking lots containing twenty-five (25) parking spaces or more, one (1) space for every twenty-five (25) parking spaces of the required number of parking spaces for a use or combination of uses shall be striped as a motorcycle and scooter parking space.

F. **Bicycle and motorcycle parking shall be provided as approved by the Planning Commission.**

SECTION 5. OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES.

A. Off-Street Parking Facilities Required.

1. A parking space shall be an area for the parking of a motor vehicle, plus those additional areas and facilities required to provide for the safe ingress and egress from said space. The area set aside to meet these provisions must be usable and accessible for the type of off-street parking need which must be satisfied.

2. In any commercial district, all motor vehicles incapable of movement under their own power, other than in cases of emergency, shall be stored in an entirely enclosed space, garage or carport.

3. At the time of initial occupancy of a site or of construction of a building, there shall be provided off-street parking facilities for automobiles in accordance with the requirements of these regulations.

4. Parking Space Schedule.

a. Retail Sales & Convenience Stores – 3 spaces/1,000 square feet of gross floor area

b. Business/Professional Offices & Banks – 3½ spaces/1,000 square feet of gross floor area

c. Personal Services – 5 spaces/1,000 square feet of gross floor area

d. Restaurants – 15 spaces/1,000 square feet of gross floor area

e. Day Care Facilities – 1 space/staff and/or attendant, plus 2 additional spaces

B. Location of Off-Street Parking Facilities. In all districts, off-street parking facilities prescribed in this section shall be located as hereinafter specified.

1. For residential dwellings and commercial establishments, parking facilities shall be located on the same site as the buildings they are to serve.

2. For any church, there shall be allowed the use of joint parking facilities in connection with any building or use not normally open, used, or operated during the principal operating hours of a church; provided a properly drawn legal instrument is executed by the parties concerned for the joint use of such off-street parking facilities, which instrument, duly approved as to form by the city attorney, shall be filed with the application for a zoning permit.

3. No parking at commercial establishments shall be located within the first ten feet (10') of the required front or side setback nearest the adjoining street(s).

4. No parking at commercial establishments shall be located in the front of the building; all parking shall be located at the side or the rear.

C. Standards for Off-Street Parking Facilities

1. Each parking space shall be not less than nineteen feet (19') in length and nine feet (9') in width, exclusive of aisles and access drives. Including the ingress and egress areas and aisle space, the parking area shall provide for three hundred (300) square feet per vehicle.

2. All parking areas shall have adequate ingress or egress to a street or alley.

Sufficient room for turning and maneuvering vehicles shall be provided on the site.

3. Entrances and exits to parking lots and other parking facilities shall not be closer than twenty-five feet (25') to street intersections, and shall be subject to site plan approval.

4. If the parking area is illuminated, lighting shall be arranged so as to not cause annoying glare to adjoining residential uses or streets. All exterior lighting shall conform to Goshen Lighting Ordinance No. 107 as well as any amendments thereto such as Ordinance 158.

5. No commercial repair work, commercial servicing of vehicles, or commercial parking of new or used motor vehicles for the purpose of storage, rent, or sale shall be conducted on a required parking area.

6. All off-street parking and loading areas shall be designed with drainage facilities adequate to dispose of all stormwater, and to not increase the stormwater runoff onto the surface of adjoining properties or streets.

7. Responsibility for compliance with American's With Disability Act (ADA), in all respects, shall rest with the applicant.

8. Off-street parking and loading spaces shall be designed to permit exiting vehicles to enter the public right-of-way in a forward motion. No off-street parking or loading space shall be allowed that requires vehicles to "back" onto a public right-of-way, except single family residential development on local and collector streets.

9. Off-street loading spaces shall be at least fourteen feet (14') by forty-five feet (45') in size, with a minimum eighteen foot (18') height clearance.

10. Drive aisles within off-street parking lots shall be two-way, with a minimum width of twenty-four feet (24').

11. All required parking and loading spaces, driving aisles, and accessways shall be constructed prior to the issuance of a certificate of occupancy, provided that a temporary certificate of occupancy may be issued if it is determined, based on information provided by the applicant, that inclement weather or other factors beyond the control of the applicant have prevented compliance with this "timing" requirement. Said temporary certificate shall expire at the end of one hundred twenty (120) days.

12. Off-street parking, as an accessory to residential uses, includes the parking of valid licensed passenger automobiles, pickup trucks, vans, recreational equipment and recreational vehicles solely for use by the occupants of the dwelling or by guests of the occupants.

13. In addition to meeting the off-street parking requirements of this section, establishments with drive-through facilities shall comply with the following minimum vehicle stack space standards:

- a. Stack Space Schedule
 - i. Fast-food restaurants, 110', measured from the order station.
 - ii. Banks, 70', measured from the teller drop.
 - iii. Automatic car wash, 50', measured from the entrance.
 - iv. Other uses, 30', measured from the pick-up window.
- b. Design and Layout. Vehicle stack spaces shall be subject to the

following design and layout standards:

i. Stack spaces shall be designed so as not to impede pedestrian access to the building; on and off site traffic movements; or movements into or out of parking spaces.

ii. Stack space lanes shall be a minimum of eight feet (8') wide, and shall be separated from other internal driveways with painted lines or curbing.

13. Off street parking must comply with the Landscaping Ordinance No. 157, as well as any amendments thereto.

SECTION 6: ENFORCEMENT. The City may remove any vehicles in violation of this ordinance. Failure to comply with any section of this sign code shall be a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000.00) per day that said violation exists. Each day shall constitute a separate offense.

SECTION 7: SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The City Council declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivision, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

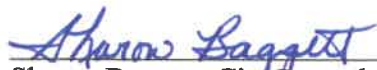
SECTION 8: REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict. Specifically, those sections of the Zoning Regulations as adopted by Ordinance 34 and all ordinances thereafter adopted and amending the Zoning Regulations, which refer to parking and regulations thereof, are hereby repealed.

PASSED AND APPROVED this 9th day of October, 2018



Max Poye, Mayor

ATTEST:



Sharon Baggett, City Recorder

APPROVED AS TO FORM:



Charles L. Harwell, City Attorney

ROLL CALL

Names Of Those Voting YEA

Paula Anderson

Brian Buell

Cathy Oliver

Dick Seddon

Names Of Those Voting NAY

Absent

Andy Bethell

Lanny Samuels

APPENDIX 1

Table 1

| Parking Dimensions | | | |
|--------------------------|-------------|-------------|------------------------|
| | Width (ft.) | Depth (ft.) | Maneuvering Area (ft.) |
| Parallel | 9 | 22 | 11 |
| 30° angle | 18 | 17.3 | 11 |
| 45° angle | 12.7 | 19.8 | 13 |
| 60° angle | 10.4 | 21 | 18 |
| 90° angle or right angle | 9 | 19 | 24 |

Illustration: Parking Dimension Factors

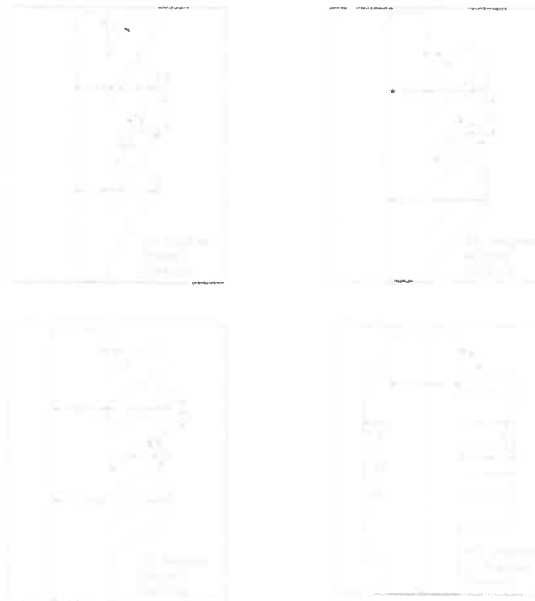


TABLE 2
 PARKING RATIOS
 (Use/Required Spaces)

Residential

| | |
|--------------------------------|---------------------|
| Single-family, duplex, triplex | 2 per dwelling unit |
| Multi-family or townhouse | 1 per bedroom |

Commercial

| | |
|----------------------------------|---|
| Agricultural supply | 1 per 500 sq. ft. of GFA |
| Amusement | 1 per 200 sq. ft. of GFA |
| Auditorium | 1 per 4 seats |
| Auto/motorcycle service stations | 4 per each enclosed service bay |
| Bank | 1 per 200 sq. ft. of GFA |
| Barber or beauty shop | 2 per chair |
| Building/home improvement supply | 1 per 500 sq. ft. of GFA |
| Coin-operated laundry | 1 per 3 machines |
| Dry cleaning | 1 per 300 sq. ft. of retail area and 1 per employee |

| | |
|---|---|
| Hotels and motels | 1 per guest room, plus 75% of spaces required for accessory uses. |
| Furniture and carpet store | 1 per 500 sq. ft. of GFA |
| Plant nursery | 1 per 1,000 sq. ft of indoor/outdoor retail area |
| Restaurants | 1 per 100 sq. ft. GFA plus 4 stacking spaces per drive-thru window. |
| Retail | 1 per 250 sq. ft. of GFA |
| Retail fuel sales with convenience stores | 1 per 250 sq. ft. of retail floor area. Owner may count spaces at pump islands as parking spaces. |
| Retail fuel sales only | 1 per employee. Owner may count spaces at pump islands as parking spaces. |

Office

| | |
|-----------------------|--------------------------|
| Medical/Dental office | 1 per 250 sq. ft. of GFA |
| Professional office | 1 per 300 sq. ft. of GFA |
| Sales office | 1 per 200 sq. ft. of GFA |

Public and Institutional Uses
Nonprofit Commercial

| | |
|--|---|
| Art gallery, library, museum | 1 per 1,000 sq. ft. of GFA |
| Auditorium | 1 per 4 seats, provided only auditorium space is counted in determining parking |
| Child care center, nursery school | 1 per employee plus on-site loading and unloading spaces at a rate of 1 per 10 children accommodated |
| Church/religious institution | 1 per 4 seats in the main auditorium or 1 per 40 sq. ft. of assembly area, whichever provides more spaces |
| College auditorium | 1 per 4 seats |
| College dormitory | 1 per sleeping room |
| College or university | 1 per 500 sq. ft. of classroom area |
| Community center | 1 per 250 sq. ft. of GFA |
| Cooperative housing | 1 per 2 occupants |
| Convalescent home, assisted living, nursing home | 1 per 2 beds |

| | |
|-----------------------------------|---|
| Detention home | 1 per 1,500 sq. ft. of GFA |
| Elderly Housing | 1 per 2 units |
| Funeral homes | 1 per 4 seats in main chapel plus 1 per 2 employees plus 1 reserved for each vehicle used in connection with the business |
| Government facilities | 1 per 500 square feet of floor area |
| Hospital | 1 per bed |
| Convalescent home | 1 per bed |
| School—elementary and junior high | 1 per employee plus 1 space per classroom |
| School—senior high | 1 per employee plus 1 per 3 students based on design capacity, or 1 per 6 seats in auditorium or other places of assembly, whichever is greater |
| Zoo | 1 per 2,000 sq. ft. of land area |

| | |
|--|-------------------|
| All other public and institutional uses (only auditorium space shall be counted for churches, auditoriums, or group occupancy space) | 1 per 4 occupants |
|--|-------------------|

Manufacturing/Industrial

| | |
|------------------|--|
| Manufacturing | 1 per 1,200 sq. ft. of GFA or one per employee, whichever is greater |
| Heavy industrial | 1 per 1,200 sq. ft. of GFA |
| Extractive uses | Adequate for all employees, trucks, and equipment |

Recreational Uses

| | |
|-----------------------------------|----------------------------------|
| Amusement park, miniature golf | 1 per 1,000 sq. ft. of site area |
| Bowling alley | 6 per lane |
| Commercial recreation | 1 per 200 sq. ft. of GFA |
| Commercial recreation-large sites | 1 per 1,000 sq. ft. of site area |

| | |
|-----------------------------|--|
| Dance hall, bar or tavern | 1 per 50 sq. ft. of GFA, excluding kitchen |
| Golf course | 3 per hole |
| Golf driving range | 1 per tee box |
| Health club, gym | 1 per 150 sq. ft. of GFA |
| Regional or community park | 2 per acre of accessible active and passive space |
| Neighborhood park | None |
| Private club or lodge | 1 per 500 sq. ft. of GFA or 1 per 3 occupants based on the current adopted Standard Building Code whichever is greater |
| Riding stable | 1 per acre; not required to be paved |
| Tennis court | 2 per court |
| Theater | 1 per 4 seats |
| All other recreational uses | 1 per 4 occupants |

| | |
|--|----------------------------|
| Warehousing | 1 per 2,000 sq. ft. of GFA |
| Wholesale | 1 per 1,000 sq. ft. of GFA |
| Center for collecting recycled materials | 1 per 1,000 sq. ft. of GFA |