

ORDINANCE NO. 15-10

AN ORDINANCE AMENDING SECTION 176.29, PARKING AND LOADING REGULATIONS OF THE MARION CODE OF ORDINANCES TO ESTABLISH PARKING STRUCTURE REGULATIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA:

Section 1. The Code of Ordinances is amended by deleting section 176.29 and inserting in lieu thereof the following:

176.29 PARKING AND LOADING REGULATIONS.

1. General Requirements.
 - A. Scope. For all buildings and structures erected, and all uses of land established after the effective date of this Ordinance, accessory off-street parking and loading facilities shall be provided in accordance with the provisions of this section and subject to any other applicable regulations contained elsewhere in this Ordinance.
 - B. Change In Intensity of Use. When the intensity of use of any structure, building, or premises is increased through the addition of dwelling units, gross floor area, seating capacity, additional employment or similar units of measurements for computing off-street parking and loading requirements, additional parking and loading facilities as required herein shall be provided for such expanded use.
 - C. Changes in Use. Whenever the existing use of a building, structure or land area is changed to a new use, parking and loading facilities shall be provided as required for such new use. However, if the first use existed prior to the effective date of this Ordinance, additional parking and loading facilities are required only in the amount that the new use exceeds the requirements for the existing use under the parking and loading provisions of this Ordinance.
 - D. Existing Parking and Loading Facilities. Existing parking and loading facilities on the effective date of this Ordinance shall not hereafter be reduced below the requirements for a similar new building or use under the provisions of this section. If such parking and loading facilities are already less than the requirements for a similar new building or use under the provisions of this section, such facilities shall not be further reduced.
 - E. Driveways. All driveways serving off-street parking and loading areas shall be in accordance with applicable City standards.
 - F. Site Plan. Any application for a building permit, or for any occupancy certificate where no building permit is required, shall include a site plan in accordance with Section 176.37(3) of this chapter.
2. Off-street Parking Requirements.
 - A. Central Business District Exemption. For the purpose of minimizing disruptive curb cuts and driveways and to encourage the use of centralized parking lots, accessory off-street parking is not required in the C-2 District.

B. Location. All parking spaces required to serve buildings or uses erected or established after the effective date of this Ordinance shall be located on the same lot as the building or use served, except as otherwise provided.

(1) Parking spaces to serve industrial buildings or uses may be located within 500 feet of a main entrance to such use provided said spaces are located in a district where such parking is permitted and further provided there is adequate assurance given the City that such area will continue to be available for parking uses.

(2) Parking spaces to serve commercial buildings and uses may be located within 300 feet of a main entrance to such use, provided said spaces are located in a district where such parking is permitted, and further provided that adequate assurance is given the City that such area will continue to be available for parking uses.

(3) Parking spaces to serve multiple-family dwellings may be located within 300 feet of a main entrance to such use, provided said spaces are located in a district where such parking is permitted, and further provided that adequate assurance is given the City that such area will continue to be available for parking uses.

(4) Buildings or uses existing on the effective date of this Ordinance which are subsequently altered or enlarged so as to require the provision of additional parking spaces may be served by parking facilities located on land other than the lot on which the building or use is located, provided that the conditions set forth in paragraphs (1) through (3) above are met.

C. Yard Requirements. Off-street parking spaces when open to the sky, may be located in any yard, except as set forth below:

(1) The required off-street parking spaces may not be located in the required front or corner side yards in the A-1, R-1, R-2, R-3, R-4, R-5, R-6, R-6A, or O-1 Districts.

(2) In the C-1, C-3, C-4, I-1, and I-2 Districts, the required off-street parking areas may be located in the required front or corner side yards provided that there is a minimum "clear zone" distance of fifteen (15) feet between the back of the curb and the nearest point of the closest parking space. Off-street parking spaces may be located within the proposed right-of-way of major streets as set forth in Section 176.38 of this Ordinance, provided that the fifteen (15) foot minimum "clear zone" is available, and further provided the owner and lessee (if any) acknowledge and sign an agreement similar in form to that required for locating signs in proposed rights-of-way of major streets, as set forth in Section 176.38.

D. Access. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements.

E. Combined Use. Off-street parking facilities for separate uses may be provided collectively if the total number of spaces provided is not less than the sum of the separate requirements governing each use.

F. Utilization. Except as may additionally be provided for the parking of trucks and other large vehicles, accessory off-street parking facilities provided in

accordance with the requirements if this section shall be solely for the parking of passenger motor vehicles of patrons, occupants, visitors, or employees of such uses.

G. Computation of Required Parking. For the purpose of this section, the following rules shall apply:

- (1) When units of measurement result in the requirement of a fractional space, any fraction shall require one parking space.
- (2) Employees shall be based on the maximum number of persons on duty or residing or both on the premises at any one time.

H. Design and Maintenance.

(1) Character. Accessory parking spaces may be open to the sky or enclosed in a building.

(2) Size. All parking spaces shall have an area of not less than 180 square feet and a minimum width of 9 feet except as provided:

a. Parking Structure. A structure or portion thereof composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade or either partially or fully above grade that is fully or partially enclosed shall meet the following size requirements.

Parking Structure: Standard Parking Stall Size Requirements				
Parking Angle (Degree)	Space Width	Space Length	Aisle Width (1 Way)	Aisle Width (2 Way)
90	9'	18'	22'	22'
60	9'	21'	18'	20'
45	9'	20'	15'	20'
30	9'	17'	12'	20'
Parallel	8'	24'	12'	24'

Parking Structure Compact Parking Stall Size Requirements				
Compact Stall Parking Angle (Degree)	Space Width	Space Length	Aisle Width (1 Way)	Aisle Width (2 Way)
90	8'	15'	22'	22'
60	8'	17'	18'	20'
45	8'	17'	15'	20'
30	8'	14'	12'	20'
Parallel	7'	21'	12'	24'
Compact stalls shall not exceed 15% of the total parking structure capacity.				

(3) Surfacing. All residential or commercial, but not industrial, off-street parking spaces, access drives, and service drives shall be provided with an asphaltic or portland cement concrete surface consistent with acceptable construction specifications. However, all portions of commercially zoned property to be used for the display and storage of motor vehicles and trailers for sale or for lease may be provided with a dust-free surface as approved by the City Engineer.

(4) Drainage. All off-street parking areas shall be graded and drained so as to dispose of surface water accumulations within the area.

(5) Marking. Surfacing shall be arranged and marked so as to provide for orderly and safe loading and unloading and parking storage of vehicles.

(6) Lighting. All lighting used to illuminate any off-street parking area shall be arranged as to deflect the light from adjoining premises.

(7) Screening. Screening of off-street parking areas is required for all uses, except single-family residential uses, in the following circumstances:

a. When the parking area abuts and R-1, R-2, R-3, O-1, or PD-R zoning district or intervening alley.

b. When the parking area is located in Commercial or Industrial zoned property which directly abuts any R Residential, O-1, or PD-R zoning district or intervening alley.

c. When the parking area abuts a lot zoned A-1, R-1, R-2, R-3, R-4, R-5, R-6, R-6A, O-1, or C-1, or intervening alley, and the abutting lot contains a single- or two-family dwelling, school, church, or recreational building or facility.

The required screening shall consist of a solid wall, solid fence, densely planted compact hedge or evergreen planting, topographic features such as earth berms or retaining walls, or by a combination thereof, or other screening deemed suitable by the Zoning Official. Such screening shall be not less than four (4) feet in height and shall be adequately maintained.

(8) Protection of Adjoining Properties. Except for single-family residential uses, all parking spaces located adjacent to property lines shall be provided with wheel guards, bumper guards, curbs, or other means so designed and located that no part of the parked vehicles will extend beyond the property line.

(9) Signs. No sign of any kind shall be established and maintained in off-street parking spaces and lots, except signs used for the direction or control of traffic or for the purpose of parking lot identification. Such signs shall be a surface area not exceeding 12 square feet.

I. Space Required – Residential Uses.

Single-family or two family dwellings – 1 space per dwelling unit.

Three or more family dwellings – 1.5 spaces per dwelling unit; however, dwellings containing three or more bedrooms shall provide 2 spaces per dwelling unit.

Lodging, rooming or boarding houses – 1 space per dwelling unit or habitable living unit.

Manufactured/mobile home communities – 2 spaces per trailer space.

Family Homes – One space per 1,000 sq. ft. of gross floor area.

Group Homes – One space per employee for the shift having the greatest number of employees plus one space per resident who is sixteen years or older.

Rehabilitation Houses – One space per employee for the shift having the greatest number of employees plus the space per resident who is sixteen years or older.

J. Space Required - Commercial Uses: Except for uses located in the C-2 District:

Commercial uses except otherwise listed below – 1 space per 300 sq. ft. of gross floor area.

Amusement parks – 1 space per 300 sq. ft. of gross floor area, plus 3 spaces per 1,000 sq. ft. of gross land area.

Auction houses – 1 space per 100 sq. ft. of gross floor area.

Automobile laundries/car washes – 1 space per 2 employees.

Automobile service stations and gas stations – 1 space per 200 sq. ft. of gross floor area, exclusive of stopping spaces adjacent to pumps.

Auto repair establishments; battery, muffler and/or tire service shops – 1 space per 200 sq. ft. of gross floor area, plus 1 space per 3,000 sq. ft. of gross land area.

Banks, savings and loans, and financial institutions – 1 space per 300 sq. ft. of gross floor area, plus reservoir space sufficient to accommodate three times the number of teller windows for drive-in facilities.

Barber shops and beauty shops – 1 space per 200 sq. ft. of gross floor area.

Bowling alleys – 4 spaces per bowling lane, plus such additional spaces as may be required herein for such affiliated uses as bars, restaurants, and the like.

Clubs or lodges (private) – 1 space per 150 sq. ft. of gross floor area.

Electrical, plumbing, heating or similar showrooms and shops – 1 space per 300 sq. ft. of gross floor area in retail area, plus 1 space per two employees employed in warehouse or other non-retail area.

Funeral parlors or undertaking establishments – 1 space per 50 sq. ft. of floor area used for services or six spaces per chapel or parlor, whichever is greater.

Golf courses – 75 spaces per nine holes.

Golf driving ranges – 1.5 spaces per driving tee, plus such additional spaces as may be required herein for such affiliated uses as retail sales area, bars, restaurants and the like.

Greenhouses and nurseries – 1 space per 1,000 sq. ft. of gross floor area, plus 1 space per 2,000 sq. ft. of gross land area.

Grocery or food stores – 1 space per 150 sq. ft. of gross floor area.

Hotels or motels – 1 space per habitable living unit, plus such additional spaces as may be required for retail sales areas, restaurants, bars, and the like.

Ice cream stores – 1 space per 100 sq. ft. of gross floor area.

Meeting halls – 25% times seating capacity.

Miniature golf establishments – 1 space per 300 sq. ft. of gross floor area, plus 1 space per 300 sq. ft. of gross land area.

Model garage display and sales – 1 space per 3,000 sq. ft. of gross land area.

Motor vehicle, mobile home, bicycle, boat, camper, and recreational vehicle sales, rental, or service establishments – 1 space per 300 sq. ft. of gross floor area, plus 1 space per 3,000 sq. ft. of gross land area.

Music, art, dance, or similar academies – 3 spaces per classroom but not less than 10 spaces.

Par 3 or “pitch and putt” golf courses – 40 spaces per nine holes.

Restaurants, taverns, bars, night clubs, dance halls, and discotheques – 1 space per 50 sq. ft. of patron dining, lounge, waiting, bar, and dancing area, plus 1 space per 400 sq. ft. of kitchen and other service area; or 1 space per 100 sq. ft. of gross floor area, whichever is greater.

Skating rinks – 1 space per 100 sq. ft. of gross floor area.

Tennis, handball, racquetball and similar indoor courts and recreation facilities (private) – 3.5 spaces per court.

Theaters (indoor) – 40% times seating capacity.

Theaters (outdoor/drive-in) – reservoir space of 10% of capacity of use.

K. Space Required – Warehousing and Wholesaling Uses.

Warehousing and wholesaling establishments – 1 space per two employees.

L. Space Required – Office Uses. Except for uses located in the C-2 Central Business Commercial District, there shall be provided off-street parking for motor vehicles as shown hereunder:

Office uses, except as otherwise listed below – 1 space per 300 sq. ft. of gross floor area.

Offices or clinics of a physician, dentist, chiropractist, chiropractor, optician, or osteopath – 1 space per 100 sq. ft. of gross floor area.

M. Space Required – Industrial Uses. There shall be provided off-street parking for motor vehicles as shown hereunder:

Industrial uses – 1 space for every two employees.

N. Space Required - Schools, Institutions, and Places of Assembly. Except for uses located in the C-2 Central Business Commercial District, there shall be provided off-street parking for motor vehicles as shown hereunder:

Schools, institutions, and places of public assembly, except as otherwise listed below – 1 space per 300 sq. ft. of gross floor area.

Churches, synagogues, chapels, or similar places of religious worship – 25% times seating capacity of main seating area.

Commercial, trade, or vocational schools – 1 space per two students based on design capacity.

Colleges, junior colleges, or universities – 1 space per four students.

Convalescent, nursing, or rest homes – 1 space per three beds.

Convention or exhibition hall – 1 space per 100 sq. ft. of gross floor area.

Elementary or junior high schools – 2 spaces per classroom.

High schools – 1 space per employee, plus 1 space per six students based on design capacity.

Institutions for care and residence of children or adults, or for treatment and care of mentally ill, handicapped, alcoholic, or similar persons – 1 space per 1,000 sq. ft. of gross floor area.

Libraries, museums, or art galleries – 1 space per 500 sq. ft. of gross floor area.

Meeting halls – 40% times seating capacity.

Music, art, dance, or similar academies – 3 spaces per classroom but not less than 10 spaces.

O. Space Required - Other Uses. For uses not listed in this schedule of parking requirements, parking spaces shall be provided on the same basis as required for the most similar listed use, or as determined by the Zoning Board of Adjustment.

P. Space Required – Compact Car Parking. Parking lots containing nine (9) or more spaces may allot one-third of the total spaces for compact car parking. Such compact car spaces shall be at least 8 ft. x 16 ft. in size and shall be designated “compact cars only” by appropriate signage.

3. Off-Street Loading Requirements.

A. Central Business District Exemption. No off-street loading areas are required in the C-2 District.

B. Location. All required loading spaces shall be located on the same lot as the use served, except as provided in paragraph D below. No loading space shall be located within 30 feet of the nearest point of intersection of any two streets.

C. Yard Requirements. No off-street loading area shall be located in a required front yard. In addition, no off-street loading area shall be located in a required side yard in an R-5, R-6, O-1, or C-1 District, or when abutting a Residential or Office/Transitional District or intervening alley.

D. Central Loading. Central loading facilities may be substituted for loading areas on individual lots, provided the following conditions are fulfilled.

(1) Each lot served shall have direct access to the central loading area without crossing streets or alleys at grade.

(2) Total off-street loading spaces provided shall meet the minimum requirements herein specified based on the sum of the several types served.

E. Design and Maintenance.

(1) Surfacing. All residential or commercial, but not industrial, off-street loading spaces shall be provided with an asphaltic or portland cement concrete surface consistent with acceptable construction specifications.

(2) Drainage and Grading. All off-street loading spaces shall be graded and drained so as to dispose of surface water accumulated within the area.

(3) Screening. All off-street loading spaces which abut a rear yard located in a Residential or Office/Transitional District or intervening alley shall be screened by a solid fence, solid wall, densely planted compact hedge or evergreen planting, or other suitable screening, or by a combination thereof. Such screening shall be not less than six feet in height.

(4) Access. Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.

F. Spaces Required. At a minimum, the following off-street loading space shall be provided, in addition to an area for adequate maneuvering, ingress and egress.

TYPE OF USE	SQ. FT. OF GROSS FLOOR AREA	REQUIRED NO. OF SPACES	MINIMUM SIZE OF LOADING SPACE
Retail stores, restaurants, hotels, motels	Less than 2,000	0	--
	2,000 to 20,000	1	10' x 25'
	20,001 to 50,000	2	12' x 35'
	50,001 to 100,000	3	12' x 55'
	Each additional 100,000	1 additional	12' x 55'
Banks, office buildings, funeral parlors, financial institutions, medical and dental offices	Less than 5,000	0	--
	5,000 to 100,000	1	10' x 25'
	Each additional 100,000	1 additional	12' x 35'
Warehouses, storage & wholesale establishments, cartage & express facilities, printing and publications	Up to 20,000	1	12' x 35'
	20,001 to 40,000	2	12' x 35'
	40,001 to 100,000	3	12' x 35'
	For each additional 100,000	1 additional	12' x 55'
All other uses permitted in Commercial Districts	Less than 2,000	0	--
	2,000 to 20,000	1	12' x 35'
	20,001 to 50,000	2	12' x 35'
	50,001 to 100,000	3	12' x 55'
	Each additional 100,000	1 additional	12' x 55'
Any non-commercial use permitted in Industrial District for production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products	Up to 10,000	1	12' x 35'
	10,001 to 40,000	2	12' x 55'
	40,001 to 100,000	3	12' x 55'
	Each additional 100,000	1 additional	12' x 55'
	Up to 10,000	1	12' x 55'

Motor freight terminals	10,001 to 40,000	1	12' x 55'
	40,001 to 100,000	2	12' x 55'
	Each additional 100,000	1 additional	12' x 55'

G. Modifications. The Zoning Board of Adjustment may authorize a modification, reduction or waiver of the foregoing requirements, if it should find that in the particular case appealed, the peculiar nature of the use or the exceptional size or shape of the property or other exceptional situation or condition would justify such action.

Section 2. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 3. That the changes as provided in this Ordinance shall be made a part of the replacement pages of the Code of Ordinances of the City of Marion, Iowa, and made a part of said Code as provided by law.

Section 4. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed and approved this 7th day of May, 2015.

R. J. Spinks
Raleigh J. Spinks, Jr., Mayor pro tem

ATTEST:

Wesley A. Nelson
Wesley A. Nelson, City Clerk

CERTIFICATE OF SERVICE
The undersigned City Clerk of Marion, Iowa
certifies that the Ordinance & Summary
shown immediately above was published in the
Marion Times on the 21 day of
May, 2015.
Wes Nelson
City Clerk