



Meeting Agenda
City of Mora, Planning Commission
5:30 p.m. Monday, March 11, 2024
Mora City Hall

Mora City Hall
101 Lake Street S
Mora, MN 55051
Kanabec County,
Minnesota

City of Mora Code of Ordinances, Chapter 32: The role of the Planning Commission is to serve the City Council in an advisory capacity on matters relating to citizen requests for action, zoning changes and review, Comprehensive Plan reviews, capital improvement reviews, and other actions as deemed necessary to carry out the functions of a pro-active Planning Commission.

1. Call to Order
2. Roll Call: ☐ Jody Anderson ☐ Sheldon Shepard ☐ Lance Strande
☐ Sara Treiber ☐ Tim Dahlberg
3. Adopt Agenda *(No item of business shall be considered unless it appears on the agenda for the meeting. Board members may add items to the agenda prior to adoption of the agenda.)*
4. Minutes
 - a. Approve minutes from February 12, 2024
5. Open Forum
(Individuals may address the committee about any item not contained on the regular agenda. There is a maximum of fifteen (15) Minutes set aside for open forum. A maximum of three (3) minutes is allotted per person. The Planning Commission will take no official action on items discussed at the forum, with the exception of referral to staff for future report.)
6. Public Hearings:
 - a. Conditional Use Permit request to allow *dog training* and a *kennel* at 129 Forest Ave. East
 - i. Recommend approval/denial/table of request (Resolution PC2024-0311)
7. New Business:
 - a. None
8. Old Business:
 - a. Code Review: Mora MN Code of Ordinances: Special Provisions re: parking minimums § 150.500- § 150.505
9. Reports *(In addition to the items listed below, each board and staff member will be given the opportunity to share information.)*
10. Adjournment
The next meeting of the Planning Commission is scheduled for **5:30 p.m. Monday, April 8, 2024.**

Pursuant to due call and notice thereof Chair Sheldon Shepard called to order the regular meeting of the Planning Commission at 5:30 p.m. Monday, February 12, 2024, in the Mora City Hall Council Chambers.

2. **Roll call:** Present: Sheldon Shepard, Tim Dahlberg, Sara Treiber, Jody Anderson, Lance Strande
Absent: None
Staff present: Community Development Director Kirsten Faurie, City Administrator Glenn Anderson
Guests: Jennifer Yates, Jackson Yates, and others
3. **Adopt Agenda:** MOTION made by Dahlberg, seconded by Strande, and unanimously carried to adopt the agenda as presented.
4. **Approval of Minutes:** MOTION made by Treiber, seconded by J. Anderson and unanimously carried to approve the January 8, 2024 minutes as presented.
5. **Open Forum:** No one spoke during open forum
6. **Public Hearings:**
 - a. Text Amendment request to allow dog training in B-1 Central Business District:
Shepard opened the public hearing at 5:32 p.m. Faurie presented the Text Amendment request by Jennifer and Jason Yates to include *dog training* as a permitted use in the B-1 Central Business District. Two emailed letters were received from business persons operating within the B-1 district with concerns about the disruption dog training could have to neighboring businesses especially considering the closeness and often shared walls of businesses within the B-1 district. These letters were shared with commission members.

Jennifer Yates spoke during the public hearing explaining her business plan for her property at 129 Forest Ave. E. She intends to host the Kanabec County 4H dog training program at the facility in the evenings and offer one-on-one dog training sessions during the daytime hours. Yates said her goal is to encourage responsible dog ownership among the community and area youth.

Jackson Yates also spoke in support of the text amendment.

Jen Peterson spoke in support of the text amendment as allowing dog training businesses would benefit the community by providing responsible activities for youth and improved behavior of area dogs.

Jodi Bakke spoke in support of allowing dog training businesses as they would fill a service gap in the community, and trained dogs are less likely to be nuisances to neighbors.

Joslyn Solomon spoke in support of the text amendment because well-trained dogs create fewer nuisance issues. Solomon also noted how dog training services are wanted and needed within the community.

Shepard closed the public hearing at 5:52 p.m.

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The Planning Commission discussed various impacts of allowing dog training at 129 Forest Ave. E. including noise, increased dog urine/feces/odor, etc. Treiber noted that while they may feel the business appropriate for that specific address, the Commission needs to consider if dog training businesses were permitted in B-1, how would affect all of the B-1 district, not just this particular location. After further discussion the commission concluded that because of the proximity of businesses to each other in the B-1 district and often shared walls, dog training would be wise to have as a conditional use so permits could be granted on a case-by-case basis.

Faurie noted that dog grooming and pet stores are currently listed as permitted uses in B-1; if the commission were to make dog training a conditional use, they may want to consider making other pet-related businesses conditional use as well. The commission agreed this would be something to consider and directed Faurie to come back to the commission at a future meeting with more information including how that change would affect existing business.

- i. MOTION by Treiber to approve Resolution No. PC 2024-0211 with an amendment:

That the Planning Commission recommends approval of a text amendment to include dog training service as a conditional use with in the B-1 Central Business District.

Seconded by Dahlberg and unanimously approved.

7. New Business: None

8. Old Business:

- a. Code Review: Mora MN Code of Ordinances: § 32.65-§ 32.76 “Planning Commission”
As part of the Planning Commission’s goal to keep review of city code as a standing item on the agenda, the commissioners reviewed ordinances § 32.65-§ 32.76. After brief discussion, the commissioners decided to make no changes.

9. Reports: Faurie gave a verbal report to the board explaining proposed legislation and national trends regarding minimum parking requirements. Earlier this year a Minnesota senator representing Minneapolis announced his intent to introduce a bill that would prohibit cities from imposing minimum parking requirements. This trend is increasing in popularity among large cities as a way to minimize barriers to development. If this passed, the City of Mora would be affected as it has minimum parking requirements. Several organizations, including the League of Minnesota Cities and Coalition of Greater MN Cities, have critiqued the proposal and are advocating for cities keeping local control of their parking requirements.

City staff is keeping an eye on these developments and will keep the commission informed.

Strande testified to his own challenges when he purchased a building in downtown Mora, and was told he would need to provide more parking or pay a fee which he felt was unnecessary. Dahlberg noted the commission also recently heard from Recovering Hope representatives about too much required parking.

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It was suggested to include a review of Mora's parking requirements as a future agenda item.

- 10. Adjournment:** MOTION to adjourn by Dahlberg, seconded by J. Anderson, and unanimously carried to adjourn the Planning Commission meeting at 6:43 p.m. The next regular meeting of the Planning Commission is scheduled for **5:30 p.m. Monday, March 11, 2024.**

Commission Chair

Attest: _____
Kirsten Faurie
Community Development Director

DRAFT



MEMORANDUM

TO: Planning Commission
 FROM: Kirsten Faurie, Community Development Director
 SUBJECT: Public Hearing - Conditional Use Permit to allow dog training and a kennel at 129 Forest Ave. East located in the B-1 Central Business District
 DATE: March 11, 2024

SUMMARY

The Planning Commission will conduct a public hearing to consider a request for a Conditional Use Permit to allow *dog training* and a *kennel* at 129 Forest Ave. East located in the B-1 Central Business District.

SITE & APPLICATION INFORMATION

Applicant:	Jennifer & Jason Yates
Property Owner:	Jennifer & Jason Yates
Location:	129 Forest Ave. East, Mora MN
Current Zoning:	B-1 Central Business District
Adjacent Zoning:	North: B-1 Central Business District South: B-1 Central Business District East: B-1 Central Business District West: B-1 Central Business District
Comp. Plan Designation:	Commercial
Date Application Complete:	February 22, 2024
Public Hearing Conducted:	March 11, 2024
60-Day Review Period:	April 22, 2024

DISCUSSION

Jennifer Yates has submitted a request for a Conditional Use Permit (CUP) to allow a *dog training* and *kennel* facility at 129 Forest Ave. East. The Planning Commission can choose recommend approval or denial of both uses, or of one but not the other.

The City Code defines *kennels* as: *Any lot or premises or portion thereof on which four (4) or more dogs and/or cats over six (6) months old are owned, bred, boarded or offered for sale. This shall not include pet shops, veterinary clinics or other such uses regulated herein.*

Yates has expressed her intent to open a new business at this location, The Responsible Dog LLC. She has included a document describing her business operation goals including a floor plan (attached). The intent is to offer dog training, grooming, and boarding.

The Yates' plan includes several measures to mitigate concerns about dog noise and waste:

- Noise: The Yates have proposed replacing overhead doors on the east and north side of the building with insulated doors. Their site plan separates areas where dogs are being kept from the shared walls of other business with "buffer" spaces like a closet/bathroom/storage room.

- Dog Waste: The Yates have proposed both indoor and outdoor “potty” areas for the dogs. The yates propose spraying the areas with an odor eliminator regularly and keeping feces picked up.

It is important to note that a conditional use permit is a property right that “runs with the land.” That is, it attaches to and benefits the land and is not limited to a particular landowner. When the property is sold, the new landowner will have the continued right to the CUP so long as the conditions are met. A city can revoke a conditional use permit if there is not substantial compliance with conditions.

Conditional Use Permits cannot have time limits imposed. If the Planning Commission wanted to place a time constraint on the use, it would instead grant an *Interim Use Permit*. State law authorizes interim use permits for: A temporary use of property until a particular date; or until the occurrence of a particular event such as a change in ownership of the property.

The parcel (PID 22-02455-00) is adjacent to existing Mora businesses, and shares walls with Linda’s Hair Design and Prizm Tattoo.

A public hearing notice was published in the February 26, 2024 edition of the *Kanabec County Times* and notices were mailed to all property owners within 350 feet of the subject property.

As of March 6, staff received three letters of support of Yates and their business, three letters in opposition, and one phone call opposed to allowing more dogs in the city. It is also worth recalling the two letters received in opposition to the text amendment allowing dog training as a use in the B-1 District received in February 2024.

A request for comments was distributed to city staff. No concerns were identified by the City Administrator. The Building Official recommended ensuring the Yate’s proposed soundproofing measures be followed to avoid issues with the city’s noise ordinances. The Public Works Director noted concerns that the dog waste might generate complaints.

FINDINGS

Zoning Code Section 150.036 (Conditional Uses), Subd. E (Standards) states that, “In considering an application for Conditional Use Permit, the Planning Commission shall make its recommendation upon the finding that the application complies with each of the standards set forth below and, where applicable, any conditional standards for specific uses set forth in the provisions of a specific zoning district.” The city shall not grant a Conditional Use Permit without making certain findings. The criteria required for the granting of Conditional Use Permits are listed below with proposed findings for the Planning Commission’s consideration.

Criteria #1 The use is consistent with the purposes and intent of the Zoning Code and the purposes and intent of the zoning district in which the applicant intends to locate the proposed use.

Finding #1 The Zoning Code identifies the proposed use of dog training and kennels as Conditional Uses within the B-1 District. The proposed use is consistent with the intent of the zoning district.

Criteria #2 The use is in keeping with the Comprehensive Plan and the policies thereof.

Finding #2 The Comprehensive Plan Land Use Map identifies the subject site as Commercial. The Comprehensive Plan goals include promoting growth and diversification of Mora’s local

economy. The proposed use complies with the Comprehensive Plan designation and policies.

Criteria #3	The use will not cause undue traffic congestion or hazards.
Finding #3	<i>Based on the information provided by the applicants, the proposed use will not generate enough traffic to cause undue traffic congestion or hazards.</i>
Criteria #4	The use will be adequately served by public utilities and all other necessary public facilities and services.
Finding #4	<i>The property is served by municipal water and sewer, and other necessary public services.</i>
Criteria #5	The structure and the site shall have an appearance that will not have an adverse effect upon adjacent properties.
Finding #5	<i>This is an existing structure; the positioning of the proposed outdoor dog “potty” spots/relieving areas are located in the back and side areas of the property. However, if not properly managed the dog relieving areas could have an impact on neighboring businesses and residences in terms of appearance and odor. Inadequate sound proofing could also have an adverse effect on adjacent properties. Noise and pet mess concerns are less so for dog training and grooming when pets are only in the building for a short period. The concerns increased for dog kenneling/boarding which involve longer-term stays. Staff finds these concerns could be mitigated if approved with certain conditions.</i>
Criteria #6	The use will be sufficiently compatible by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
Finding #6	<i>This is an existing commercial structure with a residential home located in close proximity to the south; there is no nearby vacant land. The proposed use of the facility and site plan does not require any screening from residentially used or zoned properties.</i>
Criteria #7	The use will not jeopardize the public’s health, safety or general welfare.
Finding #7	<i>There is no evidence to suggest that the proposed use will jeopardize the public’s health, safety or general welfare.</i>

OPTIONS

1. Recommend approval of the Conditional Use Permit with conditions as presented or amended.
2. Impose a time constraint and recommend approval of an Interim Use Permit with conditions as presented or amended.
3. Recommend denial of the Conditional Use Permit, providing specific reasons for the recommendation of denial for the written record.
4. Make no recommendation at this time, deciding to either continue the public hearing for additional public comment or table the request for further consideration.

STAFF RECOMMENDATION

Staff recommends discussion of if it will approve/deny dog training, dog kenneling, or both. If choosing approval of either, carefully review conditions and decide whether to grant as a Conditional Use or Interim Use.

ACTION REQUESTED

Motion to approve Resolution No. PC 2024-0311 with conditions as presented or amended.

ATTACHMENTS

1. Site map
2. The Responsible Dog business description & site plan
3. Proposed Resolution No. PC 2024-0311



CSAH 6 - SOUTH
UNION STREET

CSAH 6 - EAST
FOREST AVENUE

SOUTH LAKE STREET

CSAH 27 - SOUTH
UNION STREET

**SUBJECT
SITE**



Conditional Use Permit (CUP)
129 Forest Ave East Mora, MN 55051

Jason & Jennifer Yates

The Responsible Dog LLC

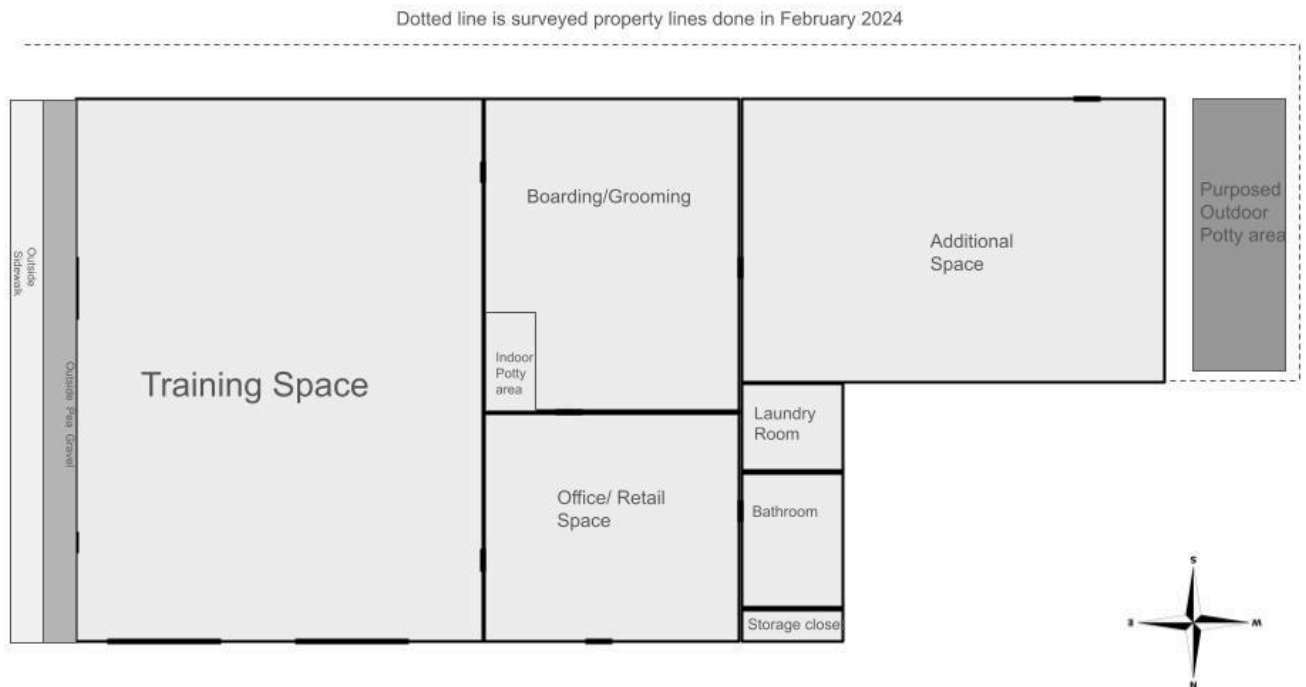
The Responsible Dog LLC is excited to be a more active and permanent business in Mora and serve our community and the surrounding counties with research-informed dog training that has the potential to impact the community positively. Between Jennifer and Jackson, we have combined experience of 32 years in training dogs for a variety of sports, disciplines, and behavioral modification. For the last 17 years, Jennifer Yates has been volunteering with the Kanabec County 4-H Dog Project, teaching Obedience, Rally, Showmanship, Agility, Jumpers, and responsible dog ownership. This is a unique program that offers youth from kindergarten to one year past high school free dog training twice a week. It allows for youth to engage in responsible dog ownership and learn invaluable life lessons.

Our “why” for our passion for dog training is rooted in dog-mediated personal development. Dogs serve as excellent examples of how our nonverbal and verbal communication affects the outcomes of our communication dynamics. Dogs offer us many opportunities to engage in self-reflexivity and our dog-human relationships have shown to have profound impacts on our mental wellbeing. We are passionate about combining these two pieces into our pedagogy.

Our facility is also an opportunity to establish an additional third space in Mora. Third spaces are places where community members congregate away from home and work. Third spaces are powerful community builders, and allow more opportunities to foster cultures of peace within our communities. We hope that our facility can be utilized as a space that connects people and continues to offer opportunities to build a strong community.

Conditional Use Permit (CUP)
129 Forest Ave East Mora, MN 55051

Floor Plan



This is an idea of the usage of 129 Forest Avenue East. The classes and training sessions will be held in the previously car bay area. Which is separated from any adjoining business by two concrete walls and one sheetrock wall.

Noise was noted as a concern of local business, our commitment to noise mitigation is as follows - the overhead door on the east side of the building which is on South Lake St will be replaced with an insulated door. The overhead door on the North side of the building (Forest Ave) will be replaced with an insulated door. The shared walls between 129 Forest Ave E. are either a bathroom or additional space wall. While dogs are at the facility, they are being engaged in learning, and barking will not be tolerated, dogs will be redirected and taught appropriate ways to express their emotions.

Grooming space will be allotted and utilized by us and potentially hiring a groomer in the future. Boarding space is proposed for use in board and train options for clients to leave their dogs with us for one-on-one training from one to seven weeks. The dogs would be monitored while being boarded. Staff will be onsite with dogs while being boarded.

The additional space will be going through an additional conditional use process at a later date.

There will be an indoor potty area designated in the floor plan of the building space as well as an outdoor potty area (filled with pea gravel) along the East side of the building and a larger space outside behind the building on the west side. The feces will be cleaned up by the owner of the dog and the area will be sprayed with an odor eliminator daily along with being sprayed

Conditional Use Permit (CUP)
129 Forest Ave East Mora, MN 55051

with water to wash out the urine as needed. The biosecurity of the facility to lessen dog diseases is also very important to us and to inform the dog community of potential hazards to watch for in the environment.

Parking

Parking will be available in front of the building, along Forest Ave, and South Lake St.

Summary of Business Activities and Scope

- Training classes will be held generally in the evenings during the work week from 5-9 p.m. Schedule of classes will vary widely from month to month. Some examples of the classes that will be held are as follows:
 - Puppy 101
 - Obedience 1,2,&3
 - Rally
 - Confirmation Training
 - Canine Good Citizen (titling class that prepares dogs to be evaluated by a CGC evaluator and be awarded a CGC title) this is the first step to therapy dog training
 - S.T.A.R. Puppy (Socialization, Training, Activity, Responsibility)
 - Foundational Agility
 - Good Behavior Boot Camp
 - Dog Conditioning and Wellness
 - Trick Dog Training
 - Educational programs for first-time dog owners
- One-on-one training will be held during the day by appointment
- Weekend seminar-style events will be discipline-focused and will be throughout the calendar year, not on a set schedule. These types of events will bring people from around the country to attend and will bring in a lot of business for surrounding businesses.
- The front office/storefront space will provide training equipment, treats, toys, enrichment activities, etc. that are harder to access north of the cities.
- Online Pay-per-view and free educational courses
- Remote Training via Zoom for clients outside of Minnesota
- Seasonal activities and celebrations that will be open to the public
- Open training times for clients to use the training space outside of classes/one-on-one sessions

RESOLUTION NO. PC2024-0311

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA,
RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW A *DOG TRAINING AND
KENNEL FACILITY* TO BE LOCATED AT 129 FOREST AVE. EAST IN THE B-1 CENTRAL BUSINESS DISTRICT
AS REQUESTED BY JASON & JENNIFER YATES**

WHEREAS, Jason and Jennifer Yates applicants and property owners submitted an application dated received and considered complete on February 22, 2024 for a Conditional Use Permit to allow a *dog training* and *kennel* facility to be located at 129 Forest Ave. East in the B-1 Central Business District; and

WHEREAS, the property upon which the request is being made is located at 129 Forest Ave. East and is legally described as:

PID 22.02455.00

That part of Lot 3, Auditor's Subdivision No. 18, Kanabec County, Minnesota, which lies Easterly and Southerly of the following described line: Commencing at the Northeast corner of said Lot 3; thence on an assumed bearing of South 89 degrees 58 minutes 45 seconds West along the North line of said Lot 3 a distance of 52.83 feet to the point of beginning of the line to be described; thence South 0 degrees 19 minutes East 35.0 feet; thence South 89 degrees 58 minutes 45 seconds West 0.68 feet to point "A"; thence South 0 degrees 19 minutes East 32.07 feet thence South 89 degrees 58 minutes 45 seconds West 27.98 feet to point "B"; thence South 0 degrees 01 minutes 15 seconds East 0.33 feet to point "C": thence South 89 degrees 58 minutes 45 seconds West 20.6 feet to the West line of said Lot 3 and said line there terminating.

Together with an easement for ingress and egress over and across the South 12 feet of Lot 2, Auditor's Subdivision No. 18, Kanabec County, Minnesota.

WHEREAS, notice was provided and on March 11, 2024 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Community Development Director and invited members of the public to comment; and

WHEREAS, the Planning Commission has made the following findings as required by Zoning Code §150.036 Conditional Uses, Subd. E Standards:

- | | |
|-------------|--|
| Criteria #1 | The use is consistent with the purposes and intent of the Zoning Code and the purposes and intent of the zoning district in which the applicant intends to locate the proposed use. |
| Finding #1 | <i>The Zoning Code identifies the proposed use of dog training and kennels as Conditional Uses within the B-1 District. The proposed use is consistent with the intent of the zoning district.</i> |
| Criteria #2 | The use is in keeping with the Comprehensive Plan and the policies thereof. |
| Finding #2 | <i>The Comprehensive Plan Land Use Map identifies the subject site as Commercial. The Comprehensive Plan goals include promoting growth and diversification of Mora's local economy. The proposed use complies with the Comprehensive Plan designation and policies.</i> |

Criteria #3	The use will not cause undue traffic congestion or hazards.
Finding #3	<i>Based on the information provided by the applicants, the proposed use will not generate enough traffic to cause undue traffic congestion or hazards.</i>
Criteria #4	The use will be adequately served by public utilities and all other necessary public facilities and services.
Finding #4	<i>The property is served by municipal water and sewer, and other necessary public services.</i>
Criteria #5	The structure and the site shall have an appearance that will not have an adverse effect upon adjacent properties.
Finding #5	<i>This is an existing structure; the positioning of the proposed outdoor dog “potty” spots/relieving areas are located in the back and side areas of the property. However, if not properly managed the dog relieving areas could have an impact on neighboring businesses and residences in terms of appearance and odor. Inadequate sound proofing could also have an adverse effect on adjacent properties. Noise and pet mess concerns are less so for dog training and grooming when pets are only in the building for a short period. The concerns increased for dog kenneling/boarding which involve longer-term stays. Staff finds these concerns could be mitigated if approved with certain conditions.</i>
Criteria #6	The use will be sufficiently compatible by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
Finding #6	<i>This is an existing commercial structure with a residential home located in close proximity to the south; there is no nearby vacant land. The proposed use of the facility and site plan does not require any screening from residentially used or zoned properties.</i>
Criteria #7	The use will not jeopardize the public’s health, safety or general welfare.
Finding #7	<i>There is no evidence to suggest that the proposed use will jeopardize the public’s health, safety or general welfare.</i>

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA, AS FOLLOWS:

That the Planning Commission recommends approval of the Conditional Use Permit with the following conditions. Violation of any of the following conditions shall constitute grounds for revocation of the Conditional Use Permit:

1. The Conditional Use Permit shall be utilized and all conditions shall be met within one year of recording or the Conditional Use Permit shall become null and void.
2. The applicant shall apply for and obtain a building permit prior to any structural improvements.
3. The applicant shall apply for and obtain a sign permit prior to installing any new or replacement signage. Signage shall be in compliance with Zoning Code sections 150.210-150.227.
4. Use of the site shall be generally consistent with the floor plan stamp dated “Received Feb. 26, 2024.” Notably any areas where animals are being kept shall be separated from walls adjoining other businesses with “buffer” spaces such as a bathroom, office, or storage area. Any major deviations, as determined by city staff, shall require further review by the Planning Commission and approval from the City Council.

5. Any un-insulated overhead doors on the exterior of the building shall be replaced with insulated doors.
6. Outdoor dog potty/relieving areas shall not be permitted on front/Forest Ave. side of the building, but will be limited to the south and east sides of the building. Feces will be picked up twice daily at a minimum; areas will be treated for odor a minimum of three times weekly.
7. Allowed *kennel* uses shall be limited to dog boarding, including dog daycare or overnight stays; dog breeding or sales shall not be allowed.

Adopted by the Planning Commission of the City of Mora, Minnesota, this 11th day of March 2024.

Jody Anderson _____
Sheldon Shepard _____
Sara Treiber _____

Lance Strande _____
Tim Dahlberg _____

Sheldon Shepard
Chair

ATTEST:

Kirsten Faurie
Community Development Director



MEMORANDUM

Date March 11, 2024
To Planning Commission
From Kirsten Faurie, Community Development Director
RE Code review and communication regarding trends in minimum parking requirements

SUMMARY

The Planning Commission will hear from city staff regarding proposed legislation and national trends regarding minimum parking requirements as well as review the city's current special provisions surrounding parking.

DETAILS

In January, Senator Omar Fateh (DFL- Minneapolis) announced his intent to introduce a bill (the "People Over Parking Act") that would prohibit cities from imposing minimum parking requirements. If this passed, the City of Mora would be affected as it has minimum parking requirements.

Several organizations, including the League of Minnesota Cities and Coalition of Greater MN Cities, have critiqued the proposal and are advocating for cities keeping local control of their parking requirements.

On February 12, Planning Commission members suggested this may be a good moment to review the city's existing parking requirements.

These items are for Planning Commission information with the intent to discuss further at a future meeting; no action is being requested.

Attached to this memo are:

- An article from the American Planning Association (October 2018) which reviews some of the trends and reasons city planners (especially of large urban areas) are re-evaluating parking requirements
- Statement from the League of Minnesota Cities opposing the legislation
- Statement from the Coalition of Greater MN Cities opposing the legislation
- Mora's current Parking Requirements

RECOMMENDATIONS

These items are for Planning Commission information with the intent to discuss further at a future meeting; no action is being requested.

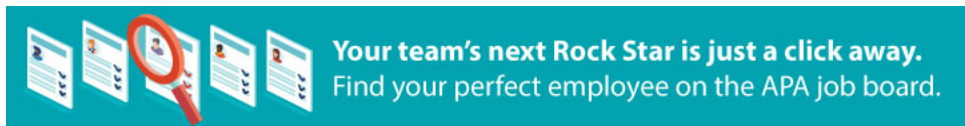
Attachments

APA People over Parking

LMC Advocating for Continued Local Control

CGMC Press Release

City of Mora Code - Special Provisions re: parking & minimums § 150.500-§ 150.505



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Planning October 2018

IN THIS ISSUE:

People Over Parking



People Over Parking

Planners are reevaluating parking requirements for affordable housing.



Carless in Seattle: Plymouth on First Hill's apartments are now home to some of the city's formerly homeless disabled population. Photo courtesy SMR Architects and Plymouth Housing Group.

By Jeffrey Spivak

Like a lot of cities, Minneapolis has experienced the dual trends of rising multifamily rents and dwindling housing affordability. For years it offered the usual carrots of tax incentives and development subsidies for residential projects with affordable units. But three years ago, it tried a different strategy: The city slashed its multifamily parking requirements in certain parts of town.

The usual ratio of one parking space for every one unit was cut in half for larger apartment projects and was eliminated entirely for projects with 50 or fewer units located near high-frequency transit. Lo and behold, the market mostly responded in the exact ways planners had predicted.

Apartment developers proposed projects with fewer parking spaces. That lowered the cost of construction. So, such projects began offering rents below the market's established levels. New studio apartments, which typically went for \$1,200 per month, were being offered for less than \$1,000 per month.

"There's definitely a new type of residential unit in the market that we haven't seen much before," says Nick Magrino, a Minneapolis planning commissioner who has researched apartment development trends since the parking code change. "Outside of downtown, there's been a lot of infill development with cheaper, more affordable units."

Tinkering with minimum parking requirements is not new. Cities have been fiddling with regulations for decades, sometimes raising them, sometimes lowering them, and sometimes giving variances for specific projects. What's different now is an evolving understanding that urban lifestyles are changing, traditional parking ratios are outdated, and too much supply can be as harmful as too little.

So there's a burgeoning movement of municipalities across the U.S. reducing or eliminating parking requirements for certain locales or certain types of development or even citywide.

"This would have seemed inconceivable just a few years ago," says Donald Shoup, FAICP, a Distinguished Research Professor in UCLA's Department of Urban Planning who has studied and written about parking policies for years and is considered the godfather of the current reform movement. (See an article based

on his new book, *Parking and the City*: www.planning.org/planning/2018/oct/parkingpricetherapy/
 (/planning/2018/oct/parkingpricetherapy/).



Carless in Seattle: The mixed use transit-oriented development Artspace Mt. Baker Lofts is located on the Central Link light-rail line. It has bicycle storage and a reserved car-share space, but no parking garage. Photo courtesy SMR Architects and Artspace.

Over the past three years, a Minnesota-based smart-growth advocacy organization called Strong Towns has compiled, through crowdsourcing, more than 130 examples of communities across the country addressing or discussing parking minimum reforms. And that list hasn't captured all the cities taking actions.

Communities are reforming these regulations in a variety of ways.

Some have ditched parking minimums entirely. Buffalo, New York, in early 2017 became the first U.S. city to completely remove minimum parking requirements citywide, applied to developments of less than 5,000 square feet. Late last year Hartford, Connecticut, went a step further and eliminated parking minimums citywide for all residential developments.

Some have targeted their reforms to certain areas or development districts. Lexington, Kentucky, earlier this year scrapped parking requirements in a shopping center corridor to allow the development of new multifamily housing. Spokane, Washington, this past summer eliminated parking requirements for four-plus-unit housing projects in denser parts of the city.

Some have tied new policies specifically to spur affordable housing. Seattle this past spring eliminated parking requirements for all nonprofit affordable housing developments in the city, among other provisions. A couple of years ago, Portland, Oregon, waived parking requirements for new developments containing affordable housing near transit. Also in 2016, New York eliminated parking requirements for subsidized and senior housing in large swathes of the city well served by the subway.

Even some suburbs are doing it. Santa Monica, California, removed parking requirements entirely last year for new downtown developments as part of a new *Downtown Community Plan*. And this year, the Washington, D.C., suburban county Prince George's, Maryland, revised its zoning code to significantly reduce parking minimums.

"We're trying to create a new model of mobility and not emphasize the car as much as we've done in the past," says David Martin, Santa Monica's director of planning and community development.

Building Parking Raises Rent

Parking costs a lot to build, and that cost usually ends up raising tenant rents.

\$5,000: Cost per surface space

\$25,000: Cost per above-ground garage space

\$35,000: Cost per below-ground garage space

\$142: The typical cost renters pay per month for parking

+17%: Additional cost of a unit's rent attributed to parking

Source: Housing Policy Debate, 2016

Catalysts for change

Three primary factors are driving this new reform:

1. CITIES ALREADY HAVE MORE THAN ENOUGH PARKING.

The Research Institute for Housing America, part of the Washington, D.C.-based Mortgage Bankers Association, used satellite imagery and tax records this year to tally parking space totals in different-sized U.S. cities, and determined that outside of New York City, the parking densities per acre far exceeded the population densities.

Meanwhile, two different groups — TransForm, which promotes walkable communities in California, and the Chicago-based Center for Neighborhood Technology, a nonprofit sustainable development advocacy group — have both conducted middle-of-the-night surveys of parking usage at apartment projects on the West Coast and in Chicago, respectively. They consistently found one-quarter to one-third of spaces sat empty. The Chicago center concluded "it is critical to 'right size' parking at a level below current public standards."

2. TRANSPORTATION PREFERENCES ARE SHIFTING.

A variety of converging trends point to the possibility of fewer cars in the future. Fixed-rail transit lines continue to be developed in more urban centers, and millennials are not driving as much as previous generations. Meanwhile, transportation alternatives are proliferating, from passenger services such as Uber to car-sharing services such as Zipcar. Then there's the potential of driverless cars and the expansion of retail delivery services.

3. BOTTOM LINE: WE'RE GOING TO NEED MUCH LESS SPACE TO STORE CARS.

In fact, Green Street Advisors, a commercial real estate advisory firm, analyzed what it calls the "transportation revolution" — encompassing ride-hailing services, driverless cars, etc. — and estimated that U.S. parking needs could decline by 50 percent or more in the next 30 years. (See "Future-Proof Parking," March: www.planning.org/planning/2018/mar/futureproofparking (<http://planning/2018/mar/futureproofparking/>).

"In the old days, you built an apartment and you expected it needed two cars," says Doug Bibby, president of the National Multifamily Housing Council, an apartment trade association in Washington D.C. "Those parking ratios are outdated and no longer valid in any jurisdiction."

Concerns about housing affordability

With the U.S. economy reasonably strong and most urban crime rates on a long-term decline, housing costs have increasingly emerged as a hot-button issue. In Boston University's nationwide Menino Survey of Mayors last year, housing costs were cited as the number one reason residents move away, and more affordable housing was the top-ranked improvement mayors most wanted to see.

"It's on the minds of mayors now more than it has been in the past," says Kimble Ratliff, the National Multifamily Housing Council's vice president of government affairs.

They're concerned because there's ample evidence of a continued national shortage of affordable housing. The latest "State of the Nation's Housing" report from Harvard University's Joint Center for Housing Studies noted that a decade-long multifamily construction boom has increased total occupied rental units by 21 percent, but mainly at the top end of the market. Total units deemed "affordable" —

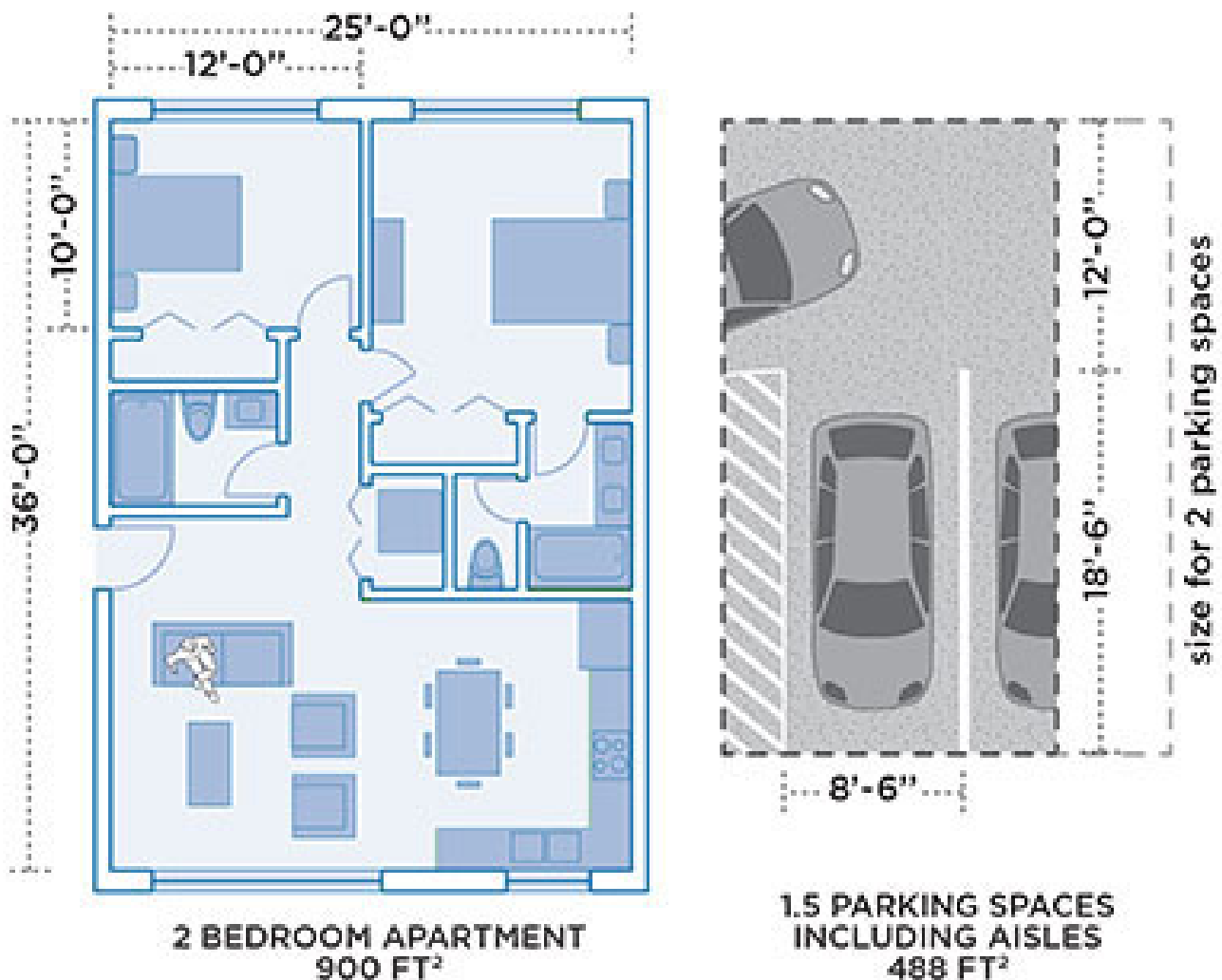
costing less than 33 percent of median income — have remained basically static during the last decade, while the number of extremely low-income renter households has grown by more than 10 percent. The 2018 report concluded that there is a "tremendous pent-up demand for affordable rental housing."

So as cities have searched for ways to generate more affordable housing, parking has emerged as an easy target. Parking ratios are simple to change, and the process doesn't lead to future cost obligations like subsidies do.

That was the approach taken by Seattle this year. "The number one issue facing our city is the lack of housing options and affordability. We're looking to remove any barriers to the supply of housing, and parking is one of them," says Samuel Assefa, the director of Seattle's Office of Planning and Community Development.

Living Space versus Parking Space

The typical median parking required for a two-bedroom apartment in many large North American cities is more than half the size of the apartment itself.



Source: Seth Goodman, graphicparking.com.

Impacts on housing costs

Planners' shifting strategies toward parking are now supported by a growing body of evidence that parking requirements negatively impact multifamily housing, especially affordable projects.

In a nutshell, building parking costs a lot, and that cost usually ends up raising tenant rents.

Various studies indicate that surface parking lot spaces cost upwards of \$5,000 each, while above-ground parking garages average around \$25,000 per space and below-ground garages average around \$35,000 per space. That can translate into higher rent, particularly in big cities. Two UCLA urban planning professors studied U.S. rental data and reported in the journal *Housing Policy Debate* in 2016 that garage parking typically costs renter households approximately \$142 per month, or an additional 17 percent of a housing unit's rent. Other studies have found even larger impacts on rents.

"That can be a significant burden on lower-income households," says David Garcia, policy director of the Turner Center for Housing Innovation at the University of California–Berkeley.

Changing that equation can help produce additional affordable housing. That's a scenario actually playing out in Portland, Oregon.

In 2016 the Portland Community Reinvestment Initiatives, a nonprofit developer and manager of low-income housing, began planning a 35-unit senior housing project called Kafoury Court. At the time, Portland's code required providing five parking spaces for the project, and the developer was struggling to find financing. But late that year, the city changed its parking requirements, and Kafoury now only needs to provide two spaces.

While that change doesn't seem like much, it allowed the development to be totally redesigned. A first-floor parking garage was no longer needed, so the building has been scaled back from five stories to four stories, which led to cost-saving ripple effects. "This has made the project financially feasible," says PCRI's Julia Metz.

She adds: "We prefer to build houses for people, not cars. When it comes down to choosing space for people or parking, we're going to choose people."

Affordable housing projects, with their lower rent revenue streams, are already challenging to finance. So parking is an increasingly key factor in whether or not a project works financially. But to developers, reducing or removing parking requirements does not mean eliminating parking supply. It simply allows developers to decide how many spaces to build based on market and locational demand.

"I've had developers say to me, 'Hey, I could make this deal work if I only had to build a garage that's one-third smaller,'" says Greg Willett, chief economist of RealPage, a provider of property management software and services. "Any way you can take costs out of the deal is meaningful."

'The debate is now won'

When it comes to utilizing parking to augment planning and development policies, U.S. cities still have a long way to go to catch up to some European counterparts. Zurich, Switzerland; Copenhagen, Denmark; and Hamburg, Germany, have all capped the total number of allowable parking spaces in their cities. Oslo, Norway — where a majority of center-city residents don't own cars — is pursuing plans to remove all parking spaces from that district, to be replaced by installations such as pocket parks and phone-charging street furniture.

And last year the largest city in North America, Mexico City, eliminated parking requirements for new developments citywide and instead imposed limits on the number of new spaces allowed, depending on the type and size of building.

In the U.S., however, parking is still sacred in many places. Sometimes when parking reductions are proposed for a certain urban district or a specific new development, nearby residents complain it will force new renters to park on their residential streets. Because so many people still own cars, the National Multifamily Housing Council's *2017 Kingsley Renter Preferences Report* ranked parking as renters' second-most desired community amenity, behind only cell-phone reception.

Not surprisingly, then, some places are still demanding more parking, not less. In Boston, for instance, an influx of new residents clamoring for parking in the booming South Boston neighborhood led to zoning code changes in 2016 that require developers to build two-thirds more off-street parking than before.

Nevertheless, the movement to reduce parking is now widespread, involving big cities and small towns, urban districts and suburban locales, affordable housing and market-rate units. "It's pretty well accepted now that reforming parking minimums is a good way to manage cities," says Tony Jordan, founder of Portlanders for Parking Reform, which has advocated for better parking policies. "The debate is now won."

The lessons for planners are, first, to be open to adjusting parking policies in zoning codes and comprehensive plans and, second, to be flexible in crafting new parking limits depending on the location or desired outcome, such as spurring affordable housing development.

"As we update our policies, we as planners need to learn from the past and adjust," says Seattle planning director Assefa. "We constantly need to tweak our policies and face the challenges of what's not necessarily working. More often than not, there's significant space dedicated to the car that is not utilized."

Jeffrey Spivak, a market research director in suburban Kansas City, Missouri, is an award-winning writer specializing in real estate planning, development, and demographic trends.

RESOURCES

APA Knowledgebase Collection, "[Rethinking Off-Street Parking Requirements \(/knowledgebase/parkingrequirements/\)](#)".

Harvard University Joint Center for Housing Studies' [The State of the Nation's Housing 2018 \(/http://hjchs.harvard.edu/state-nations-housing-2018/\)](#).

Center for Neighborhood Technology, "[Stalled Out: How Empty Parking Spaces Diminish Neighborhood Affordability \(/http://bit.ly/2Mr0bES/\)](#)".

Strong Towns keeps track of progress on [parking minimum removals across the U.S. \(/http://bit.ly/2C1t86k665600/\)](#).



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People Over Parking Act Seeks to Preempt All Cities From Specifying Minimum Parking Requirements for All Properties

February 5, 2024

Legislation primed for introduction on the first day of the 2024 Minnesota legislative session is broader than any existing state requirement regarding the local preemption of parking requirements.

On Jan. 23, [Sen. Omar Fateh](#) (DFL-Minneapolis) held a press conference to promote his “People Over Parking Act,” which he intends to introduce this legislative session. The proposed bill would prohibit cities from imposing minimum parking requirements that specify the number of off-street parking spaces needed for all residential, commercial, or industrial properties within its jurisdiction except for disability parking spaces.

Advocating for continued local control

The League is committed to preserving local authority to make decisions around parking at the local level. While some cities, including Minneapolis and Saint Paul, have eliminated parking minimums, those decisions were made at the local level with community input. In response to a recent Star Tribune editorial in which the Editorial Board came out in favor of the bill, League President Jenny Max wrote a letter to the editor, which identified several key points as to why the bill is concerning for the League and its members. Those points include:

- Far-reaching preemption of cities to ensure minimum parking availability without regard to transit availability or walkability does not make sense for every city in our state.
- Removing city authority to ensure parking availability and ceding that authority to developers who are primarily concerned about parking for their individual projects removes a city’s ability to consider parking and transit availability within the entire city when considering a project.
- The bill sets the stage for possible underbuilding of parking and subsequent parking spillover into surrounding streets that are not designed to accommodate dense traffic or parking.
- Many cities already provide flexibility on parking requirements for certain types of properties including affordable housing and small businesses.

[Read the Star Tribune Editorial Board’s position on the People Over Parking Act.](#)

[Read League President Jenny Max’s letter to the editor regarding the People Over Parking Act.](#)

Proponents of the bill — including Housing First Minnesota, Sierra Club, SEIU, Move Minnesota, Strong Towns, MN350, and the Parking Reform Network — argue that minimum parking requirements require developers to build more parking spaces than needed, which they claim increases the cost of housing, reduces the ability for greater density, and impedes the establishment of small businesses. Proponents also argue that the bill would still allow developers to build the parking that they deem appropriate for their development.

Other states including California and Oregon have passed parking preemption legislation, but the preemption is limited to areas with a nexus to public transit. If adopted in Minnesota, the People Over Parking Act would be the broadest preemption of local authority regarding parking in the country.

As has long been one of the League's core tenets, we will continue to advocate for local control when it comes to local decisions regarding parking. We encourage city leaders to reach out to their legislators if they have concerns regarding this bill.

[Read more news articles.](#)

Your LMC Resource

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DEDICATED TO A STRONG GREATER MINNESOTA

For Immediate Release
January 23, 2024

Contact: Alex Wildfang
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CGMC responds to legislators’ “People Over Parking” proposal *Time for the Minnesota Legislature to pump the breaks on new prohibitions, prescriptions, and preemptions on cities*

ST. PAUL—Today, Sen. Omar Fateh (DFL-Minneapolis) and a group of advocates unveiled the “People Over Parking” proposal that would prohibit cities from making their own decisions about the parking needs in their communities.

“The Coalition of Greater Minnesota Cities is strongly against this kind of intrusion on the ability of local elected officials to determine what is best for their communities,” said CGMC Executive Director Bradley Peterson. “Cities already have the authority to eliminate parking minimums if they choose, and this broad preemption of local authority ignores the vast diversity of communities in our state.

Instead, this proposal is premised on the idea that what is good for Minneapolis is automatically good for Mountain Lake, Moorhead, or Mahanomen. Let the folks in Mountain Lake, Moorhead, and Mahanomen decide for themselves. Lately, too much of what we have been seeing from the legislature fails to recognize the differences between the realities of the metro versus Greater Minnesota.

In 2023, the legislature gave local governments much to implement and respond to. The 2024 session needs to be focused on supporting those communities and otherwise concentrating on the basics. Pass a bonding bill and stabilize our EMS system—those should be the priorities for the 2024 session. New mandates and ‘bold’ ideas can wait.”

###

The Coalition of Greater Minnesota Cities is a nonprofit, nonpartisan advocacy organization that represents cities outside of the Twin Cities metropolitan area. The Coalition educates legislators about issues important to Greater Minnesota. Visit the CGMC online at greatermncities.org and follow us on Twitter [@greatermncities](https://twitter.com/greatermncities).

§ 150.500 PURPOSE OF OFF-STREET PARKING AND LOADING REQUIREMENTS.

Regulation of off-street parking and loading spaces in the zoning code is to alleviate or prevent congestion of the public right-of-way and so to promote the safety and general welfare of the public by establishing minimum requirements for off-street parking, loading and unloading from motor vehicles in accordance with the utilization of various parcels of land and structures. All applications for an occupancy certificate 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 following requirements:

(A) *Exempted.* Buildings or structures for which a permit has been issued prior to the effective date of the zoning code, but for which work has not been completed, shall be exempt from the stated parking requirements if the structure or building is completed within six (6) months after the above stated date.

(B) *Existing parking not to be reduced.* Existing off-street parking spaces and loading spaces on the effective date of the zoning code shall not be reduced in number unless said number exceeds the requirements set forth herein for a similar new use.

(C) *Damaged or destroyed buildings.* Should a building, structure or use in existence on the effective date of the zoning code be damaged or destroyed by fire or other cause, it may be reestablished except that in doing so any off-street parking or loading which existed must be retained and should plans be effected for enlarging the floor area, seating capacity or other facilities which would affect the parking or loading requirements, the parking lot or loading area shall be enlarged accordingly.

(D) *Yards.* Parking areas in B-2 districts shall be set back from all property lines a minimum of five (5) feet or as allowed per site plan approval. Other parking areas in other districts shall be subject to front yard setback requirements in accordance with the district in which the use is so located.

(E) *Floor area.* The term **FLOOR AREA** for the purpose of calculating the number of off-street parking spaces shall mean the sum of all floor areas in a building as calculated from the outside dimensions of the building. It shall not include areas used primarily for non-public purposes such as storage, incidental repair, offices of building management or maintenance, toilets or rest rooms, utilities, or dressing, fitting, or alteration rooms.

(F) *Benches in places of public assembly.* In stadiums, sport 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 (1) seat for the purpose of determining requirements for off-street parking facilities under the zoning code.

(Ord. 395, passed 7-6-2010)

§ 150.501 DESIGN AND MAINTENANCE OF OFF-STREET PARKING AREA.

(A) *Access.* Parking areas shall be designed so as to provide adequate means of access to a public alley or street. Such driveway access shall not exceed twenty-four (24) feet in width for residential districts and for other districts shall be allowed pursuant to site plan approval by the city. Properties within residential districts shall be limited to two (2) accesses and a minimum of six (6) feet is required between accesses. Accesses shall be located so as to cause the least interference with traffic movement and shall be no closer than two (2) feet from side lot lines, except for those properties with an approved zero (0) foot lot line.

(B) *Size of parking spaces.* Each parking space shall be not less than nine (9) feet wide and nineteen (19) feet in length exclusive of an adequately designed system of access drives.

(C) *Drive aisles.* Drive aisles shall be no less than twenty six (26) feet in width.

(D) *Fractional spaces.* When the determining of the number of off-street parking spaces results in a fraction, each fraction of one-half (1/2) or more shall constitute another space.

(E) *Signs.* No signs shall be located in any parking area except as necessary for orderly operation of traffic movement.

(F) *Surfacing.* All new parking areas and driveways shall be hard surfaced in order to control dust and drainage. Allowable surfacing materials include bituminous, concrete, or other materials as approved by the Public Works Director. Parking areas designed for fewer than three (3) vehicles shall be exempt from the hard surfacing requirement; however, all parking areas and driveways shall be hard surfaced a minimum of fifty (50) feet as measured from the nearest edge of the public roadway. If the public roadway is not hard surfaced, the driveway need not be hard surfaced until such time that the property owner is given notice to do so by the city. Notice will be given by the city within thirty (30) days of the public roadway being hard surfaced. The notice shall specify a required completion date which shall not be less than three (3) months nor more than one (1) year from the date of the notice. At any time that a property owner installs a new garage, adds on to an existing garage or replaces a garage, the hard surfacing requirement shall be enforced. Plans for surfacing and drainage are subject to city review and approval. A surfacing deposit, in an amount set forth by the City Council from time to time, shall be paid to the city at the time of building permit issuance for any property owner developing a vacant property, installing a new garage, adding on to an existing garage or replacing an old garage. The payment shall be made in the form of cash, letter of credit, or other means as approved by the city. Upon completion of the hard surfacing, the deposit shall be refunded. Surfacing shall be completed within one (1) year of building permit issuance or the deposit shall be forfeited.

(G) *Lighting.* Any lighting used to illuminate an off-street parking area shall be so designed and arranged as to reflect the

light away from adjacent property.

(H) *Curbing and landscaping.* All open off-street parking areas designed to have head-in parking along the property line shall provide a bumper curb not less than three (3) feet from the side property line or guard of normal bumper height not less than one (1) foot from the side property line. When said area is for six (6) spaces or more, a curb or fence not over six (6) feet in height shall be erected along the front yard set back line with grass or planting occupying the space between the sidewalk and curb or fence.

(I) *Fence required.* When a required off-street parking area for six (6) or more vehicles is located adjacent to an R district a fence of adequate design, not over six (6) feet in height nor less than three and one-half (3-1/2) feet in height, shall be erected along the R district property line. Landscaping techniques approved by the city may be used to accomplish a buffer in lieu of fencing between the parking lot and the R district.

(J) *Maintenance of off-street parking space.* It shall be the joint responsibility of the operator and owner of the principal use, uses or building to maintain, in a neat and adequate manner, the parking area, access ways, landscaping and required fences.

(K) *R districts.* Required off-street parking spaces/areas in the R-1, R-2, R-3 and R-4 districts shall be on the same lot as the principal building.

(L) *Commercial vehicle parking.* Off-street parking facilities accessory to residential use shall be utilized solely for the parking of passenger automobiles or one (1) truck not to exceed one and one-half (1-1/2) ton capacity for each dwelling unit. Under no circumstance shall required parking facilities accessory to residential structures be used for the storage of commercial vehicles or for the parking of automobiles belonging to the employees, owners, tenants or customers of business or manufacturing establishments.

(M) *Prohibited use of parking area.* Required off-street parking space in any district shall not be utilized for open storage of goods or for the storage of recreational vehicles and campers and vehicles which are inoperable or for sale or rent.

(N) *Recreational vehicle parking.* Off street parking facilities utilized for recreational vehicles, including but not limited to RVs, campers and boats, shall have an improved, durable surface.

(Ord. 395, passed 7-6-2010) Penalty, see § 150.999

§ 150.502 JOINT PARKING FACILITIES AND CONTROL OF OFF-STREET PARKING.

(A) *Joint parking facilities.* Off-street parking facilities for a combination of mixed buildings, structures or uses may be provided collectively in any business or industrial district where separate parking facilities for each separate building, structure or use would be difficult to achieve, provided that the total number of spaces shall equal the sum of the separate requirements of each use and the maximum distance between any parking space and any principal use is not more than three hundred (300) feet measured along usual routes of public pedestrian access.

(B) *Control of off-street parking facilities.* When required accessory off-street parking facilities are provided elsewhere than on the lot in which the principal use served is located, they shall be in the same ownership or control, either by deed or long-term lease, as the property occupied by such principal use, and the owner of the principal use shall file a recordable document with the city requiring the owner and his or her heirs and assigns to maintain the required number of off-street parking spaces during the existence of said principal use.

(Ord. 395, passed 7-6-2010)

§ 150.503 MINIMUM PARKING REQUIREMENTS.

(A) *Residential uses.*

USE	MINIMUM PARKING REQUIRED
USE	MINIMUM PARKING REQUIRED
Single family, townhouse, condo, two family, manufactured/mobile	Two (2) spaces per dwelling unit
Group home, state licensed residential facility	Two (2) spaces for each five (5) beds offered for residence purposes
Boarding house, bed & breakfast	Two (2) spaces plus one (1) for each guest room
Day care facility - Residential	No spaces required when the facility serves no more than fourteen (14) persons. The dwelling is still subject to the minimum parking requirements provided in this section
Day care facility - Non-Residential (serving no more than fourteen (14) persons)	No additional spaces required when facility serves no more than fourteen (14) persons

Day care facility - Non-Residential (serving fifteen (15) or more persons)	One (1) space per five (5) persons served based on the facility's licensed capacity plus one (1) space for each employee or volunteer on the largest shift plus one (1) space for each business vehicle
Multi-family structure (excluding senior housing)	Two (2) spaces for each unit, one (1) parking space for each efficiency unit
Senior housing	One (1) space per dwelling unit
Apartments attached to businesses	Two (2) spaces per unit

(B) *Institutional uses.*

USE	MINIMUM PARKING REQUIRED
Chemical dependent or similar group home	One (1) space for each three (3) residents plus one (1) for each staff member
Community center	Parking shall be based on the uses within the building
Hospital	One (1) space for each three (3) hospital beds plus one (1) for each employee on the largest shift. Bassinets shall not be counted as beds for the purpose of calculating the number of off-street parking spaces required

Institutional group home	One (1) space for each four (4) residents allowed by city code
Library, museum, art gallery	One (1) space for each three hundred fifty (350) square feet of floor area in the principal structure
Nursing home, boarding care home	One (1) space for each ten (10) beds plus one (1) for each employee on the largest shift
Playground, playfield	Two (2) spaces per acres of playground and forty (40) spaces for each playfield. When a public recreation site has more than one (1) use designation, the required parking spaces must be determined for each separately. The sum of those use requirements shall be the total number of spaces required.
Post office, parcel delivery service	Ten (10) spaces plus one (1) space for each five hundred (500) square feet of floor area devoted to office, processing or service plus one (1) space for each vehicle customarily kept on the premises
Private club or lodge hall	One (1) space for each three (3) persons allowed within the maximum occupancy load as established by city, county or state fire building or health codes
Religious institution	One (1) space for each three (3) seats based on the design capacity of the main assembly hall. Up to fifty percent (50%) of the required parking can be provided through a nonexclusive written agreement with the owner of another property located within two hundred (200) feet of an entrance to the religious institution which authorizes parking during times of worship or events conducted at the religious facility at times other than usual business hours on property which is an off-street parking lot which meets the design requirements of this chapter and satisfies the parking requirements for the use of the other property during ordinary business hours during the usual work week.
School - elementary, junior high	Two (2) spaces per classroom
School - high school, post secondary	One (1) space per staff member on the largest shift plus one (1) space for each five (5) students

(C) *Commercial uses.*

USE	MINIMUM PARKING REQUIRED
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Bank	One (1) space for each two hundred fifty (250) square feet of usable floor area
Beauty or barber shop	Two (2) spaces per seat plus one (1) space per employee on the largest shift
Bowling alley	Five (5) spaces per lane. Other uses which are commonly associated with bowling alleys, such as restaurants and game rooms, will require additional parking and loading space, the number of which shall be determined by the parking requirements for those uses specified in this section.
Business/trade school	One (1) space per student calculated by reference to the design of the school structure plus one (1) space for each classroom
Car wash	Stacking for a minimum of three (3) vehicles per wash bay
Club, lodge	One (1) space for each three (3) seats calculated by reference to the design of the facility plus one (1) space for every fifty (50) square feet of customer space in the dining and or bar areas
Convenience store - with or without gas pumps	One (1) space per two hundred (200) feet of gross floor area plus one (1) space per two (2) employees on the largest shift. Other uses which are commonly associated with convenience stores, such as car washes, will require additional parking and/or stacking space, the number of which shall be determined by the parking requirements for those uses specified in this section.
Convention/exhibition hall	One (1) space for each three (3) seats calculated by reference to the design of the facility
Fast food establishment - with seating	One (1) space per three (3) patron seats plus one (1) space per two (2) employees on the largest shift plus seven (7) continuous spaces for vehicle stacking when a drive- through window is provided
Fast food establishment - without seating	One (1) space per two hundred (200) square feet of gross floor area plus one (1) space per two (2) employees on the largest shift plus seven (7) continuous spaces for vehicle stacking when a drive-through window is provided

Food service, bakery	One (1) space for each twenty-five (25) square feet of customer floor area
Funeral home	One (1) space for each five (5) seats plus one space for each two hundred fifty (250) square feet of floor area not used for seating. If fixed seats are not provided, the requirement shall be one (1) space for every thirty five (35) square feet of seating area
Furniture/home furnishing store	Two parking spaces for each one thousand (1,000) square feet of gross floor area for customer parking plus one (1) parking space for each two (2) employees
Golf/archery driving range	One (1) space for each target or driving tee
Golf course	Four (4) spaces for each golf hole plus one (1) space for each two hundred (200) square feet of locker rooms and clubrooms. If the clubhouse contains dining and/or bar facilities, the parking requirements shall be the same as for a restaurant.
Grocery store	Four (4) spaces for each one thousand (1,000) square feet of usable floor area
Hotel, motel	One (1) space for each guestroom. Any other use, such as restaurant and conference space, requires additional parking and loading spaces as determined by the parking requirements for those other uses specified in this section.
Laundromat, coin operated cleaner	One (1) space for each four (4) machines

Medical/dental clinic and/or office	Three (3) parking spaces for each staff doctor or dentist
Miniature golf	Two (2) spaces per golf hole
Motor vehicle sales establishment	One (1) space for each five hundred (500) square feet of usable floor area of sales room and two (2) spaces for each service stall and one (1) for each employee
Motor vehicle service station (full service)	One (1) space per employee on the largest shift plus three (3) additional spaces for each service stall
Office	One (1) space for every two hundred fifty (250) square feet of usable floor area
Oil change station	One (1) space per employee on the largest shift plus stacking for two (2) additional vehicles per service stall

Open sales / rental lot	One (1) space fore very two thousand five hundred (2,500) square feet of land which is to be used for sales and display area
Restaurant, café	One (1) space per four (4) patron seats
Retail store (except as otherwise specified herein)	Four (4) parking spaces for each one thousand (1,000) square feet of gross floor area
Skating/ice/roller rink	One (1) space for every three hundred (300) square feet of gross floor area
Sports/health club, swimming pool	One space for every two hundred (200) square feet of non- court area plus two (2) spaces per tennis or racquet ball court and one (1) space for every fifty (50) square feet of deck area for a swimming pool
Tavern, dance hall, night club, lounge	One (1) space per three (3) seats plus one space for every employee on the largest shift
Theater, auditorium, assembly hall, meeting hall	One (1) space for every four (4) seats plus one (1) space for every employee on the largest shift
Veterinary office	Three (3) spaces per doctor plus one (1) space per employee on the largest shift

(D) *Industrial uses.*

USE	MINIMUM PARKING REQUIRED
Industrial/manufacturing establishment	Five (5) spaces plus one (1) space for each employee on the largest working shift, but not less than one (1) space per one thousand (1,000) square feet of gross floor area
Wholesale/warehouse establishment	Four (4) spaces plus one (1) for each employee on the largest working shift
Adult entertainment	One (1) space per employee on the largest shift plus one (1) space per two hundred fifty (250) square feet of gross floor area

(E) If it can be demonstrated by a property owner through market studies or other means that the required off-street parking requirement is excessive and lesser requirements justifiable, the City Council may reduce the number of required spaces by passage of a resolution following review by the Planning Commission.

(F) Any use not specifically mentioned above shall meet the requirement of the use most clearly related to it as determined by the Zoning Administrator. If the Zoning Administrator is unable to identify a similar use, a determination shall be made by the City Council following review by the Planning Commission.

(Ord. 395, passed 7-6-2010; Am. Ord. 484, passed 12-21-2021)

§ 150.504 ADJUSTMENT TO OFF-STREET PARKING REQUIREMENTS IN THE B-1 AND B-2 DISTRICTS.

(A) Should an existing building or structure be expanded, the required off-street parking requirements shall be adjusted upwards accordingly. No adjustment shall be made for downsizing of any building/structure or the change of a business to a lower zoning use.

(B) In the B-1 district, new buildings/structures, expansions of existing businesses, the off-street parking requirements

may be met, upon City Council approval, by providing the actual parking spaces, by obtaining seasonal apartment parking permits, or by contributing to the City Parking Fund for each space or fraction of a space required. The off-street parking requirements can be met by any combination of actual spaces, seasonal apartment parking permits and contributed spaces, provided that the combination is equal to the theoretical amount of spaces required.

(C) The amount to be contributed to the City Parking Fund for each required parking space in lieu of an actual space is five hundred dollars (\$500.00) per space.

(Ord. 395, passed 7-6-2010)

§ 150.505 OFF-STREET LOADING AND UNLOADING AREAS.

(A) *Requirements.*

(1) *Location.* All required loading berths shall be off-street and shall be located on the same lot as the building or use to be served. A loading berth shall not be located less than twenty-five (25) feet from the intersection of two (2) street rights-of-way; nor less than fifty (50) feet from a residential district unless within a building. Loading berths shall not occupy the required front yard set back space.

(2) *Size.* Unless otherwise specified in the zoning code, a required loading berth shall be not less than ten (10) feet in width, fifty (50) feet in length and fourteen (14) feet in height, exclusive of aisle and maneuvering space.

(3) *Access.* Each required loading berth shall be located with appropriate means of vehicular access to a street or public alley in a manner which will least interfere with traffic.

(4) *Surfacing.* All loading berths and access ways shall be improved with a durable material to control the dust and drainage according to a plan approved by the City Engineer.

(B) *Accessory use.* Any space allocated as a loading berth or access drive so as to comply with the terms of the zoning code shall not be used for the storage of goods, inoperable vehicles or be included as a part of the space requirements necessary to meet the off-street parking area.

(C) *Required minimum berths.*

(1) *Requirements.*

(a) *Non-residential uses having ten thousand (10,000) square feet or more.* For ten thousand (10,000) to one hundred thousand (100,000) square feet floor area, one (1) loading berth; for each additional thirty thousand (30,000) square feet of floor area or fraction thereof above one-fourth (1/4), one (1) additional loading berth. For a building having twenty thousand (20,000) square feet or less, the length of the berth may be reduced to twenty-five (25) feet.

(b) *Retail sales, office public administration building, hospitals, schools, hotels, and similar uses.* For such a building having ten thousand (10,000) to two hundred thousand (200,000) square feet of floor area, one (1) off-street loading berth fifty (50) feet in length and one (1) berth twenty-five (25) feet in length for each fifty thousand (50,000) square feet or fraction thereof.

(c) *Manufacturing, fabrication, warehousing, storing, servicing, and similar establishments.* For a building having ten thousand (10,000) to one hundred thousand (100,000) square feet floor area, one (1) loading berth fifty (50) feet in length and one (1) additional berth for each additional one hundred thousand (100,000) square feet or fraction thereof above one-fourth (1/4), and one (1) berth twenty-five (25) feet in length for each thirty-five thousand (35,000) square feet of floor area or fraction thereof.

(2) *Other businesses.* Upon receiving an application for a particular use a for a parcel or building which is not adequately provided for by the above categories mentioned and which, in the opinion of the Building Inspector, is to receive or distribute goods or services which will necessitate the use of trucking to the extent that special consideration should be given to the request, such application shall be referred to the Council for determination.

(Ord. 395, passed 7-6-2010) Penalty, see § 150.99