

ARTICLE 7 – OFF-STREET PARKING AND LOADING REGULATIONS

1. Applicability: Off-street parking and loading space, as required in this article, shall be provided for all new structures, and for alterations and additions to existing structures. Off-street parking and loading space shall be required for any existing structure or structure which is altered in any manner so as to enlarge or increase capacity by adding or creating dwelling units, guest rooms, floor area or seats. Existing parking area previously required shall not be used to satisfy required off-street parking for any new structures, alterations, or additions to existing structures or uses of land. Such existing parking space shall be maintained and shall not be reduced so long as the main structure or use remains, unless an equivalent number of such spaces are provided elsewhere as provided in this article; except that no off-street parking or loading space shall be required for any use located in the “C-2” Business - Central District. All new parking and expansions of existing parking, including that in the “C-2” Business – Central District shall meet the General Provisions and Layout and Design Requirements herein.

2. General Provisions:
 - A. Utilization: Required accessory off-street parking facilities provided for the uses hereinafter listed shall be solely for the parking of motor vehicles in operating condition of patrons, occupants, or employees of such uses.

 - B. Front Yard Setbacks: Unless excepted by site-plan review, off-street parking spaces shall be provided in other than the front yard in all districts, except that in the event an attached garage is converted to a livable room of the dwelling, the parking space may occupy the existing concrete or asphaltic drives when located within the required front yard.

 - C. Accessory Use: Off-street parking shall be considered as an accessory use of the use for which the parking is provided. Parking not located on the same tract on which the main use is located must be located within the zoning district in which parking or storage lots are permitted as a main use; or be located in accordance with the provisions of this article relating to off-street parking exceptions.

In no instance shall off-street parking required by this article be located more than 300 feet (as measured along lines of public access) from the use which it serves.

 - D. Repair Service: No motor vehicle repair work or service of any kind shall be permitted in association with any off-street parking facilities.

 - E. Computation: When determination of the number of off-street parking spaces required by this regulation results in a requirement of a fractional space, the fraction of 1/2 or less may be disregarded, and a fraction in excess of 1/2 shall be counted as one parking space.

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- F. **Mixed Uses:** When a structure or development contains mixed uses, the off-street parking requirements shall be calculated for each individual use and the total parking requirement shall be the sum of individual parking requirements.

 - G. **Shared Parking:** One or more adjacent property owners may utilize shared off-street parking to meet parking requirement, as approved by the Zoning Administrator, under the following circumstances:
 - (1) The total number of spaces provided in all shared parking areas must be equal to at least seventy-five percent (75%) of the number of spaces otherwise required for each use individually.
 - (2) Access drives shall be minimized to that required for any one of the participating parties.
 - (3) A written agreement, attested by all participating parties, shall be filed with the Butler County Register of Deeds for all affected parcels.
 - (4) Such agreements shall run with the land.
3. **Layout and Design Requirements:** Off-street parking and loading improvements in other than “A-R”, “R-S” and R-1” Districts shall be subject to site plan review. Parking improvements shall include all parking stalls, aisles, driveways and other areas used for vehicular parking, loading or circulation. The construction and renovation of certain structures and facilities must conform to the provisions of the Americans with Disabilities Act (ADA) Title III of 1990. Structure plans for construction, alteration or remodeling permits must identify how compliance to the ADA parking and other site requirements are to be met. Permits for new construction must comply with the entire Title III of the Act as it relates to the structure and site.

The Planning and Zoning Department will provide information upon request to assist the public in interpreting the requirements of the ADA, which generally provide for at least one accessible route within the boundary of the site from a parking space or street to an accessible structure entrance. Accessible spaces and access aisles are required, as well, among other detailed provisions.

Except as otherwise superseded by ADA requirements, parking layout and design shall subject to the following standards.

- A. **Area:** Unless otherwise approved by the Planning and Zoning Department, all required off-street parking spaces other than those require for handicapped access shall be at least eight (8) feet six (6) inches in width and at least nineteen (19) feet in length. Off-street parking required for handicapped access shall be a minimum of thirteen (13) feet in width

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and at least nineteen (19) feet in length. Dimensions are exclusive of access drives or aisles, ramps and columns.

- B. Access: Access from streets to parking lots shall be by means of paved driveways not more than thirty (30) feet wide, unless otherwise required by Kansas Department of Transportation. Access to each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. Required off-street parking spaces shall not have direct access from any public street or highway.
- C. Design: Off-street parking spaces shall comply with the design standards relating to curb length, stall depth, driveway width, island width, barriers, and ingress and egress as contained in the Off-Street Parking Standards of this article.
- D. Surfacing: All open off-street parking surfacing and access drives shall be hard surfaced with asphaltic concrete, or concrete on a compacted subgrade as approved by the City Engineer; provided, however, that the total area of paving, including access drives and parking areas, may be modified for residential properties by variance when unusual circumstances are found that warrant relief from these surfacing requirements.

Uses that are agricultural in nature and which produce low volumes of traffic, shall not be required to pave and curb their parking lots and entry drives except for the following:

- (1) Seventy-five (75) feet of the drive approach from a public right-of-way shall in all cases be hard surfaced;
- (2) Surfacing as required to meet ADA requirements; and
- (3) All other surfacing shall be designed and regularly treated as necessary to minimize dust nuisance.

An existing parking area which does not conform with these surfacing regulations shall not be required to be paved unless its area is increased by more than 50 percent, or 50 percent or more of the surface is required to be replaced or repaired.

- E. Lighting: Any lighting used to illuminate off-street parking and loading areas shall be directed away from residential properties in such a way as not to interfere with the residential use.
- F. Curbing: The perimeter of all required off-street parking and loading areas and their access drives shall be curbed, with the exception of driveways for single-family and duplex residences. Curbs shall also protect landscape islands and other interior parking features. Curbs shall meet the City of El Dorado's minimum construction standards.

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Off-street parking areas shall be defined as parking stalls, drives, and other access ways to said parking stalls, all loading areas and access thereto, and all exterior storage area. Access drives to loading areas, parking areas in excess of these regulations, storage areas and work areas within secured perimeters in Industrial Zoning Districts shall be exempt from surfacing requirements. However, in no case shall less than a twenty-five (25) foot paved access way from a public street be provided.

4. Maintenance: Off street parking improvements as required by these regulations shall be maintained in safe and operable conditions as required to meet the intent of both these regulations and ADA requirements. Any parking improvement that is deemed to pose a threat to the public health, safety or welfare or is in violation of any other City of El Dorado code or ordinance shall be subject to penalties specified in Article 15 of these regulations.
5. Required Spaces: Off-street parking spaces shall be provided as follows:
 - A. Dwelling and Lodging Uses:
 - (1) Boarding or rooming houses: One parking space per each three sleeping rooms.
 - (2) Dormitories, fraternities, and sororities: Two parking spaces for each three occupants based on the maximum design capacity of the structure.
 - (3) Hotels and motels: One space per each rental unit plus one space per each two employees in the largest working shift and such spaces as are required for restaurants, assembly rooms, and other affiliated facilities provided.
 - (4) Manufactured home parks: Two parking spaces per each manufactured home.
 - (5) Nursing homes, rest homes, etc.: One parking space for every five beds, plus one parking space for each two employees based on the largest working shift in any 24-hour period.
 - (6) Single-family: Two spaces per dwelling unit.
 - (7) Two-family and multiple-family: Two spaces per dwelling unit. Two-family and multiple-family dwelling units designed specifically for the elderly, one space per two dwelling units.
 - B. Business, Commercial, and Industrial Uses:
 - (1) Automobile, truck, recreational vehicle and manufactured home sales and rental lots: One parking space for each 3,000 square feet of open sales lot area devoted to

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the sale, display and rental of said vehicles, plus one parking space for each employee.

- (2) Automobile salvage yards: One parking space for each employee, plus one parking space for each 10,000 square feet of storage area.
- (3) Financial, business, and professional offices: One parking space for each 300 square feet of gross floor area.
- (4) Bowling alleys: Four parking spaces for each lane.
- (5) Cartage, express, parcel delivery and freight terminal establishments: One parking space for each two employees in the largest working shift in a 24-hour period, plus one parking space for each vehicle maintained on the premises.
- (6) Automobile wash: Three holding spaces for each car washing stall plus two drying spaces for each car washing stall.
- (7) Funeral homes and mortuaries: One parking space for each four seats based upon the designed maximum capacity of the parlor, plus one additional parking space for each employee and each vehicle maintained on the premises.
- (8) Furniture and appliance stores, household equipment or furniture repair shop: One parking space for each 400 square feet of floor area.
- (9) Manufacturing, production, processing, assembly, disassembly, cleaning, servicing, testing or repairing of goods, materials or products: One per three employees based upon the largest working shift in any 24-hour time period.
- (10) Medical and dental clinics or offices: One parking space for each 200 square feet of gross floor area.
- (11) Restaurants taverns, bars, night clubs, dance/entertainment clubs and adult entertainment establishments: One parking space for 2.5 seats based on the maximum designed seating capacity; provided, however, that drive-in restaurants shall have a minimum of at least ten parking spaces.
- (12) Retail stores and shops: One space per 250 square feet of floor area.
- (13) Service stations and vehicle repair: One parking space for each employee plus two spaces for each service bay.

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- (14) Theaters, auditoriums, and public assembly venues with fixed seats: One space for each 3.5 seats.
- (15) Theaters, auditoriums, and public assembly venues without fixed seats: One parking space for each four people, based upon the computed occupant load of the structure or the assembly area.
- (16) Warehouse, storage and wholesale establishments: One parking space for each two employees based upon the largest working shift in any 24-hour period.
- (17) All other business and commercial establishments not specified above: One parking space for each 300 square feet of floor area.

C. Other Uses:

- (1) Elementary, junior high and equivalent parochial and private schools: Two spaces for each classroom.
- (2) High schools, colleges, universities and other similar public or private institutions of higher learning: Eight parking spaces for each classroom, plus one space for each two employees.
- (3) Hospitals: One parking space for every four beds, plus one parking space for each resident or staff doctor plus one space for each two employees based on the largest working shift in any 24-hour period.
- (4) Laundromats: One space for each two washing machines.
- (5) Nursery schools, day care centers and church day cares, public or private: One parking space for each employee, plus one space for every four infants or children allowed under the applicant's KDHE license.
- (6) Swimming pools and clubs: One parking space for each 50 square feet of water area.
- (7) Trade, technical and commercial schools: One parking space for each three students and employees.

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6. Special Uses:

- A. District Permitted: In order to provide off-street parking areas, the Planning Commission may, after public notice and hearing, grant as a special use the establishment of parking areas in any zoning district under the provisions further set forth in this section.
- B. Location: Parking provided under this section must be within 300 feet (along lines of public access) from the boundary of the use for which the parking is provided.
- C. Use: The parking area shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials, or supplies. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.

7. Loading and Unloading Regulations: Loading and unloading space shall be provided off-street and on the same premises with every structure or part thereof, hereafter erected, established or enlarged and occupied for goods display, retail operation, department store, market, hotel, mortuary, laundry, dry cleaning, office uses or warehouses, manufacturing or other uses, involving the receipt or distribution of materials or merchandise by motor vehicles. The loading and unloading space or spaces shall be so located to avoid undue interference with public use of streets, alleys and walkways.

A. Spaces Required:

- (1) For all uses in the “C-1” Business District, loading facilities shall be provided in accordance with the following table:

Gross Floor Area of Establishments in Thousands of Sq. Ft.	Required Number and Size of Loading Berths
1-10	1-(10' x 25')
10-25	2-(10' x 25' each)
25-40	2-(10' x 70' each)
40-100	3-(10' x 70' each)

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- (2) For all uses in the “I-1” and “I-2” Districts, loading facilities shall be provided in accordance with the following table:

<u>Gross Floor Area of Establishments in Thousands of Sq. Ft.</u>	<u>Required Number and Size of Loading Berths</u>
1-10	1-(10' x 25')
10-40	1-(10' x 70')
40-100	3-(10' x 70' each)

- (3) For each additional 100,000 square feet of gross floor area or any fraction thereof over 100,000 square feet of gross floor area, one additional berth shall be provided. Each such additional berth shall be at least 10 feet in width by 60 feet in length.