

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 17, 2011 AGENDA

Subject:	Type:	Submitted By:
ZONING TEXT AMENDMENT— SECTION 7.05 AND 7.06 OFF-STREET PARKING	◆ RESOLUTION ◆ ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled and an ordinance prepared to amend Sections 7.05 and 7.06, Zoning Regulations, regarding Off-Street Parking.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled for the Planning Commission to consider amendments to the Zoning Regulations.

Community Development staff is proposing to add Section 7.05.08 to Off-Street Automobile Storage to include language regarding requirements for enclosed garage parking. This will require new multi-family, apartment and condominium developments to construct 0.5 garages per unit.

An analysis of four of the most recent apartment complexes with garages is attached. The analysis breaks down the number of garages that were constructed per unit. Furthermore, these amendments were developed to increase safety within these complexes and to reduce the amount of police calls due to vehicle break-ins.

A red-lined copy of the proposed amendment is attached.

The Planning Commission held a public hearing on April 21, 2011. Hewitt and Solberg suggested possibly changing the wording in the last sentence of 7.05.08 to “developments approved by the City prior to the date”. Commissioner Krzywicki suggested changing the wording in the first sentence of 7.05.08 from “shall have 0.5 enclosed garages” to include “a minimum of”. The Planning Commission voted unanimously (8-0) to recommend approval with the changes as noted.

Garages per Bedroom (BR) and per Apartment Unit (APT)

Section 7.05 Off-Street Automobile Storage.

7.05.01 Off-street automobile storage or standing space shall be provided on any lot on which any of the following uses are hereafter established; such space shall be provided with vehicular access to a street or an alley. For purposes of computing the number of parking spaces available in a given area, the ratio of two hundred fifty (250) square feet per parking space shall be used.

7.05.02 If vehicle storage space or standing space required in section 7.06 cannot be reasonably provided on the same lot on which the principal use is conducted in the opinion of the Building Inspector, the Building Inspector may permit such space to be provided on other off-street property, provided such space lies within four hundred (400) feet of an entrance to such principal use. Such vehicle standing space shall be deemed to be required open space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner. *(Ordinance No. 975, 12-20-05)*

7.05.03 All parking spaces for *residential, commercial, industrial, public or quasi-public uses* shall be paved with asphalt or concrete. *(Ordinance No. 975, 12-20-05)* *All parking spaces for permitted temporary uses not located on the same lot as a permitted principle use may be exempt from a paved surface but shall have access to a hard-surface road and have a rock drive for emergency vehicles.* *(Ordinance No. 994, 6-6-06)*

7.05.04 Where calculations in accordance with the foregoing list results in requiring a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.

7.05.05 In Districts R-1, R-2, R-3, and R-4, required off-street parking shall be provided on the lot on which it is located the use to which the parking pertains. In other Districts, such parking may be provided either on the same lot or an adjacent or other lot provided the lot on which the use requiring them is located are not separated by more than three hundred (300) feet at closest points, measured along a street or streets.

7.05.06 Where off-street parking is located on a lot other than the lot occupied by the use, which requires it, site plan approval for both lots is required.

7.05.07 Some uses may require two (2) different use types to be calculated together in order to determine the total parking requirement (Example: Primary schools may require a tabulation for classrooms and assembly areas)

7.05.08 In Districts R-3 and R-4, multi-family, apartment, and condominium dwellings shall have a minimum of 0.5 enclosed garages per unit. The required garages may count towards the total number of parking spaces required as per Section 7.06. Multi-family, apartment, and condominium developments approved by the City prior to _____ shall be exempt of this requirement.

Section 7.06 Schedule of Minimum Off-Street Parking Requirements

(Ordinance No. 1070, 8-19-08)

Uses	Parking Requirements
Adult Entertainment Establishments	One (1) space per 100 sq. feet of gross floor area; plus one (1) space per employee on peak shift
Amusement Arcades	One (1) space for each 100 sq. feet of gross floor area, in addition to one (1) space for each employee on the maximum shift
Animal Specialty Services	One (1) space per 300 sq. feet of gross floor area
Bed and Breakfast/Boarding House	One (1) space per rental unit
Churches, Synagogues, and Temples	One (1) space per 4 seats in main worship area
Social clubs or Fraternal Organizations	One (1) space per 500 sq. feet of gross floor area
Commercial Uses	
Agricultural Sales / Service	One (1) space per 500 sq. feet of gross floor area
Automotive Rental / Sales	One (1) space per 500 sq. feet of gross floor area
Automotive Repair Services	Three (3) spaces per repair stall
Bars, Taverns, Nightclubs	One (1) space per 100 sq. feet of gross floor area, including outside seating; plus one (1) space per employee on peak shift
Equipment Rental / Sales	One (1) space per 500 sq. feet of gross floor area
Campground	One (1) space per camping unit
Communication Services	One (1) space per 500 sq. feet of gross floor area
Construction Sales / Services	One (1) space per 500 sq. feet of gross floor area
Convenience Store with Limited Fuel Sales	One (1) space per 200 sq. feet of gross floor area; spaces adjacent to fuel pump are included in total number
Food Sales (limited)	One (1) space per 300 sq. feet of gross floor area
Food Sales (general)	One (1) space per 200 sq. feet of gross floor area
General Retail Sales Establishments	One (1) space per 200 sq. feet of gross floor area
Laundry Services	One (1) space per 200 sq. feet of gross floor area
Restaurants w/ Drive-thru	One (1) space per 150 sq. feet of gross floor area; plus five (5) stacking spaces for drive through window
Restaurants (General)	One (1) space per four (4) seats or 1 per 100 sq. feet of gross floor area, including outside seating (whichever is greater); plus one (1) space per employee on peak shift
Nursing Home	One (1) space per 3 beds plus 1 per employee on the largest shift.
Child Care Center	One (1) space per employee plus (one) 1 space per 10 children.
Educational Uses, Primary facilities - Kindergarten, Elementary School, Junior High	Two (2) spaces per classroom
Educational Uses, Secondary Facilities - High School	Eight (8) spaces per classroom plus 1 space per teacher
Funeral Homes and Chapels	Eight (8) spaces per reposing room
Group Care Home	One (1) space per 4 residents plus one additional space for each employee
Health Club	One (1) space per 200 sq. feet of gross floor area, plus one space for each employee on peak shift
Hospitals	One and one-half (1 1/2) spaces per 2 licensed beds; plus, .75 times the maximum number of employees during the largest shift
Hotels and Motels	One (1) space per rental unit
Housing (Congregate)	
Assisted-living facilities	One (1) space per dwelling unit plus 1 space per employee on the largest shift
Duplex	Two (2) spaces per dwelling unit
Multi-family / Apartments / Condominiums	One (1) space per bedroom. (See Section 7.05.08 for additional requirements)
Industrial Uses / Flex Space for Industrial	One (1) space per 3,000 sq. feet of gross floor area
Libraries	One (1) space 500 sq. feet of gross floor area
Medical Clinics	One (1) space per 250 sq. feet of gross floor area
Mobile Home Park	Two (2) per dwelling unit
Offices and Office Buildings	One (1) space per 200 sq. feet of gross floor area
Recreational Facilities	One (1) space per four (4) occupants or, in the case of a nonstructural facility, one (1) space per four (4) persons the facility is intended to accommodate
Residential (Single-family, attached and detached)	Two (2) spaces per dwelling unit with 1 required to be enclosed
Roadside Stands	Four (4) spaces per stand
Special and Vocational Training	One (1) space per 500 sq. feet of gross floor area
Theaters, Auditoriums, and Places of Assembly	One (1) space per 4 seats
Veterinary Establishments / Pet Health Services	One (1) space for every 300 sq. feet of gross floor area (excluding floor area used for keeping and caring for large farm animals)
Wholesaling / Distribution Operations	One (1) space per 5,000 sq. feet of gross floor area

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 7.05 AND SECTION 7.06 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 7.05 AND SECTION 7.06 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Amendment of Section 7.05. Section 7.05 of Ordinance No. 848 is hereby amended to read as follows:

Section 7.05 Off-Street Automobile Storage.

7.05.01 Off-street automobile storage or standing space shall be provided on any lot on which any of the following uses are hereafter established; such space shall be provided with vehicular access to a street or an alley. For purposes of computing the number of parking spaces available in a given area, the ratio of two hundred fifty (250) square feet per parking space shall be used.

7.05.02 If vehicle storage space or standing space required in section 7.06 cannot be reasonably provided on the same lot on which the principal use is conducted in the opinion of the Building Inspector, the Building Inspector may permit such space to be provided on other off-street property, provided such space lies within four hundred (400) feet of an entrance to such principal use. Such vehicle standing space shall be deemed to be required open space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner. (*Ordinance No. 975, 12-20-05*)

7.05.03 All parking spaces for residential, commercial, industrial, public or quasi-public uses shall be paved with asphalt or concrete. (*Ordinance No. 975, 12-20-05*) All parking spaces for permitted temporary uses not located on the same lot as a permitted principle use may be exempt from a paved surface but shall have access to a hard-surface road and have a rock drive for emergency vehicles. (*Ordinance No. 994, 6-6-06*)

7.05.04 Where calculations in accordance with the foregoing list results in requiring a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.

7.05.05 In Districts R-1, R-2, R-3, and R-4, required off-street parking shall be provided on the lot on which it is located the use to which the parking pertains. In other Districts, such parking may be provided either on the same lot or an adjacent or other lot provided the lot on which the use requiring them is located are not separated by more than three hundred (300) feet at closest points, measured along a street or streets.

7.05.06 Where off-street parking is located on a lot other than the lot occupied by the use, which requires it, site plan approval for both lots is required.

7.05.07 Some uses may require two (2) different use types to be calculated together in order to determine the total parking requirement (Example: Primary schools may require a tabulation for classrooms and assembly areas)

7.05.08 In Districts R-3 and R-4, multi-family, apartment, and condominium dwellings shall have a minimum of 0.5 enclosed garages per unit. The required garages may count towards the total number of parking spaces required as per Section 7.06. Multi-family, apartment, and condominium developments approved by the City prior to _____ shall be exempt of this requirement.

SECTION 2. Amendment of Section 7.06. Section 7.06 of Ordinance No. 848 is hereby amended to read as follows:

Section 7.06 Schedule of Minimum Off-Street Parking Requirements

Uses	Parking Requirements
Adult Entertainment Establishments	One (1) space per 100 sq. feet of gross floor area; plus one (1) space per employee on peak shift.
Amusement Arcades	One (1) space for each 100 sq. feet of gross floor area, in addition to one (1) space for each employee on the maximum shift.
Animal Specialty Services	One (1) space per 300 sq. feet of gross floor area.
Bed and Breakfast/Boarding House	One (1) space per rental unit.
Churches, Synagogues, and Temples	One (1) space per 4 seats in main worship area.
Social clubs or Fraternal Organizations	One (1) space per 500 sq. feet of gross floor area.
Commercial Uses	
Agricultural Sales / Service	One (1) space per 500 sq. feet of gross floor area.
Automotive Rental / Sales	One (1) space per 500 sq. feet of gross floor area.
Automotive Repair Services	Three (3) spaces per repair stall.
Bars, Taverns, Nightclubs	One (1) space per 100 sq. feet of gross floor area, including outside seating; plus one (1) space per employee on peak shift.
Equipment Rental / Sales	One (1) space per 500 sq. feet of gross floor area.
Campground	One (1) space per camping unit.

Communication Services	One (1) space per 500 sq. feet of gross floor area.
Construction Sales / Service	One (1) space per 500 sq. feet of gross floor area.
Convenience Store with Limited Fuel Sales	One (1) space per 200 sq. feet of gross floor area; spaces adjacent to fuel pump are included in total number.
Food Sales (limited)	One (1) space per 300 sq. feet of gross floor area.
Food Sales (general)	One (1) space per 200 sq. feet of gross floor area.
General Retail Sales Establishments	One (1) space per 200 sq. feet of gross floor area.
Laundry Services	One (1) space per 200 sq. feet of gross floor area.
Restaurants w/ Drive-thru	One (1) space per 150 sq. feet of gross floor area; plus five (5) stacking spaces for drive through window.
Restaurants (General)	One (1) space per four (4) seats or 1 per 100 sq. feet of gross floor area, including outside seating (whichever is greater); plus one (1) space per employee on peak shift.
Nursing Home	One (1) space per 3 beds plus 1 per employee on the largest shift.
Child Care Center	One (1) space per employee plus (one) 1 space per 10 children.
Educational Uses, Primary facilities - Kindergarten, Elementary School, Junior High	Two (2) spaces per classroom.
Educational Uses, Secondary Facilities - High School	Eight (8) spaces per classroom plus 1 space per teacher.
Funeral Homes and Chapels	Eight (8) spaces per reposing room.
Group Care Home	One (1) space per 4 residents plus one additional space for each employee.
Health Club	One (1) space per 200 sq. feet of gross floor area, plus one space for

	each employee on peak shift.
Hospitals	One and one-half (1 1/2) spaces per 2 licensed beds; plus, .75 times the maximum number of employees during the largest shift.
Hotels and Motels	One (1) space per rental unit.
Housing (Congregate)	
Assisted-living facilities	One (1) space per dwelling unit plus 1 space per employee on the largest shift.
Duplex	Two (2) spaces per dwelling unit.
Multi-family / Apartments / Condominiums	One (1) space per bedroom. <i>(See Section 7.05.08 for additional requirements.)</i>
Industrial Uses / Flex Space for Industrial	One (1) space per 3,000 sq. feet of gross floor area.
Libraries	One (1) space 500 sq. feet of gross floor area.
Medical Clinics	One (1) space per 250 sq. feet of gross floor area.
Mobile Home Park	Two (2) per dwelling unit.
Offices and Office Buildings	One (1) space per 200 sq. feet of gross floor area.
Recreational Facilities	One (1) space per four (4) occupants or, in the case of a nonstructural facility, one (1) space per four (4) persons the facility is intended to accommodate.
Residential (Single-family, attached and detached)	Two (2) spaces per dwelling unit with 1 required to be enclosed.
Roadside Stands	Four (4) spaces per stand.
Special and Vocational Training	One (1) space per 500 sq. feet of gross floor area.
Theaters, Auditoriums, and Places of	One (1) space per 4 seats.

Assembly

Veterinary Establishments / Pet Health Services One (1) space for every 300 sq. feet of gross floor area (excluding floor area used for keeping and caring for large farm animals.)

Wholesaling / Distribution Operations One (1) space per 5,000 sq. feet of gross floor area.

SECTION 3. Repeal of Section 7.05 and Section 7.06 as Previously Enacted. Section 7.05 and Section 7.06 of Ordinance No. 848 as previously enacted is hereby repealed.

SECTION 4. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 5. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

SECTION 6. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 17TH DAY OF MAY, 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

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