

ORDINANCE NO. 2009 – 05

AN ORDINANCE OF THE COUNCIL OF THE TOWN OF VINEYARD, UTAH, AMENDING THE TOWN OF VINEYARD ZONING ORDINANCE, CHAPTER 19 GENERAL PROVISIONS RELATING TO NEW PARKING AND LOADING REQUIREMENTS.

WHEREAS, all due and proper notices of public hearings on this Ordinance held before the Town of Vineyard Planning Commission (the “Commission”) and the Council of the Town of Vineyard (the “City Council”) were given in the time, form, substance and manner provided by Utah Code Section 10-9a-205; and

WHEREAS, the Commission held public hearings on this Ordinance on June 3, 2009; and

WHEREAS, the Commission recommended to the Town Council that this Ordinance be approved; and

WHEREAS, the Town Council held a public hearing on this Ordinance on June 24, 2009.

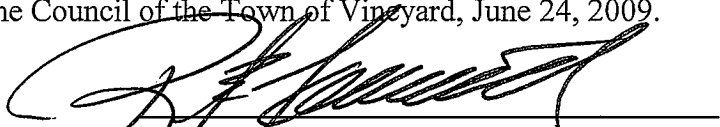
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF VINEYARD as follows:

SECTION 1. That the Town of Vineyard Zoning Ordinance, Chapter 19, is hereby amended to read as shown on Exhibit A, attached and incorporated herein by reference.

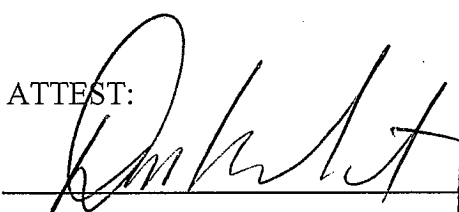
SECTION 2. That the Mayor, the City Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 3. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Council of the Town of Vineyard, June 24, 2009.



Randy Farnworth, Mayor

ATTEST:


Dan Wright, Town Clerk



I
PASSAGE BY MUNICIPAL COUNCIL
ROLL CALL VOTE

ORDINANCE NO. 2009-05
SHORT TITLE: CHAPTER 19 – GENERAL PROVISIONS RELATING TO NEW
 PARKING AND LOADING REQUIREMENTS

ROLL CALL VOTE:

MAYOR RANDY FARNWORTH
 COUNCILMEMBER SEAN FERNANDEZ
 COUNCILMEMBER GRANT HOLDAWAY
 COUNCILMEMBER NORMAN HOLDAWAY
 COUNCILMEMBER NATHAN RILEY

TOTALS

MOTION	SECOND	AYES	NAYS	ABSENT
		✓		
	✓	✓		
		✓		
		✓		
✓		✓		
		5		

This ordinance was passed by the Municipal Council of Vineyard Utah on the 24TH day of June, 2009, on a roll call vote as described above.

II
MAYOR'S ACTION

Mayor's Action: X Approved _____ Disapproved

III
TOWN RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Vineyard Town Recorder on the 25th day of June, 2009.

I hereby certify and attest that the foregoing constitute a true and accurate record of proceedings with respect to Ordinance No. 2009-05.

ATTEST:

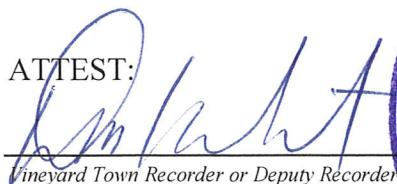

 Vineyard Town Recorder or Deputy Recorder



Exhibit A

Chapter 19 – Parking and Loading Requirements

Section 1901 - Purpose

It is the purpose of this Section is to regulate and ensure the provision of adequate motor vehicle parking and loading spaces for each land use. The purpose of the regulations and development standards set forth in this ordinance aims to alleviate traffic congestion and vehicular/pedestrian conflicts.

Section 1902 – Plans Required

Applications for a building permit for new construction, additions, alterations or change in use shall include a site plan at an appropriate scale that clearly shows proposed site improvements relating to parking as required by this Section. All plans shall show the location, arrangement and dimensions of off-street parking area(s), parking spaces, parking lanes, aisles/driveways, points of ingress and egress, walls, landscaping and barriers. Sidewalks, pedestrian ways, bicycle facilities and their access shall also be shown. The access or driveway locations, width and spacing as well as sight lines and distances, the arrangement of spaces, stall dimensions, surfacing, striping and lighting shall be in compliance with adopted Town standards.

Section 1903 – Parking Requirements

A. Off-street parking spaces shall be provided according to the following provisions and standards.

1. General Provisions

a. Floor Area

The term "floor area" for the purpose of calculating the number of required parking spaces shall be the "Gross Floor Area" of the structures plus defined exterior use areas except as may hereinafter be provided or modified.

2. Change of Use or Occupancy of Buildings

Off-street parking and loading spaces as required herein shall be provided at the time of any new uses of land or construction of a new building. Any change of use or occupancy of any building or buildings, including additions thereto, requiring more parking shall not be permitted until such additional parking spaces as required by this Section are provided.

3. Parking for a Residential Use

Off-street parking facilities for residential uses shall be utilized solely for the parking of licensed and operable passenger vehicles owned by the occupants of the residence or the parking of passenger automobiles by guests of said occupants.

4. Accessible Parking

- a. Accessible parking for non-residential developments shall be provided in conformance with the, Americans with Disabilities Act (ADA), Arizonans with Disabilities Act (AZDA) and International Building Code (IBC) as amended.
- b. Accessible parking for multiple-family residential developments shall be provided in conformance with the Americans with Disabilities Act (ADA), Federal Fair Housing Act (FFHA) and International Building Code (IBC) as amended.

5. Parking Stall Dimensions

The following shall be the minimum parking stall size:

<i>Type</i>	<i>Width</i>	<i>Length*</i>
Standard	9 Feet	18 Feet
Parallel	8 Feet	24 feet

* The front of the parking space may overhang two (2) feet into a landscape strip or pedestrian walkway, however, any parking spaces protruding over a pedestrian walkway shall maintain at least a four (4) foot wide clearance for pedestrian access.

6. Parking Aisle Dimensions

The following shall be the minimum parking aisle width:

<i>Parking Angle</i>	<i>One-way Aisle</i>	<i>Two-way Aisle</i>
90 degree	24 Feet	24 Feet
60 degree	18 Feet	22 Feet
45 degree	18 Feet	20 Feet
30 degree	18 Feet	20 Feet

7. Parking Lots

Parking lots shall be designed in groupings no larger than two hundred (200) spaces. Larger lots shall be divided by buildings, plazas, or significant landscaped areas oriented for pedestrian use.

8. Within Structures

The off street parking requirements may be furnished by providing spaces designed within the principle building or a parking structure. However, no building permit shall be used to convert said parking structures into a dwelling unit, living area, or other activity until other adequate provisions are made to comply with the required off-street parking provisions of this Section.

9. Circulation Between Bays

Parking areas shall be designed so that circulation between parking bays occur within the designated parking lot and does not depend upon a public street or alley. Parking area designs which require backing into a public street are prohibited except one, two or three-family dwellings.

10. Surfacing

All areas intended to be utilized for parking space, access aisles, and driveways shall be paved with concrete or asphalt to control dust and drainage. Areas for outdoor storage of material and equipment may be covered with decomposed granite to provide a dust free surface. Such area shall not be considered as part of a required landscape area.

11. Striping

Except for one, two and three-family dwellings, all parking stalls shall be marked with painted lines not less than four inches (4") wide.

12. Lighting

Parking lots used during hours of darkness shall be illuminated. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light down and/or away from adjoining property, abutting residential uses and public right-of-ways and shall be a maximum of twenty-five (25) feet in height above the surface of the parking lot for non-residential uses and sixteen (16) feet for residential uses.

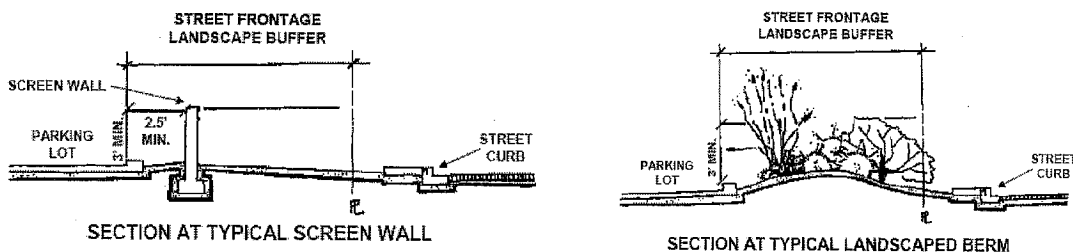
13. Protruding Vehicles

All on-site parking stalls shall be designed and constructed so that parked vehicles shall not protrude over a property line.

14. Screening

a. Screening

All off-street parking lots of four (4) or more spaces shall be screened from the street view and adjacent residential districts by a landscaped berm, decorative wall or combination thereof at least three (3) feet high, as measured at finished grade adjacent to the parking area to be screened. All walls or berms shall be installed a minimum of two and one-half (2.5) feet back from the edge of the parking stall.



15. Parking Area Landscaping

a. Surface Parking

For all developments exceeding fifteen thousand (15,000) square feet of gross floor area, ten percent (10%) of all parking lot areas, exclusive of service drive aisles, shall be landscaped. The requirement for development within industrial or manufacturing zoning districts or for

developments containing fifteen thousand (15,000) square feet or less shall be five percent (5%) of the parking lot area. The parking landscape area shall be located entirely within the exterior curbs of the surface parking area.

All surface parking areas shall incorporate the following elements:

1. One (1) parking island with raised concrete or decorative curbing shall be provided for every twelve (12) parking spaces. In addition, parking islands shall be provided at the end of each parking row. Each landscape island shall be a minimum width of seven (7) feet, measured from back of curb to back of curb and equal the length of the parking stall(s). Each parking island (one stall in length) shall contain one (1) tree and two (2) shrubs.
2. All parking areas with 100 or more spaces shall provided at least one landscaped median. Each median shall be a minimum width of twelve (12) feet and shall include a maximum five (5) foot sidewalk which connects to a main entrance. Curb breaks may be provided to accommodate drainage flows. A deviation or alternative to this requirement may be considered by the Town Planner or designee provided the intent of the landscape median is satisfied. Landscaped parking medians shall contain one (1) shrub for every five (5) linear feet of landscaping. A minimum of one (1) tree shall be provided for every forty (40) feet. Adequate planter area shall be provided to accommodate full tree maturity.

b. Multi-level Parking Structures

For projects that utilize multiple level parking structures, a minimum ten (10) foot landscape area shall be located around the perimeter of the structure. For projects that utilize both surface and multi-level parking structures, the required parking area landscape shall be the combined requirements of the above. The landscape area provided at the perimeter of multiple level parking structures shall contain one (1) tree and three (3) shrubs for every forty (40) feet of structure perimeter.

16. Maintenance

- a. It shall be the joint and separate responsibility of the owner and/or lessee of the principal use, uses or building to maintain in a neat and adequate manner, the parking space, access ways, striping, landscaping, and required fences or screening.
- b. Shrubs within a landscape island shall be maintained to a maximum height of three (3) feet, and all trees at maturity within such planters shall maintain a minimum clearance of six (6) feet from the lowest branch to the adjacent grade elevation.

17. Use of Required Parking Areas for Parking Only

Required off-street parking spaces in any district shall not be utilized for open storage, sale or rental of goods, or storage of inoperable vehicles, except when permitted as a Temporary Use.

18. Signs

No sign shall be so located as to restrict the sight lines and orderly operation and traffic movement within any parking area.

19. Parking Canopies, Non-Residential and Multi-Family Residential Land Uses

- a. Covered parking canopies may be located within the required side and rear building setbacks provided the structure drains onto the property on which it is located.
- b. Covered parking canopies may encroach into required side and rear building setbacks, but may not encroach into required landscaped buffers.
- c. Height of such structures shall be limited to 10’.
- d. All canopies shall include a fascia.
- e. Setbacks are measured from property line to nearest edge of canopy.
- f. All required landscaping, parking or otherwise, shall be provided.

B. Off-street Parking Requirements

The following minimum number of off-street, paved parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth. Any proposed uses not listed herein will be determined by the Town Planner through the site plan approval process.

1. Residential Uses

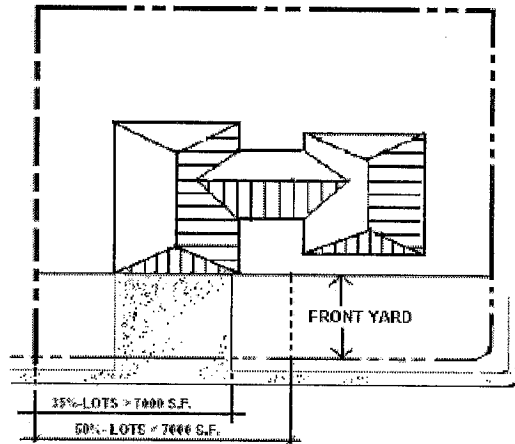
Parking Spaces Required:

Dwelling Types	With On Street Parking	Without On Street Parking
Single-family	2.0 Spaces/Unit	3.0 Spaces/Unit
Two-family	2.0 Spaces/Unit	2.0 Spaces/Unit*
Three-family	1.0 Spaces/Unit	1.0 Spaces/Unit*
Multi-family**		
Efficiency/Studio	1.0 Spaces/Unit	1.0 Spaces/Unit
1 Bedroom	1.5 Spaces/Unit	1.5 Spaces/Unit
2+ Bedroom	2.0 Spaces/Unit	2.0 Spaces/Unit
*In addition to the required spaces, .25 guest spaces per unit shall be included.		
**In addition to the required spaces, one (1) guest space for each ten (10) units shall be included.		

2. Additional Residential Parking Requirements

- a. All standard front-entry garage and carport entrances shall be setback a minimum of eighteen (18) feet from the street right-of-way line, access easement or private roadway tract.

- b. It shall be unlawful to park or store any vehicle within the front or side yard of a single family residence use unless such parking or storage is on an improved, dustproof-parking surface such as concrete or asphalt or crushed rock or aggregate that is a minimum of three inches thick. All crushed rock or aggregate shall be contained by a permanent border. Parking within the front yard of a single residence use shall be on or contiguous to a legal driveway. Such parking shall not exceed a maximum of thirty-five percent (35%) of the front yard area, except on lots less than seven thousand (7,000) square feet in which case the excess vehicle and visitor parking may be located on up to fifty percent (50%) of the front yard.
- c. For lots greater than seven thousands (7,000) square feet, the Town Planner may approve additional paved areas, not to exceed fifty percent (50%), on irregularly shaped lots resulting from curvilinear streets, topography or other unique conditions so long as the intent and purposes of this Ordinance are preserved.



3. Nonresidential Uses

The number of parking spaces for non-residential uses shall be provided as follows:

NON-RESIDENTIAL SPACES		
USE	DESCRIPTIONS	PARKING RATIO
ADMINISTRATIVE & FINANCIAL		
Professional Offices	Facilities for general office work providing professional, business administrative, informational services, or facilities that house governmental agencies and similar uses	One (1) space per two hundred (200) sq ft of floor area.

Financial Services	Institutions providing financial advice and services in a bank, or similar financial institutions, to include accessory office building, automatic teller machine and similar uses	One (1) space per one hundred fifty (150) sq ft of floor area
	Financial institutions with drive-through facilities	In addition to the above, a sixty (60) linear feet of stacking space per lane exclusive of drive aisles and parking spaces.
Unspecified Office Use		One (1) space per two hundred (200) sq ft of floor area.
AUTOMOBILE RELATED		
Auto Services	Facilities providing general vehicle service or repair, and similar services	Three (3) spaces per service bay, plus one (1) space per three hundred (300) sq ft of gross floor area excluding service bay(s).
	Facilities providing fast or express service bays or lanes	In addition to the above, a queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces.
Automobile Rentals or Dealerships	Facilities for sale or rental of new or used auto, boat, RV, truck, trailer, camper, motor home or Motorcycle. (Outdoor vehicle display spaces are not required to meet dimensional requirements of this Article)	One (1) space per one thousand (1000) sq ft of gross floor area, plus one (1) space per six thousand (6000) sq ft outdoor vehicle display area.
Automobile Towing & Impound Facilities	Facilities for towing, dismantling, recycling, impound and storage of junk vehicles, to include sanitary landfills and similar uses	Four (4) spaces or one (1) space per one thousand (1000) sqft of floor area whichever is greater.
Car Washes	Facilities for the cleaning of vehicles,	One (1) space per three hundred (300) sq ft of office floor area, plus a queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces.
	Self service facilities for the cleaning of vehicles	A minimum of four (4) spaces and the requirements above.

EATING & DRINKING ESTABLISHMENTS		
Restaurants	Eating establishments and similar services	One (1) space per one hundred (100) sq ft of floor are including outdoor seating
	with drive-through services	In addition to the above, eighty (80) linear feet of stacking space from the entrance of the drive-through lane to the menu board exclusive of drive aisle and parking spaces, plus eighty (80) linear feet of stacking space from the menu board to the pickup window.
Taverns, Bars, Pubs & Lounges	Establishments licensed to sell alcoholic beverages to be consumed on the premises, often with limited food service	One (1) space per fifty (50) sq ft of serving area, plus one (1) space per two hundred (200) sq ft for preparation area.
ENTERTAINMENT & RECREATION		
Adult Uses	Establishments for adult entertainment that emphasize adult oriented uses and services in an adult motion picture theater, arcade, adult cabaret, adult motel, nude studio and similar facilities	One (1) space per fifty (50) sq ft of floor area
	Adult specialty shops for purchase of adult books, video, and similar products	One (1) space per three hundred (300) sq ft of floor area
Indoor Public Assembly	Facilities providing a variety of indoor public assemblies in a convention or reception center, meeting hall, social or private club, music hall, theatre and similar places, excluding taverns, bars, pubs, lounges and adult uses	One (1) space per two hundred (200) sq ft of floor area, or one (1) space per four (4) fixed seats of design capacity whichever is greater
Indoor Recreation	Facilities providing a variety of indoor health and sports activities in a sporting complex, stadium, skating rinks, pool hall, dance hall, tennis and racquet clubs, game room, video arcade, bingo hall, community center, fitness center and similar indoor facilities	One (1) space per two hundred (200) sq ft of floor area

	Bowling Alleys	Two (2) spaces per lane, plus two (2) spaces per billiard table, plus one (1) space per each five visitor gallery seats
Outdoor Amusement & Recreations	Facilities providing a variety of outdoor amusement, entertainment, and similar activities in an amusement park, fairground, zoo, auditorium and similar places, to include special outdoor events such as carnivals or outdoor concerts. Outdoor recreations include a variety of outdoor health and sport activities in a racetrack, stables, rodeo ground, outdoor shooting range, swimming and tennis clubs, miniature golf and similar places	One (1) space per one thousand (1000) sq ft of activity area
	Golf course and driving range	One (1) space per two hundred (200) sq ft of main building floor area, plus one (1) space per every two (2) practice tees in driving range, plus four (4) spaces per each green in the playing area
GENERAL INDUSTRIAL & MANUFACTURING		
Light Industrial and Manufacturing	Facilities providing manufacturing and assembly services	One (1) space per seven hundred and fifty (750) sq ft of warehouse area plus one (1) space per three hundred (300) sq ft office or retail floor area
Outdoor storage	Facilities providing exterior storage of construction equipment and materials, recyclable material, and similar uses	A minimum of four (4) spaces and one (1) space per five thousand (5000) sq ft of designated outdoor area or one (1) space per three hundred (300) sq ft office floor area whichever is greater.
Unspecified Industrial Use (Shell Building)		One (1) space per seven hundred and fifty (750) sq ft of warehouse area plus one (1) space per three hundred (300) sq ft office or retail floor area

Warehousing	Facilities providing warehousing of material and goods and similar uses	One (1) space per one thousand (1000) sq ft of warehouse area, plus one (1) space per three hundred (300) sq ft office floor area.
	Mini-storage facilities and similar uses	One (1) space per fifty (50) units
Wholesale, distribution	Facilities providing wholesale or distribution of trucks, trailers, boats, new and used cars, bulk fuel, machines, appliances, equipment, building material, lumber, plant nurseries, produce and similar merchandise in indoor or outdoor storage areas to include machine shops, lumberyards, import/export shops, moving, rental, or storage companies, market sales yards, and similar facilities	One (1) space per five hundred (500) sq ft of sales or display area, plus one (1) space per one thousand (1000) sq ft of indoor storage area, plus one (1) space per two hundred (200) sq ft of retail or office floor area.
GENERAL RETAIL		
Retail	Establishments providing general retail sales and services in a single store on a single lot, not part of a shopping center	One (1) space per three hundred (300) sq ft of floor area.
	Establishments providing general retail sales and services in a shopping centers (a commercial establishment planned, developed, owned or managed as a unit)	One (1) space per two hundred-fifty (250) sq ft of floor area. Note: for any center with more than fifteen percent (15%) of floor area in public assembly uses, including theaters, restaurants, schools, health spas, bars or cocktail lounges, there shall be required, in addition to these standards, ten (10) spaces per one thousand (1000) sq ft of public area within these uses.
	Establishments providing drive-through services including liquor stores, laundries and dry cleaners, pharmacies and similar services	In addition to the above, one hundred (100) linear feet of stacking space exclusive of drive aisles and parking spaces.

Unspecified Retail Use (Shell Building)		One (1) space per two hundred fifty (250) sq ft of floor area.
INSTITUTIONAL		
Child care	Facilities providing daily care of children in a nursery, day care or pre-school center	One (1) space per four hundred (400) sq ft of floor area.
Public, social and cultural services	Facilities providing public, social, non-profit, or institutional services in a library, museum, art gallery, post office, treatment, detention, or release center, halfway house, employment agency, shelter, and similar civic/public, cultural, and social institution (excluding group home)	One (1) space per two hundred (200) sq ft of floor area.
Religious Assembly	Facilities providing religious worship or study in a church, temple, synagogues and similar places	One (1) space per four (4) seats in main assembly area based on design capacity.
School	Public, charter or private educational institutions for Elementary and Junior High	One (1) space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
	Senior High	Two (2) spaces per classroom, plus one (1) space per employee, plus one (1) space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
Secondary Education	Public or private facilities providing education in a college, university, trade or vocational school, and similar institutions	Five (5) spaces per classroom, plus one (1) space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
Senior care	Facilities providing long-term care for seniors in a nursing or convalescent home, hospices or similar care facility (excluding group home)	One (1) space per three (3) beds.

Utility	Structures, equipment, or facilities providing for public/private utility & services, including radio, television, communication transmission, tower and similar structures	One (1) space per use.
LODGING		
Hotels or Motels	Places for lodging with ancillary facilities to include sleeping rooms, restaurants, lounges, resorts, meeting rooms and similar uses	One (1) space per room, plus one (1) space per one hundred (100) sq ft of restaurant and bar serving area, plus one (1) space per one hundred (100) sq ft of outdoor seating serving area, plus ten (10) minimum spaces for visitors parking, plus one (1) space per two hundred (200) sq ft of meeting room floor area.
Lodging Accommodations	Establishments providing accommodation in a bed and breakfast, lodge, to include fraternity, sorority, and similar facilities	One (1) space per room.
Recreational Resorts	Facilities providing overnight stops in Recreational Vehicle Park, travel trailer park, overnight camp ground and similar places	One (1) space per two hundred (200) sq ft of gross activity area, or one (1) space per RV or trailer whichever is greater.
MEDICAL		
Medial Offices and Clinics	Facilities providing medical, dental, optical care or preventative medicine and clinical research studies in a clinic or laboratory, including accessory offices	One (1) space per one hundred fifty (150) sq ft of floor area.
Hospitals	Facilities providing medical or surgical care, emergency medical and similar services	A minimum thirty (30) spaces for emergency services or two (2) spaces per bed, plus one (1) space per employee whichever is greater.
Veterinarian Hospitals or Clinics	Establishments for medical, surgical, and emergency care of animal, to include veterinary office and clinics without animal boarding	One (1) space per one hundred fifty (150) sq ft of floor area.
PERSONAL SERVICES		

General Professional Services	Establishments providing general professional services such as cabinet and carpentry making, custom dressmaking and alteration, watch and clock repair, dry cleaning & laundry, pet care, messenger delivery, photographic developing & printing, blueprint production, travel information & similar professional services	One (1) space per two hundred (200) sq ft of floor area.
Personal Improvement	Establishments providing personal services such as tanning, massage therapy, manicure, hair and beauty treatment, tattoo and body piercing, palm reading, fortune tellers, and similar services	One (1) space per one hundred fifty (150) sq ft of floor area.
OTHER		
Funeral Services	Facilities providing burial preparation and/or funeral services in a cemetery, crematorium, mausoleum, funeral home and chapel, mortuaries and similar facilities	One (1) space per every three (3) fixed seats in main viewing rooms based on design capacity plus one (1) space per funeral vehicle.

4. Mixed Uses

1. In the case of horizontal mixed-use occupancies in a building or on a lot, the total requirement for off-street parking shall be the sum of the requirements for the various uses computed separately.
2. A horizontal mixed use development may reduce that amount of required parking by ten (10) percent if the project is a mixed use development that includes, as part of an integrated development plan, both residential and non-residential uses or by twenty-five (25) if the property is within a quarter of a mile walking distance to a transit or front runner station. This measurement shall be made along standard pedestrian routes from the property with a parking study submittal by a Registered Professional Engineer, to be approved through the development or site plan approval process.

5. Calculating Spaces

In case of fractional results in calculating parking requirements, the required numbers of the sum for the various uses shall be rounded up to the nearest whole number if the fraction is .5 or greater.

6. Joint Use Parking

- a. Up to fifty percent (50%) of the parking facilities required by this Section for a religious institution, cultural center or an auditorium incidental to a public or parochial school may

be supplied by the off-street parking facilities by the following daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing, wholesale and similar uses.

- b. Other joint use of parking on adjacent commercial uses to reduce total parking spaces may be allowed with a parking study submittal by a Registered Professional Engineer, to be approved through the site plan approval process.
- c. Conditions Required for Joint Use
 - 1. The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within three hundred (300) feet of such parking facilities.
 - 2. The applicant shall show that there is no substantial conflict in the operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.
 - 3. A properly drawn legal instrument, executed by the parties concerned for joint use of off-street parking facilities, duly approved as to form and manner of execution by the Town Attorney shall be filed with the Town Clerk and recorded with the County Recorder.

7. Offsite Parking

- a. Any off-site parking which is used to meet the requirements of this Section shall be regulated by this Ordinance and shall be subject to the conditions listed below:
 - 1. Off-site parking shall be developed and maintained in compliance with all requirements and standards of this Section.
 - 2. Reasonable access from off-site parking facilities to the use being served shall be provided.
 - 3. The site used for meeting the off-site parking requirements of this Section shall be under the same ownership as the principal use being served, under public ownership, or shall have guaranteed permanent use by virtue of a perpetual lease filed with the Town Clerk and County Recorder.
 - 4. Offsite parking for multiple family dwellings shall not be located more than two hundred (200) feet from any commonly used entrance of the principal use served, unless approved through the site plan approval process.
 - 5. Off-site parking for non-residential uses shall not be located more than three hundred (300) feet from the primary entrance of the principal use being used, unless approved through the site plan approval process.

Section 1904 - Off-street Loading Requirements

A. General Provisions

1. Unless otherwise specified in this Ordinance, loading spaces or berths shall be at least forty-five (45) feet in length and all loading berths shall be at least twelve (12) feet in width and fourteen (14) feet in height, exclusive of aisle and maneuvering space and required parking space.
2. Loading berths of thirty (30) feet by ten (10) feet for office use, motels and hotels, restaurants, day care centers, long term care facilities, and other similar facilities may be provided for all or part of the required loading berths if approved through the site plan approval process.
3. Such space may occupy all or any part of any required yard space, except front and corner side yards, and shall not be located closer than fifty (50) feet to any residential zoning district unless screened by a masonry wall not less than ten (10) feet in height. Loading spaces located in side yards shall not be visible from a public street.
4. Sufficient room for turning and maneuvering vehicles shall be provided on the site so that vehicles shall cross a property line only by driving forward.
5. Each loading berth shall be accessible from a street, alley or from an aisle or drive connecting with a street or alley, without traversing a residential district.
6. The loading area, aisles, and access drives shall be paved so as to provide a durable dust-proof surface and shall be so graded and drained so as to dispose of surface water without damage to private or public properties, streets, or alleys.
7. Bumper rails shall be provided at locations where needed for safety or to protect property.
8. If the loading area is illuminated, lighting shall be deflected down and/or away from abutting residential sites so as to not cause any annoying glare.
9. No regular repair work or servicing of vehicles shall be conducted in a loading area.
10. Off-street loading facilities shall be located on the same site with the use for which the berths are required.
11. If more than one use is located on a site, the number of loading berths provided shall be equal to the sum of the requirements prescribed in this Section for each use. If more than one use is located on a site and the gross floor area of each use is less than the minimum for which loading berths are required but the aggregate gross floor area is greater than the minimum for which loading berths are required, off-street loading berths shall be provided as if the aggregate gross floor area were used for the use requiring the greatest number of loading berths.
12. Off-street loading facilities for a single use shall not be considered as providing required off-street facilities for any other use.

13. At the time of initial occupancy, major alterations or enlargement of a site, or of completion of construction of a structure or of a major alteration or enlargement of a structure, there shall be provided off-street loading berth requirements. The number of loading berths provided for a major alteration or enlargement of a site or structure shall be in addition to the number existing prior to the alteration or enlargement.
14. Space allocated to any off-street loading berth shall not be used to satisfy the space requirements for any off-street parking facility.

B. Number of Spaces Required

1. Unless otherwise provided in this Ordinance every office, hotel, restaurant, department store, freight terminal or railroad yard, hospital, industrial plant, manufacturing establishment, retail establishment, storage warehouse or wholesale establishments, and all other structures devoted to similar mercantile or industrial pursuits, which has an aggregate gross floor area of five thousand (5,000) square feet or more shall provide off-street truck loading or unloading berths in accordance with the following table:

Square Feet of Aggregate Gross Floor Area Devoted to Such Use	Required No. of Berths
5,000 sq. ft. up to and including 40,000 sq. ft.	1
40,001 sq. ft. up to and including 100,000 sq. ft.	2
100,001 sq. ft. up to and including 160,000 sq. ft.	3
160,001 sq. ft. up to and including 240,000 sq. ft.	4
For each additional 100,000 sq. ft.	1 additional