

SECTION 1030 – OFF-STREET PARKING AND LOADING

SECTION

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1030.01: PURPOSE: The regulation of off-street parking spaces in these zoning regulations is intended to alleviate or prevent congestion of the public right-of-way and to promote the safety and general welfare of the public, by establishing minimum requirements for off-street parking of motor vehicles in accordance with the intensity of utilization of the various parcels of land or structures.

1030.02: APPLICATION OF OFF-STREET PARKING REGULATIONS: The regulations and requirements set forth herein shall apply to all off-street parking facilities in all of the zoning districts of the City.

Subd. 1. An Administrative Permit is required for all driveways, parking pads, parking lots and other such facilities if constructed after the issuance of a Certificate of Occupancy. In the case of unimproved surfaces for parking pads, the Zoning Administrator shall determine if a permit is necessary.

1030.03: SITE PLAN DRAWING: All applications for an off-street parking facility, building, or an occupancy permit, in all zoning districts shall be accompanied by a site plan (based upon a current certificate of survey) and drawn to scale and dimensioned indicating the location of off-street parking and loading spaces in compliance with the requirements set forth in this Section.

1030.04: GENERAL PROVISIONS:

Subd. 1. Floor Area. The term “floor area” for the purpose of calculating the number of off-street parking spaces required shall be determined on the basis of the exterior floor area dimensions of the buildings, structure or use times the number of floors, minus ten (10) percent, except as may be hereinafter modified.

Subd. 2. Reduction of Existing Off-Street Parking Space or Lot Area. Off-street parking spaces and loading spaces or lot area existing upon July 20, 2002 (effective date of Ordinance) shall not be reduced in number or size unless said number or size exceeds the requirements set forth herein for a similar new use.

Subd. 3. Change of Use or Occupancy of Land. No change of use or occupancy of land already dedicated to a parking area, parking spaces, or loading spaces shall reduce the area necessary for parking, parking stalls, or parking requirements below the minimum prescribed by this Ordinance.

Subd. 4. Change of Use or Occupancy of Buildings. Any change of use or occupancy of any building or buildings including additions thereto requiring more parking area shall not be permitted until there is furnished such additional parking spaces as required by these zoning regulations.

Subd. 5. Residential Off-Street Parking.

1. Off-street parking facilities accessory to residential use shall be utilized solely for the parking of licensed and operable passenger automobiles; no more than one (1) commercial vehicle, not to exceed gross vehicle weight rating (GVWR) of twelve thousand (12,000) pounds; and recreational vehicles and equipment. Under no circumstances shall parking facilities accessory to residential structures be used for the storage of commercial vehicles, semi trailers, or equipment or for the parking of automobiles belonging to the employees, owners, tenants, or customers of business or manufacturing establishments not a resident at the residential site.
2. Any vehicle cannot exceed 36 feet in total length unless a interim use permit is obtained. All front yard storage must be set back fifteen (15) feet from the street curb and storage shall not encroach on any sidewalk.

Subd. 6. Calculating Space.

1. Fractions of a Space. When determining the number of off-street parking spaces results in a fraction, each fraction of one-half (1/2) or more shall constitute another space.
2. Places of Public Assembly. In stadiums, sports arenas, churches and other places of public assembly in which patrons or spectators occupy benches, pews or other

similar seating facilities, each eighteen (18) inches of such seating facilities shall be counted as one (1) seat for the purpose of determining requirements.

3. **More Than One Use.** Except for shopping centers, should a structure contain two (2) or more types of uses, the gross floor area of each use shall be calculated and a ten (10) percent reduction shall be made for non-productive space. The resulting net useable floor space figure shall be utilized to determine the off-street parking requirement.
4. **Snow Storage in Parking Stalls.** Provision shall be made in the parking area for adequate snow storage or removal to ensure that the required number of spaces are available at all times during the year.
5. With the exception of parking lots which allow access to parking spaces via drive aisles, tandem parking shall not qualify as two (2) or more parking spaces for the purpose of meeting minimum parking requirements of this Section.

1030.05: DESIGN STANDARDS: Vehicular traffic generated by commercial, industrial and multiple family residential uses shall be channeled and controlled in a manner to avoid congestion of the public streets, traffic hazards and excessive traffic through residential areas, particularly truck traffic. The adequacy of any proposed parking facility or internal circulation system shall be determined by the City Engineer who may require such additional measures for traffic control as he/she deems necessary, including but not limited to directional signalization, channelization, standby turn lanes, illumination, and storage area and distribution facilities within the site to prevent back-up of vehicles on public streets.

Subd. 1. **Parking Space Size.** Each parking space shall be not less than nine (9) feet wide and twenty (20) feet in length exclusive of access aisles, and each space shall be served adequately by access aisles.

Subd. 2. **Within Structures.** Required parking for residential dwellings, except multi-family apartments shall be covered and located within the principal or accessory structure(s). In no case shall on-street parking be utilized to satisfy the required off-street parking supply.

Subd. 3. **Streets Not Used.** Except under joint parking provisions or in the case of single and two family dwellings, parking areas shall be designed so that circulation between parking bays or aisles occurs within the designated parking lot and does not depend upon a public street or alley. Except in the case of single and two family dwellings located on local streets, parking area design which requires backing into the public street is prohibited.

Subd. 4. **Access.** On-site parking spaces shall have access from a public right-of-way.

1. Access drives shall be so located as to minimize traffic congestion and abnormal traffic hazard.
2. Vehicular access to business or industrial uses across property in any residential district shall be prohibited.

Subd. 5. Parking Stall Standards. Except in the case of single family, and two family dwellings, parking areas and their aisles shall be developed in compliance with the following standards:

Angle of Parking	Stall Width	Curb Length Per Car	Stall Length	Aisle One Way	Width Two Way
90 degrees	9 feet*	9 feet	20 feet	24 feet 24 feet	24 feet 24 feet
75 degrees	9 feet*	9 feet	20 feet	20 feet 11 in 20 feet 11 in	23 feet 23 feet
60 degrees	9 feet*	10 feet 10 feet	20 feet	18 feet 6 in 18 feet 6 in	22 feet 22 feet
45 degrees	9 feet*	12 feet 3 in 12 feet 3 in	20 feet	13 feet 13 feet	22 feet 22 feet
0 degrees	9 feet*	22 feet	20 feet	12 feet	24 feet

* The parking lot dimensions may be reduced upon submittal and prior City Council approval of a comprehensive snow removal site plan. The snow removal site plan shall be contractual in nature, signed by the property owner and filed with the City Clerk. The reduction shall not be allowed until the conditions of this Section are met.

Subd. 7. Curb Cut Maximum. (Ord. 2004-19, 8/11/04).

1. Curb cut width shall be subject to the following standards: Curb cut width shall be equal to or exceed the following minimum width dimensions measured at a point setback twenty (20) feet from the back of curb or if none, the edge of pavement (Ord. 2003-05):

	<u>Minimum Width</u>	<u>Maximum Width</u>
a. Residential Lots:	Twelve (12) feet	Twenty-four (24) feet
Commercial Lots:	Twenty-four (24) feet	Thirty (30) feet
Industrial Lots:	Twenty-four (24) feet	Thirty (30) feet

2. All curb cuts shall be installed to comply with the City’s curb cut design standards. In commercial and industrial zoning districts, curb cut widths that are less than the twenty-four (24) foot minimum or more than the thirty (30) foot maximum, (not exceeding thirty-six (36) feet), may be permitted subject to review

and recommendation of the City Engineer and approval of the City Administrator. Before the City Engineer recommends a curb cut other than widths set out in item 1a, above, he/she shall consider the type of land use the curb cut will serve, the extent and nature of the vehicular traffic anticipated and the type and width of the street serving the property where the curb cut will be located. The City Engineer shall also consider any regulations promulgated by the Minnesota Commissioner of Transportation relative to driveway and curb cut dimensioned before making a recommendation to exceed the thirty (30) foot maximum width standard.

Subd. 8. Curb Cut Minimum. Curb cut openings for residential uses shall be located at minimum five (5) feet from the side yard lot line and shall be a minimum of twelve (12) feet wide.

Subd. 9. Curb Cut Separation. Driveway access curb openings on a public street except for single and two family dwellings shall not be located less than forty (40) feet from one another.

Subd. 10. Curb Cut Proximity to Intersection. With the exception of the R-5 Zoning District, no curb cut or other driveway access shall be located less than sixty (60) feet from the intersection of two (2) or more local street rights-of-way. In the R-5 Zoning District, no curb cut or other driveway access shall be located less than forty (40) feet from the intersection of two (2) or more local street rights-of-way. This distance shall be measured from the intersection of lot lines, not curb lines. Curb cut or other driveway access locations on County, State or Federal roads shall be as required by the applicable permitting authority.

Subd. 11. Parking Area Grades. The grade elevation of any parking area shall not exceed five (5) percent unless approved by the City Engineer.

Subd. 12. Driveway Access. Each property shall be allowed one (1) driveway access for each one hundred twenty-five (125) feet of street frontage. Single-family uses shall be limited to one (1) driveway access per lot.

Subd. 13. Surfacing. All areas intended to be utilized for parking space and driveways shall be surfaced with asphalt, concrete or other surface materials, approved by the City Engineer, suitable to control dust and drainage. Driveway aprons shall be constructed and surfaced with either concrete or bituminous in compliance with adopted City construction specifications. Except in the case of single family and two family dwellings, driveways and stalls shall be surfaced with a six (6) inch class five base and two (2) inch bituminous or concrete topping. Plans for surfacing and drainage of driveways and stalls for five (5) or more vehicles shall be submitted to the City Engineer for his/her review and the final drainage plan shall be subject to written approval of the Engineer.

Subd. 14. Striping. Except for single family and twinhomes, all parking stalls shall be marked with white painted lines not less than four (4) inches wide, which striping shall be maintained for legibility on a regular basis.

Subd. 15. Curbing. All open off-street parking areas for five (5) or more vehicles, shall have a continuous perimeter concrete curbing, unless otherwise recommended by the City Engineer, around the entire parking lot, said curb barrier shall not be closer than ten (10) feet to any lot line. The City Council may waive this requirement for future expansion areas provided a written agreement and financial security are provided by the applicant specifying the date at which the future expansion will take place.

1030.06: MAINTENANCE: It shall be the joint and several responsibility of the owner of the principal use to use and to maintain in a neat and adequate manner, the parking space, access ways, striping, landscaping, and required fences.

1030.07: LOCATION: All accessory off-street parking facilities required by this Ordinance shall be located and restricted as follows:

Subd. 1. Same Lot. Required accessory off-street parking shall be on the same lot under the same ownership as the principal use being serviced, except for combined or joint parking facilities as regulated by this Section.

Subd. 2. Head-In Parking. Except for single, two family dwellings, head-in parking, directly off of and adjacent to a public street, with each stall having its own direct access to the public street, shall be prohibited.

Subd. 3. Parking Distance From Property Line. There shall be no off-street parking within ten (10) feet of any property line within multiple family, commercial or industrial zoning districts. The parking and drive aisle setback shall be increased to twenty (20) feet where said facilities are located adjacent to residentially zoned or used property.

Subd. 4. Boulevard Parking Prohibited. The boulevard (landscaped portion) of the street right-of-way shall not be used for parking.

Subd. 5. All lots having direct driveway access onto collector or arterial roads shall provide turn around facilities on the lot to eliminate vehicles backing onto said roads.

1030.08 PARKING PADS:

Subd. 1. General Rules:

1. Parking on landscaping is prohibited.
2. All motor vehicles must be operable and licensed.
3. Parking pad must meet all yard setbacks and is considered an accessory structure when defining setbacks.

4. Pad surface materials shall be orderly contained by delineated edging or in some other effective fashion.
5. All parking must not disturb proper drainage or utilities.

Subd. 2. Rear Yard.

1. A parking pad is allowed.
2. A maximum of two (2) operable and licensed vehicles are allowed on all surface types.
3. Grass or weeds growing around vehicles shall be regularly cut and subject to the noxious weed ordinance.

Subd. 3. Side Yard.

1. A parking pad is allowed on garage side only or in other cases subject to the judgment of the Zoning Administrator
2. Unimproved surfaces are not allowed.

Subd. 4. Front Yard.

1. A parking pad is not allowed unless determined to be acceptable by the Zoning Administrator.
2. Unimproved and semi-improved parking surfaces are not allowed.
3. However, the access portion to a side yard parking pad may be a semi-improved surface.

1030.09: RESIDENTIAL DRIVEWAYS: The purpose of this provision is to provide minimum setback and slope standards for single family and two family dwelling unit driveway construction. The intent is to reduce interference with drainage and utility easements by providing setback standards; reduce erosion by requiring an improved surface for all driveways; and, provide positive drainage to the street via establishment of minimum driveway slope standards. The requirements of this provision shall apply to all building permits for new construction of residential units and future modifications. A certificate of survey indicating the setback, slope and proposed elevations shall be required to illustrate compliance with these provisions.

Subd. 1. Residential Driveway Requirements:

1. Driveways shall be setback at least five (5) feet from side and rear yard property lines.

2. Driveways should be located as indicated on the Subdivision grading plan, however, an alternate location meeting the requirements of this section will be permitted.
3. The vertical profile for a driveway shall not exceed ten (10) percent maximum slope.
4. The garage slab shall be constructed at an elevation that will permit a driveway with a minimum slope of eighteen (18) inches above the top of curb.
5. With the exception of the Agricultural District, all driveways shall be surfaced with bituminous, concrete or other improved surface material, as approved by the City Engineer. In the Agricultural District, driveways shall be surfaced from the intersection of the road, for the first one-hundred (100) feet of the driveway, with bituminous, asphalt or other improved surface materials as approved by the City Engineer.
6. For properties located within a Shoreland District, the certificate of survey shall indicated the total area of the driveway for the purpose of calculating impervious surface coverage.
7. The minimum corner clearance from the street right-of-way line shall be at least thirty (30) feet to the edge of the driveway.
8. Under unique circumstances where unusual topography, existing conditions or physical disability of the property owner prohibit compliance with items 3 and/or 4) the City Engineer may approve a driveway with a slope exceeding ten (10) percent and/or construction of said garage slab less than eighteen (18) inches above the top of curb.
9. A maximum of four (4) operable and licensed vehicles may be permanently parked in the front yard driveway.

1030.10: OTHER USES OF REQUIRED PARKING AREA: Required accessory off-street parking spaces in any district shall not be utilized for open storage, sale or rental of goods, storage of inoperable vehicles as regulated by Section 340 (Junked Autos) of the City Code, storage of vehicles that are for sale or rent and/or storage of snow unless permitted by the underlying Zoning District or specifically approved by the City. No parking area shall be used for sales, dead storage, body repair work, including but not limited to frame or fender repair, or mechanical repairs of any kind, except that this shall not apply to home maintenance work of a customary or routine nature necessary for the efficient operation of a vehicle, provided that it does not result in oil spillage, litter or other damage to the parking area surface, and provided that such routine home maintenance and upkeep work is completed within a forty-eight (48) hour period.

1030.11: NUMBER OF SPACES REQUIRED: The following minimum number of off-street 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.

Subd. 1. Automobile Repair and Motor Fuel Station. At least four (4) parking spaces plus three (3) parking spaces for each service stall. For Motor Fuel Stations, the parking spaces shall be in addition to parking space required for gas pump areas. Those facilities designed for sale of other items than strictly automotive products, parts or service shall be required to provide additional parking in compliance with other applicable sections of this Ordinance.

Subd. 2. Automobile Sales, Trailer Sales, Marine and Boat Sales. At least one (1) space for each five hundred (500) square feet of showroom, plus one (1) space for every three thousand (3,000) square feet of outdoor sales lot, plus parking required for any ancillary automobile service or repair.

Subd. 3. Batting Cages. Two (2) parking spaces per batting cage plus additional spaces as may be required herein for affiliated uses such as restaurants, retail stores, etc. (Ord. 2004-32, 10/27/04).

Subd. 4. Bowling Alley. At least six (6) parking spaces for each alley, plus additional spaces as may be required herein for related uses contained within the principal structure.

Subd. 5. Church, Theatre, Auditorium. At least one (1) parking space for each three (3) seats based on the design capacity of the main assembly hall. Facilities as may be provided in conjunction with such buildings or uses shall be subject to additional requirements which are imposed by this Ordinance

Subd. 6. Community Centers, Libraries, Private Health Clubs, Museums, Art Galleries. One (1) parking space for each three hundred (300) square feet of floor area.

Subd. 7. Daycare Facility. One (1) off-street parking space for each five (5) students.

Subd. 8. Disabled Parking Spaces Required.

Total Parking Spaces	Accessible Parking Spaces Required	“Van Accessible” Spaces Required
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1

201 to 300	7	1
301 to 400	8	1
401 to 500	9	2
501 to 1000	2% of Total	1 in every 8 accessible spaces
Over 1000	20 plus 1 for each 100 over 1000	1 in every 8 accessible spaces
Source: Minnesota State Council on Disability (July, 1992)		

1. Each designated space must be eight (8) feet wide with an adjacent five (5) foot wide access aisle (total of thirteen (13) feet).
2. Van accessible space must have an adjacent eight (8) foot wide access aisle (total of sixteen (16) feet).
3. Designated spaces to be on an accessible route located as near as possible to an accessible entrance.
4. Each space to have a sign with the international symbol of accessibility, indication that a permit is required and notification of a \$200 maximum fine for violation.

Subd. 9. Drive-in Establishment and Convenience Food. At least one (1) space for each forty (40) square feet of floor area or dining area, plus one (1) space per eighty (80) square feet of kitchen area, plus one (1) space per fifteen (15) square feet of lobby and service center area.

Subd. 10. Funeral Home. At least twenty (20) parking spaces for each chapel or parlor, plus one (1) parking space for each funeral vehicle maintained on the premises. Aisle space shall also be provided off the street for making up a funeral procession.

Subd. 11. Garden Supply, Nursery, Lumber Yard. At least one (1) space per two hundred fifty (250) square feet of interior sales floor area plus one (1) space for each three thousand (3,000) square feet of outdoor sales area.

Subd. 12. Golf Course, Golf Clubhouse, Public Swimming Pool. Twenty (20) spaces, plus one (1) space for each five hundred (500) square feet of floor area in the principal structure.

Subd. 13. Long-Term Care and Physical Disability Housing. One (1) for each four (4) beds for which accommodations are offered plus one (1) per each two (2) employees.

Subd. 14. Single Family Dwellings. Two (2) spaces, both of which shall be enclosed.

Subd. 15. Attached Residential Dwellings. Two (2) spaces per family unit, both of which shall be enclosed.

Subd. 16. Multiple Family (Apartment) Dwellings. Two and one-half (2.5) fee free spaces for each living unit, of which one (1) must be enclosed.

Subd. 17 Mobile Home Parks. Two (2) spaces for each mobile home unit space provided within the park. At least one (1) parking space shall be located upon the lot of the unit established above. Remaining spaces shall be in a group compound at an appropriate location within the park.

Subd. 18 Manufacturing, Fabricating or Processing of a Product or Material. One (1) space for each five hundred (500) square feet of floor area, plus one (1) space for each company owned truck (if not stored inside principal building).

Subd. 19. Mini Golf. Two (2) parking spaces per hole plus additional spaces as may be required herein for affiliated uses such as restaurants, retail stores, etc. (Ord. 2004-32, 10/27/04).

Subd. 20. Motels, Motor Hotels, Hotels. One (1) space per each rental unit and one (1) space for each employee on any shift.

Subd. 21. Municipal Administration Buildings, Post Office and other Public Service Buildings. (One (1) parking space for each five hundred (500) square feet of floor area in the principal structure.

Subd. 22. Office Buildings, Medical and Professional Offices. Three (3) spaces plus at least one (1) space for each three hundred (300) square feet of floor area.

Subd. 23. Recreational Court, including such uses as: Basketball, volleyball, squash, handball, and other similar uses as determined by the Zoning Administrator. One (1) parking space per each three (3) patrons based on the maximum occupancy (court and spectator areas), plus such spaces required for affiliated uses such as, but not limited to restaurant, bar, pro shop and the like. (Ord. 2004-32, 10/27/04).

Subd. 24. Research, Experimental or Testing Stations. One (1) parking space for each employee on the major shift or one (1) off-street parking space for each five hundred (500) square feet of gross floor area within the building, whichever is greater.

Subd. 25. Restaurants, Cafes, Private Clubs Serving Food and/or Drinks, Bars, Taverns, Night Clubs. At least one (1) space for each forty (40) square feet of gross floor area of dining and bar area and one (1) space for each eighty (80) square feet of kitchen area.

Subd. 26. Retail Sales and Service Business with Fifty Percent or More of Gross Floor Area Devoted to Storage, Warehouses. At least eight (8) spaces or one (1) space for each two hundred (200) square feet devoted to public sales or service plus one (1) space for each one thousand five hundred (1,500) square feet of storage area.

Subd. 27. Retail Store, Service/ Shopping Center or Convenience Food Take-Out/Delivery Establishment. At least one (1) off-street parking space for each two hundred (200) square feet of floor area.

Subd. 28. School, Elementary and Junior High School Through College and Day or Church Schools. At least one (1) parking space for each seven (7) students based on design capacity plus one (1) for each three (3) classrooms.

Subd. 29. Private Schools, Trade School/Specialty Schools Such as Gymnastic Training. One and one-half (1-1/2) parking spaces for every two (2) pupils at student capacity, unless it can be demonstrated that a differing amount of parking is required by that activity.

Subd. 30. Warehousing, Storage or Handling of Bulk Goods. That space which is solely used as office ancillary to the larger warehouse facility shall provide one (1) space for each three hundred (300) square feet of floor area used as office and one (1) space per each one thousand five hundred (1,500) square feet of floor area used as warehouse, plus one (1) space for each company owned truck (if not stored inside).

Subd. 31. Other Uses. Other uses not specifically mentioned herein shall be determined on an individual basis by the City Council. Factors to be considered in such determination shall include (without limitation) national parking standards, parking standards for similar businesses or land uses, size of building, type of use, number of employees, expected volume and turnover of customer traffic and expected frequency and number of delivery or service vehicles.

1030.12: JOINT FACILITIES:

Subd. 1. Joint Use of Parking. The City Council may, after receiving a report and recommendation from the Planning Commission, approve a conditional use permit for one or more businesses to provide the required off-street parking facilities by joint use of one or more sites where the total number of spaces provided is less than the sum of the total required for each business. When considering a request for such a permit, the Planning Commission shall not recommend that such permit be granted except when the following conditions are found to exist.

1. Entertainment Uses. Up to fifty percent of the parking facilities required for a theatre, bowling alley, dance hall, bar or restaurant may be supplied by the off-street parking facilities provided by types of uses specified as primarily daytime uses in Item 4 below.
2. Night Time or Sunday Uses. Up to fifty percent of the off-street parking facilities required for any use specified under Item 4 below as primary daytime uses may be supplied by the parking facilities provided by the following night-time or Sunday uses; auditoriums incidental to a public or parochial school, churches, bowling alleys, dance halls, theatres, bars, restaurants or apartments.

3. School Auditorium and Church Uses. Up to eighty percent of the parking facilities required by this section for a church or for an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities provided by uses specified under Item 4 below as primarily daytime uses.
4. Daytime Uses. For the purpose of this section the following uses are considered as primarily 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.

Subd. 2. Additional Criteria for Joint Parking. In addition to the preceding requirements, the following conditions are required for joint parking usage:

1. Proximity. 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. Conflict in Hours. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.
3. Written Consent and Agreement. A legally binding instrument, executed by the parties concerned, for joint use of off-street parking facilities, duly approved as to title of grantors or lessors, and form and manner of execution by the City Attorney, shall be filed with the City Clerk and recorded with the Sherburne County Recorder or Registrar of Titles, and a certified copy of the recorded document shall be filed with the City within sixty (60) days after approval of the joint parking use by the City.

1030.13: OFF-SITE PARKING:

Subd. 1. Conditional Use. Any off-site parking which is used to meet the requirements of this Ordinance shall be a conditional use permit as regulated by Section 1007 (Conditional Use Permits) of this Ordinance and shall be subject to the conditions listed below.

1. Code Compliance. Off-site parking shall be developed and maintained in compliance with all requirements and standards of this Ordinance.
2. Access. Reasonable access from off-street parking facilities to the use being serviced shall be provided.
3. Lessee Agreement Required. The site used for meeting the off-site parking requirements of this Ordinance shall be secured by a lease agreement between the parties, with term approved by the City Council subject to the review and approval of the City Attorney, filed with the City Clerk and recorded with the

Sherburne County Recorder or Registrar of Title, and a certified copy of the recorded document shall be filed with the City Clerk within sixty (60) days after approval of the agreement by the City Council.

4. Proximity to Multiple Residence. Off-site parking for multiple family dwellings shall not be located more than one hundred (100) feet from any normally used entrance of the principal use serviced.
5. Proximity for Non-Residential Uses. Off-site parking for non-residential uses shall not be located more than three hundred (300) feet from the main entrance of the principal use being served. No more than one main entrance shall be recognized for each principal building.
6. Term of Parking Agreement. Any use which depends upon off-site parking to meet the requirements of this Ordinance shall maintain ownership and parking utilization of the off-site location until such time as on-site parking is provided or a site in closer proximity to the principal use is acquired and developed for parking.

1030.14: DEFERMENT OF REQUIRED PARKING: A reduction in the number of required parking stalls may be permitted by conditional use permit provided that:

Subd. 1. Evidence is provided demonstrating that the parking requirements of the proposed use will be less than the parking required under Section 1030.10 (Number of Spaces Required), during the peak demand period. Factors to be considered when reviewing the proposed parking demand shall include, but not be limited to:

1. Size, type and use of building.
2. Number of employees.
3. Projected volume and turnover of employee and/or customer traffic.
4. Projected frequency and volume of delivery or service vehicles.
5. Number of company owned vehicles.
6. Storage of vehicles on site.

Subd. 2. In no case shall the amount of parking provided be less than one-half (½) of the amount of parking required by Ordinance.

Subd. 3. The property owner can demonstrate that the site has sufficient property under the same ownership to accommodate the expansion of the parking facilities to meet the minimum requirements of Section 1030.10 (Number of Spaces Required), if the parking demand exceeds on-site supply.

Subd. 4. On-site parking shall only occur in areas designed and constructed for parking in accordance with Section 1030.07 (Location) of this Section. The area reserved as

"proof of parking" shall be sodded or seeded and maintained as green space or a recreational area. No permanent buildings shall be permitted in the "proof of parking" area.

Subd. 5. The property owner shall record a restrictive covenant against the title to the property providing that additional parking shall be constructed in accordance with Section 1030.10 (Number of Spaces Required), if the site parking demand exceeds the actual on-site parking supply in the sole opinion of the City. The form of the restrictive covenant shall be approved by the City Attorney before the issuance of the conditional use permit.

Subd. 6. To qualify for a parking deferment, the site plan must comply with all current zoning standards.

Subd. 7. Application for and approval of a conditional use permit for deferment of required parking shall also be subject to the provisions of Section 1007 (Conditional Use Permits) of this Ordinance.

1030.15: OFF-STREET LOADING: The regulation of loading spaces in these zoning regulations is to alleviate or prevent congestion of the public right-of-way and in off-street parking areas so to promote the safety and general welfare of the public, by establishing minimum requirements for off-street loading and unloading from motor vehicles in accordance with the specific and appropriate utilization of various parcels of land or structures.

Subd. 1. Location.

1. Off-Street. All required loading berths shall be off-street and located on the same lot as the building or use to be served.
2. Distance from Intersection. All loading berth curb cuts shall be located at minimum fifty (50) feet from the intersection of two or more street right-of-ways. The distance shall be measured from the property line.
3. Distance from Residential Use. No loading berth for a non-residential use shall be located closer than one hundred (100) feet from a residential use or district unless within a structure.
4. Front Yard Locations. With the exception of the I-1 District, a conditional use permit shall be required for loading berths for non-residential uses where the loading berth is located at the front or side of the building on a corner lot.
 - a. Pedestrians. Loading berths shall not conflict with pedestrian movement.
 - b. Visibility. Loading berths shall not obstruct the view of the public right-of-way from off-street parking access.

- c. General Compliance. Loading berths shall comply with all other requirements of this Section.
5. Traffic Interference. Each loading berth shall be located with appropriate means of vehicular access to a street or public alley in a manner which will cause the least interference with traffic.
6. Loading Areas shall not utilize required parking spaces.
7. All loading areas shall be sufficient to meet the requirements of each use and shall provide adequate space for storage and maneuvering of the vehicles they are designed to serve.
8. Surfacing. All loading berths and access ways shall be improved with not less than six inch class five base and two inch bituminous surfacing to control the dust and drainage according to a plan submitted to and subject to the approval of the City Engineer.
9. Accessory Use: Parking and Storage. Any space allocated as a required loading berth or access drive so as to comply with the terms of this Ordinance, shall not be used for the storage of goods, inoperable vehicles or vehicles for sale or rent or snow and shall not be included as part of the space requirements to meet the off-street parking requirements.
10. Screening. Except in the case of multiple dwellings all loading areas shall be screened and landscaped from abutting and surrounding residential uses and the public right-of-way, in compliance with Section 1027 (Landscape, Screening and Tree Preservation) of this Ordinance.

Subd. 2. Number and Size of Loading Berths. The number of required off-street loading berths shall be as follows:

1. One loading berth and one additional berth for each additional one hundred thousand square feet of building area or fraction thereof. The first loading berth shall be not less than seventy (70) feet in length and additional berths required shall be not less than thirty (30) feet in length and all loading berths shall be not less than ten (10) feet in width and fourteen (14) feet in height, exclusive of aisle and maneuvering space.
2. Reduction in Size of Space. For commercial or industrial buildings five thousand (5,000) square feet or less, the size of the loading area may be reduced or the requirement may be waived upon the approval of a conditional use permit. To qualify for such exception, the following provisions must be met:
 - a. It must be demonstrated that the site cannot physically accommodate a loading berth to the size required.

- b. It must be demonstrated that semi-trailer truck deliveries will not occur at the site or all deliveries will occur at such a time as to not conflict with customer or employee access to the building and parking demand.

Subd. 3. Multiple Residential Uses. One loading area shall be provided for each multiple family structure containing five or more units and shall be exclusively reserved for loading and unloading. The space shall be at minimum forty (40) feet in length and ten (10) feet in width. Said area may be parallel to a driveway aisle, but shall not serve to block the flow of traffic or parking space.