

**TITLE XV UNIFIED DEVELOPMENT CODE
CHAPTER 172: PARKING AND LOADING**

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CHAPTER 172: PARKING AND LOADING

172.01 Purpose

The regulations of this section are intended to reinforce community standards and to promote safe and attractive parking lots for new, redeveloped, and expanded development within the city. The size, number, design, landscaping, and location of parking lots are regulated in order to:

- (A) Provide for the safe and orderly circulation of motor vehicles within parking lots;
- (B) Provide safe ingress and egress to parking lots from public and private streets;
- (C) Protect adjoining properties from the adverse impacts associated with parking lots such as noise, lighting, appearance, drainage, and effect on property values;
- (D) Provide adequate areas for off-street parking and storage of motor vehicles, while at the same time preventing over-supply of parking in mixed-use circumstances; and,
- (E) Enhance the appearance of parking lots in all zoning districts.

172.02 Parking Lot Construction Standards

- (A) *Permits and plan.* For parking lots containing five (5) or more spaces, building, and grading permits and site and grading plans shall be required prior to any initiation of work.
- (B) *Surfacing.* Parking lots shall be asphalt, semi-permeable soil pavers, or concrete, graded and drained to dispose of surface water into appropriate structures.
- (C) *Barriers.* Parking lots shall be provided with wheel guards or curbs so located that no part of a parked vehicle will extend into or over the sidewalks, property lines, or street right-of-way.
- (D) *Striping and marking.* Parking lots spaces shall be striped to indicate the location of the individual spaces, directional arrows shall be provided at the entrance of aisles and entry drives, and accessible spaces shall be marked meeting current Americans with Disabilities Act (ADA) requirements. Such striping and marking shall be in accordance with the Manual on Uniform Traffic Control Devices.

172.03 Accessibility

- (A) *ADA reference.* Accessibility for persons with disabilities in parking lots and building approaches shall be as required by the current ADA and as may from time to time be amended.
- (B) *Location and size.* Location and minimum stall size of accessible parking spaces, passenger loading zones, or valet parking facilities, when provided for public or governmental buildings and facilities, shall meet the standards adopted in the ADA.
- (C) *Buildings.* Accessibility guidelines (ADAAG) for buildings and facilities, Appendix A to 28 C.F.R. Part 36, or the current federal standard.
- (D) *Signage.* Accessible parking spaces for persons with disabilities shall be identified with signs in accordance with the current federal statute of the Americans with Disabilities Act (ADA). Curb ramps shall be provided in accordance with the Americans with Disabilities Act (ADA) wherever an accessible route crosses a curb in the parking lot.
- (E) *Minimum number of accessible spaces.* The following table shall be used to determine the minimum number of accessible parking spaces to be provided for persons with disabilities:

Total parking spaces in lot or garage	Minimum number of accessible spaces
1—25	1
26—50	2
51--75	3
76--100	4
101--150	5
151--200	6
201--300	7
301--400	8
401--500	9
501--1000	2% of total spaces
Over 1000	20 spaces + 1 space for each 100 spaces over 1000

- (F) *Facilities providing medical care.* Facilities providing medical care and other services for persons with mobility impairments shall provide accessible parking spaces as follows:
 - (1) *Outpatient facilities.* Outpatient units and facilities shall provide a minimum of 10% of the total number of parking spaces provided serving each such outpatient unit or facility, but in no event shall less than one such parking space be provided.

(2) *Specialized facilities.* Units and facilities that specialize in treatment or services for persons with mobility impairments shall provide 20% of the total number of parking spaces provided serving each such unit or facility, but in no event shall less than one such parking space be provided.

(3) *Visitor parking.* Accessible visitor parking that provides sufficient access to grade level entrances of multi-family dwellings is also required.

(Ord. 5297, 12-15-09)

(G) *Multi-family dwellings.* Multi-family dwellings containing four (4) or more dwelling units shall provide accessible parking spaces as follows:

(1) *Fair Housing Act reference.* Accessible parking shall be provided which meets the provision in the Final Housing Accessibility Guidelines, 24 C.F.R., Chapter 1, Subchapter A, Appendix II, of the Fair Housing Act of 1968, as amended, or the current federal standard.

(2) *Number of required accessible space.* Designated accessible parking shall be provided for at least two (2) percent of the dwelling units and at facilities such as swimming pools and clubhouses that serve accessible buildings. Additional designated accessible parking shall be provided on request of residents with disabilities, on the same terms and with the full range of choices that are provided for other residents of the development.

172.04 Parking Lot Design Standards

(See: Illustration: Parking Dimension Factors)

(A) *Maneuvering.* Parking lots shall be designated, maintained, and regulated so that no parking or maneuvering incidental to parking will encroach into the areas designated for sidewalks, streets, or required landscaping. Parking lots shall be designed so that parking and un-parking can occur without moving other vehicles, unless a valet service has been approved as part of the development plans. Vehicles shall exit the parking lot in a forward motion.

(B) *Pedestrian access.* Pedestrian access shall be provided from the street to the entrance of the structure by way of designated pathway or sidewalk.

(C) *Build-to zone.* A portion of a required parking lot may be located within the build-to zone, subject to the following:

(1) A parking lot located within the build-to zone shall be screened with a masonry screen wall between 32' and 42" in height and 50% opaque minimum.

(2) Parking lots that are located within the build-to zone shall comply with Chapter 177: Landscape Regulations, related to landscape setbacks.

(3) Off-site parking lots shall be prohibited from being located within the build-to zone.

(D) *Compact spaces.* A maximum of 35% of the total spaces may be compact spaces. Compact spaces shall be marked either by marking on the pavement or by separate marker.

(E) *Dimensional requirements.* (See Table 1)

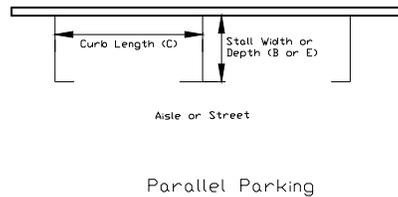
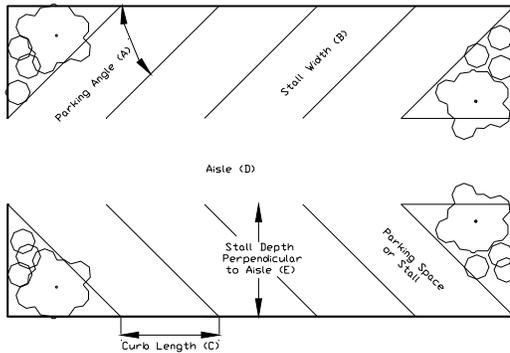
**TABLE 1
DIMENSIONAL REQUIREMENTS**

Angle (A)	Type	Width (in ft.) (B)	Curb length (in ft.) (C)	One-way aisle width (in ft.) (D)	Two-way aisle width (in ft.) (D)	Stall depth (in ft.) (E)
0°	Standard	8	22.5	12	24	8
Parallel	Compact	7.5	19.5	12	24	7.5

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30°	Standard	9	18	12	24	17
	Compact	7.5	15	12	24	14
45°	Standard	9	12.5	12	24	19
	Compact	7.5	10.5	12	24	16
60°	Standard	9	10.5	18	24	20
	Compact	7.5	8.5	15	24	16.5
90°	Standard	9	9	24	24	19
	Compact	7.5	7.5	22	24	15
	Motorcycle/Scooter	3	3	12-24	24	7.5 - 9

DIMENSIONAL FACTORS



Parallel Parking

(F) *Parking Lot Circulation.*

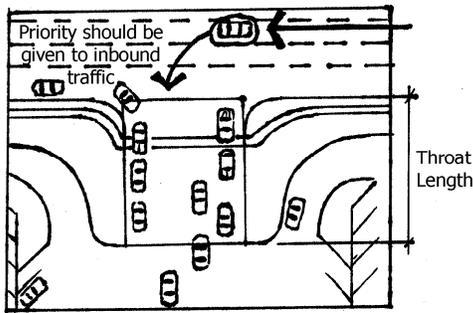
(1) *Throat length.* The length of driveways or "throat length" shall be designed in accordance with the anticipated storage length for vehicles to prevent them from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. General standards appear below, but these requirements may vary according to the project volume of the individual driveway. These measures generally are acceptable for the principal access to a property and are not intended for minor driveways. Variation from these standards may be permitted for good cause upon approval of the Zoning and Development Administrator and City Engineer.

TABLE 2
GENERALLY ADEQUATE
DRIVEWAY THROAT LENGTHS

Shopping Centers (Signalized)	>200,000 GLA* (800) spaces	200 ft.
Smaller Developments (Signalized)	<200,000 GLA*	75-95 ft.
Unsignalized Driveways	--	40-60 ft.

*GLA-Gross leaseable area

Commentary: The throat lengths in Table 2 are provided to assure adequate stacking space within parking lot driveways for general land use intensities. This helps prevent vehicles from stacking into the thoroughfare as they attempt to enter the parking lot. High traffic generators, such as large shopping plazas, need much greater throat length than smaller developments or those with unsignalized driveways. The guidelines here for larger developments refer to the primary access drive. Reduced throat lengths may be permitted for secondary access drives serving large developments.



(2) Drive-through facilities. All uses that include a drive-up window or are characterized by patrons remaining in their vehicles to receive service shall meet the following on-site stacking requirements in order to alleviate traffic congestions:

- (a) Restaurant, fast food: a minimum of four (4) spaces as measured from the drive-thru window
- (b) Vehicular washes: a minimum of two (2) spaces per car wash bay as measured from the bay.
- (c) Pharmacies and financial institutions: a minimum of four (4) spaces for one (1) drive-thru window, plus three (3) spaces for each additional drive-thru lane or automated teller machine (ATM), as measured from each drive-thru window.
- (d) Dry cleaning and laundry services: a minimum of two (2) spaces as measured from the drive-thru window.

(3) Entrances and internal aisle design for parking lots containing 8 parking spaces or less. The driveway width into parking lots shall meet the following requirements:

- (a) Entrances.
 - (i) One-way access to parking lots. If the driveway is a one-way in or one-way out, then the driveway width shall be a minimum of 12 feet and a maximum of 16 feet. Parking lots shall not be located more than 100 feet from the street right-of-way. Commercial solid waste service is required.
 - (ii) Two-way access to parking lots. For two way access, the driveway width shall be a minimum of 12 feet and a maximum of 24 feet. Parking lots shall not be located more than 100 feet from the street right-of-way. This standard

shall only apply when a 2 yard dumpster is allowed.

(iii) Driveway width requirements for parking lots located 100 feet or more from the street right-of-way. Two drive lanes a minimum width of 10 feet each, up to a maximum combined width of 24 feet, shall be required for adequate parking lot access.

(iv) Curb radius. All driveway entrances serving 8 or less parking spaces shall have a minimum curb radius of 10 feet and a maximum of 20 feet.

(b) Internal aisle design.

- (i) Aisles shall be designed so that they intersect at 90 degrees with other aisles and driveways where practical.
- (ii) Aisles shall be designed to discourage cut-through traffic by use of landscape islands, and shall meet the requirements of Chapter 177: Landscape Regulations.
- (iii) Aisles shall conform to the dimensional requirements of §172.04(C).

(c) Variances. Development proposals which do not meet these standards may apply for a variance from these requirements subject to Planning Commission approval.

Parking Lots With 8 Spaces or Less	
	Driveway Dimensional Requirement
One Way Access <100'	12' Minimum – 16' Maximum
Two Way Access <100'	12' Minimum - 24' Maximum
>100' Driveway Length	2 Drive Lanes 10' Minimum Each – 24' Maximum Total Driveway Width
Curb Radius	10' Minimum – 20' Maximum

(4) Entrances and internal aisle design for parking lots containing 9 or more parking spaces. The driveway width into parking lots shall meet the following requirements:

- (a) Entrances.
 - (i) One-way access to parking lots. If the driveway is a one-way in or one-way out, then the driveway width shall be a minimum of 12 feet and a maximum of 16 feet.

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- (ii) *Two-way access to parking lots.* For two way access, the driveway width shall be a minimum 20 feet and a maximum width of 24 feet, unless otherwise required by the Fire Department.
- (iii) *Collector and Arterial Streets.* Driveways that enter collector and arterial streets may be required to have two outbound lanes (one for each turning direction) and one inbound lane for a maximum total driveway width of 39 feet.
- (iv) *Curb radius.* All driveways serving 9 or more parking spaces shall have a curb radius of 15 feet for curb cuts on local streets and a curb cut radius of 20 feet for collector, minor arterial and arterial streets.

(b) *Internal aisle design.*

- (i) Aisles shall be designed so that they intersect at 90 degrees with other aisles and driveways where practical.
- (ii) Aisles shall be designed to discourage cut-through traffic by use of landscape islands, and shall meet the requirements of Chapter 177: Landscape Regulations.
- (iii) Aisles shall conform to the dimensional requirements of §172.04(C).

Parking Lots With 9 Spaces or More	
	Driveway Dimensional Requirement
One Way Access	12' Minimum – 16' Maximum
Two Way Access	2 Drive Lanes 10' Minimum Each – 24' Maximum Total Driveway Width
Collector/Arterial Streets	3 Drive Lanes - Maximum of 39'
Curb Radius - Local	15'
Curb Radius - Collector/ Arterial	20'

(G) *Hillside/Hilltop Overlay District.*

- (1) *Separation of Parking Pads in Multi-Family, and Non-Residential Development.* Parking pads shall be separated by a minimum undisturbed area of 15 feet between parking

pads. Streets and access drives are permitted to cross this undisturbed area.

- (2) *Cut and Fill Slopes.* Parking pads should be encouraged to utilize cut slopes with retaining walls to minimize disturbance.
- (3) *Maximum number of spaces per parking lot for multi-family and non-residential uses.* Parking pads shall have a maximum of 30 spaces per pad.
- (4) *Parking lot location.* Parking lots shall be set back with a minimum of 35' of undisturbed area required adjacent to the street right-of-way.
- (5) *Multifamily and non-residential uses.* Developers of multi-family and non-residential uses in the Hillside Overlay District are encouraged to refer to the Hillside Best Management Practices Manual for guidance and direction in the design of their project.

(Ord. 4725, 7-19-05; Ord. No. 4855, 4-18-06; Ord. No. 4917, 9-05-06; Ord. 5044, 8-07-07; Ord. 5079, 11-20-07; Ord. 5297, 12-15-09; Ord. 5592, 06-18-13; Ord. 5680, 4-15-14)

172.05 Standards For The Number Of Spaces By Use

(A) *Required parking.*

- (1) *Required number of spaces.* A proposed use shall conform to the established parking ratios listed in Table 3. The minimum number of spaces required for a use not specifically included in this section shall be as required for the most similar use listed or as otherwise determined by the Planning Division utilizing reference standards. For all parking space requirements resulting in a fraction, the fraction shall be:

- (a) rounded to the next higher whole number when the fraction is 0.5 or higher.
- (b) rounded to the next lower whole number when the fraction is less than 0.5.

- (2) *Change of use - existing structure.* A change of use in an existing structure may be permitted if the use adequately meets the minimum parking ratio standards herein. A change of use shall not be penalized for existing parking spaces that exceed the required parking ratios included in this chapter.

Fayetteville Code of Ordinances

- (3) *Change of use – waiver.* In Downtown Core, Main Street Center, and Downtown General zoning districts, parking requirements are waived for any existing structure with a change of use. New construction, razed buildings or enlarged buildings shall conform to the parking requirements of the City of Fayetteville. For enlarged buildings, additional parking spaces will be calculated by the amount of square footage that is added.
- (4) *Building footprint – waiver.* In Downtown Core, Main Street Center and Downtown General zoning districts, parking requirements are waived for the square footage "footprint" of any building which existed and has been removed since October 1, 1995, in order to rebuild.
- (5) *Downtown Core, Main Street Center, and Downtown General Zoning Districts accessory outdoor use areas -* Accessory outdoor patios, balconies, decks, and other similar outdoor use areas for restaurants and bars shall be exempt from meeting off-street parking requirements in the *Downtown Core, Main Street Center, and Downtown General* zoning districts.

TABLE 3
PARKING RATIOS
(Use/Required Spaces)

Residential

Single-family, duplex, triplex	2 per dwelling unit
Multi-family or townhouse	1 per bedroom

Commercial

Agricultural supply	1 per 500 sq. ft. of GFA
Amusement	1 per 200 sq. ft. of GFA
Auditorium	1 per 4 seats
Auto/motorcycle service stations	4 per each enclosed service bay
Bank	1 per 200 sq. ft. of GFA
Barber or beauty shop	2 per chair
Building/home improvement supply	1 per 500 sq. ft. of GFA
Coin-operated laundry	1 per 3 machines
Dry cleaning	1 per 300 sq. ft. of retail area and 1 per employee
Hotels and motels	1 per guest room, plus 75% of spaces required for accessory uses.
Furniture and carpet store	1 per 500 sq. ft. of GFA
Plant nursery	1 per 1,000 sq. ft of indoor/outdoor retail area
Restaurants	1 per 100 sq. ft. GFA plus 4 stacking spaces per drive-thru window.
Retail	1 per 250 sq. ft. of GFA
Retail fuel sales with	1 per 250 square feet of retail floor area. Owner may

convenience stores	count spaces at pump islands as parking spaces.
Retail fuel sales only	1 per employee. Owner may count spaces at pump islands as parking spaces.

Office

Medical/Dental office	1 per 250 sq. ft. of GFA
Professional office	1 per 300 sq. ft. of GFA
Sales office	1 per 200 sq. ft. of GFA

Public and Institutional Uses
Nonprofit Commercial

Art gallery, library, museum	1 per 1,000 sq. ft. of GFA
Auditorium	1 per 4 seats, provided only auditorium space is counted in determining parking
Child care center, nursery school	1 per employee plus on-site loading and unloading spaces at a rate of 1 per 10 children accommodated
Church/religious institution	1 per 4 seats in the main auditorium or 1 per 40 sq. ft. of assembly area, whichever provides more spaces
College auditorium	1 per 4 seats
College dormitory	1 per sleeping room
College or university	1 per 500 sq. ft. of classroom area
Community center	1 per 250 sq. ft. of GFA
Cooperative housing	1 per 2 occupants
Convalescent home, assisted living, nursing home	1 per 2 beds
Detention home	1 per 1,500 sq. ft. of GFA
Elderly Housing	1 per 2 units
Funeral homes	1 per 4 seats in main chapel plus 1 per 2 employees plus 1 reserved for each vehicle used in connection with the business
Government facilities	1 per 500 square feet of floor area
Hospital	1 per bed
Convalescent home	1 per bed
School--elementary and junior high	1 per employee plus 1 space per classroom
School--senior high	1 per employee plus 1 per 3 students based on design capacity, or 1 per 6 seats in auditorium or other places of assembly, whichever is greater
Zoo	1 per 2,000 sq. ft. of land area
All other public and institutional uses (only auditorium space shall be counted for churches, auditoriums, or group occupancy space)	1 per 4 occupants

Manufacturing/Industrial

Manufacturing	1 per 1,200 sq. ft. of GFA or one per employee, whichever is greater
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Heavy industrial	1 per 1,200 sq. ft. of GFA
Extractive uses	Adequate for all employees, trucks, and equipment

Recreational Uses

Amusement park, miniature golf	1 per 1,000 sq. ft. of site area
Bowling alley	6 per lane
Commercial recreation	1 per 200 sq. ft. of GFA
Commercial recreation-large sites	1 per 1,000 sq. ft. of site area
Dance hall, bar or tavern	1 per 50 sq. ft. of GFA, excluding kitchen
Golf course	3 per hole
Golf driving range	1 per tee box
Health club, gym	1 per 150 sq. ft. of GFA
Regional or community park	2 per acre of accessible active and passive space
Neighborhood park	None
Private club or lodge	1 per 500 sq. ft. of GFA or 1 per 3 occupants based on the current adopted Standard Building Code whichever is greater
Riding stable	1 per acre; not required to be paved
Tennis court	2 per court
Theater	1 per 4 seats
All other recreational uses	1 per 4 occupants

Warehousing and Wholesale

Warehousing	1 per 2,000 sq. ft. of GFA
Wholesale	1 per 1,000 sq. ft. of GFA
Center for collecting recycled materials	1 per 1,000 sq. ft. of GFA

(B) *On-street parking.* Permitted on-street parking spaces adjacent to a project frontage may count toward the parking requirements for all development, subject to approval by the Zoning and Development Administrator. Each on-street parking space provided may count toward the total required parking spaces for the development.

(C) *Off-street parking.*

(1) *Motorcycle and scooter parking.* In parking lots containing 25 parking spaces or more, one (1) space for every 25 parking spaces of the required number of parking spaces for a use or combination of uses shall be striped as a motorcycle and scooter parking space.

(2) *Maximum number allowed.* Developments may utilize the following increases to the required spaces listed in Table 3 when the following standards are met:

(a) Developments may increase the number of off-street parking spaces by 15%

above the parking ratios listed in Table 3.

(b) Developments may increase the number of off-street parking spaces by an additional 10% when alternative stormwater treatment techniques are utilized, such as:

(i) Bioswales

(ii) constructed wetlands

(iii) pervious pavement

(iv) other such techniques that aid in improving water quality and quantity as approved by the City Engineer

(c) Developments may increase the number of off-street parking spaces by an additional 5% when one (1), two-inch (2") caliper tree for every 10 additional parking spaces is planted on-site in addition to all other landscaping requirements.

(3) *Reductions.* Developments may utilize the following reductions to the required off-street parking ratios listed in Table 3 when the following standards are met:

(a) *Transit stops.* Properties located within a quarter (0.25) mile radius of a transit stop may further reduce the minimum off street parking requirements by up to fifteen percent (15%).

(b) *Motorcycle and scooter spaces.* Up to 10% of the required automobile parking spaces may be substituted with motorcycle/scooter parking at a rate of one motorcycle/scooter space for one automobile space.

(c) *Bike racks.* Up to 10% of required automobile parking may be substituted with bicycle parking at a rate of one additional bicycle rack for one automobile space. This reduction shall be allowed in addition to other variances, reductions and shared parking agreements.

(d) *Shared parking.* Parking requirements may be shared where it can be determined that the peak parking demand of the existing or proposed occupancy occur at different times (either daily or seasonally). Such arrangements are subject to the approval of the Planning Commission.

- (i) *Shared parking between developments.* Formal arrangements that share parking between intermittent uses with nonconflicting parking demands (e.g. a church and a bank) are encouraged as a means to reduce the amount of parking required.
- (ii) *Shared parking agreements.* If a privately owned parking facility is to serve two or more separate properties, then a "Shared Parking Agreement" is to be filed with the city for consideration by the Planning Commission.
- (iii) *Shared spaces.* Individual spaces identified on a site plan for shared users shall not be shared by more than one user at the same time.

(e) *Reduced parking within mixed use developments.* Parking requirements may be reduced where it can be determined that the peak parking demand of the existing or proposed occupancy occur at different times (either daily or seasonally). Such arrangements are subject to the approval of the Planning Commission.

(i) *Request for parking space reduction.* A shared parking plan must be prepared to the satisfaction of the Planning Commission showing that parking spaces most conveniently serve the land uses intended, directional signage is proved if appropriate, and pedestrian links are direct and clear.

(ii) *Calculating parking space reductions.* Parking space reductions can be determined by a calculation using Table 4, Parking Occupancy Rates. If the calculation does show a parking space regulation reduction to be feasible, the applicant shall submit a parking reduction worksheet showing the process for calculating the reduction as outlined herein. The calculation using Table 4, Occupancy Rates shall be conducted as follows:

(a) *Determine minimum spaces required.* The minimum number of parking spaces that

are to be provided and maintained for each use shall be determined by using Table 3, Parking Ratios.

(b) *Calculate occupancy rates.* The minimum number of parking spaces shall be multiplied by the "occupancy rate" (the percentage) provided in Table 4, Parking Occupancy Rates, for each use for the weekday night, daytime and evening periods, and weekend night, daytime and evening periods, respectively.

(iii) *Sum parking spaces.* Sum the parking spaces for the combined uses for each time period. The number of parking spaces from the time period with the highest calculated number of parking spaces shall be the number of spaces required for the shared parking facility

TABLE 4

Parking Occupancy Rates

(Percent of basic minimum needed during time period)

Uses	M-F 8am- 5pm	M-F 6pm- 12am	M-F 12am- 6am	Sat.& Sun. 8am- 5pm	Sat. & Sun. 6pm- 5pm	Sat. & Sun. 12am - 6am
Land Use Categories						
Residential	60%	100%	100%	80%	100%	100%
Commercial*	90%	80%	5%	100%	70%	5%
Office	100%	20%	5%	5%	5%	5%
Public & Institutional Uses (non- church)	100%	20%	5%	10%	10%	5%
Public & Institutional Uses (church)	10%	5%	5%	100%	50%	5%
Manufacturing/ Industrial	100%	60%	40%	50%	30%	10%
Warehouse/ Wholesale	100%	20%	5%	5%	5%	5%
Recreation	40%	100%	10%	80%	100%	50%
Specific Commercial Uses						
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Theater	40%	80%	10%	80%	100%	10%
Conference/ Convention	100%	100%	5%	100%	100%	5%

Source: Shared Parking Planning Guidelines, Institute of Transportation Engineers.

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*Some specific uses have different occupancy rates. Check under "Specific Commercial Uses" with the rest of the table.

- (4) Increases or reductions in excess of those identified herein shall be allowed only as a conditional use and shall be granted in accordance with Chapter 163, governing applications of conditional uses, procedures, and upon the finding that the increase or reduction is needed.

(Ord. 4567, 05-04-04; Ord. 4930, 10-03-06; Ord. 5118, 3-18-08; Ord. 5297, 12-15-09; Ord. 5435, 8-16-11)

172.06 Parking Lot Location Standards

The location of all required and nonrequired parking lots with five (5) or more spaces shall meet the location requirements below. All conditional uses hereunder shall be granted by the Planning Commission in accordance with Chapter 163, governing applications of conditional uses; procedures.

- (A) *Permitted locations by right.* Parking lots shall be located within the same zoning district as the use they serve. Required parking lots for uses allowed by right within a zoning district are allowed as a use by right in the same zoning district.
- (B) *Permitted locations as a conditional use.*
 - (1) Parking lots located within residential zones which serve uses in nonresidential zones may be allowed as a conditional use by the Planning Commission.
 - (2) Parking lots for uses allowed as conditional uses within residential zones must also be approved as a conditional use. A conditional use for a parking lot may be approved at the same time the use is approved or may be approved separately if additional parking lots are developed later.

The Planning Commission shall make a finding based upon the size, scale, and location of these activities that the proposed parking lot will not adversely affect adjacent residential uses or the residential character of the neighborhood.

Cross reference(s)--Uses Conditions, Ch. 163.

- (C) *Off-site locations.* If off-street parking cannot be provided on the same lot as the principal use due to existing buildings or the shape of the parcel, parking lots may be located on other property not more than 600 feet distant from the principal use, subject to conditional use approval by the Planning Commission.
- (D) *Intermittent parking.* Uses which generate only intermittent demand for parking, such as

churches, may count available on-street parking within 600 feet of the building as part of required parking, subject to the approval of the Planning Commission.

172.07 Reserved

(Ord. 4917, 09-05-06)

172.08 Nonconforming Parking Lots

All parking lots and/or parking areas which were in existence prior to the effective date of this ordinance may continue in a nonconforming state until such time as the following shall occur:

- (A) *Rehabilitation.* A building permit is granted to rehabilitate a structure on the property exceeding 50% of the current replacement cost of the structure. At such time, 50% of the existing parking lot use area shall be required to be brought into compliance with the provisions of this ordinance. This shall continue on a graduated scale in accordance with the percentage of rehabilitation cost; and/or
- (B) *Enlargement or reconstruction.* A building permit is granted to enlarge or reconstruct a structure on the property exceeding 10% of its existing gross floor area. At such time 10% of the existing parking lot and/or parking lot area shall be brought into compliance with the provisions of this section. This shall be on a graduated scale until reaching 100% of the required landscaping; and/or
- (C) *New curb cut.* A new curb cut permit is granted for the nonconforming parking lot. At such time the parking lot and/or parking area shall be required to be brought into compliance with the provisions of this ordinance.

Cross reference(s)--Variances, Ch. 156.

(Code 1965, App. A., Art. 8(9); Ord. No. 1747, 6-29-70; Ord. No. 2380, 9-20-77; Ord. No. 2549, 8-7-79; Code 1991, §160.117; Ord. No. 3870, §4, 2-21-95; Ord. No. 3962, §§1, 2, 4-16-96; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4127, §1 (Ex. A), 12-15-98; Ord. No. 4319, 6-5-01; Ord. No. 4412, (Ex. A), 9-3-02)

172.09 Off-Street Loading

In all districts, accessory off-street loading berths, open or enclosed, shall be so arranged so that parking and maneuvering will occur on private property.

(Code 1991, §160.116; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. 5296, 12-15-09; Ord. 5297, 12-15-09)

172.10 Bicycle Parking Rack Requirements

(A) *Applicability.* All new construction or expansions requiring five (5) or more off-street automobile parking spaces shall provide bicycle parking as required by this chapter. Any property owner required to have bicycle parking may elect to establish a shared bicycle parking facility with any other property owner within the same block to meet the combined requirements.

(B) *Definition.* A bicycle rack is a fixture designed to park bicycles that can be secured with a standard u-shaped bicycle lock. Each bicycle parking rack holds two bicycles.

(C) *Number of Bicycle Racks Required.* The minimum number of bicycle parking racks required is determined by the number of parking spaces required for the type of land use. Alternative rack designs may be approved by the Planning Division so long as they have the bicycle capacity storage equivalent to total number of standard bicycle racks required. The following standards shall determine the number of bicycle racks required based on the number of automobile parking spaces in the development:

(1) *Non-residential Development.* Non-residential development shall provide one (1) bicycle parking rack per twenty (20) automobile parking spaces. At a minimum the development shall provide one (1) bike rack.

(2) *Residential Development.* Residential development shall provide (1) bicycle rack per thirty (30) dwelling units. At a minimum the development shall provide one (1) bike rack.

(D) *Bicycle Rack Site Design.* Careful consideration should be given to the layout and location of bicycle racks. For optimal functionality the following standards shall apply in determining the layout and position of bicycle racks:

(1) *Spacing between bicycle racks.* Each bicycle parking space shall have 36" of clear space, paved or unpaved, beside the rack allowing each rack to support two bicycles. The 36" dimension may overlap another bicycle parking space such that racks positioned in a parallel row may be 36" on center. The minimum length dimension required is 8' free and clear (See: Figure 1).

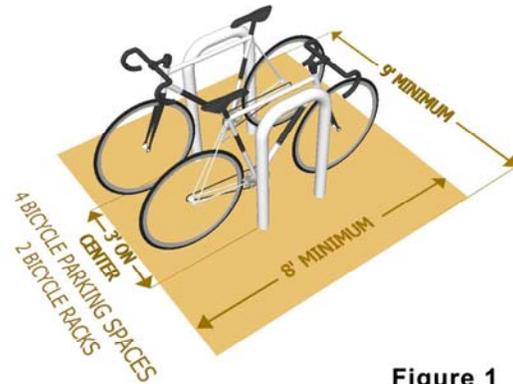


Figure 1

(2) *Location of Bicycle Parking Racks.* Bicycle racks should be located in areas where they are useful to the bicyclist while not impeding access. The following standards shall apply when determining the location of bicycle racks:

(a) Bicycle parking racks should be located within 50 feet of a public entry. In locations that have multiple entrances, such as shopping areas, bicycle parking racks should be distributed near all major points of public entry.

(b) Bicycle parking facilities should have adequate lighting for the operation of combination and key locks at night and to minimize theft.

(c) Bicycle parking racks should be positioned so that no pedestrian traffic is impeded.

(d) Bicycle parking racks should not be located within bus stops, loading zones, or other curb space where on-street parking is permitted unless approved by the City Engineer.

(e) Bicycle parking racks shall have a six foot (6') minimum clearance from the edge of fire hydrants.

(f) Bicycle parking racks should have a 4' 0" clearance from existing street furniture, including mailboxes and light poles.

(g) Bicycle parking rack location shall not interfere with ADA standards.

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(E) *Bicycle Rack Specifications.* The Planning Division has pre-approved the standard inverted u-shaped bicycle rack (see figure 1). Applicants may also request an alternative design with Planning Division approval (see examples in figure 2). All bicycle racks shall be designed so that they support a bicycle at two points on the bicycle frame and such that the bicycle may be securely locked with a u-shaped bicycle lock (See figure 3).

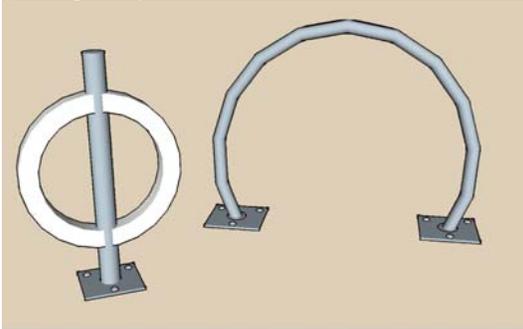


Figure 2

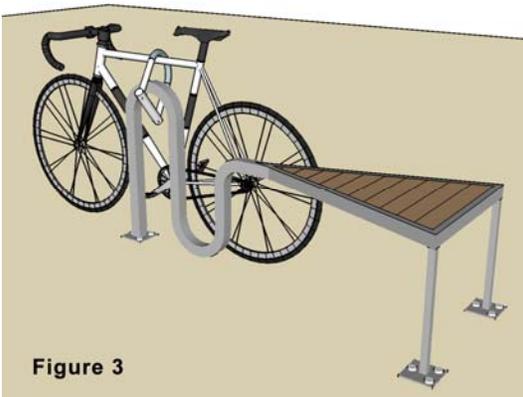


Figure 3

(F) *Materials.* Racks are to be constructed of 1½ inch, Schedule 40 steel pipe (1.90" x 0.145" wall).

(G) *Finishes.* Unless the pipe material is stainless steel, the pipe shall have PVC coating, powdercoat finish or hot-dipped galvanized finish applied after the flange has been welded in place (Surface Mount Method) or the anchoring cross bar/supports have been fitted (Embedment Method).

(H) *Anchoring.* Bicycle racks shall be anchored with one of the following methods:

(1) *Embedded in concrete.* The rack legs shall extend a minimum of 9" into a concrete footing with an anchoring crossbar mounted 3 inches above the base.

(2) *Surface flange mount.* A pre-drilled, steel flange, minimum 8 inch square, shall be welded to the bottom of each leg before final finish is applied. The flange shall have a

minimum of three bolt holes. Each bolt hole shall accept a ½ inch diameter steel bolt.

(3) *Alternative anchoring methods.* Alternative methods of anchoring bicycle racks may be permitted with approval of the City Engineer.

(Ord. No. 4293, 2-20-01; Ord. 5297, 12-15-09; Ord. 5482, 2-7-12; Ord. 5603, 8-6-13)

172.11 Driveway And Parking Standards For Four (4) Or Less Parking Spaces

(A) *Purpose.* The purpose of this ordinance section is to promote the public health, safety and general welfare, to prevent the adverse impacts associated with excess parking and over-occupancy of homes in single family districts, and to ensure that compatibility of land uses within single family districts remain intact.

(B) *Applicability.* The following requirements shall apply to properties within single family districts that require four (4) or less parking spaces and properties within all zoning districts that are utilized for a single family detached home requiring four (4) or less parking spaces. The regulations herein do not apply to motor vehicles located completely within or underneath garages or carports, nor to properties zoned Residential Agricultural.

(C) *Maximum Number of Parking Spaces Permitted.* Unless otherwise permitted herein, a maximum of four (4) motor vehicles may be parked outdoors on a property containing a single family home(s) at any time, including driveways and other designated off-street parking areas. Parking for all other permitted uses shall conform to the Parking Ratio Table contained within this chapter.

(D) *Use of Front Yard Area for a Driveway and Off-street Parking.* Motor vehicles shall be parked in a driveway or off-street parking area that is clearly defined by pavement, a change in materials, edging, or other means. Driveways and off-street parking areas shall be limited to a maximum of 40% of the front yard area and shall meet the maintenance requirements as identified by this chapter.

(E) *Parking of non-motorized vehicles in Front Yard Area.* If parked within the front yard area of a property (including driveways), non-motorized recreational vehicles, trailers, and boats shall be counted toward the maximum total of four (4) motor vehicles permitted on the property.

(F) *Off-street Parking on City Street Right-of-Way.* The off-street parking of any motor vehicle, non-

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motorized recreational vehicle, boat or trailer shall be prohibited within the street right-of-way, which includes any sidewalk, greenspace or other area from the edge of the paved street through the width of the dedicated street right-of-way. On-street parking within properly designated areas of the street right-of-way may be permitted, in accordance with current traffic regulations.

immediately remedied by the property owner.

(G) *Driveway Standards.*

(1) *Driveway Approach to Property Line.* The driveway approach shall extend to the property line and/or master street plan right-of-way from the paved street and shall be designed, permitted, and paved with concrete in accordance with §171.13 *Sidewalk and Driveway Specifications.*

(2) *Driveways Beyond the Property Line.* Driveways shall be paved from the property line and/or master street plan right-of-way with asphalt, concrete, brick or stone pavers, or other solid surface and shall extend 18 feet (length) into the property unless no parking is provided between the property line and structure.

(3) *Driveways Beyond 18 Feet into the Property.* Driveways beyond 18 feet into the property may be paved or unpaved and shall be clearly defined by landscaping or edging.

(4) *Unpaved Streets.* These requirements are waived where the street to which the driveway connects is not paved.

(H) *Driveway and Parking Area Maintenance Requirements.*

(1) *Paved.* Driveways and parking areas that are paved shall be maintained to prevent erosion onto adjacent properties and to prevent dirt, rock and other materials from entering the street.

(2) *Unpaved.* Driveways and parking areas that are not paved shall be maintained to prevent erosion onto adjacent properties and to prevent dirt, rock and other materials from entering the street. Driveways and parking areas shall be constructed and maintained with adequate gravel, grasses, or other plants and/or landscaping materials to keep the area from becoming rutted, muddy and/or soil from being blown or washed away. If an unpaved driveway is not maintained and is identified as a violation of this provision, such driveway shall be

(I) *Driveway Grading and Drainage.* The driveway shall be graded in such a way to dispose of surface water into appropriate structures.

(J) *Maximum Driveway Width.* Driveway width shall be limited to:

Lot Width	Maximum Driveway Width
70 feet or more	24 feet
50 feet to 69 feet	20 feet
Less than 50 feet	18 feet

(K) *Loop, Circle, and Multiple Driveways.* Loop, circle and multiple driveways on a single property shall be allowed so long as a 30 foot separation between the drives is maintained, as measured from the interior edges of the curb cuts, subject to other restrictions for driveway separations in the UDC.

(L) *“Pay-to-park” operations.* Pay-to-park operations are prohibited within single family districts and properties within all zoning districts that are utilized for a single family detached home. “Pay-to-park” operations are defined as those which advertise and/or sell or lease permits to park or otherwise allow parking for free or for payment on a property on which the owner and/or operator of the vehicle does not reside.

(M) *Exemptions.* The following exemptions to this ordinance section shall be permitted:

(1) *University of Arkansas Events.* An unlimited number of motor vehicles shall be allowed to park on private property for a period of 12 hours before and 12 hours after a University of Arkansas event for persons attending said event on days when events are occurring at Bud Walton Arena or Donald W. Reynolds Stadium on the University Arkansas Campus.

(2) *Construction Vehicles.* Parking of motor vehicles for new construction and additions shall be allowed on private properties and within the greenspace between the street and sidewalk during the duration of the project, as long as the building permit remains active. Any damage from construction vehicles to city property such as broken curb, sidewalk cracks, ruts in the greenspace, and erosion of unpaved areas

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shall be repaired by the owner/developer prior to completion of construction.

- (3) *Temporary Parking.* Temporary driveways or parking lots approved by the Planning Commission.
- (4) *Existing Driveways.* All existing driveways constructed prior to August 07, 2007 shall be exempt from meeting §172.11(G), until a curb cut permit or a building permit for the new construction of 1,000 square feet or larger is granted.
- (5) *Special events.* Infrequent parking for special events which exceeds the normal maximum number of motor vehicles permitted on a property is excepted from this ordinance. Excessive parking which occurs more frequently than an average of one day a month may be determined by the Zoning and Development Administrator upon complaint by a nearby neighbor to be "frequent" and thus not excepted as "infrequent." The Zoning and Development Administrator shall notify an owner/tenant by regular mail or similar notice that the excessive parking has been determined to be "frequent" and in violation of this section prior to taking other enforcement measures.
- (6) *Special Parking Exception Permits.* A property owner that can prove special exception to the limitation on number of motor vehicles permitted on a single family property may present evidence to the Planning Division to apply for a Special Parking Exception Permit. Such cases may include hobbyist vehicles or motor vehicle collections, an all-related family in residence, or other special circumstances deemed suitable by the Planning Division, wherein the circumstance meets the purpose and intent of the ordinance. If the Planning Division approves the special exception permit, a permit will be issued for the address, indicating additional vehicles are permitted to be parked on the property

(Ord. 5044, 8-07-07; Ord. 5304, 1-19-10)

172.12-172.99 Reserved

