

ORDINANCE NO. 2009-17

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VIII, BY AMENDING SECTION 90-710(c) PARKING OR DRIVEWAY SURFACES, INTERIOR OF THE LOT BY; AND BY ADDING SUBPARAGRAPH (f) DESIGN STANDARDS FOR PARKING LOTS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska;

Section 1. That Chapter 90, Article VIII, Section 90-710(c) of the Wayne Municipal Code is amended as follows:

Sec. 90-710. Parking regulations.

(a) *Parking, storage or use of recreational equipment.* All recreational equipment shall be parked behind the building line except for a period not to exceed seventy-two (72) consecutive hours for purposes of loading and unloading. The building line of a residential dwelling on a corner lot fronts the street that the dwelling is addressed to. No recreational equipment shall be used for living, sleeping, or housekeeping purposes in excess of 30 days in a 60-day period when parked or stored on a residential lot or on any location not approved for such use.

Council may consider granting a waiver upon individual application for recreational equipment in parking spaces existing prior to the passage and approval of this ordinance and based upon the parking surface and the distance from the street in connection with traffic hazards.

(b) *Minimum off-street parking and loading requirements.* Off-street motor vehicle parking and loading space shall be provided on any lot on which any of the indicated structures and uses are hereafter established. Such space as defined in section 90-9 shall be provided with vehicular access to a street or an alley. A required loading space shall include a ten-foot by 50-foot space with a minimum of 14 feet of height clearance. The loading space shall be so located as to avoid undue interference with public use of streets, alleys and walkways. Minimum off-street parking and loading requirements, which shall be applicable in all zoning districts to the structures and uses indicated, shall be set forth in the following schedule of minimum off-street parking and loading requirements. If minimum off-street parking required in the schedule cannot be reasonably provided on the same lot on which the principal structure or use is conducted in the opinion of the board of adjustment, the board may permit such space to be provided on other off-street property, provided that such space lies within 400 feet of the entrance to such principal structure or use.

(c) *Parking or driveway surfaces.* This code section shall only apply within the corporate limits of the City of Wayne. Parking or driveway surfaces on the city terrace or front yard interior of the lot in all residential zoning districts and all residential uses in all other zoning districts except A-1 and A-2, shall be material other than dirt, grass or weeds. All residential type dwellings shall use no more than 50% of the front yard including terrace area for parking. All lots with more than one frontage i.e. corner lots, shall conform to the above 50% requirement to be determined by front yard area as identified by street address. Existing hard surfaced parking areas exceeding 50% of the front yard area on June 15, 2006 shall be exempt from the 50% area limitation provided they comply with Sec. 90-710, paragraph (c).

Terrace

1. Parking or driveway surface shall only be on concrete or hot mix asphalt.
2. Parking or driveway surface shall be a minimum of five and a half (5½) inches thick and shall include the intersecting sidewalks to the same depth.
3. Parking or driveway surface shall have the curb ground or sawed out the entire parking or drive-way width.

Exception: When proposed parking is parallel to the curb and there are two approach or driveway curb inlet and outlet ramps.

4. Parking surfaces located in the terrace shall be large enough and shall be required to have a parking barrier to prevent vehicles from overhanging the curb or sidewalk. The minimum size of a parking stall surface shall be an 8' X 20' rectangle.
5. Terrace parking shall not interfere with the intersection site triangle of this code.
6. Driveway surfaces shall include all of the terrace right-of-way from the street back of curb to the property line.
7. Terrace parking and driveway surfaces shall be excavated a minimum of four (4) inches deeper than the surrounding terrain or unpaved surface.
8. Parking or driveway surfaces at the back of curb line shall be excavated to the same depth as the abutting street depth a minimum of twelve (12) inches wide the entire width of the parking surface or driveway.
9. Parking or driveway surfaces shall be placed on a minimum of two (2) inches of compacted sand or gravel material.
10. Proposed parking or driveway surface's property owner shall first obtain a curb grind permit and/or driveway apron construction permit.

Interior of the Lot

1. Parking or drive surface's interior of the property shall be material other than dirt, grass or weeds, as identified below:
 - a. concrete
 - b. asphalt
 - c. bricks
 - d. concrete pavers
 - e. aggregate (but not pea gravel, road gravel, sand or other aggregates symmetrical or round in nature less than 1½" in diameter)

- f. fractured concrete
- g. cinders
- h. all of the above materials (except a and b above) shall be contained within a suitable barrier of sufficient height e.g. (landscape timber, railroad ties, landscaping blocks, lumber, but excluding tires) that retain the material, and shall conform to the abutting surface topography, sufficiently anchored to resist movement, and must retain the parking surface material from spreading into the street, alleys, or abutting vegetative areas.
- i. no weeds, grass, or other vegetation shall be allowed within the defined area of parking or driveway surfaces.

Entire parking or driveway surface shall be evenly surfaced or covered so that at no time is the underlying dirt visible.

(d) Any new single family type residential dwellings built after June 15, 2006 shall have all driveway areas and parking areas constructed of asphalt or concrete.

(e) All driveway entries from the paved street shall have the curb ground or removed and a drive surface installed to the front property line.

APPENDIX I

(f) *Design Standards for Parking Lots*

For purposes of this section:

Permanent parking surfaces shall be defined as any of the four surfaces allowed in sub-paragraph Surfacing this section.

Non-permanent parking surfaces shall be defined as any surface other than bare dirt, grass, or weeds but is aggregate in nature, i.e., crushed limestone, red granite, crushed concrete, slag, or other material that cannot be displaced or easily moved by storm water run-off, and shall be conditionally approved for a specified time period by the Zoning Administrator.

Drainage

All permanent parking lots shall be designed to develop proper site drainage. Proper site drainage is required to dispose of all stormwater that is accumulated on the site.

If a new permanent parking lot containing 6,000 square feet or more is located within 150 feet or reasonably accessible to a storm sewer or other drainageway, including open channels and creeks, but excluding gutters, the following standards shall apply.

The permanent parking lot must be graded and surfaced such that stormwater runoff from the site is collected on the site by a parking lot drainage system and carried to an approved public storm sewer

system, and not allowed to discharge through the driveway entrances and exits onto the public way. Proposed finish elevation of the parking lot must be indicated on appropriate plans.

All ~~non-permanent~~ parking lots shall be graded as to eliminate standing water on site to reduce or eliminate the silt run off from the lot onto the street or into the public storm water conveyance system. Non-permanent parking surfaces shall only be allowed that do not cause silt or other debris to travel onto the street or into the public storm water conveyance system, providing that no vegetation growth occurs interior of parking surface, i.e., weeds or other volunteer growth.

Parking Barriers

(a) *Required.* Approved parking barriers must be provided around parking lots to prevent the parking of vehicles overhanging the sidewalk space, public alley, or other public property and adjacent residential property. Approved barriers are also required as necessary to protect any required landscaping or landscape screen planting.

(b) *Approved barriers.* Approved barriers include the following type barriers. Other barriers may be approved, subject to the approval of the city.

- (1) Poured concrete curb - nominal six inches by six inches exposed.
- (2) Fence (minimum 30-inch height) - wire fabric, solid wood, post and rail.
- (3) Masonry or concrete wall (minimum 30-inch height).
- (4) Guard rail.
- (5) Post and cable.
- (6) Precast concrete barriers, firmly and permanently anchored.

(c) *Location.* Barriers must be located to contain the parking within the approved parking lot. When a concrete curb is used as a barrier for perpendicular or angle parking, it must be offset at least two feet from the edge of the parking lot to allow for the front overhang of the vehicle. Other type barriers may be located at the edge of the parking lot.

Parking Layout and Markings

The developer shall submit to the city for review and approval a detailed and accurately scaled parking lot layout, clearly showing the location of parking spaces and aisles, all conforming to city standards. Upon construction of the parking lot, the parking spaces must be marked on the parking lot surface according to city standards to the extent that those spaces are required in connection with a development. Spaces not required for a development need not be marked, or may be marked to lesser standards. Handicapped parking stalls required by state statues shall be designed and signed ~~as shown on attached diagrams~~ per ADA Standards.

Surfacing

All **permanent** parking lots ~~other than non permanent lots that are allowed for a period of two years~~ shall be surfaced with one of the following minimum cross sections:

- (1) Five inches of class A Portland cement concrete.
- (2) Six inches of asphaltic concrete.
- (3) Four inches of **aggregate, i.e., crushed rock, crushed concrete, slag, or other material that cannot be displaced or easily moved by storm water run-off.** ~~base covered by three inches of asphaltic concrete.~~
- (4) Paving bricks or blocks, subject to the approval of the city.

The non-permanent parking lot may be **surfaced** ~~graveled~~ as approved by the city, and shall be maintained in a dust free condition, ~~during the two year period.~~ It should be noted that the above alternatives are designed only to serve as minimum standards. In situations where moderate to heavy truck loads are anticipated, the structural load capacity of the surfacing should be analyzed and designed accordingly. In such instances, a thicker or reinforced section may be desirable.

SCHEDULE OF MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

TABLE INSET:

Structures and Uses	Minimum Off-Street Parking Regulations	Minimum Off-Street Loading Requirements
Bed and Breakfast Guest Home	1 space per 2 rental guests rooms	None
Bowling Alleys	4 spaces per alley	1 space per establishment
Child Care Centers	1 space per employee	1 space per 10 children
Churches, Synagogues and Temples	1 space per 4 seats in main unit of worship	None required
Domestic Shelters	1 space for every 4 residents plus 1 space per 2 employees	None required
Eating and Drinking Places	Parking spaces equal to 30% of capacity in persons	2 spaces per establishment
Education Uses	Parking spaces equal to 40% of capacity in students	2 spaces per structure
Education Uses, Nursery and Primary	Parking spaces equal to 20% of capacity in students	2 spaces per structure
Funeral Homes and Chapels	8 spaces per reposeing room	2 spaces per establishment
Hospitals	1 space per 2 beds	3 spaces per structure
Hotels	1 space per 2 rental units	1 space per establishment
Industrial Uses	1 space per 2 employees on largest shift	2 spaces per establishment
Libraries	1 space per 500 square feet floor area	1 space per structure

Medical Clinics	5 spaces per staff, doctor or dentist	None required
Mobile Home Park	2 spaces per dwelling unit	None required
Motels	1 space per rental unit	None required
Private Clubs and Lodges	1 space per 500 square feet floor area	1 space per establishment
Residential Structures (multifamily)	1 1/2 space per dwelling unit	None required
Residential Structures (single-family)	1 space per dwelling unit	None required
Retail Sales Establishment	1 space per 200 square feet gross floor area	1 space per establishment
Roadside Stands	4 spaces per establishment	None required
Sanitariums, Rest Home Service, Convalescent	1 space per 3 beds, plus 1 space per employee	1 space per establishment
Service Establishment	1 space per 200 square feet gross floor area	1 space per establishment
Theaters, Auditoriums, Places of Assembly	1 space per 5 people in design capacity	1 space per establishment
Veterinary Establishment	3 spaces per staff doctor	None required
Wholesale and Distribution Operations	1 space per 2 employees on largest shift	2 spaces per establishment

Section 2. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 3. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law

PASSED AND APPROVED this 21st day of July, 2009.

THE CITY OF WAYNE, NEBRASKA

By _____

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM AND CONTENT:

City Attorney