

## Chapter 20.49 Parking

BILL NO. \_\_\_\_\_

INTRODUCED BY COUNCIL

ORDINANCE NO. \_\_\_\_\_

CA-1-13

**AN ORDINANCE AMENDING THE SPARKS MUNICIPAL CODE; CHAPTER 20.49, SECTION 20.49.010; TO CHANGE OFF-SITE PARKING REQUIREMENTS IN THE INDUSTRIAL DISTRICT AND ALLOWING ALTERNATIVE PARKING REQUIREMENTS FOR NONRESIDENTIAL DEVELOPMENTS AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.**

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:**

Section 1. Section 20.49.010: “Off-street parking – General requirements.” is hereby amended/repealed/added as follows:

### **Section 20.49.010 Off-street parking—General requirements.**

- A. Permanently maintained off-street parking shall be provided in accordance with the provisions of this chapter for all developed property within the city. Lawfully established uses which do not conform to the requirements of this chapter are considered to be substandard developments and are covered by Chapter 20.25 of this title. If the use of any developed lot or parcel is changed in such a manner as to increase the number of parking spaces required under this chapter, all requirements of this chapter shall apply to that lot or parcel.
- B. All required parking must be located on the same site as the use it serves, except that:
1. Off-site parking for commercial uses within parking district No. 1 will be allowed to be located anywhere within the parking district.
  2. Within the I District, ~~up to forty (40) percent of up to forty (40) percent of~~ parking for a ~~non-residential~~ nonresidential use may be located off-site, provided that it is within five hundred (500) feet of the use it serves except accessible parking spaces as required by ADA Standards for accessible design must still be provided on-site to the approval of the administrator and is controlled by the owner of the use it serves. "Controlled by" shall mean either ownership or a leasehold of the parking area for a duration of not less than ten (10) years. Off-site parking for nonresidential uses shall be dedicated to the use in compliance with the requirements of this section. Documentation of the dedicated parking shall be provided with the business license application to the approval of the administrator and shall be provided with each renewal of the business license. Failure to maintain the off-site parking will result in revocation of business license.
- C. Plans for construction or alteration of any off-street parking facility subject to this chapter must be approved by the administrator. If it is necessary to prevent unsafe conditions or material damage or prejudice to adjacent properties, the administrator may impose requirements in addition to those specified in this title. Such requirements may include, but

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are not limited to, visual and sound buffers, directional and warning signs, lighting and other security provisions, limitations on hours of operation and limitations on ingress and egress.

- D. Shared parking and alternative standards: In any nonresidential development where the requirements of this chapter can be met by nonconcurrent, joint use of the same spaces by more than one business, the administrator may permit the parking requirement to be reduced accordingly. For ~~commercial nonresidential developments on sites of five (5) acres or greater in size on sites of five (5) acres or greater in size~~, the administrator may approve the use of alternative parking space requirements based on Urban Land Institute, American Planning Association, Institute of Transportation Engineers, or other analytical studies approved by the administrator, that take into account factors including monthly, hourly and weekly variation; peaking characteristics, and shared uses. It shall be the responsibility of the applicant to justify the use of and appropriateness of alternative parking number calculations.
- E. For residential uses on lots or parcels occupied by no more than four dwelling units, the administrator may approve a parking layout which contains tandem parking spaces.
- F. All parking spaces which must be provided to satisfy the requirements of this chapter shall conform to the minimum sizes and design geometry contained in Section 20.48.040. In parking facilities accommodating at least twenty cars, a maximum of twenty-five percent of the parking spaces required by this chapter may be sized for compact cars. Such spaces shall conform to the minimum sizes and design geometry for compact cars, contained in Section 20.49.040, and shall be given preferred locations within the facility. Each compact space shall be clearly marked "compact only."
- G. In all parking facilities serving the public, parking for the disabled shall be provided. One accessible parking space shall be provided for every twenty five (25) or fraction of twenty five (25) for the first 100 spaces; one for every fifty or fraction of fifty for the next 100 spaces; one for every one hundred or fraction of one hundred for the next 300 spaces; and for lots over 500 spaces two (2) percent of the total number of spaces. One out of every eight (8) accessible spaces shall be van accessible. If only one (1) accessible space is required, it must be van accessible. Accessible parking spaces shall be a minimum of eight (8) feet wide and have an adjacent five (5) foot wide aisle. Van accessible spaces shall be a minimum of eight (8) feet wide and have an adjacent eight (8) foot wide aisle. These spaces shall be located on the shortest accessible route of travel to an accessible entrance. All such spaces must be indicated by a sign which complies with NRS 484.408 and the bottom of which is not less than seven (7) feet above the ground. For all van accessible spaces, an additional sign indicating that it is van accessible shall be mounted below the above described sign.
- H. Unobstructed access to a public right-of-way shall be provided for all parking facilities covered by this chapter. Driveways shall intersect with public or private streets at an angle of approximately ninety degrees. One-way driveways and parking aisles shall be not less than twelve feet in width. Two-way driveways and parking aisles shall be not less than

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twenty feet in width. However, any driveway or parking aisle which serves as a required fire lane shall meet the requirements of the fire marshal. Adequate circulation and maneuvering space shall be provided on site in all off-street parking facilities.

- I. Off-street parking facilities shall be striped and otherwise marked so that individual spaces and aisles are clearly indicated. Directional markers and signs indicating spaces reserved for compact cars and the handicapped shall be painted on the pavement or placed on standards, as directed by the administrator.
- J. All off-street parking lots as well as driveways and access roads must be paved. The administrator may grant an exception for any parking lot which is, of necessity, subject to regular use by heavy construction equipment. The city council may, by special use permit, allow the temporary use of unpaved parking lots for a period not to exceed one year. Designs for paving, curb and gutter, sidewalks, utilities and drainage for all off-street parking facilities shall be approved by the administrator prior to construction.
- K. Notwithstanding any contrary parking requirement or standard in this Chapter, the Administrator may approve an alternative parking plan with unique parking space requirements for a project when (i) the project is located within a Transit Oriented Development Corridor described in the Sparks Master Plan; (ii) the project meets all the design standards and criteria for transit oriented Developments existing at the time of the approval; (iii) any reduction in parking requirements from that provided in this Chapter is supported by an analytical study (which study may be national in scope and need not be site specific) by the Urban Land Institute, American Planning Association, Institute of Transportation Engineers, or any other analytical study approved by the administrator that takes into account factors associated with transit oriented developments; and (iv) the alternate parking requirements are consistent with the goals and policies set forth in the Transit Oriented Development Corridor Plan.

*(Ord. 1917, 1997: Ord. 1800, 1993: Ord. 1725, 1992: Ord. 1615 § 1, 1988: Ord. 1487 § 12, 1985: Ord. 1463 § 1, 1984: Ord. 1398 § 1, 1983: Ord. 1325 § 44, 1981: Ord. 1074 § 1 (part), 1976.)  
(Ord. 2417, Amended, 11/10/2008; Ord. 2342, Amended, 10/09/2006; Ord. 2298, Amended, 09/12/2005)*

**SECTION 2:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3:** The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law.

**SECTION 4:** This ordinance shall become effective upon passage, approval and publication.

**SECTION 5:** The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

**SECTION 6:** If any subsection, phrase, sentence or portion of this ordinance is for any

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reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

**SECTION 7:** The City Council finds that this ordinance is **not** likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote of the City Council:

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by:

\_\_\_\_\_  
**GENO MARTINI, Mayor**

**ATTEST:**

\_\_\_\_\_  
**TERESA GARDNER, City Clerk**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**CHESTER H. ADAMS, City Attorney**