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Planning Commission Vote Report

Subject: Change of Zoning Vote Report

Meeting Date: February 22, 2010

From: Susan Mueller, Principal Engineer
Justin Wyse, Project Planner
Ben Niesen, Civil Engineer

Petition: P.Z. 01-2010 City of Chesterfield (Off-Street Parking, Stacking,
and Loading Space Requirements)

Proposal Summary

As directed by the Chesterfield City Council, the Ordinance Review Committee is recommending an amendment to the City of Chesterfield parking, stacking, and loading requirements within Section 1003.165 of the Zoning Ordinance. Over the past year, the Department of Planning and Public Works collected parking data for existing commercial and industrial developments throughout the City and compared actual parking demand data to our existing parking requirements and other reputable available data. In addition, while the commercial and industrial districts were being updated, Staff reviewed the City's current off-street parking and loading regulations to ensure that the new permitted uses listed in the updated commercial and industrial districts would be represented accurately in the parking requirements of Section 1003.165 of the Zoning Ordinance.

Proposal History

At the July 20, 2009 Planning and Public Works Committee meeting, Staff was directed to work with the City of Chesterfield Ordinance Review Committee in reviewing the City's parking and loading requirements found in Section 1003.165 of the Zoning Ordinance. Since that time, the Ordinance Review Committee has been working on the review and proposed changes to the regulations.

After the January 13, 2010 Ordinance Review Committee meeting, Staff was asked to place P.Z. 01-2010 City of Chesterfield (Off-Street Parking, Stacking, and Loading Space Requirements) on the next available agenda for a Public Hearing and Planning Commission review.

Proposal Analysis

The following is a summary of the proposed changes to Section 1003.165 of the Zoning Ordinance.

Minimum Parking Requirement Tables – The proposed parking tables have been revised to match the uses found within zoning districts. All of the parking requirements have been reviewed against data provided by the American Planning Association (APA), the Institute of Transportation Engineers (ITE), the Urban Land Institute (ULI), and the International Council of Shopping Centers (ICSC), as well as local parking data collected by Staff over the past year.

Many minimum parking requirements have been converted to a gross floor area (GFA) based requirement to facilitate review and enforcement of parking standards. Actual parking demand data and the above parking resources have been used as a basis to adjust individual use parking requirements and to model shared parking requirements for mixed use retail developments.

Please note the addition of minimum parking spaces for mixed use “retail centers”. This proposed table allows mixed use retail centers that are owned and managed as a unit to utilize a flat rate parking requirement which varies by center size and percentage of restaurant use.

Maximum off street parking standard – The proposed regulations include a maximum amount of parking allowed. Requests to exceed the maximum parking requirement by twenty percent are subject to the review and approval of the Planning and Development Services Director. Requests greater than twenty percent are required to be reviewed and approved by the Planning Commission. In addition, requests that require Planning Commission approval also require a statement that addresses mitigation of the increased paved area. Mitigation strategies may include, but are not limited to, increased open space, pervious pavements, green roofs, cool pavement materials, structured parking, and / or native plantings.

Minimum off-street drive thru stacking requirements – A sub-section has been included to provide drive thru stacking requirements for various uses.

Modification of Standards – A procedure for a modification is included to replace the current parking reduction section. This sub-section gives owners and developers the flexibility to design their site to maximize the efficiency of the parking, while identifying

the materials and information to be submitted to the City of Chesterfield in its review for modifications to the standards.

Previously Approved Reductions – Sites with previously approved parking reductions from the City of Chesterfield are required to provide parking in accordance with the minimum requirements of the current parking regulations. If they wish to utilize the new requirements, the parking reduction must first be forfeited.

Request

The Ordinance Review Committee studied the issues identified by the Planning and Public Works Committee and made the appropriate modifications to the proposed ordinances. Staff requests action on the parking, stacking, and loading requirements as written.

Motion

The following options are provided to the Planning Commission relative to this proposal:

1. "I move to approve (or deny) P.Z. 01-2010 City of Chesterfield (Off-Street Parking, Stacking, and Loading Space Requirements)."
2. "I move to approve P.Z. 01-2010 City of Chesterfield (Off-Street Parking, Stacking, and Loading Space Requirements)." (Conditions may be added, eliminated, altered or modified).

Attachments:

1. Proposed Section 1003.165 *Off-Street Parking, Stacking, and Loading Space Requirements*

cc: City Administrator
City Attorney
Director of Planning and Public Works

Section 1003.165 Off-Street Parking, Stacking and Loading Space Requirements

1. *Purpose.* The regulations contained in this Section shall govern the number, size, design and location of all off-street parking, stacking, and loading spaces in the City of Chesterfield.
2. *Applicability.*
 - A. All buildings or structures which are erected or have a change in square footage, and all uses of land established or changed after the adoption of this Section of the Zoning Ordinance shall comply with all the requirements herein.
 - B. The provisions of this Section of the Zoning Ordinance shall not apply to any existing building or structure except where there is a change of use or change to building square footage.
3. *Minimum Design Criteria.* Except as otherwise provided for in this Section, the requirements for off-street parking, stacking, and loading spaces shall meet the minimum dimensions and design criteria of the City of Chesterfield.
4. *Off-street parking requirements.*
 - A. Fractions: When determination of the number of off-street parking spaces required by this Section results in a fraction of a space, the resulting fraction may be disregarded.
 - B. Bench Length: When a minimum parking requirement is calculated using seats, twenty-four inches of bench length shall be equal to one seat.
 - C. Commercial Vehicles: In addition to the requirements of this Section, one off-street parking space shall be required for each commercial vehicle which is directly associated with uses, and which is parked on the premises during normal business hours. Required loading spaces may be credited as part of the total space needed for commercial vehicles.
 - D. Final Determination: Where no minimum requirement is specified, or when one or more of the parking requirements may be construed as applicable to the same use, lot or building, or where any other calculation clarification is required, the final determination of required parking shall be made by the Planning and Development Services Director.
 - E. Uses in all zoning districts shall comply with the minimum requirements listed by use category in tables of the following Sections:

Commercial uses	Section 1003.165 3.E.(1)
Institutional uses	Section 1003.165 3.E.(2)
Cultural, entertainment, and recreational uses	Section 1003.165 3.E.(3)
Industrial uses	Section 1003.165 3.E.(4)
Residential uses	Section 1003.165 3.E.(5)
Retail Centers	Section 1003.165 3.E.(6)

(1) Minimum Parking Requirements - Commercial Uses.

Use	Minimum Parking Required	Maximum Parking Requirement	Minimum Loading Requirement (see 1003.165.4)
Administrative office for educational or religious facility	3.5 / 1,000 Gross Floor Area (GFA)	4.5 / 1,000 Gross Floor Area (GFA)	Table B
Adult bookstore	4.0 / 1,000 GFA	120% of Minimum Parking Required	Table B
Adult entertainment business or establishment	5.0 / 1,000 GFA		Table B
Adult entertainment facility			Table B
Adult motion picture theater	1 space for every 3 seats	1 space for every 2 seats	Table B
Animal grooming service	4.0 / 1,000 GFA	120% of Minimum Parking Required	None
Automobile sales, new	3.0 / 1,000 GFA		Table A
Automobile sales, used			Table A
Automotive detailing shop	3.3 / 1,000 GFA		None
Automotive retail supply	3.0 / 1,000 GFA		Table B
Bakery	3.3 / 1,000 GFA		None
Bar	12.0 / 1,000 GFA		None
Barber or beauty shop	5.0 / 1,000 GFA		None
Bathhouse	4.0 / 1,000 GFA		None
Boat (and marine supply) storage, charter, repair, sale	1.0 / 1,000 GFA		None
Brewpub	12.0 / 1,000 GFA		None
Broadcasting studio	3.3 / 1,000 GFA		None
Car wash, full service	2 spaces for every 3 employees on the maximum shift		1.2 spaces for every employee on the maximum shift
Cemetery	1 space per 4 seats in the chapel or assembly area	1 space per 3 seats in the chapel or assembly area	None
Check cashing facility	4.0 / 1,000 GFA	120% of Minimum Parking Required	None

Church and other place of worship	1 space for every 4 seats in the largest assembly area	1 space per 3 seats in the chapel or assembly area	None	
Coffee shop	5.0 / 1,000 GFA	120% of Minimum Parking Required	Table B	
Commercial service facility	4.5 / 1,000 GFA		Table B	
Cultivation and sale of plant crops, commercial vegetable and flower gardening as well as plant nurseries and greenhouses	4.0 / 1,000 GFA of sales area		None	
Drug store and pharmacy	4.0 / 1,000 GFA		Table B	
Dry cleaning establishment	3.3 / 1,000 GFA		Table A	
Filling station and convenience store with pump stations	4.5 / 1,000 GFA		None	
Film drop-off and pick-up station	5.0 / 1,000 GFA		None	
Financial institution	3.3 / 1,000 GFA		None	
Grocery- community	4.0 / 1,000 GFA		Table B	
Grocery- neighborhood	3.3 / 1,000 GFA		Table A	
Grocery- Supercenter	4.5 / 1,000 GFA		Table B	
Harbor, marina, and dock for waterborne vehicles	1 space for every berth		2 spaces for every berth	None
Hotel and motel	1.2 parking spaces for each unit. If there are other accessory uses provided therein, additional off-street parking shall be provided for those accessory uses at the rate of 40 percent of the requirements for such uses	120% of Minimum Parking Required	Table B	
Hotel and motel, extended stay			Table B	
Kennel, boarding	2.5 / 1,000 GFA		None	
Kennel, private			None	
Laboratories-professional, scientific			Table B	
Laundromat	4.0 / 1,000 GFA		None	
Massage parlor	5.0 / 1,000 GFA		None	
Modeling studio			None	
Mortuary			None	
Newspaper stand			Table B	
Office, dental	4.0 / 1,000 GFA		5.0 / 1,000 GFA	Table B
Office, general	3.5 / 1,000 GFA		4.5 / 1,000 GFA	Table B

Office, medical	4.0 / 1,000 GFA	5.0 / 1,000 GFA	Table B
Oil change facility	4.0 / 1,000 GFA	120% of Minimum Parking Required	None
Pawnshop	3.3 / 1,000 GFA		None
Professional and technical service facility	3.3 / 1,000 GFA		None
Reading room	3.0 / 1,000 GFA		None
Research facility			Table B
Restaurant, fast food	15.0 / 1,000 GFA		None
Restaurant, outdoor customer dining area	12.0 / 1,000 GFA		None
Restaurant, sit down	12.0 / 1,000 GFA		None
Restaurant, take out	5.0 / 1,000 GFA		None
Retail sales establishment, community	4.5 / 1,000 GFA		Table B
Retail sales establishment, neighborhood	4.0 / 1,000 GFA		Table B
Retail sales establishment, regional	5.0 / 1,000 GFA		Table B
Retail sales, outdoor	4.0 / 1,000 GFA		Table B
Riding stable	1 space for every 3 stalls and 1 space per 3,000 SF of riding arena		120% of Minimum Parking Required
Sales yard operated by a church, school, or other not-for-profit organization	3.3 / 1,000 GFA	120% of Minimum Parking Required	None
Self storage facility	1.0 / 1,000 GFA		None
Shooting range, indoor	1 space per range position		None
Shooting range, outdoor			None
Specified sexual activities	5.0 / 1,000 GFA		None
Tackle and bait shop	3.3 / 1,000 GFA		None
Tattoo parlor / body piercing studio	3.3 / 1,000 GFA		None
Vehicle repair and services facility	3 spaces per service bay	2 spaces per service bay	None
Veterinary clinic	3.3 / 1,000 GFA	120% of Minimum Parking Required	None

(2) Minimum Parking Requirements - Institutional Uses.

Use	Minimum Parking Required	Maximum Parking Requirement	Minimum Loading Requirement (see 1003.165.4)
Day care center, adult	2.0 / 1,000 Gross Floor Area (GFA)	2.5 / 1,000 GFA	None
Day care center, child	3.0 / 1,000 GFA	4.0 / 1,000 GFA	None
Education facility- specialized private schools	1.5 spaces per classroom, and 1 space per 4 students of driving age based on the maximum student capacity	None	None
Education facility- vocational school	1.5 spaces per classroom, and 1 space per 4 students of driving age based on the maximum student capacity	None	None
Education facility- vocational school, outdoor training			None
Educational facility- Primary/Secondary	1.5 spaces per classroom, and 1 space per 4 students of driving age based on the maximum student capacity	None	None
Educational facility- college/university	1 space per 4 students of driving age based on the maximum student capacity	None	None
Educational facility- kindergarten or nursery school	2 spaces per classroom	None	None
Hospice	1.0 / 1,000 GFA	1.5 / 1,000 GFA	None
Hospital	1 space per bed for the first 100 beds; 1 space per 2 beds for the next 100 beds; 1 space per 4 beds thereafter	None	Table B
Nursing home	1 space for every 3 beds	None	Table B
Police, fire, and postal stations	3.0 / 1,000 GFA	None	None
Public building facilities owned or leased by the City of Chesterfield	3.3 / 1,000 GFA	None	None
Public safety facility	3.0 / 1,000 GFA	None	None
Substance abuse facility- outpatient	5.0 / 1,000 GFA	None	None
Substance abuse facility- inpatient	1 space for every 3 beds	None	None

(3) Minimum Parking Requirements – Cultural, Entertainment, and Recreation Uses.

Use	Minimum Parking Required	Maximum Parking Requirement	Minimum Loading Requirement (see 1003.165.4)
Amusement park	1% of total land area	None	None
Arena and stadium	1 space for every 4 seats	None	Table A
Art gallery	2.0 / 1,000 Gross Floor Area (GFA)	None	Table B
Art studio	1 space for every 4 seats	None	None
Auditorium		1 space for every 3 seats	Table B
Botanical garden	2.0 / 1,000 GFA	None	None
Bowling center	4.0 spaces per alley	5.0 spaces per alley	None
Club	5.0 / 1,000 GFA	6.0 / 1,000 GFA	Table B
Community center	3.3 / 1,000 GFA	None	None
Fairground	1% of total land area	None	None
Farmers market	3.3 / 1,000 GFA	None	None
Golf course	4 spaces per hole	None	None
Gymnasium	1 space for every 4 seats	1 space for every 3 seats	None
Library	2.0 / 1,000 GFA	None	Table B
Lodge	5.0 / 1,000 GFA	6.0 / 1,000 GFA	Table B
Museum	2.0 / 1,000 GFA	None	Table B
Park	1% of total land area	None	None
Recreation facility	3.3 / 1,000 GFA	4.5 / 1,000 GFA	None
Theater, indoor	1 space for every 4 seats	1 space for every 2 seats	Table B
Theater, outdoor			None
Union halls and hiring halls			Table B
Zoological garden	1% of total land area	None	None

(4) Minimum Parking Requirements – Industrial Uses.

Use	Minimum Parking Required	Maximum Parking Requirement	Minimum Loading Requirement (see 1003.165.4)
Batching plant	2.5 / 1,000 Gross Floor Area (GFA)	3.0 / 1,000 GFA	Table A
Blacksmith shop	2 spaces for every 3 employees on the maximum shift	1.2 spaces for every employee on the maximum shift	Table A

Brewery	0.75 / 1,000 GFA	1.25 / 1,000 GFA	Table A
Correctional institution	1 space for every 5 beds	None	None
Dry cleaning plant	2.0 / 1,000 GFA	2.5 / 1,000 GFA	Table A
Extraction/processing of raw materials	2 spaces for every 3 employees on the maximum shift	1.2 spaces for every employee on the maximum shift	None
Film processing plant	2.0 / 1,000 GFA	2.5 / 1,000 GFA	Table A
Highway department garage			None
Incinerator			Table A
Industrial sales, service, and storage			Table A
Junk/salvage yard			None
Lumberyard	2 spaces for every 3 employees on the maximum shift	1.2 spaces for every employee on the maximum shift	Table A
Mail order sale warehouse			Table A
Manufacturing, fabrication, assembly, processing, or packaging facility			Table A
Meat packing facility	1.0 / 1,000 GFA	1.5 / 1,000 GFA	Table A
Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facility	3.3 / 1,000 GFA	4.0 / 1,000 GFA	Table A
Railroad switching yard	0.5 / 1,000 GFA	None	None
Sanitary landfill	2 spaces for every 3 employees on the maximum shift	1.2 spaces for every employee on the maximum shift	None
Sheet metal shop	2.0 / 1,000 GFA	2.5 / 1,000 GFA	Table A
Solid waste, compost facility		None	None
Solid waste, facility		None	None
Solid waste, transfer facility		None	None
Steel mill, foundry, and smelter		2.5 / 1,000 GFA	Table A
Storage and repair garage for public mass transit vehicles		None	None
Sulphur, cement, or rubber reclamation plants		2.5 / 1,000 GFA	Table A
Tow yard		2.5 / 1,000 GFA	None
Transit storage yard		None	None

Trucks, trailers, construction equipment, agricultural equipment sales, rental, leasing, outdoor storage	2.0 / 1,000 GFA	2.5 / 1,000 GFA	Table A
Warehouse- general	2 spaces for every 3 employees on the maximum shift	1.2 spaces for every employee on the maximum shift	Table A
Warehouse- live animals, explosives, or flammable gases and liquids			Table A
Welding shop			Table A
Yard for storage of contractors' equipment, materials, and supplies			None

(5) Minimum Parking and Loading Requirements – Residential Uses.

Use	Minimum Parking Required	Maximum Parking Requirement	Minimum Loading Requirement (see 1003.165.4)
Display Homes	2 spaces for every display home unit and 1 space for every office unit	None	None
Dormitories or group living facilities	1 space for every 2 dormitory units	None	None
Dwelling, employee	1 space per unit	None	None
Dwellings, multiple-family, row houses, or other group house arrangement	1.75 spaces for every living unit	None	None
Dwellings, single-family (including single-family earth sheltered)	2 spaces for every dwelling	None	None
Dwellings, two-family	1.75 spaces for every living unit	None	None
Group homes for the developmentally disabled	1 space for each such use	None	None
Group homes for the elderly	1 space for each such use	None	None

(6) Retail Centers are defined as a mixed use development that is owned and managed as a unit where one or more non-restaurant uses exist.

a. Minimum parking for retail centers shall be calculated based on the following:

Center Size (Gross Floor Area in Square Feet)	Percentage Gross Floor Area in Restaurant Use		
	0 - 10%	11 – 20%	21 - 30%
Under 40,000	4.0 spaces per 1,000 GFA	4.25 spaces per 1,000 GFA	4.5 spaces per 1,000 GFA
40,000 – 100,000	4.25 spaces per 1,000 GFA	4.5 spaces per 1,000 GFA	4.75 spaces per 1,000 GFA
100,001 - 400,000	4.5 spaces per 1,000 GFA	4.75 spaces per 1,000 GFA	5.0 spaces per 1,000 GFA
Over 400,000	4.75 spaces per 1,000 GFA	5.0 spaces per 1,000 GFA	5.25 spaces per 1,000 GFA

i) For retail centers that include a theater use with more than 250 seats, the minimum parking requirement for the theater portion of the development shall be parked as a stand alone use.

ii) For retail centers with more than 30% gross floor area devoted to restaurant use, separate parking shall be provided for the portion of restaurant use in excess of 30%.

b. *Maximum Parking Permitted:* Retail Centers shall not contain more than 120% of the minimum number of spaces required except as permitted under part 9 of this Section.

c. *Minimum Loading Requirements for Retail Centers.* Retail Centers shall provide loading spaces in accordance with Table A in part 5. *Minimum Loading Requirements.*

5. *Minimum Loading Requirements.* When required in conjunction with uses specified elsewhere in this Section, loading spaces shall be provided in accordance with the following tables:

Table A

Gross Floor Area (sq. ft.)	Number of Minimum 10' × 40' Loading Spaces*
5,000 – 25,000	1
25,001 – 50,000	2
50,001 – 100,000	3
100,001 – 150,000	4
150,001 – 200,000	5
For each additional 100,000	1 additional loading space

* Each 10' × 40' loading space shall have a height clear of obstruction of not less than 14 ft.

Table B

Gross Floor Area (sq. ft.)	Number of Loading Spaces	
	10' × 25' min.	10' × 40' min.*
2,000 – 10,000	1	--
10,001 – 25,000	2	--
25,001 – 100,000	2	1
For each additional 100,000	--	1 additional

* Each 10' × 40' loading space shall have a height clear of obstruction of not less than 14 ft.

- A. The Planning and Development Service Director shall determine the off-street loading space requirements for a use not specified, based upon the most similar use listed in part 4. Minimum off-street parking requirements or using certified service/goods handling data for the specific use.
 - B. In calculating the required number of loading spaces, fractional spaces are rounded to the nearest whole number, with one-half counted as an additional space.
6. Schedule of Off-Street Drive-Thru Stacking Requirements. Off-street drive-thru stacking spaces shall be provided, at a minimum, in accordance with the following schedule and shall not interfere with vehicular or pedestrian circulation, or parking on the site. Where stacking space is provided in a single stacking lane, the stacking requirement shall be calculated as the sum of requirement for each feature that requires stacking.
- A. *Car wash:*
 - (1) Full service: One space at each vacuum or wash station, plus four additional stacking spaces for each wash bay lane.
 - (2) Self-service (Drive-Thru/Automated): One space in the wash bay, plus three additional stacking spaces for each wash bay lane.
 - (3) Self-service (Open Bay): One space per vacuum or wash bay, plus two additional stacking spaces for each wash bay lane.
 - (4) Vehicle drying area:
 - a. Full service: Two spaces per wash bay, located at the exit of the wash bay.
 - (5) Self-service: One space per wash bay.
 - B. *Financial institution:*
 - (1) One space at each drive-up service lane, plus five additional stacking spaces for each service lane where there are two or less service lanes.
 - (2) One space at each drive-up service lane, plus four additional stacking spaces for each service lane when there are three or more service lanes.
 - (3) Drive-up Automated Teller Machine (ATM): One space at each automated drive-up teller machine (ATM), plus two additional stacking spaces for each ATM.
 - C. *Oil change facility* – one space in the service bay, plus two additional stacking spaces for each service bay.

- D. *Retail Uses with drive-up facilities* – one space for each drive-up service lane, plus two additional stacking spaces for each service lane.
 - E. *Restaurant with drive-up facilities* – one space for each drive-up service lane, plus seven additional stacking spaces for each service lane.
7. *Joint Parking*. All parking spaces required by this ordinance shall be located on the same parcel of land as the use to be served except as follows:
- A. Parking for one or more uses in a commercial or industrial district may be provided on a separate lot when said separate lot is within a similar zoning district type and within 400 feet of the use or uses to be served, as measured along a pedestrian walkway designed to allow pedestrians to safely access the use.
 - B. When two (2) or more owners agree to provide their required parking spaces jointly, the number of joint parking spaces shall be equal to the number of parking spaces required if each were to provide parking separately, unless otherwise stated in this Section.
 - (1) The applicants for joint parking shall submit a joint parking plan and an appropriate legal instrument of agreement among the involved property owners for review by the Planning and Development Services Director.
 - (2) Such joint parking plan and agreement shall include language binding the owners of the properties and their successors and assigns to the agreement and limiting and controlling use of land to those uses and conditions accepted by the Planning and Development Services Director and agreed to by the owners of the properties involved.
 - (3) If the joint parking plan and agreement are found to conform to the requirements of applicable codes, laws, and ordinances, they shall be stamped accepted by the City of Chesterfield and returned to the applicant. The applicant shall record these accepted documents with the County Recorder of Deeds. Recorded copies of the accepted documents shall be provided to the City of Chesterfield prior to release of Municipal Zoning Approvals associated with the joint parking plan and agreement.
8. *Deferral of parking construction*. An applicant may request to defer the construction of the number of required parking spaces during the site plan, site development concept plan, site development section plan, or site development plan review process. A parking deferral means that some of the required parking spaces would not be provided until full build-out occurs, but that an area on the site would be reserved so that these spaces could be provided in the future upon demand or request by the City. Said demand would be made if the spaces were needed to meet the parking needs of the project.
- A. *Criteria for Parking Deferral*. The Planning and Development Services Director may grant a deferral for construction of up to 50% of the off-street parking spaces required by this Section in an industrial district; 30% in a commercial district and any other district if an applicant demonstrates:
 - (1) Trip generation characteristics and time of day usage characteristics for similar uses show that the parking spaces can be reduced without causing parking to overlap into other nearby developments or onto public streets.
 - (2) Vehicles owned by the occupants are characteristically different from the norm or the proximity to employment, shopping, educational and transit developments is such that reduced auto usage would be anticipated.

- (3) The immediate proximity to public transportation facilities serves a significant proportion of residents, employees, and/or customers.
 - (4) Operation of effective private or company car pool, van pool, bus or similar transportation programs with proof of continued financial viability.
 - (5) Evidence that a proportion of residents, employees, and/or customers utilize, have available or on a regular basis use bicycle or other transportation alternative commensurate with reduced parking requirements.
 - (6) Development will be in phases so that deferring the parking will have green space until further build-out. The site must meet all parking requirements based upon square-footage actually built.
- B. *Application.* Applicants for deferral of parking shall provide a written statement which addresses how the proposal meets the applicable criteria. The application shall include a site plan depicting the total required parking on-site and the deferred parking area shall be labeled as reserved for future parking.
- C. *Landscaping.* The land area delineated for deferred parking shall be shown on the plan with proposed finish grades and landscaping. Landscaping for the deferred parking area shall be as approved by the Planning and Development Services Director with the remainder of the site landscaped per City of Chesterfield Landscape Guidelines for the appropriate district. All landscaping shall be indicated on the plan submitted.
- D. *Notice of Change of Condition.* The owner of the property, or their designated party, shall notify the City of any change in the conditions that was the basis for a deferral.
- E. *Construction of Deferred Parking Areas.* The City may require the construction of parking in areas previously reserved at any time upon sixty days written notice. A parking deferral shall apply to the developer and all subsequent owners of said property and shall run with the land and be shown on all recorded plats. The plat shall state that the developer/owner and all subsequent owners grant the City, or its designated representative, authority to enter onto its property in the future to construct the deferred parking in the areas shown on the approved site plan if owners fail to take action 60 days after receiving written notice by the City. The costs incurred by the City shall be repaid by the owners or shall be placed as a special lien against the property. Development and construction by the City shall not be in lieu of a municipal zoning ordinance violation, but shall be in addition to any action taken for violation of provisions of this ordinance.
9. *Modification of Standards.* An applicant may request a modification of the requirements of this Section of the City Code by providing a Parking Demand Study, as defined below, that supports the request and demonstrates by clear and convincing evidence that the requested modifications are appropriate for the site and do not cause detriment to adjacent properties.
- A. *Applicability.* A Parking Demand Study is required when an applicant:
- (1) Requests a reduction in the minimum parking requirements;
 - (2) Requests to exceed the maximum parking requirements;
 - (3) Requests any other modification to the standards of this Section.
- B. *Elements of a Parking Demand Study.* The Parking Demand Study shall contain the following information as determined by the City of Chesterfield:
- (1) The study shall be signed by a licensed professional engineer or certified planner.

- (2) A plan which graphically depicts where the parking spaces, loading spaces, stacking area, and parking structures are to be located, as well as the onsite circulation for automobile, pedestrian, and bicycle movement.
- (3) A report which demonstrates how any variations from this Section were calculated and upon what assumptions such calculations were based; and how everything shown on the plan complies with, or varies from, applicable standards and procedures of the City.
- (4) The plan shall show all entrances and exits for any structured parking and the relationship between parking lots or structures and the circulation.
- (5) The plan, supported by the report, shall show the use, number, location, and typical dimensions of parking for various vehicle types including passenger vehicles, trucks, vehicles for mobility-impaired persons, motorcycles, buses, other transit vehicles and bicycles.
- (6) The plan, supported by the report, shall include phasing plans for the construction of parking facilities and any interim facilities planned.
- (7) Whenever the applicant requests (1) to reduce the number of required parking spaces, or (2) to exceed the maximum parking provided for in this Section, the required report shall document how the proposed parking was calculated and upon what assumptions such calculations were based.
- (8) Such other information as determined by the Department of Planning and Public Works to be necessary to process the Parking Demand Study.

C. *Design Features and Review Criteria.* Design features and review criteria including, but not limited to those listed below, will be reviewed when in conjunction with requests for modification to any of the requirements of this Section.

- (1) The Parking Demand Study provides sufficient number and types of spaces to serve the uses identified on the site.
- (2) Adequate provisions are made for the safety of all parking facility users, including motorists, bicyclists and pedestrians.
- (3) Sites are designed to minimize or alleviate traffic problems.
- (4) Parking spaces are located near the uses they are intended to serve and shall provide safe and convenient access for pedestrian access to the facility.
- (5) Adequate on-site parking is provided during each phase of development of the district.
- (6) The development provides opportunities for shared parking or for other reductions in trip generation through the adoption of transportation demand management (TDM) techniques to reduce trip generation, such as car pools, van pools, bicycles, employer transit subsidies, compressed work hours, and high occupancy vehicle (HOV) parking preference.
- (7) Reductions in the number of parking spaces should be related to significant factors such as, but not limited to:
 - a. Shared parking opportunities;
 - b. Hours of operation;

- c. The availability and incorporation of transit services and facilities;
- d. Opportunities for reduced trip generation through pedestrian circulation between mixed-uses;
- e. Off-site traffic mitigation measures;
- f. Recognized variations in standards due to the scale of the facilities;
- g. Parking demand for a specified use; and
- h. The provisions of accessible parking spaces beyond those required per the City Code.

D. *Approval.* If said request for modifications is approved, the property owner(s) involved in the Parking Demand Study shall submit a written agreement to the City of Chesterfield requiring that the parking facility and any associated transportation demand management (TDM) techniques shall be maintained without alteration unless such alteration is authorized by the Planning and Development Services Director. Such written agreement shall be approved by the City of Chesterfield and recorded by the property owner with the St. Louis County Recorder's Office prior to the issuance of a building permit, and a copy filed in the project review file.

(1) Review Procedure.

- a. Requests for a reduction in the minimum parking requirement:
 - i) The Planning and Development Services Director shall review, and may approve, requests for reduction for up to twenty percent (20%) of the minimum parking requirement.
 - ii) Requests that exceed twenty percent (20%) shall be subject to the review and approval of the Planning Commission.
- b. Requests to provide parking in excess of the maximum parking requirement:
 - i) Requests to exceed the maximum parking requirement by twenty percent (20%) shall be subject to the review and approval of the Planning and Development Services Director.
 - ii) Requests to exceed the maximum parking requirement by more than twenty percent (20%) shall be subject to the review and approval of the Planning Commission. Where Planning Commission approval is required for the proposed parking, the applicant shall submit a statement that identifies measures to mitigate for the increase in parking area. Mitigation measures shall be subject to the review and approval of the Planning Commission and may include, but not be limited to, the following:
 - (a) Increased open space;
 - (b) Pervious pavements;
 - (c) Green roofs;
 - (d) Cool pavement materials;
 - (e) Structured parking; or
 - (f) Native vegetation.
- c. Review of other modifications. Requests for modifications to the requirements of this Section, other than those listed above, shall be submitted to the Department of Planning and Public Works for review and approval.

10. Previously Approved Reductions. Developments with parking reductions approved by the City of Chesterfield prior to the enactment of this Section of the Zoning Ordinance shall be required to provide parking in accordance with the minimum parking requirements at the time the reduction was granted. Any property owner with a previously approved parking reduction wishing to use the minimum requirements of this Section shall submit a notarized letter forfeiting the previously approved reduction to the Department of Planning and Public Works.

11. Supplementary Off-Street Parking and Loading Requirements. In addition to the above parking and loading requirements, the following standards shall apply:
 - A. In all zoning districts, all parking and loading areas, including driveways, shall be asphalt, concrete paved, or other dustproof surface as approved by the City of Chesterfield.
 - B. For all non-residential uses, off-street parking and loading shall be so designed such that a single unit vehicle shall not be required to back into a vacant parking space or into a street or roadway in order to turn around or exit.
 - C. Off-street parking areas shall provide ingress and egress to any public right-of-way only at such locations as approved by the City of Chesterfield.
 - D. Required off-street parking, stacking and loading spaces shall not include spaces located in the floodplain or floodway, as determined by the City of Chesterfield, except when accessory to a permitted or conditional use in the “FP” Floodplain District.
 - E. No off-street parking space required under this ordinance shall be used for any other purpose. Where a change in use creates greater parking requirements than the amount being provided, a Municipal Zoning Approval shall not be issued unless provision is made for the increased amount of required off-street parking.