

Sec. 22-60. - Off-street parking and loading.

- (a) *General provisions.* Off-street parking and loading spaces shall be provided in all districts in accordance with the following provisions and other requirements of this section at the time when a use, characteristic of a use, or building is changed in a way which creates a need for additional parking or loading spaces according to this section:
- (1) *{Property owner's responsibility.}* The provisions and maintenance of off-street parking and loading spaces are continuing obligations of the property owner. No certificate of zoning compliance shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space required by this chapter.
 - (2) *[Elimination of spaces.]* If parking or loading space has been provided in connection with an existing use, or is added to an existing use, the parking or loading space shall not be eliminated if it would result in less parking space than is required by this chapter.
 - (3) *Unlisted uses.*
 - a. Upon receiving a development application for a use not specifically listed in an off-street parking schedule, the planning director is authorized to apply the off-street parking ratio specified for the listed use that is deemed most similar to the proposed use or establish a minimum off-street parking requirement for the proposed use in accordance with this subsection.
 - b. Upon receipt of an application of a use for which no parking ratio is established, the planning director is authorized to apply the parking ration that applies to the most similar use or establish a different minimum parking requirement on the basis of parking data provided by the applicant and the planning department.
 - c. Parking data and studies must include estimates of parking demand based on reliable data collected from comparable uses or on external data from credible research organizations. Comparability will be determined by density, scale, bulk, area, type of activity and location. Parking studies must document the source of all data used to develop recommended requirements.
 - (4) *Exemptions and special area standards.*
 - a. *Small businesses.* No off-street parking is required for nonresidential uses in commercial districts unless such uses exceed one thousand two hundred (1,200) square feet of gross floor area, in which case off-street parking must be provided for the nonresidential floor area in excess of one thousand two hundred (1,200) square feet. On lots or parcels occupied by two (2) or more uses, this one-thousand-two-hundred-square-foot exemption may only be applied once.
 - b. No off-street motor vehicle parking is required in the Downtown Business and Entertainment District.
 - (5) *Payments in-lieu.*
 - a. Rather than providing required off-street parking spaces in accordance with motor vehicle parking requirements of subsection (d) property owners may meet all or a portion of the requirements by means of a payment to the city's multimodal fund. This option may not be used to satisfy off-street parking requirements for single-family homes or duplexes.
 - b. Payments must be based on an on-time fee per required parking space, as established from time to time by resolution of the city commission.
 - c. Any off-street parking requirements satisfied in this matter run with the land, and any subsequent change in use that requires more off-street parking requires subsequent action to satisfy any additional parking requirements. No refund may be made when there is a change of use to require less parking.

- d. Payments must be made to the city in one lump sum within ten (10) days of development order approval.
 - e. Payments to the parking fund do not guarantee the availability of parking for the fee-paying development. Funds derived from payments will be deposited by the city in a special fund and may be used only for enhancing the transportation network.
- (6) If several uses occupy a single structure or parcel of land, the total requirements for off-street parking and loading shall be the sum of the requirements of the separate uses computed separately except that, as to the churches and related structures on the same parcel of property, the parking shall be based upon the size of the largest assembly area plus fifteen (15) per cent of such area.
 - (7) Owners of two (2) or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the city commission in the form of deeds, leases or contracts to establish the joint use.
 - (8) When square feet are specified in subsection (d), the area measured shall be the gross floor area of the building but shall exclude any space within a building devoted to off-street parking or loading.
 - (9) Fractional space requirements shall be counted as the next highest whole space.
 - (10) Required parking spaces shall be available for the parking of passenger automobiles or residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.
 - (11) At no time shall the vehicles involved in loading or unloading process be permitted to interfere with the normal operation of adjacent property, nor shall any loading or unloading operation unduly interfere with pedestrian or vehicular traffic movements.
- (b) *Off-lot parking.* Off-street parking required in connection with a use may be provided off the lot if the following requirements are met and if the use is not a single-family dwelling or duplex:
- (1) The off-lot spaces shall be provided on other property located within three hundred (300) feet of the main entrance of the principal structure.
 - (2) Such parking space shall be associated with the principal use and shall not be thereafter reduced or encroached upon by any other use.
 - (3) These distances shall be measured along routes generally available to the pedestrians involved.
 - (4) The parking lot shall not be located in an OS-1, OS-2, A-1 or A-2 zone and can only be located in an R-1, R-2, R-3 or R-4 zone for residential use or during religious services.
 - (5) The off-lot parking area shall be:
 - a. Held in the same ownership as the use requiring the off-street parking space; or
 - b. Under lease, rental or other form of agreement which the building inspector believes will assure continuing availability for required off-street parking for the use.
 - (6) The area provided for parking for churches and other related structures on the same lot may be covered with grass, rather than pavement, in an amount not exceeding fifty (50) per cent of such area. But parking, when approved for church use in an off-the-lot location in E-1, R-1, R-2, R-3, R-4 or R-5 zones, shall consist entirely of stabilized turf (grass) and shall otherwise be landscaped in accordance with Section 22-59.
- (c) *Design standards.*
- (1) *Off-street parking space size.* Each off-street parking space shall be at least nine and one-half (9½) feet wide (except required spaces for the handicapped shall be at least twelve (12) feet

wide and nineteen (19) feet deep and have a minimum vertical clearance of at least nine (9) feet). All parallel parking spaces shall also have a four-foot or larger maneuvering space for each two (2) parking spaces. These areas are exclusive of the area required for aisles or driveways. Where a parking space abuts a landscaped area, a maximum of one foot of the landscaped area may be part of the required depth of the parking space if the bumper rail is properly placed and if the landscaping will not be damaged.

- (2) *Off-street loading space size.* Each off-street loading space shall be at least twelve (12) feet wide and thirty-five (35) feet deep and have a minimum vertical clearance of at least fourteen (14) feet.
- (3) *Amount and location of required spaces for the handicapped.* Required off-street parking spaces for the handicapped shall be located near the front entrance of the main building for the use or if the use has no buildings, as close as practical to the center of the area where the principal activity associated with the use takes place. They shall also be located so that the handicapped shall have accessibility to a curb ramp or curb cut to allow direct access to the main building, if there are buildings, and so that the users will not be compelled to wheel behind parked vehicles. Each use, other than a single-family dwelling or duplex, shall have the following amount of off-street parking spaces set aside for the handicapped people:

Number of Required Off-Street Parking Spaces for All People	Portion of All Required Spaces to be Set Aside for the Handicapped
Up to 25	1
25 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
Number of Required Off-Street Parking Spaces for All People	Portion of All Required Spaces to be Set Aside for the Handicapped
201 to 300	7
301 to 400	8
401 to 500	9

501 to 1,000	2% of total
Over 1,000	20 plus 1 for each 100 over 1,000

- (4) *Access.* Each parking or loading space shall be directly accessible from a street or alley or other public right-of-way or from an adequate access aisle or drive leading to or from a street or alley. Except for single-family dwellings and duplexes, all off-street parking and loading facilities shall be so arranged that no automobile shall have to back into any street.
- (5) *Combined aisle and stall width.* All off-street parking areas shall be constructed with the following minimum dimensions based upon the angle of the parking stall:

		Parallel	30°	45°	60°	90°	
a.	One-way traffic						
	1.	Stalls one side	22	32	34	40	45
	2.	Stalls both sides	32	46	52	58	64
b.	Two-way traffic						
	1.	Stalls one side	28	40	42	44	45
	2.	Stalls both sides	38	54	60	62	64

When an aisle serves parking stalls at angles not indicated in the table, the width required for the next largest angle will be used.

- (6) *Surface material.*
- a. Required parking spaces, access drives, and loading areas must be paved and maintained with concrete, asphalt or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights.
 - b. Alternative paving materials or parking surfaces (including pervious surfaces) may be approved by the city engineer if such materials or surfaces are demonstrated to exhibit equivalent wear resistance and load bearing characteristics as concrete or asphalt.
 - c. The following are not required to be paved:
 1. Parking facilities used on an irregular basis for churches, fraternal organizations or other similar nonprofit organizations;

2. Parking areas for agricultural uses; and
 3. Parking areas for tracked heavy construction equipment, skid-mounted equipment, and similar equipment, provided they are constructed with gravel or other comparable all-weather surface.
- d. Access drives must be paved and maintained from the curb line to a point at least ten (10) feet beyond the public right-of-way line for all parking and loading facilities, whether paved or unpaved.
- (7) *Bumper rails.* All off-street parking and loading spaces, except those for single-family dwellings and duplexes, must be equipped with bumper rails located in such a manner as to prevent vehicles from striking landscaping, fences, buildings or walls or from overhanging their spaces in a manner which might obstruct driveways, aisles or bike paths. However, the bumper rails may be located such that the front of a vehicle may encroach a maximum of one foot upon the landscaped area if the landscaping will not be damaged. Where the parking area abuts a sidewalk the sidewalk may be used in lieu of the bumper rails provided that the sidewalk is at least six (6) inches high.
- (8) *Markings and signing.* All aisles and off-street parking and loading spaces, except those for single-family dwellings and duplexes, shall be clearly and permanently marked and defined through the use of bumper rails, fences, buildings, walls, painting or other appropriate markers. All painted lines used to mark aisles and off-street parking and loading spaces shall be at least four (4) inches wide. Signs or painting on the pavement will be provided which clearly identifies any parking spaces set aside for the handicapped.
- (d) *Number of required off-street parking spaces.* Off-street parking spaces shall be required in the following proportions, except that where alternative standards apply to a use, the greater requirement will be used:

	Type of Use	Off-Street Parking Requirement
(1)	Residential.	
	a. Single-family dwellings, including mobile homes, and duplexes	Two spaces for each dwelling unit
	b. Triplexes, quadraplexes and multifamily housing developments	1.5 spaces for each dwelling unit
	c. Public housing for the elderly, notwithstanding other residential parking standards	.5 spaces for each dwelling unit
	d. Boarding houses	One space for each bedroom
	e. Mobile home parks	Two spaces for each dwelling

(2)	Commercial		
	a.	Retail sales establishments	
		1. Furniture stores	One space for each 1,700 square feet of gross floor area
		2. Restaurants and bars, except fast food restaurants	One space for each 100 square feet of gross floor area
		3. Fast food restaurants	One space for each 75 square feet of gross floor space
		4. Other retail establishments which do not exceed 50,000 square feet of gross floor area	One space for each 200 square feet of gross floor area
		5. Other retail establishments which exceed 50,000 square feet of gross floor area	One space for each 250 square feet of gross floor area
	b.	Motels, hotels and resort hotels	1.1 parking spaces for each unit less than 500 square feet and 1.6 spaces for each unit 500 square feet or larger. If there are accessory uses provided therein, additional off-street parking shall be provided for those accessory uses at the rate of 50 per cent of the requirements for such uses as provided in subsections thereof.
	c.	Personal service establishment	One space for each 200 square feet of gross floor area
	d.	Repair service establishments	One space for each 200 square feet of gross floor area
	e.	Finance, insurance and real estate service establishments	One space for each 300 square feet of gross floor area
	f.	Business service establishments	One space for each 300 square feet of gross floor area

	g.	Communication service establishments	One space for each 400 square feet of gross floor area
	h.	Professional service establishments, except hospitals	
	1.	Medical and dental offices	One space for each 200 square feet of gross floor area
	2.	Other	One space for each 300 square feet of gross floor area
	i.	Contract construction service establishments	One space for each 300 square feet of gross floor area
	j.	Bus depots	One space for each 200 square feet of gross floor area
	k.	Shopping centers which do not exceed 50,000 square feet of gross floor area	One space for each 200 square feet of gross floor area
	l.	Shopping centers which exceed 50,000 square feet of gross floor area	One space for each 250 square feet of gross floor area
(3)		Other	
	a.	Manufacturing, wholesale trade and warehouse establishments	One space for each 600 square feet of gross floor area
	b.	Public and semipublic offices	One space for each 300 square feet of gross floor area
	c.	Indoor amusement, entertainment or recreation establishments	One space for each 200 square feet of gross floor area
	d.	Places of public assembly, including theaters	One space for each 20 square feet of gross floor area
	e.	Elementary schools, junior	Two spaces per classroom

		high schools and day-care centers	
f.		Other schools except colleges and universities	Eight spaces per classroom
g.		Museums and libraries	One space for each 300 square feet of gross floor area
h.		Hospitals	1.5 spaces per bed
i.		Sanitariums, rest homes, convalescent homes and adult congregate living facilities	One space per each three beds
j.		Recreational vehicle parks	One space per recreational vehicle space plus one space for each 300 square feet of gross floor area devoted to offices
k.		College dormitory	One space per 3.5 beds
l.		Churches	One space for every 3 seats in fixed seating facility and one space per 40 square feet of actual assembly area for non-fixed seating facility

(e) *Number of off-street loading spaces.* Off-street loading spaces shall be required in the following proportions, except that where alternative standards apply to a use, the greater requirement will be used:

		Square Feet of Gross Floor Area	
Type of Use		For Which No Spaces Are Required	For Which Each Space Is Required
(1)	Residential.		
a.	Single-family dwellings, (including mobile homes), duplexes, triplexes, quadraplexes	Any	N/A

		and mobile home parks	amount	
	b.	Multifamily housing developments and boarding houses	Under 25,000	Each additional 75,000
(2)		Commercial		
	a.	Retail sales establishments		
	1.	Restaurants	Under 10,000	Each additional 15,000
	2.	Other which does not exceed 50,000 square feet of gross floor area	Under 10,000	Each additional 10,000
	3.	Other which exceeds 50,000 square feet of gross floor area	N/A	4 spaces plus one for each additional 75,000
	b.	Motels/hotels	Under 10,000	Each additional 30,000
	c.	Personal service establishment	Under 10,000	Each additional 30,000
	1.	Funeral homes	Under 10,000	Each additional 90,000
	2.	Other	Under 10,000	Each additional 30,000
	d.	Repair service establishments	Under 10,000	Each additional 30,000
	e.	Finance, insurance and real estate service establishments	Under 10,000	Each additional 90,000
	f.	Business service establishments	Under 10,000	Each additional 90,000
	g.	Communication service establishments	Under	Each additional 90,000

			10,000	
	h.	Professional service establishments, except hospitals	Under 10,000	Each additional 90,000
	i.	Contract construction service establishments	Under 10,000	Each additional 90,000
	j.	Bus depots	>Under 5,000	Each additional 30,000
	k.	Shopping centers which do not exceed 50,000 square feet of gross floor area	Under 10,000	Each additional 10,000
	l.	Shopping centers which exceed 50,000 square feet of gross floor area	N/A	4 spaces plus one for each additional 75,00 with any tenant unit less than 50,000 having access to at least one loading space
(3)		Other		
	a.	Manufacturing and warehouse establishments	Under 5,000	Each additional 30,000
	b.	Wholesale trade establishments	Under 10,000	Each additional 30,000
	c.	Bulk storage yards	Under 10,000	Each additional 15,000
	d.	Public and semipublic offices	Under 10,000	Each additional 90,000
	e.	Indoor amusement, entertainment or recreation establishments	Under 10,000	Each additional 90,000
	f.	Places of public assembly, including theaters	Under 10,000	Each additional 90,000
	g.	Schools	Under	Each additional 90,000

			10,000	
	h.	Hospitals	Under 10,000	Each additional 90,000
	i.	Sanitariums, rest homes, convalescent homes and adult congregate living facilities	Under 10,000	Each additional 90,000
	j.	Recreational vehicle parks	Any amount	N/A

(f) *Bicycle parking.* This section establishes requirements for short-term bicycle parking and incentives for long-term bicycle parking and storage facilities.

(1) *Short-term bicycle parking.* Short-term bicycle parking is generally intended to serve the needs of cyclists who park their bicycles for short time periods, including customers, clients, students and other short-term visitors.

a. *Spaces required.* Short-term bicycle parking is required in accordance with the following minimum ratios. These requirements apply regardless of any motor vehicle parking exemptions or reductions:

Use	Short-term Bicycle Parking Spaces Required
Student Housing	1 space per 2 sleeping rooms
Multidwelling Building	1 space per 10 dwelling units; 2 spaces minimum
Commercial, Public and Civic	1 per 10 motor vehicle spaces; 2 spaces minimum
Industrial	1 per 20 motor vehicle spaces; 2 spaces minimum

b. *Design.* Required short-term bicycle parking spaces must:

1. Consist of bike racks or lockers that are anchored so that they cannot be easily removed;
2. Be of solid construction, resistant to rust, corrosion, hammers, and saws;
3. Allow both the bicycle frame and the wheels to be locked with the bicycle in an upright position using a standard U-lock;

4. Be designed so as not to cause damage to the bicycle;
 5. Facilitate easy locking without interference from or to adjacent bicycles; and
 6. Be in highly visible, active, well-illuminated areas that do not interfere with pedestrian movements.
- c. *Location.* At least fifty (50) per cent of required bicycle parking spaces must be located within fifty (50) feet of a customer entrance, and the remainder must be located within one hundred (100) feet of any entrance. If required short-term bicycle parking spaces are not visible from the abutting street or the main customer entrance, signs must be posted indicating their location.
- d. *Size.* All required short-term bicycle parking spaces must have minimum dimensions of two (2) feet in width by six (6) feet in length, with a minimum overhead vertical clearance of seven (7) feet.
- (2) *Longterm bicycle parking.* Longterm bicycle parking is generally intended to serve the needs of cyclists who park their bicycles for long time periods, including employees and residents.
- a. *Incentive.* Off-street motor vehicle parking space requirements may be reduced by one space for every ten (10) longterm bicycle parking spaces provided up to a total maximum reduction of five (5) motor vehicle parking spaces.
- b. *Design.* In order to receive credit, longterm bicycle parking spaces must:
1. Have minimum dimensions of two (2) feet in width by six (6) feet in length, with a minimum overhead vertical clearance of seven (7) feet (bicycle lockers are exempt from overhead clearance requirements);
 2. Be protected from weather and access by unauthorized persons;
 3. Consist of bike racks or lockers anchored so that they cannot be easily removed;
 4. Be of solid construction, resistant to rust, corrosion, hammers, and saws;
 5. Allow both the bicycle frame and the wheels to be locked with the bicycle in an upright position using a standard U-lock;
 6. Be designed so as to not cause damage to the bicycle; and
 7. Facilitate easy locking without interference from or to adjacent bicycles.
- c. *Location.* In order to receive credit, longterm bicycle parking must be provided in at least one of the following locations:
1. In covered stationary racks or lockers that comply with the short-term bicycle parking location requirements of Subsection (f)(1)c.;
 2. In a locked room;
 3. In a covered, locked area that is enclosed by a fence or wall with a minimum height of seven (7) feet;
 4. In a private garage or private storage space serving an individual dwelling unit within a multidwelling (residential) building;
 5. In a covered area within clear view of an attendant or security personnel;
 6. In a covered area continuously monitored by security cameras; or
 7. In a covered area that is visible from employee work areas.
- (g) *Bicycle facility improvement program (BFIP).* New development or redevelopment projects that participate in the city's BFIP program and incorporate fix-it repair stations, covered bike parking

stations, and or mobility commuter tracking stations can further reduce the number of off-street parking requirements by the following amounts:

- (1) Fix-it repair station—Two (2) parking spaces;
 - (2) Covered bike station with racks—Four (4) parking spaces;
 - (3) Mobility commuter tracking station—Four (4) parking spaces.
- (h) *Motorcycle parking.* For each four (4) motorcycle parking spaces provided, the required number of automobile parking spaces may be reduced by one.
- (1) *Design.* Each motorcycle space must have minimum dimensions of four (4) feet by eight (8) feet. This provision applies to existing and proposed parking lots.
- (i) *Parking in residential neighborhoods.*
- (1) *Definitions.*
 - a. The term "commercial vehicle" shall mean every vehicle designed, used or maintained primarily for the transportation of property, with a gross vehicle weight of ten thousand (10,000) pounds or more. It shall also mean any bus, van, or truck with either a gross vehicle weight in excess of ten thousand (10,000) pounds, or which is designed, used or maintained primarily for the transportation of unrelated persons for hire, or in connection with any commercial enterprise including transportation for employment and business related activities.
 - b. The term "industrial equipment" shall mean farm tractors, implements, bulldozers, draglines, cranes, derricks, heavy earthmoving equipment normally used in farming excavation and/or heavy construction activities.
 - c. The term "semitrailer" shall mean a semitrailer which is used or designed primarily for carrying commercial loads.
 - (2) *Commercial vehicles and semitrailers prohibited or restricted in residential districts.*
 - a. It shall be unlawful for any owner, agent, operator or person in charge of any commercial vehicle, or semitrailer, to park, stop, store or keep same on any public street, avenue, alley or other thoroughfare, or any right-of-way therewith, within any residential district in the city for a period exceeding one hour in any twenty-four-hour period, each such period commencing at the time of the first stopping in the city.
 - b. It shall be unlawful for any owner or lessee of real property in any residential district in the city to park on, cause to be parked on, or allow to be parked on his, its or their residential property, any commercial vehicle or semitrailer for the period exceeding one hour in any twenty-four-hour period, unless same is in an enclosed garage. Each such period shall commence at the time of first stopping or parking unless a permit is first obtained from the police department of the city, and as may be otherwise provided in this section. This restriction shall also apply to the owner, agent, operator or person in charge of any such vehicle in the event said person is not the owner or lessee of said real property.
 - (3) *Delivery and construction vehicles; emergency repairs.*
 - a. The restrictions of Section (f)(2) shall not apply to the temporary parking of such vehicles on private property in residential districts whereon construction is underway, for which a current and valid building permit has been issued by the city, and said permit is properly displayed on the premises.
 - b. The restrictions of Section (f)(2) of one hour in residential districts shall not apply to routine deliveries by tradesmen, or the use of trucks in making service calls, provided that such time in excess of one hour is actually in the course of business deliveries or servicing as the case may be.

- c. The restrictions of Section (f)(2) shall not apply to a situation where such vehicle becomes disabled, and as a result of such emergency is required to be parked within a residential district for longer than one hour. However, any such vehicle shall be removed from the residential district within twenty-four (24) hours, by wrecker towing if necessary, regardless of the nature of the emergency.

(4) *Industrial equipment prohibited or restricted in residential districts.*

- a. It shall be unlawful for any owner, agent, operator or person in charge of any industrial equipment to park, stop, store or keep such equipment on any public street, avenue, alley or other thoroughfare, or any right-of-way therewith, within any residential district in the city, any time, unless moving directly to or from, or actually located at, any excavation or construction site whereon construction, clearing, removal of debris or other building and/or excavation activities are either currently under way or will commence within the next twenty-four (24) hours and for which a current and valid permit has been issued by the city, and said permit is properly displayed on the premises. Industrial equipment used in lot clearing, tree trimming or removal, lawn care and related services, is also included, although a specific building permit may not be required; and, nothing in this section is intended to require a building permit where not otherwise required.
 - b. It shall be unlawful for any owner of property in any residential district of the city to park on, cause to be parked on, or allow to be parked on his, its or their residential property any industrial equipment, as previously defined in this section, at any time unless such equipment is used on property wherein construction, clearing, removal of debris and/or industrial equipment is used on property wherein construction, clearing, removal of debris and/or other similar activities are currently under way or will commence within the next twenty-four (24) hours and for which a current and valid permit has been issued by the city, and said permit is properly displayed on the premises. Heavy equipment used in lot clearing, tree trimming or removal, lawn care and related services is also included herein, although a specific building permit may not be required; and, nothing in this section is intended to require a building permit where not otherwise required. However, mowers, clippers, edgers, drills, saws, sanders and other normal tools and implements of home, lawn and garden maintenance and repair, whether motorized or not, are not considered to be industrial equipment.
 - c. Exempt from the foregoing provisions are items of industrial equipment in actual use or moving directly to or from the location of actual use:
 - 1. Owned or leased by the city or St. Lucie County for the accomplishment of a governmental purpose such as tree trimming, road repair or construction, water or sewerage system repair or construction, maintenance of street and traffic lights and/or similar activities;
 - 2. Owned or leased by a contractor or subcontractor under agreement with the city or county to accomplish a municipal purpose as provided above;
 - 3. Owned or leased by a recognized public utility operating within the city, or by a contractor or subcontractor under agreement with such public utility for the accomplishment of some installation, maintenance, adjustment and/or repair to such public utility.
- (5) *Permits.* The chief of police of the City of Fort Pierce or his duly authorized designee may issue upon proper application therefore by the owner or his authorized representative to the police department, a permit extending the parking time limits set forth in Section (f)(2) up to, but not exceeding, twenty-four (24) hours, upon establishing that such permit is requested in good faith for a reasonable cause shown or demonstrated to the chief of police or his designee and not for the purpose of avoiding the intent or objectives of this section.
- (6) *Application of superseding city ordinances and state laws.* This subsection is primarily for the purpose of protecting residential zoning. Therefore, any ordinances of this city or laws of this state providing for the regulation of motor vehicles are in addition to this subsection, and

wherever any provision of some other ordinance or applicable statute, whether primarily for the regulation of motor vehicles or for the purposes of zoning, imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of this subsection, then more stringent requirements, regulations, restrictions or limitations shall apply.

- (7) *Exceptions.* The provisions of this section shall not apply to recreational vehicles used exclusively for recreational purposes.
- (8) *Nonconforming use.* The nonconforming use provisions of this chapter shall not apply to those sections.
- (9) *Conformity with existing ordinances.* This section shall not be construed as authorizing trucks to utilize any street or other public thoroughfare of the city over which such vehicular traffic is now or hereafter prohibited by ordinance, or lawful order of the police department.

(j) *Lighting.*

- (1) Off-street parking shall be provided with lighting as follows:
 - a. For commercial, industrial and governmental uses, a minimum average of two (2) footcandles;
 - b. For multistructure residential complexes, educational facilities, churches or other uses other than as set forth in the other immediately preceding subsection, a minimum average of one footcandle;
 - c. In a multilevel parking structure a minimum average of five (5) footcandles except that the top level, if open to the sky, shall be the same as for an open parking lot;
 - d. For a use involving on premises consumption of alcoholic beverages, as provided in Section 3-7, a minimum of three (3) footcandles.
- (2) The uniformity ration for all lighting classifications is to have an average/minimum ratio of four (4) to one (1).
- (3) The lighting provided for by this section shall have a footcandle intensity as set forth above from dusk until thirty (30) minutes after the termination of use of, or business at, the premises, but thereafter such lighting intensity may be reduced to fifty (60) per cent of the required minimum.
- (4) Outdoor lighting required by this section shall be designed so that any over spill of lighting onto adjacent properties shall not exceed five-tenths (.5) footcandle illumination, vertically and horizontally.
- (5) Outdoor lighting installations required by this section for any use involving site plan approval in accordance with Section 22-58 shall not be placed in permanent use until there is furnished a letter of compliance from a registered engineer or architect, or duly authorized representative of such engineer or architect, stating that the installation has been field checked and meets the requirements as set forth above. This letter shall be subject to approval by the city engineer. Upon installation of the lighting, a certificate shall then be filed with the city engineer by a registered engineer or architect of design showing that such installation meets with requirements imposed by this section. Such letter and certification are not required for lighting involved with uses where site plan approval under Section 22-58 is unnecessary through such lighting is otherwise subject to the requirements of this section.

(Ord. No. H-186, § 30-60, 6-15-81; Ord. No. H-227, § 1, 10-4-82; Ord. No. I-63, §§ 1—4, 5-7-84; Ord. No. I-71, § 1, 7-2-84; Ord. No. I-205, §§ 2—5, 2-17-87; Ord. No. I-339, § 1, 8-7-89; Ord. No. I-347, § 1, 10-2-89; Ord. No. I-457, § 1, 3-4-91; Ord. No. J-24, § 1, 10-5-92; Ord. No. J-127, § 1, 12-19-94; Ord. No. K-441, § 3, 1-16-07; Ord. No. L-02, §§ 1A, 1B, 2-19-08; Ord. No. L-71, § 1B, 1-5-09; Ord. No. L-215, § 2, 7-5-11; Ord. No. L-230, §§ 1—6, 1-3-12)

Editor's note— Ord. No. H-227, § 1, adopted Oct. 4, 1982, amended the 1960 Code by the creation of new section 30-60(6), codified herein as subsection 22-60(f).