

DRAFT:
Chapter 220-73:
Off-Street Parking Regulations

LAST REVISED 7/14/2020~~3/2/2020~~

§ 1-17 Definitions

PARKING SPACE, OFF-STREET

A space located outside a public right-of-way adequate for **parking** an ~~automobile~~ motor vehicle as provided in section 1, subsection 17, ~~and having an area of not less than 200 square feet per motor vehicle,~~ exclusive of passageways and driveways appurtenant thereto.

Commented [e1]: Change suggested by Cathy Menikotz

Commented [e2R1]: I don't know that we have to list the section, since this all takes place in the definitions. Certainly that is not the standard practice within the Code currently.

We should, however, change automobile to vehicle as automobile is not defined in town code.

Commented [e3]: Size standards are provided later. Not necessary at all for definitions.

§ 174-22 **Parking, loading areas and site access.**

A. In addition to the requirements in this section, proposed **parking**, loading areas and site access shall comply with Town Code §§ 220-9V, 220-73, 220-74, ~~and 220-75, and 220-76~~ respectively.

Commented [e4]: Adding reference to landscaping standards.

B. All **parking** areas, passageways and driveways, except when provided in connection with one- and two-family residential uses, shall be surfaced with a dustless, durable, all-weather pavement ~~such as asphalt or concrete.~~

~~**D.** Appropriate screening and landscaping as deemed appropriate by the Planning Board will also be required.~~

Commented [e5]: Should we promote green parking lots:
<https://wyrk.com/buffalo-has-its-first-regulated-code-approved-grass-parking-lot/>
<https://www.buffalorising.com/2018/07/five-points-bakery-buffalos-first-grass-parking-lot/>

~~**E.** Pavement striping is discouraged within site development parking areas in favor of alternate means of deterring unwanted parking to be discussed with the Town. In locations where deterrence of unwanted parking is necessary, pavement striping is discouraged in favor of alternate means.~~

Commented [e6]: Provided in 220-76

Commented [e7R6]: Cathy has a question regarding changes.

Commented [e8]: Per Cathy

Attachment 3 – Schedule II, Off-Street Parking shall be deleted in its entirety.

§ 220-9 Regulations applicable to all districts.

C. Every developed lot of record shall have access to a public street. Access may be either direct or by private road or drive. ~~Where a private road or drive~~

~~provides access to more than one developed lot of record, said road shall have a right-of-way width of not less than 30 feet and an improved surface of at least 20 feet in width.~~ All structures shall be so located on lots so as to provide safe and convenient access for servicing, fire protection and required **off-street parking**. Further standards may be found within the Town of Canandaigua Site Design and Development Criteria.

Commented [e9]: This is provided within Site Design and Development Criteria, page 20.

§ 220-20MR Multiple-Residence District.

D. Dimensional requirements and design standards. The dimensional requirements for this district are specified in Schedule I of this chapter. In addition to the dimensional requirements set forth in Schedule I, the following site design standards shall be applicable to all townhouse dwelling unit and multiple-family dwelling unit developments:

(1) Townhouse development site design standards.

(a) The minimum area lot size for a townhouse development shall not be less than three acres.

(b) Density. Overall site density shall not exceed eight dwelling units per gross acre, and not more than eight dwelling units shall be allowed on any one acre of land.

(c) Individual dwelling unit lot criteria.

[1] The minimum lot area for each townhouse dwelling unit shall be 3,500 square feet.

[2] The minimum front setback shall be 25 feet.

[3] The minimum lot width at the front building line shall be 25 feet for a two-story townhouse unit.

[4] The minimum lot width at the front building line shall be 35 feet for a single-story townhouse unit.

[5] The minimum rear setback shall be 25 feet.

[6] The maximum lot coverage shall be 65%.

[7] The minimum lot depth shall be 140 feet.

[8] There shall be no accessory structures allowed.

[9] ~~There shall be no e~~Common off-street parking areas may be allowed.

[10] ~~Each townhouse dwelling unit shall have a minimum of one one-car garage.~~

[11] Where garages are accessed from the rear portion of the structure, the front building line shall continue to be the portion facing the street. In these instances, the minimum front setback shall be 10 feet.

[12] ~~There shall be adequately sized common storage areas provided as part of each townhouse development site for the storage of boats, trailers, recreational vehicles and other personal vehicles. Each storage area shall be blacktopped, buffered by landscaping and maintained. No unregistered vehicle shall be allowed to remain in a common storage area. The minimum size for each common storage area shall be determined by the Planning Board as part of site plan approval. In the event a common storage area is not found to be adequately sized, either the landowner or the homeowners' association shall be responsible for providing additional area to meet the need. This storage area shall not be used for off-street parking of vehicles.~~

Commented [e10]: Should not be a mandate.

[13] There shall be an adequately sized bulk storage area provided for each townhouse unit. The minimum size for such bulk storage area shall be determined by the Planning Board as part of site plan approval. In the event a bulk storage area is not found to be adequately sized, the landowner or homeowners association shall be responsible for providing additional area to meet need.

(d) Minimum habitable floor area per dwelling unit shall be:

[1] Townhouse unit, three bedrooms: 1,000 square feet.

[2] Townhouse unit, two bedrooms: 850 square feet.

(e) No exterior wall shall exceed 50 feet in length unless there is a lateral offset of at least four feet in its alignment not less frequently than along each 50 feet of length of such exterior wall.

(f) Each townhouse building shall contain not more than eight dwelling units.

(g) Parking requirements. Requirements for off-street parking as provided in Article VIII of this chapter shall be met, except that the location of off-street parking lots may be modified to conform with the approved site plan, provided that such lots shall not be located within the front yard or the required side yard setback. Paved pedestrian walkways, with appropriate lighting, shall be provided from off-street parking areas to all dwelling units each parking area is intended to serve. In addition to the standards required in Article VIII, the following standards shall be met:

~~**[1]** A minimum of two paved parking spaces shall be provided for each dwelling unit, one of which shall be completely enclosed and covered.~~

[2] Appropriate screening shall be provided as to prevent glare from headlights.

(h) Each townhouse development shall have adequate pedestrian-separated facilities (sidewalks) connecting all townhouse dwelling units in the development.

(i) Each townhouse dwelling unit lot shall have a minimum of two trees to be planted prior to the issuance of a certificate of occupancy, or due to seasonal conditions, said trees are to be planted within six months of the issuance of a temporary certificate of occupancy.

(j) Each on-site stormwater facility shall be adequately landscaped.

(k) Each townhouse development shall either have mailboxes attached to the front of each structure, or a common mailbox area with adequate pull-off for both postal delivery vehicles and private vehicles. There shall otherwise be no mailboxes allowed along the side of a street.

(l) Each townhouse development shall contain streetlighting spaced at each intersection, at any cul-de-sac or dead-end street and any common parking area. Streetlighting shall be dark sky compliant as further regulated in § 220-77 of the Town Code.

(m) Each townhouse development street name shall be in compliance with the Ontario County 911 Street Naming Regulations.

(n) Where a townhouse development does not have public streets serving the townhouse dwelling units, then provisions shall be made with the local school district for the use of an acceptable off-street area to be used for the loading and unloading of school children. Each such area shall have a well-designed all-weather structure for use by students awaiting pickup or dropoff. Each such area shall be adequately illuminated in accordance with Town lighting standards.

220-61 Tourist home (bed-and-breakfast).

~~F. Each lodging room shall have one off-street parking space assigned and there shall be a minimum of two additional off-street parking spaces provided. The owner/operator of the tourist home shall have a private garage to accommodate personal vehicles. The off-street parking area shall be located adjacent to the tourist home and must be illuminated.~~

Commented [e11]: People carpool to BnB's. Not all rooms are always occupied. We then require an additional two plus two more spaces for the owner. Lots of parking required here.

§ 220-73 Off-street parking regulations.

Purpose: ~~There are no provisions that establish a minimum number of off-street parking spaces for development. However, certain development proposals are required to complete a parking demand analysis, which will assist in determining off-street parking spaces required.~~ In all districts there shall be provided, at the time any building or structure is erected, enlarged, increased in capacity or changed in use, improved and usable off-street parking spaces for motor vehicles in accordance with the requirements of this article, ~~Zoning Schedule II,¹¹ or~~ the New York State Uniform Fire Prevention and Building Code, ~~or Federal Americans with Disabilities Act.~~ In the instance where there may be a conflict between the requirements of these ~~three~~ sources, the stricter regulations shall govern. In such cases, off-street parking facilities shall be provided as hereinafter specified for the building as enlarged, or to accommodate the needs of the new use.

A. Authority. Parking requirements shall be determined by the Planning Board in the course of their respective reviews of any site plan, subdivision, special use permit, or other necessary review.

B. Design requirements.

(1) Off-street parking space shall be provided as further specified in this chapter and shall be furnished with necessary passageways and driveways. Required dimensional standards can be found within the Town of Canandaigua Site Design and Development Criteria. For the purposes of this chapter, a parking space shall not be less than 10 feet in width and 20 feet in depth, exclusive of accessways and driveways.

(2) Off-street parking areas for nonresidential uses shall provide a minimum additional area of 100 square feet of area per off-street parking space to provide sufficient area for access drives and aisles.

(3) Off-street parking areas with a capacity for more than 20 vehicles shall delineate fire lanes and post "no parking" markers.

(4) Any off-street parking area with at least 20 off-street parking spaces shall designate a minimum of 5% of those spaces, up to a maximum of 10 spaces, as spaces as reserved only for the handicapped and clearly mark them for such use. Parking spaces designated to serve handicapped individuals shall be at least 14 feet in width and 20 feet in depth. Parking facilities and structures shall comply with the standards established in the Federal Americans with Disabilities Act.

(5) All off-street parking spaces shall be deemed to be required space on the lot on which it is situated and shall not be encroached upon or reduced in any manner. It shall not be separated by a public highway or right-of-way.

(6) All parking areas, passageways and driveways (except where provided in connection with one- and two-family dwellings, or farm residences and buildings) shall be adequately drained and will have a durable surface, subject to approval of the Town Planning Board.

(7) Each off-street parking space shall be so designed, maintained and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk or alley, and so that any motor vehicle may be parked and unparked without moving or damaging another.

(8) The collective provision of off-street parking areas by two or more buildings or uses located on adjacent lots may be approved by the Planning Board, provided that the total

Commented [e12]: Language taken from Landscaping section. Question has arisen in the past who the appropriate deciding entity is for parking requirements. This answers that question.

Commented [e13]: See new Buffalo Parking Codes for explanation. Depending on the orientation of the parking, whether 90 degree or 60 degree, etc., the area required for access drives is different. And if they have one-way lanes, that area is shared.

Commented [e14]: Add reference to Federal and State ADA.

Commented [e15R14]: Per Chris Jensen, State Code does not regulate beyond the Federal ADA.

Commented [e16]: This section prohibits shared parking and providing parking within walking distance.

Commented [e17]: Similar to 174-22.

~~of such facilities shall not be less than the sum required of the various buildings or uses computed separately.~~

(9) Parking areas may be located in any yard space for nonresidential uses but shall not be located:

(a) So as to impinge on the minimum required buffer width, as measured from the property lot line, as established in § **220-76D**; or

(b) For properties of 60,000 square feet or less in size, any closer than 10 feet to any side or rear property line unless specifically approved by the Planning Board as part of a multiple-parcel shared parking plan; or

(c) For properties greater than 60,000 square feet in size, any closer than 20 feet to any side or rear property line unless specifically approved by the Planning Board as part of ~~a multiple-parcel shared~~ **Joint Use** parking plan.

(10) Driveways to off-street parking.

(a) No driveway to an off-street parking area shall be located closer than 50 feet to the intersection of any two streets or within 10 feet of any side lot line identified in § **220-9V(3)** or **20 feet serving a lot identified in § 220-9V (4)** of this chapter, provided further that:

[1] sufficient distance will always remain for all required radii for said driveway,

[2] ~~that~~ said driveway will not be determined by the Planning Board to adversely affect the minimum sight distance for motorists, as recommended in various Town, county and state highway design and traffic safety manuals, or prevent the stacking of vehicles along the highway where there is a traffic control device operating.

(b) ~~No driveway to an off-street parking area serving a lot identified in § 220-9V(4) of this chapter shall be located within 20 feet of any side lot line, provided that sufficient distance will always remain for all required radii for said driveway, that said driveway will not be determined by the Planning Board to adversely affect the minimum sight distance for motorists, as recommended in various Town, county and state highway design and traffic safety manuals, or prevent the stacking of vehicles along the highway where there is a traffic control device operating. The Planning Board may require a different distance to the intersection of any two streets as a condition of approval where a traffic study identifies that said distance would improve safety and efficiency. Where a traffic study identifies a different distance to~~

Commented [e18]: Shared parking to take advantage of different parking demand based on time of day is good practice and should be allowed.

Commented [e19R18]: This section is now below under "Joint Use".

~~the intersection of any two streets would provide improved highway safety and efficiency, the Planning Board may then require said cited distance as a condition of subdivision or site plan approval.~~

Commented [e20]: Suggested by Cathy.

(c) The distance from the driveway to the intersection shall be measured by extending the curb or pavement line of the intersecting street until it intersects the curb or pavement line, extending, if necessary, of the driveway in question.

(a)(d) In addition, the minimum separation required by § **220-9V(2), (3)**, or (4) shall be maintained between two driveways located on any one frontage.

CB. Location of off-street site parking facilities. ~~Required off-street parking is allowed on a separate parcel within 1,320 feet of the use served, as measured by closest walking distance from the closest public entrance to the off-site parking lot. Where parking is provided off-site, adequate provisions for safe, pedestrian travel shall be required. Parking facilities and structures shall comply with the standards established in the Federal Americans with Disabilities Act. Off-street parking facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be walking distance measured from the nearest point of the parking facility to the nearest public entrance of the building that such facility is required to serve.~~

Commented [e21]: This is about a 5-minute walk for a healthy individual. Generally, they can walk about 250 ft/min.

Commented [e22R21]: Clensen, any code requirements for handicapped parking?

~~(1) For one- and two-family dwellings and for all types of residential structures on the same lot with the building they are required to serve.~~

~~(2) For multiple-family dwellings, not more than 200 feet from the building they are required to serve.~~

~~(3) For other uses, not more than 360 feet from the building they are required to serve.~~

DC. Screening and landscaping.

(1) Off-street parking areas for more than five vehicles shall be effectively screened on the rear and side yards by a fence of acceptable design, unpierced masonry wall, landscaped berm or compact evergreen hedge. Such fence shall be erected and maintained in accordance with § **220-9K** of these regulations. Such wall or hedge shall not be less than six feet in height and shall be maintained in good condition.

(2) When a parking area for five or more vehicles is within or abuts a residential district, a planted buffer area shall be provided in addition to the fence or wall specified in Subsection **C(1)** above. Landscaping utilized to provide this buffer shall not be less than four feet in height at the time of planting and spaced not more than three feet apart. The planted buffer area shall not be less than 10 feet in depth.

ED. Lighting.

Commented [e23]: Reference 220-77

(1) All off-street parking areas and appurtenant passageways and driveways (excluding areas serving one- and two-family dwellings and farm dwellings) shall be illuminated adequately during the hours between sunset and sunrise when the use is in operation.

(2) Any lights used to illuminate an off-street parking area shall be so arranged as to reflect the light away from all adjoining property.

(3) Lighting shall comply with the requirements of Town Code § 220-77.

~~E. Units of measurement.~~

~~(1) In churches and other places of assembly in which patrons or spectators occupy benches, bleachers, pews or other similar seating facilities, each 20 inches of such seating facilities shall be counted as one seat for the purpose of determining requirements for off-street parking facilities.~~

~~(2) When units of measurement determining the number of required parking spaces result in the requirement of a fractional space, any fraction shall require one parking space.~~

~~F. Mixed occupancies and uses not specified. In any case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. In the case of a use not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the Town Planning Board. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as hereinafter specified for joint use.~~

~~G. F. Joint use. The off-street parking requirements of two or more uses, structures or parcels of land may be satisfied by the same parking or loading space used jointly if supported by a shared parking analysis. This analysis shall be based on accepted standards, such as published in the Institute of Transportation Engineer's Parking Generation Reports, the Urban Land Institute Shared Parking Study, or another acceptable standard, to the extent that it can be shown by the owners or operators of the uses, structures or parcels that their operations and parking needs do not overlap in point in time. If the uses, structures or parcels are under separate ownership,~~ The right to joint use of the parking space must be evidenced by a deed, lease, contract or other appropriate written document to establish the joint use.

~~H. G. Required off-street parking spaces. Off-street parking shall be provided to meet the realistic demand for the proposed land use. The applicant shall calculate this demand based on accepted standards, such as published in the Institute of Transportation Engineer's Parking Generation Reports or another acceptable standard. Required off-street parking space for specific uses as regulated in this chapter is contained in Schedule II, which is part of this chapter.~~ ^[2]

Commented [e24]: Find appropriate location to add reference and process of Land-banking parking.

Commented [e25]: Should there be any minimum? How should it be calculated? What projects would require?

(1) Applicability. Projects exceeding the following thresholds shall provide a parking demand analysis:

- a. New construction of principle building/s in excess of 5,000 square feet of gross floor area; or
- b. The substantial renovation of a principal building with a gross floor area of at least 50,000 square feet and involving a change of use;
- c. Or upon request of the Planning Board during the course of their review.

(2) Exemptions:

- a. All Single-Family Dwellings and Two-Family Dwellings; or
- b. Generally accepted agricultural operation or practice occurring within an established Ontario County Agricultural District, and Temporary Farm Stands; or
- c. As otherwise stated within Chapter 220.

(3) Waiver for current construction:

- a. Applicant may request the Planning Board waive the requirement to construct off-street parking spaces during initial construction.
- b. Applicant shall specify on a Site Plan which off-street parking spaces are to be delayed, including the total number of spaces, and to provide justification for the waiver request.
- c. Such off-street parking spaces shall be included as if to be constructed in any SEQOR consideration and planning approvals.
- d. The future construction of the subject spaces shall require a Site Development Permit and be exempt from Site Plan review if in substantial conformance with the approved plans.
- a-e. If granted, the Planning Board may also impose additional conditions as needed to achieve the objectives of this chapter.

I.-H. Authority for Planning Board to modify ~~requirements of § 220-73~~ed number of parking spaces.

(1) ~~Where the Planning Board is reviewing an application for site plan approval, t~~The Planning Board is hereby authorized to modify the required number of off-street parking spaces ~~contained in Schedule II, provided that the Planning Board does not reduce said number of required parking spaces by more than 50%.~~

(2) Such modification may take place ~~only~~ after the Planning Board finds that ~~either:~~

- ~~(a) Applicant has demonstrated that the specific use routinely requires fewer parking spaces than required by Code; or~~

Commented [e26]: This section is meant to codify "landbanking"

Commented [e27]: With revisions, this is part of the parking study. Becomes unnecessary.

(ab) Applicant has demonstrated that adequate, public off-street parking facilities are available within 400-1,320 feet of the primary entrance of all uses served as measured along the shortest legal, practical walking route~~the lot containing the subject use~~; or

(b) (c) Applicant has provided evidence of satisfactory off-site parking arrangements. Applicant can document that a notable percentage of their customers will be transported to and from their premises in buses, bikes, walking or other forms of alternative transportation; or

(c) Applicant provides a Transportation Management Plan documenting off-peak work hours, preferential parking, financial incentives, or some other manner for reducing parking demand.

(d) The requirement is found not to be requisite in the interest of the public health, safety, and general welfare or inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the site plan.

Commented [e28]: Language taken from Site Plan regulations.

(3) Where the Planning Board modifies the required number of parking spaces pursuant to this section, the Planning Board shall impose such conditions as it deems necessary and shall make findings supporting their decision regarding a waiver.

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The following shall be added to the Town of Canandaigua's Site Design and Development Criteria under Article II – Design Standards as 2.13 A

Stall and Aisle Dimensions. All off-street parking spaces and drive aisles must comply with the minimum dimensional standards shown in Appendix (TO BE DETERMINED):
Parking Stall and Drive Aisle Dimensions, with the following exceptions:

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1. Motorcycle and scooter parking stalls must measure at least four feet in width and eight feet in depth.

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2. Mechanical access parking is exempt from parking stall and drive aisle dimensional requirements.

PARKING STALL AND DRIVE AISLE DIMENSIONS

STALL ANGLE	STALL WIDTH (MIN) (A)	STALL DEPTH (MIN) (B)	SKEW WIDTH (MIN) (C)	DRIVE AISLE WIDTH, 1-WAY (MIN) (D)	DRIVE AISLE WIDTH, 2 WAY (MIN) (E)	VERTICAL CLEARANCE (MIN)
0 degrees (parallel)	8'	18'	8'	11'	22'	7' 6"
30 degrees	8' 6"	15'	16' 6"	11'	--	7' 6"
45 degrees	8' 6"	17' 9"	11' 8"	11' 10"	--	7' 6"
60 degrees	8' 6"	19'	9' 6"	13' 6"	--	7' 6"
90 degrees (head-in)	8' 6"	18'	8' 6"	--	23'	7' 6"

