

## Chapter 5.17

# OFF-STREET PARKING REGULATIONS

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### **5.17.010 Purpose.**

A. The purpose of this chapter is to promote successful business operations and enhance residential neighborhoods within the City by setting forth uniform standards for the amount and design of off-street parking and loading areas.

B. Implementation of these standards is intended to provide an appropriate amount of off-street parking, reduce traffic congestion, facilitate vehicle movement, enhance vehicle and pedestrian safety and support high-quality commercial and residential neighborhoods. (Ord. 97-17, 10-28-1997)

### **5.17.020 General off-street parking provisions.**

A. Provision of Spaces. At the time any building is constructed, structurally altered, enlarged, or increased by 25 percent or there is an increase in land use intensity or occupancy, additional off-street parking spaces shall be provided in accordance with the requirements of this chapter.

1. However, where common parking has been duly authorized or where parking can be provided through a municipal parking lot, this requirement shall not apply. Special parking provisions apply to the Downtown Parking District, NCC [5.17.090](#).

B. Existing Structures. The minimum number of parking spaces designated for specific commercial and industrial land uses shall not be applied to existing structures where no structural alteration, extension, expansion, enlargement or an increase in land use intensity occurs.

C. Minimum Requirements. These off-street parking provisions are deemed the minimum requirements and nothing shall preclude the installation of more parking spaces.

D. Unobstructed Access. Each parking space shall have unobstructed access from a street or alley, or from an aisle or drive connecting with a street or alley, without requiring moving another vehicle.

E. Multiple Uses. When two or more uses are located in the same building or in a common development, or when parking facilities for different buildings or uses are provided collectively, the parking requirements shall be the sum of the separate requirements for each use, except as specifically provided elsewhere in this chapter.

F. Use Restricted. Off-street parking and loading areas shall not be used for the repair or servicing of vehicles, the storage of materials or merchandise, the sale of any goods or services, as a display area, or business work area.

G. Fractional Spaces. Fractional space requirements of one-half or greater of a parking space shall be counted as a whole parking space.

H. Nonresidential Uses. Off-street parking spaces for nonresidential uses shall be located on the same lot as, or immediately contiguous to, the use being served.

I. Limitations. Off-street parking facilities for one use shall generally not be considered as providing the required off-street parking facilities for any other use except as otherwise provided in this chapter.

J. Restriction By Owner. To ensure the perpetuation of the parking space requirements herein, owners of any lots upon which common parking is permitted to occur shall execute a declaration of restrictions and covenants, in a form acceptable to the Planning Director and City Attorney duly recorded at the Stanislaus County Recorder's office, setting aside the required spaces or areas for parking only. These restrictions, when submitted in a form acceptable to the Planning Director and City Attorney, may be waived only when the prescribed parking is no longer required by this chapter as determined by the City Council.

K. Merged Lots. Where the use of two or more separate lots under common ownership is proposed for an off-street parking lot, the lots shall be merged or appropriate deed restrictions, in a form acceptable to the Planning Director and City Attorney, shall be recorded with the Stanislaus County Recorder's office.

L. Application. If more than one standard is applicable in any individual case, the more restrictive regulation shall apply.

M. Unlisted Uses. The requirements for buildings or uses which are not specifically listed herein shall be determined by the Planning Director or Planning Commission as deemed necessary based upon the requirements for similar uses and the particular characteristics of the building or use.

N. Waiver. The off-street parking space requirements for any residential or nonresidential use may be waived or reduced by the Planning Commission only when said uses are located within a parking district, the function of which is to provide off-street parking facilities.

O. Variations. No proposed parking and/or traffic circulation design which deviates from the standards set forth in this chapter and which could create a safety hazard(s) shall be permitted unless the developer provides a detailed, stamped report or study prepared by a licensed traffic engineer which demonstrates, to the satisfaction of the Planning Commission, that said parking, and/or traffic circulation design, is a viable alternative and is consistent with the purposes stated in this chapter.

P. Special Provisions in Residential Areas. In any residential district, no recreational type vehicle, including motor home, camping trailer, boat trailer, boat, pick-up camper units, fifth wheel, or dune buggy shall be stored or parked for more than 72 hours, except within a side or rear yard or within any garage, without first obtaining a temporary permit from the Newman Police Department which would permit up to a maximum of 72 more hours of parking. The following restrictions apply:

1. Such vehicle shall not be maintained in any required front yard unless located on a driveway and the recreational type vehicle is 42 inches in height or less and a "zoning exemption" permit is issued by the Newman Chief of Police or designee based on the following findings:

- a. The vehicle cannot be stored on any other portion of the property; and
- b. The storage of the vehicle on a driveway located in the front setback area is not likely to create a public nuisance or hazard; and
- c. The stored vehicle is fully operable and not likely to become unsightly or otherwise detract from the general appearance of the residential neighborhood within which it is to be located.

2. Such vehicle shall be situated no closer than five feet to any main building or property line unless otherwise approved by the City Fire Chief.

3. Such recreational vehicle shall not be used for sleeping quarters nor shall any sanitary or cooking facilities contained therein be used except as may be provided for within a valid temporary-parking permit issued by the Newman Police Department.

Q. Inoperative Vehicles. In any residential district, all motor vehicles incapable of movement under their own power, other than in case of emergency accident or breakdown, shall be stored in an entirely enclosed space, or garage. No more than one such vehicle shall be so stored at any time, and no more than one vehicle shall be allowed to be under repair at any time.

R. Parking on Lawns. Parking of any vehicles on lawns or other areas in front yards, or side yards not behind a solid fence six feet in height where such vehicle is plainly visible from the street or other public or private property, other than on a driveway, is prohibited. (Ord. 2007-11 § 1(1, 2), 12-11-2007; Ord. 98-4 § 3, 8-25-1998; Ord. 97-17, 10-28-1997)

**5.17.030 Off-street parking requirements.**

The amount of off-street parking spaces for uses in all zoning districts will be reviewed in accordance with the following requirements and applied as appropriate by the City. The off-street parking requirement for buildings or uses which are not specifically listed herein shall be determined by the Planning Director, or the Planning Commission, as deemed necessary, based on the requirements for similar uses and the particular characteristics of the building or use.

A. Residential Uses.

Single-family residential (attached or detached)	2 parking spaces in a garage/per dwelling unit.
Duplex	2 spaces per dwelling unit, 1 of which shall be covered.
Multiple-family	1 garage or carport per dwelling unit, plus 1 uncovered parking space per 2 units. Furthermore, 1 additional parking space shall be provided for every 5 dwelling units and specifically reserved for guest parking.

Mobile home parks	1 covered parking space per dwelling unit on, or adjacent to, the mobile home lot or space. Furthermore, 1 additional parking space shall be provided for every 5 dwelling units specifically reserved for guest parking.
Accessory residential unit	1 additional off-street parking space.
Bed and breakfast establishment	1 off-street parking space for each guest room in addition to 2 covered spaces for the main dwelling.
Senior/elderly housing	1 covered space per 3 dwelling units.
Group care; convalescent hospitals; rooming and boardinghouses, and the like	1 space per 3 beds.

B. Commercial Uses.

Commercial (retail) stores, including general merchandise; specialty store; discount store; hardware/paint store	Commercial (retail) uses unless listed otherwise shall provide 1 space per 300 square feet of GFA.
Auto sales (new/used); service station; car wash; auto repair	1 space per 250 square feet of GFA, plus 1 space per vehicle for sale or stored on lot.

Bars, restaurants, taverns, nightclubs and cocktail lounges	1 space per 150 square feet of GFA, with a minimum of 10 spaces.
Cinemas and theaters	1 space per 5 seats.
Convenience food store	1 space per 300 square feet of GFA, with a minimum of 3 spaces.
Convenience food store with gasoline filling station	1 space per 3 gasoline pumps, plus 1 space for every 300 square feet of GFA of convenience store area.
Dry cleaners and laundries	1 space per 350 square feet of GFA.
Gasoline filling station	1 space per 3 gasoline pumps, with a minimum of 3 spaces.
Gasoline filling stations with auto service	4 spaces per bay or working area. However, no bay or working area may be used to satisfy the off-street parking requirement.
Motels and hotels	1 space per room or sleeping unit, plus 1 space per 5,000 square feet of meeting area and 1 space for every 3 employees.
Music and dance studios and schools	1 space per 3 seats or 1 space per 200 square feet of teaching, classroom or studio area, whichever is the lesser.

Shopping centers	1 parking space for 300 square feet of GFA.
Banks and financial institutions	1 space per 180 square feet of GFA. Parking spaces provided in a drive-through queue area may be considered part of the required off-street parking, subject to approval by the Planning Commission.

C. Business and Professional Office Uses.

Office; office building; general	1 space per 300 square feet of GFA.
Dental and medical offices and clinics	1 space per 200 square feet of gross floor area.
Veterinarian offices/animal hospitals	1 space per 300 square feet of GFA used for office, treatment and client waiting area plus 1 space per 500 square feet of GFA used for boarding.
Medical and dental labs	1 space per 300 square feet of GFA.

D. Industrial/Heavy Commercial Uses.

Auto repair, major	5 spaces per bay or working area, with a minimum of 10 spaces. However, no bay or working area may be used to satisfy the off-street parking requirement.
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Auto repair, minor	4 spaces per bay or working area, with a minimum of 5 spaces. However, no bay or working area may be used to satisfy the off-street parking requirement.
Automobile parts and accessories, sales and service	1 space per 250 square feet of GFA.
Auto wrecking and dismantling	1 space per 500 square feet of GFA in a building, plus 1 space per 1,000 square feet of yard area, with a minimum of 5 spaces.
Contractor's yards	1 space per 250 square feet of GFA, with a minimum of 2 spaces.
Equipment rental	1 space per 500 square feet of GFA in an enclosed or outdoor display/storage area, with a minimum of 5 spaces.
Manufacturing and assembly plants and other similar industrial establishments	1 space per 500 square feet of GFA, or 1 space for every 1 1/2 employees on an individual shift, whichever is greater.
Mini-storage facilities	1 space, plus 1 space per 5,000 square feet of GFA.
Automated warehouses and cold storage warehouses	1 space per 1,000 square feet of GFA, or 1 space for each employee on the largest shift, whichever is greater.



Warehousing and storage facilities	1 space per 500 square feet of GFA, up to 20,000 square feet; plus 1 space for each 1,000 square feet over 20,000 square feet of GFA. A minimum of 5 spaces.
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#### E. Public and Quasi-Public Uses.

Churches, chapels, temples, synagogues and places of worship	1 stall for every 5 seats, or 7 linear feet of bench or pew space.
Nursing homes, rest homes, and extended care facilities	1 space per 5 beds plus 1 space per employee.
Nursery schools and day care centers	1 space per 6 students, with a minimum of 5 spaces.
Elementary and junior high schools	1 space for each classroom and office, plus 10 spaces specifically designated and reserved for visitor parking. In addition, bus loading space for at least 2 school buses must be provided.
Senior high schools	1 space for every 10 students, plus 1 space for every 2 teachers and other employees, plus 10 spaces specifically designated and reserved for visitor parking.

Libraries, museums, and art galleries	1 space per 300 square feet of display or exhibit area.
Post offices	1 space per 200 square feet of GFA.
Private clubs and lodge halls	1 space per 5 fixed seats in space used for assembly, drinking and eating purposes; or 1 space per 100 square feet of floor area without fixed seats used for assembly, drinking and eating purposes.

Compact car parking stalls may be provided in commercial or industrial developments for up to 30 percent of the required off-street parking, where at least 15 parking stalls are provided.

F. Bicycle Parking. Each parking area associated with any type of land use, except single-family and two-family residential dwellings, shall provide a number of bicycle parking spaces with secured bicycle racks in accordance with the following:

Total Number of Spaces	Minimum Number of Bicycle Spaces Required
1 – 4	0
5 – 14	1
15 – 29	2
30 – 44	3
45 – 59	4
60 – 74	5
75 – 99	6
100 – 199	7
200 – 299	8
300 – 399	9

400 or greater	10
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G. Off-Street Loading. When any nonresidential building is constructed, enlarged, expanded, or increased in land use intensity, additional off-street loading space(s) shall be required in accordance with the following table and other requirements of this chapter.

<b>OFF-STREET LOADING REQUIREMENTS</b>		
Use	Gross Floor Area (Square Feet)	Number of Loading Spaces Required
Retail, office, service business and hotels and motels	15,000 – 100,000	1
	100,001 – 200,000	2
	more than 200,000	3
Heavy commercial and industrial uses	4,000 – 40,000	1
	40,001 – 80,000	2
	80,001 – 120,000	3
	Over 120,000	1 additional space for each additional 100,000 square feet

Where off-street loading spaces are not required, and a loading space is not otherwise provided, all loading and unloading shall be scheduled to occur during the off-peak hours of the business. No public streets, alleys and other public ways shall be blocked or traffic obstructed by loading and unloading operations. (Ord. 97-17, 10-28-1997)

**5.17.040 Shared parking.**

A. A use permit may be approved for shared parking facilities serving more than one use on a site. A use permit for shared off-street parking may reduce the total number of spaces required by this

section if the following findings are made:

1. The spaces to be provided will be available as long as the uses requiring the spaces are in operation;
2. The peak hours of parking demand from all uses do not coincide so that peak demand is greater than the parking provided;
3. The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if collective parking is not provided; and
4. A written agreement between the landowner(s) and the City, in a form satisfactory to the City Attorney, that includes:
  - a. A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking;
  - b. A guarantee by the landowner(s) for access to and use of the shared parking facilities;
  - c. A provision that the City may require parking facilities in addition to those originally approved upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
  - d. A provision stating that the City, acting through the Planning Commission, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the agreement at any time.

B. The maximum allowable reduction in the number of spaces to be provided shall not exceed 20 percent of the sum of the number required for each use served and not reduce the total number of spaces to less than one space for every 200 square feet of gross floor area.

C. An applicant for a use permit for shared parking may be required to submit survey data substantiating a request for reduced parking requirements. A use permit for shared parking shall describe the limits of any area subject to reduced parking requirements and the reduction applicable to each use. (Ord. 97-17, 10-28-1997)

#### **5.17.050 Reduced parking for single uses.**

A use permit may be approved reducing the number of spaces to less than the number specified in this chapter; provided, that the following findings are made:

A. It has been demonstrated by survey data or other information provided by the applicant, that the parking demand will be less than the requirements of the City; and

B. The probable long-term occupancy of the building or structure, based on its design, will not generate additional parking demand; and

C. The project has included provisions for other types of nonvehicular access such as, but not limited to:

1. Space and improvements to serve public transportation systems such as buses;
2. Special direct pedestrian access routes to an adjacent residential neighborhood; or
3. Another means of enhancing nonvehicular access to the project which, in the determination of the Planning Commission, will warrant the proposed reduction in spaces.

D. In reaching a decision, the Planning Commission shall consider survey or other data submitted by an applicant or collected at the applicant's request and expense. (Ord. 97-17, 10-28-1997)

#### **5.17.060 Off-street parking dimensional requirements.**

A. Residential Uses. An off-street parking space located in a garage or carport for a residential unit shall be not less than 20 feet in length and 10 feet in width as measured from the interior walls of the structure.

1. Uncovered parking spaces shall be 19 feet in length and nine feet in width and comply with the City "Standard Specifications and Details."

B. Nonresidential Uses. The minimum dimensions for on- and off-street parking spaces, drive aisles and driveways shall be as prescribed in the City "Standard Specifications and Details," sheets S-7 and S-9.

C. Handicapped and Compact Spaces. Handicapped and compact parking spaces shall be those of the City "Standard Specifications and Details."

D. Loading and Unloading Spaces. Each off-street loading space shall be at least 40 feet in length, 12 feet in width exclusive of aisle or maneuvering space, and shall have an overhead clearance of at least 14 feet. (Ord. 97-17, 10-28-1997)

#### **5.17.070 Off-street parking layout.**

A. Manner of Entry and Exit. Except for single-family and two-family dwellings, no parking area or facility shall be developed and maintained which requires that vehicles back over the sidewalk or sidewalk area into the adjacent street. All parking areas and facilities, except as otherwise provided in this section, shall be designed so that vehicles enter and exit the street right-of-way in a head-on manner, and that all traffic circulation occurs within the boundaries of the parking site.

B. Lot Access. Access to an off-street parking lot shall not be permitted to occur through the use of a continuous curb cut.

C. Property Lines. No entrance, exit or driveway to an off-street parking area(s) shall be situated closer than three feet from a side yard property line.

D. Intersections. Entrances from and exits to streets and alleys shall be located at a reasonable distance from street intersections and from other drive approaches as set forth by City Engineering Standards and, wherever possible, combined entry/exit points shall be provided.

E. Number of Access Drives. The number of access drives shall be limited to the minimum that will safely and adequately accommodate anticipated traffic.

F. Minimum Dimensions. All off-street parking facilities shall comply with the minimum dimensions for off-street parking and maneuvering space as per the City of Newman Standard Parking Specifications.

G. Parking Aisle Access. Vehicles shall not be required to exit onto any street in order to progress from one parking aisle to another.

H. Walkways. A three-foot wide sidewalk or walkway shall connect the parking area with major entrances of the building, structure or use served by the parking area.

1. In addition, a pedestrianway accessible to and usable by the physically handicapped shall be provided from each handicapped parking space to the principal building or use, and to related facilities, such as ramps or curb cuts.

I. Pedestrian Facilities. Off-street parking for nonresidential uses which is not located on the same lot, shall be connected to the use being served by a walkway, sidewalk or other suitable pedestrian facility.

J. Parallel Parking Spaces. The use of parallel parking spaces in off-street parking shall be designed so as to allow both the driver and passengers to easily exit the vehicle.

K. Curbs/Wheel Stops. Curbs shall be provided at the front of all parking spaces located along exterior property lines.

1. All such curbs, wheel stops, or other devices shall be located a minimum of three feet from the exterior property line and shall be firmly attached to the ground.

L. Landscaping. All areas which are not required to be surfaced for parking, driveway, loading or trash enclosure purposes shall be landscaped in accordance with the regulations contained in NCC

[5.16.040.](#)

M. Buffer Strip. All off-street parking lots with six or more spaces shall include a minimum five-foot wide landscaped buffer strip along all street side property lines, except that portion occupied by driveways, between the parking spaces and/or drive aisles.

1. The landscaped buffer strip shall be planted with appropriate shrubs, periphery trees and/or ground cover and shall include an appropriate irrigation system.
2. One interior parking lot tree shall be planted for every 10 parking spaces. These planters shall be distributed throughout the area to shade spaces on as uniform a basis as practical during summer months. For parking areas with only one aisle the trees may be planted along the periphery.

N. Fencing of Parking Areas Abutting Residential Uses. Wherever any portion of a parking area abuts property zoned for residential use, an approved solid fence shall be erected to a height not less than six feet and/or prescribed by the Building Inspector. Fence design may include access points between adjacent residential areas and nonresidential use areas provided they are developed in conjunction with pedestrian access lanes on both sides of the access point.

O. Lighting. Any lighting used to illuminate an off-street parking lot shall be located and/or shielded so as to prevent the light from adversely affecting any adjoining residential uses or property located in a residential zoning district.

P. Off-Street Loading Spaces.

1. Access. All loading space shall be accessible from a street or alley or from an aisle or drive connecting with a street or alley. From major streets, all ingress and egress to or from a loading space shall be in a forward motion.
2. Use of Yards Prohibited. No portion of any front yard, or any side yard on the street side of a corner lot, shall be used for nonresidential off-street loading purposes.
3. Required Use. No area may be utilized and counted both as a required parking space and a required loading berth space.
4. Directional Signs. Circulation and/or directional signs, not exceeding two square feet in area, which identify and show the location of off-street parking may be placed on the parcel on which the parking is provided.

Q. Residential Uses.

1. Location. Off-street parking spaces for residential uses shall be located either directly attached to, or in close proximity to, each individual dwelling unit being served, but in no case shall the required space(s) be more than 50 feet from the entry door.
2. Residential Access Drives. There shall be an unobstructed, paved area extending from the garage or carport entrance directly away therefrom the full distance necessary to conform with the paved surface of a public or private street or alley.
3. Width. Such an access driveway shall be the full width of the garage or carport for the first 20 feet.
4. Tapered Width. After the 20-foot length requirement for the access driveway has been met, the width of the access driveway may taper down, at a 45 degree angle or less, to a paved driveway of not less than 10 feet in width for any single-family unit or duplex and a minimum of 16 feet for any development of three units or more. (Ord. 97-17, 10-28-1997)

#### **5.17.080 Off-street parking, paving, grading and drainage.**

A. Application. Every person desiring to establish, change or enlarge an off-street parking area, off-street loading or unloading area, or storage, sale, rental or service area for any type of equipment, goods, materials or objects shall make an application to the City Planning Department for the approval of such facilities. Such application shall be accompanied by three copies of the layout, grading and paving plans.

B. Surfacing and Maintenance. Off-street parking lots in all districts shall be surfaced and maintained in accordance with the City "Standard Specifications and Details" and any additional requirements of the City Engineer.

C. Drainage. All off-street parking lots shall be graded and drained so as to dispose of all surface water accumulated within the area of the parking lot in accordance with the City "Standard Specifications and Details" and any additional requirements of the City Engineer. In no instance shall drainage be designed so as to permit the flow of water onto abutting property.

D. Paving. All loading spaces, aisles, and access drives shall be paved so as to provide a durable, dustless surface and shall be so graded and drained so as to dispose of surface water without damage to adjacent properties, streets, or alleys.

E. Striping. All parking spaces shall be striped in accordance with the City "Standard Specifications and Details."

F. Compact Spaces. Compact spaces (stalls) shall be clearly labeled for "compact cars" in accordance with the signing standards established by the City.



G. Handicapped Parking Spaces. Parking for handicapped persons shall be designed and provided in accordance with the requirements of Chapter 71 of Title 24 of the Uniform Building Code. Each handicap parking stall shall be delineated by blue painted curb and lines, and shall be clearly labeled in blue paint with standard handicap symbol or clearly labeled for "handicapped only." (Ord. 97-17, 10-28-1997)

#### **5.17.090 Downtown Parking District.**

The Downtown Parking District is an area established by the City. Uses within this District shall provide off-street parking in the following amounts:

A. Commercial Uses. For new construction, one parking space for each 400 square feet of floor area. For reconstruction, one parking space for each 800 square feet of floor area.

B. Theaters, Restaurants, and Bars. Such uses shall provide not less than one parking space for each 10 seats.

C. Business and Professional Offices and Personal Services. Such uses shall provide at least one parking space for each 400 square feet for new construction, and for reconstruction at least one parking space for each 800 square feet.

D. Uses Not Listed in This Section. For uses within the Downtown Parking District but not listed in this section, off-street parking requirements shall be determined by the Planning Director or the Planning Commission as deemed necessary to provide for the transportation and parking needs in the Central Business District and to promote the general welfare.

E. More Restrictive Provisions to Apply. If more than one standard is applicable in any individual case, the more restrictive regulation governing the Central Business District shall apply.

F. Existing Buildings. If the off-street parking maintained on a lot in connection with a building or structure located in the designated Central Business District ("Downtown Parking District") at the time the ordinance amending these provisions was adopted is insufficient to meet the requirements of this chapter, or where no parking space has been provided, the provisions of this chapter shall not be construed to require the provision of additional parking facilities.

However, such building or structure shall not be altered or enlarged to create additional floor area, seating or capacity or guestrooms, as the case may be, unless additional parking space is supplied and maintained to meet the requirements of this title for such additional floor area, seating capacity or guestrooms.

G. Exceptions. In any case where it is not physically possible to provide required parking on the property being developed, and when approved by the Planning Commission and the City Council, the parking requirements may be satisfied by either or a combination of both of the following:

1. Provide the required parking on nearby property. Any plan submitted shall include a description of the alternative parking and a determination of the length of time such parking will be available for use;
2. Submit a cash payment in lieu of the required parking space. Such fee shall be equal to the cost of purchasing and developing the number of parking spaces required but not provided by the applicant. The City Council shall set this fee by resolution. The City Council shall consider the cost of the newest public parking lot and any increases in such cost since construction in determining this fee. (Ord. 97-17, 10-28-1997)

#### **5.17.100 Central Business District – Existing buildings – Enlargement.**

A. If the off-street parking maintained on a lot in connection with a building or structure located in the designated Central Business District (“Downtown Parking District”) at the time the ordinance amending these provisions was adopted is insufficient to meet the requirements of this chapter, or where no parking space has been provided, the provisions of this chapter shall not be construed to require the provision of additional parking facilities.

B. However, such building or structure shall not be altered or enlarged to create additional floor area, seating or capacity, or guestrooms, as the case may be, unless additional parking space is supplied and maintained to meet the requirements of this title for such additional floor area, seating or capacity, or guestrooms. (Ord. 97-17, 10-28-1997)

#### **5.17.110 Off-street facilities in-lieu fee.**

In any case where it is not physically possible to provide required parking on the property being developed, and when approved by the Planning Commission and the City Council, the parking requirements may be satisfied by either or a combination of both of the following:

- A. Provide the required parking on nearby property. Any plan submitted shall include a description of the alternative parking and a determination of the length of time such parking will be available for use;
- B. Submit a cash payment in lieu of the required parking space. Such fee shall be equal to the cost of purchasing and developing the number of parking spaces required but not provided by the applicant. The City Council shall set this fee by resolution. The City Council shall consider the cost of the newest public parking lot and any increases in such cost since construction in determining this fee. (Ord. 97-17, 10-28-1997)

#### **5.17.120 Transit facilities.**

Any parking facility which, by virtue of the standards contained in this section, will accommodate more than 50 spaces, shall be required to include provisions for public transit access which would include sheltered passenger loading and unloading facilities. Public transit access facilities shall be

designed and located in such a manner as to provide the most feasible direct or immediate access into the building or use for which the parking facility is being provided. (Ord. 97-17, 10-28-1997)

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The Newman City Code is current through Ordinance 2022-4, passed December 13, 2022

Disclaimer: The city clerk's office has the official version of the Newman City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

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