

PART C

SECTION III PARKING AND LOADING REQUIREMENTS

Article 1 Required Parking

1. In all districts except as hereinafter specified required parking shall be provided and maintained in accordance with the provisions of this Article. Required parking shall be provided, except as otherwise specified with every structure or building heretofore or hereafter erected, including all such buildings or structures which are hereafter extended, enlarged or converted, and with every use or occupancy which is changed or increased in intensity regardless of structural change. Such required space shall not subsequently be reduced below the requirements of this Article, except as provided in Paragraph u (1) (Change in Intensity of Use). Provided, however, provisions of this Article shall not apply in the following area or territory: bounded on the north by the I-690 Highway; on the east by Townsend Street; on the south by Adams Street, on the west by the northeasterly line of the Delaware, Lackawanna and Western Railroad and West Street.

a. Residential Uses

- (1) One, Two and Multiple Dwellings - At least one (1) parking space shall be provided for each dwelling unit.
- (2) Rooming and Boarding Houses - At least one (1) parking space shall be provided for each roomer or boarder.
- (3) Fraternalities, Sororities and Dormitories - At least one (1) parking space shall be provided for each five (5) beds.
- (4) Bed and Breakfast Establishments - At least one (1) space for the owner-occupant plus in addition, one (1) space for each bedroom used as bed and breakfast lodging.

b. Hotels and Motels

At least one (1) parking space shall be provided for each guest bedroom.

c. Tourist Homes, Motels and Cabins Where Duly Authorized

At least one (1) parking space shall be provided for each guest bedroom.

d. Private Clubs or Lodges

At least one (1) parking space shall be provided for each ten (10) members.

e. Hospitals, Sanitariums, Care Homes, Orphanages, Convents, Asylums

- (1) Hospitals - At least one (1) parking space shall be provided for each four (4) beds.
- (2) Sanitariums - At least one (1) parking space shall be provided for each six (6) beds.

- (3) Orphanages, Convents, Asylums - At least one (1) parking space shall be provided for each ten (10) beds.
- (4) Care Homes - At least one (1) parking space shall be provided for each three (3) dwelling units. (A dwelling unit for purposes here shall be either an apartment or an independent room used for sleeping purposes.) A waiver of this requirement may be obtained, however, upon review and approval of a special permit pursuant to Part C, Section IV of this Ordinance.

f. Medical or Dental Clinic or Offices

At least three (3) parking spaces shall be provided for each doctor, dentist, or analogous professional practitioner whose office is located therein.

g. Places of Public Assembly

- (1) Auditoriums, Theaters, and Stadia - All buildings, structures, or any part thereof principally designed for use or used as a general auditorium, hall, or school, college or university auditorium, theater, and stadia, which are provided with seating facilities for an audience of people, excepting dance or exhibition halls and assembly hall without fixed seats, shall provide at least one (1) parking space for each ten (10) seats.
- (2) Churches - At least one (1) parking space shall be provided for each five (5) seats in the main worship unit.
- (3) Dance Halls, Exhibition Halls, and Assembly Halls Without Fixed Seats - At least one (1) parking space shall be provided for each one hundred (100) square feet of floor area arranged, intended or designed for dancing, exhibition or assembly purposes.
- (4) Senior High Schools, Trade Schools, Business and Professional Schools, Colleges and Universities - At least one (1) parking space shall be provided for each ten (10) classroom seats in addition to the provision for one (1) parking space for each two (2) staff members.
- (5) Elementary and Junior High Schools - At least one (1) parking space shall be provided for each two (2) staff members and at least one (1) parking space shall be provided for each ten (10) auditorium seats.
- (6) Community Centers, Libraries and Museums - At least one (1) parking space shall be provided for each two (2) staff members and at least one (1) parking space shall be provided for each ten (10) auditorium seats.
- (7) Bowling Alleys - At least three (3) parking spaces shall be provided for each bowling alley.

h. Professional, Religious, Business and Similar Type Office Buildings Having More Than One Thousand (1000) Square Feet of Floor Area

At least one (1) parking space shall be provided for each five hundred (500) square feet of net floor area used for office purposes. (Total floor area less area used for halls, toilet facilities, maintenance closets, etc.) For uses which exceed one thousand (1000) square feet in net floor area, the first one thousand (1000) square feet of net floor area shall be included in calculating the required number of parking spaces.

i. Funeral Homes

At least one (1) parking space shall be provided for each five (5) seats available under maximum occupancy, at least one (1) parking space shall be provided for each funeral vehicle, and at least one (1) parking space for each dwelling unit.

j. Restaurants, Taverns, Night Clubs

All establishments for the sale and consumption on the premises of food or alcoholic beverages, or other refreshments, having more than one thousand (1000) square feet of floor area, shall provide at least one (1) parking space for each two hundred (200) square feet for that portion of floor area which is contained within the walls of rooms used for or intended to be used primarily for the consumption of food or beverages by patrons of such establishments. For uses which exceed one thousand (1000) square feet of floor area, the first one thousand (1000) square feet of floor area shall be included in calculating the required number of parking spaces. Where live or electronically-amplified entertainment is provided, the amount of required parking shall be based on each one hundred (100) instead of two hundred (200) square feet.

k. Gasoline Service Stations

At least one (1) parking space shall be provided for each two (2) employees.

l. Retail Stores (except those for which special regulations are otherwise provided), Personal Service Shops, and Clothing and Shoe Repair Shops, Hardware Stores, Having More Than One Thousand (1000) Square Feet of Floor Area

At least one (1) parking space shall be provided for each three hundred (300) square feet of floor area. For uses which exceed one thousand (1000) square feet of floor area, the first one thousand (1000) square feet of floor area shall be included in calculating the required number of parking spaces.

Shopping Centers - Five and one-half (5.5) parking spaces shall be provided for each one thousand (1000) square feet of floor area.

m. Banks

At least one (1) parking space shall be provided for each five hundred (500) square feet (over 2000 square feet area) or equivalent. For banks which exceed two thousand (2000) square feet in area, the first two thousand (2000) square feet of area shall be included in calculating the required number of parking spaces.

n. Furniture and Appliance Stores, Motor Vehicle Salesrooms, Wholesale Stores, Machinery Sales, Household Equipment or Furniture Repair Shops Having More Than One Thousand (1000) Square Feet of Floor Area

At least one (1) parking space shall be provided for each six hundred (600) square feet of floor area. For uses which exceed one thousand (1000) square feet in floor area, the first one thousand (1000) square feet of floor area shall be included in calculating the required number of parking spaces.

o. Manufacturing and Industrial Uses, Research and Testing Laboratories, Creameries, Bottling Establishments, Newspapers and Engraving Shops

At least one (1) parking space shall be provided for each four (4) employees which such building or structure is designed to employ at maximum capacity at any one (1) period during the day or night.

p. Warehouse and Storage Buildings

At least one (1) parking space shall be provided for each six (6) employees during greatest shift.

q. Motor Freight and Local Cartage Terminals

At least one (1) parking space shall be provided for each four (4) employees.

r. Open Car-Lot and Trailer Sales

At least 10% of the minimum of two (2) parking spaces shall be designated for off-street customer parking space.

s. Junk, Coal, Lumber, Contractors' Yards

At least one (1) parking space shall be required for each two (2) employees.

t. Unspecified Uses

In the case of a use not herein specifically mentioned the requirement for off-street parking shall be the same as for the most nearly similar use which is so mentioned as determined by the Division of Buildings and Property Rehabilitation where the permits are issued.

u. General Provisions

(1) Changes in Intensity of Use

(a) Whenever a change is made in a building or its use which requires an increase of more than 15% in off-street parking facilities as determined by this Article, such facilities shall be provided to the extent to which the requirements of the new building or new use exceed those applicable to a conforming building similar to the original structure at the time of such change or increase.

(b) When a decrease in intensity of uses occurs and indicates a reduction of off-street parking requirements, existing parking facilities must not be reduced more than those required for the entire modified structure or its use under this Article.

(2) Existing Uses

Subject to the provisions of Paragraph u (1) (Changes in Intensity of Use) of this Article, nothing in this Article shall prevent the reconstruction, repairing, or rebuilding and continued use of any building or structure existing at the effective date of this Article, which is damaged by fire, collapse, explosion or Acts of God, subsequent to such effective date.

- (a) Requirements of this Article except as above provided shall not apply to a building in existence at the time of the enactment of this Article except in the event of a change of use, increase in the number of dwelling units, floor area, or other unit of measurement, or a change in the intensity of use or occupancy or of occupancy content, as described in Paragraph u(l) of this Article. Buildings or structures in existence on the effective date of this Article shall be subject to the requirements applicable thereto on such date except as otherwise provided herein.
- (b) An existing building which lacks required parking spaces shall be deemed to be "nonconforming" only if the space used for off-street parking is reduced in area or capacity below that existing on the effective date of this Ordinance.
- (c) For the purpose of this Sub-paragraph 2 (Existing Uses), buildings and structures which were in existence on January 1, 1955 and were thereafter damaged by fire, collapse, explosion, or Acts of God, and by reason thereof, such reconstruction, repair or rebuilding is in progress or hereafter in good faith is carried out shall be deemed in existence on the effective date hereof.

(3) Plot Plan Showing Location and Layout of Parking Area

No application for building permit for a new, enlarged, or altered structure or improvement or use shall be approved unless there is included with the plan for such structure or improvement or use a plot plan, drawn to scale, showing the location and layout of the required off-street parking facilities in accordance with this Article; nor shall a permit be issued for the improvement of a parking area to serve as an accessory use to an existing building until a plot plan, drawn to scale, has been submitted in accordance with the provisions contained herein.

(4) Location of Parking Facilities

Required off-street parking or garaging facilities shall be provided and maintained as follows:

- (a) Off-street parking facilities required as auxiliary to main uses shall be located within the same zoning district specified for the main use or in less restricted districts, except as otherwise provided.
- (b) In residential use districts on the same lot, except as follows:
 - 1) Where a residential structure is located in a residential use district, other than A-1, A or AA, and adjacent to a nonresidential use district, off-street parking or garaging facilities required under this Article may be provided and maintained off the premises within two hundred (200) feet therefrom in such nonresidential use district.

- 2) Where a permitted principal use, other than a nonconforming use, conditional use, or use permitted under a Variance or Exception by the Board of Zoning Appeals, occupies 50% or more of the frontage on one (1) side of a block between two (2) intersecting streets, the required off-street parking spaces may be situated directly opposite the frontage occupied by said principal use as projected to the opposite side of the street, upon the obtaining of a Special Permit as set forth in Part C, Section IV, except for Article 2, No. 2, Paragraph b, Sub-paragraphs (1) and (2) of said Article.

Apartments and hotel storage garages shall be regarded as residential garages insofar as their location in relation to the side and rear lot lines. In case they are more than one (1) story above the ground, they shall be subject to the same yard requirements as if they were part of the main structures. Underground parking garages may be erected in any part of the lot occupied by the apartment or hotel structure.

- (c) In nonresidential use districts, churches, clubs, hotels, restaurants, taverns, night clubs, retail stores, personal service shops, clothing and shoe repair shops, banks, business and professional office buildings, furniture and appliance stores, motor vehicle sales, wholesale stores, machinery sales, household equipment or furniture repair shops, hardware stores, or any similar uses, the required spaces may be located on the lot or within five hundred (500) feet of the building they are intended to serve.
- (d) For nonresidential uses other than those specified above, at least 20% of the off-street parking spaces required shall be provided and maintained within five hundred (500) feet of the building they are intended to serve.
- (e) The distance specified in this section shall be the distance (as measured along established walks or street crossings) between the nearest point of the off-street parking facilities and the nearest entrance of the building to be served.
- (f) No commercial or municipal off-street parking or garaging facility shall have an entrance or exit on South Salina Street between Erie Boulevard and Onondaga Street.

This provision may be waived by the City Planning Commission provided the City Planning Commission determines that the proposed application is not detrimental to the orderly flow of pedestrian and vehicular traffic on-site and off-site, is not detrimental to adjoining land uses, and will not create hazardous or obnoxious conditions.

(5) Control of Parking Area

Where required off-street parking facilities are provided off the site of the principal use, the parking facilities shall be and remain in the same legal possession as the property occupied by the use to which the parking facilities are auxiliary. Documentary evidence of the right to such legal possession shall be furnished to the Division of Buildings and Property Rehabilitation. The foregoing provisions shall not apply so long as off-street parking facilities available for public parking are provided otherwise within the required distance and the City Traffic Engineer certifies that the required number of spaces is readily available to serve such use.

(6) Existing Parking Facilities

Existing off-street parking and garaging facilities provided at the effective date of this Ordinance and actually being used at that date for the parking and garaging of automobiles in connection with the operation of existing buildings or uses if in excess of requirements then applicable or hereof provided shall not be reduced to an amount less than is required under these regulations for a similar new building or new use. If such parking or garaging facilities are below such requirements as specified above on such date, the same shall not be further reduced.

(7) Mixed Uses

In the case of mixed uses, the total requirements for off-street parking or garaging facilities shall be the sum of the requirements set forth elsewhere in this Article, and off-street parking facilities for any other use, except that in cases where the operating hours of the building or uses do not overlap, dual use of parking facilities may or shall be permitted.

(8) Cooperative Establishment and Operation of Off-Street Parking Facilities

Requirements for the provision of off-street parking facilities with respect to two (2) or more building or property uses of the same or different types, may be satisfied by the permanent allocation of the requisite number of spaces for each use in a common parking facility, cooperatively established and operated, provided that the total number of spaces designated is not less than the sum of the individual requirements at any time; provided that the requirements of this Article with respect to location are complied with.