

Zoning Administrator Determination: Parking Lot Surfacing Requirements.

Background:

Since the adoption of the new Zoning Ordinance on March 1, 2018, questions have been raised about how to interpret requirements for parking lot and vehicle storage area surfacing. There are multiple competing requirements, particularly for auto-related businesses, some which appear to require a hard, paved surface while others appear to permit gravel or other less improved surfaces. Thus, a clarification is needed.

Issue:

Several sections of the Zoning Ordinance address surfacing for parking and vehicle storage areas.

Section 5.1.6 provides general standards for parking and loading areas. Subsection F speaks to surfacing. Subsection F(1) requires all parking and off-street loading areas to “be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent hard, dustless, and bonded surface material, as appropriate for the location.” It goes on to require surfaces to be “maintained in a smooth, well-graded, clean, orderly, and dust-free condition, and be certified by a design professional as capable of accommodating anticipated traffic loading stresses and maintenance impacts or as approved by the Director of Public Works.” Subsection F(2) allows for the use of “pervious or semi-pervious parking lot surfacing materials—including, but not limited to—pervious asphalt and concrete, open joint pavers, and reinforced grass/gravel/shell grids” for certain uses where “certified by a design professional as capable of accommodating anticipated traffic loading stresses and maintenance impacts or as approved by the Director of Public Works.”

Section 5.1.7 provides design standards for all parking areas. Subsection B(1)(a) stipulates that parking areas, driveways, and accesses for single-family detached dwellings “shall be designed to maintain proper drainage, shall consist of an improved hard surface, and shall not include gravel, dirt, or sand.”

Section 5.1.8 speaks to off-street loading areas. Subsection A(5) stipulates that “all open loading areas or berths shall be surfaced with a dustless, all-weather material capable of bearing a live load of 200 pounds per square foot in accordance with standards established by the Director of Public Works.”

Section 4.2.3 provides performance standards for all principal uses. A handful of uses require parking to be located on an “improved surface”. Subsection F(7) provides standards for all vehicle sales and service uses, addressing “the range of uses that involve the sale, repair, rental, or storage of automobiles, boats, and other similar vehicles.” Subsection F(7)(d) stipulates that “all vehicles parked on site, including those parked for display purposes, shall be parked on a hard-paved surface.” Subsection F(7)(i) requires the installation of an “oil/water separator or other device approved by the city’s Department of Public Works sufficient to capture leaks or spills related to the operation of the facility”.

Section 8.3.2 provides definitions for many of the terms found in the ordinance. However, Section 8.3.2 does not define “improved surface”, “hard surface”, “hard-paved surface” or any similar combination of terms. Therefore, an interpretation is necessary in order to clearly understand what is meant by these terms.

Zoning Determination:

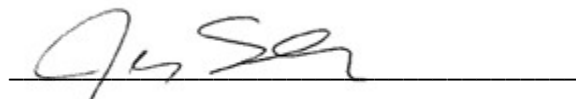
Wherever the ordinance requires an improved surface, hard surface, hard-paved surface, or any similar combination of terms, for the parking, loading, or storing of motor vehicles, the requirements of Section 5.1.6.F shall apply and shall be read as allowing:

- 1. Asphalt, concrete, brick or stone pavers, and other hard surface treatments (per Section 5.1.6.F(1)).**
- 2. Pervious paving systems, including grass pavers (per Section 5.1.6.F(2)).**

Given challenge of providing and maintaining proper landscaping, screening, oil/water separation, and stormwater management on gravel, crushed stone, and similar surfaces, such treatments are not approved for the parking, loading, or storage of motor vehicles. Gravel surfaces that can be certified by a design professional as being clean, orderly, and dust-free, and as capable of accommodating anticipated traffic loading stresses, can be approved for storage of supplies or equipment in an industrial setting, but not for motor vehicles (including RVs or other similar vehicles).

Commentary:

This determination is intended to clarify the surfacing requirements for vehicle parking, loading, and storage. However, code revisions are required to formalize this determination. These would include merging the surfacing requirements from Sections 5.1.6 and 5.1.7 into a single section, preferably by relocating Section 5.1.6.F (and 5.1.6.G) into Section 5.1.7, creating a single location for motor vehicle parking design standards. Subsequently, Section 5.1.7.C should be removed from Section 5.1.7 and recreated as its own subsection of the parking chapter, leaving 5.1.7 to address only the design and surfacing of motor vehicle parking, loading and storage areas. Section 5.1.8.A(5) and all other references to vehicle parking, loading, and storage area surfacing shall point to the reconfigured Section 5.1.7. A definition should also be created in Section 8.3.2 to more clearly define improved, hard, or hard-paved surface.



Zoning Administrator