

3.6 Off-Street Parking, Loading, and Mobility.

3.6.1 Purpose.

- (A) The purpose of the parking regulations is to accommodate the parking needs of motorized and non-motorized traffic in all districts using fiscally and environmentally responsible practices. The standards relating to parking will:
- (1) Prevent and alleviate the congestion of public streets;
 - (2) Promote the efficient use of land; ~~and city services;~~
 - (3) Integrate pedestrian and non-motorized transportation by emphasizing pedestrian circulation, and establishing requirements for bicycle parking;
 - (4) Provide safe, visually obvious, and direct pedestrian routes between streets and vehicular and bicycle parking, between parking and building entrances, between adjacent buildings, and between buildings and the trail networks of adjacent areas including paths outlined in the city's Parks, Open Space and Trail System Plan.
 - (5) Locate and design parking lots that will soften the visual impact of parking, contribute to a well-defined streetscape, and enhance the built and natural environment.
 - (6) Protect our natural environment by encouraging the use of permeable surfaces, [Low-Impact Development \(LID\) principles](#), ~~stormwater infiltration~~ [stormwater infiltration](#), and best practices for the reduction of air, light, and noise pollution.
 - (7) [Provide adequate areas for off-street parking and storage of motor vehicles, while at the same time preventing over-supply of parking.](#)
- (B) The parking regulations will implement the following objectives (as paraphrased) from the 2008 Comprehensive Plan.
- (1) Support economic vitality and existing businesses by encouraging shared parking ordinances and pedestrian paths as articulated in the land use objective LU2 and economic development objective ED1.4 in the comprehensive plan;
 - (2) Encourage a compact development pattern and support infill, redevelopment and land intensification as articulated in land use objective LU3 in the comprehensive plan;
 - (3) Improve transportation choices and efficiency through sidewalk and parking lot placement and "park once" site designs as articulated in land use objective LU9 in the comprehensive plan;
 - (4) Be a good steward of the natural environment; protect and enhance water quality. Increase the density of the community's urban forest; reduce Northfield's contribution to climate change by including promotion of shading of parking lots as articulated in land use objective LU6, environmental resource objectives ER3, ER9 and ER10 in the comprehensive plan;
 - (5) Maintain or improve air quality and minimize negative noise impacts as articulated in the environmental resource objectives ER7 and ER8 in the comprehensive plan;
 - (6) Improve the gateways into the community by including attractive landscaping and parking to the rear of the structure as articulated in the community identity objective CI5 in the comprehensive plan.

3.6.2 Applicability.

- (A) **New Uses.** The parking and loading requirements of this section shall apply to a site plan review as established in Section 8.5.6, Site Plan Review, or zoning certificate application as established in Section 8.5.1, Zoning Certificate, for the construction of a new building or use in any district.

(B) Expanded Uses.

(1) Whenever a building or use created ~~prior to before~~ the effective date of this LDC is changed or enlarged in floor area, number of units, seating capacity, or otherwise that will create a need for an increase in the number of parking spaces, ~~the~~ any additional parking spaces shall be provided ~~on subject to the provisions of these regulations. the basis of the new demand created by the~~ enlargement or change.

(2) If the proposed expansion or enlargement will increase the floor area, number of dwelling units, seating capacity, or other area to an extent larger than 50 percent of the building or use prior to the effective date of this LDC, then the entire site shall come into compliance with the ~~the~~ requirements of this section,

(3) Any expansion or enlargement smaller than that established in paragraph (2) above shall comply with the requirements of this section for any new parking or loading areas required for the expansion. In cases where these small expansions or enlargements occur over a period of time after the effective date of this LDC, the site shall come into full compliance with the requirements of this section once the total expansion or enlargement of the floor area, number of dwelling units, seating capacity of other area exceed 20 percent of the original size at the time this LDC became effective.

(C) Existing Uses. The parking and loading requirements of this section shall not apply to the buildings and uses legally in existence on the effect date of this LDC unless modified in the manner stated in subsections (A) or (B) above. Furthermore, any parking or loading facilities now serving such existing buildings or uses shall not be reduced below the requirements established in this section in the future.

(B) Expanded Uses.

(1) Whenever a building or use created prior to the effective date of this LDC is changed or enlarged in floor area, number of units, seating capacity, or otherwise that will create a need for an increase in the number of parking spaces, the additional parking spaces shall be provided on the basis of the new demand created by the enlargement or change.

(2) If the proposed expansion or enlargement will increase the floor area, number of dwelling units, seating capacity, or other area to an extent larger than 50 percent of the building or use prior to the effective date of this LDC, then the entire site shall come into compliance with the requirements of this section.

(3) Any expansion or enlargement smaller than that established in paragraph (2) above shall comply with the requirements of this section for any new parking or loading areas required for the expansion. In cases where these small expansions or enlargements occur over a period of time after the effective date of this LDC, the site shall come into full compliance with the requirements of this section once the total expansion or enlargement of the floor area, number of dwelling units, seating capacity of other area exceed 20 percent of the original size at the time this LDC became effective.

(C) Change of Use. No change of use shall be authorized unless the new use meets the minimum number of parking spaces required by this section.

(D) Existing Uses. The parking and loading requirements of this section shall not apply to buildings and uses legally in existence on the effective date of this LDC unless modified in the manner stated in

~~subsections (A) or (B) above. Furthermore, any parking or loading facilities now serving such existing buildings or uses shall not be reduced below the requirements established in this section in the future.~~

(DE). — **Maintenance.** The duty to provide and maintain all such parking and loading areas shall be the joint responsibility of the owner, operator, and lessee of the use for which the vehicular areas are required. Each land use and structure, including a change or expansion of a land use or structure, shall provide suitable off-street parking and loading facilities in compliance with this section.

3.6.3 General Provisions.

- (A) **Parking Plan Required.** Plans for all parking facilities, including parking garages, shall be submitted to the city planner for review whether through zoning certificate review as established in Section 8.5.1, Zoning Certificate, or site plan review as established in Section 8.5.6, Site Plan Review.
- (B) **Parking and Loading Spaces to be Permanent.** Each parking and loading space shall be permanently available, marked, and maintained for parking or loading purposes for the use it is intended to serve; provided, that the approval of a temporary use permit as outlined in Section 2.11, Temporary Uses and Structures of this LDC may allow the temporary use of a parking or loading space for other purposes.
- (C) **Parking and Loading to be Unrestricted.** A lessee, owner, tenant, or other person having control of the operation of premises for which parking or loading spaces are required by this section shall not prevent, prohibit, or restrict authorized persons from using the spaces without the prior approval of the city planner.
- (D) **Outdoor Parking and Storage of Vehicles.**
 - (1) Parking and storage of any motorized vehicle may occur within a garage, ~~carport~~, or other ~~building-structure~~ approved for parking in accordance with the applicable sections of this LDC.
 - (2) **Parking and Storage of Vehicles in Residential Districts.**
 - (a) **Parking and Storage in the Front or Side Yard.**
 - (i) Operable and licensed automobiles, motorcycles, or trucks of one-ton capacity or less, in regular use, may be parked on a driveway in the front yard.
 - (ii) Operable recreational vehicles may be parked for a period of 72 hours on a driveway for the purpose of loading and unloading the vehicle.
 - (iii) No other motorized vehicle parking shall be located within an unpaved surface in the front or side yard.
 - (b) **Parking and Storage in the Rear Yard.** Parking and storage of motorized vehicles in the rear yard shall be prohibited. Operational and licensed vehicles stored on a paved driveway, or paved surface immediately adjacent to a garage shall be exempt from this provision.
 - (c) **Truck Parking in Residential Areas.** No motor vehicle over one-ton capacity bearing a commercial license and no commercially licensed trailer shall be parked or stored in a residential district or on a public street except when loading, unloading, or rendering a service. Recreational vehicles and pickups are not restricted by the terms of this subsection.
- (E) **Vehicles for Sale.** No vehicle, trailer, or other personal property shall be parked on an unpaved surface for the purpose of displaying the vehicle, trailer, or other personal property for hire, rental, or sale, unless the applicable zoning allows the use, and the person or business at that location is licensed to sell vehicles, trailers, or other personal property.
- (F) **General Access and Circulation Requirements.**
 - (1) The traffic generated by any use, whether vehicular or pedestrian shall be channeled and controlled in a manner that will avoid:

- (a) Congestion on the public streets;
 - (b) Traffic hazards including obstacles to safe pedestrian and bicycle access; and
 - (c) Excessive traffic through residential areas, particularly truck traffic. Internal traffic shall be so regulated as to ensure its safe and orderly flow.
- (2) Traffic into and out of business areas shall, to the maximum extent possible, be forward moving with no backing into streets.

3.6.4 Rules for Computation. The following rules shall apply when computing parking, loading, or stacking spaces:

~~(A) On-Street Parking. On-street parking space in non-residential zoning districts may be counted toward off-street parking space requirements as may be provided for in this LDC.~~

~~(B) Driveway Space Meeting Parking Requirements. Entrances, exits, or driveways shall not be computed as any part of a required parking lot or area, except in the case of single-family, two-family, and three-family dwellings where driveways may be used in calculating the amount of off-street parking.~~

~~(AC) Multiple Uses.~~ Unless otherwise noted or approved, off-street parking areas serving more than one use shall **not** provide parking in ~~an amount equal to excess of~~ the combined total of the ~~maximums requirements~~ for each use.

~~(DB)~~ **Area Measurements.** All square footage-based parking standards shall be computed on the basis of gross floor area of all floors in a nonresidential building. Up to 15 percent of the gross floor area ~~may~~ **will** be excluded from the above calculation if the area is used for storage, loading, unloading, or for mechanical equipment.

~~(EC)~~ **Gasoline Stations.** Spaces at the pump at a gas station ~~may will~~ count toward the ~~minimum-maximum~~ parking space ~~limits requirements, but stacking spaces will not be counted toward the maximum space limits.~~

~~(FD)~~ **Occupancy- or Capacity-Based Standards.**

- ~~(1) For the purpose of computing parking requirements based on employees, students, residents, or occupants, calculations shall be based on the typical, or average, number of persons working on a single shift, the typical, or average, enrollment, or the maximum fire-rated capacity, whichever is applicable.~~

~~(21)~~ In hospitals, bassinets shall not be counted as beds.

~~(3) In the case of benches, pews and similar seating accommodations, each 24 inches thereof shall be counted as one seat for the purpose of determining the parking requirements.~~

~~(GE)~~ **Unlisted Uses.**

- (1) Upon receiving an application for a use not specifically listed in the parking schedule below, the city planner shall apply the parking standard specified for the listed use that is deemed most similar to the proposed use in regards to use, size and intensity of use.
- (2) If the city planner determines that there is no listed use similar to the proposed use, intensity, or size, they may refer to the estimates of parking demand based on recommendations of the American Planning Association (APA), the Urban Land Institute (ULI) and/or the Institute of Traffic Engineers (ITE).
- (3) The city planner's decision regarding parking requirements for a specific use is appealable to the zoning board of appeals as established in Section 8.5.17, Appeals.

~~(HF)~~ **Tandem Parking.** The use of tandem parking (when one space is located directly behind another) is allowed; ~~however, the parking spaces that will be blocked, or potentially blocked by other vehicles shall~~

~~not will count toward the requirements standards in of this section. Single family and two family dwelling units shall be exempt from this requirement.~~

- (G) **Parking Areas within a Structure.** ~~When located within a private garage, parking garage, or other facility designed for the parking of cars, and not located on the ground floor, No parking areas~~ located within the interior of a structure ~~shall will be exempt from counted in meeting the off-street parking requirements maximums of this section except when located within a private garage, parking garage, or other facility designed for the parking of cars.~~

3.6.5 Off-Street Parking Space Requirements.

- (A) Tables 3.6-1 and Table 3.6-2 define the maximum number of surface parking spaces required-permitted for each use within the city and the minimum number of bicycle parking spaces required for each use in the city. There ~~shall be~~ no minimum number of vehicle spaces required. When required by the City Planner, ~~the applicant must~~ shall provide a parking analysis indicating how they will provide adequate parking for the proposed use ~~to success~~ without negatively impacting adjacent properties or creating or compounding a dangerous traffic situation.
- ~~(B) The applicant may vary from the required number of parking spaces in accordance with Section 3.6.8(A), Modification of Required Number of Spaces.~~
- ~~(C) The minimum number of parking spaces for all zoning districts is stated in Table 3.6-1. Table 3.6-2 states the required number of spaces for use categories. The standards of Table 3.6-1 and Table 3.6-2 apply unless specifically superseded by other portions of this LDC.~~
- ~~(D)~~ See Section 3.6.7, Bicycle Parking for off-street parking requirements for bicycles.
- ~~(C) In the C1-B district, the maximum permitted number of parking spaces is reduced as follows:~~
- ~~(1) Property west of Highway 3: Maximum is 50% of the standard identified in Table 3.6-1.~~
 - ~~(2) Property south of Sixth Street: Maximum is 30% of the standard identified in Table 3.6-1.~~

Table 3.6-1: Minimum Required and Maximum Allowed Parking Spaces by Zoning District	
Zoning District	Requirement
A-S, R1, R2, R3, R4, N1, and N2	Minimum is Standard A in Table 3.6-2 Maximum is Standard B in Table 3.6-2
C1	Minimum: None, except: -1) Property west of Highway 3: Minimum is 50% of Standard A {1} -2) Property south of Sixth Street: Minimum is 30% of Standard A {1} Maximum: None, except: -1) Property west of Highway 3: Maximum is 50% of Standard B {1} -2) Property south of Sixth Street: Maximum is 30% of Standard B {1}
C2	Minimum is Standard A in Table 3.6-2 Maximum is Standard B in Table 3.6-2
CD-S	Minimum is Standard A in Table 3.6-2
PI-S	Minimum is Standard A in Table 3.6-2 Maximum is Standard B in Table 3.6-2
NC-F	Minimum is Standard A in Table 3.6-2{2} Maximum is Standard B in Table 3.6-2
ED-F	Minimum is Standard A in Table 3.6-2 Maximum is Standard B in Table 3.6-2
1. Hotels, Motels, and Extended Stay Establishments shall be subject to the minimum and maximum parking standards in Standard A and Standard B in Table 3.6-2.	
2. Multi-family apartment houses and rowhouses shall no be subject to the minimum parking standards in Standard A in table 3.6-2.	

Table 3.6.2: Parking Spaces by Use (Refer to Table 3.6.1 to determine which standard applies)				
Use Categories	Specific Uses	Standard A— Minimum	Standard B— Maximum	Minimum Bicycle Parking Requirement
Residential Uses				
1-, 2- and 3- Family Dwellings		2 off-street spaces per dwelling unit including the space in the driveway.	Two operable, licensed vehicles plus 1 per licensed driver living in the dwelling unit.	None
Townhouse, 4-, 6- and 8- Family Buildings		A minimum of 2 off-street spaces per dwelling unit for residents' use counting the private driveway plus a minimum of 0.5 off-street shared space per dwelling unit for visitors' use. If the housing is located along a public street, some credit may be given by the City Council for visitors' parking available on the adjacent street.	4 off-street plus 1 shared space	10 percent of Standard A (covered according to Section 3.6.7 (G))
Apartment Building		1.5 spaces per dwelling unit plus at least 0.5 space per unit in common for visitors.	2 per unit plus 1 per unit for visitors.	10 percent of Standard A (covered according to Section 3.6.7 (G))
Housing for the elderly	Independent living, assisted living or memory care	Total spaces for residents, staff and visitors: Independent: 1 per unit Assisted or memory: 0.4 per unit At least 35 percent of the spaces must be provided in a surface lot so that they can be shared among visitors and staff.	None	5 spaces (covered according to Section 3.6.7 (G))
Group living	Includes residential care facilities and specialized care facilities	1 space per employee on the maximum shift plus 0.10 shared per dwelling unit for visitors. On street spaces may be counted for visitors with Council approval.	None	
Live / Work		1 space per living unit, plus 1 per employee	2 spaces per living unit, plus 1 per employee	3 spaces
Commercial Use				

Hotel, Motel, Extended Stay Establishments		1 space per room or suite	1.25 spaces per room or suite	10 percent of Standard A
Neighborhood-serving Commercial		1 space per 500 square feet of floor area. Adjacent on-street parking may be included in the minimum requirement	1 space per 350 square feet of floor area. Adjacent on-street parking may be included in the minimum requirement	5 spaces
Office		1 space per 500 square feet of floor area	1 space per 250 square feet of floor area	2 spaces minimum; where the number of vehicular spaces exceeds 10 spaces, then the number of bicycle parking spaces shall be 20% of Standard A. (Section 3.6.7 (G))
Restaurants (not fast food) and bars		15 spaces per 1,000 square feet or 1 space for each 4 seats, whichever is greater	20 spaces per 1,000 square feet or 1 space for each 4 seats, whichever is greater	2 spaces; if the number of vehicular spaces exceeds 10 spaces, then the number of bicycle parking spaces shall be 15% of Standard A. (covered according to Section 3.6.7 (G))
Restaurant, fast food		8 spaces per 1,000 square feet	15 spaces per 1,000 square feet	2 spaces; if the number of vehicular spaces exceeds 10 spaces, then the number of bicycle parking spaces shall be 10% of Standard A. (covered according to Section 3.6.7 (G))

Retail Sales and Service	Includes retail, personal services and repair-oriented businesses	4 spaces per 1,000 square feet	6 spaces per 1,000 square feet	2 spaces; if the number of vehicular spaces exceeds 10 spaces, then the number of bicycle parking spaces shall be 15% of Standard A. (covered according to Section 3.6.7 (G))
Industrial				
-Warehouses and Yards	Includes distribution facilities	1 space per 5,000 square feet; mixed-use structures shall also be based on other use requirements	None	None
Public, Institutional, or Recreational Uses				
-Golf Courses		5 spaces per green	8 spaces per green	5 spaces (covered according to Section 3.6.7 (G))
Hospital		Number of spaces as required per a parking study	Number of spaces as required per a parking study	10 spaces (covered according to Section 3.6.7 (G))
Recreational Facilities		2 spaces per 1,000 square feet	4 spaces per 1,000 square feet	2 spaces; if the number of vehicular spaces exceeds 10 spaces, then the number of bicycle parking spaces shall be 20% of Standard A. (covered according to Section 3.6.7 (G))
Public and Semipublic Buildings	Includes cultural facilities	3 spaces per 1,000 square feet	5 spaces per 1,000 square feet	2 spaces; if the number of vehicular spaces exceeds 10 spaces, then the number of bicycle parking spaces shall be 25% of Standard A. (covered according to

				Section 3.6.7 (G)
School (Institutions of Higher Education)	Colleges and college-related facilities	Campus-wide requirement as determined through a parking study. One parking space for each faculty, staff, student vehicle, and the number of parking spaces equal to the average visitor parking demand as documented in a parking study. On street parking adjacent to property owned by a college may be counted towards meeting the parking requirement.		-25% of Standard A. (covered according to Section 3.6.7 (G))

Table 3.6-1: Maximum Surface Parking Spaces by Use

Use Categories	Specific Uses	Standard -- Maximum
Residential Use		
1-, 2- and 3- Family Dwellings		Two operable spaces, licensed vehicles per dwelling unit
Townhouse, 4-, 6- and 8- Family Buildings		2 per dwelling unit
Apartment Building		2 per dwelling unit
Housing for the elderly	Independent living, assisted living or memory care	1.5 per unit for independent living, 0.5 per bed for assisted living or memory care
Group living	Includes residential care facilities and specialized care facilities	0.5 per bed 1 space per bed
Live / Work		2.5 spaces per living unit,
Commercial Use		
Hotel, Motel, Extended Stay Establishments		1.25 spaces per room or suite, plus 30% capacity of other uses
Neighborhood-serving Commercial		1 space per 350 square feet of floor area.
Office		1 space per 250 square feet of gross floor area
Restaurants (not fast food) and bars		13 20 spaces per 1,000 square feet or 1 space for each 4 seats, whichever is greater gross floor area
Restaurants, fast food		10 7-15 spaces per 1,000 square feet gross floor area
Retail Sales and Service	Includes retail, personal services and repair-oriented businesses	46 spaces per 1,000 square feet gross floor area
Industrial Use		

Commented [MH1]: This limit was out of step with other cities. 13 is on the higher end of a maximum.

Commented [MH2]: McDonald's at is 64 parking spaces for ~4,000 SF. Culvers is at 42 spaces for ~7,000 SF. These standards were out of step with other cities.

Commented [MH3]: This standard exceeded other cities' maximums by at least 50%.

Warehouses and Yards	Includes distribution facilities	None
Public, Institutional, or Recreational Uses		
Golf Courses		84 spaces per green, plus 30% occupancy for associated uses
Hospital		Number of spaces as required per a parking study
Recreational Facilities		34 spaces per 1,000 square feet
Public and Semipublic Buildings	Includes cultural facilities	54 spaces per 1,000 square feet
School (Institutions of Higher Education)	Colleges and college related facilities	Per parking study

Commented [KL4]: I wonder if this is a little low because you'd have a 4-some on each green and usually a few folks coming that will overlap.

Commented [MH5]: Exceeded other cities' regulations by 25%.

Commented [MH6]: Exceeded other cities' regulations

Table 3.6-2: Maximum-Minimum Bicycle Parking Spaces by Use		
Use Categories	Specific Uses	Standard Maximum Minimum
Residential Use		
A minimum of 90% of bicycle spaces provided for residential uses must meet the standards for long-term bicycle parking.		
1-, 2- and 3-Family Dwellings		Two spaces 1 space per dwelling unit unless individual enclosed garage provided
Townhouse, 4-, 6-and 8- Family Buildings		12space per dwelling unit unless individual enclosed garage provided
Apartment Building		12 space per dwelling unit
Housing for the elderly	Independent living, assisted living or memory care	1.5 per unit for independent living, 0.5 per bed for assisted living or memory care 5 spaces
Group living	Includes residential care facilities and specialized care facilities	0.5 per bed 5 spaces
Live / Work		12.5 spaces per living dwelling unit unless individual enclosed garage provided,
Commercial Use		
Hotel, Motel, Extended Stay Establishments		1.25 spaces per room or suite, plus 30% capacity of other uses Greater of 3 or 1 per 20 rooms
Neighborhood-serving Commercial		1 space per 350 square feet of floor area 5 spaces
Office		1 space per 250 square feet of floor area Greater of 2 or 1 per 2,000 square feet of gross floor area after 10 spaces, remaining spaces may be reduced by 50%
Restaurants (not fast food) and bars		20 spaces per 1,000 square feet or 1 space for each 4 seats, whichever is greater Greater of 2 or 2 per 1,000 square feet floor area after 10 spaces, remaining spaces may be reduced by 50%

Restaurants, fast food		7-spaces-per-1,000-square-foot Greater of 2 or 2 per 1000 square feet floor area after 10 spaces, remaining spaces may be reduced by 50%
Retail Sales and Service	Includes retail, personal services and repair-oriented businesses	6-spaces-per-1,000-square-foot Greater of 2 or 1 per 2,000 square feet floor area, after 10 spaces, remaining spaces may be reduced by 50%
Industrial Use		
Warehouses and Yards	Includes distribution facilities	None Greater of 2 or 1 per 20,000 square feet floor area
Public, Institutional, or Recreational Uses		
Golf Courses		8-spaces-per-green 5 spaces
Hospital		Number of spaces as required per a parking study 10 spaces
Recreational Facilities		4-spaces-per-1,000-square-foot Greater of 2 or 1 per 2,000 square feet floor area, after 10 spaces, remaining spaces may be reduced by 50%
Public and Semipublic Buildings	Includes cultural facilities	5-spaces-per-1,000-square-foot Greater of 2 or 1 per 2,000 square feet floor area, after 10 spaces, remaining spaces may be reduced by 50%
School (Institutions of Higher Education)	Colleges and college related facilities	3 per classroom

3.6.6 Disabled Parking Requirements. Parking spaces required for the disabled shall be provided in compliance with all the applicable state and federal requirements. All spaces for the disabled shall be located so that:

- (A) The spaces provide easy access from the closest parking area to the major entrance of the use for which they are provided;
- (B) The disabled individual is not compelled to wheel or walk behind parked cars other than his or her own;
- (C) A pedestrian way accessible to physically disabled persons shall be provided from each parking space to related facilities including curb cuts or ramps.

3.6.7 Bicycle Parking Requirements. The purpose of bicycle parking regulations is to encourage bicycling for personal transportation, to provide access to employment, commercial, residential, and other destinations, and to provide safe, convenient bicycle parking located as close as possible to the main entrance of a destination. Provision of bicycle parking is required throughout the city.

~~(A) Those areas of the C1 district that do not require vehicle parking are not required to provide bicycle parking. However, bicycle parking is still encouraged in those areas.~~

~~(AB)~~ The number of required bicycle parking spaces is found in Table 3.6-2. The city planner may waive or reduce the required number of bicycle parking spaces in those instances where bike parking is not physically feasible. The following standards ~~are applicable~~ apply to ~~each~~ bicycle parking spaces:

~~(1) (1) —If more than ten bicycle parking spaces are required, at least 50 percent of those spaces shall must be sheltered by overhangs, canopy, awning, recessed entry, or covered walkways of sufficient size to protect the bicycle and cyclist while locking and unlocking from the required rack. See Figure 3-24.~~



Figure 3-24: Examples of bicycle parking shelters.

- (2) Each bicycle parking space must be accessible without moving another bicycle, usually by adhering to the dimensions identified in Figure 3-23, acceptable and recommended dimensions for bicycle parking, and must not result in a bicycle obstructing a required walkway.

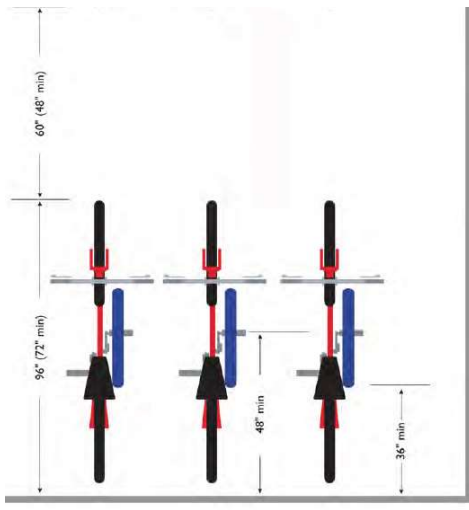


Figure 3-23: Acceptable Bicycle Parking Space Dimensions

- (3) Bicycle parking spaces shall include a securely anchored bicycle rack that permits the locking of the bicycle frame and one (1) wheel to the rack, and that supports the bicycle in a stable position without damage to wheels, frame, or components. Bicycle racks that hold only the wheel of the bicycle are not allowed (see Figure 3-24). Bicycle lockers or in-unit bicycle nooks are exempt from this requirement.

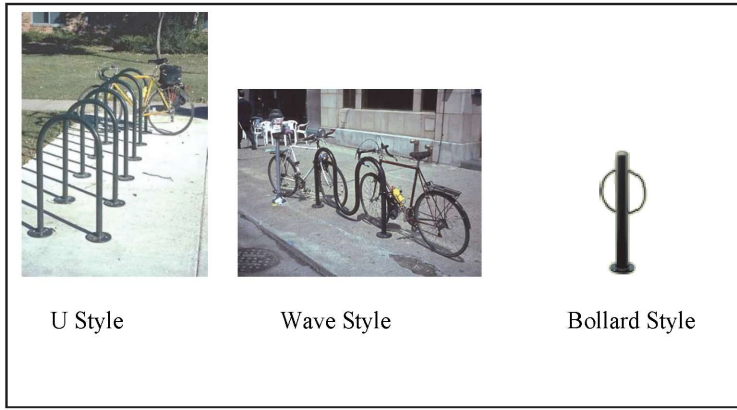


Figure 3-24: Examples of acceptable bicycle racks

(4) Bicycle parking spaces shall be accessible and maintained during all seasons (i.e. free of debris and snow).

(C) All bicycle parking must be accessible without requiring the use of stairs.

(D) Bicycle parking shall be located in an area that will not pose a safety hazard to the bicyclist and shall be separated from auto parking and traffic with space and a physical barrier.

(E) A sign shall be posted at the main building entrance indicating the location of large bicycle parking areas, or indoor parking areas.

(F) Bicycle parking areas shall be well-lit for theft protection, personal security, and accident prevention.

(F) The following standards are applicable to bicycle racks:

(1) Bicycle racks shall be securely anchored, maintained, and accessible during all seasons (i.e. free of debris and snow).

(2) Bicycle racks shall be harmonious with their environment both in color and design. Bicycle parking facilities shall be incorporated whenever possible into building design or street furniture.

(3) Bicycle racks shall be located within 50 feet of the main entrance within view of passersby, retail activity or office windows but should not block pedestrian traffic.

(4) Bicycle racks that hold only the wheel of the bicycle are not allowed. Instead, racks should provide two contact points and allow the wheel and frame to be locked together to the rack with the most common locking device, the u style (see Figure 3-23).

RACKS FOR ALL APPLICATIONS

When properly designed and installed, these rack styles typically meet all performance criteria and are appropriate for use in nearly any application.

INVERTED U also called staple, loop



Common style appropriate for many uses; two points of ground contact. Can be installed in series on rails to create a free-standing parking area in variable quantities. Available in many variations.

POST & RING



Common style appropriate for many uses; one point of ground contact. Compared to inverted-U racks, these are less prone to unintended perpendicular parking. Products exist for converting unused parking meter posts.

WHEELWELL- SECURE



Includes an element that cradles one wheel. Design and performance vary by manufacturer; typically contains bikes well, which is desirable for long-term parking and in large-scale installations (e.g. campus); accommodates fewer bicycle types and attachments than the two styles above.



U Style



Wave Style



Bollard Style

Figure 3-23: Examples of acceptable bicycle racks.

(F) For residential uses, no less than 90% of required bicycle parking spaces must meet the standards for long-term bicycle parking.

(G) For offices, manufacturing, production and processing, hospitals, hotels, and uses where the intended uses are employees, or otherwise would require long-term parking as deemed appropriate by the city

~~planner, no less than 50% of the required bicycle parking spaces must meet the standards for long-term bicycle parking.~~

~~(H) For all other uses, no less than 50% of required bicycle parking spaces must meet the standards for short-term bicycle parking.~~

~~(I) Required-s~~Short-term bicycle parking spaces shall be located in a convenient and visible area within fifty (50) feet of a principal entrance. With the permission of the city engineer, required bicycle parking may be located in the public right-of-way. Public bicycle parking spaces may contribute to compliance with required bicycle parking when located adjacent to the property in question.

~~(J) Required-long~~Long-term bicycle parking spaces shall be located in enclosed and secured or supervised areas providing protection from theft, vandalism, and weather, and must be accessible to intended users. ~~Required-!~~Long-term bicycle parking for residential uses may not be located within deck or patio areas accessory to dwelling units. Not less than fifty (50) percent of required long-term spaces shall be accessible without requiring an elevator. Residential bicycle rooms shall include access to electricity. With permission of the City Planner, long-term bicycle parking spaces for nonresidential uses may be located off-site within three hundred (300) feet of the site.

(G) Bicycle parking shelter requirements shall include:

- ~~(1) A permanent free standing structure of sufficient size to protect the bicycle from exposure to snow or rain; or~~
- ~~(2) A permanent canopy, awning or recessed entrance or overhang that is an architectural extension of a building that is of sufficient size to protect the bicycle from exposure to snow and rain.~~
- ~~(3) A permanent architectural extension from a building or a free standing structure must be attached to a building or supported by permanent vertical structural supports that are at least seven feet above the bicycle parking space.~~
- ~~(4) The bicycle parking shelter should be of sufficient size and be located so as to protect cyclist and the bicycle while locking and unlocking the bicycle from the required bike rack.~~



Figure 3-24: Examples of bicycle parking shelters.

3.6.8 Modification of Parking Requirements.

(A) **Modification of Required Number of Spaces.** For all uses except single-, two-, and three-family dwellings, the number of parking spaces ~~required-permitted~~ in Table 3.6-1 ~~and Table 3.6-2~~ may be modified according to the following provisions. Approval of requests to provide more or less parking spaces shall be made according to the applicable review procedure associated with the principal uses listed in Table 2.7-1.

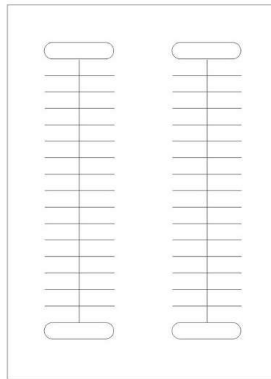
- (1) **Providing More Parking Spaces than the Required-Permitted Number of Spaces.** An applicant may request additional spaces beyond those ~~permitted~~required in Table 3.6-1 and Table 3.6-2 but shall be required to ~~demonstrate a reasonable need and provide a plan for mitigating future over-supply.~~ provide the following information:

- (a) Number of customers, patients, visitors, or other patrons of the proposed use. Information shall also be included detailing the expected parking behavior of these people (i.e., how long a customer may be at the facility).
- (b) Number of full-time and part-time employees.
- (c) Number and approximate timing of deliveries.
- (2) ~~Providing Fewer Parking Spaces than the Required Number of Spaces.~~ Ten percent of the spaces required in Table 3.6-1 and Table 3.6-2 may be reduced as of right but a reduction of the remaining percentage, may be permitted only if the applicant provides for parking in the following locations (listed in order of priority):
 - (a) ~~Off-site parking spaces, or~~
 - (b) ~~Shared parking spaces, or~~
 - (c) ~~Shadow parking spaces as provided for in this subsection, or~~
 - (d) ~~On-street parking.~~
- (B) **Modification of Bicycle Parking.** The city planner may waive or reduce the required number of bicycle parking spaces in those instances where parking is not appropriate to the nature and location of the land use. An applicant requesting a waiver or reduction shall be required to provide the following information:
 - (1) Number of customers, employees, patients, residents, visitors, or other patrons of the proposed use.
 - (2) ~~Information~~ must ~~also~~ be included detailing the expected bicycling behavior of these people (i.e., the likelihood of customers or employees biking to the facility or parking at the facility).
- (C) **Unbundled parking.** Unbundled parking is the practice of selling or leasing parking spaces separate from the purchase or lease of a residential use, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space.
 - (1) Applicability. Accessory off-street parking shall be unbundled for any development or redevelopment of a structure with twenty-five (25) or more residential dwelling units. Affordable housing dwelling units with financing that requires the cost for parking and housing be bundled together, shall be exempt from this provision.
 - (2) Requirements. All accessory off-street parking spaces for residential units in new or rehabilitated residential dwellings shall be unbundled and shall be sold or leased separately for the life of the dwelling units. **Shadow Parking.** A portion of the required parking spaces may remain landscaped and unpaved or paved with pervious (i.e., "green") pavers provided that the parking and unpaved areas complies with the following standards and is authorized in accordance with Section 3.8.8, Modification of Parking Requirements (See Figure 3-25):
 - (1) ~~The parking plan submitted with the zoning certificate or site plan review application shall denote the location and layout of that portion of the parking area that currently is deemed not required. The plan shall indicate that the "shadow" parking spaces will be constructed according to these regulations in the event that the city planner determines at any time that all or any portion of this parking is necessary.~~
 - (2) ~~At no time shall any portion of the required parking area that is so designated for future construction be used for the construction of any structure or paved surface with the exception that pervious pavers~~

may be used to provide temporary parking provided that the pavers allow for grass and other vegetation to grow through the material.

- (3) ~~At no time shall any portion of the required parking or loading that is so designated for future construction, as provided herein, be counted as open space or other non-paved areas required by other provisions of this section.~~
- (4) ~~The owner shall initiate construction of the approved "future" parking area(s), as identified on the approved parking plan, within three months of the receipt of a certified letter or a letter through normal postal service (in the event that the certified letter is not accepted) sent to the owner of record from the city planner, identifying that such parking is determined to be necessary.~~

**Parking to Full Requirements
(Typical)**



Shadow Parking

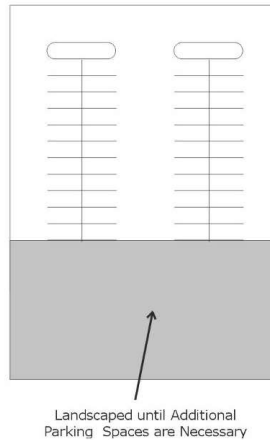


Figure 3-25: Illustration of shadow parking concept.

- (D) **Shared Parking.** A portion of the required parking spaces may be located on an adjacent property if the parking area complies with the following standards and is authorized in accordance with Section 3.6.8, Modification of Parking Requirements.
 - (1) Shared parking is encouraged and permitted if the multiple uses that the shared parking will benefit can cooperatively establish and operate the facilities.
 - (2) ~~The applicant shall have the burden of proof for reduction of the total number of parking spaces and shall document and submit information substantiating their request.~~ Shared parking may be approved if:
 - (a) A sufficient number of spaces is provided to meet the highest demand of the participating uses;
 - (b) Evidence has been submitted by the parties operating the shared parking facility, to the satisfaction of the city planner, documenting the nature of uses and the times when the individual uses will operate so as to demonstrate the lack of potential conflict between them.

- (c) The shared parking spaces will not be located in excess of 500 feet from the further most point of the space to the front door, or other viable building entrance as approved by the city planner, of the use they are intended to serve;
 - (d) A shared parking agreement is submitted and reviewed as to form by the city attorney, that provides for the rights of the respective parties to use the shared parking areas in a manner adequate to accommodate multiple users or that parking spaces will be shared at specific times of the day (i.e., one activity uses the spaces during daytime hours and another activity uses the spaces during evening hours). This agreement shall include evidence of deed restrictions or other recorded covenants that ensure that the spaces will be properly maintained during the life of the development.
 - (e) The approved shared parking agreement shall be filed with the application for a zoning certificate and shall be filed with the appropriate county and recorded in a manner as to encumber all properties involved in the shared parking agreement.
 - (f) No zoning certificate will be issued until proof of recordation of the agreement is provided to the city planner.
- (E) **Off-Site Parking.** A portion of the ~~required-permitted~~ parking spaces may be located on a separate lot from the lot on which the principal use is located if the off-site parking complies with the following standards and is authorized in accordance with Section 3.6.8, Modification of Parking Requirements.
- (1) Off-site parking shall not be used to satisfy the off-street parking standards for residential uses, hospitals, bars (if not incidental to a restaurant), or convenience stores and other convenience-oriented uses. Required parking spaces reserved for persons with disabilities shall not be located in an off-site parking facility.
 - (2) With the exception of parking located in the CD-S zone, no off-site parking space shall be located more than 500 feet from the primary entrance of the use served, measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk.
 - (3) If an off-site parking area is located in a different zoning district, the off-site parking areas shall adhere to the regulations of the same or a more intensive zoning classification than that required for the use served.
 - (4) In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement as outlined in (5), below, shall be required.
 - (5) An off-site parking agreement shall be submitted and approved as to form by the city attorney. This agreement shall include evidence of deed restrictions or other recorded covenants that ensure that the spaces will be properly maintained during the life of the development.
 - (6) The approved off-site parking agreement shall be filed with the application for a zoning certificate and shall be filed with the appropriate county and recorded in a manner as to encumber all properties involved in the off-site parking agreement.
 - (7) No zoning certificate will be issued until proof of recordation of the agreement is provided to the city planner.

3.6.9 Location of Parking.

(A) Generally.

- (1) Unless otherwise stated, parking spaces shall be located on the same lot as the principal use they serve unless the spaces meet the requirements of Section 3.6.8(D), Shared Parking or Section 3.6.8(E), Off-Site Parking.

- (2) Parking is prohibited in any required screening or landscaping buffering areas as may be required in Section 3.5, Landscape, Screening, and Buffering Standards.
- (B) Spaces accessory to multiple-family dwellings shall be on the same lot as the principal use served or within 200 feet of the main entrance to the principal building served.
- (C) **Setbacks.**
 - (1) Minimum setback requirements for parking lots, drive aisles, loading spaces and maneuvering areas are found in the site development standards for each individual zoning district.
 - (2) All setbacks near intersections of public streets shall be determined by the city engineer.

3.6.10 Parking Design Standards. Required parking areas shall be designed, constructed, and maintained in compliance with the requirements of this subsection.

- (A) **Access to Parking.** Access to parking areas (i.e. driveways) shall be provided as follows for all parking areas other than garages for individual dwelling units. Additional access requirements are found in Section 5.2.3(B)(7), Access.
 - (1) Parking areas shall provide suitable maneuvering area so that vehicles enter from and exit to a public street in a forward direction only.
 - (2) Parking lots shall be designed to prevent access at any point other than at designated access drives.
 - (3) Single dwellings and multi-family dwellings units (up to a maximum of four units) are exempt from this requirement.
 - (4) A non-residential development that provides 20 or more parking spaces shall have access driveways that are not intersected by a parking aisle, parking space, or another access driveway for a minimum distance of 20 feet from the street right-of-way, to provide a queuing or stacking area for vehicles entering and exiting the parking area (See Figure 3-26).

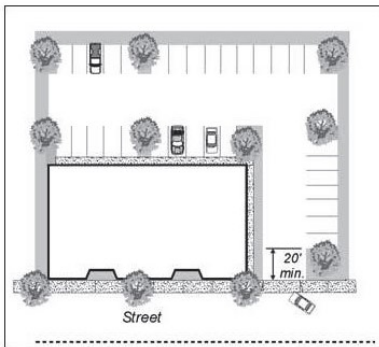


Figure 3-26: Non-impeded access driveway.

- (5) A minimum unobstructed clearance height of 14 feet shall be maintained above areas accessible to vehicles within nonresidential developments.
- (6) **Surfacing.**
 - (a) Within all zoning districts, driveways shall be paved and permanently maintained with asphalt, concrete, or approved paving units.

- (b) Within the R1, N1, and N2 districts, driveways may have a grass median separating the driveway parking area (see Figure 3-27). The paved driveway strips shall be at least 12 inches in width.



Figure 3-27 : Example of grass median separating driveway parking area.

- (c) Driveways may be constructed with the use of other all-weather surfacing as determined to be appropriate by the city engineer, where it is first determined that a surface other than asphalt or concrete is consistent with the driveways of similar properties in the vicinity, and that the alternate surface will not impair accessibility for emergency vehicles.
- (d) A driveway with a slope of ten percent or greater shall be paved with rough surface concrete in all cases.
- (B) Access to Adjacent Sites.**
- (1) **Nonresidential Developments.**
- (a) Where an applicant proposes parking for nonresidential developments, on-site vehicle access to parking areas on adjacent nonresidential properties should also be provided for convenience, safety, and efficient circulation to the extent possible.
- (b) A joint access agreement running with the land shall be recorded at the county by the owners of the abutting properties, as approved by the city planner, guaranteeing the continued availability of the shared access between the properties.
- (2) Shared pedestrian access between adjacent residential developments is strongly encouraged but not required.
- (C) Parking Space Dimensions.**
- (1) Each parking space, driveway, and other parking lot features shall comply with the minimum dimensions in Table 3.6-3 as illustrated in Figure 3-28.

Table 3.6-3: Parking Space and Aisle Dimensions						
Angle of Parking (degrees)	One-Way Maneuvering Aisle Width (Feet) "A"	Two-Way Maneuvering Aisle Width (Feet) "A"	Parking Stall Width (Feet) "B"		Parking Stall Length (Feet) "C"	
			Compact Size	Full Size	Compact Size	Full Size
0°—Parallel	12	20	8	9	18	22
30°—53°	14	20	8	9	16	20
54°—75°	18	22	8	9	16	20
76°—90°	22	24	8	9	16	18

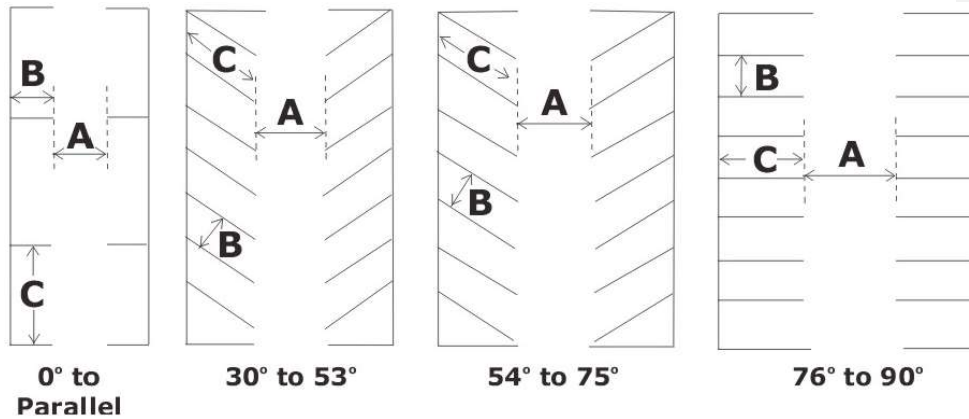


Figure 3-28: Parking space and aisle requirements based on angle of parking.

- (2) When the length of a parking space abuts a column, fence, wall, or other obstruction, the required width of the entire parking space shall be increased by at least one foot.
- (3) The required length of a parking space shall not provide for a vehicle overhanging a landscaped area or walkway. The entire length shall be composed of a surfacing material in compliance with Section 3.6.10(F), Grading, Surface, and Maintenance.

(D) Use of Compact Vehicle Spaces

- (1) This subsection provides for the establishment of compact vehicle spaces as an alternative to full sized spaces.
- (2) For parking lots with 50 or more spaces, a minimum of five percent of the total spaces shall be designed for compact vehicle spaces.
- (3) A maximum of 20 percent of spaces in any single parking lot may be dedicated to compact parking spaces.
- (4) Compact spaces shall be clearly labeled for "compact cars" and grouped together in one or more locations or at regular intervals so that only compact vehicles can easily maneuver into the space.
- (5) Existing nonresidential developments that wish to utilize this section to create additional parking spaces (e.g., either by adding land area to an existing parking lot or modifying an existing parking lot to gain more spaces) shall first apply for site plan review.
- (6) Design techniques (e.g., use of lampposts and/or extra landscaped areas at the front of compact spaces) shall be incorporated into the parking lot plan to preclude the parking of standard size vehicles in compact vehicle spaces, subject to the approval of the city planner.
- (7) The minimum off-street parking dimensions for compact vehicle spaces shall be as identified in Table 3.6-3.
- (8) When the length of a compact parking space abuts a column, fence, wall, or other obstruction, the required width of the entire parking space shall be increased by at least one foot.

(E) Striping and Identification.

- (1) Parking spaces shall be clearly outlined with four-inch wide lines painted on the parking surface.

- (2) The striping shall be continuously maintained in a clear and visible manner in compliance with the approved plans.
 - (3) The color of the striping shall be white, yellow, or other color as approved by the city planner unless required by state law (e.g., parking for the disabled).
- (F) **Grading, Surface, and Maintenance.**
- (1) All grading plans relating to the parking facilities shall be reviewed and approved by the city engineer before any work can commence.
 - (2) All parking plans are subject to the surface water management standards in Chapter 22, Article VI - Surface Water Management.
 - (3) All off-street parking facilities shall be properly graded and drained so as to dispose of all surface water accumulated within the area of the parking lot.
 - (4) In no instance shall a storm drainage facility be designed to allow the flow of water into abutting property without an approved easement.
 - (5) All parking spaces and maneuvering areas shall be designed to accommodate parking based on the land use, but shall be surfaced with not less than two inches of asphalt, or three and one-half inches of Portland cement concrete, or comparable material (e.g., pervious pavers) as determined by the city engineer, and shall be continually maintained in a clean and orderly manner and kept in good repair.
- (G) **Wheel Stops and Curbing.** The purpose of wheel stops and curbing is to minimize stormwater runoff, protect building and parking lot edges, and increase the survivability of plants. The following standards are applicable to wheel stops and curbing:
- (1) The preferred curbing used in parking lots is wheel stops which shall be placed to allow two feet of vehicle overhang within the dimension of the parking space.
 - (2) If protection of landscaped areas, trees, buildings and safety are not issues, the preference is flat curbing.
 - (3) Continuous concrete curbing at least six inches high and six inches wide shall be used for parking spaces only when wheel stops or flat curbing are not appropriate.
- (H) **Curb Cuts.** Access to an off-street parking lot shall not be allowed to occur through the use of a continuous curb cut (e.g., where most or the entire street frontage is provided as a curb cut for access purposes).
- Curb cuts shall be designed according to the city's engineering standard specifications approved by the city engineer.
- (I) **Entrance or Exit Adjacent to Side Property Line Prohibited.**
- (1) For residential uses, no entrance or exit, including driveways, to off-street parking areas shall be situated closer than three feet from a side property line, except in the case of a shared driveway, which shall be subject to the approval of the city planner.
 - (2) For all other uses, entrance and exits to off-street parking areas shall be subject to approval by the city engineer according to the traffic impacts.
- (J) **Parking Lot Landscaping.** Requirements for parking lot landscaping are found in Section 3.6.8, Parking Lot Landscaping Requirements.
- (K) **Deviation from Standards Requires a Detailed Study.** No proposed parking layout which deviates from the standards identified in this section and which could create a safety hazard(s) shall be allowed unless the developer provides a detailed report or study prepared by a registered transportation

engineer who demonstrates that the parking layout is a viable alternative and is consistent with the purpose of this section.

3.6.11 Internal Sidewalks and Pedestrian Access.

- (A) A pedestrian connection shall be constructed from the building to the public right of way.
- (B) The pedestrian connection shall have a minimum width of eight feet.



Figure 3-29: This photograph illustrates how a sidewalk connecting the public sidewalk to the business can be integrated into the required landscaping.

- (C) At each point that the on-site pedestrian walkway system crosses a parking lot or internal street or driveway, the walkway or crosswalk shall be clearly marked through the use of a change in paving materials, distinguished by their color, texture or height. (See Figure 3-29.)
- (D) Sidewalks shall be provided along any façade featuring a customer entrance, and along any façade abutting public parking areas. At all times, such sidewalks shall maintain a clear pedestrian passage equal to the width of the sidewalk. Additionally, such sidewalks shall connect all customer entrances and to other internal sidewalks.

3.6.12 Loading Space Requirements.

- (A) **Applicability.** The application of these loading requirements shall be limited to the same applicability as defined in Section 3.6.2, Applicability.
- (B) **Loading Spaces Prohibited.** Loading spaces are prohibited in all residential zoning districts and the C1 district.
- (C) **Number of Off-Street Loading Spaces Required.**
 - (1) Off-street loading spaces shall be provided in accordance with the schedule set forth in Table 3.6-4 and shall not conflict or overlap with any areas used for parking.

Gross Floor Area of Structure (square feet)	Number of Required Loading Spaces
0—10,000	0
10,001—50,000	1
50,001—100,000	2
100,001—200,000	3
200,001—400,000	4

Each additional 200,000	1
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- (2) The requirements of Table 3.6-4 may be reduced or waived by the city planner with development review committee review if the applicant demonstrates that due to the specific uses the number of loading spaces is not required.
- (D) **General Design Standards.** Every loading space shall be designed, constructed, and maintained in accordance with the standards and requirements set forth below:
- (1) **Location of Required Loading Spaces.**
- (a) Loading spaces shall be:
- (i) As near as possible to the main structure and limited to the rear two-thirds of the parcel, if feasible;
 - (ii) Situated to ensure that the loading facility is screened from adjacent streets;
 - (iii) Situated to ensure that loading and unloading takes place on-site and in no case faces a public street, or is located within a required front or street side setback, adjacent public right-of-way, or other on-site traffic circulation areas;
 - (iv) Situated to ensure that all vehicular maneuvers occur on-site. The loading areas shall allow vehicles to enter from and exit to a public street in a forward motion only;
 - (v) Situated so that trucks parking in them will not encroach onto the public right-of-way or into required parking spaces or driveways. Loading spaces designed for larger trucks shall have appropriately larger access to allow maneuvering without encroaching into landscaped areas; and
 - (vi) Situated to avoid adverse impacts upon neighboring residential properties. The times allowed for loading and deliveries may be restricted for loading spaces that are located closer than 100 feet to a residential zoning district.
- (b) Loading spaces or loading docks shall not be permitted to face a public street.
- (2) **Dimensions.** No required loading space shall be less than 12 feet in width or 25 feet in length or have a vertical clearance of less than 14 feet.
- (3) **Access.**
- (a) Loading spaces shall be designed and arranged to provide access to a street or alley in a manner that will create the least possible interference with traffic movement and parking lot circulation. The city planner shall approve access to and from loading spaces.
 - (b) No part of any truck or van that is being loaded or unloaded may extend into the right-of-way of a public thoroughfare.
 - (c) Loading spaces shall be designed with sufficient apron area to accommodate truck-turning movements and to prevent backing of trucks onto any street right-of-way.
- (4) **Screening.**
- (a) All operations, materials, and vehicles within any loading space that are visible from a public street or from any residential use shall be screened.
 - (b) The screening material shall satisfy the buffer requirements of the most restrictive adjacent zoning district as outlined in Section 3.5.9, Buffering Between Zoning District.

- (5) **Lighting.** Loading areas shall have lighting capable of providing adequate illumination for security and safety; lighting shall also comply with the requirements of Section 3.3.4, Outdoor Lighting Standards.
- (6) **Striping.**
 - (a) Loading spaces shall be striped and identified for "loading only."
 - (b) The striping and "loading only" notations shall be continuously maintained in a clear and visible manner in compliance with the approved plans.