

Sec. 94-342. Special parking district.

(a) *Intent.* The provisions and requirements as set forth in section 94-339 shall apply to all areas within the village except as modified by this section. The village recognizes that special provisions should be considered for the downtown area, including the reduction of required parking spaces due to the availability of public parking.

(1) *Area of application.* Portions of the village shall be contained within areas described as special parking districts as established by the village council with recommendation from the planning commission. The boundaries of areas classified as special parking districts are hereby established as shown on the zoning districts map. Where uncertainty exists with respect to the boundaries of the special parking districts as shown on the zoning districts map, the rules as set forth in section 94-38 shall apply.

(b) *Required off-street parking and off-street loading.* The number of off-street parking spaces and the size of loading and unloading areas required for any new use, expanded or intensified use of property located within, or partially within, a special parking district shall be determined as set forth in sections 94-339 and 94-343, except as provided for in this section.

(1) *Off-street parking.* The determination of parking needs within a special parking district shall be based upon the standards specified in this subsection. For those uses not specified, an adjustment may be made by the village council, following planning commission recommendation, when it is found that a reduction from the standards set forth in section 94-339 would not adversely affect the retail, office, and ancillary service facilities forming the commercial nucleus of these older core business areas. In this latter regard, primary consideration shall be given to uses which are generally the object of special purpose trips and, thereby, have little or no interrelation with those business activities in the core business areas. The following standards reflect the gross floor areas actively used in day-to-day operations and shall exclude only vacant space and storage areas.

- a. *Retail stores except as otherwise specified:* One space for 400 square feet of usable floor area.
- b. *Furniture and appliance stores:* One space for each 1,800 square feet of usable floor area.
- c. *Business and professional offices except for otherwise specified:* One space for each 500 square feet of usable floor area.
- d. *Real estate offices:* One space for each 150 square feet of usable floor area.
- e. *Medical and dental offices:* One space for each employee plus one space for each examining or treatment room.
- f. *Banks:* One space for each 150 square feet of floor area devoted for public use, plus one space for each 300 square feet devoted to office use. The number of required stacking spaces to service drive-up window stations shall be documented by current professional traffic engineering studies for that particular use.
- g. *Establishments offering food, beverages, or refreshments for sale and consumption on the premises:* One space for each four seats of dining and/or drinking area.
- h. *Apartments:* One space for any dwelling unit containing more than one bedroom.
- i. *Nail salon:* One and one-half parking spaces for every two service chairs.

j. *Dance schools/dance studios:* One space for every 250 square feet of gross leasable area.

(2) *Off-street loading.* The planning commission shall have the right to modify or waive the requirement for off-street loading areas as specified in section 94-343. Any such modification or waiver shall be based upon a review of a site plan and/or the surrounding area and a determination that there is satisfactory loading space serving the building or that the provision of such loading space is physically and/or functionally impractical to provide.

(c) *Payment in lieu providing off-street parking or loading.* The owner or owners of such new or expanded use may make application to the village zoning administrator for the option of paying a dollar amount established by resolution of the village council per required parking space and loading and unloading space in lieu of providing such required spaces as per the provisions and requirements set forth in sections 94-339 and 94-343. These monies would be paid into the special parking district fund established by the village council specifically for the purpose of constructing and improving off-street parking areas to serve uses located within the special parking districts. The timing of parking spaces provided and their location shall be at the sole discretion of the village council. The amount paid into the parking fund described above shall not apply against any present or future special assessments levied by the village for parking improvements.

(1) *Exception criterion.* The exception authorized by this section may only be granted by the village council. Granting of such exception shall be based upon evidence presented by the property owner or owners showing that the reasonable ability to provide any or all of the required parking spaces and/or loading and unloading areas as required in section 94-342(b) does not exist.

(2) *Payment required prior to occupancy.* A property owner or owners granted the exception of contributing to the parking fund will not receive an occupancy permit until such monies have been paid into such fund in full.

(3) *Application to change in use.* The provisions of section 94-342(c) shall also apply to any change in use of property located within a special parking district that would require parking spaces in excess of those required by the previous use.

(Ord. No. 228, § 1307, 9-28-95; Ord. No. 231-063, pt. 1, 8-20-01; Ord. No. 231-081, § 1, 1-21-03; Ord. No. 231-123, §§ 1, 2, 7-17-07)