

ORDINANCES OF THE CITY OF HELENA, MONTANA

ORDINANCE NO. 3152

AN ORDINANCE REVISING OFF-STREET PARKING SPACE REQUIREMENTS BY AMENDING CHAPTER 22 OF TITLE 11 OF THE HELENA CITY CODE

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

That Title 11 of the Helena City Code is hereby amended by repealing Chapter 22, Off-Street Loading and Parking, in its entirety and adopting this new Chapter 22, Off-Street Parking, in lieu thereof:

CHAPTER 22 OFF-STREET PARKING

SECTION:

- 11-22-1: Intent of Off-Street Parking Requirements
- 11-22-2: Definition
- 11-22-3: Minimum Off-Street Parking Spaces Required
- 11-22-4: ADA Accessible Parking
- 11-22-5: Off-street Parking Design Standards
- 11-22-6: Nonconforming Parking
- 11-22-7: Off Site and Shared Parking
- 11-22-8: Pedestrian Access and Bicycle Space Requirements
- 11-22-9: Parking Space Reductions

11-22-1: INTENT OF OFF-STREET PARKING REQUIREMENTS: The intent of these parking requirements is to ensure that a reasonable amount of off-street parking is created for development and to lessen hazardous conditions on streets. The intent of this chapter is further defined by these objectives for parking:

- A. Ensure adequate bicycle parking and increase the number of walking and biking trips used for travel between buildings and uses.
- B. Encourage infill development and pedestrian activity.
- C. Reduce the emission of greenhouse gases from the driving of internal combustion engine-powered vehicles that have an impact on climate change.

11-22-2: DEFINITION: For purposes of this chapter, the following term and its derivations shall have the meaning given herein.

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HOUSING FOR OLDER
PERSONS:

Dwelling units operated under any state or federal program that are specifically designed and operated for elderly persons or any dwelling unit that is operated for occupancy by at least one person 55 years of age or older per unit in at least 80% of the occupied units and adheres to a policy that demonstrates intent to house persons 55 or older.

11-22-3: MINIMUM NUMBER OF OFF-STREET PARKING SPACES REQUIRED:

- A. The minimum number of off-street parking spaces required for each land use, unless parking reductions are allowed, is shown below. All calculations are rounded up to the nearest whole number.

Land Use	Onsite Parking Requirement
RESIDENTIAL USES:	
Boarding/rooming house, 1-3 residents	1 space/room for rent + 2 additional spaces if part of building is used as a single dwelling unit
Boarding/rooming house, 4-20 residents	1 space/room for rent + 2 additional spaces if part of building is used as a single dwelling unit
Community residential facility, type I, 1-12 residents	1 space for each 3 sleeping area rooms
Community residential facility, type II, 13 or more residents	1 space for each 3 sleeping area rooms
Mobile home park	2 spaces per dwelling unit
Residence, single-dwelling unit	2 spaces per dwelling unit
Residence, two-dwelling units	2 spaces per dwelling unit
Residence, multiple-dwelling units (3 or more units)	1 space per dwelling unit; Housing for Older Persons: 1 space per dwelling unit.

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NONRESIDENTIAL USES:	
Agricultural Uses:	
Horticulture	None required
Community Services/Uses:	
Administrative government agency	3.0 spaces/1000 sq.ft. gfa
Animal shelter	2.79 spaces/1000 sq.ft. gfa
Community center	4 spaces/1000 sq.ft. gfa
Community cultural facility	2 spaces/1000 sq.ft. gfa
Correctional facility	3 spaces/1000 sq.ft. gfa
Prerelease center	3 spaces/1000 sq.ft. gfa
Public safety facility	3 spaces/1000 sq.ft. gfa
Worship facility	0.25 space/seat
Education:	
Higher education	0.31 space/student
Instructional facility	0.31 space/student
K-12	Elementary/Middle School: 0.12 space/student; High School: 0.31 space/student
Food And Beverage Sales:	
Casino	14 spaces/1000 sq.ft. gfa
Restaurant	14 spaces/1000 sq.ft. gfa
Restaurant, drive-in	14 spaces/1000 sq.ft. gfa (21 or more seats); 0.5 space/seat (less than 21 seats)
Specialized food production	1.19 spaces/1000 sq.ft. gfa for manufacturing/production area; 14 spaces/1000 sq.ft. gfa for area used for onsite consumption
Tavern	14 spaces/1000 sq.ft. gfa
Healthcare:	
Healthcare center	4.11 spaces/1000 sq.ft. gfa
Healthcare facility	1.8 spaces/bed
Industrial/Manufacturing:	
Contractor yard	0.5 space/1000 sq.ft. gfa; no less than 1 onsite space must be

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	provided
Industrial, heavy	1.19 spaces/1000 sq.ft. gfa
Industrial, light	1.19 spaces/1000 sq.ft. gfa
Industrial park	1.19 spaces/1000 sq.ft. gfa
Junkyard	1.19 spaces/1000 sq.ft. gfa
Motor vehicle wrecking facility	1.19 spaces/1000 sq.ft. gfa
Overnight Accommodations:	
Bed and breakfast	0.89 space/room + 1 space/dwelling unit
Campground/RV park	1 space/RV or tent space
Country inn	0.89 space/room + 1 space/dwelling unit
Emergency shelter	1 space/3 rooms
Hotel/motel	0.89 space/room
Recreation, Indoor:	
Indoor entertainment, sports and recreation	4.37 spaces/1000 sq.ft. gfa Theaters for movies and performing arts: 0.25 space/seat
Recreation, Outdoor:	
Open space	None required
Outdoor entertainment, sports and recreation	0.25 space/seat
Parks/playgrounds	None required
Rental And Repair:	
General repair	1.19 spaces/1000 sq.ft. gfa
Large equipment rental	2.92 spaces/1000 sq.ft. gfa
Small equipment rental	2.92 spaces/1000 sq.ft. gfa
Sales:	
Agriculture supply sales	2.1 spaces/1000 sq.ft. gfa
Auction sales	2.1 spaces/1000 sq.ft. gfa
Construction material sales	3.29 spaces/1000 sq.ft. gfa
General/specialty sales	3 spaces/1000 sq.ft. gfa Furniture/Carpet/Appliance Store: 1 space/1000 sq.ft. gfa Machinery Sales: 1.5 spaces/1000

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	sq.ft. gfa Grocery store: 3 spaces/1000 sq.ft. gfa
Manufactured housing sales	2.1 spaces/1000 sq.ft. gfa
Sexually oriented business	3 spaces/1000 sq.ft. gfa
Shopping center	3 spaces/1000 sq.ft. gfa
Services:	
Administrative services	3 spaces/1000 sq.ft. gfa
Artisan shop	1.19 spaces/1000 sq.ft. gfa
Commercial kennel	1.19 spaces/1000 sq.ft. gfa
Crematorium	1.19 spaces/1000 sq.ft. gfa
Daycare, adult (up to 12)	3 spaces/1000 sq.ft. gfa
Daycare center (13 or more children)	3 spaces/1000 sq.ft. gfa
Daycare, family	None required
Daycare, group	3 spaces/1000 sq.ft. gfa
Financial services	3 spaces/1000 sq.ft. gfa; stacking lanes for each drive up and ATM do not count towards the onsite parking requirement
Funeral home	0.25 space/seat
General/professional services	3 spaces/1000 sq.ft. gfa
Veterinary clinic, large or small animals	3 spaces/1000 sq.ft. gfa
Storage:	
Agricultural commodity storage facility	0.5 space/1000 sq.ft. gfa
Fuel tank farm	0.5 space/1000 sq.ft. gfa
Ministorage facility	0.5 space/1000 sq.ft. gfa
Warehouse	0.5 space/1000 sq.ft. gfa
Transportation:	
Airport	None required
Bus terminal	3.0 spaces/1000 sq.ft. gfa for office space; 0.5 space/1000 sq.ft. gfa for storage
Freight terminal	0.5 space/1000 sq.ft. gfa
Parking lot	N/A
Parking structure	N/A
Railroad yard	1.19 spaces/1000 sq.ft. gfa

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Utilities:	
Composting	1.19 spaces/1000 sq.ft. gfa
Recycling	1.19 spaces/1000 sq.ft. gfa
Utility, distributed power	1.19 spaces/1000 sq.ft. gfa
Utility, major	1.19 spaces/1000 sq.ft. gfa
Utility, minor	1.19 spaces/1000 sq.ft. gfa
Vehicle Trade And Service:	
Vehicle fuel sales	2.1 spaces/1000 sq.ft. gfa; 3 spaces/1000 sq.ft. gfa if combined with convenience store
Vehicle repair	2.1 spaces/1000 sq.ft. gfa
Vehicle sales and rental	1 space/1000 sq.ft. gfa
Vehicle services	1 space/1000 sq.ft. gfa

B. For uses not specifically provided for in this section, the director of community development may determine the minimum number of parking spaces required, using as a guide the listed use which most closely resembles the use proposed. In each such case, the city manager will be notified of the action taken.

11-22-4: ADA ACCESSIBLE PARKING:

A. Accessible parking spaces must be provided, located, designed, and signed according to the federal Americans with Disabilities Act and the regulations and ADA accessibility guidelines promulgated by the United States Department of Justice.

B. The required number of off-street parking spaces may be reduced to accommodate changes in the number of accessible parking spaces to comply with the federal Americans with Disabilities Act, Americans with Disabilities Act Amendment Act, and the regulations and ADA accessibility guidelines promulgated by the United States Department of Justice. A variance is not required if this change reduces the number of off-street parking spaces below the minimum off-street parking requirement.

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11-22-5: OFF-STREET PARKING DESIGN STANDARDS:

- A. Off-street parking spaces must be at least nine feet (9') wide and twenty feet (20') long, exclusive of access drives, rights of way, or ramps for all uses except for tracts with only a single-dwelling unit residence, two-dwelling unit residence, or three-dwelling unit residence.
- B. All off-street parking spaces and access areas must be improved with a minimum of two inches (2") of Asphalt Concrete paving on a suitable base, or comparable section of Portland cement concrete, or textured concrete with colored aggregate, pavers, or other suitable material which may include permeable alternatives, in accordance with specifications established by City of Helena Engineering Design Standards. Required off-street parking must be completed prior to the occupancy of the building.

11-22-6: NONCONFORMING PARKING:

- A. Any lot, parcel, or tract, or use of a lot, parcel, or tract, which on the effective date of this chapter or any amendment hereto is nonconforming as to compliance with the parking required under this chapter, the amount and location of parking on the lot, parcel, or tract, may be continued in the same manner as if it were conforming.
- B. Except for existing single-dwelling unit residences, the parking requirements of this chapter apply to the lot, parcel, or tract when the off-street parking is reconstructed or changed, or if the gross floor area of any building on the lot, parcel, or tract is increased by more than twenty-five percent (25%).

11-22-7: OFF-SITE AND SHARED PARKING:

- A. Required off-street parking must be located on the same lot, parcel, tract, or combination of lots, parcels, or tracts under a common ownership and used for a common purpose, except as otherwise provided in this chapter.

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- B. Required off-street parking for buildings and uses located in the B-1, B-2, B-3, CLM, M-I, and PLI zoning districts may be located within seven hundred feet (700') of the buildings and uses, as measured along a straight line between the two (2) nearest points of the building containing the main use and the off-site parking use.
- C. The director of community development may authorize the shared use of off-street parking areas by different buildings and uses, if the following conditions are met:
1. The uses do not have similar operating hours or other conflicting demands;
 2. The buildings must be located within seven hundred feet (700') of the shared off-street parking area, as measured by a straight line between the two (2) nearest points of the building containing the use and the lot, parcel, or tract containing the parking area;
 3. Adequate pedestrian access between the parking lot and the use is provided;
 4. At the time an application for a building permit is submitted, the applicant must present to the director of community development an appropriate and enforceable lease or agreement, executed by the parties concerned, for the joint use of off-street parking facilities. The term of the lease or agreement must be for the duration of the time each use is in existence at the location. Each such lease or agreement shall provide that all parties thereto shall notify the director of community development prior to its termination or dissolution for any reason;
 5. A building permit may not be issued until such lease or agreement has first been reviewed by the city attorney and found to meet the requirements of this chapter and to be binding and enforceable. A copy of each such agreement must be filed with the respective building permit; and
 6. In case of termination or dissolution of any such lease or agreement, each use previously providing off premises or off-site parking must cease until adequate off-

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street parking, meeting the requirements of this chapter, is again provided.

11-22-8: PEDESTRIAN ACCESS AND BICYCLE SPACE REQUIREMENTS:

- A. Pedestrian pathways must be located through parking areas to provide the shortest feasible connection from the parking area to building entryways, public sidewalks, and transit stops. Pedestrian pathways in and through parking areas must be designed and constructed to meet the following criteria:
1. limit conflict between pedestrians and vehicular traffic;
 2. be clearly delineated using techniques such as contrasting textured or colored material, striping, segregation of pathway from vehicle travel lanes, and raised pathway surfaces; and
 3. must be a minimum of five feet (5') wide.
- B. Vehicle stops or curbing must be installed in parking lots where necessary to prevent vehicles from encroaching over sidewalks, pedestrian pathways, entryway areas, driveways, streets, alleys, or more than two feet (2') into landscaped areas.
- C. Parking lots that have ten (10) or more parking spaces must provide three (3) bicycle spaces within fifty feet (50') of a main building entryway. Parking lots that have fifty (50) or more parking spaces must provide additional secure bicycle parking equal to five percent (5%) of the total number of parking spaces in excess of ten (10). Bicycle spaces must hold a bike upright, allow for securing the bicycle to an immovable object, and not conflict with pedestrian and vehicle traffic.

11-22-9: PARKING SPACE REDUCTIONS: A reduction in the minimum required number of off-street parking spaces is permitted in this section. Parking space reductions under this section may not exceed fifty percent (50%) of the minimum off-street requirement, except as provided in subsection A-4 below. Required off-street parking spaces may be reduced as follows:

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A. Nonresidential Uses:

1. On-street parking spaces may satisfy the off-street parking requirements, on a one-for-one basis, for each legal on-street parking space on a public street right-of-way that is immediately adjacent to the property containing the use. Each uninterrupted twenty (20) lineal feet in the portion of the public street designated for public parking of vehicles located within imaginary extensions of the property boundaries onto the street is one parking space. If the boundary extensions intersect any continuous twenty-foot length used to determine a parking space, that intersected portion is considered one parking space, regardless of size. Recognition of this space does not create a property interest in the on-street parking and does not guarantee permanent availability of that space within public right-of-way.

2. A twenty percent (20%) reduction in the total number of parking spaces is permitted if a city-approved transit stop is located within three hundred feet (300') of the property, a safe and convenient pedestrian access exists, and a covered transit stop and seating area exists.

3. For every two (2) bicycle spaces on the property above the number required for the minimum bicycle space requirements, one required off-street parking space requirement is satisfied. The maximum reduction allowed under this subsection is twenty percent (20%) of the minimum off-street parking spaces required. This reduction cannot reduce the number of required accessible parking spaces. Bicycle spaces must hold a bike upright, allow for securing the bicycle to an immovable object, be clearly visible, provide shelter from weather elements, and not conflict with pedestrian and vehicle traffic.

4. Worship facilities may reduce on-site parking requirements by ninety percent (90%) if the applicant shows the required number of parking spaces can be met by other private or public parking spaces located within one thousand feet (1,000') of the property. The applicant must demonstrate that these off-site spaces are primarily used during noncompeting operating hours and there are pedestrian facilities to connect the off-site parking to the property.

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5. A reduction of up to three (3) spaces, not to exceed ten percent (10%) of the minimum requirement, is permitted if a city-approved, advanced charging station for electric vehicles is provided.
6. A ten percent (10%) reduction in the number of parking spaces may be permitted if a landscaped area is provided to create public space greater than three hundred (300) square feet. This landscaped public space must be in addition to the landscaping required by this title and must:
 - a. be located within one hundred feet (100') of a main building entrance;
 - b. have places to sit and visit with other people;
 - c. be designed and constructed to accommodate pedestrians;
 - d. have art features; and
 - e. have at least two (2) trees and meet the landscaping standards of section 11-24-6 of this code.
- B. Single-, Two- and Multiple-dwelling unit residential uses: For residential uses containing a single-dwelling unit or a two-dwelling unit located in any zoning district; or a multiple-dwelling unit located within an R-3, R-4, R-O, B-1, B-2, or B-3 zoning district, on-street parking spaces may satisfy the off-street parking requirements, on a one-for-one basis, for each legal on-street parking space on a public street right-of-way that is immediately adjacent to the property containing the use. Each uninterrupted twenty (2) lineal feet in the portion of the public street designated for public parking of vehicles located within imaginary extensions of the property boundaries onto the street is one parking space. If the boundary extensions intersect any continuous twenty-foot length used to determine a parking space, that intersected portion is considered one parking space, regardless of size.
- C. Multiple-dwelling unit residential uses: A twenty percent (20%) reduction in the total number of off-street parking spaces is permitted if a city-approved transit stop is

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located within three hundred feet (300') of the property or if other transportation services are provided to and from the property.

FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 26th DAY OF MARCH, 2012.

SEE ATTACHED

MAYOR

ATTEST:

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

CITY CLERK

FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 23rd DAY OF APRIL, 2012.

/S/ James E. Smith

MAYOR

ATTEST:

/S/ Debbie Havens

CITY CLERK