

requirements herein. Lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

Section 512. Restriction on Dividing A Residential Structure Into More Dwelling Units

No existing residential structure existing at the effective date of this Ordinance shall be subdivided to create additional dwelling units or boarder suites which do not conform to the minimum requirements herein. Dwelling units and boarder suites created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

ARTICLE 6. OFF-STREET PARKING AND LOADING REQUIREMENTS

Section 600. Off-street Parking Requirements

The purposes of this section are as follows:

- To encourage sufficient off-street parking for the convenience of property owners, occupants and visitors;
- To provide sufficient off-street parking for peak times, peak seasons, etc.;
- To minimize conflicts between on-street parking and traffic;
- To discourage unauthorized parking on nearby private property or use of parking spaces intended for other establishments; and
- To provide visual buffers between parking areas and nearby residential uses.

It is not the intention of this section to require more parking than is necessary, which could use land inefficiently and create an undesirable appearance of excessive parking areas.

600.1 General Requirements for Off-street Parking: In all districts; and in connection with every industrial, business, manufacturing, recreational, residential or other use; and at any time, any building or structure is erected or is enlarged or increased in capacity, off-street parking spaces shall be provided in accordance with the following requirements:

(a) **Dimensions of Parking Spaces.** Each off-street parking space shall have an area of not less than one hundred eighty (180) square feet and a minimum width of nine (9) feet. Such area shall be exclusive of access drives or aisles, and shall be of usable shape and condition.

(b) **Access to Parking Spaces.** There shall be adequate provision for ingress and egress to all parking spaces. Where a lot abuts on a public or private alley or easement of access, there shall be provided an access drive not less than eight (8) feet in width in the case of a dwelling, and not less than twenty (20) feet in width in all other cases, leading to the parking or storage or loading or unloading spaces required hereunder.

(c) **Location of Access Drives.** Access drives shall be located such that they are the maximum distance possible from all street intersections.

(d) **Access Drives Near Residential Districts.** Access to property zoned in "OA", "B" or "M" districts shall not be located in any residential zoning district.

600.2 Number of Parking Spaces Required for Each Use: The number of off-street parking spaces to be provided shall not be less than the following ("sq ft" means "square feet.")

| Use | Required Number of Off-street Parking Spaces |
|--|--|
| INSTITUTIONAL-TYPE USES | |
| Assembly hall, meeting room, classroom (not in a school) | 1 space for each 4 seats in each assembly room, meeting room or classroom with fixed seats, or 1 space per each 100 sq ft in each such room without fixed seats |
| Child care facility | 1 space per each 300 square feet. |
| Church, place of worship | 1 space per each 5 seats in main auditorium |
| Clinic | 1 space per each 200 sq ft of floor area |
| Cultural facility | 1 space per each 300 sq ft of floor area |
| Hospital | 1 space per each 3 in-patient beds, plus 1 space per each 200 sq ft of outpatient treatment areas. Plus, 1 space per each 400 sq ft of administrative office space |
| Nursing home | 1 space per each 3 beds |
| School, primary | 1 space per each 5 seats in auditorium or main assembly room, or 1.5 for each classroom, whichever is greater. Plus, 1 space per each 400 sq ft of administrative office space |
| School, secondary or adult | 1 space per each 5 seats or bench seats in main auditorium, or 4 spaces per each classroom, whichever is greater. Plus, 1 space per each 400 sq ft of administrative office space |
| OFFICE-TYPE USES | |
| Medical, dental office | 1 space per each 200 sq ft of floor area |
| Public and community office | 1 space per each 200 sq ft of floor area |
| All other professional offices | 1 space per each 300 sq ft of floor area |
| BUSINESS-TYPE USES | |
| Animal hospital or clinic | 1 space per each 200 square feet of floor area, excluding kennel area. |
| Automotive repair | 2 spaces per each service bay |
| Business service, personal service, retail business under 10,000 sq. ft. | 1 space per each 250 sq ft of floor area |
| Business service, personal service, retail business, over 10,000 sq. ft. | 1 space per each 500 sq ft of floor area. Plus, 1 space per each 1,000 feet of warehouse area |
| Drive-in use | 1 space per 300 sq ft of floor area. Plus, 100 percent of spaces required for other uses associated with the establishment |
| Drive-through use | 1 space per 300 sq ft of floor area. Plus, 100 percent of spaces required for other uses associated with the establishment. No drive-through traffic shall be permitted to queue off the premises or in any street |

| Use | Required Number of Off-street Parking Spaces |
|--|---|
| Gasoline service station | 1 space per each gasoline pump plus 2 spaces per each service bay. Plus, spaces required for other uses associated with the establishment |
| Mortuary or funeral home | 1 space per each 50 sq ft of floor space in public rooms |
| Motel, hotel | 5 spaces. Plus, 1 space per each guest suite. Plus, 50 percent of spaces otherwise required for other uses associated with the establishment |
| Restaurant, tavern | 1 space per each 100 sq ft of floor area |
| MANUFACTURING-TYPE USES | |
| Food processing, general manufacturing, research and testing facility, restricted manufacturing, wholesale business | 1 space per each 500 sq ft of floor area |
| Warehouse | 2 spaces, plus 1 space per each 2,000 sq ft of floor area |
| RECREATION-TYPE USES | |
| Auditorium (not on the same site as a school), theater, arena, stadium | 1 space per each 5 seats or bench seats |
| Bowling alley | 5 spaces per each alley. Plus, 50 percent of spaces required for other uses associated with the establishment |
| Golf course | 4 spaces per each green. Plus, 50 percent of the spaces otherwise required for other uses associated with the establishment |
| Other entertainment facilities | 1 space per each 150 sq ft of floor area. Plus, 50 percent of the spaces otherwise required for other uses associated with the establishment |
| RESIDENTIAL-TYPE USES | |
| Dwelling unit, all types (Excludes 'Manufactured Home Parks' as defined in the Ohio Revised Code. For more information, contact the Tuscarawas County General Health District.) | 2 spaces per unit |
| Boarding or Rooming House | 2 spaces per principal dwelling, plus 1 space per each boarder suite. In all cases, all vehicles parked by residents of the boarding house shall be parked on the premises. |
| Expanded Home Occupation | 2 spaces per dwelling, plus spaces required for the type of accessory use in the Expanded Home Occupation (example, office, personal service, etc.), including 1 space for an employee. |
| Bed and Breakfast Inn | 2 spaces per dwelling, plus 1 space per each guest suite |
| LARGE AREA-TYPE USES | |
| Agriculture, airport, automotive/recreational vehicle/trailer sales, campground, cemetery, farm implement sales and service, forestry, grain elevators and feed mill, homemade sales, mineral extraction-storage-processing, oil and gas extraction, park, plant cultivation, recreation facility, recycling center or salvage operation, seasonal sales, specialized animal raising and care, transportation and trucking terminal, truck stop, and similar uses. | Because such uses generally involve large areas of land which is physically suitable for parking, all vehicles associated with the establishment must be parked on-site at all times. |

600.3 Interpretation of Off-street Parking Requirements: The following rules shall govern the determination of spaces required:

(a) **Determining Parking Requirement Based on Floor Area.** "Floor Area" shall mean the gross floor area of the specified use, including outdoor areas where the use is conducted, and all buildings.

(b) **Determining Required Parking for Fractions.** Fractional numbers of the total number of required parking spaces shall be increased to the next whole number.

(c) **Calculating Parking Required for Multiple Uses.** Unless described differently in this Article, where more than one use is present in one establishment, and the floor area devoted to each use may be separately determined, the total number of spaces required shall be the sum of the individual requirements. Where multiple uses are combined in an establishment in such a way that separate floor areas cannot be calculated, the standard for the use requiring a greater number of spaces shall apply. See Modification of Parking Requirements in this Article.

(d) **Calculating Parking Required for Bench Seating.** The number of seats on benches shall be calculated as one (1) seat per each 30 inches of bench length for purposes of calculating required off-street parking.

(e) **Calculating Parking Required Per Bed.** The number of beds shall be the maximum number of beds for which a facility is licensed for purposes of calculating required off-street parking. Documentation of the number of licensed beds shall be submitted with the application for Zoning Certificate and with the application for the Zoning Compliance Inspection.

(f) **Calculating Parking Required for Outdoor Sales and Outdoor Storage.** Areas for Outdoor Sales and Outdoor Storage shall be counted in total floor area and for purposes of determining required off-street parking.

(g) **Determining Parking Required for Uses Not Specifically Mentioned.** The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature as determined by the Zoning Inspector.

Section 601. Special Parking Provisions

Every parcel of land hereafter used as a public or private parking lot shall be developed and maintained in accordance with the following requirements.

601.1 Screening and Landscaping for Off-street Parking: Off-street parking areas for more than ten (10) vehicles shall be effectively screened on each side which adjoins or faces premises situated in any "R" District by a fence. Such fence shall not be less than four (4) feet or more than six (6) feet in height and shall be maintained in good condition without any advertising thereon. The space between such wall or fence and the lot line of the adjoining premises in any "R" District shall be landscaped with grass, hardy shrubs, or evergreen ground cover and maintained in good condition. In lieu of such wall or fence, a strip of land not less than ten (10) feet in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height may be substituted.

601.2 Setbacks for Off-street Parking: Off-street parking areas shall be subject to the following distance and setback requirements:

(a) **Buffers Between Parking and Dwellings or Other Uses:** No part of any parking area for more than ten (10) vehicles shall be closer than twenty (20) feet to any dwelling, school, hospital or other establishment for human care, unless screened in accordance with the provisions of this Article.

(b) **Parking Setback from Street.** In no case shall any part of a parking area be closer than five (5) feet to any established street or alley right-of-way.

601.3 Surfacing for Off-street Parking: Any off-street parking area for more than ten (10) vehicles shall be so graded for proper drainage, and drained as to dispose of all surface water accumulated within the area, and surfaced so as to provide a durable and dustless surface, and shall be so arranged and marked as to provide for orderly and safe loading, unloading, parking and storage of vehicles.

601.4 Lighting for Off-street Parking: Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect deflect the light away from adjoining premises and the public right-of-way.

601.5 Parking Disabled Vehicles: The parking of an unlicensed or disabled vehicle within any district for a period of more than two (2) weeks shall be prohibited, except that such vehicle may be stored in an enclosed building, or out-of-doors on a premises operated by a licensed vehicle dealer. *or covered with a security tied tarp.*

601.6 Commercial Vehicles Parked in Residential Districts. Not more than ^{two} ~~one~~ (2) commercial vehicle may be parked by the occupants of each dwelling unit in any "R" district. The commercial vehicle shall not exceed two (2) ton capacity.

Section 602. Handicapped Parking Regulations Enforced by Zoning Inspector

Handicapped parking spaces shall be provided as required by the American With Disabilities Act. Such requirements shall be enforced on behalf of the Village by the Zoning Inspector. In no case may federal requirements for handicapped parking facilities be decreased by an official of the Village of Tuscarawas. However, in some cases in which the Planning Commission or Board of Zoning Appeals has authority, the Planning Commission or BZA may determine that more handicapped parking facilities are required to fulfill handicapped parking needs generated by a specific use.

Section 603. Parking or Storage of Recreational Vehicles and Trailers

The parking of recreational vehicles or recreational trailers shall be prohibited in any residential district for forty-eight (48) hours or a longer period of time except that such vehicles, trailers and boats may be stored in an enclosed garage or other accessory building or parked in the rear yard of a residential property, provided:

(a) **Use for Living or Business During Storage Prohibited.** That in all cases no living quarters shall be maintained or any business conducted within while the vehicle, trailer or boat is stored or parked.

(b) **Used by Resident Occupants Only.** The recreational vehicle or trailer is owned by and used for the sole benefit and enjoyment of the resident occupants of the property on which it is stored or parked. Parking and storage of such vehicle or trailer belonging to a non-resident of the premises is prohibited. Rental of such vehicle or trailer to a non-resident of the premises on which it is parked or stored is prohibited.

(c) **Setbacks of Storage Area.** The vehicle, trailer or boat shall not be parked closer than five (5) feet to the side or rear lot lines of the property on which it is stored or parked.

Section 604. Off-Street Loading Requirements

604.1 Uses Requiring Loading Spaces. In any district, in connection with every building or part thereof hereafter erected and having a gross floor area of ten thousand (10,000) square feet or less, which is to be occupied by uses including a Clinic, Hospital, Mortuary or Funeral Home, Research and Testing Facility, Restaurant, Retail Business, School, Tavern, Warehouse Business, Wholesale Business or other use requiring the receipt or distribution by vehicle of material or merchandise, there shall be provided and maintained on the same lot with such building at least one (1) loading space, plus one (1) additional such loading space for each additional twenty thousand (20,000) square feet or major fraction thereof of gross floor area.

604.2. Dimension of Loading Spaces. Each loading space shall be not less than twelve (12) feet in width, thirty-five (35) feet in length and fourteen (14) feet in height.

604.3 Loading Spaces in Side and Rear Setbacks. Loading spaces may occupy any required side or rear setback, excluding any areas which overlap the front setback, except as required by this Article.

604.4 Loading Spaces Near Residential Districts. No loading space shall be located closer than fifty (50) feet to any other lot in any "R" District, unless wholly within a completely enclosed building or unless enclosed on all sides facing lots in any "R" District by a wall or fence not less than six (6) feet in height.

Section 605. Modification of Parking Requirements.

The BZA may permit the modification of the automobile parking space or loading space requirements where, in the particular instance, such modification shall not be inconsistent with the purpose and intent of such requirements. See Board of Zoning Appeals, Article 18.

605.1 Off-site Parking for a Dwelling. The BZA may permit the waiver of the requirement that off-street parking spaces be provided on the same lot with a dwelling, if other suitable and convenient off-street parking space is available within a structure or outdoors.

605.2 Providing Off-street Parking for a Non-residential Use on Another Site: Parking spaces may be located on a lot within three hundred (300) feet from the one containing the principal non-residential use. Such parking provision shall be required which is agreed to by the operator and owner of such property where the principal use is located, and the operator and owner of the property where parking is to be provided. Such agreement is subject to approval by the BZA and the Village Solicitor.

605.3 Joint Use of Off-street Parking (Joint Parking Agreement): The BZA may permit two or more nonresidential uses which are not located on the same premises to jointly provide and use off-street parking spaces (for example, by stores during the day and theaters during the evening) provided there is no overlapping of use and the parking space requirements for each use are complied with during each period. A joint parking agreement shall be required which is agreed to by the operators and owners of such properties where the uses are located, and the operator and owner of the property where parking is to be provided. Such agreement is subject to approval by the BZA and the Village Solicitor.

605.4 No Decrease in Handicapped Parking Requirements. Under no circumstance shall the BZA authorize the decrease in handicapped parking facilities as required by the Americans With Disabilities Act. However, in some cases the BZA may find that additional facilities are required to meet the need for handicapped parking generated by a specific use.

605.5 Avoid Creating Insufficient Parking for Future Uses. The BZA shall consider the future potential use of structures in reviewing applications to modify parking requirements. The intent of this provision is to avoid restricting the future use of a structure or premises for similar, and reasonably foreseeable, uses which require more parking. For example, a modification to reduce parking requirements for a senior housing project might create a future problem if the project is eventually occupied by a mix of seniors and other people who generate more need for parking, if there is no space available to provide additional parking.

605.6 Expiration of Parking Modification

A modification of parking requirements approved by the BZA shall expire if the parking plan has been conducted, and subsequently discontinued for six (6) months.