

ARTICLE X, Off-Street Parking, Loading and Storage

§ 410-50. Intent.

It is the intention of this article that all land uses and activities in the City of Binghamton be provided with sufficient off-street motor vehicle parking to meet the needs of persons associated with such land uses and activities and sufficient off-street loading facilities that are designed and maintained to adequately serve the needs of such land uses and activities while protecting the health, safety and general welfare of the citizens and environment of the City of Binghamton.

- A. Scope.** Off-street parking and loading facilities shall be provided for all buildings, structures and land uses in accordance with the provisions of this Article X and amendments thereto.
- B. Existing land uses, buildings, and structures.** Land uses defined under Chapter 410, buildings, and structures in existence, or for which building permits have been approved, at the time of adoption of this article shall not be subject to the parking and loading requirements contained herein. In such cases, any existing parking and loading facilities shall not be subsequently reduced in area or number if such reduction causes the existing facility(ies) to fall below the minimum requirements of this article.
- C. Changes to existing buildings, structures and land uses.** Whenever the current use of a building, structure or land shall hereafter be expanded or changed to a new use, parking and loading shall be provided in an amount equal to the requirements for the expanded or new use. Additional off-street parking and loading spaces shall only be required to serve the enlarged or expanded area, not the entire building or use. For buildings containing multiple uses, additional parking and loading shall only be required for the portion of the building to be expanded or the portion of a use to be expansion or for a new use.
- D. Damage or destruction of nonconforming use.** When a structure or use, which is nonconforming in terms of the parking and loading requirements of this Article X, is totally destroyed or damaged by any cause to an extent which exceeds 50% of the physical structure on the property, restoration or reconstruction of such structure or use shall include sufficient off-street parking and loading to bring it into compliance.
- E. Facilities dedicated and accepted by the City.** Required off-street parking facilities which, after development, are then dedicated and accepted by the City shall be deemed to continue to serve the uses or structures for which they were originally provided.
- F. Certificate of occupancy.** No certificate of occupancy shall be issued for any building or land use unless the required off-street parking space has been provided.

G. New variance. In case of practical difficulty or special conditions arising out of the parking and loading requirements of this Article X, such requirements may be modified through an application to the Zoning Board of Appeals for an area variance in accordance with the provisions of § 410-94 of this chapter.

§ 410-51. Standards.

Off-street parking and off-street loading provisions of the article shall apply as follows:

A. Use of required spaces. Required parking spaces and any portion of the area on a site encompassing the required parking and the required landscaping within the parking area on a site shall not be rented or leased to any party on or off the site or be used for some purpose other than that permitted or allowed on the site; these spaces shall be made available and maintained in a safe, usable condition for the tenants and their clients or customers, at no charge.

B. Computation. Where the determination of the number of off-street parking spaces results in a requirement of a fractional space, any fraction of less than 1/2 may be disregarded, while any fraction equal to or in excess of 1/2 shall be counted as one parking space.

C. Square footage. References to spaces per square foot are to be computed on the basis of gross floor area unless otherwise specified, and shall include allocations for rest room(s), hall(s), and lobby area(s), but shall exclude area for vertical circulation, stairs, elevators, or upper-story atriums. (See Section 202(120)).

D. Multiple uses encouraged.

(1) Cross-access encouraged. Applicants for commercial and industrial developments should be encouraged to provide cross-access to adjacent nonresidential properties for convenience, safety, and efficient circulation of motor vehicles. A mutual access agreement shall be executed where cross-access is provided.

(2) Combined facilities. Off-street parking facilities for independent uses, which uses may or may not be on the same lot, may be combined if the total number of spaces so provided is not less than the sum of the separate requirements for each such use. There shall be adherence to all regulations governing the location of parking, in relation to the use it serves. No parking spaces or portion thereof shall serve as required spaces for more than one use.

(3) Required spaces. The minimum number of off-street parking spaces required for land uses or activities permitted by this chapter shall be set forth in Schedule III (see § 410-53), which schedule is hereby adopted and made part of this article.

E. Location.

(1) Except as may otherwise be specified in this chapter, all required parking spaces in R-1 and R-2 Residential Districts shall be located on the same lot as the building or use to be served. In other districts, required off-street parking space may be provided in a private or public off-site facility. The distance from the lot line of such off-site parking

facility to the closest lot line of the building or use it is intended to serve shall be no greater than 250 feet for the R-3 Residential District, and 500 feet from all commercial and industrial districts.

(2) When all or part of required parking facilities are to be provided on private land, remote from the lot on which the building or use to be served is located, use of such off-site parking shall be approved only when written assurance is made that the private off-site parking will continue to be available to the building or use it is intended to serve. The form of such assurance shall be determined by the Corporation Counsel.

F. Yards. Off-street parking space, open to the sky, may be located in any required yard space, except that:

(1) In any residential district and the C-5 District, required yard area adjacent to a street may not be used for parking. This restriction shall not apply to driveways to one- and two-unit dwellings.

(2) In any residential district, no more than 50 percent of the area of the required rear setback shall be utilized for off-street parking and in no case shall off-street parking be located within three (3) feet of a rear lot line. A minimum three (3) foot wide landscaped area shall be located between a rear lot line and off-street parking areas and shall not be used for parking spaces, service areas, vehicular surfaces, driveways or maneuvering aisles.

(2) In the C-3, C-4, and C-6 Districts, parking shall be setback a minimum of five (5) feet from any lot line adjacent to a street or any sidewalk. Such five-foot strip shall be landscaped. (See § 410-55B.)

(3) In any zoning district off-street parking areas containing or resulting in more than four parking spaces shall be setback a minimum five (5) feet from any lot line adjacent to a street or sidewalk and shall be setback five (5) feet from any side and or rear lot line(s) adjoining a residential district or a residential facility. Such five-foot setback shall be landscaped. (See § 410-55B.)

G. Tandem parking. Tandem parking of two or more vehicles will not be considered in the determination of the total amount of off-street parking available if such tandem parking blocks the driveway for other vehicles. This provision shall not apply to one- and two-unit dwellings containing less than four (4) bedrooms per dwelling unit. Tandem parking of not more than 50% of parking spaces is permitted for multiple-family dwellings.

H. Turnover. To determine the total number of off-street parking spaces available in a public parking area or structure, the number of physical spaces actually existing shall be multiplied by a factor of five to account for daily vehicle turnover unless the Planning Department has determined that the capacity of said public parking facility, including the turnover factor, has already been reached. Thus, a public facility containing 100 actual spaces would have 500 off-site spaces which could be assigned to meet the off-street parking

requirements of Schedule III (§ 410-53). The Planning Commission may establish a turnover factor for private off-street parking facilities if conditions warrant.

I. **Maximum number of parking spaces.** No use other than one- or two-family dwellings shall provide parking in excess of 110% of parking minimums contained in Schedule III.

J. **Pedestrian Circulation Plan.** Any land use which requires a minimum of 50 parking spaces shall be required to provide a pedestrian circulation plan for the proposed site prior to the issuance of permits.

§ 410-54. Size and access. Each required off-street parking space shall conform to the dimension requirements outlined in Section 410.54. Each parking space shall have direct and functional access to a street and, except for one- and two-family dwellings, shall not require the backing of any vehicle across a sidewalk or into a street right-of-way.

A. **Driveway width requirements.** The width of driveways, measured at the nearest points of the radius return, shall meet the following requirements:

Driveway Width

Use	Minimum (feet)	Maximum (feet)
Office, commercial, institutional, multi-family dwelling, apartment complex		
One-way traffic	12	18
Two-way traffic	24	30
Industrial		
One-way traffic	15	25
Two-way traffic	25	40
One- and two-family dwellings	9	18

B. **Dimensional parking requirements.**

(1) **Parking space sizes.** Full-size parking spaces shall be nine feet wide and 18 feet in length. Compact parking spaces shall be eight feet wide and 17 feet in length. Compact parking spaces shall generally be located in one or more continuous areas, and shall generally not be intermixed with spaces designed for full-size cars unless required by design problems. Up to 20% of total parking spaces may be of compact parking space size.

§ 410-55. Design and maintenance.

A. **Surfacing.** Any off-street parking and/or loading area, including driveways and maneuvering aisles, shall be surfaced with pervious pavement, asphaltic or Portland cement binder pavement, grasscrete, concrete pavers, or other surface approved by the Supervisor of the Office of Building and Construction or the Planning Department, so as to provide a durable, dustless and continuous (from point of access to edge of public street) all-weather surface that is

appropriately structured and bordered for permanence, shall be so graded and drained so as to retain or dispose of all surface water accumulated within the area, and shall be so arranged and marked as to provide for orderly and safe loading and unloading and parking and storage of vehicles. Gravel shall not be permitted as a surfacing material.

B. Screening and perimeter landscaping. Off-street parking areas containing or resulting in more than four parking spaces shall be screened on each side adjoining a residential district or a residential facility or facing a street by a minimum five (5) foot-wide perimeter landscape strip planted with shrubs and trees in accordance with the following standards:

- (1) Landscaping materials shall include a combination of trees, shrubs, vegetative ground cover, grasses, and, to a less extent, mulch. The use of decorative stones and rocks shall be allowed as a decorative feature only, subject to review and approval by the Planning Department.
- (2) Landscaped areas shall have a minimum of 12 inches of topsoil, tilled into noncompacted subbase base soils. Landscape areas shall be sufficiently sized to support trees and other vegetation.
- (3) Except as provided by Section 410.17, landscaping shall reasonably be expected to form a year-round dense screen at least four feet high within two years of the initial planting. All plant materials shall be climate appropriate, preferable native species, and salt and drought tolerant.
- (4) One minimum tree two (2) inch caliper tree shall be planted within the perimeter landscape strip for every four (4) parking spaces. Fractions of a tree shall be rounded up to the next whole number.
- (5) On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six (6) feet, street trees shall be provided to the satisfaction of the Planning Department. A minimum of one two (2) inch caliper tree shall be planted per every 30 feet of street frontage. Selection of street tree species shall be based upon compatibility with the existing tree plantings on the street, the mature size of the tree, space available for the tree to grow, the presence of underground and overhead utility lines, utility poles, streetlights, driveway approaches and fire hydrants. Trees shall be planted in accordance with Chapter 391, Trees and Shrubs.
- (6) All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The owner of such parking area is responsible for tree, including street trees, and landscaping maintenance in perpetuity.
- (7) Curb-cuts to allow water to flow into the landscape areas, in combination with grading to deliver runoff from parking lot to landscaped areas, shall be used to create bio-retention and infiltration areas for water quality protection and groundwater recharge.
- (8) All plantings shall comply with Section 410.17, Visibility at Intersections.
- (9) A Landscape Plan detailing the above requirements, where applicable, shall be submitted for review and approval to the Planning Department. The Planning Department may consult with the Shade Tree Commission when necessary.

C. Interior landscape islands. In addition to the perimeter landscaping requirements, Off-street parking and/or loading areas, including automobile/vehicle sales facilities, containing or

resulting in 20 or more parking spaces or 5,000 square feet in area shall include internal landscaped islands subject to the following provisions:

- (1) A minimum of five (5) percent of the interior of the parking area shall be landscaped. Landscape areas shall be sufficiently sized to support trees and other vegetation.
- (2) Landscaped area shall have a minimum of 12 inches of topsoil, tilled into noncompacted subbase base soils.
- (3) Landscaping materials shall include a combination of native trees, shrubs, vegetative ground cover, grasses, and, to a less extent, mulch. The use of decorative stones and rocks shall be allowed as a decorative feature only, subject to review and approval by the Planning Department.
- (4) A minimum of one two (2) inch caliper tree shall be planted for every 5 parking spaces. Trees shall be planted within interior landscape islands such that they result in canopy coverage of 50% of the parking area at the time of maturity.
- (5) All plant materials shall be climate appropriate, native species, and salt and drought tolerant.
- (6) All landscaping shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The owner of such parking area is responsible for tree and landscaping maintenance in perpetuity.
- (7) Depressions in interior landscaped areas, curb openings and grading shall be designed to allow stormwater runoff from the parking area to flow into the landscape areas to create bio-retention and infiltration areas for water quality protection and groundwater recharge.
- (8) Internal landscape islands designed to meet the above provisions and the provisions of Chapter 227-6 shall count toward the required twenty (20) percent stormwater reduction requirement for off-street parking areas as required by Chapter 227.6.
- (9) Curb-cuts to allow water to flow into the landscape areas, in combination with grading to deliver runoff from parking lot to landscaped areas, shall be used to create bio-retention and infiltration areas for water quality protection and groundwater recharge.
- (10) All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The owner of such parking area is responsible for tree, including street trees, and landscaping maintenance in perpetuity.
- (11) A Landscape Plan detailing the above requirements, where applicable, shall be submitted for review and approval to the Planning Department. The Planning Department may consult with the Shade Tree Commission when necessary.

D. Urban runoff reduction plan. In addition to the requirements set forth in this Article, an Urban Runoff Reduction Plan shall be required for (1) any ancillary parking area or public off-street parking area of any size, (2) new off-street parking and/or loading areas, including driveways and maneuvering aisles, containing 20 or more parking spaces or 5,000 square feet or more of site area, whichever is less, and (3) additions, and alterations or resurfacing of existing off-street parking and/or loading areas, including driveways and maneuvering aisles, resulting in or involving 20 or more parking spaces or 5,000 square feet or more of site area, whichever is

less. See Chapter 227 Erosion Control and Stormwater Management, Article III Section 227.6 for Urban Runoff Reduction Plan requirements.

E. Wheel stops. Wheel stops of masonry, steel or timber, or similar stopping devices, shall be anchored and used to prevent vehicles from parking closer to a lot line than permitted by this chapter. This restriction shall not apply to one- and two-unit dwellings. Wheel stops adjacent to landscaping islands without curbs shall be situated so as to prevent vehicles from damaging landscaping.

F. Lighting. Light fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties. In no case shall such lighting exceed 0.2 foot-candles measured at any property line, as certified by a licensed engineer.

G. Bicycle racks. Off-street parking areas containing or resulting in 20 or more spaces shall provide one bicycle rack in a bicycle parking space for each 20 vehicular parking spaces. Bicycle racks shall be designed to provide a minimum of four bicycle spaces in each rack and so that a bicycle can be secured to the rack. The location of the bicycle rack shall not encroach into the sidewalk such that it would reduce the unencumbered width of the sidewalk to less than five feet. Bicycle racks shall be placed in a location where they shall have adequate lighting and can be surveyed by the occupants.

H. Snow storage. Off-street parking and/or loading areas shall include a snow storage area located to prevent damage to small landscaping materials and sensitive stormwater management features.