

**ORDINANCE 1152**

AN ORDINANCE AMENDING SECTION 25. H. OFF-STREET PARKING REQUIREMENTS OF ORDINANCE NO. 613 OF THE CITY OF WILLISTON, ALSO KNOWN AS THE ZONING ORDINANCE OF THE CITY OF WILLISTON, WHICH CLARIFIES SUBSECTION H.6.F DESIGN STANDARDS AND SUBSECTION 8.F. PARKING REQUIREMENTS: COMPUTATION.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA, TO-WIT:

**H. Off-Street Parking Requirements.**  
(Ord. No. 1126)

1. Purpose.

Except in the 2014 Downtown Parking District (Figure 9) of the City of Williston, no building shall be:

- a. Erected;
- b. Improved by more than 50% of the buildings value, or improved in 2 or more renovations that, in total, exceed 50% of the building's value;
- c. Enlarged by increasing the floor area by more than 1,000 square feet or 10 percent of the existing building footprint area, whichever is greater, or enlarged in 2 or more expansions that, in total, exceed 1,000 square feet or 10 percent of the existing building footprint area;

unless there is provided on the lot paved parking of automobiles, or provided garage space, as specified below in sections 6-10. Modifications to the amounts of required parking may be found in sections 2-5.

2. Modifications of Required Parking.

When the parking requirement for a use cannot be provided on the same lot as that use, the required parking may be modified on a case-by-case basis by the applicable authority as specified in each section to allow parking on a remote lot, shared parking, or reduction of the parking requirement.

3. Parking on a Remote Parking Lot.

The Planning and Zoning Commission may grant permission to accommodate a portion of the required parking on a remote parking lot upon review and approval of information supporting the specific circumstances:

- a. There are unique circumstances to include, but not limited to: topography, title, lot design, existing building footprint, or required access that prohibit the parking requirement from being met on the same lot as the principal use.
- b. The property owner has maximized the space available on the lot that the principal use is on to accommodate the required parking.
- c. The handicapped parking requirement is met on the lot that that the principal use is on.
- d. The parking on a remote parking lot shall not cause a recognizable impact on traffic or adjacent land uses of either the lot that the principal use is on nor the remote lot.
- e. The parking on a remote parking lot shall not adversely affect the public health, safety, and welfare.
- f. Parking spaces available on the remote parking lot are not required to satisfy the required parking for any other use.
- g. If parking on the remote lot includes shared parking, additional information from the share parking section as needed to evaluate the proposal can be requested.
- h. The users and owners of the off-site parking area must sign an agreement to be reviewed by the City Attorney and recorded at the County Recorder's Office. The agreement shall define the approved parking arrangement and include a maintenance plan.
- i. Parking shall be posted with permanent signage identifying the principal use that the parking spaces are reserved for.

**4. Shared Parking.**

The Development Review Committee may grant permission to accommodate shared parking upon review and approval of the following information:

- a. The applicant shall submit a shared parking analysis to the Planning Department that clearly demonstrates the feasibility of shared parking. The application shall include, at a minimum, a parking analysis with a detailed description of the proposed type of uses, their hours of operation, their anticipated peak parking demand and anticipated hours that such peak parking demand would occur.
- b. Estimates for parking demand shall be based on calculations published by recognized professional institutions such as the Institute of Transportation

Engineers, Urban Land Institute, Victoria Transport Policy Institute or other references as approved by the City.

- c. The analysis shall demonstrate that the parking arrangement will not result in either traffic congestion or parking congestion in surrounding neighborhoods.
- d. The users and owners of the shared parking area must sign an agreement to be reviewed by the City Attorney and recorded at the County Recorder's Office. The agreement shall define the approved shared parking arrangement and include a maintenance plan.

**5. Reduction of Required Parking.**

The Development Review Committee may grant permission for a reduction of required parking upon review and approval of the following information:

- a. Submittal of a parking needs analysis using parking generation assumptions acceptable to the City. References may include parking demand recommendations from recognized professional institutions such as the Institute of Transportation Engineers, Urban Land Institute, Victoria Transport Policy Institute or other reference as approved by the City; independent parking utilization studies; market data provided for similar uses and circumstances.
- b. The data shall demonstrate that off-street parking at a rate lower than that otherwise required by this section will adequately accommodate all anticipated demand for off-street parking.
- c. The proposal will not result in either traffic congestion or parking congestion in surrounding neighborhoods.
- d. The reduction shall consider proportion with the building size and a reasonably seen future use.
- e. The proposed reduction of required parking meets the handicapped parking requirement.
- f. The reduced parking shall not adversely affect the public health, safety, and welfare.
- g. The findings and decision for the reduction of parking shall be recorded at the County Recorder's Office.

**6. Design Standards.**

- a. **Site Plan Required:** Any application for a building permit, development permit or modification of required parking shall include a site plan, drawn to scale and fully dimensioned, indicating any parking or loading facilities and must show the number of spaces, type of surfacing, area for any required parking lot screening, and drainage to be performed in compliance with this Ordinance and other applicable City ordinances. The site plan shall be approved by the designated approval authority and in accordance with the type of approval being requested. For requests of a modification to required parking, additional information as needed to review the proposal may be requested.
- b. **Parking area shall be so designed that vehicles may enter, circulate, park, and exit in a convenient and orderly fashion. Required off-street parking shall be provided in such a manner that vehicles do not encroach on a public right-of-way.**
- c. **Off-street parking areas shall be designed so that vehicles do not have to back out of the parking area onto a public street.**
- d. **The minimum size of each parking stall shall be, 10.0 feet by 18.5 feet, exclusive of aisle width. Minimal dimensional requirements for the design of the parking area are shown in Table 1 and on Figure 8.**
- e. **Property within R-1,-R-2,R-3, R-4, R-5, R-6, R-7, C-1,-C-2 and C-3 zoned areas of the city limits and C-2 or C-3 zoned areas of the extraterritorial jurisdiction (ETJ) accessing a paved street or alley must pave with a hard surface all parking areas to include:**
  - (i) when used for temporary or long-term vehicle storage.
  - (ii) driveways and driving aisles for all new-construction; or
  - (iii) expansion as defined in this ordinance which results in increased parking demand.
  - (iv) when required as a special permitted use or as required by state or federal law.
- f. **Property located in M-1, M-2, M-3, and HCC zoned areas of the city limits and extraterritorial jurisdiction (ETJ) accessing a paved street or alley must pave, with a hard surface:**
  - (i) **All driveways accessing the building and/or required parking lots.**
    - a. **When access is from an unpaved road or alley, only parking pads for the required parking stalls shall be paved.**
  - (ii) **Other driveways accessing the property from paved streets or alleys must be paved with a hard surface from the street surfacing to the**

property line and all traffic aisle width into the property a minimum of 20 feet in length.

- (ii) All long-term vehicle storage which directly access a public street or hard surface alley by a driveway or driving aisle shall have an approved surface.  
(Note: See the HCC Zone Section 21a. for other requirements specific to the District).
- g. All required lot surfacing shall be completed at the time the occupancy permit is issued unless a letter of credit, certified check, or other sufficient surety is placed with the city guaranteeing performance of the paving.
- h. If the property is enlarged by increasing the floor area by more than 1,000 square feet or 10 percent of the existing building footprint area, whichever is greater, or enlarged in 2 or more expansions that, in total, exceed 1,000 square feet or 10 percent of the existing building footprint area, additional paved parking must be provided for the expanded area. However, paving of the original parking area, if unpaved, is not required unless any work that is done exceeds 50% of the building's value.
- i. All non-residential and multi-family off-street parking areas must be marked by a durable painted stripe designating the parking spaces.
- j. Surfacing: Paved, hard surfacing shall include hot-mix asphalt, concrete, interlocking brick, mortared stone, brick, or pervious pavers.
  - (i) Applicants proposing pervious pavers must provide product specifications to be approved by the City Engineering Department.
  - (ii) Crushed rock, recycled asphalt, crushed concrete, or gravel are not permitted as a paved, hard surfacing materials.
  - (iii) All parking areas including driveways must be well drained and maintained in a good operating and safe condition.
- k. Multi-family dwelling garages:
  - (i) For units requiring two spaces, only one may be an enclosed garage space.
  - (ii) Minimum clear dimensions for garages.
    - (a) Single-car garage: 12 feet x 24 feet

- (b) Driveway width between garages: 30 feet (note: this is the aisle width between facing garage doors on a double loaded aisle.)

7. 2014 Downtown Parking District. (Ord. No. 998)

- a. In the 2014 Downtown Parking District (See Figure 9), any new construction or expansion of the gross floor area of an existing building by more than 50 percent shall meet the following requirements:
  - (i). Provide the number of spaces required by the uses contained within the building, as provided below, or
  - (ii). Pay a set fee in lieu of providing parking, as provided below.
- b. The numbers below are minimum requirements. Developers will want to evaluate their anticipated parking demand with available public parking to determine any additional off-street parking that may be needed beyond the minimum requirements.
- c. 2014 Downtown Parking District Requirements.
  - (i) Residential:
    - (a) 1 space per efficiency, studio, and 1 bedroom dwelling unit.
    - (b) 1.5 spaces per 2 bedroom dwelling unit.
    - (c) 2 spaces per 3 bedroom dwelling unit.
  - (ii) Commercial:
    - (a) 1 space per 500 square feet of office space.
    - (b) 0 spaces for retail space.
- d. Payment in Lieu.
  - (i) To exercise the payment in lieu option in order to provide parking for downtown development and redevelopment projects, application must be made to the Parking Authority, who will review the request and make a recommendation to the Planning and Zoning Commission, who will take final action on the application.
  - (ii) For new-build and redevelopment projects, applicant must provide evidence of the following:
    - (a) A good faith effort to provide on-site parking.

- (b) That lot size and shape prevent a project from being built with all required parking.
  - (c) The planned parking location of all tenants within the building.
  - (d) Lack of project feasibility without reduction in parking requirements.
- (iii) Payment in lieu fee to be determined by separate fee resolution. Fee is to be paid to the Parking Authority at time of building permit issue, for maintenance and creation of public parking.

**8. Parking Requirements: Computation**

- a. Reference herein to “employee(s) on the largest shift” means the maximum number of employees employed at the facility regardless of the time period during which this occurs and regardless of whether any such person is a full-time employee. The largest shift may be a particular day of the week or a lunch or dinner period in the case of a restaurant.
- b. The term “capacity”, as used herein means the maximum number of persons which may be accommodated by the use as determined by its design or by building or fire code regulations, whichever is greater.
- c. Any use not specifically mentioned below shall be determined by the Development Services Director. Determination shall be based on an evaluation of listed comparable uses; reference to standard parking calculations published by recognized professional institutions such as the Institute of Transportation Engineers, Urban Land Institute, Victoria Transport Policy Institute or other references as approved by the City; reference to local or national best practices.
- d. Accessible parking shall be provided for all multi-family and non-residential uses as required by the International Building Code (IBC) and with the standards of the Americans with Disabilities Act (ADA), as amended. The number of accessible parking spaces shall be included in the total number of required parking spaces.
- e. Fractional calculations: A fraction of less than one-half ( $\frac{1}{2}$ ) may be rounded down, and a fraction of one-half ( $\frac{1}{2}$ ) or more is counted as one (1) parking space.
- f. On-street parking credit for commercial uses on streets classified as “local streets” and “collector streets” with a case-by-case review, per Figure 10: Street Classifications (excluding the downtown district and multi-family residential developments):

- (i) Any on-street parking space abutting the subject property may be counted toward the required parking if the street does not have residential parking permit restrictions.
- (ii) The street must have a curb or clearly defined as space available for parallel parking to be considered usable parking.
- (iii) The number of on-street spaces credited to the off-street parking requirement shall be determined based on one space per (25) twenty-five feet of uninterrupted linear feet available on the street frontage. Sight triangles and other reservations as may be determined by the City Engineering Department may not be considered available for parking.
- (iv) Collector streets indicated by City Engineering as “no on-street parking” will not be considered toward the off-street parking requirement. Other collector streets will be a case-by-case review based on specific road circumstances.
- (v) On-street parking spaces credited for a specific use shall not be reserved for the exclusive use by customers, employees, or occupants of that use, but shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be allowed.

**9. Bicycle Parking**

**a. Required parking:**

- (i) General retail sales and service, banking: one (1) space per 5,000 square feet up to 60,000 square feet with a maximum of 12 spaces.
- (ii) Commercial office: two (2) spaces over 5,000 square feet.

**b. Design requirements:**

- (i) Shall be located in a convenient, highly visible area near the primary entrance and not blocking a pedestrian path or sidewalk.
- (ii) Enable the bicycle frame and at least one wheel to be secured to the rack with a U-lock.
- (iii) Rack securely anchored to the ground.
- (iv) Shall be installed per the manufacturer’s specifications.

**10. Number of Off-Street Parking Spaces Required.**

- a. The numbers below are minimum requirements. Businesses with higher parking utilization rates need to consider additional demand beyond the minimum requirements.
- b. The number of off-street parking spaces which shall be required are as follows:



Residential Uses	
Single Family	2.00 / unit
Multi Family: one bedroom	1.00 / unit
Multi Family: two bedroom or more	2.00 / unit
Multi Family: Efficiency apartments	1.00 / unit
Rooming/Boarding	1.00 / Rented Room
Senior Housing	0.65 / unit
Group Dwelling	1.00 / Bedroom
Institutional Uses	
Elementary/Junior High School	1.00 / Employee
Senior High School	1.00 / Employee 1.00 / per 5 non-bused students
College/trade/vocations	1.00 / Employee 1.00 / 4 Students
Libraries/Museums	1.00 / 350 SF
Assembly/exhibition halls/sports arenas/ theaters and auditoriums	1.00 / 5 occupants at maximum capacity
Church	1.00 / 5 Seats or 1.00 / 5 occupants in the largest area of assembly
Commercial Uses	
Day Care/Nursery	1.00 / Employee plus 1.00 / 10 Students
Vehicle Repair Garage	2.50 / service bay/stall
Hospital	1.00 / 2 patient Beds
Hotel/Motel	1.00 / Room/suite plus 50% for accessory uses e.g. restaurants and bars
Funeral Home	1.00 / 4 seats or per 4 occupants in chapel
Professional Office	1.00 / 330 SF
Medical Office/Clinic	1.00 / 300 SF
Veterinary Office	1.00 / 300 SF
Health Club	1.00 / 300 SF
Retail sales/service (Less than 20,000 GFA)	1.00 / 300 SF
Retail sales/service: large format (greater than 20,000 GFA)	1.00 / 400 SF
Multi-Tenant Commercial Building	1.00 / 300 SF
Furniture/Home Furnishing	1.00 / 1000 SF
Eating & Drinking Establishments	1.00 / 100 SF
Fast Food with Seating	1.00 / 100 SF
Fast Food without Seating	1.00 / 250 SF
Commercial Indoor Amusement	1.00 / 360 SF

Industrial Uses	
Industrial service shops	1.00 / 750 SF shop area plus 1.00 / 500 SF Office
Warehouse/wholesaling with distribution	1.00 / 2,000 SF plus 1.00 / 500 SF Office
Other Uses	
Banks	1.00 / 330 SF
Self Service Laundry	1.00 / 4 Machines
Vehicle/Farm/Trailer Sales	1.00 / 1,500 SF plus any shop area to be calculated using shop calculation
Barber/Beauty Shop	2.00 / Chair
Nurseries	1.00 / 500 SF inside sales or display plus 1.00 / 1,000 SF outside display

\* "Employee" refers to the number of employees on the largest shift

\*\* "SF" refers to square footage of the gross floor area

Table 1. Parking Lot Requirements for 10.0 Foot Stalls at Various Angles shown in Figure 8

Dimension	On Diagram	Minimum Dimensions (feet)			
		45°	60°	75°	90°
Stall Width, parallel to aisle	A	14.1	11.5	10.4	10.0
Stall Length of Line	B	28.5	24.3	21.2	18.5
Stall depth	C	20.2	21.0	20.5	18.5
Aisle width between stall lines	D	12.0	16.0	23.0	26.0
Stall depth, interlock	E	16.6	18.5	19.2	18.5
Module, edge of pavement to interlock	F	48.8	55.5	62.6	63.0
Module, interlocking	G	45.2	53.0	61.3	63.0
Module, interlock to curb face	H	46.8	53.2	60.1	60.5
Bumper overhang (typical)	I	2.0	2.3	2.5	2.5
Offset	J	7.1	2.9	0.7	0.0
Side and rear yard setback	K	Residential & C-1 Districts: 5 feet Other: None			
Cross aisle, one-way	L	14	14	14	14
Cross aisle, two-way		24	24	24	24
Front yard setback	M	As required for building in all districts except C-3 C-3 Districts: None			
Setback from principal building	N	Residential Districts: 10 feet Other Districts: 5 feet			
Front lot line to drive (landscape area)	O	Residential & C-1 Districts: 10 feet Other Districts: None			
Side and rear lot line to drive (landscape area)	P	Residential & C-1 Districts: 10 feet Other Districts: None			

Figure 8.

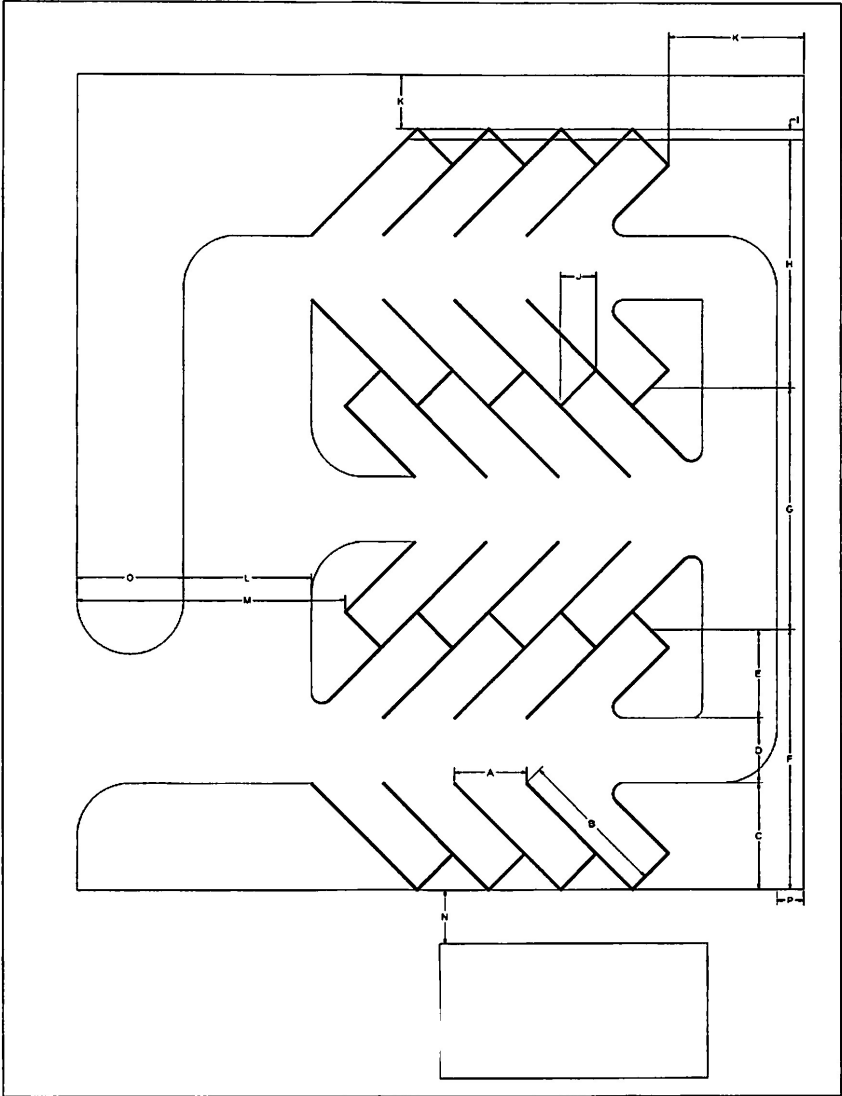


Figure 9. 2014 Downtown Parking District

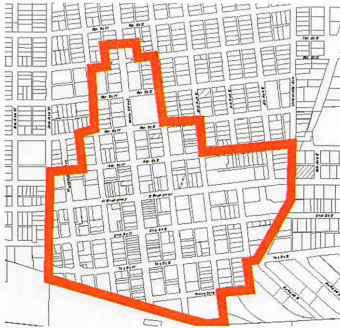
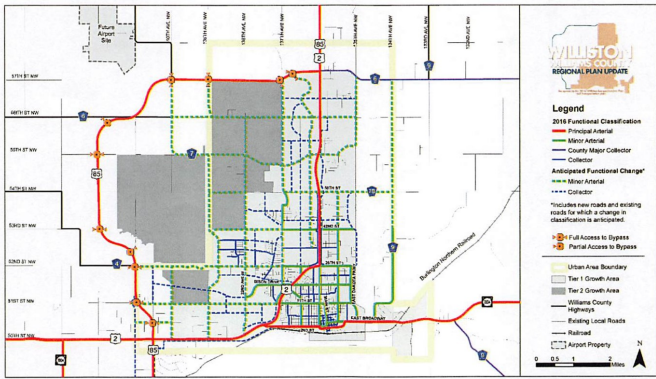


Figure 10. Anticipated 2040 Functional Classification System (Figure 5.1 of City of Williston Transportation Plan, 2016)



## **I. Off-Street Loading Requirements.**

No building or structure other than residences shall be erected, nor shall any existing building or structure be altered in any use district without prior provision for off-street loading space in conformance with the following minimum requirements:

1. Retail Sales and Service, medical facilities, industrial service, manufacturing, warehousing/distribution, and wholesale sales with 10,000 square feet or more of gross floor area, or any use that generates a high demand for loading/unloading shall provide off-street loading spaces and related access and maneuvering areas.
2. Designated loading spaces: The length and width of the loading space, plus maneuvering area shall be indicated on the site plan and sized consistent to the use and vehicles serving the site.
3. The off-street loading facilities required for the use shall be on the same lot or parcel of land as the structure they are intended to serve.
4. Each required off-street loading area shall be designed to avoid obstruction of other vehicular access, or use of public streets and alleys.
5. If a loading space is within a parking lot required to be a paved hard surface, the loading space and access shall also be a paved hard surface.
6. The Development Services Director shall make final determination on the adequacy of loading/unloading facilities for the proposed use and any necessary signage.
7. Design and location of entrances and exits for required off-street loading areas shall be subject to the approval of the Development Services Director and City Engineer.

Commissioner Cymbaluk moved the adoption of the foregoing Ordinance.

The motion was seconded by Commissioner Bekkedahl. On roll call vote of

The Commissioners, the following Commissioners voted "AYE": Bekkedahl, Piesik, Bervig, Cymbaluk, and Klug.

The following Commissioners voted "NAY": none.

Absent and not voting: none.

WHEREPON, the motion was passed and the Ordinance declared adopted this 27<sup>th</sup> day

Of February, 2024.

ATTEST:

  
\_\_\_\_\_

Hercules Cummings, Finance Director

APPROVED:

  
\_\_\_\_\_

Howard Klug, President Board of City Commissioners

PASSED FIRST READING: 02/13/2024

PASSED SECOND READING: 02/27/2024

PUBLISHED:

ADOPTED THIS 27th Day of February, 2024