
Sec. 144-5.1. Parking, loading, stacking and vehicular circulation.

5.1-1. General provisions.

- (i) *Off-site parking.* As a means of satisfying off-street parking requirements, off-site parking shall be permitted with the approval of an application for off-site parking. Off-site parking is subject to the following:
- (1) The applicant has submitted an application for off-site parking that includes an access plan demonstrating that access to the off-site parking is reasonably and safely accessible by the public by foot;
 - (2) The nearest edge of the closest parking space of the off-site parking is no further than 800 feet from the lot or parcel of the premise using the off-site parking (subject property);
 - (3) The off-site parking spaces are not shared with any other off-premise use and are not required parking for any other premise;
 - (4) The off-site parking spaces shall be paved and striped to city code prior to a certificate of occupancy being granted to the premise using the off-site parking;
 - (5) An off-site parking agreement between the off-site parking area property owner and the property owner of the subject property on a form approved by the city attorney. The term of the agreement shall be no less than ten years. The agreement shall bind future owners or assigns. The agreement shall state that, if for any reason the agreement is not followed, the owner of the subject property shall acknowledge that the property is in violation of this chapter and that the certificate of occupancy may be voided by the city. The agreement shall state that it cannot be cancelled or amended unless by written agreement from the city, is replaced with on-site parking in accordance with code, or is replaced with another off-site parking agreement;
 - (6) Failure to renew or maintain an off-site parking agreement for required parking may result in loss of compliance with off-street parking requirements resulting in the revocation of the certificate of occupancy; and
 - (7) Directional signage shall be provided as follows:
 - (a) At the entrance to the off-site parking. There shall be no more than one such directional sign, it shall be no larger than four square feet per face, and state parking is allowed for the establishment using the off-site parking.
 - (b) In the on-site parking area of the subject property, stating and/or showing where the off-site parking is located. There shall be no more than one such sign that shall be no larger than four square feet per face.
 - (8) Consideration of application. The ~~planning and community development department~~ [Planning and Development Services Department](#) shall approve or deny any completed application based on the above criteria and any additional information deemed necessary for a thorough review. Any application that is missing information will be considered incomplete and will not be processed. If approved, the off-site parking agreement shall be recorded in the appropriate county deed records and a copy shall be provided to the ~~planning and community development department~~ [Planning and Development Services Department](#).
 - (9) Appeal procedures. Aggrieved parties may appeal an off-site parking administrative decision. Appeals are considered by the ~~city council~~ [zoning board of adjustment](#).

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- (a) An appeal must be made with an application form available in the ~~planning and community development department~~ Planning and Development Services Department with the requirements to file an appeal as outlined in section 144-2.2 of this chapter.
 - ~~(b) The appeal shall be scheduled for consideration on a regular agenda of the city council.~~
 - (b) The zoning board of adjustment shall review the site plan and shall approve, approve subject to certain conditions, or disapprove the off-site parking plan.
 - (c) The ~~city council~~ zoning board of adjustment shall determine final approval or disapproval of all off-site parking appeals.

Sec. 144-5.22. Non-residential and multifamily design standards.

5.22-10. Appeal procedures.

- (a) Enforcement of this section may be appealed to the planning commission ~~city council~~.
- (b) Appeal procedures.
 - (1) ~~All Any~~ appeal ~~actions for a site plan application denied by the planning director or his/her designee~~ shall be submitted ~~to and~~ by the applicant ~~city council~~ within 30 days of the denial if requested by the applicant.
 - (2) An appeal must be made in writing on an application form available in the ~~planning and community development department~~ Planning and Development Services Department and shall be accompanied by an application fee per appendix D of this Code ~~and shall include a site plan, building elevation plan and landscape plan.~~
 - ~~(3) The appeal shall be scheduled for consideration of the site plan on the regular agenda of the council within 30 days after the appeal application is received, or, in the case of an incomplete application, 30 days after the submission is deemed complete.~~
 - (3) The appeal shall be scheduled for consideration on the next available agenda of the planning commission.
 - ~~(4) (4) The council~~ planning commission shall review the site plan appeal and shall ~~recommend approval approve, approval approve~~ subject to certain conditions, or ~~disapproval disapprove of the concept plan or building site plan appeal.~~
 - ~~(5) (5) The city council~~ planning commission shall determine final approval or disapproval of all ~~site plan~~ appeals.

Sec. 144-5.23. Temporary vending operations.

5.23-22. Appeal procedures.

- (a) Enforcement of this section may be appealed to the ~~city council~~ zoning board of adjustment.
- (b) Appeal actions.

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- (1) ~~All~~ Any appeal ~~actions for a site plan application denied by the planning director~~ shall be submitted to the Planning and Development Services Department. ~~to and reviewed by the city council, if requested by the applicant. The requirements to file an appeal are outlined in section 144-2.2 of this chapter.~~
 - (2) The appeal shall be scheduled for consideration ~~of the site plan~~ on the next available ~~regular~~ agenda of the ~~council board~~ within 30 days after the submission is received, or, in the case of an incomplete submission, 30 days after the submission is deemed complete.
 - (3) The ~~council board~~ shall review the site plan appeal and shall approve, approve subject to certain conditions, or disapprove the ~~concept plan or site plan~~ appeal.
 - (4) The ~~city council~~ zoning board of adjustment shall determine final approval or disapproval of all ~~site plan~~ appeals.

Sec. 144-5.24. Temporary mobile storage units.

5.24-14. Appeal procedures.

- (a) Enforcement of this section may be appealed to the planning commission. ~~city council.~~
- (b) Appeal actions.
 - (1) ~~All~~ Any appeal ~~actions for a site plan application denied by the planning director or his/her designee~~ shall be submitted ~~to and reviewed by the city council, if requested~~ by the applicant within 30 days of the denial.
 - (2) The appeal shall be scheduled for consideration ~~of the site plan~~ on the ~~regular~~ next available agenda of the ~~council~~ planning commission within 30 days after the submission is received, or, in the case of an incomplete submission, 30 days after the submission is deemed complete.
 - (3) The ~~council~~ planning commission shall review the ~~site plan~~ appeal and shall ~~recommend approval~~ approve, ~~approval~~ approve subject to certain conditions, or ~~disapproval~~ disapprove ~~of the concept plan or site plan~~ appeal.
 - (4) The ~~city council~~ planning commission shall determine final approval or disapproval of all ~~site plan~~ appeals.