

**Title 12.17
Parking Facilities**

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12.17.010 Purpose

This Parking Facility Ordinance is adopted for the purpose of setting forth design and construction requirements for driveways and parking facilities. (Ord. 3587, 2017; Ord. 3571, 2016; Ord. 3555, 2015; Ord. 3424, 2010)

12.17.020 Applicability

This code shall apply to the design and construction of driveways and parking facilities as required by:

- A. Application and issuance of a Building Permit
- B. Application and issuance of a Zoning Compliance Permit
- C. Application and issuance of a Private Property Paving Permit.
- D. Subdivision development
- E. Townhome Exemption Development

12.17.030 Conflicting Provisions

If any provisions of this Parking Facilities Ordinance conflict with any provisions or regulations of Federal, State or Local Government, then the most restrictive requirement(s) shall apply, to the extent permitted by law. Presence of conflict within any portion of this ordinance shall apply and exist only within the portion in conflict and shall not nullify the entire ordinance.

12.17.040 Paving Construction Work -- Application, approval, and permit required

- A. Application for permit(s) for private property paving construction work improvements specified in this chapter shall be made to the City Engineer on permit application form(s) provided for such permitting purposes.
- B. Prior to approval of private property paving construction work improvements and issuance of permit(s) and payment of fee(s) as required by Missoula Municipal Code (MMC) Title 12 and established by resolution, staff shall review and determine that the proposed improvement are in conformance with the provisions and standards

set forth in Missoula Municipal Code (MMC) and all other applicable federal, state and local regulations and requirements.

- C. Upon approval of private property paving construction work, all applicable permits including but not limited to a Private Property Paving Permit and Storm Water Pollution Prevention Plan (SWPPP) Permit, shall be issued before paving construction work shall begin.
- D. Private property paving construction work performed without required permit(s) shall be subject to an investigation fee which shall be equal to the fee amount for the required un-purchased permit(s) and in addition to the required permit(s) fee.
- E. Paving construction work performed for driveways or parking facilities shall conform to this section and any deviation from this section shall be reviewed and approved by the City Engineer prior to any paving construction work activities.

12.17.050 Paving Construction Work -- Standards compliance required.

- A. All private property paving construction work for driveways and parking facilities shall be constructed in accordance with the most current published version of:
 - 1. Missoula Municipal Code Title 20 - Zoning
 - 2. Montana Pollutant Discharge Elimination System (MPDES)
 - 3. Missoula City – County Air Pollution Control Program regulations. All contractors, engineers, architects and designers shall specifically examine and closely observe the requirements of the Missoula City – County Air Pollution Control Program regulations, Chapter 8 - Fugitive Particulate during all phases of paving construction work.
- B. In the event of conflict or discrepancy in the above documentation and related specifications, the most stringent shall prevail and govern.

12.17.060 General Requirements

- A. Driveways and parking facilities shall be laid out, designed and constructed in accordance with Missoula Municipal Code requirements, City Fire Department and Missoula City Public Works Standards and Specifications.
- B. Accessible parking facilities shall be provided in accordance with current ADA regulations and Missoula Municipal Code requirements, and Missoula City Public Works Standards and Specifications.
- C. All driveways and parking facilities shall be paved in the following scenarios:
 - 1. New construction or change of use for residential dwelling, commercial, or industrial structures.
 - 2. Additions or changes to existing structures that cause an increase in the parking requirement.
 - 3. Where construction, reconstruction, or additions to parking facilities, driveways, or driveway approaches occur.
 - 4. Where a Subdivision Exemption Affidavit for a boundary line relocation or family transfer is applied for and approved (except for a boundary line relocation that does not create additional building sites). Sidewalks/walkways next to paved areas used for driving or parking shall be grade separated by a minimum of four (4) inches or separated by bollards or "B" curb. Pin-down curbs or wheel stops shall not be used to separate vehicular passages or parking areas from an at grade sidewalk/walkway.
- D. Vehicular access is prohibited to unpaved areas, including but not limited to front, back or side yards, boulevards, secondary unpaved areas, and unimproved areas. Refer to the Missoula City-County Air Pollution Program

Chapter 8 for specific exemptions from this requirement. These exemptions must also meet City of Missoula Small Municipal Separate Storm Sewer System requirements.

- E. Driveways serving as an approved fire apparatus access road shall meet the requirements of the International Fire Code Appendix D as adopted by the City.
- F. Parking facilities may include the street and/or alley for minimum backing distance. See City of Missoula Standard Drawings for reference.
- G. Existing parking facilities shall not be altered to violate the requirements of this chapter including allowing vehicles to park in areas not designated for parking per the approved site plan.
- H. All parking facilities shall provide a snow removal plan. The snow removal plan shall include the removal or storage of accumulated snowfall (snow) within the site.

The snow removal plan may include:

- 1. Storage areas located on-site within landscape, lawn or turf areas,
- 2. Storage areas located on site within excess parking areas i.e. parking areas exceeding the minimum required parking as required by Missoula Municipal Code (MMC) Title 20,
- 3. Storage areas located off-site where snow may be legally disposed of.

Storage of snow is prohibited in the following locations that:

- 1. Are within the right-of-way.
- 2. Create a visibility obstruction as per Missoula Municipal Code (MMC) Title 12.
- 3. Block fire hydrants or fire apparatus access roads.
- 4. Reduce the quantity of parking spaces below minimum required.
- 5. Inhibit vehicular movements.
- 6. Adversely affects vehicular safety.
- 7. Obstruct accessible parking spaces, routes, aisles, or other accessible site amenities.
- 8. Obstruct entrances, fire exits, mailboxes, storage areas, trash enclosures or other accessible site amenities.
- 9. Block Bike parking locations.
- 10. Adversely affects an access easement.
- 11. Obstruct storm water facilities.
- 12. Is within a riparian zone, wetlands, floodplain, levee, irrigation or other open waterway.
- 13. Is within a private, public or community wellhead isolation or protection zone
- 14. Violates the Clean Water Act (CWA) and / or the Montana Pollutant Discharge Elimination System (MPDES) and / or any other federal, state or local law / statute.

- I. At the discretion of the City Engineer, when a building or development permit is needed, pedestrian connections (sidewalks and/or trails) may be required to connect various facilities, including but not limited to:
 - 1. Parking facilities with entrances to structures.
 - 2. Multiple structures on the same site.
 - 3. Structures to parking facilities, mailboxes, and garbage collection points.
 - 4. Structures and/or parking facilities on adjacent parcels.
 - 5. Existing or future pedestrian facilities (such as sidewalk or trails) in the right-of-way or a public access easement.

These connections, when required, shall meet all accessibility requirements when required by other local, state, or federal regulations.

- J. At the discretion of the City Engineer, when a building or development permit is needed, vehicular connections (driveways or other drive lanes) may be required including at, but not limited to, the following locations:
 - 1. Adjacent destinations.

2. Internal roads to adjacent public or private roads.
3. Internal roads to each other.

For external connectivity requirements, refer to Chapter 12.10.

12.17.070 Private Property Parking Facility Maintenance

Purpose: Many parking facilities are altered to a different configuration which does not comply with the original approved plans and may result in conflicts with zoning and engineering standards.

- A. Parking facility maintenance work, for the purpose of this chapter, shall include all work listed below on private or public parking facilities.
 1. Paving Work: Any surface material used in previously unpaved areas where vehicles may drive, park or be stored, and includes but is not be limited to; hot mix asphalt, Portland cement concrete, or any other material approved by the City Engineer.
 2. Repaving Work: The removal of any layer of existing asphalt, concrete or other surface material and the subsequent installation of a new paved surface.
 3. Reconstruction Work: One or more of the following work activities: installation or removal of existing parking facility surface and/or re-grading of the parking facility, storm water drainage improvements, installation or maintenance of curb and gutter or the installation or maintenance of pedestrian access routes (including sidewalks).

- B. Permit Requirements for Paving, Repaving or Reconstruction of Parking Facilities
 1. A Parking Facility Paving Permit is required for paving, repaving or reconstruction of a parking facility: The fee for this permit is set by resolution. The following is required for permit review:
 - a. A site plan(s) drawn to a scale not greater than 1'=20'.
 - b. If re-striping is to exactly match the existing layout then the applicant may submit copies of the original site plan(s) provided that the existing layout meets current standards.
 - c. Show property lines.
 - d. Show all existing structures and entrances.
 - e. Show existing and proposed storm water drainage, snow storage area(s), landscaping, lighting, etcetera.
 - f. Show existing and proposed pedestrian access routes (sidewalks) and driveways on private property, adjacent right-of-way, and easements.
 - g. Show parking space dimensions, layout, quantity, and configuration.
Show ADA accessible parking facilities on the site plan including signing, striping, ramps, access, etcetera.

- C. Upon approval of a Parking Facility Paving Permit, all applicable additional permits, including but not limited to: Zoning Compliance Permit, Right-of-Way Permit, Accessibility Permit or Storm Water Permit, shall be issued prior to parking facility maintenance work commencement.

12.17.080 Construction Requirements for Driveways

- A. Right of way improvements, including but not limited to, curb and gutter, curb cuts, driveway approaches, sidewalk, etc. shall be installed and maintained in accordance with Missoula Municipal Code Chapter 12.10.

- B. Driveways shall substantially follow natural contours and not exceed a maximum grade of 8% percent.
 1. Where physical conditions exist that do not allow the driveway approach grade to be 8% or less, driveway approaches may be a maximum of 10% with approval of the City Engineer and City Fire Marshall.

2. A maximum driveway grade up to 10% may be allowed for a distance of up to 50 feet, when approved by the City Engineer and City Fire Marshall.
 3. Where barriers exist which do not allow a driveway, parking lot, parking garage, approach, or apron grade to meet this requirement, no improvements shall be permitted.
- C. Driveway minimum paved width shall be 9 feet, or 12 feet if the driveway is greater than 150 feet in length. Fire code may require additional unobstructed width and turnouts.
 - D. Driveways exceeding 150 feet in length require an additional approval from the City Fire Marshall.
 - a. Proposals for driveway designs more than 150 feet in length must be approved and accompanied by written comments from the City Fire Marshall.
 - b. Dead-end driveways in excess of 150 feet shall have fire apparatus turnarounds, per IFC Appendix D, located within 150 feet of the building
 - c. Driveways over 150 feet must have an unobstructed vertical clearance of 13.5 feet and an unobstructed width of not less than 20 feet.
 - E. Driveways may use self-draining solid surface materials, such as interlocking block pavers, as long as the requirements of Rule 8.204 of the Missoula City-County Air Pollution Control Program and fire code are met.
 - F. Driveway paving construction work shall be completed along the entire length of a driveway starting at the existing adjacent intersecting street, alley or driveway approach
 - G. Stacked Parking and back out egress is only permitted for single family & duplex dwelling units.
 - H. Driveway shall be removed and landscaped if the existing adjacent parking space(s) are removed.
 - I. All existing and new parking shall comply with current standards when changes or alterations to the existing parking and/or approaches are made.
 - J. Curb and gutter are not required adjacent to driveways and/or parking facilities for any single family & duplex dwelling units.

12.17.090 Construction Requirements for Parking Facilities

- A. Right-of-way improvements, including but not limited to, curb and gutter, curb cuts, driveway approaches, sidewalk, etc. shall be installed and maintained in accordance with Missoula Municipal Code Title 12.10.
- B. For parking facilities with (5) or more parking spaces, ADA accessible features and facilities, pedestrian routes, right-of-way infrastructure improvements and facilities (at grade, above grade and below grade) shall be designed by a licensed professional civil engineer or licensed professional architect and submitted plans shall be stamped by said licensed professional and included with the building permit application, zoning compliance permit application and / or any other permit application.
- C. Parking facilities with five (5) or more parking spaces shall be constrained by poured-in-place concrete curbing, fencing, bollards, or other means to physically prevent access to unpaved areas. Adequate storm water management is required in all cases. Pin-down curbs shall not be permitted as a substitute for poured-in-place sidewalk or curb and gutter.
- D. Parking facilities with five (5) or more parking spaces shall be designed so that ingress and egress from the public street from and to a parking facility shall do so by driving forward except for parking spaces served directly off of an alley.
- E. Multi-dwelling parcel paved parking areas not designated and approved for parking shall be clearly marked by applying yellow epoxy paint to the curb or asphalt and signed appropriately and as required by the City Engineer

as such i.e. "NO PARKING." Multi-dwelling parcel(s) utilizing permitted, shared, paved parking facilities, shall have the most restrictive ADA compliance requirements applicable, based on each sites' use.

- F. If utilizing an adjacent transit stop for a parking reduction per zoning 20.60.080, it shall be required to provide an ADA-compliant accessible route between the referenced transit stop and all on-site accessible routes.
- G. Where a total of four (4) or fewer parking spaces, including accessible parking spaces, are provided on a site, identification of accessible parking spaces shall not be required. This rule also applies to each separate parking facility of four or fewer parking spaces on a site. However, all other requirements for accessible parking spaces, including access aisles, still apply. The combined total of all parking facilities on a site determines the number of accessible spaces to be signed.
- H. For new facilities, loading and unloading of goods from vehicles shall occur on-site and shall not be accessed by backing into the private property from streets. All maneuvering, backing and turning movements shall be limited to on-site areas only and shall comply with Missoula City Public Works Standards and Specifications.

12.17.100 Private Property Paving Construction Work -- Inspection by City

All private property paving construction work shall be inspected by a City Inspector. All driveway and parking facility work shall be executed and completed to the satisfaction of the City Inspector. All inspections are required to be scheduled no later than 7:00 AM the day of the inspection. The City of Missoula reviewed, stamped and approved set of plans shall be available on all construction site(s) at the time of any inspection(s).