

Section 45. Regulations for parking, loading, automotive and drive-in establishments.

The following regulations shall apply to all uses and zone districts described in section 42 of this ordinance.

In any case where provisions of this section 45 are applicable, the plans submitted shall be sufficient in scope and character to determine that all relevant requirements of this section are adhered to.

In any case in which the zoning enforcement officer is uncertain as to the applicability of standards or the adequacy of facilities, such questions shall be referred to the department of traffic and parking for an opinion. Where further refinement of the provisions of this section 45 is necessary, reference shall be made to The Traffic Engineering Handbook, Institute of Traffic Engineers, in its latest edition, or to A Policy on Arterial Highways in Urban Areas, American Association of State Highway Officials, in its latest edition.

(a) *Parking and loading.*

(1) Off-street parking and off-street loading spaces shall be furnished in the following quantities for new uses and expansion of existing uses except where otherwise indicated in Section 45.

a. *Quantity of parking spaces:* The quantity furnished shall be in accordance with the following table. For the sake of clarity, the appropriate key letter in the first column below appears with each **use** in the Table of **Use** Regulations in section 42.

Table 45(a)(1)a.

| Key Letter | General Description of Uses | Quantity of parking spaces |
|------------|--|---|
| a | Motel, Hotel, Tourist Home, Bed and Breakfast | One per unit |
| b | Rooming or Boarding House Fraternities and Sororities | One per three sleeping rooms |
| c | Dwelling, Unit | One-half per dwelling unit, except for one per dwelling unit in BA and BA-1 Districts |
| d | Assisted Living and Elderly Housing | One-third per dwelling unit |
| e | Live Work Loft | One per unit |
| f | Custodial Care | See Section 19 |
| g | Religious institutions | One for each eight seats in the largest place of assembly based upon the maximum occupancy of both fixed and movable seats |
| h | Cultural activities including art galleries, libraries and museums | One per each eight seats in each place of assembly based upon the maximum occupancy of both fixed and movable seats |
| i | Public and private elementary and secondary schools | One for each eight seats in each place of assembly commonly having events open to the public, based upon the maximum occupancy of both fixed and movable seats |
| j | Public and private colleges and universities | Minimum parking: One parking space for each two full-time faculty members or the equivalent (two part-time members equaling one full-time member), plus one parking space for each three employees, plus one parking space for each three non-resident students, plus one parking space for each six beds if residents are allowed to keep automobiles, plus one parking space for each |

| | | |
|---|--|---|
| | | eight seats in each place of assembly (other than classrooms) commonly having one-half or more of its attendance made up of students (and otherwise having one parking space for each four seats) based on the maximum occupancy of both fixed and movable seats |
| k | General and Special Inpatient Hospitals | Minimum parking: One parking space for each four patient beds (excluding bassinets), plus one parking space for each staff or visiting doctor (based on the average number of such doctors at the hospital or health care clinic at peak times), plus one parking space for each four employees in the largest shift including nurses; plus, in the case of health care clinics, a number of parking spaces for patients equal to twice the number of parking spaces required for doctors |
| l | Nursing Homes/Rest Homes/Residential Care Homes | One per patient bed |
| m | Health Care Clinic | Three per 1,000 sq. ft. of gross floor area |
| n | Retail sales and services | One per 400 sq. ft. of gross floor area |
| o | General office, including Research Labs and High Technology Services | One per 750 sq. ft. of gross floor area |
| p | Place of assembly, eating or drinking place, funeral home | One per four seats (total capacity) |
| q | Indoor Amusement including Game Rooms as defined in subsection 42(f) | One per four persons present at such facilities when they are filled to capacity |
| r | Vocational, trade or business school | One per two students present at one time |
| s | Industrial, heavy commercial, transportation, marine, miscellaneous services | One per two employees on the largest shift |
| t | Game room, as defined in section 42.2 | One per two game machines |
| u | Marina | One per slip |

1. Exceptions.

A. *BA-1 and BA-2 Exceptions.* In the business A-1 and A-2 zone the following parking standards shall apply to all properties and buildings:

1. All residential uses—In the BA-1 zone, one space per unit. In the BA-2 zone, one half (.5) spaces per dwelling unit.
2. In the BA-1 and BA-2 zone, nonresidential uses of 2,000 square feet or less gross floor area—No requirement.
3. In the BA-1 and BA-2 zone, nonresidential uses of greater than 2,000 square feet gross floor area—Two spaces per 1,000 square feet.
4. In all cases, the off street parking provided on a lot for non-residential uses may not exceed three spaces per 1,000 square feet gross floor area.
5. Mixed use buildings may share parking requirement between residential and non-residential uses. Up to half the residential parking requirement may be counted toward daytime non-residential parking requirements so

long as there is a reasonable evidence that such uses will not adversely affect residential tenants.

6. Off-street parking shall be located to the rear of the principle building and otherwise attractively screened so as to not negatively impact on the view from the public right-of-way. There shall be no front yard parking.
 7. Sidewalk curb-cuts should be minimized. Where possible, adjacent lots should share parking access from the public right-of-way. If new curb cuts are required for a development project, pre-existing disused curb cuts must be restored per city standards.
 8. Drive-in or drive-through establishments are prohibited.
- B. *BD, BD-1, BD-2, and BD-3 Exceptions.* In the Business D, D-1, D-2 and BD-3 Districts subsection 45(a)(1)a. shall not apply to any except the following uses:
- a. General and Special and Hospitals.
 - b. Health Care Clinics, Nursing Home or Recovery Care Center.
 - c. Dwellings (including elderly and assisted living and live/work lofts).
 - d. Establishment not meeting the definition of "Restaurant" under Article I, Section 1 of these regulations and selling or serving alcoholic beverages for immediate consumption on or off premises, including accessory entertainment, or permitting immediate consumption of alcoholic beverages on or off premises, including accessory entertainment. (BD and BD-1 Districts only).
- C. *CGD and TOC Exceptions.* In the CGD and TOC zones, the following parking standards shall apply:
- (1) All off-street parking spaces must be located to the rear of principle buildings.
 - (2) Parking requirements are as follows:

| Use | Parking Maximum ¹ |
|----------------------|--|
| Residential | 1 per unit |
| Childcare | 5 off-street loading spaces, 7 parking spaces per classroom. |
| Restaurant | 0.5 per seat |
| Medical | 4 spaces for every 4 beds/treatment spaces (excluding bassinets) |
| All Other Commercial | 1 per 1,000 sq.ft. |

¹See subsection 3 below. This supersedes all other parking requirements. For uses not listed here, there is no minimum or maximum parking requirement.

- a. Shared parking arrangements are encouraged, see section 45(a)(6). Designation of spaces for electric vehicles and/or shared vehicles is strongly encouraged.
- (3) For any development proposing more than the maximum off-street, car parking spaces, a travel demand management study must be submitted.

When more than the maximum spaces are proposed, at least one space per every 25 spaces provided must be designated for electric vehicle charging; and one space must be designated for shared vehicles, or a shared vehicle passenger loading space must be provided within 50 feet of a public entrance to the building.

- (4) New buildings larger than 50,000 sq. ft. or exceeding 50 residential units, that are further than 1,000 feet from a transit stop, are required to provide at least one space for passenger loading for shared and/or autonomous vehicles within 100 feet of a public entrance to the building.
- (5) Secure (covered and enclosed) bicycle parking is required for residential uses. One bicycle parking space per ten car parking spaces or 0.25 bicycle parking spaces per residential unit, whichever is greater.
- (6) Temporary bicycle parking is required and shall be provided in publicly accessible areas. Temporary bicycle parking requirements are as follows:

| Use | Minimum Required Temporary Bicycle Parking |
|----------------------|--|
| Residential | 0.2 spaces per residential unit |
| Childcare | 5% of the number of children/students |
| Restaurant | 7% of the number of seats |
| Medical | 2% of the number of beds/treatment spaces (excluding bassinets) |
| All Other Commercial | 1 per 10 car parking spaces or 1 per 2,500 sq. ft., whichever is greater |

D. *TOC Exceptions.* To promote public transit and alleviate automobile congestion, parking spaces in the TOC zone are limited and subject to the following standards:

- 1. Eighty-five (85) parking spaces per one (1) acre of land shall be permitted as of right;

Any parking spaces in excess of eighty-five (85) per acre shall require a special permit.

- 2. In the ratios above, any fraction of the stated amount of floor area, seats, etc., shall require one **parking space**, but after the first such **parking space**, only a fraction of one-half or greater shall require an additional **parking space**.
- 3. Where one **building** has two or more distinct **uses**, such **uses** shall be measured separately for the purpose of determining the quantity of spaces required.
- 4. In order to be credited to the quantity of parking spaces required for a use, any parking space not on the same lot as such use shall be within 1,000 feet walking distance of such use, except that in the BA and BA-1 Districts such spaces must be within 300 feet of the subject lot. In the BA-2 District, such spaces must be within 650 feet walking distance of the subject lot. All such arrangements shall comply with paragraph 45(a)(5) below.
- 5. The quantity of parking required may be satisfied in whole or in part by transition parking described in subparagraph 13(b)(3)c., if permitted by special exception.
- 6. In order to be credited to the quantity of spaces required, each parking space shall have an area of not less than nine feet by 18 feet in the case of self-service parking, or eight feet by 18 feet in the case of garage or attendant parking, exclusive of adequate driveways and aisles except that in all districts up to 30 percent of required parking spaces may be

compact parking spaces. No area shall be credited as a parking space which is in any part also credited or used as a loading space.

7. In all districts two required parking spaces may be subtracted from the quantity of parking spaces required for a use or a structure for each carsharing parking space provided in a parking lot or structure containing 50 or fewer parking spaces serving such use or structure, provided, however, that in no event shall the number of parking spaces provided for a use or a structure (excluding carsharing parking spaces) be reduced by more than five percent of the required parking spaces for such use or structure. Five required parking spaces may be subtracted from the quantity of parking spaces required for a use or a structure for each carsharing parking space provided in a parking lot or structure containing in excess of 50 parking spaces, provided, however, that in no event shall the number of parking spaces provided for a use or structure (excluding carsharing parking spaces) be reduced by more than ten percent of the required parking spaces. Fifty percent of carsharing parking spaces at the same location may be compact parking spaces.
8. In all districts, for any nonresidential use and residential uses in BA, BA-1, and BA-2 districts the site shall provide two bicycle spaces for the first ten required parking spaces and one additional bicycle space for each additional ten required motor vehicle parking spaces or fraction thereof per Table 45(a)(1)a., exceptions in subsection 45(a)(1)a.1. notwithstanding. For any residential use in other nonresidential districts the site shall provide four bicycle spaces for the first ten required parking spaces and one additional bicycle space for each additional ten required motor vehicle parking spaces or fraction thereof per Table 45(a)(1)a.

And

In any case of a use for which ten or more motor vehicle **parking spaces** are required one bicycle parking space may be substituted for one motor vehicle parking per each ten required motor vehicle **parking spaces** or fraction thereof.

- A. Bicycle **parking spaces** shall comply with designs approved by the City of New Haven Department of Transportation, Traffic and Parking and at a minimum must provide a bicycle rack that permits the locking of a bicycle frame and one wheel while supporting the bicycle in a stable position that will not damage the bicycle or its components or interfere with pedestrian access to the sidewalk and ingress and egress to buildings or facilities. Required bicycle **parking spaces** are also subject to the additional following standards:
 1. Short-term bicycle parking is intended to encourage bicycling for shoppers, customers and visitors by providing convenient bicycle parking located adjacent to main entrances of buildings. It should be located within 50 feet of each main building entrance as measured by the most direct pedestrian access route.
 2. Long term bicycle parking provides safe and weather protected places for users requiring longer periods of bicycle storage such as residents, employees and students. Specific requirements include:
 - a. Long term bicycle parking must be located on or within 100 feet of the site.
 - b. At least 50 percent of required spaces must be covered.
 - c. The area must be locked or secured.

3. Short and long range parking by use.
 - a. Multi-family residential: Short term—10%, long term—90%
 - b. Retail, Restaurant: Short term—66%, long term—33%
 - c. Office: Short term—20%, long term—80%
 - d. Manufacturing and warehouse: long term—100%
 - e. Medical uses: Short term—66%, long term—33%
 - f. Other uses to be determined by City Plan Commission

b. **Quantity of loading spaces:** The quantity furnished shall be in accordance with the following table, provided, however, that the requirements of this paragraph shall not apply to any establishment within the Business D-3 District or to any establishment within the Business D-1 District having a **gross floor area** of less than 10,000 square feet. Any such establishment within the Business D-1 and D-3 Districts having a **gross floor area** of less than 10,000 square feet shall have available to it adequate off-street **loading spaces**, with centralized joint use of **loading spaces** permitted. In the Business D-3 District, a **nonresidential building** or a **mixed-use building** with a **gross floor area** of 10,001—200,000 square feet will require one **loading space**. For each additional 200,000 square feet of **gross floor area** of a **nonresidential building** or the ground floor of a **mixed-use building** in excess of 200,000 square feet, an additional **loading space** will be required in the Business D-3 District, provided however that no more than four **loading spaces** shall be required for any **nonresidential building** or **mixed-use building** in the Business D-3 District. In the Business D-3 District, a centralized shared loading space system shall be established for each **nonresidential building** and for the nonresidential **uses** in each **mixed-use building**. For the sake of clarity the appropriate key letter in the first column below appears with each use in the Table of Use Regulations in section 42.

| Key Letter | General Description of Uses | Gross floor Area (in square feet) | Quantity of loading spaces |
|------------|---|-----------------------------------|----------------------------|
| x | Use which is primarily concerned with the handling of goods | 2,400—20,000 | 1 |
| | | 20,001—50,000 | 2 |
| | | 50,001—80,000 | 3 |
| | | each add'l. 45,000 | 1 additional |
| y | Use which is not primarily concerned with handling goods | 2,400—75,000 | 1 |
| | | 75,001—200,000 | 2 |
| | | 200,001—333,000 | 3 |
| | | each add'l. 150,000 | 1 additional |

1. Except in the Business D-3 District, where one establishment has two or more distinct **uses**, such **uses** shall be measured separately for the purpose of determining the quantity of spaces required.
2. In order to be credited to the quantity of **loading spaces** required for a use, any **loading space** not on the same lot as such use shall be in an area immediately adjacent to such **lot** or (1) connected to it by underground tunnel of sufficient size to accommodate the types of materials intended for loading and unloading and (2) part of a centralized loading space system to provide the regular loading space service to such use.
3. Each **loading space** shall be sufficient in size and arrangement to accommodate trucks of the type servicing the establishment. Aisles in off-street parking areas may be used as **loading spaces** or maneuver area for entry into **loading spaces**, if the efficient operation of the off-street parking area is not affected thereby.

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4. In any case where an off-street **loading space** or **spaces** have been established, loading shall thereafter take place in such space or spaces in preference to any public street or sidewalk.
- (2) All parking and loading areas shall have adequate access to a street or alley, be suitably surfaced and drained, and be provided with bumper or wheel guards where necessary to prevent encroachment of vehicles beyond property lines. Sufficient off-street maneuvering area shall be provided. Required yards may be used for parking, provided all other requirements of this ordinance are adhered to.
 - (3) Except in the Business D-3 District, where property in a business or industrial district abuts a residence district, either directly or across a street or alley, the following requirements shall apply to parking and loading areas on such property in such business or industrial district:
 - a. There shall be a buffer strip of land at least five feet in width within such business or industrial district, between the parking or loading area and such residence district.
 - b. There shall be a suitable fence, wall or evergreen planting at least five feet in height, designed to screen noise, odors, visibility and headlight glare, between the parking or loading area and such residence district (except that such fence, wall or planting shall conform to the sight distance requirement in subparagraph (4)c. below).
 - (4) Free flow of traffic and protection of pedestrian areas:
 - a. Access and egress shall be arranged for the free flow of vehicles at all times, so as to prevent the blocking or endangering of vehicular or pedestrian traffic through the stopping or standing of vehicles on sidewalks or streets. If a reservoir of vehicle standing area on the property is necessary to prevent such blocking of traffic, an adequate reservoir shall be provided.
 - b. Facilities shall be so arranged that no vehicle is allowed to stand or be parked on any sidewalk or other area between the curb and the street line, or on any other area which is privately owned but used by the public as a sidewalk.
 - c. Adequate sight distances shall be maintained for vehicles and pedestrians.
 - d. No access or egress shall be so arranged that vehicles can enter or leave the area only by backing on or across any sidewalk or to or from any street.
 - e. An access or egress driveway shall cross a sidewalk only in such a way that its width at the inner edge of the sidewalk is no greater than its width at the curb (excluding any curved or tapered section known as "curb return"). Any portion of a parking or loading area (or other area for maneuvering or standing of vehicles) abutting a sidewalk at a point other than a permitted driveway shall be provided with suitable copings, wheel stops, bumper guards or other devices to prevent encroachment of parked, standing or moving vehicles upon any sidewalk area not contained within a permitted driveway.
 - f. The construction specifications for curb cuts for driveways (such as line and grade materials) shall be determined by reasonable standards established by the Department of Public Works, and by the City of New Haven Ordinance entitled An Ordinance to Regulate the Laying of Walks, Curbs, Combined Curbs and Gutters, and any amendments thereto. The number, location and length of curb cuts for driveways shall be determined by reasonable standards established by the department of traffic and parking.
 - (5) Any **parking** or **loading space** not located on the same **lot** as the **structure** or **use** to which it is assigned, in order to be credited to the quantity of **parking** or **loading spaces** required for such **structure** or **use**, must be either:

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- a. Owned by or under long-term lease to the owner of such **structure** or **use**, with appropriate deed restrictions and long-term leases recorded on the New Haven Land Records; or
 - b. Made available on a long-term basis by a public agency or agencies, with written certification from such public agency or agencies as to such availability.
- (6) **Shared Parking.** Where it is proposed that two or more **uses** for which a **parking** or **loading space** or **spaces** are required make joint use of the same **parking** or **loading** space or **spaces**, such joint use shall not be permitted unless:
- a. An appropriate contract between the parties concerned, providing for long-term joint use of such parking or loading, is recorded on the New Haven Land Records; and
 - b. A special exception is granted under the provisions of subsection 63(d), upon a finding, among other things, that the proposed joint use of parking or loading will meet the requirements of this ordinance for the two or more **uses** involved at the time when such **uses** are in operation.
 - c. In addition to the circumstances set forth in subsections a. and b., in the Business D-3 District, **shared parking** will be allowed as follows:
 - 1. The **building** is a **mixed-use building**, and there is evidence established to the reasonable satisfaction of the Department of Transportation, Traffic and Parking, which shall provide a report to the City Plan Commission in connection with a site plan application for the **building** that one-half of the residential requirement for such **building**, if counted toward the non-residential parking requirements of the **building**, will not adversely affect the residential **use** in the **building**.
 - 2. The on-site parking provided for a **nonresidential building** is **publicly shared parking**, in which case the parking requirements for the **uses** in the **nonresidential building** shall be reduced by 15 percent.
 - 3. Two or more **uses** and/or **structures** agree to **shared parking**, an agreement providing for the shared use of parking executed by the parties involved is filed on the land records of the City of New Haven, and the parking for such **uses or structures** occur at alternating time periods, which shall be established to the reasonable satisfaction of the Department of Transportation, Traffic and Parking which shall provide a report to the City Plan Commission in connection with the site plan applications for such **uses** and/or **structures**. In such case, the number of parking spaces required for each **use** or **structure** shall be reduced by 25 percent.
- (7) The Board of Zoning Appeals shall have the power to lessen the requirements of this ordinance as to the number of **parking** or **loading spaces** required and/or increase the maximum allowable **walking distance** to such **parking spaces**, but only upon a finding that either particular circumstance or mitigative measures qualify such action. Particular circumstance may include, but not be limited to availability of public parking, proximity to public transit or significant levels of pedestrian access. Mitigative measures may include, but not be limited to van and/or car pooling, public parking validation programs, flexible work schedules or other transportation demand management measures. All deviations from normal requirements by means of this paragraph (7) shall be considered as special exceptions under subsection 63(d) of this ordinance. In the case of any religious, educational or medical institution which has an overall parking plan for all of its facilities which has been approved by the Board of Zoning Appeals the 300 or 1,000 foot parking distance set forth in this ordinance, including this Section 45, shall not apply.
- (8) Once any required **parking** or **loading space** has been established within the provisions of paragraph (1) above, whether on the same **lot** as the **structure** or **use** to which it is assigned or on a separate **lot**, such **parking** or **loading space** shall not be discontinued if the result would be a reduction below the

amount of **parking or loading** required by this ordinance. Any such discontinuance of a **parking or loading space** shall constitute a violation of this ordinance, and any existing **building** permit or certificate of occupancy that could not have been issued without the assignment of such **parking or loading space** to the **structure or use** for which it was issued shall become null and void.

- (b) *Automotive establishments.* The following requirements shall apply to automotive establishments as indicated regardless of the district in which they are located. Where requirements of State Statutes, the Connecticut Motor Vehicle Commissioner, the Board of Zoning Appeals or some other authority also apply, the strictest of the requirements shall control.
- (1) *Gasoline stations.*
- a. All pump islands shall be located at least 13 feet from any **street line**.
 - b. The provisions for free flow of traffic and protection of pedestrian areas in paragraph 45(a)(4) above shall apply. In particular, sight distances shall not be obstructed by temporary or permanent signs, racks, displays or other materials or equipment.
 - c. Facilities shall be so arranged that no servicing of any vehicle shall take place on any public street or sidewalk, and no storage of any vehicle shall take place on any sidewalk. Adequate area for parking, storage and servicing of vehicles shall be provided on private property.
 - d. Servicing other than retail sale of gasoline and oil, and minor services customarily incidental thereto, shall be conducted within a **building**.
- (2) *Repair and limited repair of vehicles.*
- a. The provisions for free flow of traffic and protection of pedestrian areas in paragraph 45(a)(4) above shall apply.
 - b. Facilities shall be so arranged that no servicing or repair of any vehicle shall take place on any public street or sidewalk, and no storage of any vehicle shall take place on any sidewalk. Adequate area for parking, storage and servicing and repair of vehicles shall be provided on private property.
 - c. All repairs other than minor emergency repairs, and all servicing other than customary outdoor services such as tire and chain work shall be conducted within a **building**. All vehicles which are inoperable by reason of collision shall be stored within a **building** or be screened in such a manner as to be hidden from view from streets and surrounding properties.
- (3) *Sale of new or used vehicles.*
- a. The provisions for free flow of traffic and protection of pedestrian areas in paragraph 45(a)(4) above shall apply.
 - b. Adequate area for storage of vehicles and for parking of employee and customer automobiles shall be provided on private property.
 - c. Any repairing of vehicles shall conform to paragraph 45(b)(2) above.
- (4) *Car or truck wash (a/k/a Auto laundries).*
- a. The provisions for free flow of traffic and protection of pedestrian areas in paragraph 45(a)(4) above shall apply. Compliance with such provisions shall be assured by adequate design of the establishment, including a reservoir of vehicle storage and standing area on the property, outside the car or truck wash, of at least one-fifth the hourly capacity in vehicles of such facilities.

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- (c) *Drive-in establishments.* The following requirements shall apply to drive-in restaurants, drive-in banks, drive-in laundries, customer pick-ups, drive-in vending machines, and other facilities serving customers either sitting in their vehicles or stepping out briefly to pick up or deliver goods or conduct other business.

The provisions for free flow of traffic and protection of pedestrian areas in paragraph 45(a)(4) above shall apply. Compliance with such provisions shall be assured by adequate design of the establishment, with particular attention to provision of sufficient vehicle stacking capacity.

(Ord. No. 1412 (Rev. Sched. A, § 12), 5-1-06; Ord. No. 1553, 6-4-07; Ord. No. 1614, § 1, 3-1-10; Ord. No. 1662, 9-19-11; Ord. No. 1665, 10-3-11; Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1696, Sched. A, 5-6-13; Ord. No. 1751, Sched. A, § 3, 8-6-14; Ord. No. 2016-0022, Attach. C, 8-1-16; Ord. No. 1820, Sched. B, 6-5-17; Ord. No. 1842, Sched. B, 6-4-18; Ord. No. 1886, Sched. C, 1-17-20)