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## 28J. General Regulations

## Introduction

*This section includes a variety of requirements that apply to some or all zoning districts, including parking and landscaping standards, height and area exceptions, standards for telecommunications facilities, and environmental and performance standards that apply to all uses and sites.*

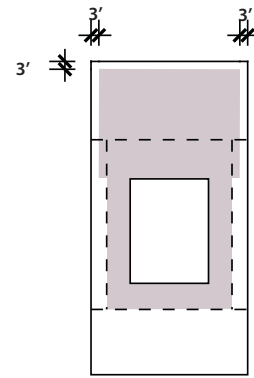
## 28J.0801 Accessory Buildings and Structures

### (1) In All Districts

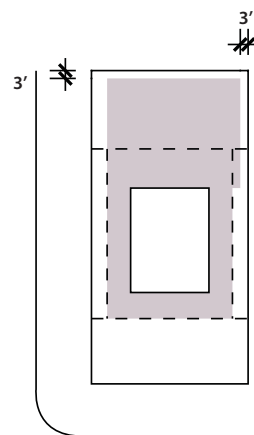
- A. Time of construction. No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
- B. Maximum percentage of rear yard setback. Accessory buildings may occupy a maximum of fifty percent (50%) of the area of the rear yard setback.
- C. Maximum height. The height of the principal building or fifteen (15) feet, whichever is lower. The following are exempt from this requirement:
  - 1. Accessory dwelling units are exempt from this requirement; maximum height shall be determined by the district requirements for zoning districts where such units are allowed.
  - 2. Carriage houses within historic districts may be replaced at their original height.

### (2) In Residential Districts

- A. Maximum area per lot: Total area of accessory buildings measured at ground floor: ten percent (10%) of lot area but no more than one thousand (1,000) square feet. A larger total building area may be allowed by conditional use permit.
- B. Maximum size of accessory building: No individual structure shall exceed five hundred seventy-six (576) square feet in TR districts and eight hundred (800) square feet in other districts at ground level except by conditional use permit. Accessory buildings shall not exceed the size of the principal building.
- C. Placement. Accessory buildings may be located in the following locations:
  - 1. Within the building envelope.
  - 2. In a rear yard setback a minimum of three (3) feet from any property line;
  - 2. In a side yard setback if located behind the rear plane of the principal building, a minimum of three (3) feet from any property line;
  - 3. In the side or rear yard setback of a corner lot, a minimum distance from the street side lot line equal to the setback required for a principal building in the district;

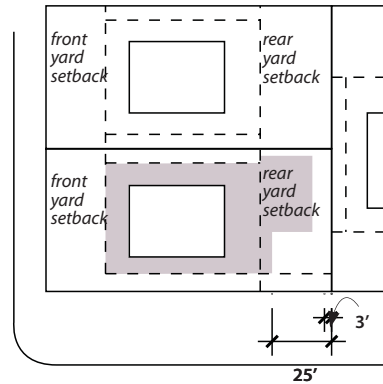


Accessory building on interior lot may be placed within shaded area



Accessory building on corner lot may be placed within shaded area

4. In the rear yard setback of a reversed corner lot, no closer to the street side lot line than the front yard setback of the adjacent property, for the first twenty-five (25) feet from the common property line. Beyond this distance, the minimum setback shall be equal to the setback required for a principal building in the district.
- D. Shared garages. A detached garage may be constructed across a lot line by abutting property owners, anywhere a garage is permitted within three (3) feet of the lot line, if: 1) there is a joint driveway leading to it; and 2) the property owners have a joint access and maintenance agreement approved and recorded by the Director, relating to the shared garage.
- E. Side and rear yard garage replacement. A detached garage located in a side or rear yard may be replaced within the existing setbacks if: the replacement is within one (1) year of demolition; the Zoning Administrator has verified the location and size of the existing or demolished garage; the enlarged structure does not exceed twenty-four (24) feet in length or width; and neither the width or length is increased by more than two (2) feet. The replacement garage shall not exceed the maximum size allowed under Sub. (2)B. above.
- F. Garages in embankments in front yards. Where the mean natural grade of a front yard is more than eight (8) feet above curb level, a private garage may be erected within the front yard setback, provided that:
1. The garage must be located at least five (5) feet from the front lot line; and
  2. At least one-half (½) of the height of the garage shall be below the mean grade of the front yard.



Accessory building on reversed corner lot may be placed within shaded area

### (3) Nonresidential Districts

Accessory buildings shall be located a minimum of ten (10) feet from the rear lot line.

## 28J.0802 Encroachments into Setback Areas [was "required yards"]

### (1) Permitted Setback Encroachments

The following structures or features are permitted in setback areas. The letter "A" in the table indicates that the structure or feature is allowed anywhere in the setback. A number indicates the maximum distance in feet that the structure or feature is allowed to extend into the setback. No subterranean encroachments are allowed except as noted in Table 28J-1.

Table 28J-1

Structure or Feature	All Yards	Front Yard Setback	Side Yard Setback	Rear Yard Setback
Accessibility accommodations as specified in Section __	A			
Accessory sheds, toolrooms, doghouses, and similar buildings or structures (see Sec. xxx, Accessory Buildings)			A	A

**(2) Residentially-Zoned Lakefront Properties**

A. Lakefront Yard Setback. The yard that abuts the lake, typically the rear yard, shall be referred to as the “lakefront yard.” The yard opposite the lakefront yard shall be treated as the front yard. The minimum depth of the lakefront yard setback from the Ordinary High Water Mark shall be calculated using one of the two following methods, provided that in no case shall principal buildings be located closer to the OHWM than twenty-five (25) feet.

1. The average setback of the principal building on the two adjoining lots, provided that the setbacks of those buildings are within twenty (20) feet of one another; or
2. Based on the median setback of the principal building on the five (5) developed lots or three hundred (300) feet on either side (whichever is less), or thirty percent (30%) of lot depth, whichever number is greater (see illustration).

B. Building Bulk Limitation. The residential floor area ratio of the principal building on the lot shall not exceed one hundred twenty-five percent (125%) of the median floor area ratio of all residentially-zoned buildings within one thousand (1,000) feet on either side. Residential floor area as defined includes finished or occupiable attic and basement space, attached garages and enclosed porches. Floor area information shall be obtained from the City of Madison assessment records.

C. Building Height Limitation. The maximum height of the principal building on the lot shall not exceed one hundred twenty-five percent (125%) of the median height of all residentially-zoned principal buildings within one thousand (1,000) feet on either side. Building height is measured from natural grade.

**Sample Calculation of Minimum Lakefront Yard Setback**

Existing Lakefront Yard Setbacks within 5 lots or 300 feet:

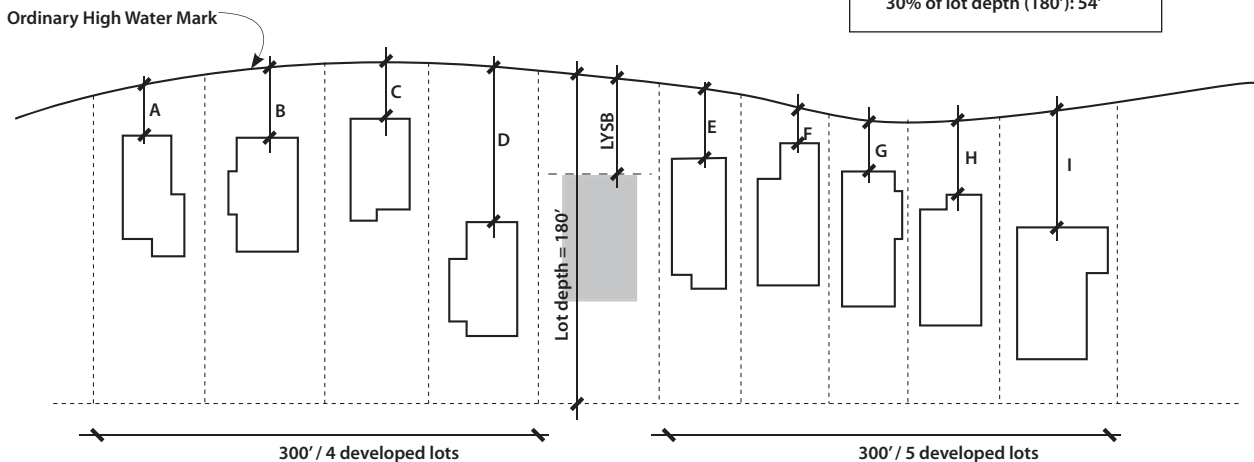
- A: 35'
- B: 45'
- C: 35'
- D: 75'
- E: 45'
- F: 30'
- G: 35'
- H: 45'
- I: 60'

Lakefront Yard Setback calculation:

Median of A to I: 45'

or

30% of lot depth (180'): 54'



## 28J.0811 Parking and Loading Standards

### (1) Statement of Purpose

This section establishes minimum and maximum parking space ratios, and standards for the layout and design of parking spaces, lots and structures. It also includes shared parking incentives, and reduction of off-street parking in favor of transit or other travel modes. The standards in this section are intended to:

- A. Encourage reduction of surface parking as a means of reducing dependence on private automobiles and reducing the pollution and congestion that are associated with automobile use.
- B. Encourage reduction of surface parking as a means of fostering more compact development patterns and encouraging transit, bicycle and pedestrian circulation.
- C. Minimize the adverse effects of off-street parking and loading on adjacent properties.
- D. Minimize spillover on-street parking in neighborhoods.
- E. Encourage shared parking arrangements that will support mixed use development and compact development patterns.
- F. Encourage bicycle circulation by providing adequate parking and storage space for bicycles.
- G. Encourage parking locations that do not disrupt Madison's traditional streetscape.

### (2) Organization of this Section

Certain districts do not require off-street parking, as set forth in Table 28J-2. Where off-street parking is required, Table 28J-3 establishes the minimum number of parking spaces required, the maximum number of parking spaces permitted, and the minimum number of bicycle spaces required, for the uses indicated. Off-street parking may be waived or reduced under specific conditions, as set forth in Table 28J-4.

### (3) No Minimum Parking Required

In the Central area, as defined, and the following districts, there is no specified minimum requirement for off-street parking of automobiles, with the exceptions specified in Table 28J-2 below. Maximum parking requirements continue to apply as specified in Table 28J-3. Off-street parking for bicycles is required as specified in Table 28J-3. For conditional uses, parking requirements may be established as part of the conditions pertaining to a use.

<b>Table 28J-2. Districts With No Minimum Parking Requirements; Exceptions</b>		
<b>District/Area</b>	<b>Parking Requirement</b>	<b>Exceptions</b>
Central Area	No minimum	
Neighborhood Mixed Use (NMX)	No minimum, with exceptions	Buildings, uses, or additions exceeding ten thousand (10,000) square feet gross floor area. Food and beverage uses (see note a)
Traditional Shopping Street (TSS)	No minimum, with exceptions	Buildings, uses, or additions exceeding ten thousand (10,000) square feet gross floor area for an individual establishment or twenty-five thousand (25,000) square feet gross floor area for a mixed-use or multi-tenant building. Food and beverage uses (see note a)
Mixed Use Center (MXC)	No minimum	
Commercial Center (CC)	No minimum	
Traditional Workplace (TW)	No minimum, with exceptions	Buildings, uses, or additions exceeding twenty-five thousand (25,000) square feet gross floor area. Food and beverage uses (see note a)
Employment Campus (EC)	No minimum	
Suburban Employment Center (SEC)	No minimum	
Industrial - Limited (IL)	No minimum	
Industrial - General (IG)	No minimum	
(a) Within the NMX, TSS and TW districts, food and beverage uses shall meet minimum parking requirements if other food and beverage uses that do not meet minimum parking requirements exist within three hundred (300) feet of the proposed use. This requirement may be reduced or waived if parking is provided through a shared agreement, as provided in Section (3)C below.		

**(4) Off-Street Parking Requirements, Applicability**

Table 28J-3 establishes the minimum number of parking spaces required, the maximum number of parking spaces permitted, and the minimum number of bicycle spaces required, for the uses indicated. Compliance with this Section is required in the case of any change in use or occupancy.

Parking requirements are determined as follows:

- A. Where number of employees is used to determine parking, it shall be based on the number of employees on the maximum working shift at the time the occupancy permit is requested. Parking requirements based on number of employees will not change unless new construction or expansion is proposed.
- B. Floor area calculation. Floor area used to calculate parking and loading requirements is defined as the sum of the gross horizontal areas of the floors or parts of a building devoted to the use, measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. It does not include porches, garages, or space in a basement or cellar when used for storage or incidental uses.

- C. Bicycle space minimum. A minimum number of two (2) bicycle spaces (the equivalent of one two-sided bike rack) is required for nonresidential uses.
- D. Computation. Fractional space requirements of up to one-half (½) space shall be rounded down to the next whole number and greater than one-half (½) rounded up to the next whole number.
- E. Parking requirements for persons with disabilities. The provisions contained in Sec. 101.12, 346.503, and Sec. 346.56 Wis. Stat. and any related Wisconsin Administrative Code sections are hereby adopted by reference and made applicable to all parking facilities whenever constructed.
- F. Unspecified uses. Where buildings are constructed without uses specified, the use with the highest parking requirement among all uses specified for the zoning district where the site is located shall be used to calculate off-street parking requirements.
- G. Unlisted uses. The zoning administrator shall establish the minimum and maximum parking and minimum loading required for any use not listed in Table \_\_. The zoning administrator may consider, but shall not be limited to, the following in establishing parking requirements for an unlisted use:
  1. Documentation. Documentation regarding the actual parking and loading demand for the proposed use.
  2. Evidence. Evidence in available planning and technical studies relating to the proposed use.
  3. Other jurisdictions. Required parking and loading for the proposed use as determined by other comparable jurisdictions.
  4. Estimation of similar uses. Examination of the parking and loading requirements for uses most similar to the proposed use.

**Table 28J-3: Off-Street Parking Requirements**

Use	Minimum	Maximum	Bicycle
<b>Residential - Family Living</b>			
Single-family detached dwellings	1 (location only)	4 outside spaces	-
Two-family dwelling – two-flat	1 (location only)	4 outside /d.u.	-
Two-family dwelling - twin	1/d.u. (location only)	4 outside /d.u.	-
Three-family dwelling	1/d.u. (location only)	2 per dwelling	-
Single-family attached dwelling	1 per dwelling	2 per dwelling	1 per dwelling
Multi-family dwelling	1 per dwelling	2.5 per dwelling	1 per unit up to 2-bedrooms, ½ space per add'l bedroom; 1 guest space per 10 units
Accessory dwelling	0	2 per dwelling	1 per dwelling
Manufactured home, mobile home	0	(see lot coverage)	1 per dwelling
Caretaker's dwelling	0	2 per dwelling	1 per dwelling

Use	Minimum	Maximum	Bicycle
<b>Residential - Group Living</b>			
Adult family home	1	4	1 per dwelling
Community living arrangement	as determined by zoning administrator based on number of rooms/ employees	150% minimum	1 per dwelling plus 1 per 3 rooms
Cohousing community	as determined by zoning administrator	150% minimum	1 per dwelling
Housing cooperative	<u>same as dwelling type prior to conversion to co-op</u>	1 per bedroom	1 per bedroom plus 1 guest space per 4 bedrooms units
Lodging house, rooming house	as determined by zoning administrator based on number of rooms/ employees	1 per bedroom	1 per bedroom plus 1 guest space per 4 units
Dormitory, fraternity or sorority	1 per 4 lodging rooms; or as established in campus master plan	1 per bedroom	1 per bedroom plus 1 guest space per 4 units
Retirement home, assisted living, congregate care	1 space per 10 dwelling units or lodging rooms; 1 per 5 beds	1 per dwelling unit	1 per 4 units + 1 per 5 employees
Religious community	see place of worship	1 per bedroom	1 per bedroom
<b>Civic and Institutional Uses</b>			
Cemetery, mausoleum	as determined by zoning administrator	as determined by zoning administrator	as determined by zoning administrator
Day care, adult, child, nursery school	1 per 15 clients	200% of minimum	1 per 5 employees
Library, museum	0	1 per 400 square feet floor area	1 per 2,000 square feet floor area
Mission house in conjunction with religious institution	see place of worship	1 per 400 square feet floor area	1 per 400 square feet floor area
Parks and playgrounds	none, except where required for specific facilities, as determined by zoning administrator		
Place of worship	1 per 10 seats or 15 lineal feet of seating area in the main worship space. If no fixed seats, 1 per 70 sq. ft. of floor area in main worship space	150% of minimum	1 per 50 seats or 75 lineal feet of seating area or 1 per 350 feet of floor area in main worship space
Public safety facilities (fire, police stations, etc.)	as determined by zoning administrator	as determined by zoning administrator	as determined by zoning administrator
Schools, public and private Schools, arts, technical or trade	1 space per classroom + 1 space per 5 students of legal driving age based on the maximum number of students attending classes at any one time	1 space per classroom + 1 space per 3 students of legal driving age based on the maximum number of students attending classes at any one time	1 space per 5 students

Use	Minimum	Maximum	Bicycle
Universities, colleges	1 per classroom and 1 per 5 students based on the maximum number of students attending classes at any one time; or as established in campus master plan	1 per classroom and + 1 per 3 students based on the maximum number of students attending classes at any one time; or as established in campus master plan	1 per classroom and <u>1 per 5 students</u> , or as established in campus master plan
<b>Mixed Commercial-Residential Uses</b>			
Live/work unit	1/d.u. + 1 per 2 employees	2 outside	1 per dwelling
Mixed commercial/residential use	calculated based on separate components (see shared parking standards)	calculated based on separate components (see shared parking standards)	calculated based on separate components (see shared parking standards)
<b>Commercial Uses</b>			
Offices Artist, photographer studio, etc. Insurance office, real estate office, sales office	1 per 400 sq. ft. floor area	1 per 200 sq. ft. floor area	1 per 2,000 sq. ft. floor area
Call center	1 per 2 employees	1 per employee	1 per 10 employees
<b>Medical Facilities</b>			
Clinic, medical, dental or optical Medical laboratory Physical, occupational or massage therapy Veterinary clinic, animal hospital	1 per 400 sq. ft. floor area	1 per 200 sq. ft. floor area	1 per 2,000 sq. ft. floor area
Hospital	1 per 4 beds or based on a parking study or campus master plan	as determined by zoning administrator	1 per 2,000 sq. ft. floor area
<b>Retail Sales and Services</b>			
General retail Animal boarding facility, kennel Bank, financial institution Business sales and services Food and related goods sales Laundromat, self-service Liquor store Package delivery service Payday loan business Post office Secondhand goods sales Service business; service business with showroom or workshop Small appliance or engine repair	1 per 400 sq. ft. floor area	1 per 200 sq. ft. floor area	1 per 2,000 sq. ft. floor area
Building materials and home improvement retail center	1 per 1,000 sq. ft. floor area + 1 per 1,000 sq. ft. of outdoor sales, display	1 per 500 sq. ft. floor area + 1 per 500 sq. ft. of outdoor sales, display	1 per 4,000 sq. ft. interior floor area
Drive-through sales and services, primary and accessory	0 or as determined by zoning administrator	as determined by zoning administrator	n/a

Use	Minimum	Maximum	Bicycle
Dry cleaning, commercial laundry	1 per 2 employees	1.25 per employee	1 per 4,000 sq. ft. floor area
Farmers' market	0	as determined by zoning administrator	as determined by zoning administrator
Furniture and household goods sales Garden center, outdoor Greenhouse, nursery	1 per 1,000 sq. ft. floor area + 1 per 1,000 sq. ft. of outdoor sales, display	1 per 500 sq. ft. floor area + 1 per 500 sq. ft. of outdoor sales, display	1 per 5,000 sq. ft. outdoor sales, display
Mortuary, funeral home	1 per 200 square feet of assembly area	1 per 100 square feet of assembly area	1 per 2,000 sq. ft. assembly area
Outdoor uses, commercial	1 per 1,000 sq. ft. of outdoor sales, display	1 per 500 sq. ft. of outdoor sales, display	1 per 5,000 sq. ft. outdoor sales, display
Pet daycare	1 per 15 clients	200% minimum	1 per 5,000 sq. ft. floor area
<b>Food and Beverages</b>			
Catering	1 per 2 employees	1 per employee	1 per 5 employees
Coffee shop, tea house Restaurant, carry-out, deli Restaurant-tavern, tavern, brewpub	15% of capacity of persons	40% of capacity of persons	5% of capacity of persons
<b>Commercial Recreation, Entertainment and Lodging</b>			
Bed and breakfast establishment	1 per 2 bedrooms in addition to requirement for dwelling	200% of minimum	1 per 2 bedrooms
Health/sports club	10% of the capacity of persons	20% of the capacity of persons	5% of the capacity of persons
Hostel	0	1 per bedroom	1 per bedroom
Hotel, inn, motel	.75 per bedroom	2 per bedroom	1 per 10 bedrooms
Indoor recreation	as determined by zoning administrator (number employees & use characteristics)	as determined by zoning administrator	5% of the capacity of persons
Lodge, private club, reception hall	15% of the capacity of persons	40% of the capacity of persons	5% of the capacity of persons
Outdoor recreation (i.e., mini-golf, driving range, etc.)	as determined by zoning administrator	as determined by zoning administrator	as determined by zoning administrator
Theater, assembly hall, concert hall	20% of the capacity of persons in the auditorium, or as established in campus master plan (if applicable)	40% of the capacity of persons in the auditorium	5% of the capacity of persons in the auditorium
<b>Adult Entertainment</b>			
Adult use, adult entertainment tavern	20% of capacity of persons	40% of capacity of persons	5% of capacity of persons
<b>Automobile Services</b>			
Auto service station, body shop, repair station	1 per 2,000 sq. ft. of floor area, excluding service bays + 2 spaces per service bay	1 per 1,000 sq. ft. of floor area excluding service bays + 2 spaces per service bay	1 per 5 employees
Auto convenience market	1 per 1,000 sq. ft. of floor area	1 per 500 sq. ft. of floor area	1 per 1,000 sq. ft. floor area

Use	Minimum	Maximum	Bicycle
Auto sales and rental Note: rental vehicles on site may be stacked	1 per 1,000 sq. ft. floor area + 2 spaces per service bay, if any	1 per 500 sq. ft. floor area + 4 spaces per service bay	1 per 5 employees
Automobile storage and towing (excluding wrecked or junked vehicles)	as determined by zoning administrator (number trucks and storage area size)	as determined by zoning administrator	1 per 5 employees
Car wash	as determined by zoning administrator	as determined by zoning administrator	1 per 5 employees
<b>Public Utility and Public Service Uses</b>			
Electric power production (principal use)	as determined by zoning administrator	as determined by zoning administrator	1 per 10 employees
Electric substations, gas regulator stations, telecommunications facilities, sewerage system lift stations, water pumping stations and other public utility uses	0	as determined by zoning administrator	-
<b>Transportation Uses</b>			
Bus or railroad passenger depot, railroad or intermodal freight yard, motor freight terminal, railroad yard or shop, taxi dispatching, maintenance and storage	0	as determined by zoning administrator	1 per 10 employees
<b>Limited Production, Processing and Storage</b>			
Artisan workshop	0	1 per employee/artist	1 per 5 employees
Bakery, wholesale Bottling plant Laboratories - research, development and testing Limited production and processing Mail order house Printing and publishing Recycling collection center, drop-off station	1 per 2 employees	1 per employee	1 per 5 employees
Contractor's yard	1 per 500 sq. ft. office or sales area + 1 per 3,000 sq. ft. storage area	1 per 250 sq. ft. office or sales area + 1 per 1,500 sq. ft. storage area	1 per 5,000 sq. ft. floor area
Storage - personal indoor facility	0	1 per employee	1 per 10 employees
<b>Industrial Uses</b>			
Light manufacturing General manufacturing Brewery Hazardous waste collection, storage or transfer Recycling center	1 per 2 employees	1 per employee	1 per 10 employees

Use	Minimum	Maximum	Bicycle
Asphalt, concrete batching or ready-mix plant Concrete, asphalt and rock crushing facility Extraction of gravel, sand, other raw materials Motor vehicle salvage	as determined by zoning administrator	as determined by zoning administrator	1 per 10 employees
Lumberyard	1 per 1,000 sq. ft. floor area + 1 per 1,000 sq. ft. of outdoor sales, display	1 per 500 sq. ft. floor area + 1 per 500 sq. ft. of outdoor sales, display	1 per 10 employees
Recycling center	1 per 2 employees	1 per employee	1 per 10 employees
<b>Agricultural Uses</b>			
Animal husbandry Cultivation	0	1 per employee	1 per 5 employees
Intensive agriculture On-site agricultural retail, farm stand	as determined by zoning administrator	as determined by zoning administrator	1 per 5 employees

**(5) Adjustments to Minimum Number of Required Spaces**

Where minimum parking is required, the following adjustments may be made, as outlined in Table 28J-4.

Waiver or Reduction	Requirement
Nonresidential parking waiver	For nonresidential uses, the first 5 spaces required under "Minimum Parking" or the first 10% of parking required, whichever is greater, may be waived.
Residential parking deferral	A single-family or two-family dwelling may defer construction of required parking and driveway until desired. Parking and driveway locations meeting all requirements must be shown on an approved site plan.
Shared parking reduction	The zoning administrator may authorize a reduction in the minimum parking number of parking spaces required upon a determination that the hours of peak use among multiple uses will result in lower parking demand, using the method outlined in Subsection ____.
Parking reduction request	<p>A reduction in the minimum number of parking spaces required may be granted through the following procedures:</p> <ol style="list-style-type: none"> <li>1. A reduction of up to 20 spaces may be approved by the zoning administrator <u>or may be referred to the Plan Commission for consideration.</u></li> <li>2. A reduction of more than 20 spaces but less than 25% of the required parking may be approved by the Director <u>or may be referred to the Plan Commission for consideration.</u></li> <li>3. A reduction of more than 20 spaces and 25% or more of the required parking must be reviewed by the Plan Commission as a conditional use.</li> </ol> <p><u>A parking reduction request must be initiated by the owner, who must submit information to support the argument for reducing the required number of spaces. Factors to be considered include but are not limited to: availability and accessibility of alternative parking, impacts on adjacent residential neighborhoods; existing or potential shared parking agreements; number of residential parking permits issued for the area; proximity to transit routes and/ or bicycle paths and provision of bicycle parking; the characteristics of the use, including hours of operation and peak parking demand times; design and maintenance of off-street parking that will be provided; and whether the proposed use is new or a small addition to an existing use. [keep recommendation from Parking Utility Mgr/Traffic Engineer?]</u></p>

Bicycle parking reduction	The amount of bicycle parking required may be reduced under the following circumstances: <ol style="list-style-type: none"> <li>1. If more than 50 bicycle parking spaces are required, the required spaces above 50 may be reduced by one-half.</li> <li>2. If site constraints make it infeasible to provide sufficient bicycle parking on site, the required amount may be reduced or waived by the zoning administrator.</li> <li>3. If permission has been granted to locate required bicycle parking in the public right-of-way, those spaces may contribute to the minimum requirement.</li> <li>4. Public bicycle parking spaces within 300 feet may be counted toward compliance with required bicycle parking.</li> </ol>
Shared car reduction	A reduction in residential parking may be approved by the zoning administrator if a shared or community car is available on or within reasonable proximity of the site, for use by residents.
Transit corridor reduction	Within 600 feet of a high-frequency transit corridor, as defined, the Plan Commission may authorize a reduction in minimum parking requirements of up to 25%, depending on frequency of transit service and adequacy of pedestrian and bicycle linkages to transit stops or stations.
Off-site parking reduction	Parking for nonresidential uses may be reduced by one space for each space in a public parking lot or public parking structure located within 1,320 feet of the use, as measured by using the shortest pedestrian route from the nearest corner of the parking lot or structure to the main public entrance of the use served.
Deferral of required parking spaces	Any applicant may defer installation of all or a portion of the required parking until such parking is needed; however, the site plan shall depict the minimum number of required parking spaces.
Substitution by moped parking	Moped parking is not required. However, three (3) moped spaces may be substituted for one (1) required automobile parking space. Where provided, moped parking shall meet the standards in Sub. ___.
Substitution by bicycle parking	Four (4) bicycle parking spaces above the minimum number required may be substituted for one (1) required automobile parking space.

**(6) Exceptions to Exceed Maximum Number of Spaces**

Parking may exceed the maximum requirement in Table 28J-3 provided that the excess parking is underground or structured.

*Question - allow zoning administrator and Planning Director to allow smaller increases, similar to parking reductions?*

A. Surface parking exceeding the maximum may be allowed as a conditional use, provided that the following factors are considered, in addition to the criteria of Section 28M.1103.

1. Documentation regarding the actual parking demand for the proposed use.
2. The impact of the proposed use on the parking and roadway facilities in the surrounding area.
3. Whether the proposed use is located near a parking area that is available to the customers, occupants, employees and guests of the proposed use.
4. The availability of alternative forms of transportation and actions being taken by the applicant to enhance or promote

those alternatives.

5. Structured parking, rain gardens or other bioretention facilities, additional landscaping, pervious pavement, or other mitigation measures may be required as conditions for an exception.
- B. Zoning lots and uses that already exceed maximum parking requirements as of the effective date of this ordinance may continue to maintain existing parking but shall not increase that parking without conditional use approval.

## (7) Shared Parking Requirements

The zoning administrator may authorize a reduction in the total number of required parking spaces for two or more uses jointly providing off-street parking when their respective hours of peak operation do not overlap. Shared parking shall be located within one thousand three hundred twenty (1,320) feet of each use served, and shall meet the following conditions:

- A. Computation. The number of shared spaces for two or more distinguishable land uses shall be determined by the following procedure:
  1. Multiply the minimum parking required for each individual use, as set forth in Table 28J-3, by the appropriate percentage indicated in the table, for each of the six (6) designated time periods.
  2. Add the resulting sums for each of the six (6) columns.
  3. The minimum parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations.
  4. Select the time period with the highest total parking requirement and use that total as the shared parking requirement.
- B. Other uses. If one or more of the land uses proposing to make use of shared parking facilities do not conform to the general land use classifications in Table 28J-5, Shared Parking Calculations, as determined by the zoning administrator, the applicant shall submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the zoning administrator shall determine the appropriate shared parking requirement, if any, for such uses.
- C. Alternative procedure. An application may be submitted requesting that the zoning administrator authorize a greater reduction in the total number of required parking spaces for two (2) or more uses where an applicant believes that Table 28J-5 does not adequately account for circumstances unique to the particular property or properties in question.

The application shall include, at a minimum, a parking study with a detailed description of the proposed uses, their hours of operation, their anticipated peak parking demand, and anticipated hours that such peak parking demand would occur. Based upon this information, the zoning administrator may authorize a greater parking reduction than is authorized by Table 28J-5. The zoning administrator may impose reasonable conditions to mitigate potential negative effects.