

## **CHAPTER 1123. OFF-STREET PARKING AND LOADING REGULATIONS**

### **1123.01. Purpose.**

Off-street parking regulations are established to achieve, among others, the following purposes:

- (a) To ensure an appropriate level of motorized and non-motorized parking facilities are provided to support a range of transportation, land uses and housing types.
- (b) To manage growth and ensure multimodal parking facilities are provided in accordance with the goals outlined in the City of Delaware Comprehensive Plan.

### **1123.02. Parking facilities required.**

- (a) Accessory off-street parking facilities, including access driveways, shall be provided prior to the occupancy of any building or use. Facilities shall be provided for the entire building or use in accordance with the regulations contained in this Chapter whenever:
  - (1) A building is constructed.
  - (2) The use of an existing building is changed to a use requiring more parking facilities as determined by the Planning Director.
  - (3) An existing building is altered and there is an increase in seating capacity, building floor area, or number of employees.
- (b) All required off-street parking facilities shall continue unobstructed in operation and shall not be reduced below the required size as long as the principal use remains, unless an equivalent number of spaces are provided for said use in another approved location.

### **1123.03. Units of measure.**

In computing the number of parking spaces required by this chapter, unless otherwise specifically indicated, the following rules shall apply:

- (a) Floor Area. Where floor area is designated as the standard for determining parking space requirements, net floor area shall be used.
- (b) Seats. Where the number of seats is designated as the standard for determining parking space requirements, the number of seating units installed or indicated, or each 24 lineal inches of benches, pews, or space for loose chairs or similar seating facilities shall be used.
- (c) Employees. Where the number of employees is the standard for determining parking space requirements, employees shall mean the maximum number of employees during the busiest shift.
- (d) Fractional Numbers. Where the computation results in a fractional unit, one additional off-street parking space shall be provided.
- (e) Parking for Mixed Uses. A building or group of buildings containing two (2) or more uses, operating normally during the same hours, and which have different off-street parking requirements, may jointly provide spaces for not less than the sum of the spaces required for each use.

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**1123.04. Required parking spaces.**

- (a) Location of Spaces. All required off-street parking spaces shall be located on the same lot as the use served. Where land is not available on the same lot, or where an approved shared parking facility is available on a nearby lot per Section 1123.07, the appropriate reviewing body may modify the location of parking facilities to permit such facilities on another lot within 300 feet walking distance of the building or use.
- (b) Number of Spaces Required. The number of off-street parking spaces for each facility or use shall be determined according to Schedule 1123.04. For a use not specified in this Schedule, the reviewing body shall apply the standard for a specified use that the reviewing body determines to be most similar.
- (c) Planned Unit Development (PUD) Zoning District Parking Requirements: Applicants proposing a PUD shall work with the Planning Department during the Development Plan process outlined in Chapter 1105 to provide an individualized parking plan establishing both minimum off-street parking and bicycle parking facilities. The applicant shall be permitted to develop modified parking and off-street loading standards for the number of spaces necessary for each permitted use within the PUD Development Plan or adopt the parking requirements of Schedule 1123.04, and the off-street loading requirements of Schedule 1123.12. New parking and off-street loading standards shall be specified in the Development Plan and approved by the reviewing body.

Schedule 1123.04  
 REQUIRED OFF-STREET PARKING SPACES

Principal Building or Use	Minimum Spaces Required <sup>(a)</sup>
<b>(a) Residential Uses</b>	
(1) Single-family dwelling (detached or attached), Attached two, three, or four family dwelling	1 space per dwelling unit
(2) Multi-family dwelling	1.5 spaces per dwelling unit
(3) Bed and breakfast	1 space, plus 1 space per guest room
(4) Residential care facility, Congregate care facility, nursing home	1 space per employee plus 1 space per 4 beds
<b>(b) Community Facilities</b>	
(1) Art gallery, library or similar public cultural institutions	See Section 1123.05
(2) Day care, child and adult	
(3) Place of worship	
(4) School, college/university, high school, primary and secondary, trade/ business or cultural arts	
(5) Hospital	
<b>(c) Office and Professional Uses</b>	
(1) Office—Administrative, business and professional (excluding medical and dental offices)	1 space per employee plus 1 space per 400 square feet of floor area
(2) Medical or dental office or clinic or veterinary office	1 space per employee plus 1 space per patient room
(3) Financial institution/bank	1 space per 300 square feet of floor area
(5) Research and development facility	1 space per employee plus 1 space per 500 square feet of floor area

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<b>(d) Retail and Service Uses</b>	
(1) Retail and service establishment	1 space per employee plus 1 space per 300 square feet of floor area
(2) Hotel and Motel	1 space per guest room, plus 1 space per employee
(3) Funeral home and related facilities	1 space per employee plus 1 space per 50 square feet of floor area in the public rooms, plus one space for each vehicle maintained on the premises.
(4) Restaurant	1 space per employee plus 1 space per 250 square feet of floor area
(7) Self-service storage	1 space per employee plus 1 space per 400 square feet of office area
<b>(e) Automotive Uses</b>	
(1) Gasoline stations <sup>(c)</sup>	1 space for every 2 pumps, plus 1 space per employee, plus 1 space per 300 square feet of floor area
(2) Heavy automotive repair garage	1 space per 200 square feet of floor area
(3) Automotive, truck and trailer sales and rental	1 space per 400 square feet of floor area in sales/showroom, plus 1 space per service bay
(4) Light automotive service station	1 space for every 2 pumps, plus 2 spaces per service bay
(5) Car wash	1 space per employee
(6) Terminal—Bus, cab	1 space per 200 square feet of floor area, plus 1 space per vehicle used in the conduct of the business
<b>(f) Recreation and Entertainment</b>	
(1) Bowling alley	1 space per 300 square feet of floor area
(2) Golf course <sup>(d)</sup>	1 space per employee plus 4 spaces per green
(3) Health or fitness club	1 space per employee plus 1 space per 300 square feet of exercise area, including locker and equipment rooms
(4) Indoor auditorium, sports arena, theater, stadium, gymnasium or public meeting rooms (excluding school facilities)	1 space per employee plus 1 space for every 4 seats
(5) Private membership club or lodge	1 space per 500 square feet of assembly area
<b>(g) Industrial Uses</b>	
(2) Production/manufacturing	1 space per employee plus 1 space per 400 square feet of administrative office space
(3) Warehouse, distribution and indoor storage	
(4) Wholesale facility	
<p><sup>(a)</sup> A minimum of five (5) spaces is required for each use other than a single-family or two-family dwelling.</p> <p><sup>(b)</sup> For the purposes of this Section, a shopping center shall include one or more multi-tenant building(s) and/or a group of buildings where the required parking spaces are provided in a shared lot.</p> <p><sup>(c)</sup> Each pump space may count towards total parking count.</p> <p><sup>(d)</sup> Retail shop or on-site restaurant uses will adhere to appropriate retail and service uses parking requirements in Schedule 1161.04(d).</p>	

### **1123.05. Specific standards for Community Facilities.**

All proposed uses in Schedule 1123.04(b) Community Facilities shall provide an individualized parking assessment for review and approval by the reviewing body.

- (a) A parking assessment shall be submitted with the development plan for all proposed uses, according to the procedures set forth in Chapter 1105. If the applicant is providing the minimum number of spaces required, no parking assessment is required.
- (b) The goal of this parking assessment is to document the applicant's request to provide the appropriate number of parking spaces based on site specific needs or varying parking demands. In reviewing the parking assessment, the reviewing body may approve a fewer number of parking spaces, provided the parking that is proposed shall satisfy the parking demands of the use without placing excess burden on other available parking or in surrounding areas of the City.
- (c) The parking assessment shall include a description of the use and its anticipated relationship to, and impact on surrounding community. At a minimum, the assessment shall include the following:
  - (1) The nature of the proposed uses, activities and events that will be accommodated.
  - (2) The maximum design capacity of the facility.
  - (3) The anticipated pattern of use, including peak hours.
  - (4) The estimated traffic generation and parking demand, including the estimated number of parking spaces required at peak capacity.
  - (5) The number of parking spaces required according to Section 1123.04 compared to the number of spaces proposed.
  - (6) The current supply and utilization of parking spaces in the immediate area as well as total number of parking spaces available.
  - (7) How the available spaces will serve to meet the needs of the proposed use.
  - (8) Suggested parking management solutions to address any anticipated discrepancy between the number of parking spaces available and anticipated parking demand.

### **1123.06. Waiting spaces for drive-thru facilities.**

Drive-thru establishments and other establishments that, by their nature, create lines of customers waiting to be served within automobiles shall provide off-street waiting spaces on the same lot as the use. Such waiting or stacking spaces shall be provided according to the regulations specified below.

- (a) **Minimum Number of Waiting Spaces.** Off-street waiting spaces shall be provided in addition to the required number of parking spaces specified in Schedule 1123.04, in accordance with Schedule 1123.06:

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Schedule 1123.06  
 MINIMUM NUMBER OF WAITING SPACES

Type of Establishment	Minimum Number of Spaces	Measured From
(1) Establishments serving and/or selling food and/or drinks	10 waiting spaces	Order box
(2) Facilities with service or drive-thru windows such as banks, ATM's, ticket/toll booths, and pharmacy/drug stores	5 waiting spaces, but not less than 5 spaces per window/stall when there are 2 or more windows or stalls	Teller or window
(3) Automatic car wash facilities where a chain conveyor or similar method is used to move vehicle through the structure	5 waiting spaces	Entrance
(4) Self-serve car wash facilities	2 waiting spaces per stall	Entrance

- (b) Waiting Space Dimensions. Each off-street waiting/stacking space shall have an area not less than 144 square feet (measuring 8 feet by 18 feet) exclusive of access drives and parking aisles.

Location of Waiting Spaces. All waiting/stacking spaces shall comply with the parking setback requirements of the district in which they are located, except for the inside lane of waiting/stacking spaces that are located closest to the wall of the principal use.

- (1) The required waiting spaces shall not interfere with other circulation and parking for the principal use, although spaces should be designed to interfere or impede on- and off-site traffic movements as little as possible.
- (2) In any case, vehicles shall not be permitted to wait within any public right-of-way for service at such drive-in or drive-thru facilities.

**1123.07. Allowance for shared parking.**

The reviewing body may approve a development plan or individual parking plan with a reduction in the number of parking spaces required if it can be shown that the lesser number of spaces is appropriate and consistent with these regulations under the following conditions:

- (a) In a project where different components of the use have different parking requirements because of varying peak demands, the parking demands of the uses can be adequately accommodated with a lesser number of parking spaces than that which is required based on the sum of the various uses computed separately.
- (b) Two or more non-residential uses may jointly provide and use parking spaces when their peak business hours do not normally overlap. In such case, not more than fifty percent (50%) of the required parking spaces shall be shared. A written agreement must be approved by the reviewing body and filed as a part of a development plan or individual parking plan according to the procedures set forth in Chapter 1105.

**1123.09. Specific standards for the Downtown Commercial district.**

Due to the nature of the Downtown Commercial District, the original Central Business District and expanded areas of the Central Business District shall comply with the parking requirements listed below. For the purposes of

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this Ordinance, expanded areas of the Central Business District shall be any lands rezoned to the Downtown Commercial zoning classification.

- (a) No off-street parking shall be permitted between the established building setback and the public right-of-way.
- (b) In expanded areas of the Central Business District, the number of off-street parking spaces required for each facility or use shall be fifty percent (50%) of the standards set forth in Schedule 1123.04.
- (c) However, in recognition of unique building and site characteristics that may be present in these expanded areas of the Central Business District, the reviewing body may approve a development plan with fewer parking spaces than fifty percent (50%) of requirements set forth in Schedule 1123.04. In order for the reviewing body to consider a reduction in the required number of spaces, the applicant must demonstrate that such a reduction is warranted based on the following criteria:
  - (1) The character of the proposed use, the design of the building and the ability of the proposed use to reinforce the surrounding environment.
  - (2) The availability and accessibility of public parking spaces, both on-street and within public parking lots.
  - (3) The availability of shared parking areas on adjacent sites, considering the hours of operation of the proposed use compared to adjacent uses.
  - (4) The availability and use of public transportation.
  - (5) The potential negative impact to the character of the Central Business District if the requisite number of parking spaces is provided.

**1123.10. Parking design standards.**

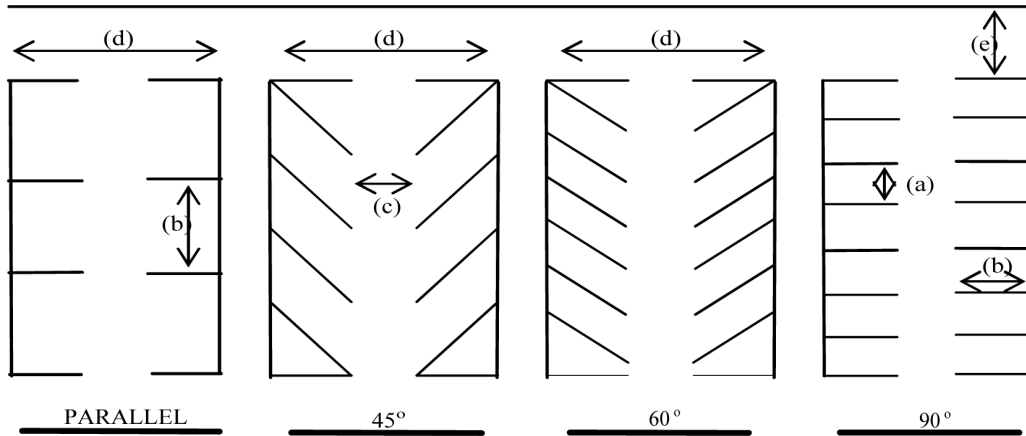
- (a) All parking areas shall be designed and constructed to promote the safety of circulation within a single parking area, and among any adjacent parking areas. Such areas shall also provide efficient ingress and egress point with respect to all affected public streets or public alleys. Where possible, parking shall be placed in the side or rear yard of the principal building.
- (b) In accordance with the Americans with Disabilities Act (ADA), all new construction and alterations to commercial facilities and places of public accommodation shall provide parking spaces that are designed and constructed to be readily accessible to persons with disabilities.
- (c) Off-street parking areas shall be designed and constructed in accordance with the minimum dimensions set forth in Schedule 1161.10, based on the angle of the spaces. Figure 1161.10 illustrates the requirements for each angle scenario.

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Schedule 1123.10  
 MINIMUM PARKING SPACE DIMENSIONS

	45°	60°	90°	Parallel
(a) Width of parking space <sup>(1)</sup>	9 ft.	9 ft.	9 ft.	9 ft.
(b) Length of parking space	19 ft.	19 ft.	19 ft.	23 ft.
(c) Width of parking aisle	18 ft.	18 ft.	24 ft.	12 ft.
(d) Width of double-loaded parking module	56 ft.	56 ft.	62 ft.	30 ft.
(e) Circulation aisle (one-way)	18 ft.	18 ft.	24 ft.	18 ft.
<sup>(1)</sup> When a parking space is located adjacent to walls, columns, or other obstructions, the minimum width of the parking space shall be increased to 10 feet.				

Figure 1123.10  
 ILLUSTRATION OF PARKING DESIGN STANDARDS



( ) letters refer to subsections on Schedule 1161.10.

**1123.11. Bicycle Access and Parking Requirements**

- (a) Any new development, expansion of an existing building 1,000 square feet or more, or major renovation of an existing building, shall provide short-term bicycle parking based on the provisions of this section.
- (b) Short-term bicycle parking shall be located within 50 feet of, and clearly visible of, the main entrance of the building. Short-term bicycle parking accommodates visitors, customers, messengers, and other persons who intend to depart within two hours or less. Fixtures include bicycle racks, which may be unsheltered.
- (c) Bicycle Parking Requirements and Design:
  - (1) Standard bicycle parking spaces shall be a minimum of 6 feet long and 2 feet wide.
  - (2) No bicycle parking spaces shall impede with pedestrian walkways.
  - (3) Designated bicycle parking spaces shall include adequate lighting.

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- (4) Bicycle racks shall provide two points of contact with the bicycle frame such as an inverted “U” or a post and ring and shall allow locking of frame and at least one wheel with a U-lock. Wave, schoolyard, wheel well, bollard, and spiral racks are prohibited.

Acceptable Bicycle Racks<sup>(1)</sup>



<sup>(1)</sup>: Each above rack equals two bicycle parking spaces. Other designs may be approved by the Planning Director

Prohibited Bicycle Racks



- (d) Long-term Bicycle Parking: Long-term bicycle parking accommodates employees, students, residents, commuters, and other persons who intend to leave their bicycle parked for more than two hours. Fixtures include lockers and bicycle racks in secured areas and are always sheltered or enclosed.
- (1) There are no minimum Long-term Bicycle Parking requirements, however, for every 5 long-term bicycle spaces provided, 5% of required vehicle parking spaces may be deducted from the required minimums.
  - (2) Long-term bicycle parking shall be provided in a well-lit, secure, and enclosed location within convenient distance of a public entrance, lobby, or other common area within the principal building.
  - (3) Examples of appropriate long-term bicycle parking facilities include the following:
    - A. A bicycle locker
    - B. A lockable bicycle cage or other enclosure
    - C. A lockable bicycle room
    - D. A designated place visible from employee workstations
  - (4) Long-term bicycle parking spaces shall be designed to ensure protection from vandalism, theft, and weather, while remaining easily accessible to intended users.



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Schedule 1123.11  
MINIMUM BICYCLE PARKING REQUIREMENTS

Use	Short-term Parking Requirement <sup>(a)</sup>
(1) Multi-family Dwellings	1 per 5 dwelling units
(2) Retail Sales and Services	2 spaces plus 1 per additional 2,000 sq. ft.
(3) Office and General Commercial	2 spaces plus 1 per additional 10,000 sq. ft.
(4) Industrial	2 spaces plus 1 per additional 10,000 sq. ft.
(5) Primary Schools	3 spaces per 10 students
(6) Community Facility	2 spaces plus 1 per additional 4,000 sq. ft.
<sup>(a)</sup> A minimum of two bicycle parking spaces must be provided for each principal use where bicycle parking is required. After the first 20 bicycle parking spaces, no additional bicycle parking is required for a principal use.	

**1123.11. Regulations for access drives.**

- (a) The location and width of entrance and exit driveways to parking facilities for non-single-family uses shall be planned to interfere as little as possible with the use of nearby property and with pedestrian and vehicular traffic on the nearest streets.
- (b) The location, width, and number of entrance and exit drives shall be in accordance with the City Engineering Design standards listed below:
  - (1) Location. Access driveways shall be located at least forty (40) feet from the right-of-way line of the nearest intersecting street and no less than twenty (20) feet from the side property line.
  - (2) Number of Drives. Each lot shall be permitted one two-way access drive per street frontage that is wider than 40 feet. Upon review of the site plan, the reviewing body may permit additional access drives. (Ord. 03-78. Passed September 22, 2003)
  - (3) Width of Access Drives.
    - A. Access drives shall be limited to a maximum of two (2) lanes, except where one driveway provides the sole access to the property and serves as both an entrance and exit, and then it shall be limited to a maximum of three (3) lanes.
    - B. The width of such entrance and exit lanes shall not be less than thirteen (13) feet or more than sixteen (16) feet per lane and shall not exceed a total of forty (40) feet.

**1123.12. Off-street loading requirements.**

When off-street loading spaces are provided for non-residential buildings, they shall comply with the following regulations:

- (a) All loading spaces shall be located on the same lot as the use served.
- (b) No part of any required yard, off-street parking area, access drive, street or public right-of-way shall be used for loading or unloading purposes.
- (c) No loading space shall face a street right-of-way unless the reviewing body determines that loading spaces facing the street right-of-way minimizes the impact on adjoining properties. Such loading spaces, if approved, shall be enclosed on all sides by a wall or fence no less than six (6) feet in height.

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- (d) Screening for all loading areas shall be provided along any perimeter that faces a street right-of-way or adjoining property according to the screening requirements of Chapter 1121.
- (e) Access to truck loading and unloading space shall be provided directly from a public street or alley or from a right-of-way that will permit the orderly and safe movement of trucks and that will not interfere with public convenience.
- (f) Off-street loading spaces shall not be used for repair or servicing of motor vehicles.
- (g) Off-street loading spaces shall be provided in addition to, and not considered as meeting a part of, the requirements for off-street parking spaces.
- (h) Each off-street loading space shall have the minimum dimensions of twelve (12) feet in width, thirty (30) feet in length and fifteen (15) feet in height.

**1123.13. Improvement and maintenance standards.**

All driveways, parking areas, curbs and bumper guards shall be constructed in accordance with standards established by the City Engineer and the following:

- (a) Surfacing. All parking and loading areas and access driveways shall be surfaced with asphalt or Portland cement binder pavement or other similar hard surface approved by the City Engineer. Any off-street parking area for less than five (5) vehicles shall be constructed with a dustless surface.
- (b) Drainage. Parking areas shall be graded to ensure that accumulated surface water is properly drained.
  - (1) Parking areas shall be drained to prevent injury to adjacent properties and to prevent water from draining across a public sidewalk or street.
  - (2) Drainage shall be consistent with **Chapter 1115** of the Codified Ordinances of the City.
  - (3) Lighting. Parking areas shall be illuminated whenever necessary to protect the public safety. Lighting used to illuminate off-street parking areas shall be designed and located to shield adjoining residential areas from direct lighting, and shall comply with the exterior lighting standards in Section 1124.05
- (c) Marking. All off-street parking areas with five (5) or more parking spaces shall indicate the location of each parking space, the location of spaces for persons with disabilities, and the location and direction for movement along the aisles and access drives by painting upon the surface, by raised directional signs, or by other similar measures placed in the surface.
- (d) Curbs, Medians and Wheel/Bumper Guards.
  - (1) All major circulation aisles and access drives shall be defined by the construction of raised curbing islands, dividers or medians instead of painted lines. Any such raised definitions shall be planted with trees and/or evergreen materials of the low, spreading variety to increase the visibility of the island, divider or median and to provide an area through which water can permeate.
  - (2) Appropriate curbs and bumper guards shall be provided in order to define parking spaces or limits of paved areas and to prevent vehicles from projecting into required yards, walkways or alleys, unless otherwise permitted.
- (e) Signs. Signs shall be provided in accordance with **Chapter 1165**.
- (f) Maintenance.

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- (1) All parking areas, loading spaces and adjacent sidewalks shall be maintained in a safe condition and as free as practicable from rubbish, paper and other loose particles, and free of any dangerous accumulation of water, snow and/or ice.
- (2) All signs, markers or other methods used to indicate direction of traffic movement and location of parking and/or loading spaces shall be maintained in a neat and legible condition. Any walls, trees and shrubbery, as well as surfacing of the parking lot, shall be maintained in good condition throughout its use for parking purposes.

**1123.14. Landscaping and screening.**

All off-street parking areas shall be landscaped and screened in compliance with the regulations set forth in Chapter 1121.

**1123.15. Street and driveway requirements.**

- (a) Public Streets. A street shall be required to be publicly dedicated when such street:
  - (1) Provides access to detached single-family dwellings on a subdivided lot.
  - (2) Is a major street that connects two existing public streets, is intended to provide a future continuing street system beyond the project boundaries or is expected to accommodate pass-through traffic going to and from adjacent developments.
- (b) Private Streets. A private street serves more than four (4) dwelling units. Streets that are not so publicly dedicated may be approved as private streets when the reviewing body determines that:
  - (1) The private street is not planned or expected to be extended to serve property outside the development.
  - (2) Adequate utility easements are provided to the satisfaction of the City and the Utilities Department.
  - (3) The design and layout of the private street provides adequate and safe access to the intended units, as determined by the City of Delaware Police and Fire Departments.
- (c) Driveways. Driveways shall be permitted in compliance with the following:
  - (1) A driveway shall serve no more than four (4) dwelling units.
  - (2) A driveway shall extend from a public or private street and shall not connect to any other existing or planned public or private street.
  - (3) The design and layout of the driveway shall provide adequate and safe access to the intended units, as determined by the City of Delaware police and fire departments.
- (d) Private Street And Driveway Construction.
  - (1) All elements of a private street that are to be provided shall be constructed in accordance with the construction standards set forth for "private residential pavement section".
    - A. However, when the reviewing body determines that certain elements of a public street do not or should not specifically apply to a private street due to the circumstances of a particular project or portion of a project, the Commission may waive, or permit a modification to the installation of any such element(s) to the extent deemed just and proper provided such relief may be granted without detriment to the public good.

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Schedule 1123.15  
 PRIVATE STREET PAVEMENT WIDTH

	Two-way	One-way <sup>(a)</sup>
A. Street with two means of access serving:		
I. More than 20 units	25 ft.	15 ft.
II. 20 units or less	20 ft.	12 ft.
B. Street with a single access serving:		
I. More than 20 units	25 ft.	N/A
II. 20 units or less	18 ft.	N/A
<sup>(a)</sup> Widths apply if no parking is on the street. If the street also serves as an aisle for off-street parking, then the street width must comply with the requirements of Section 1161.10.		

- (2) Driveways may be constructed to multiple-family residential driveway standards when serving four (4) units or less.
- (e) Whenever a private street and/or driveway is included in a development, deed restrictions shall be required which shall specifically include the following language:  
 "The undersigned grantee(s) hereby acknowledge(s) that they understand the premises described herein is located upon a non-dedicated, private street or driveway. And further, the grantee(s) understands that no government body is responsible for care and maintenance of said private street or driveway."
- (f) Walkways shall be provided to connect to common open space areas and to provide convenient pedestrian access throughout the development and from the development to other areas of the community.