

**Sec. 146-131. Off-street loading.**

~~Every building or part thereof erected or occupied for retail business, service, manufacturing, storage, warehousing, hotel, mortuary, or any other use similarly involving the receipt or distribution by vehicles of materials or merchandise~~Buildings constructed to accommodate the uses referenced herein, shall provide and maintain on the same premises loading space in accordance with the following requirements:

- (1) For retail, commercial, sales, service, or industrial use buildings and establishments, off-street loading facilities shall be provided in accordance with the following schedule:

<i>Square feet of gross floor area</i>	<i>Minimum required spaces or berths</i>
0 to 5,000	None
5,001 to 15,000	1
15,001 to 40,000	2
40,001 to 65,000	3
65,001 to 100,000	4
Each additional 100,000	1 additional

- (1) For hotels, office buildings, restaurants, and similar establishments, off-street loading facilities shall be provided in accordance with the following schedule:

<i>Square feet of gross floor area</i>	<i>Minimum required spaces or berths</i>
0 to 10,000	None
10,001 to 50,000	1
50,001 to 100,000	2
100,001 to 200,000	3
Each additional 200,000	1 additional

- (2) ~~For multi-tenant retail shopping centers, office or industrial developments greater than 50,000 square feet in floor area, t~~The sum of the total required loading spaces may be reduced with site plan approval by the Planning and Zoning Commission. Determination shall be based on the frequency of the anticipated deliveries and the location of the loading spaces in relation to the buildings.

- (4) Each required loading space shall meet the following minimum size requirements:

a. Twelve feet by 60 feet for industrial or warehouse uses.

- b. Twelve feet by 35 feet for commercial and institutional uses.
  - c. Fourteen feet minimum vertical clearance.
- (5) Access and maneuvering areas shall be provided on the same building lot as the principal use for which the loading space is intended unless a shared and/or off-site loading space agreement exists. If unique circumstances exist on site which prohibit conformance with this requirement, the Planning and Zoning Commission may approve deviations if the proposal is still functional, the proposal does not have an adverse impact on current or future development, and the proposal will have no adverse impact of the public health, safety, and general welfare.
- (6) All loading spaces shall be located within 25 feet of the building. If unique circumstances exist on the site that prohibit locating the loading space within 25 feet, the distance may be increased with site plan approval as long as the loading space is still considered usable, the location does not have an adverse impact on current or future development, and the location will have no adverse impact on the public health, safety, and general welfare.
- (7) Distance from property lines shall be as follows:
- a. Any loading dock or structure and its associated loading spaces shall be:
    - 1. Set back a minimum distance of 200 feet from any adjacent residential use or zoning district; and
    - 2. Set back a minimum distance of 75 feet from any public street or front property line; and
    - 3. Oriented away from the street frontage.
  - b. Any loading spaces not associated with a loading dock or structure shall be set back a minimum distance of 50 feet from any adjacent residential use or zoning district, and there shall be no minimum setback if the subject property abuts a non-residential use or lot line.
  - c. If unique circumstances exist on the site that prohibit locating the loading space, dock, or structure as required above, the location may be modified with site plan approval by the Planning and Zoning Commission as long as the loading space, dock, or structure is still considered usable, the location does not have an adverse impact on current or future development, and the location will have no adverse impact on the public health, safety, and general welfare.

- (8) Loading docks for any establishment, which customarily receives goods between the hours of 9:00 p.m. and 8:00 a.m. and is adjacent to a residential use or districts shall be designed and constructed so as to enclose the loading operation on three sides to reduce noise, with the open end directed away from residential property.

~~(9) If unique site circumstances prevent strict adherence with subsection (5) or (6) of this section, the Planning and Zoning Commission may consider a variance to the provisions of subsections (6) and/or (7) of this section; provided that sufficient screening and buffering is provided to mitigate the impact of the loading areas on surrounding properties. The applicant shall prove that the variance from the zoning regulations is warranted under the circumstances presented. A variance may be granted if the Planning and Zoning Commission and/or City Council, depending on which body has the final approval authority as indicated in section 146-45, finds that:~~

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- ~~a. Unique circumstances exist on the property that make application of subsections (6) and/or (7) of this section unduly burdensome on the applicant;~~
- ~~b. The variance will have no adverse impact on current or future development;~~
- ~~c. The variance is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses; and~~
- ~~d. The variance will have no adverse impact on the public health, safety, and general welfare.~~

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~~A financial hardship shall not be considered a basis for the granting of a variance.~~