

**TOWN COUNCIL ACTION ITEM
STAFF SUMMARY
JUNE 7, 2017 PLANNING AND ZONING COMMISSION MEETING**

DATE: May 31, 2017

AGENDA ITEM NUMBER: 4

ACTION TO BE CONSIDERED:

SUMMARY:

The following changes are proposed to the Town of Dillon planning and zoning regulations:

- A. Cap the maximum height that can be requested in a Planned Unit Development to an additional 40% more than the height allowed in the underlying zone district; Require all Planned Unit Developments which request additional height, to meet additional parking criteria including placing 65% of the parking beneath the main floor to enhance the street level appeal of the building.
- B. Add additional criteria to off-street parking requirements for a PUD.
- C. Eliminate a separate set of standards for parking generation calculations in the Core Area Zone.
- D. Add a provision in the Off-Street Parking Standards to allow a vehicle to back into a public right-of-way from an off-street parking lot under certain circumstances.

These Changes are explained in greater detail below:

A. Cap the maximum height that can be requested in a Planned Unit Development to an additional 40% more than the height allowed in the underlying zone district; Require all Planned Unit Developments which request additional height, to meet additional parking criteria including placing 65% of the parking beneath the main floor to enhance the street level appeal of the building.

Town staff needs a tool to help define the absolute maximum height allowable in a planned unit development. Right now it is somewhat a free for all, and Town staff cannot give potential developers quantifiable direction on what building height is too high.

After the Dillon Crossroads project review, the community decided that a 90' building is way too tall. Town staff would propose that we cap any building height in a planned unit development to an additional 40% more than the underlying zoning district would allow.

In the Core Area Zone District, this would allow a building to be $50' + (0.40) \times 50' = 70'$.
In the Commercial Zone District, this would allow a building to be $40' + (0.40) \times 40' = 56'$.

IN both cases, the code allows an additional 8' in height for non-habitable architectural elements such as elevator towers, roof peaks, bell towers, etc...

*This code change to Section 16-5-120 PUD Development Standards, **Sub-section (f) Building***

Height, simply defines the upper limit of a height increase within the context of a planned unit development and caps it at 40% more than the underlying zone district. It further requires that a 100% of the parking required by code be met. See the attached code section and resolution.

B. Add additional criteria to off-street parking requirements for a PUD.

Subsection (i) Off-Street parking of Section 16-5-120 PUD Development Standards will be modified with the following language to prevent any funny business as to how an applicant can apply the parking code to his/her project. The following code language was added:

- (2) The number of off-street parking spaces for each use in a PUD may not be reduced if the PUD requests an increase in building height.
- (3) The number of off-street parking spaces may not be reduced through the use of valet parking.
- (4) The applicant shall submit a parking generation report prepared by a licensed Traffic Engineer in order to justify the proposed parking reductions and amount of parking provided for the development.

C. Eliminate a separate set of standards for parking generation calculations in the Core Area Zone.

The Town of Dillon Municipal code currently has two sets of standards for calculating the required amount of parking generated by different types of uses. One set is applied to the Town Center Core Area (CA) zoning (Section 16-6-40(b)) and the other set is applied to the rest of the Town (Section 16-6-40(a)). The Core Area parking regulations arbitrarily require less parking than is required in the rest of town.

For example, retail uses require 1 space per 400 square feet of floor area outside the Core Area and retail uses require only 1 space per 650 square feet within the core area. As an example, a 4,000 square foot retail use in the Core Area would only require 7 parking spaces, whereas the same development in the rest of the Town would require 10 spaces.

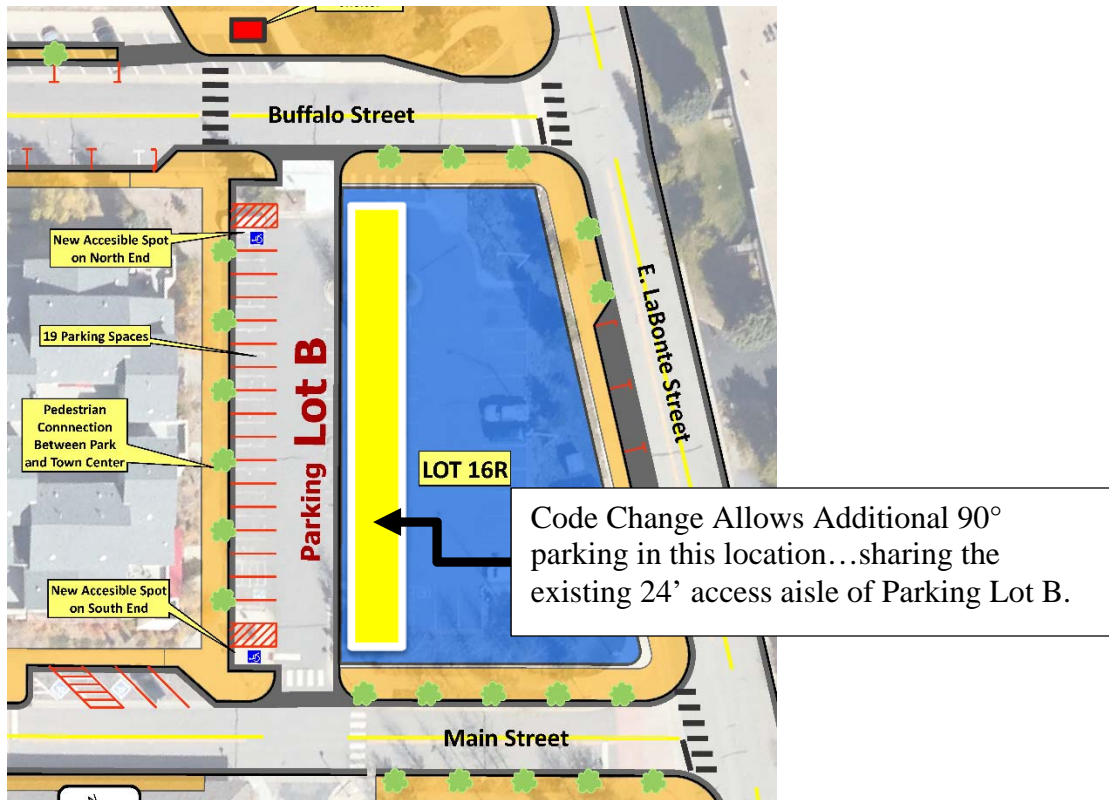
Town staff believes the parking generation for the rest of the Town is more aligned with the actual parking spaces required for a development.

As the Town moves forward with redevelopment of the Town Center, analyzing the true impact to the Town's available parking pool of around 500 parking spaces is very important. So utilizing the parking regulations that have been applied to our successful Dillon Ridge Marketplace development areas and adjacent commercial and retail establishments in the Anemone Trail area of Town seems the most appropriate.

The code change simply deletes subsection (b) of Section 16-6-40 and renumbers the subsequent subsections accordingly.

D. Add a provision in the Off-Street Parking Standards to allow a vehicle to back into a public right-of-way from an off-street parking lot under certain circumstances.

In working with a developer on redeveloping Lot 16R, it has become apparent that the simplest way to allow this project to develop and provide the required number of onsite residential parking is to allow a row of their off-street parking lot to back into the parking aisle which remains in the Reconfigured Parking Lot B. Parking Lot B has one row of head-in 90° parking along the west side that is available for public parking; the developer is proposing a row of head-in 90° parking on the east side as well. This only makes sense because the parking lot was originally designed this way.



However, the code does not allow offsite parking to back into a public Right-of-way. In this unique circumstance, Parking Lot B actually exists in a dedicated right-of-way. So the code does not at this time allow off-street parking to use this existing 24' wide parking aisle to service offsite parking spaces.

To accommodate this unique circumstance, the Town is proposing that the code be changed to allow spaces from a private off-street parking lot to back into an unnamed right-of-way used for parking.

This parking change would also bring the Town's off-street parking into compliance with the code.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution PZ 04-17, Series of 2017.

ACTION REQUESTED: Motion, Second, Vote.

Resolutions require the affirmative vote of a majority of the members present.

STAFF MEMBER RESPONSIBLE: Dan Burroughs, Town Engineer, Town of Dillon

RESOLUTION NO. PZ 04-17
Series of 2017

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE AMENDING OF CHAPTER 16, “ZONING,” ARTICLE V, “PLANNED UNIT DEVELOPMENT,” SECTION 16-5-120 “PUD DEVELOPMENT STANDARDS,” ARTICLE VI, “OFF-STREET PARKING AND LOADING,” SECTION 16-6-40 “GENERAL PARKING REQUIREMENTS,” AND SECTION 16-6-60 “DESIGN STANDARDS FOR OFF-STREET PARKING SPACES AND FACILITIES,” ESTABLISHING ADDITIONAL PROVISIONS FOR ALLOWABLE BUILDING HEIGHTS WITHIN A PUD, PARKING LOT DESIGN, AND OFF-STREET PARKING REQUIREMENTS.; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Planning and Zoning Commission of the Town of Dillon, desires to amend Chapter 16, “Zoning,” Article V, “Planned Unit Development,” Section 16-5-120 “PUD development standards,” Article VI, “Off-Street Parking and Loading,” Section 16-6-40 “General parking requirements,” and Section 16-6-60 “Design standards for off-street parking spaces and facilities,” establishing additional provisions for allowable building heights within a PUD, parking lot design, and off-street parking requirements; and

WHEREAS, following the required notice, a public hearing was held on June 7th, 2017, before the Planning and Zoning Commission of the Town of Dillon on amending Chapter 16, “Zoning,” Article V, “Planned Unit Development,” Section 16-5-120 “PUD development standards,” Article VI, “Off-Street Parking and Loading,” Section 16-6-40 “General parking requirements,” and Section 16-6-60 “Design standards for off-street parking spaces and facilities,” establishing additional provisions for allowable building heights within a PUD, parking lot design, and off-street parking requirements; and

WHEREAS, following the public hearing the Planning and Zoning Commission of the Town of Dillon has determined that it is in the best interest of the Town to make a recommendation to the Town Council of the Town of Dillon to amend Chapter 16, “Zoning,” Article V, “Planned Unit Development,” Section 16-5-120 “PUD development standards,” Article VI, “Off-Street Parking and Loading,” Section 16-6-40 “General parking requirements,” and Section 16-6-60 “Design standards for off-street parking spaces and facilities,” establishing additional provisions for allowable building heights within a PUD, parking lot design, and off-street parking requirements, as set forth herein below.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. That the Planning and Zoning Commission of the Town of Dillon hereby makes a recommendation to the Town Council of the Town of Dillon to amend Chapter 16, "Zoning," Article V, "Planned Unit Development," Section 16-5-120 "PUD development standards," *Sub-Section (f) Building Height* of the Dillon Municipal Code. That Sub-Section 16-5-120(f) be repealed in its entirety and readopted to read as follows:

- (f) Building height. The maximum height of buildings may be increased above the maximum permitted in the underlying zone district when the PUD meets the following criteria:
 - (1) The maximum height of any building within a PUD shall not exceed the allowable height in the underlying zoning district by more than 40% of the allowable height.
 - (2) 65% of the required off-street parking shall be provided in a below ground level parking structure.
 - (3) No reduction in the number of off-street parking spaces required by Section 16-6 of the Town of Dillon Municipal Code shall be allowed.
 - (4) The proposed PUD and the proposed building(s) within the PUD shall minimize the following impacts to the community:
 - (a) Visual effect on adjacent sites or other areas in the vicinity;
 - (b) Potential problems for adjacent sites caused by shadows, loss of air circulation or loss of view;
 - (c) Influence on the general vicinity with regard to extreme contrast, vistas and open space;
 - (5) The increase in height is appropriate for its geographic location.
 - (6) The increased height enhances or benefits the uses within the proposed building.
 - (7) Fire protection in and around the building meets or exceeds the adopted fire code requirements of the Town of Dillon.

Section 2. That the Planning and Zoning Commission of the Town of Dillon hereby makes a recommendation to the Town Council of the Town of Dillon to amend Chapter 16, "Zoning," Article V, "Planned Unit Development," Section 16-5-120 "PUD development standards," *Sub-Section (i) Off-Street Parking* of the Dillon Municipal Code. That Sub-Section 16-5-120(i) be repealed in its entirety and readopted to read as follows:

- (i) Off-street parking.

- (1) The number of off-street parking spaces for each use in a PUD may vary from Article VI of this Chapter based on consideration of the following factors:
 - (a) Estimated number of vehicles to be used by occupants of dwellings in the PUD;
 - (b) Temporary and permanent parking needs of non-dwelling uses;
 - (c) Varying time periods of use whenever joint use of common parking areas is proposed; and
 - (d) Parking and storage needs for recreational vehicles, including but not necessarily limited to campers, camper shells, boats, travel trailers and snowmobiles.
- (2) The number of off-street parking spaces for each use in a PUD may not be reduced if the PUD requests an increase in building height.
- (3) The number of off-street parking spaces may not be reduced through the use of valet parking.
- (4) The applicant shall submit a parking generation report prepared by a licensed Traffic Engineer in order to justify the proposed parking reductions and amount of parking provided for the development.

Section 3. That the Planning and Zoning Commission of the Town of Dillon hereby makes a recommendation to the Town Council of the Town of Dillon to amend Chapter 16, "Zoning," Article VI, "Off-Street Parking and Loading," Section 16-6-40 "General parking requirements." That Section 16-6-40 be repealed in its entirety and readopted to read as follows:

Sec. 16-6-40. - General parking requirements.

- (a) The following number of parking spaces shall be provided for any new development, addition to an existing development or change of use:

<i>Use</i>	<i>Required Spaces</i>
Residential	
Single-family	2 spaces
Duplex	2 spaces/unit
Multi-Family Residential and Hotels	
Efficiency, studio, 1-bedroom	1.5 spaces/unit
2-bedroom or greater	2 spaces/unit
Lodging, hotel, motel, bed & breakfast	1 space/bedroom
Schools	

Child care center	1 space/employee + 1 space/ 10 children
Elementary, middle school	2 spaces/classroom
High school, college	.25 spaces/student capacity + 1 per faculty member
Commercial/Miscellaneous	
Retail sales, commercial, general office, medical office, dental office	1 space/400 gross sq. ft.
Church	1 space/400 gross sq. ft.
Auto service establishment	1 space/employee + 1 space/service bay
Restaurant, sit-down	1 space/120 gross sq. ft.
Restaurant, drive-in	1 space/100 gross sq. ft.
Restaurant, outdoor seating	Outdoor seating that does not exceed 20% of the size of the restaurant, based on gross square footage, shall be exempt. Outdoor seating in excess of 20% shall provide parking for those portions of the seating area in excess of 20% at the same rate as the restaurant itself
Conference Center or Public Meeting Room	1 space/every 250 square feet
Entertainment	
Auditorium, theater	1 space/4 seats
Bowling alleys	4 spaces/alley + 1 space/ employee

- (b) All parking requirements that are not whole numbers shall be rounded upward to the next highest whole number.
- (c) The number of parking spaces required for uses not listed within this Section shall be determined by the Planning and Zoning Commission, after review and recommendation by the Town Manager, based on the impacts anticipated by the proposed use, and shall relate to the anticipated demand created by each proposed use.

Section 4. That the Planning and Zoning Commission of the Town of Dillon hereby makes a recommendation to the Town Council of the Town of Dillon to amend Chapter 16, “Zoning,” Article VI, “Off-Street Parking and Loading,” Section 16-6-60 “Design standards for off-street parking spaces and facilities,” *Sub-Section (7) Backing onto public street.* That Sub-Section 16-6-60(7) be repealed in its entirety and readopted to read as follows:

- (7) Backing onto public street.
 - a. Except for single-family and duplex parking areas, all other parking stalls and spaces shall be so designed, located and served by maneuvering lanes so their use will under no circumstances require a backing movement onto any public street.

- b. In cases where portions of a Town owned right-of-way are used as primarily public parking, and where the portion of the right-of-way also does not have a street name designation, backing into the drive aisle adjacent to the parking spaces shall be permitted.
- c. In the Core Area Zone District, in order to provide accessible parking to each building, the Town manager may allow accessible parking spaces to back into the right-of-way.

**APPROVED AND ADOPTED THIS 7th DAY OF JUNE, 2017 BY THE
PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON,
COLORADO.**

**PLANNING AND ZONING COMMISSION,
TOWN OF DILLON**

By: _____
Nathan Nosari, Chairperson

ATTEST:

By: _____
Corrie Woloshan, Secretary to the Commission

ARTICLE V - Planned Unit Development

Division 1 - General

Sec. 16-5-120. - PUD development standards.

- (a) Minimum site size. There shall be no minimum number of units or acres which may constitute a PUD. A PUD may be established on any sized parcel, provided that it has an adequate building site and can meet the objectives of this Article.
- (b) Compatibility with neighborhood. The Town shall evaluate the relationship of the PUD to its surroundings in order to consider adverse effects concerning traffic circulation, building height or bulk, visual impact or intrusion into privacy of neighboring properties. The evaluation criteria will include, but not be limited to, the following:
 - (1) Size and location of site.
 - (2) Street capacities in the area, and ingress and egress to adjoining streets.
 - (3) Location and amount of off-street parking.
 - (4) Internal traffic circulation.
 - (5) Fencing, screening and landscaping.
 - (6) Building bulk and location on site.
 - (7) Usable open space.
 - (8) Signs and lighting.
 - (9) Environmental impacts.
 - (10) Impacts to facilities and utility systems.
 - (11) Hours of operation.
 - (12) Size of operation.
- (c) Side setback. A periphery yard adjacent to the exterior boundaries of the PUD shall be at least as deep as those required by the yard regulations of the underlying zoning district unless the Planning and Zoning Commission and the Town Council find that equal protection will be accorded to adjacent parcels through specific features of the approved plan.
- (d) Open space. Open space shall be adequate in terms of location, area and type for the recreational and leisure use of the visitors and the population occupying the PUD and shall be designed to enhance the present and future value of the development. PUDs that overlay the residential zones (RH, RM, RL and RE) may cluster the required percentage of open lot area or required open space in common public or private open space.
 - (1) Open space. Open space in a PUD means the land area to be used for scenic or open recreational purposes within the development.
 - (2) Open space does not include street rights-of-way, driveways, parking areas, required setbacks or public service easements unless these areas have some special recreational design or purpose.
 - (3) To the maximum extent possible, the PUD plan and program shall ensure that natural features of the land are preserved and landscaping is provided.
 - (4) In order to ensure that open space will be permanent, dedication of development rights to the Town for open space use may be required.

- (5) In the event the common open space is owned and maintained by the property owners within the PUD, or by an organization chosen for maintenance, and the owners or organization fail to maintain the common open space in reasonable order and condition in accordance with the PUD development plan, the Town may serve written notice setting forth the manner in which the common open space has been improperly maintained and demanding that such deficiencies be cured within thirty days thereof. If the maintenance has not been corrected within the prescribed timeframe, the Town may, in accordance with Section 24-67-105(c), C.R.S., proceed with remedying the situation.
- (e) Density. Density allowed within a PUD shall generally be consistent with the underlying zone, but may be increased by the Town based on a finding that the project implements the goals of the Comprehensive Plan and does not create undue hardships, safety issues or nuisances within the community. Buildings utilizing vertical mixed uses are encouraged in the Core Area Retail (CA) zone.
- (f) Building height. The maximum height of buildings may be increased above the maximum permitted in the underlying zone district when the PUD meets the following criteria:
- (1) The maximum height of any PUD shall not exceed 40% of the allowable height in the underlying zoning district.
- (2) 65% of the required off-street parking shall be provided in a below ground level parking structure.
- (3) No reduction in the number of off-street parking spaces required by Section 16-6 of the Town of Dillon Municipal Code shall be allowed.
- (4) The proposed PUD and the proposed building(s) within the PUD shall minimize the following impacts to the community:
- in consideration of the following characteristics of the proposed building:
- (1) — Its geographic location;
- (a)(2) Visual effect on adjacent sites or other areas in the vicinity;
- (b)(3) Potential problems for adjacent sites caused by shadows, loss of air circulation or loss of view;
- (c)(4) — Influence on the general vicinity with regard to extreme contrast, vistas and open space;
- (5) — Uses within the proposed building; and
- (6) — Fire protection capacities.
- (5) The increase in height is appropriate for its geographic location.
- (6) The increased height enhances or benefits the uses within the proposed building.
- (7) Fire protection in and around the building meets or exceeds the adopted fire code requirements of the Town of Dillon.
- (g) Subdivision lot sizes. Minimum area, width, depth and frontage requirements for subdivision lots in a PUD may be less than the minimum specified in the underlying zone if in accordance with the approved PUD development plan and the Town's adopted Comprehensive Plan. Each private lot shall contain an acceptable building site. The clustering of development with useable common open areas shall be permitted to encourage provision of and access to common open space, save street and utility construction and maintenance costs and accommodate building types which share common side walls.
- (h) Street circulation system. The PUD shall provide an adequate internal street circulation system designed for the type of traffic generated, safety, convenience and access. Private internal streets or circulation may be permitted, provided that adequate access for police, fire and emergency vehicles is maintained; streets are named in a logical fashion to avoid confusion; and provisions for using and maintaining such streets are imposed upon the private users and approved by the Town. Bicycle pathways and bicycle storage shall be provided for if appropriate.

(i) Off-street parking.

(1) The number of off-street parking spaces for each use in a PUD may vary from Article VI of this Chapter based on consideration of the following factors:

- (a)(4) Estimated number of vehicles to be used by occupants of dwellings in the PUD;
- (b)(2) Temporary and permanent parking needs of non-dwelling uses;
- (c)(3) Varying time periods of use whenever joint use of common parking areas is proposed; and
- (d)(4) Parking and storage needs for recreational vehicles, including but not necessarily limited to campers, camper shells, boats, travel trailers and snowmobiles.

(2) The number of off-street parking spaces for each use in a PUD may not be reduced if the PUD requests an increase in building height.

(3) The number of off-street parking spaces may not be reduced through the use of valet parking.

(4) The applicant shall submit a parking generation report prepared by a licensed Traffic Engineer in order to justify the proposed parking reductions and amount of parking provided for the development.

- (j) Pedestrian circulation. The PUD shall provide pedestrian ways throughout the PUD that allow residents and visitors to walk safely and conveniently among areas of the PUD and provide for connections to the PUD from the adjacent neighborhoods and in conformance with adopted Town recreational and pathway plans.
- (k) Landscaping. The PUD shall provide for landscaping that is appropriate for the uses in the approved PUD development plan and compatible with area landscaping and streetscape plans.
- (l) Phasing. Phasing of construction within a PUD may be permitted, provided that each individual phase is designed and developed to exist as an independent unit, and that the construction and improvement of common open space and site amenities shown on the development plan proceed at the same rate as the construction of dwellings and other permitted land uses. Each phase of development within a PUD shall be so planned and so related to existing surroundings and available facilities and services that failure to proceed to a subsequent stage will not have a substantial adverse impact on the PUD or its surroundings. Any phasing shall be approved by the Town Council.
- (m) Wetlands Buffer Areas. The PUD shall provide adequate wetlands buffer areas to protect the wetlands from damage during and after construction activities. The Required Wetlands Buffer Areas set forth in Section 5 of Appendix 17-C "Wetland Regulations," of the Dillon Municipal Code of the Town of Dillon, Colorado may be reduced to a minimum of five (5) feet from edges of any type of wetlands area except those specifically identified as fen wetlands. The required wetlands buffer area for fen wetlands may not be any less than one hundred fifty (150) feet. In order to reduce the wetlands buffer area, the applicant must submit a written report for approval containing the following information:
 - (1) A topographic survey drawing showing the delineated wetlands boundary in relation to the property boundaries and other existing surface features on the property.
 - (2) The applicant must submit a copy of the accompanying wetlands delineation report.
 - (3) A narrative and description on how the wetlands will be protected during and after construction, and how the proposed development will not adversely affect the health of the wetlands.
 - (4) A narrative on how the wetlands buffer area and the wetlands will not be utilized for the storage of snow removed from buildings, streets, sidewalks and parking areas and what steps they will take to ensure compliance with their tenants and snow removal personnel. This narrative should also include a discussion on how snow melt and storm runoff from these areas will be handled to protect the wetlands area.

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- (5) A narrative on how the proposed development conforms with any current restrictions or conditions of approval put on a particular wetlands by the Town or any state or federal governmental agency. In some cases final approval from a federal government agency may be required.
- (n) Parking Lot Design Standards.
- (1) Parking Lot Grades: The PUD shall provide parking lot grades that are suitable for use in Dillon's severe snow and ice climate. Parking lot grades may be increased beyond the maximum requirements outlined in Section 16-6-60 of the Dillon Municipal Code of the Town of Dillon, Colorado, if the owner provides a written statement justifying the reasonableness of the grades proposed in the PUD proposal and includes language holding the Town of Dillon, its officers and employees, harmless from any adverse effects and claims arising from the steeper grades.
 - (2) Parking Garage Ramp Grades: As part of a PUD, parking lot ramp grades with a maximum longitudinal slope of twenty percent (20%) may be considered. A snowmelt system is required for grades in excess of ten percent (10%).
 - (3) Parking Garage Ramp Widths: As part of a PUD, a parking garage access ramp may be reduced to a minimum of twenty (20) feet wide.
 - (4) Compact Parking Spaces: When a project requires more than forty (40) off street parking spaces, the applicant can designate up to twenty percent (20%) of the commercial or residential parking required for a PUD project as compact parking.
 - (5) Backing onto Public Right-of-Way: As part of a PUD and after considering traffic impacts and Town snow storage needs, the Public Works Director may approve off-street parking spaces that back into the Town Right-of-way when all of the following conditions are met:
 - a. The property must be located within the Core Area (CA) zoning district.
 - b. The Right-of-Way must be a dead end right of way and may only be connected to another Town Right-of-Way at one (1) end.
 - c. The applicant shall provide snow storage on the PUD parcel for the Town's use or install a snow melt system for that Portion of Right-of-Way between the Right-of-Way line and the edge of the asphalt road adjacent to the parking spaces.

(Ord. 09-10 §2; Ord. No. 18-15, § 2, 11-3-15)

ARTICLE VI - Off-Street Parking and Loading

Sec. 16-6-10. - Intent.

The intent of this Article is to require the provision of off-street parking related to the development of projects throughout the Town in order to facilitate the parking needs of the community.

(Ord. 19-96 §6.00)

Sec. 16-6-20. - General regulations.

Off-street parking spaces and loading areas shall be provided as specified in Section 16-6-30 for any development proposed within the Town, including additions and/or conversions of a building or portion of a building to a use that is more intensive than the existing use, as that use relates to the requirements for additional parking spaces.

(Ord. 19-96 §6.00)

Sec. 16-6-30. - Off-street parking requirements.

A parking fee and agreement to join a parking district are required for off-street parking.

(Ord. 19-96 §6.00; Ord. 02-02)

Sec. 16-6-40. - General parking requirements.

- (a) ~~Outside of the Core Area Retail Zone (CA) parking requirements. For all areas outside of the Core Area Retail Zone (CA) of the Town, the~~ **The** following number of parking spaces shall be provided for any new development, addition to an existing development or change of use:

<i>Use</i>	<i>Required Spaces</i>
Residential	
Single-family	2 spaces
Duplex	2 spaces/unit
<u>Multi-Family Residential and Hotels</u>	
Multi family	
Efficiency, studio, 1-bedroom	1.5 spaces/unit
2-bedroom or greater	2 spaces/unit

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Lodging, hotel, motel, bed & breakfast	1 space/bedroom
Schools	
Child care center	1 space/employee + 1 space/ 10 children
Elementary, middle school	2 spaces/classroom
High school, college	.25 spaces/student capacity + 1 per faculty member
Commercial/Miscellaneous	
Retail sales, commercial, general office, medical office, dental office	1 space/400 gross sq. ft.
Church	1 space/400 gross sq. ft.
Auto service establishment	1 space/employee + 1 space/service bay
Restaurant, sit-down	1 space/120 gross sq. ft.
Restaurant, drive-in	1 space/100 gross sq. ft.
Restaurant, outdoor seating	Outdoor seating that does not exceed 20% of the size of the restaurant, based on gross square footage, shall be exempt. Outdoor seating in excess of 20% shall provide parking for those portions of the seating area in excess of 20% at the same rate as the restaurant itself
<u>Conference Center or Meeting Room</u>	<u>1 space/every 250 square feet</u>
Entertainment	
Auditorium, theater	1 space/4 seats
Bowling alleys	4 spaces/alley + 1 space/ employee

Adult entertainment/massage parlor	1 space/seat or 1 space/ occupancy (based on occupancy load), whichever is greater, + 1 space/ employee based upon the maximum number of employees that may be working at any 1 time
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(b) Core Area Retail Zone (CA) parking requirements. Within the Core Area Retail Zone (CA) of the Town, the following number of parking spaces shall be provided for any new development, addition to an existing development or change of use:

<i>Use</i>	<i>Required Spaces</i>
Residential	
Single family	2 spaces
Duplex	2 spaces/unit
Multi family	
Efficiency, studio, 1-bedroom	1.5 spaces/unit
2 bedroom or greater	2 spaces/unit
Lodging, hotel, motel, bed & breakfast	1 space/bedroom
Schools	
Child care center	1 space/employee + 1 space/10 children
Elementary, middle school	2 spaces/classroom
High school, college	.25 spaces/student capacity + 1 per faculty member
Commercial/Miscellaneous	

Retail sales, commercial, general offices, medical office, dental office	1 space/650 gross sq. ft.
Church	1 space/500 gross sq. ft.
Auto-service establishment	1 space/employee + 1 space/service bay
Restaurant, sit-down	1 space/250 gross sq. ft.
Restaurant, outdoor seating	Outdoor seating that does not exceed 20% of the size of the restaurant, based on gross square footage, shall be exempt. Outdoor seating in excess of 20% shall provide parking for those portions of the seating area in excess of 20% at the same rate as the restaurant itself
Entertainment	
Auditorium, theater	1 space/4 seats
Bowling alleys	3 spaces/alley + 1 space/employee

(b)(e) All parking requirements that are not whole numbers shall be rounded upward to the next highest whole number.

(c)(d) The number of parking spaces required for uses not listed within this Section shall be determined by the Planning and Zoning Commission, after review and recommendation by the Town Manager, based on the impacts anticipated by the proposed use, and shall relate to the anticipated demand created by each proposed use.

(Ord. 19-96 §6.00; Ord. 01-99 §1; Ord. 08-99 §4; Ord. 08-02 §1; Ord. 06-12 §§2, 3)

Sec. 16-6-50. - Participation in future parking improvements and parking fees.

(a) In those instances where the applicant for a development permit within the Core Area, including a request for a change of use, desires not to provide all parking spaces required in this Chapter, he or she may choose to enter into an agreement with the Town to provide the deficient parking spaces at a later date through participation in a special improvement district, and pay the Town a fee per deficient space as set forth below.

(b) The right of an applicant to enter into such an agreement and make such payment, and the authority of the Town to accept such payment, shall be subject to the following limitations:

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- (1) Not applicable to residential uses. The choice to pay the Town a fee in lieu of providing deficient parking spaces shall not apply to, and shall not be available for, parking as required for residential uses. All parking spaces as required for residential uses must be provided on-site.
- (2) Agreement. The agreement shall specify the number of spaces the project is deficient, shall indicate the applicant's agreement not to protest the formation of a special improvement district for the design and construction of future public parking facilities, and shall be entered into prior to the issuance of a building permit.
- (3) Amount of fee. The amount of the fee shall be the number of parking spaces the project is deficient multiplied by the dollar amount as set forth in Chapter 19 of this Code.
- (4) Payment of fee. The fee shall be paid in full to the Town prior to the issuance of a building permit for the project or, at the discretion of the Town, at another time as agreed to between the Town and applicant, if the fee is guaranteed by a letter of credit.
 - a. Except as provided in Subsection (6) below, fees paid to the Town are nontransferable and nonrefundable. Any fee paid in connection with the development of a particular lot, tract or parcel shall run with the land for which the fee is paid, and is nontransferable to any other lot, tract or parcel.
 - b. If the development permit for which a fee has been paid has expired, and a new application for a development permit is thereafter filed for the same parcel within five (5) years, the Town shall credit any previous payment of in lieu fees toward any fees due for the new application.
 - c. If a change in use of a property results in a reduced requirement for off street parking under the provisions of this chapter, no refund shall be paid by the Town with respect to off street parking spaces which are no longer required.
- (5) Use of fees by Town. The fees collected by the Town pursuant to this Section may be expended by the Town only for the following purposes:
 - a. Acquisition of real property for the construction of municipal parking facilities within the Core Area, or any area located within one thousand (1,000) feet of the Core Area if the Town Council determines that the Core Area will benefit from the provision of parking on such property.
 - b. Development, expansion, design or capital repair of municipal parking spaces or facilities within the Core Area, or any area located within two thousand (2,000) feet of the Core Area, including but not limited to, construction costs, surveying costs, engineering, design and similar expenses related thereto.
 - c. Payment of the principal, interest and other costs of bonds, notes and other obligations issued or undertaken by or on behalf of the Town to finance the acquisition, development, expansion or capital repair of municipal parking spaces and facilities within the Core Area or within two thousand (2,000) feet of the Core Area.
- (6) Refund or credit of fees paid in lieu of providing parking.
 - a. Refund. Any fees, or portion thereof, collected pursuant to this Section which have not been expended or which have not been committed for expenditure for eligible parking improvements or design within twenty-five (25) years from the date of payment shall be refunded, upon application, to the record owner of the property for which the fee was paid, together with interest thereon at the legal rate earned thereon by the Town from the date of collection to the date of refund.
 - b. Credit. In the event the Town forms a special improvement district for the purpose of providing public parking facilities within or adjacent to the Core Area, all parking fees (not including interest) paid within a ten-year time period immediately prior to the formation of the district shall be credited toward the assessments of each lot for which the fees were previously paid.

(7) Parking account.

- a. The Finance Director shall establish an interest-bearing account into which all fees collected by the Town pursuant to this Section shall be deposited. Interest earned on the account into which the fees are deposited shall be considered funds of the account and shall be used solely for eligible parking design and improvements as authorized in this Section. The fees collected and the interest earned thereon shall not be commingled with any other funds of the Town.
- b. The Finance Director shall establish adequate financial and accounting controls to ensure that the fees disbursed from the account are utilized solely for eligible parking design and improvements as authorized in this Section.

(Ord. 05-99 §1; Ord. 02-02; Ord. 05-03 §2; Ord. 01-04 §§1-3)

Sec. 16-6-60. - Design standards for off-street parking spaces and facilities.

Each off-street parking space or facility provided within the Town shall conform to the following design standards:

(1) Size of parking stalls/spaces.

- a. Within a parking facility containing four (4) or more spaces, the minimum parking stall sizes shall be:

	Length	Width
30 to 90 degree parking	18 feet	9 feet
Parallel parking	25 feet	8 feet
Enclosed parking	18 feet	9 feet

- b. For all other parking facilities, including single-family, duplex or any other uses where a parking facility contains less than four (4) parking spaces, the minimum parking stall sizes shall be:

	Length	Width
30 to 90 degree parking	18 feet	9 feet

Parallel parking	25 feet	8 feet
Enclosed parking	18 feet	9 feet

(2) Width of parking aisles. The following minimum aisle widths shall be required for all off-street parking facilities provided within the Town:

Angle of Parking Stalls	Minimum Aisle Width
45 degrees	14 ft. (one-way traffic only)
60 degrees	18 ft. (one-way traffic only)
75 degrees	20 ft. (one-way traffic only)
90 degrees	24 ft. (one- or two-way traffic)

(3) Maximum grades.

- a. Single-family and duplex uses. The maximum grade allowed for single-family and duplex uses shall not exceed ten percent (10%), with the exception that the first twenty (20) feet immediately adjacent to any garage shall not exceed eight percent (8%), or twelve percent (12%) if heated.
- b. Summer seasonal parking lots. The maximum grade allowed for parking spaces shall not exceed six and one-half percent (6.5%) in any direction. The maximum grade allowed for drive aisles adjacent to parking spaces shall not exceed six and one-half percent (6.5%) in any direction. The maximum grade allowed for access driveways between the public road and the parking spaces shall not exceed ten percent (10%) in any direction.
- c. All other uses. The maximum grade allowed for parking spaces shall not exceed four percent (4%) in any direction. The maximum grade allowed for drive aisles adjacent to parking spaces shall not exceed four percent (4%) in any direction. The maximum grade allowed for

access driveways between the public road and the parking spaces shall not exceed ten percent (10%) in any direction.

- d. Access drives crossing sidewalks. When an access drive crosses a public sidewalk or a designated accessible route, the slope of the drive aisle shall not exceed two percent (2%) to maintain the cross-slope of the sidewalk or accessible route. This is typically accomplished by the installation of a concrete curbcut for sidewalks attached to the curb along a roadway.
- (4) Paving. All parking spaces, including driveways, shall be surfaced with asphalt, concrete or equivalent.
- (5) Lighting. Any lighting proposed for the purpose of providing lighting for a parking facility shall be designed in a manner where the light is directed away from any adjoining properties. In addition, lighting fixtures for parking lots within the Core Area shall be compatible with the light fixtures provided by the Town to light Town parking lots and public ways.
- (6) Accessibility. All off-street parking spaces and facilities shall have legal, unobstructed access to a public street or alleyway.
- (7) Backing onto public street. ~~Except for single-family and duplex parking areas, all other parking stalls and spaces shall be so designed, located and served by maneuvering lanes so their use will under no circumstances require a backing movement onto any public street.~~
 - a. ~~Except for single-family and duplex parking areas, all other parking stalls and spaces shall be so designed, located and served by maneuvering lanes so their use will under no circumstances require a backing movement onto any public street.~~
 - b. ~~In cases where portions of a Town owned right-of-way are used as primarily public parking, and where the portion of the right-of-way also does not have a street name designation, backing into the drive aisle adjacent to the parking spaces shall be permitted.~~
 - c. ~~In the Core Area Zone District, in order to provide accessible parking to each building, the Town manager may allow accessible parking spaces to back into the right-of-way.~~
- (8) Landscaping. All off-street parking facilities containing four (4) or more spaces shall be adequately screened from any adjacent residentially zoned parcel or public street by a strip of land at least ten (10) feet in width (fifteen [15] feet if in a front yard) densely landscaped with a combination of trees and shrubs adequate to screen the adjacent property or right-of-way from the parking lot. This landscaping area shall contain a minimum of one (1) tree per ten (10) linear feet, with the trees being a minimum of eight (8) feet in height, and having a mixture of evergreens and deciduous trees at a ratio of 50:50.
- (9) Snow storage.
 - a. Summer seasonal parking lots are not required to have additional snow storage areas.
 - b. Unless designed with a snow melt system, all other parking areas shall be provided with snow storage areas adequate to meet the needs of the parking facilities. This shall include the provision of a minimum of snow storage equal to twenty-five percent (25%) of the area to be cleared of snow. Such snow storage areas shall be located in a manner to reasonably facilitate the snow removal process. The snow storage areas shall be landscaped in a manner that does not interfere with the snow storage process.
- (10) Accessible parking.
 - a. Parking facilities shall be designed and constructed with accessible parking and accessible access routes in conformance with the federal 2010 ADA Standards for Accessible Design.
 - b. Parking facilities shall provide the minimum number of required accessible parking spaces per Section 208 of the federal 2010 ADA Standards for Accessible Design.

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- c. At least one (1) van-accessible parking space is required for every six (6) or fraction of six (6) accessible parking spaces required per this Section.
- d. The width of an accessible parking space may be reduced to a minimum of eight (8) feet wide when adjacent to an access aisle that is a minimum of eight (8) feet wide.

(Ord. 19-96 §6.00; Ord. 01-13 §1; Ord. 07-13 §§2, 3, 4)

Sec. 16-6-70. - Maintenance of off-street parking spaces and facilities.

- (a) It shall be the responsibility of the owner to maintain the off-street parking spaces or facilities in a state of good repair and in an unobstructed condition so as to ensure that all required off-street parking spaces are available for use on a daily basis.
- (b) Upon an accumulation snow depth of four (4) inches of uncompacted snow, all off-street parking spaces shall be substantially cleared of snow within twenty-four (24) hours. The removed snow shall be stacked in such a way so as not to impair lines of sight or disrupt the proper flow of vehicular or pedestrian traffic.
- (c) Snow removal is not required in summer seasonal parking lots. Summer seasonal parking lots may be used for snow storage.

(Ord. 19-96 §6.00; Ord. 02-02; Ord. 07-13 §5)

Sec. 16-6-80. - Use restrictions for off-street parking facilities.

- (a) The required number of off-street parking spaces shall be maintained for the parking of operable passenger vehicles of residents, customers, patrons and employees only, and shall not be used as parking for vehicles which are being used as a residence, for storage of vehicles or materials.
- (b) Unless otherwise allowed in this Section, required off-street parking spaces shall not be used for the parking or storage of trailers, boats, detached campers, disabled or inoperable vehicles or other objects that will render the parking space unusable according to the intent and purpose of this Article.
- (c) Parking spaces located within summer seasonal parking lots may be used for the storage of trailers, boats and snow as approved by the Town Manager.

(Ord. 19-96 §6.00; Ord. 07-13 §§6, 7)

Sec. 16-6-90. - Off-street loading spaces.

Every project used for commercial, retail or industrial purposes with a gross floor area of over twenty thousand (20,000) square feet shall be required to have a minimum of one (1) off-street loading area provided on site.

(Ord. 19-96 §6.00)