

CHAPTER 16 - LAND USE ORDINANCE

Article XVIII - Parking

Section 16-290 Definitions.

(A) Unless otherwise specifically provided or unless clearly required by the context, the words and phrases defined below shall have the meaning indicated when used in this section.

(1) ***Circulation Area.*** That portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.

(2) ***Driveway.*** That portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.

(3) ***Gross Floor Area.*** The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

(4) ***Loading and Unloading Area.*** That portion of the vehicle accommodation area used to satisfy the requirements of Section 16-300.

(5) ***Vehicle Accommodation Area.*** That portion of a lot that is used by vehicles for access, circulation, parking, and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas (spaces and aisles).

(6) ***Parking Area Aisles.*** That portion of the vehicle accommodation area consisting of lanes providing access to parking spaces.

(7) ***Parking Space.*** A portion of the vehicle accommodation area set for the parking of one vehicle.

Section 16-291 Number of Parking Spaces Required.

(A) All developments in all zoning districts shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question.

(B) The presumptions established by this article are that: (i) a development must comply with the parking standards set forth in subsection (F) to satisfy the requirement stated in subsection (A), and (ii) any development that does meet these standards is in compliance. However, the Table of Parking Requirements is only intended to establish a presumption and should be flexibly administered in accordance with Section 16-292.

(C) Uses in the Table of Parking Requirements [subsection (F)], are indicated by a numerical reference keyed to the Table of Permissible Uses, Section 16-146. When determination of the number of parking spaces required by this table results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space.

(D) Whenever a building is constructed with the intention that it be used in whole or in part for use classification 2.210, 2.220, 3.120, or 3.220, the building shall be constructed on the lot in such a manner that sufficient usable space remain on the lot to add the additional parking spaces that would be required to convert the use of the building entirely to use classification 2.110, 2.210, 3.110, or 3.210. In addition, whenever a developer proposes to construct a building to be used for purposes that require a lesser number of parking spaces than other uses to which the building might well be put at some future date, the administrator shall inform the developer (and keep a record of such notification) that sufficient space should be left on the lot to add parking spaces at a later time if required.

(E) The Board recognizes that the Table of Parking Requirements set forth in subsection (F) cannot and does not cover every possible situation that may arise. Therefore, in cases not specifically covered, the permit issuing authority is authorized to determine the parking requirements using this table as a guide.

(F) *Table of Parking Requirements:*

Use	Parking Requirement
1.110	2 spaces plus one space per room rented out
1.120	(see Accessory Uses, Section 16-150)
1.130	3 spaces
1.200	2 spaces for each dwelling unit, except that one bedroom units require only one space
1.310 1.330	1½ spaces for each one bedroom unit, 2 spaces for each two bedroom unit, 2½ spaces for each unit with three or more bedrooms, plus 1 additional space for every four units in the development. Multi-family units developed or sponsored by a public or non-profit agency for limited income families or the elderly require only 1 space per unit.
1.320	2 spaces for each mobile home
1.400	3 spaces for every five beds except for uses exclusively serving children under 16, in which case 1 space for every 3 beds shall be required
1.500	1 space for each bedroom
1.620 1.630	1 space for each room to be rented plus additional space (in accordance with other sections of this table) for restaurant or other facilities
1.700	4 spaces for offices of physicians or dentists; 2 spaces for attorneys; 1 space for all others
2.111 2.112	1 space per 200 square feet of gross floor area
2.113	1 space per 150 square feet of gross floor area
2.120 2.130	1 space per 400 square feet of gross floor area
2.210	1 space per 200 square feet of gross floor area
2.220 2.230	1 space per 400 square feet of gross floor area

Use	Parking Requirement
3.110	1 space per 200 square feet of gross floor area
3.120	1 space per 400 square feet of gross floor area
3.130	1 space per 150 square feet of gross floor area
3.210	1 space per 200 square feet of gross floor area
3.220	1 space per 400 square feet of gross floor area
3.230	1 space per 200 square feet of area within main building plus reservoir land capacity equal to five spaces per window (10 spaces if window serves two stations)
4.100 4.200	1 space for every two employees on the maximum shift except that, if permissible in the CB district, such uses may provide 1 space per 200 square feet of gross floor area
5.110	1¾ spaces per classroom in elementary schools; 5 spaces per classroom in high schools.
5.120	1 space per 100 square feet of gross floor area
5.130	1 space per 150 square feet of gross floor area
5.200	1 space for every four seats in the portion of the church building to be used for services plus spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses, plus 1 space for every 200 square feet of gross floor area designed to be used neither for services nor residential purpose
5.310 5.320	1 space per 400 square feet of gross floor area
5.400	1 space per 300 square feet of gross floor area
6.110	1 space for every 3 persons that the facilities are designed to accommodate when fully utilized (if they can be measured in such a fashion - for example, tennis courts or bowling alleys) plus 1 space per 200 square feet of gross floor area used in a manner not susceptible to such calculation
6.120 6.130	1 space for every four seats
6.140	1 space for each video game
6.210 6.220	1 space per 200 square feet of area within enclosed buildings, plus 1 space for every 3 persons that the outdoor facilities are designed to accommodate when used to the maximum capacity
6.230	Miniature golf course - 1 space per 300 square feet of golf course area plus 1 space per 200 square feet of building gross floor area; Driving range - 1 space per tee plus 1 space per 200 square feet in building gross floor area; Par Three Course - 2 spaces per golf hole plus 1 space per 200 square feet of building gross floor area.
6.240	1 space per horse that could be kept at the stable when occupied to maximum capacity
6.250	1 space for every three seats
6.260	1 space per speaker outlet
7.100	2 spaces per bed
7.200	3 spaces for every 5 beds

Use	Parking Requirement
7.300 7.400	1 space for every two employees on maximum shift
8.100	1 space per 100 square feet of gross floor area
8.200 8.300	Same as 8.100 plus 1 space for every six (6) outside seats. No spaces required if four seats or less. If more than 40 seats, rate is 1 space per 4 seats. <i>[Amended 3-9-10]</i>
8.400	Same as 8.200 plus reservoir lane capacity equal to five spaces per drive-in window
8.500 8.600	1 space per 50 feet of gross floor area
9.100 9.200 9.300 9.400	1 space per 200 square feet of gross floor area
9.500	1 space per 200 square feet of gross floor area of building devoted primarily to gas sales operation, plus sufficient parking area to accommodate vehicles at pumps without interfering with other parking spaces
9.600	Conveyer type - 1 space for every three employees on the maximum shift plus reservoir capacity equal to five times the capacity of the washing operation. Self-service type - 2 spaces for drying and cleaning purposes per stall plus two reservoir spaces in front of each stall.
10.210 10.220	1 space for every two employees on the maximum shift but not less than 1 space per 5,000 square feet of area devoted to storage (whether inside or outside).
11.000	1 space per 200 square feet of gross floor area
12.000	1 space per 200 square feet of gross floor area
13.000	1 space per 200 square feet of gross floor area
14.000	1 space for every two employees on maximum shift
15.100 15.200	1 space per 200 square feet of gross floor area
15.300	1 space for every two employees on maximum shift
15.400	1 space per 100 square feet of gross floor area
16.000	1 space per 200 square feet of gross floor area
19.000	1 space per 1,000 square feet of lot area used for storage, display, or sales
20.000	1 space per 200 square feet of gross floor area
21.200	1 space per 200 square feet of gross floor area
22.000	1 space per employee plus 1 space per 200 square feet of gross floor area
24.000	1 space per 200 square feet of gross floor area
25.000	1 space per 200 square feet of gross floor area

(G) Table of Parking Requirements for Central Business and Town Center Districts:

(1) The following table is intended to provide the required parking spaces needed for new construction and additions in the Central Business and Town Center zoning districts. Most of the Use Codes have been combined to group similar use categories together with a similar parking requirement.

Use Codes	Type of Use	Proposed Parking Requirement
1.110	<i>RESIDENTIAL Single-family home</i>	2 spaces plus one space per room rented out
1.130	<i>RESIDENTIAL Single-family w/ accessory appt</i>	3 spaces
1.200	<i>RESIDENTIAL Duplex</i>	2 spaces for each dwelling unit, except that one bedroom units require only one space
1.310 1.330	<i>RESIDENTIAL Multi-family</i>	1½ spaces for each one bedroom unit, 2 spaces for each two bedroom unit, 2½ spaces for each unit with three or more bedrooms, plus 1 additional space for every four units in the development. Multi-family units developed or sponsored by a public or non-profit agency for limited income families or the elderly require only 1 space per unit.
1.400	<i>INFIRM/HANDICAP HOME</i>	3 spaces for every five beds except for uses exclusively serving children under 16, in which case 1 space for every 3 beds shall be required
1.500	<i>ROOMING HOUSE</i>	1 space for each bedroom
1.620 1.630	<i>HOTEL</i>	1 space for each room to be rented plus additional space (in accordance with other sections of this table) for restaurant or other facilities
1.700	<i>HOME OCCUPATION</i>	4 spaces for offices of physicians or dentists; 2 spaces for attorneys; 1 space for all others
2.111- 2.230	<i>RETAIL</i>	1 space per 400 square feet of gross floor area
2.113	<i>CONVENIENCE STORE</i>	1 space per 300 square feet of gross floor area
3.110- 3.220	<i>OFFICE</i>	1 space per 400 square feet of gross floor area
3.230	<i>BANK</i>	1 space per 400 square feet of area within main building plus reservoir land capacity equal to five spaces per window (10 spaces if window serves two stations)

4.100 4.200	<i>MANUFACTURING</i> <i>Majority of business w/ walk-in trade</i>	1 space per 400 square feet of gross floor area
5.110	<i>SCHOOL</i>	1¾ spaces per classroom in elementary schools; 5 spaces per classroom in high schools.
Use Codes	Type of Use	Proposed Parking Requirement
5.200	<i>CHURCH</i>	1 space for every four seats in the portion of the church building to be used for services plus 1 space for every 400 square feet of gross floor area designed to be used neither for services nor residential purposes
5.310 5.320	<i>MUSEUM</i>	1 space per 400 square feet of gross floor area (REVISED 6/09)
5.400	<i>SOCIAL HALLS</i>	1 space per 400 square feet of gross floor area
6.120 6.130	<i>MOVIE THEATER</i>	1 space for every four seats
6.210 6.220	<i>TENNIS COURTS/POOLS</i>	1 space per 400 square feet of area within enclosed buildings, plus 1 space for every 4 persons that the outdoor facilities are designed to accommodate when used to the maximum capacity
8.100	<i>RESTAURANT</i> <i>No carry out or drive thru</i>	1 space per (250) square feet of gross floor area
8.200 8.300	<i>RESTAURANT</i> <i>No carry out or drive thru</i> <i>Service outside allowed</i>	Same as 8.100 plus 1 space for every six (6) outside seats. No spaces required if four seats or less. If more than 40 seats, rate is 1 space per 4 seats. (amended 3/9/10)
9.500	<i>GAS SALES</i>	1 space per 400 square feet of gross floor area of building devoted primarily to gas sales operation, plus sufficient parking area to accommodate vehicles at pumps without interfering with other parking spaces
10.210 10.220	<i>STORAGE</i>	1 space for every two employees on the maximum shift but not less than 1 space per 5,000 square feet of area devoted to storage (whether inside or outside).
13.000	<i>POLICE/FIRE/RESCUE</i>	1 space per 400 square feet of gross floor area
15.100 15.200	<i>POST OFFICE</i>	1 space per 300 square feet of gross floor area
16.000	<i>DRY CLEANER</i>	1 space per 400 square feet of gross floor area
19.000	<i>OPEN AIR MARKET</i>	1 space per 1,000 square feet of lot area used for storage, display, or sales
20.000	<i>FUNERAL HOME</i>	1 space per 400 square feet of gross floor area

22.000	<i>DAY CARE</i>	1 space per employee plus 1 space per 400 square feet of gross floor area
24.000	<i>BUS STATION</i>	1 space per 400 square feet of gross floor area
25.000	<i>GREENHOUSE</i>	1 space per 400 square feet of gross floor area

[Added August 10, 2010]

(2) Changes from one use category to another generally do not require additional parking with the exception of restaurants. If a proposed use change is to a restaurant use with more than 12 indoor and/or outdoor seats, only half of the net parking spaces shall be required. For all other changes in use, no additional parking is required.

(3) A one-time addition of bathrooms, storage or equipment areas less than 250 square feet is not required to provide additional parking.

[Added August 10, 2010]

Section 16-292 Flexibility in Administration Required.

(A) The Board recognizes that, due to the particularities of any given development, the inflexible application of the parking standards set forth in Subsection 16-291(F) may result in a development either with inadequate parking space or parking space far in excess of its needs. The former situation may lead to traffic congestion or parking violations in adjacent streets as well as unauthorized parking in nearby private lots. The latter situation results in a waste of money as well as a waste of space that could more desirably be used for valuable development or environmentally useful open space. Therefore, as suggested in Section 16-291, the permit-issuing authority may permit deviations from the presumptive requirements of Subsection 16-291(F) and may require more parking or allow less parking whenever it finds that such deviations are more likely to satisfy the standard set forth in Subsection 16-291(A).

(B) Without limiting the generality of the foregoing, the permit-issuing authority may allow deviations from the parking requirements set forth in Subsection 16-291(F) when it finds that:

- (1) A residential development is irrevocably oriented toward the elderly;
- (2) A business is primarily oriented toward walk-in trade.

(C) Whenever the permit-issuing authority allows or requires a deviation from the presumptive parking requirements set forth in Subsection 16-291(F), it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

(D) If the permit-issuing authority concludes, based upon information it receives in the consideration of a specific development proposal, that the presumption established by Subsection 16-291(F) for a particular use classification is erroneous, it shall initiate a request for an amendment to the *Table of Parking Requirements* in accordance with the procedures set forth in Article XX.

Section 16-292.01 Payment of Fee in Lieu of Providing Required Parking Spaces.

(A) With respect to properties within the CB and O-I districts that are developed for commercial purposes, the permit issuing authority may authorize the developer to forego the construction of parking spaces otherwise required on the developer's property pursuant to the provisions of Section 16-291 of this Article for commercial uses if (i) the permit issuing authority finds that the parking needs of such development can be met by public parking facilities that are located or expected to be constructed within a reasonable time within reasonable proximity to the proposed development, and (ii) the developer pays to the town for each such space that is not constructed a fee in lieu of providing that space in an amount determined as provided in subsection (B) of this section. This fee shall be paid before an occupancy permit is issued to the development, unless the permit issuing authority by condition establishes another time.

(B) The amount of the fee authorized by this section shall be determined by estimating the cost of providing a paved parking space (including land and improvement costs) that meets the requirements of this Article. This determination shall be made annually and the fee shall be included in the Miscellaneous Fees and Charges Schedule adopted by the Board of Commissioners.

(C) Any fees collected in accordance with this section shall be reserved and used exclusively to meet the purposes for which they have been obtained as specified above in subsection (A).

[Adopted August 9, 2005]

Section 16-293 Parking Space Dimensions.

(A) Subject to subsection (B), each parking space shall contain a rectangular area at least nineteen feet long and nine feet wide. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, so long as the parking spaces so created contain within them the rectangular area required by this section.

(B) Wherever parking areas consist of spaces set aside for parallel parking, the dimensions of such parking spaces shall be not less than twenty-two feet by nine feet.

[Amended January 11, 2000]

Section 16-294 Required Widths of Parking Area Aisles and Driveways.

(A) Parking area aisle widths shall conform to the following table, which varies the width requirement according to the angle of parking.

Aisle Width	Parking Angle				
	0°	30°	45°	60°	90°
One-Way Traffic	13 feet	11 feet	13 feet	18 feet	24 feet
Two-Way Traffic	19 feet	20 feet	21 feet	23 feet	24 feet

(B) Driveways shall be not less than ten feet in width for one way traffic and eighteen feet in width for two way traffic, except that ten feet wide driveways are permissible for two way traffic when (i) the driveway is not longer than fifty feet, (ii) it provides access to not more than six spaces, and (iii) sufficient turning space is provided so that vehicles need not back into a public street.

(C) Shared single-family driveways less than 75 feet in length, where permissible, may be 10 feet in width for that portion of the driveway is shared. If the shared portion of the driveway is 75 feet or greater, the minimum width shall be 18 feet for the shared portion.

(C) Any driveway required to be 18 feet in width shall not exceed a slope of 18%.

[Amended January 11, 2006]

Section 16-295 General Design Requirements.

(A) Unless no other practicable alternative is available, vehicle accommodation areas shall be designed so that, without resorting to extraordinary movements, vehicles may exit such areas without backing onto a public street. This requirement does not apply to parking areas consisting of driveways that serve one or two dwelling units, although backing onto arterial streets is discouraged.

(B) Vehicle accommodation areas of all developments shall be designed so that sanitation, emergency, and other public service vehicles can serve such developments without the necessity of backing unreasonable distances or making other dangerous or hazardous turning movements.

(C) Every vehicle accommodation area shall be designed so that vehicles cannot extend beyond the perimeter of such area onto adjacent properties or public rights-of-way. Such areas shall also be designed so that vehicles do not extend over sidewalks or tend to bump against or damage any wall, vegetation, or other obstruction.

(D) Circulation areas shall be designed so that vehicles can proceed safely without posing a danger to pedestrians or other vehicles and without interfering with parking areas.

Section 16-296 Vehicle Accommodation Area Surfaces.

(A) Vehicle accommodation areas that (i) include lanes for drive-in windows or (ii) contain parking areas that are required to have more than ten parking spaces and that are used regularly at least five days per week shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust. Driveways serving only 1 dwelling unit need not be paved. Specifications for surfaces meeting the standard set forth in this subsection are contained in Appendix D.

(B) Vehicle accommodation areas that are not provided with the type of surface specified in subsection (A) shall be graded and surfaced with crushed stone, gravel, or other suitable material (as provided in the specifications set forth in Appendix D) to provide a surface that is stable and will help to reduce dust and erosion. The perimeter of such parking areas shall be defined by bricks, stones, railroad ties, or other similar devices. In addition, whenever such a vehicle accommodation area abuts a paved street, the driveway leading from such street to such area (or, if there is no driveway, the portion of the vehicle accommodation area that opens onto such streets), shall be paved as provided in subsection (A) for a distance of fifteen feet back from the edge of the paved street.

(C) The requirement of subsections (A) and (B) shall not apply to driveways or turnouts serving only to single-family residences, duplexes, multi-family residences consisting of two dwelling units, or other uses that are required to have only one or two parking spaces.

(D) Parking spaces in areas surfaced in accordance with subsection (A) shall be appropriately demarcated with painted lines or other markings. Parking spaces in areas surfaced in accordance with subsection (B)

shall be demarcated whenever practicable. Notwithstanding the provisions of Article VIII, all paved parking areas shall comply with this subsection within six months after the effective date of this chapter.

(E) Vehicle accommodation areas shall be properly maintained in all respects. In particular, and without limiting the foregoing, vehicle accommodation area surfaces shall be kept in good condition (free from potholes, etc.) and parking space lines or markings shall be kept clearly visible and distinct.

Section 16-297 Joint Use of Required Parking Spaces.

(A) One parking area may contain required spaces for several different uses, but except as otherwise provided in this section, the required space assigned to one use may not be credited to any other use.

(B) To the extent that developments that wish to make joint use of the same parking spaces operate at different times, the same spaces may be credited to both uses. For example, if a parking lot is used in connection with an office building on Monday through Friday but is generally 90% vacant on weekends, another development that operates only on weekends could be credited with 90% of the spaces on that lot. Or, if a church parking lot is generally occupied only to 50% of capacity on days other than Sunday, another development could make use of 50% of the church lot's spaces on those other days.

(C) If the joint use of the same parking spaces by two or more principal uses involves satellite parking spaces, then the provisions of Section 16-298 are also applicable.

Section 16-298 Satellite Parking.

(A) If the number of off-street parking spaces required by this chapter cannot reasonably be provided on the same lot where the principal use associated with these parking spaces is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off-site spaces are referred to in this section as "satellite" parking spaces.

(B) All such satellite parking spaces (except spaces intended for employee use) must be located within 600 feet of a public entrance of a principal building housing the use associated with such parking, or within 600 feet of the lot on which the use associated with such parking is located if the use is not housed within any principal building. Satellite parking spaces intended for employee use may be located within any reasonable distance.

(C) The developer wishing to take advantage of the provisions of this section must present satisfactory written evidence that he has the permission of the owner or other person in charge of the satellite parking spaces to use such spaces. Satellite spaces must not be shared by another business unless the joint use of spaces meets the provisions found in Section 16-297. The developer must also sign an acknowledgment that the continuing validity of his permit depends upon his continuing ability to provide the requisite number of parking spaces. If the satellite spaces become invalid, the developer must secure other on-site or satellite parking within 90 days pay for each lost space into the Parking Fund at the prevailing rate per space.

(D) Persons who obtain satellite parking spaces in accordance with this section shall ~~not~~ be held accountable for ensuring that the satellite parking areas from which they obtain their spaces satisfy the design requirements of this article.

[Amended 3-9-10]

Section 16-299 Special Provisions For Lots With Existing Buildings.

(A) Notwithstanding any other provisions of this chapter, whenever (i) there exists a lot with one or more structures on it constructed before the effective date of this chapter, and (ii) a change in use that does not involve any enlargement of a structure is proposed for such lot, and (iii) the parking requirements of Section 16-291 that would be applicable as a result of the proposed change cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for parking, then the developer need only comply with the requirements of Section 16-291 to the extent that (i) parking space is practicably available on the lot where the development is located, and (ii) satellite parking space is reasonably available as provided in Section 16-297. However, if satellite parking subsequently becomes reasonably available, then it shall be a continuing condition of the permit authorizing development on such lot that the developer obtain satellite parking when it does become available.

Section 16-300 Loading and Unloading Areas.

(A) Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient off-street loading and unloading area must be provided in accordance with this section to accommodate the delivery or shipment operations in a safe and convenient manner.

(B) In the event congestion is likely to be created in the area, the loading and unloading area must be of sufficient size to accommodate the numbers and types of vehicles that are likely to use this area, given the nature of the development in question. The following table indicates the number and size of spaces that, presumptively, satisfy the standard set forth in this subsection. However, the permit issuing authority may require more or less loading and unloading area if reasonably necessary to satisfy the foregoing standard.

Gross Leasable Area of Building	Number of Spaces With Minimum Dimensions of 12 Feet By 55 Feet and Overhead Clearance of 14 Feet From Street Grade
1,000 - 19,999	1
20,000 - 79,999	2
80,000 - 127,999	3
128,000 - 191,000	4
192,000 - 255,999	5
256,000 - 319,999	6
320,000 - 391,999	7

Plus one (1) for each additional 72,000 square feet or fraction thereof.

(C) Loading and unloading areas shall be so located and designed that the vehicles intended to use them can (i) maneuver safely and conveniently to and from a public right-of-way, and (ii) complete the loading and unloading operations without obstructing or interfering with any public right-of-way or any parking space or parking lot aisle.

(D) No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

Sections 16-301 Reserved.

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