

## **CHAPTER 3 SUPPLEMENTARY REGULATIONS - TABLE OF CONTENTS**

<b>9-3-1 Fences, Hedges and Walls</b>	<b>Page 2</b>
<b>9-3-2 Decks</b>	<b>Page 3</b>
<b>9-3-3 Off-Street Parking Regulations</b>	<b>Page 4</b>
<b>9-3-4 Environmental Impact Analysis</b>	<b>Page 9</b>
<b>9-3-5 Fiscal Impact Analysis</b>	<b>Page 11</b>

## CHAPTER 3 SUPPLEMENTARY REGULATIONS

### 9-3-1 Fences, Hedges and Walls

- A. **Intent.** To allow fences, hedges and walls for privacy provided public safety is maintained.
- B. **General Provisions.** Fences, hedges and walls may be permitted in the various districts as accessory uses in accordance with the following limitations:
1. No fence or wall in any district shall exceed 6 feet in height, except for around the enclosure of outdoor swimming pools, in the side yards and rear yard.
  2. No fence or wall in any district shall exceed 4 feet in height, except for around the enclosure of outdoor swimming pools, in the front yard.
  3. No fence, hedge, wall, shrubbery or sign shall interfere with the vision of motorists at any intersection.
  4. Fences, hedges and walls are not subject to setback requirements.
  5. All outdoor swimming pools shall be enclosed by a fence or wall at least 6 feet but not more than 8 feet in height with a gate or gates which can be securely locked.
  6. The use of barbed wire fencing and electrically-charged fencing is prohibited except for within properties zoned for agricultural use and/or to protect municipal utility facilities or facilities providing essential services to Town residents.

### 9-3-2 Decks

- A. **Intent.** To allow decks attached to a principal structure to be setback 5 feet from the rear yard property line.
- B. **General Provisions.** Decks attached to principal structures may be permitted in all districts in accordance with the following limitations:
1. The deck shall meet a minimum setback of 5 feet from the rear yard property line.
  2. The deck shall meet front and side yard setbacks of zone district in which it is located.

### 9-3-3 Off-Street Parking Regulations

A. **Intent.** The intent of this section is to prevent or alleviate congestion of public streets, to minimize detrimental effects of parking on adjacent properties, and to promote the safety and welfare of the public.

B. **General Provisions.**

1. In all zone districts, off-street parking facilities for the storage of self-propelled motor vehicles for the use of occupants, employees and patrons of the building or structures hereafter erected, altered or extended shall be provided and maintained as herein prescribed.
2. Surface. All parking and driveway areas and primary access to parking facilities shall be surfaced with asphalt, concrete or similar materials.
3. Integrate parking lots with surroundings. Parking lots shall not dominate the frontage of pedestrian-oriented streets, interfere with designated pedestrian routes, or negatively impact surrounding neighborhoods. The pedestrian character of streets and buildings shall be maximized through continuity of buildings and landscape frontage.
4. Location. Parking lots shall be located to the rear or side of buildings or in the interior of a block whenever possible.
5. Landscaping. All off-street parking areas with more than 10 spaces shall screen said spaces in part from view from adjacent streets by providing either:
  - a. A low 3 feet to 4 feet decorative fence or wall between the required landscaped area and the parking area, or
  - b. Earth mounds of 3 feet to 4 feet in height which shall be landscaped, placed between the street and the parking area.
6. Share-access. Where feasible, parking lots shall share access drives with adjacent property with similar land uses.
7. Off-street parking design. Any off-street parking area shall be designed so that vehicles may exit without backing onto a public street unless no other practical alternative is available. Off-street parking areas shall be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way, sidewalks or strike against or damage any wall, vegetation, utility or other structure.

8. Circulation area design. Circulation areas shall be designed to facilitate the safe movement of vehicles without posing a danger to pedestrians or impeding the function of the parking area.
9. Lighting. All parking area lighting shall be full cutoff type fixtures. Any light used to illuminate parking areas or for any other purpose shall be so arranged as to reflect the light away from nearby residential properties, and away from the vision of passing motorists.
10. Shared off-street parking. When there are opportunities to support parking demand through shared off-street parking for compatible uses, a parking study and shared parking agreements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements.
11. Adjacent on-street parking in CD Commercial Downtown district. In order to promote a pedestrian scale and encourage safety in the CD Commercial Downtown District, parking may be satisfied using adjacent on-street parking or shared rear-lot parking areas. A parking plan and shared parking agreements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements.

**C. Paved Off-Street Parking Requirements.**

1. Paved off-street parking shall be provided according the minimum requirements as specified below:

USE	REQUIRED PARKING Must be outside of rights-of-way
1. Single-family detached	2 spaces per unit
2. Multiple dwellings	1 space per bedroom, up to 2 per unit, plus .25 guest spaces per unit
3. Boarding house, motel, hotel, or bed and breakfast	1 space per guest bedroom
4. Restaurants, cafes or drinking places	1 space per 100 square feet of customer service area
5. Retail	1 space for every 500 square feet of gross floor area
6. Office/business uses	1 space for every 500 square feet of gross

	floor area
7. Institutional/churches/clubs	1 space for every 6 seats
8. Business park/industrial	1 space each for the maximum number of employees present at any one time
9. Schools, private	<p>Pre-school, elementary, and middle (noncommercial) - 1 space per 1/2 classroom or 1 space for every 6 auditorium seats, whichever is greater.</p> <p>Senior high - 1 space per 1/4 classroom and 1 space for every 6 auditorium seats.</p> <p>Commercial schools - 1 space for every 50 square feet of gross floor space.</p>

2. At a minimum, off-street parking for nonresidential uses shall be sufficient to provide parking for employees of all permitted uses.

**D. Location of Spaces.**

1. Off-street parking facilities for residential uses shall be provided and located on the same lot as the building they are intended to serve.
2. The location of required off-street parking facilities for other than residential uses shall be within 700 feet of the building they are intended to serve when measured from the nearest point of the building or structure.

**E. Handicap Parking Spaces.**

1. Handicap parking spaces shall be required for all retail, office, business, industrial, institutional uses, as well as multi-family units.
2. Handicap parking spaces shall be designated as being for the handicapped with painted symbols and standard identification signs.
3. Handicap parking spaces shall be located as close as possible to the nearest accessible building entrance.
4. Number of Handicap Parking Spaces:

Total Parking Spaces in Lot	Minimum Required Number of Handicap Parking Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1000	2% of total
1000 and over	20 plus 1 for every 100 over 1000

For every 8 handicap parking spaces there must be at least 1 van-accessible space. If there is only 1 handicap parking space, that space must be van-accessible.

**F. Handicap Parking Space Dimensions**

1. Parking spaces must be 8 feet by 18 feet with a 5 foot wide access aisle.
2. Van-accessible spaces must be 8 feet by 18 feet with an 8 foot wide access aisle.
3. Parking spaces for the physically handicapped that are parallel to a pedestrian walk which is handicap accessible may have the same dimensions as those for standard vehicles.

- G. Parking Stall Dimensions.** Parking stalls for automobiles shall meet the following standards. All dimensions represent the minimum requirement for any required parking space.

PARKING STALL DIMENSIONS					
Parking Angle (A)	Stall Width (B)	Stall to Curb (C)	Aisle Width (D)	Curb Length (E)	Overhang (F)
45E	9'	19'	13'	12'8"	1'5"
60E	9'	20'	13'	10'5"	1'8"



#### 9-3-4 Environmental Impact Analysis

- A. **Intent** The intent of this section is to ensure that any development minimizes environmental impacts, mitigates impacts to wildlife and wildlife habitat, and promotes building practices which benefit the environment and the socio-economic well-being of current and future residents.
- B. **General Provisions.** An environmental impact analysis, if required by the Town, shall be submitted by the applicant and shall include, but not be limited to, the following information:
1. **Air Quality**
    - a. Explain any other adverse impacts on air quality anticipated from the proposal.
    - b. Describe the impacts and net effect that the activity would have on air quality during both construction and operation under both average and worst-case conditions.
  2. **Significant Environmentally Sensitive Factors**
    - a. Identify potential natural hazards, public outdoor recreation and open space areas, and unique areas of geological, historical and archaeological importance present in the proposed development or activity and its environs, and detail the potential impact of the proposal upon each feature.
  3. **Terrestrial and Aquatic Animals and Habitat**
    - a. Describe terrestrial and aquatic animals including the status and relative importance of game and non-game wildlife, livestock and other animals; a description of stream flows and lake levels needed to protect the aquatic environment; description of threatened or endangered animal species and their habitat.
    - b. Describe critical wildlife habitat and livestock range to be affected by the activity including migration routes, calving areas, summer and winter range, and spawning beds.
    - c. Describe the impacts and net effect that the activity would have on terrestrial and aquatic animals, habitat and food chain.
  4. **Terrestrial and Aquatic Plant Life**



- a. Describe terrestrial and aquatic plant life including the type and density, and threatened or endangered plant species and habitat.
- b. Describe the impacts and net effect that the activity would have on terrestrial and aquatic plant life.

5. Water Resources

- a. Identify any flood hazard area associated with the proposal with documentation of historical flooding activity on the parcel where the activity or development will be located and on other property affected by the activity or development. Describe potential, adverse impacts related to the associated flood hazard area.
- b. Describe all surface waters to be affected by the project and the immediate and long-term impact and net effects that the activity would have on the quantity and quality of surface water under both average and worst-case conditions.
- c. Describe the impacts and net effect of the activity on wetlands and riparian areas including a description of the type(s) of wetlands species composition, and biomass, the source of water interacting with the surface systems to create each wetland, and the impacts and net effect that the project will have on the wetlands and riparian areas.

6. Visual Aesthetics and Nuisance Factors

- a. Identify view sheds, scenic vistas, unique landscapes or land formations.
- b. Identify any significant deterioration of existing natural aesthetics, creation of visual blight, noise pollution or obnoxious odors which may stem from the proposal.
- c. Identify and describe any structures, excavations and embankments that will be visible because of this project.

7. Green Building Standards

- a. Identify environmental standards for the construction and operation of all proposed buildings.
- b. The resource areas to be considered include water quality and quantity, energy quantity and type, life cycle impacts of building

materials, solid waste construction and operation impacts, and health and safety.

### **9-3-5 Fiscal Impact Analysis**

- A. Intent.** To provide a financial cost/benefit analysis of a proposed development to the Town in the short and long-term to avoid placing unreasonable financial burdens on the Town.
- B. General Provisions.** A fiscal impact analysis, if required by the Town, shall be submitted by the applicant and shall include, but not be limited to, the following information:
  - 1. Costs
    - a. Describe the potential costs to the Town for the proposed development (such as public improvements for roads and utilities) including a breakdown of immediate costs, costs at build-out, and long-term costs.
    - b. Describe plans for mitigation of costs to the Town.
  - 2. Revenue
    - a. Describe the potential revenues to the Town for the proposed development (such as sales tax generation and building fees) including a breakdown of immediate revenues, revenues at build-out, and long-term revenues.
    - b. Describe the risk factor associated with the revenue generation estimates.