

**TOWN OF LYONS,
COLORADO**

ORDINANCE NO. 1122

**AN ORDINANCE OF THE TOWN OF LYONS REPEALING AND REPLACING
CHAPTER 16, ARTICLE 8 OF THE LYONS MUNICIPAL CODE CONCERNING
OFF-STREET PARKING REGULATIONS**

WHEREAS, pursuant to Sections 31-15-401 and 31-23-301, C.R.S., the Town of Lyons (“the Town”) has broad authority to exercise its police powers to promote and protect the health, safety and welfare of the community and its residents; and

WHEREAS, the Town previously adopted regulations regarding the provision of off-street parking in Chapter 16, Article 8 in Lyons Municipal Code (“LMC”); and

WHEREAS, it is necessary to update the LMC to reflect the current development and parking needs of the Town, to comply with current federal laws requiring accessible parking for the disabled, and to ensure the health, safety, and welfare of the citizens of Lyons; and

WHEREAS, The Lyons Board of Trustees desire to repeal and replace Chapter 16, Article 8 of the LMC, as set forth in this Ordinance and as particularly described in the attached “**Exhibit A**,” and determines that such amendments promote the health, safety, and welfare of the citizens of and visitors to the Town of Lyons.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

Section 1. Recitals Incorporated. The recitals set forth above are hereby incorporated by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. Chapter 16, Article 8, of the Lyons Municipal Code is hereby repealed in its entirety and replaced with the following provisions:

ARTICLE 8 Off-Street Parking Regulations

Sec. 16-8-10. Intent.

The intent of this Article 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.

Sec. 16-8-20. General provisions.

- (a) Intent. In all zone districts, the requirement for the provision of 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. Nothing herein shall apply to parking facilities owned by the Town nor abrogate the enforcement of parking regulations in accordance with Sections 8-2-10 *et seq.* and 8-4-10 *et seq.*
- (b) Surface. All parking and driveway areas and primary access to parking facilities shall be surfaced with asphalt, concrete, or similar materials unless waived by the Board of Trustees.
- (c) 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.
- (d) Location. Parking lots shall be located to the rear or side of buildings or in the interior of a block whenever possible.
- (e) Landscaping. Unless waived by the Board of Trustees, all off-street parking areas with more than ten (10) spaces shall screen said spaces in part from view from adjacent streets by providing either:
 - (1) A low three (3) feet to four (4) feet of decorative metal, iron, aluminum, or any other Town of Lyons approved non-combustible material, fence or wall between the required landscape area and the parking lot; or
 - (2) Earth mounds of three (3) feet to four (4) feet in height which shall be landscaped, placed between the street and the parking area.
 - (3) Alternative methods of screening as approved by the Board of Trustees.
- (f) Share-Access. Where feasible, parking lots shall share access drives with adjacent property with similar land uses.
- (g) 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 and constructed so that parked vehicles do not encroach upon or extend onto public rights-of-way or sidewalks or strike against or damage any wall, vegetation, utility, or other structure including the utilization of parking blocks.
- (h) 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.
- (i) Lighting. If a parking area has lighting, all parking area lighting shall be full cutoff-type fixtures and shall be in compliance with the lighting standards promulgated by the Town and in effect at the time of construction. 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.

- (j) 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.
- (k) Adjacent On-Street Parking in CD 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. For the purposes of this subsection, “adjacent” shall mean parking which is contiguous with the subject property.

Sec. 16-8-30. Paved off-street parking requirements.

- (a) Paved off-street parking shall be provided according the minimum requirements as specified below:

<i>Use</i>	<i>Required Parking (must be outside of rights-of-way)</i>
Single-family detached dwelling	2 spaces per unit
Multiple dwelling	1 space per bedroom, up to 2 per unit, plus .25 guest spaces per unit
Boarding house, motel, hotel or bed and breakfast	1 space per guest bedroom
Restaurant, cafe or drinking place	1 space per 100 sq. ft. of customer service area
Retail establishment	1 space for every 500 sq. ft. of gross floor area
Office/business use	1 space for every 500 sq. ft. of gross floor area
Institutional/Civic/Public Uses church, club	1 space for every 6 seats
Business park or industrial use	1 space each for the maximum number of employees present at any 1 time
Schools, private	
Pre-school, elementary and middle (noncommercial)	1 space per ½ classroom or 1 space for every 6 auditorium seats, whichever is greater
Senior high	1 space per ¼ classroom and 1 space for every 6 auditorium seats
Commercial school	1 space for every 50 sq. ft. of gross floor space

- (b) Where a property has multiple uses or is mixed-use, the minimum parking requirement shall be the greater of the requirements for the permitted uses present at the property.

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

Sec. 16-8-40. Location of spaces.

- (a) Off-street parking facilities for residential uses shall be provided and located on the same lot as the building they are intended to serve but shall not include parking on lawns.
- (b) The location of required off-street parking facilities for other than residential uses shall be within three thousand (3000) feet of the building they are intended to serve when measured from the nearest point of the building or structure. Off-street parking may be at a further distance if shuttle, valet, or other method of transporting patrons to and from the off-street parking is provided.

Sec. 16-8-50. Accessible parking spaces.

- (a) Accessible parking spaces shall be required for all retail, office, business, industrial and institutional uses, as well as multiple-family units.
- (b) Accessible parking spaces shall be designated as being accessible with painted symbols and identification signs as required by the Americans with Disabilities Act, the Rehabilitation Act, and/or their implementing regulations.
- (c) Accessible parking spaces shall be located as close as possible to the nearest accessible building entrance.
- (d) The number of accessible parking spaces shall be as follows:

<i>Total Parking Spaces in Lot</i>	<i>Minimum Required Number of Accessible Parking Spaces</i>
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—1,000	2% of total
1,000 and over	20 plus 1 for every 100 over 1,000

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

Sec. 16-8-60. Accessible parking space dimensions.

- (a) Parking spaces must be eight (8) feet by eighteen (18) feet with a five-foot-wide access aisle.
- (b) Van-accessible spaces must be eight (8) feet by eighteen (18) feet with an eight-foot-wide access aisle.
- (c) Parking spaces for the disabled that are parallel to a pedestrian walk which is accessible may have the same dimensions as those for standard vehicles.

Sec. 16-8-70. Parking stall dimensions.

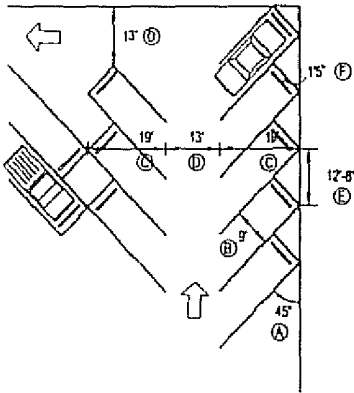
Parking stalls for automobiles shall meet the following standards. All dimensions represent the minimum requirement for any required parking space.

Parking Stall Dimensions

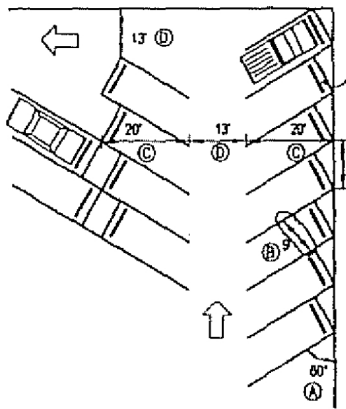
<i>Parking Aisle(A)</i>	<i>Stall Width (B)</i>	<i>Stall to Curb (C)</i>	<i>Aisle Width (D)</i>	<i>Curb Length (E)</i>	<i>Overhang (F)</i>
45°	9'	19'	13'	12'8"	1'5"
60°	9'	20'	13'	10'5"	1'8"
90°	9'	18'	24'	9'	2'
0° (parallel)	8'	8'	12'	24'0"	

* Except along local streets, where 7 feet is permitted.

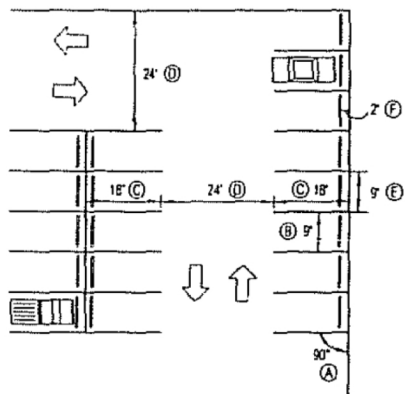
45° Parking Angle



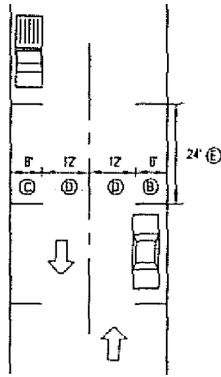
60° Parking Angle



90° Parking Angle



0° Parallel Parking Angle



Sec. 16-8-80. Parking of Commercial Vehicles, Recreational Vehicles, Watercraft, Trailers, and Semi-Trailers

Parking of Commercial Vehicles, Recreational Vehicles, Watercraft, Trailers, and Semi-Trailers on public streets, Public Right of Way, and Town Property shall be governed by the provisions of Section 8-4-10 *et seq.* unless expressly permitted by the Town.

Sec. 16-8-90. Exemption from off-street parking space requirement for Main Street between Third Avenue and Fifth Avenue retail uses.

The off-street parking standards of this Article shall not apply to a change in use or the creation of a new use for any commercial property fronting upon Main Street between Third Avenue and Fifth Avenue provided that such change in use or new use is a commercial retail use. For purposes of this section, "commercial retail use" shall mean and include any use whose primary or principal activity is the sale of goods, merchandise, or services to the public which sales are subject to state and/or local sales tax. All other uses shall conform to the minimum parking standards of this Article upon change to or creation of to a new use.

Section 3. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 4. Repeal. All other ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this Ordinance are hereby repealed, provided that such repeal shall not repeal any repealer clauses in such ordinances nor revive any ordinance thereby.

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days after publication and otherwise in accordance with Section 2-2-160 of the Lyons Municipal Code.

Section 6. Codification Amendments. The codifier of the Town's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of Section 2 of this Ordinance within the Lyons Municipal Code.

INTRODUCED AND PASSED ON FIRST READING THIS ___ DAY OF _____ , 2022.

INTRODUCED, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 19th DAY OF _____, 2022.

TOWN OF LYONS, COLORADO

Nicholas Angelo, Mayor

ATTEST:

Dolores Vasquez, Town Clerk

Attachments

Exhibit A- Redline of Ordinance

Exhibit B – Clean Copy of Ordinance