

ORDINANCE NO. 873

AN ORDINANCE AMENDING PORTIONS OF THE TOWN OF BERTHOUD DEVELOPMENT CODE.

Be it ordained by the Board of Trustees of the Town of Berthoud, Larimer and Weld Counties, Colorado that the Town of Berthoud Development Code is hereby amended with the following additions and deletions:

Section 1.

Section 30-9-201 (c) is deleted in its entirety.

Section 30-9-203 shall be amended to read as follows:

REQUIRED SPACES

Parking spaces shall be provided for in the amounts set forth below for new construction and change of uses on properties that increase the required parking. These spaces may be provided either on or off-street. In order to count toward the requirement, on-street spaces must be located on the street adjacent to the subject property and meet Town's dimensional specifications. When the calculation of the necessary parking requirements result in a fraction, the requirement will be rounded up or down to the nearest whole number.

A 20% reduction in required parking is allowed if the Town's staff determines that the surrounding land uses and design lend themselves to a shared parking arrangement. An example of where a reduction in parking requirements might be appropriate is the existing downtown area. With its grid street pattern, small blocks, on-street parking, and a mix of retail, restaurant and adjoining residential uses, parking areas are shared during the day as the peak demand times for each use vary. Shopping malls with a variety of uses may qualify, but individual buildings without the capacity for shared parking such as those along a commercial strip would not qualify.

For the core commercial downtown area, new construction or change of uses that increase parking demand must meet parking requirements only to the extent feasible utilizing the adjacent streets, on-site 90 degree parking off alleys, and/or other on-site parking. However, new uses or new construction that generate very large parking demand increases, such as warehouses to large assembly halls will require special use review by the Town Board unless the owner provides sufficient parking. This special review is triggered when the new use increases parking demand by 30 or more parking spaces from the prior use.

The core commercial downtown areas are served by the 3rd Street public parking lots and generally have zero lot line construction. This area is identified as the entire blocks between Massachusetts Avenue and Welch Avenue and between 3rd Street and 4th Street. It also includes the properties that front Mountain Ave from 2nd Street to 5th Street, that front 4th Street from Massachusetts Avenue to Welch Avenue, and that front Massachusetts Avenue from 3rd Street to and including the property on the northwest corner of Massachusetts Avenue and 4th Street.

The use of diagonal on-street parking is encouraged where Town Staff deem its use to be safe. This may require widening streets and the installation of effective traffic calming devices such as sidewalk bulb outs to slow vehicle speeds. Unless on-site parking is provided elsewhere, new construction should allow for 90 degree parking adjacent to alleys, in order to efficiently provide parking and loading areas. Alley parking should generally begin no closer than 30' from the street to allow for an attractive streetscape.

Parking regulations are meant to avoid serious parking problems rather than minor inconveniences. In addition, these requirements are also meant to avoid having parking associated with one property from consistently utilizing parking areas associated with another property, especially when the former property does not provide its own share of parking.

In the downtown area, a certain amount of walking will be needed between a desired destination and available parking. In fact, this often indicates a thriving commercial downtown. Business owners are generally expected to require their employees to park in appropriate areas so that customers have access to the best parking spaces. If parking becomes a significant problem in the downtown area, a parking management plan should be developed. This plan will likely include creation of new public parking lots and time restricted street parking.

Section 30-9-203 shall be amended to read as follows:

REQUIRED SPACES

A. 2. For an apartment or multiple family dwellings there shall be 1 parking space per bedroom or 2 spaces per unit, whichever is less.

B.2. For restaurants, taverns, and other similar establishments, there shall be the lesser of 1 space per 3 seats or 1 space for each 100 square feet of floor area or portion thereof.

B.4 For industrial uses, there shall be the lesser of .75 spaces per employee or 1 space for each 500 square feet of floor area or portion thereof.

Section 30-9-204 is deleted in its entirety.

Section 30-14-201 C (1) is hereby deleted.

Section 30-14-201 D is hereby deleted.

Section 30-14-303 is hereby amended to read as follows:

Tree Lawns

A. All publicly dedicated or private streets shall have tree lawns. All development must conform with this section, except where conformance is impractical due to existing buildings, significant vegetation, or natural features. In these cases, the Town staff may approve a modified plan.

B. Tree lawns shall consist of a minimum of ten (10) feet in width, extending from the flowline or edge of pavement of a street to the edge of the detached sidewalk.

Section 30-14-400 D (1) is hereby amended to read as follows:

- (1) All parking lots shall be designed to be screened from public streets or adjacent property owners that are located in a different zone district. Berms, walls, fences, plants, planters, or any combination thereof shall be used to screen parking lots. A continuous screen shall be provide except where visibility is required for the safety of entering or exiting motorists. Parking lots shall be designed such that no more than twenty (20) percent of the light from headlights of automobiles and small trucks shall be visible from outside the parking lot when measured in mid winter.

Section 30-15-408 is hereby amended to read as follows:

Tree Lawns/Detached Sidewalks

- C. Tree lawns shall be provided in all new residential, and commercial developments within the Town of Berthoud. Tree lawns are defined as a landscape strip located between the street curb and the sidewalk, and shall include a minimum of ten feet (10'), and a four (4) to five (5) foot wide detached sidewalk. A hard surface is allowed in lieu of landscape strip in commercial areas with high pedestrian activity.

Section 30-5-301 (D) 1 is deleted in its entirety.

Section 30-5-301 (D) 2 is deleted in its entirety.

Section 30-5-302 (E) 1 is deleted in its entirety.

Section 30-5-301 (B) is amended to include item (10) as follows:

(10) Residential

Section 30-9-101 is amended to include item I as follows:

- I. One caretaker dwelling unit for a business, occupied only by the owner or caretaker.

Section 2.

This Ordinance was introduced and read at the regular meeting of the Board of Trustees on November 14, 2000 and a public hearing set for November 28, 2000. At the regular meeting of the Board of Trustees on November 28, 2000 this Ordinance was adopted by the Board of Trustees. This ordinance shall be published and take effect thirty days after publication.

Milan Karspek

MAYOR: Milan Karspek

Mary K Cowdin

Town Clerk: Mary Cowdin

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