

Article XIX. Off-Street Parking, Loading and Unloading.

§ 340-150. Purpose.

~~The purpose of § 340-34 is to ensure sufficient on-site parking to meet the need generated by each property, and thus to minimize traffic congestion and traffic hazards in the Town.~~

[The regulations of this article are intended to help ensure provision of off-street motor vehicle parking facilities, bicycle parking and other motorized and non-motorized transportation circulation facilities in rough proportion to the generalized demands of different land uses. More specifically to ensure sufficient on-site parking that in conjunction with other public and private implemented supply management measures provides for an appropriate balance between motorized and non-motorized access to St. Michael's residences and businesses. The provisions of this article are also intended to help protect the public health, safety and general welfare by:

- A. Promoting ~~multi-modal~~ transportation options and enhanced safety and convenience for non-motorized travel; and**
- B. Providing flexible methods of responding to the transportation and access demands of various land uses in different areas of the Town.**

§ 340-151. Definitions.

A. Definitions and general principles.

(1) In this chapter the following terms have the meanings indicated:

CREDITED PARKING SPACES - The total number of on-site parking spaces that a lot is credited with having. Credited parking spaces for a lot in the CC, MC and HR Zones consist of existing on-site parking spaces.

ON-SITE PARKING REQUIREMENT OF A LOT - The minimum number of credited parking spaces that a lot must have, based on the structure(s) and use(s) located on the lot, according to the requirements of §*.

ON-SITE PARKING SPACE - A parking space located on the lot which is existing and which is constructed and maintained in conformity with the specifications of §*.

ST. MICHAELS BUSINESS IMPROVEMENT FUND - A fund created by The Commissioners of St. Michaels for the purposes as stated below. Monies collected and deposited within this fund are generated by commercial businesses when expansion of such businesses results in the loss of on-site parking spaces. The funds shall be used for:

- (a) The purchase of land for public parking lots;
- (b) The construction of public on-site parking lots;
- (c) The repair and maintenance of public parking lots; or
- (d) The purchase and/or placement of amenities such as benches, trash receptacles, signage relating to parking and restrooms in such public parking lots.

[(e) Funding parking management studies.]

- (2) The owner of a lot is the person responsible for meeting the lot's on-site parking requirement.

B. Imposition and fulfillment of on-site parking requirements.

- (1) Zones A, R-1, R-2, R-3, WD, GC, MC, MM, RG and PF. The following regulations shall apply to the A, R-1, R-2, R-3, WD, GC, MC, MM, RG and PF Zones:

- (a) No lot shall be developed, nor any structure thereon erected, structurally altered, or enlarged, nor any use thereon established, altered, added, expanded, intensified, or otherwise changed, unless the on-site parking requirement of the lot, as so developed and used, is met.
- (b) The parking requirement of a lot shall be met by on-site parking spaces. For lots in the R-1 or R-2 Zones, unless the configuration of the lot prohibits the construction of a driveway, on-street parking may be used to satisfy the parking requirements permissible.
- (c) The number of on-site parking spaces existing on a lot as of the effective date of this subsection, shall not be reduced unless the remaining on-site parking spaces of the lot are sufficient to meet the on-site parking requirement of ~~the lot~~ this Article.
- (d) In the case of a lot whose on-site parking is not constructed in conformity with the specifications of §*, and it is the owner's/tenant's desire to expand the footprint of the structure, or encompass an area outside the building; the applicant shall be responsible for furnishing a site plan prior to obtaining a building permit showing the footprint of the structure and the location and number of parking spaces which could legally be established on the lot. The site plan shall also show any proposed expansion or utilization of outdoor spaces. The proposed expansion shall not result in the encroachment on those parking spaces as shown on the site plan.

- (2) Zones CC, MC and HR~~Z~~. The following regulations shall apply to the CC, MC and HR~~Z~~ Zones:

- (a) New construction. No lot shall be developed, nor any structure erected thereon, unless the on-site parking requirement of the lot, as so developed and used, is met.
- (b) Pre-existing structures. Any commercial use permitted by this chapter in the applicable zone may be continued, altered, changed, established, ~~expanded~~^[DG1], ~~and/or decreased and/or re-expanded~~ within the confines of an existing structure without meeting the current on-site parking requirements.
- (c) Expansion of structures in the CC and HR Zones. No structure on a lot shall be altered so as to increase its footprint resulting in the loss of existing on-site parking spaces, unless the owner of the property enters into an agreement with the Town to pay a fee into the St. Michaels Business Improvement Fund in the amount as set forth in the Fee Schedule as set by The Commissioners of St. ~~Michaels~~^[DG2].
- (d) Expansion of use in the CC and HR Zones. No use shall be expanded, intensified, or otherwise changed which results in the loss of existing on-site parking spaces unless the owner of the property enters into an agreement with the Town to pay a fee into The St. Michaels Business Improvement Fund in the amount as set forth in the Fee Schedule as set by the Commissioners of St. ~~Michaels~~^[DG3].
- (e) In the MC zone, expansion of the primary structure and use is prohibited if the number of parking spaces as required under § * of this chapter is ~~reduced~~^[DG4].
- (f) Payment into the St. Michaels Business Improvement Fund. The loss of on-site parking spaces results in an additional burden to the Town to provide public parking areas. Monies received from the payment of this fee shall be placed into the Business Improvement Fund ~~into~~^[DG5] ~~an account used specifically for the construction, maintenance and upgrades to public parking lots and parking management studies~~. Prior to the issuance of a building permit or zoning certificate, the owner of the property shall ~~pay enter into an agreement setting forth~~ the amount of the fee ~~and repayment schedule~~ as set out in the administrative fee as adopted by The Commissioners of St. Michaels.

~~C. Minimum number of on-site parking spaces required.~~

- ~~(1) The minimum number of on-site parking spaces required of a lot, based on the structures and uses located on the lot, shall be as follows:~~
 - ~~(a) Agricultural uses, greenhouses, and cemeteries: sufficient parking spaces, as determined by the Zoning Inspector, for all vehicles and motorized machinery.~~
 - ~~(b) Assembly halls, theaters, and other places of indoor amusement: either one parking space for every five seats or one parking space for every 50 square feet of gross floor area, whichever results in the greater number of parking spaces.~~

- ~~(c) Churches: either one parking space for every five permanent seats in the sanctuary or one parking space for every 150 square feet in the largest building other than the sanctuary, whichever results in the greater number of parking spaces. In the case of a church (as defined in § 340-108) whose buildings occupy more than one lot:~~
- ~~[1] If the lots are contiguous or are separated only by the width of a public street, these lots shall be considered, for the purpose of imposing the on-site parking requirement for churches, as a single consolidated lot;~~
- ~~[2] If any of the lots so consolidated is located in the CC Zone, the on-site parking requirement of the consolidated lot may be met according to Subsection B(2)(d) of this section; if none of the lots so consolidated is located in the CC Zone, the on-site parking requirement of the consolidated lot shall be met according to Subsection B(1)(b); [Amended by 6-28-2012 by Ord. No. 432]~~
- ~~[3] If the lots are neither contiguous nor separated only by the width of a public street, each lot shall meet the on-site parking requirements for churches. [Amended by 6-28-2012 by Ord. No. 432]~~
- ~~(d) Complementary parking facilities: one parking space for each 300 square feet of gross floor area for all commercial structures contained within the HRZ commercial complex.~~
- ~~(e) Conference centers: one parking space for each sleeping room plus one parking space for every three workers, or one parking space for every 150 square feet of gross floor area, whichever results in the greater number of parking spaces.~~
- ~~(f) Clubs and lodges: one parking space for every 150 square feet of gross floor area.~~
- ~~(g) Funeral homes: eight parking spaces for each parlor or one parking space for every 50 square feet of gross floor area, whichever results in the greater number of parking spaces.~~
- ~~(h) Gasoline filling stations: one parking space for every 100 square feet of gross floor area, but not fewer than 10 parking spaces.~~
- ~~(i) Hotels, motels, and bed and breakfast inns: one parking space for each sleeping room plus one parking space for every three workers.~~
- ~~(j) Libraries: one parking space for every 250 square feet of gross floor area.~~
- ~~(k) Manufacturing and food processing plants, workshops, storage facilities, and laboratories: one parking space for every three workers or one parking space for every 500 square feet of gross floor area, whichever results in the greater number of parking spaces.~~

- ~~(l) Marinas and boat yards: one parking space for every two boat slips plus one parking space for every 400 square feet of gross floor area.~~
- ~~(m) Museums: one parking space for every three workers (including volunteers), plus one parking space for every 250 square feet of gross floor area that is open to the public. In the case of a museum whose buildings occupy more than one lot, if the lots are contiguous or are separated only by the width of a public street that is not Talbot Street, Railroad Avenue or other thoroughfare that would constitute a safety issue, the Zoning Inspector may consider, for the purpose of imposing the on-site parking requirements only, such contiguous lots as a single consolidated lot.~~
- ~~(n) Offices for business, banking, professional, or governmental use: one parking space for every 300 square feet of gross floor area.~~
- ~~(o) Outdoor amusement or recreational facilities and swimming pools, public or private: one parking space for every four people the facility is designed to accommodate at maximum capacity.~~
- ~~(p) Physicians' or dentists' offices: four parking spaces for each physician or dentist, plus one parking space for each additional worker.~~
- ~~(q) Residences: two parking spaces for each dwelling unit, with the exception of apartments on the second and third floors of a commercial structure in which case the parking for the commercial use will be considered adequate to accommodate the residential uses. This provision does not alleviate the requirement for commercial parking as set out in this section. For a multifamily residential structure or complex in the Residential 3 Zone, when the purpose of such structure or structures is to provide income-restricted housing in accordance with federal or state programs, the parking requirements shall be calculated at 1.25 spaces per unit, and bicycle parking shall be provided at one space per five units. [Amended 4-27-2011 by Ord. No. 424]~~
- ~~(r) Restaurants and other places serving food, beverages, or other refreshments: one parking space for every 100 square feet of gross floor area plus one parking space for every five exterior seats.~~
- ~~(s) Retail or service businesses: one parking space for every 175 square feet of gross floor area.~~
- ~~(t) Schools, day care centers, and nursery schools: one parking space for every five seats in the principal auditorium or one parking space for every 250 square feet of gross floor area, whichever results in the greater number of parking spaces.~~
- ~~(u) Vacation cottage used for short-term rentals: one on-site parking area per bedroom using as much planting as is possible.~~

~~(2) If a use permitted in Article IV of this chapter is not listed specifically in Subsection C(1), the Zoning Inspector shall determine to which category in Subsection C(1) the use belongs.~~

(1) In determining the on-site parking requirement of a lot according to its use, all buildings and structures that house functions of the use ~~(e.g., outdoor walk-in coolers and other walk-in storage structures [DG6])~~ shall be included.

~~(2) Where more than one permitted use is conducted on a lot, the on-site parking requirement of the lot for each use, as determined by Subsection C(1), shall be met. [Unless otherwise expressly allowed in accordance with the shared parking regulations of §*, lots containing more than one use must provide parking in an amount equal to the total of the requirements for all uses on the lot.]~~

(a) In determining the parking requirement of a lot with multiple uses, no floor area shall be counted more than once.

(b) None of a lot's multiple uses shall be excluded from access to the lot's on-site parking spaces.

(3) Should a fraction of a parking space result from computing parking or loading space requirements, a fraction of less than 50% shall be rounded down; a fraction of 50% or more shall be rounded up to require a full space.

(4) Requirements involving the number of workers shall be based on the largest number of workers on duty at the same time on a regular basis.

(5) Bench seating shall be counted at one seat per 18 inches of linear seating space.

~~*(6) should be add something regarding basement or attic space not used for the use, but perhaps for storage? How should we account for that?*~~

~~**[(6) For the purpose of computing parking requirements based on employees, students, members, residents or occupants, calculations shall be based on occupancy standards established by the building code and/or fire code [DG7].]**~~

§ 340-152. Minimum required parking ratios.

[A. Except as otherwise expressly stated, off-street motor vehicle parking spaces must be provided in accordance with Table 340-151 A Minimum Parking Requirements.

Table 340-151 A. Minimum Parking Requirements	
CATEGORIES, SUBCATEGORIES, SPECIFIC USES	REQUIRED PARKING SPACES
AGRICULTURE	

Table 340-151 A. Minimum Parking Requirements	
CATEGORIES, SUBCATEGORIES, SPECIFIC USES	REQUIRED PARKING SPACES
Agriculture, crop production	Per § 340-152 <u>Don't understand</u>
Agriculture, buildings and structures	Per § 340-152
Indoor plant cultivation	Per § 340-152
Plant nursery, commercial and noncommercial nurseries and greenhouses	Per § 340-152
Fisheries Activities, Aquaculture	Per § 340-152
Forestry	Per § 340-152
RESIDENTIAL	
Household Living	<u>What's this?</u>
Detached House	2 spaces per dwelling unit
Two-family	2 spaces per dwelling unit
Duplex	2 spaces per dwelling unit
Townhouse	2 spaces per dwelling unit
Multi-Family/ Apartment/Condo	1.5 spaces per dwelling unit
Accessory Dwelling Unit	1 space ^[DG8]
Mixed-use building, residential	None <u>Per 340-154</u>
Dwellings, for residential watchman or caretaker	1 space
Group Living	<u>1 space per 4 residents, plus 1 space per employee</u>
Group domiciliary care home	1 space per 4 residents, plus 1 space per employee
Sheltered Care,	1 space per 4 residents, plus 1 space per employee
Continuing Care Retirement Communities/Assisted Living/Nursing Home	0.5 space per bed or 1 space per bedroom, whichever is greater <u>1 space per 4 residents, plus 1 space per employee^[DG9]</u>
Treatment Center?	1 space per 4 residents, plus 1 space per employee
PUBLIC, CIVIC AND INSTITUTIONAL	
Cemetery	<u>5 spaces????</u>
College or university	Per § 340-152
Trade schools, art schools and similar commercially operated schools	0.33 per student, plus 1 per staff
Community center	1 space for each 100 square feet of gross floor <u>area</u> space
Fraternal organization	1 space per 400 square feet <u>of gross floor area</u>
Governmental office facilities	2.5 parking spaces per 1,000 square feet of gross <u>floor</u> leasable area. Minimum spaces: 3
Hospital	1 parking space for each 2 beds for patients, plus 1 space for each staff doctor or nurse, plus 1 parking space for each employee on ^[DG10] the maximum shift
Library	2 spaces per 1,000 square feet of gross floor area
Parks and recreation	1 space per 4 visitors/users estimated peak service <u>None</u> ^[DG11]
Museum or cultural facility	1 space for per 500 square feet of gross floor area up to 1,000 square feet, plus 1 space for each additional 1,000 square feet <u>of gross floor area</u> , plus 1 space for each employee <u>at maximum shift, plus 1 space for each 200 square feet of floor</u>

Table 340-151 A. Minimum Parking Requirements	
CATEGORIES, SUBCATEGORIES, SPECIFIC USES	REQUIRED PARKING SPACES
	area for any museum store greater than 1,000 square feet of customer service area ^[DG12]
- Maritime Museum	1 space for per 500 square feet of gross floor area up to 1,000 square feet, plus 1 space for each additional 1,000 square feet of gross floor area , plus 1 space for each employee at maximum shift , plus 1 space for each 200 square feet of floor area for any museum store greater than 1,000 square feet of customer service area ^[DG13]
Religious assembly	1 space for every 4 seats
Safety service	
Fire and Rescue	4 spaces for each piece of apparatus
Police	2 spaces per 3 employees on the maximum shift , plus 1 space per vehicle customarily used in operations of the use or stored on the premises
Schools	
- Elementary	1 parking space for each classroom, plus 1 parking space for each employee or 1 space for each 3 auditorium seats whichever is greater. Additional parking
- Middle/High	10 spaces, plus 1 space per classroom, plus 1 space for each 5 students of driving age , or 1 space per 10 seats of largest assembly room, whichever is larger
Utilities and Public Service Facility	1 stall per 300 square feet of office area, plus 1 stall for each company vehicle
COMMERCIAL	
Adult Entertainment Establishments	1 ^[DG14] space shall per every 2 occupants per the allowable occupancy as established by fire marshal, 1 space per employee or independent contractor on the maximum shift
Animal Service	
Grooming	4 per 1,000 square feet of gross floor area
Boarding or shelter/kennel	1 space per 400 square feet gross floor area
Veterinary care	3 spaces per examination or treatment room, plus 1 space per employee on largest shift including veterinarians
Stables, Commercial	1 space for each employee, plus 1 space for each 4 stalls
Assembly and Entertainment	1 parking space for every 200 square feet of gross floor area
- Bowling Alleys	1 parking space for every 200 square feet of gross floor area or 5 parking spaces for each alley whichever is greater
Temporary fairs and carnivals sponsored by charitable, social, civic or educational?	
Broadcast or Recording Studio	
Broadcast facility	1 space for each 300 square feet of gross floor area
Recording studio	1 space for each 300 square feet of gross floor area
Commercial Service	
Building Service	1 space per vehicle, plus 1 space per 1,000 square feet of gross floor area
Business Support Service	1 space per 300 square feet of gross floor area
Personal Improvement Service	1 space per 200 square feet plus 1 space per employee

Table 340-151 A. Minimum Parking Requirements	
CATEGORIES, SUBCATEGORIES, SPECIFIC USES	REQUIRED PARKING SPACES
Marine Service	1 per 10 slips, plus 1 for each employee, plus 1 per 500 square feet of retail space ^[DG15]
Day Care	1 space per 6 children, plus the spaces required for the dwelling unit <u>See day care center below. Different?</u>
Day care center	1 per employee on the largest shift, plus 1 per 10 children
Eating And Drinking Establishments	
- Restaurants, standard	1 parking space per 2 seats based on the maximum seating capacity of the facility (including seasonal outdoor seating), plus 1 space for each employee on the largest shift , plus 1 space per 100 square feet of function space not designed for eating ???, plus 1 space for each 6 square feet of waiting area
- Restaurants, carry out	1 parking space for each 250 square feet
- Restaurants, fast food	1 per 75 square feet of customer service or dining area; 1 per 200 square feet if no customer service or dining area ^[DG16] .
- Bar, tavern, pub	1 per 3 persons in designed capacity of building, plus 1 per employee on largest shift ^[DG17]
Financial Service	1 space per 250 square feet of gross floor area, plus 1 space at each electronic banking service facility
Funeral and Mortuary Service	
Funeral homes	1 per 3 persons capacity <u>Lets keep what is currently in the ordinance.</u>
Lodging	
Bed-and-breakfast inn (B&B inn).	1 space per bed and breakfast guest unit, plus required parking spaces for resident family and 1 per employee
Boarding or lodging houses or tourist homes or vacation <u>long term?</u> rental unit	1 space for each bedroom <u>Why different from B&B?</u>
Hotel, motel, <u>inn</u>	1 space for each guest room without kitchen facilities and 1.5 spaces for each guest room with kitchen facilities, plus 1 space per each 100 square feet of banquet, assembly, meeting, or restaurant seating area
Conference center/ hotel and inn	1 per 3 persons maximum occupancy
Vacation cottages	1 space for each bedroom
Office	
Business	2.5 spaces per 1,000 square feet gfa
Professional	2.5 spaces per 1,000 square feet gfa
Medical, dental and health practitioner	4.5 spaces per 1,000 square feet gfa
Office park	4 per 1,000 square feet <u>of gross floor area.</u>
Retail Sales	<u>1 space per 300 square feet of gross floor area.</u>
Convenience goods	1 space for each 250 square feet of gross floor area
Consumer shopping goods	1 space for each 250 square feet of gross floor area
Building supplies and equipment	1 space for each 250 square feet of gross floor area
Self-Service Storage Facility	1 per 10 storage bays or 1 per 1,000 square feet, whichever is greater. <u>Most have few spaces and people park in the aisles while in the unit.</u>
Studio, Instructional Or Service	3.5 spaces per 1,000 square feet gfa
Vehicle Sales And Service	

Table 340-151 A. Minimum Parking Requirements	
CATEGORIES, SUBCATEGORIES, SPECIFIC USES	REQUIRED PARKING SPACES
Commercial vehicle repair and maintenance	1 per 500 square feet of gross floor area including service bays, wash tunnels, and retail areas
Commercial vehicle sales and rentals	3 per 1,000 square feet, plus 1 per 2,500 square feet of outdoor display
Fueling station/convenience/mini mart	1 space per pump island, plus 1 space per service bay, plus 1 for each 3 seats of on-site seating, plus 3 spaces per 1,000 square feet of retail sales area, plus 1 space per car wash [DG18]
Personal vehicle repair and maintenance	2 spaces per service bay, 1 space for each vehicle stored on the site overnight, 1 space for each employee on maximum shift
Personal vehicle sales	1 space per 300 square feet, plus 1 space per 4,500 square feet of outdoor sales per display
Personal vehicle rentals	1 per 400 square feet, plus 1 per rental vehicle
Vehicle body and paint finishing shop	3 for each service bay plus 1 space per vehicle used in the conduct of the business plus 1 per employee
WHOLESALE, DISTRIBUTION & STORAGE USE CATEGORY	
Equipment and Materials Storage, Outdoor	
Contractor's shop	1 space per 300 square feet of gross floor area of office, sales, or display area in excess of 4,000 square feet (minimum of 4 spaces), plus 1 space per 5,000 square feet of storage area
Trucking and transportation terminal	1 per 275 square feet of office and 2 spaces for each company vehicle operating from the premises
Warehouse and self-storage	2 spaces per 1,000 square feet of gross floor area
Wholesale sales and distribution	1 space per 5,000 square feet of gross floor area for the first 100,000 square feet or 1 space for each 3 employees, whichever is greater
INDUSTRIAL USE CATEGORY	
Artisan industrial	1.5 spaces per 1,000 square feet gross floor area
Manufacturing or assembling	1 space per employee on largest shift
RECYCLING USE CATEGORY	
Recyclable Material Drop-off Facility	1 per recycle collection container

B. Flexibility in administration required.

- (1) The Town of St. Michaels recognizes that, due to the particularities of any given development, the inflexible application of the parking standards set forth herein may result in a development either with inadequate parking space or parking space far in excess of its needs. Alternative off-street parking standards may be accepted if the applicant can demonstrate that such standards better reflect **the actual parking demand at peak times, local conditions and needs.**
- (2) Without limiting the generality of the foregoing, the Planning Commission may allow deviations from the parking requirements set forth herein when it finds that:

(a) The applicant can demonstrate that the required number of parking spaces are not needed

- (a) A residential development is irrevocably oriented toward the elderly;
- (b) The proposed development is located in the CC Central Commercial District;
- (c) **The proposed development is an infill or redevelopment project located in the CR Community Redevelopment District;** or
- (d) A business is primarily oriented to walk-in **trade**[DG19].

(e) Public parking is located within xxx feet of the principal use.

(e) However in no case shall the PC reduce the parking requirement to less than 50% of the amount required herein.

(3) Whenever the Planning Commission allows or requires a deviation from the parking requirements set forth herein, it shall enter on the face of the zoning certificate and/or site plan the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

~~(4) If the Planning Commission concludes, based upon information it receives in the consideration of a specific development proposal, that the presumption established by § ** for a particular use classification is erroneous, it shall initiate a request for an amendment to the Table of Parking Requirements~~[DG20].

§ 340-153. Unlisted uses and establishment of other parking ratios.

- A. The Planning Commission is authorized to establish required minimum off-street parking ratios for unlisted uses and in those instances, **where authority to establish a requirement is expressly granted.**
- B. Such ratios may be established on the basis of a similar use/parking determination (as described in **§ 340-151**), on parking data provided by the applicant or information otherwise available to the Planning Commission.
- C. Parking data and studies must include estimates of parking demand based on reliable data collected from comparable uses or on external data from credible research organizations (e.g., Institute of Transportation Engineers, Urban Land Institute or American Planning Association). Comparability will be determined by density, scale, bulk, area, type of activity and location. Parking studies must document the source of all data used to develop recommended requirements.

§ 340-154. Shared parking^[DG21].

- A. Applicability.** Shared parking facilities are allowed for mixed-use projects and for multiple uses with different periods of peak parking demand, subject to approval by the Planning Commission. Required residential parking and accessible parking spaces (for persons with disabilities) may not be shared and must be located on site.
- B. Methodology.** The number of parking spaces required under a shared parking arrangement shall be approved by the Planning Commission and may be determined in accordance with the following calculations:
- (1) Multiply the minimum parking required for each individual use, as set forth in **Section 2** by the percentage identified for each of the six designated time periods in **Table ***.
 - (2) Add the resulting sums for each of the six columns.
 - (3) The minimum shared parking requirement is the highest sum among the six columns resulting from the above calculations.
 - (4) Select the time period with the highest total parking requirement and use that total as the shared parking requirement.

Table *: Shared parking calculation guidelines^[DG22].

Land Use	Weekday			Weekend		
	Midnight– 7:00 a.m.	7:00 a.m. – 6:00 p.m.	6 p.m. – Mid-night	Midnight– 7:00 a.m.	7:00 a.m.– 6:00 p.m.	6 p.m. – Mid-night
Office and Industrial	5%	100%	10%	0%	60%	5%
Lodging	100%	60%	90%	100%	65%	80%
Eating and Drinking	50%	70%	100%	45%	70%	100%
Religious Assembly	0%	10%	30%	0%	100%	30%
Assembly & Entertain ment	10%	50%	100%	5%	80%	100%
Retail & Commere ial Service	5%	70%	90%	0%	100%	60%

- C. **Other uses.** If one or more of the land uses proposing to make use of shared parking arrangement do not conform to the land use classifications in Table *, as determined by the Zoning Inspector, then the applicant must submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the Zoning ~~Inspector Administrator~~ or his or her designee is authorized to determine the appropriate shared parking requirement, if any, for such uses.
- D. **Alternative methodology.** As an alternative to the shared parking methodology in Section *, the Zoning Inspector is authorized to approve shared parking calculations based on the latest edition of the Urban Land Institute's or the Institute of Transportation Engineer's shared parking model or based on studies prepared by professional transportation planner or traffic engineer. The shared parking analysis must demonstrate that the peak parking demands of the subject uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses.
- E. **Location.** Shared parking may be located on-site or off-site. Off-site parking is subject to the regulations of Section § 340-155*.

§ 340-155. Location of off-street parking.

- A. **General.** Except as otherwise expressly stated, required off-street parking spaces must be located on the same lot and under the same control as the building or use they are required to serve.
- B. **Setbacks.** Except as otherwise expressly stated, off-street parking areas are subject to the principal building setbacks of the subject zoning district.
 - (1) Off-street parking spaces accessory to a detached house, attached house or two-unit house may be located in any driveway.
 - (2) Nonresidential parking areas shall be located at least ten (10) feet from every street line and from every residential lot line.

C. **Off-site parking.**

- (1) **When Allowed.** All or a portion of required off-street parking for nonresidential use may be provided off-site, in accordance with the regulations of this section. Required accessible parking spaces and parking required for residential uses may not be located off site.

- (2) **Location.** Off-site parking areas must be located within a 1,000-foot radius of the use served by such parking, measured between the entrance of the use to be served and the outer perimeter of the farthest parking space within the off-site parking lot. Off-site parking lots are allowed only in zoning districts that permit the principal use to be served by the off-site parking spaces^[DG23], unless approved as a special exception (see Figure *).

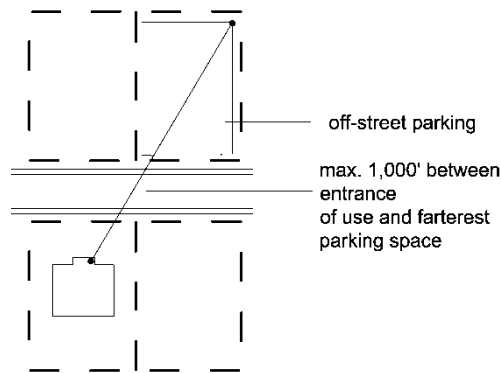


Figure * - Off-site parking location

- (3) **Design.** Off-site parking areas must comply with all applicable parking area design and parking lot landscape regulations of this zoning Chapter.
- (4) **Control of off-site parking area.** The property to be occupied by the off-site parking facilities must be under the same ownership as the lot containing the use to be served by the parking. The off-site parking area may be under separate ownership only if an agreement is provided, in a form approved by the **T**own **A**ttorney, guaranteeing the long-term availability of the parking, commensurate with the use served by the parking. Off-site parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this article.

§ 340-155. Use of off-street parking areas.

- A. Off-street parking facilities may not be used for the parking of vehicles for the purpose of displaying the same for sale unless the principal use of the property on which the parking facility is located is the business of selling or leasing used or new vehicles. This provision is not intended to prohibit an owner or occupant of R-zoned property from displaying vehicles for sale on the property's off-street parking facilities provided the vehicle is owned by the owner or occupant of the residential property. Except for flagrant or repeated violations, the town will endeavor to obtain voluntary compliance

with the restrictions on displaying cars for sale prior to initiation of enforcement proceedings.

- B. No vehicle repair or service of any kind shall be permitted in conjunction with off-street parking facilities in a residential or business zoning district, except for minor repairs or service on vehicles owned by an occupant or resident of the premises. The sale of gasoline and motor oil in conjunction with off-street parking facilities is not permitted in any residential zoning district.

§ 340-156. Parking of recreational vehicles and equipment.

- A. Not more than one (1) recreational vehicle and one (1) piece of recreational equipment or utility trailer may be parked or stored, **and only** in the rear or side yard of any lot in ^[DG24] a residential zoning district unless approved by the **Zoning Inspector Planning Commission**. For the purpose of this provision, one piece of recreational equipment is equal to a single non-motor vehicle with no more than one (1) watercraft, personal watercrafts or specialty prop-^[DG25]crafts. Recreational vehicles, recreational equipment and utility trailers may not be stored in the required front yard setbacks.
- B. Notwithstanding the regulations of **Section A**, recreational vehicles, recreational equipment and utility trailers may be temporarily parked in the front yard if stored on a driveway, or on an adjacent street provided that the Zoning Inspector is given prior notice of the dates for such temporary parking. For purpose of this provision, temporary parking is the parking of vehicles or equipment during any period not exceeding ten (10) days in aggregate (which may or may not be consecutive) within any period of thirty (30) consecutive days.
- C. Recreational vehicles, recreational equipment and utility trailers stored or parked in residential zoning districts must be owned by the owner or occupant of the subject property.
- D. The recreational vehicle, recreational equipment, or utility trailer must be properly licensed.
- E. No recreational vehicle, equipment, or utility trailer may have its wheels removed or be affixed to the ground so as to prevent its ready removal.
- F. No parked or stored recreational vehicle may be used for living, sleeping or business purposes.]

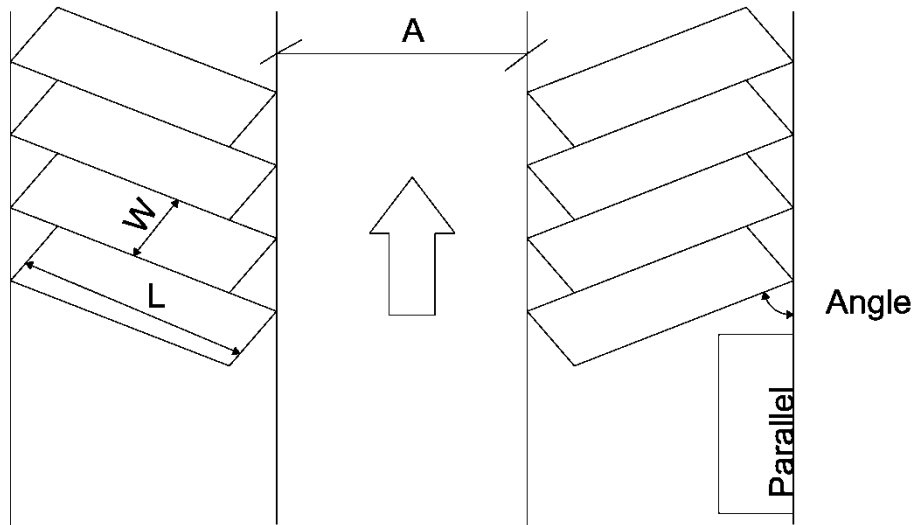
§ 340-157. On-site parking space specifications.

A. Each on-site parking space shall be located on the lot toward whose minimum on-site parking requirement it is intended to apply. Except in the case of single-family or duplex dwellings, each on-site parking space shall have the minimum dimensions specified herein and shall have direct access from the maneuvering aisle. The maneuvering aisle, for entering and exiting a parking space, shall be in addition to the area of the parking space itself and shall have at least the width specified herein.

- (1) Parking space at an angle of 90° to the curb and maneuvering aisle: Each parking space shall be a rectangular area at least 8.5 feet wide perpendicular to the parking angle and 18 feet long. The maneuvering aisle shall be at least 24 feet wide, measured perpendicular to its side line.
- (2) Parking space at an angle of 60° to the curb and maneuvering aisle: Each parking space shall be a rectangular area at least 8.5 feet wide perpendicular to the parking angle and at least 18 feet long. The maneuvering aisle shall be at least 18 feet wide, measured perpendicular to its side line.
- (3) Parking space at an angle of 45° to the curb and maneuvering aisle: Each parking space shall be a rectangular area at least 8.5 feet wide perpendicular to the parking angle and at least 18 feet long. The maneuvering aisle shall be at least 15 feet wide, measured perpendicular to its side line.
- (4) Parking space parallel (zero-degree angle) to the curb and maneuvering aisle: Each parking space shall be a rectangular area at least 8.5 feet wide and at least 23 feet long. The maneuvering aisle shall be at least 12 feet wide, measured perpendicular to its side line.
 - (a) The following table summarizes in linear feet the dimensions of parking stalls and aisles constructed according to the specifications of Subsection A(1) through (4):

Table *: Dimensions of Parking Stalls and Aisles			
Angle	Minimum Stall Width (W) (feet)	Minimum Stall Length (L) (feet)	Minimum Aisle Width (Maneuvering Space) (A) (feet)
90°	8.5	18	24 residential 27 commercial *-[22 one-way]
60°	8.5	18	18 one-way 22 two-way
45°	8.5	18	15 one-way

			21 two-way
30°	8.5	18	12 one-way
			20 two-way
Parallel	8.5	23	12 one-way
			18 two-way



- (b) Driveways providing access to parking areas shall be at least ten (10) feet wide.
- (c) Where marked parking spaces are provided for commercial buses, one (1) bus parking space shall be equivalent to and counted as six (6) parking spaces for passenger cars.
- (5) Except in the case of single-family and duplex dwellings, no on-site parking space, maneuvering aisle or parking lot shall be configured such that a vehicle must either back off of or onto a public street or right-of-way when entering or exiting a parking lot or on-site parking space.
- (6) **[Tandem parking may be used to satisfy residential parking requirements if the tandem spaces are assigned to the same dwelling unit.]** For a single-family dwelling, and for each dwelling unit of a duplex dwelling, a driveway at least ten (10) feet wide and thirty-five (35) feet long shall be considered sufficient parking.
- (7) Parking areas shall have an all-weather surface which includes but is not limited to asphalt, clam shell, pavers or gravel. ~~Except in the case of single family and duplex~~

~~dwelling, each parking space shall be marked by painted lines on the surface of the parking lot or by parking bumpers.~~

(8) No part of any parking space shall be closer than five (5) feet to any lot frontage. Any lighting used to illuminate any parking area shall be arranged to direct the light away from public streets and away from any adjoining properties zoned R.

(9) Parking areas for more than five (5) vehicles shall be effectively screened, by an ornamental wall, a fence, or a compact evergreen hedge, on any side that adjoins or is faced by a property zoned R. The screen shall be not less than four feet high nor more than six (6) feet high, shall be maintained in good condition, and shall contain no advertising.

(10) **[Except for temporary uses as provided in Article *] no required parking areas may be used for displays, exhibits, or sales, except in the case of community events or charity fund raisers sponsored by nonprofit entities whose use of the parking area has been approved by the Town Commissioners.**

NOTE: This reference is for the following:

§ 340-91. Temporary retail and service uses.

Temporary retail and service uses, including mobile food service (food truck) and pop-up retail conducted in readily movable vehicles that are self-propelled, pushed or pulled to a specific location or occupying an existing vacant principal structure may be permitted in the CC, GC, and MC districts by Zoning Inspector with an approved zoning certificate provided:

- A. The use is accessory to an existing permitted principal use;
- B. The use operates for a maximum of four (4) hours in any one (1) day at any one (1) location, including set-up and break-down and no more than a total of ninety (90) days in any calendar year;
- C. No more than one (1) temporary use shall be permitted at any one (1) location at the same time, provided that additional temporary uses may be permitted in conjunction with a permitted special event;
- D. Mobile units shall not be located in any fire lane, travel lane, entrance/exit. Mobile units located on any required parking space(s) shall be approved by the Zoning Inspector;
- E. Mobile units shall be located on a level, paved, or gravel surface with safe pedestrian access. The vicinity around the food truck shall be kept clean and free of debris. Trash receptacles shall be provided; and

F. Mobile units are prohibited from being stored in any R-district when not in use.

(11) Except in the case of parking for single-family or duplex dwellings, the occupancy of any parking space by a vehicle shall not block or impair entry to or exit from any other parking space. In the case of parking spaces for single-family and duplex dwellings, the occupancy by a vehicle of one parking space may block or impair entry to or exit from another parking space provided for the same dwelling unit, but shall not block entry to or exit from a parking space provided for another dwelling unit, property, or use.

[B. Striping. In all parking lots containing five (5) or more parking spaces, striping consisting of parallel lines, four (4) inches in width must be provided for each parking space. Striping must be yellow or white. Accessible parking spaces must be painted with the standard ADA white symbol on blue background. See Figure *.

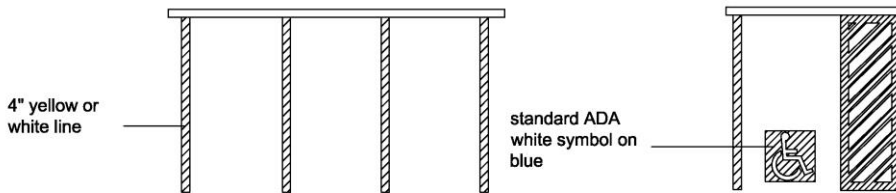


Figure *: Parking Lot Markings

C. Wheel Stops. In all parking lots containing five (5) or more parking spaces, wheel stops must be installed where necessary to prohibit vehicle overhang onto adjacent pedestrian ways or landscape areas.

D. Curb and gutter. Combination concrete curb and gutter or concrete barrier curbs are required around the perimeter of all parking lots containing five (5) or more parking spaces and around all landscape islands and divider medians. Alternatives to curb and gutter that comply with the town's best management practices for stormwater management may be approved by the Zoning Inspector.

E. Landscaping.

All off-street parking lots containing five (5) or more spaces must be landscaped in accordance with Article XII.**

C. Motorcycle Parking. In parking lots containing over twenty (20) motor vehicle parking spaces, motorcycle or scooter parking may be substituted for up to five (5) automobile parking spaces or 5% of required motor vehicle parking, whichever is less. For every four (4) parking spaces for motorcycles or scooters provided, the automobile parking requirement is reduced by one (1) space. Each motorcycle and scooter space must have

minimum dimensions of four (4) feet by eight (8) feet. This provision applies to existing and proposed parking lots.

~~D[DG26]. ——— Car-Share Service. For any development, one parking space or up to 5% of the total number of required spaces, whichever is greater, may be reserved for use by car-share vehicles. The number of required motor vehicle parking spaces is reduced by one (1) space for every parking space that is leased by a car-share program for use by a car-share vehicle. Parking for car-share vehicles may also be provided in any non-required parking space.~~

E. Bicycle Parking

(1) **Minimum Requirements.** Bicycle parking spaces must be provided in accordance with the minimum ratios established in **Table***.

Table *: Minimum Bicycle Parking Ratios	
Use Category/Subcategory	Minimum Bicycle Parking Spaces
Community Center	1 per 20 vehicle spaces or 1 per 10 patrons, whichever results in more spaces
Library	2 spaces per 1,000 square feet of gross floor area
Museum or Cultural Facility	1 per 20 vehicle spaces
Parks and Recreation	1 per 20 vehicle spaces
School	
Elementary and Middle School Junior High	2 per 10 students[DG27]
Senior High	1 per 20 students
Assembly and Entertainment	1 per 20 vehicle spaces or 1 per 10 patrons, whichever results in more spaces
Commercial Service	
Eating and Drinking Establishment	1 space per 1,000 square feet floor area
Health club, fitness facility	1 per 20 vehicle spaces or 1 per 10 patrons, whichever results in more spaces
Office	0.5 per 1,000 square feet
Retail Sales	0.3 space per 1,000 square feet of floor area
Studio, Instructional or Service	1 per 10 students

(2) **Maximum Requirement.** The minimum bicycle parking ratios of Table * notwithstanding, no use is required to provide more than ten (10) bicycle parking spaces.

(3) **Location.** Bicycle parking spaces must be located in highly visible, illuminated areas that do not interfere with pedestrian movements. Bicycle parking spaces must be located within one hundred (100) feet of a customer entrance.

(4) **Design.** Bicycle parking spaces must:

- (a) Consist of bike racks or lockers that are anchored so that they cannot be easily removed;
- (b) Be of solid construction, resistant to rust, corrosion, and abuse;

- (c) Allow both the bicycle frame and the wheels to be locked with the bicycle in an upright position using a standard U-lock;
- (d) Be designed so as not to cause damage to the bicycle;
- (e) Facilitate easy locking without interference from or to adjacent bicycles; and
- (f) Have minimum dimensions of two (2) feet in width by six (6) feet in length, with a minimum over-head vertical clearance of seven (7) feet.

§ 340-158. Accessible parking for people with disabilities.

- A. The number, location and design of accessible parking spaces for people with disabilities must be provided in accordance with this section and the Maryland Accessibility Code.
- B. Accessible spaces must be provided in accordance with **Table ***.
- C. Accessible parking spaces count towards the total number of parking spaces required.
- D. Each accessible parking space, except on-street spaces, must be at least 16 feet in width, with either an 8-foot or 5-foot wide diagonally striped access aisle. The access aisle may be located on either side of the vehicle portion of the accessible space. Abutting accessible parking spaces may not share a common access aisle. See **Figure ***.

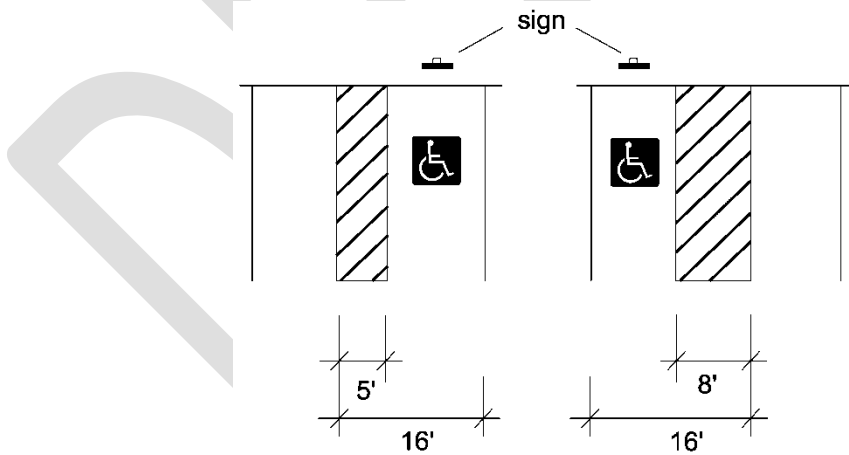


Figure * - Handicapped Parking

Table *: Minimum accessible parking space ratios.

Total Off-Street Parking Spaces Provided	Accessible Parking Spaces Required
1 to 25	1 _[DG28]

Total Off-Street Parking Spaces Provided	Accessible Parking Spaces Required
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
over 1,000	20% of total
Medical facilities specializing in treatment of persons with mobility impairments	20% of total
Outpatient medical facilities	10% of total

- E. Accessible parking spaces must be signed in compliance with applicable state law and must identify the current fine amount for violations. The sign must be fabricated to be two (2) separate panels; one for the disability symbol and one for the current fine amount as established by the town.**
- F. Accessible parking spaces and accessible passenger loading zones that serve a particular building must be the spaces or zones located closest to the nearest accessible entrance on an accessible route. In separate parking structures or lots that do not serve a particular building, parking spaces for disabled persons must be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.**
- G. The regulations of this section apply to required spaces and to spaces that are voluntarily designated for accessible parking.**

§ 340-159. Drive-through and drive-in facilities.

- A. Purpose. The regulations of this section are intended to help ensure that:**
- (1) There is adequate on-site maneuvering and circulation area for vehicles and pedestrians;**
 - (2) Vehicles awaiting service do not impede traffic on abutting streets; and**
 - (3) Impacts on surrounding uses are minimized.**

- B. **Applicability.** The regulations apply to new developments, the addition of drive-through and drive-in facilities to existing developments and the relocation of existing drive-through facilities.
- C. **Stacking spaces required.** Stacking lanes must be provided in accordance with the minimum requirements of **Table ***

Table *: Stacking Space Requirements

Use	Minimum Number of Stacking Spaces Required
Bank/financial institution	4 spaces per drive-through lane
Car wash	2 spaces per approach lane, plus 2 drying spaces at end of bay ^[DG29] if not provided within the car wash itself.
Vehicle repair/maintenance	2 per service bay
Gasoline pump	2 spaces per pump per side
Restaurant, drive thru	8 total spaces, with at least 3 spaces between the order and pick-up station
Other	3 spaces per lane, ordering station or machine

D. Stacking lane dimensions, design and layout.

- (1) Stacking lanes must be designed so that they do not interfere with parking movements or safe pedestrian circulation. Stacking lanes must have a minimum width of ten (10) feet.
- (2) All stacking lanes must be clearly identified, through such means as striping, landscaping, pavement design, curbing and/or signs.

E. Setbacks. Stacking lanes must be set back at least ~~(15) twenty-five (25)~~ feet from any abutting residential zoning district and at least ten (10) feet from all other lot lines^[DG30].

F. Noise. Sound attenuation walls, landscaping or other mitigation measures may be required to ensure that drive-through facilities will not have adverse noise-related impacts on nearby residential uses.

G. Site plans. Site plans must show the location of drive-through windows and associated facilities (for example: communications systems and access aisles), as well as adjacent residential uses.

340-160. Pedestrian Circulation^[DG31].

An on-site circulation system for pedestrian and non-motorized travel must be provided in accordance with the requirements of this section. These pedestrian circulation requirements do not apply to lots occupied by detached, two-family, duplex, and attached houses.

- A. Connection to the Street.** The on-site pedestrian circulation system must connect all adjacent public rights-of-way to the main building entrance. The connection must follow a direct route and not involve significant out-of-direction travel for system users. See Figure *.

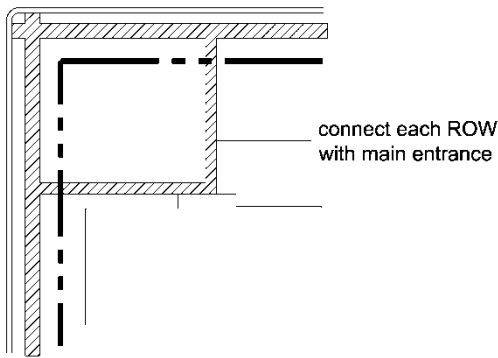


Figure *: Connecting Building Entrances to Street

- B. Connection to Abutting Properties.** The on-site pedestrian circulation system must provide at least one connection to existing paths and sidewalks on abutting properties or to the likely location of future paths or side-walks on those properties. When the Planning Commission determines that no paths or sidewalks exist on a neighboring property or it is not possible to determine the likely location of future path or sidewalk connections or extending a connection would create a safety hazard on either property, no such connection is required. See Figure *

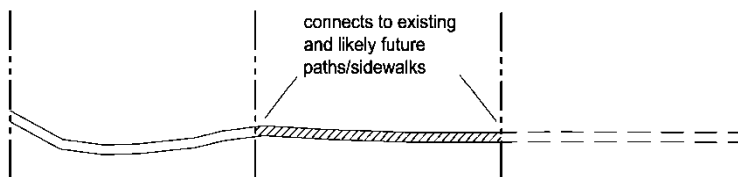


Figure *: Connections to Abutting Properties

C. Internal Connections. The on-site pedestrian circulation system must connect all buildings on the site and provide connections to other areas of the site likely to be used by pedestrians and non-motorized travel, such as parking areas, bicycle parking, recreational areas, common outdoor areas, plazas and similar amenity features. See Figure *.

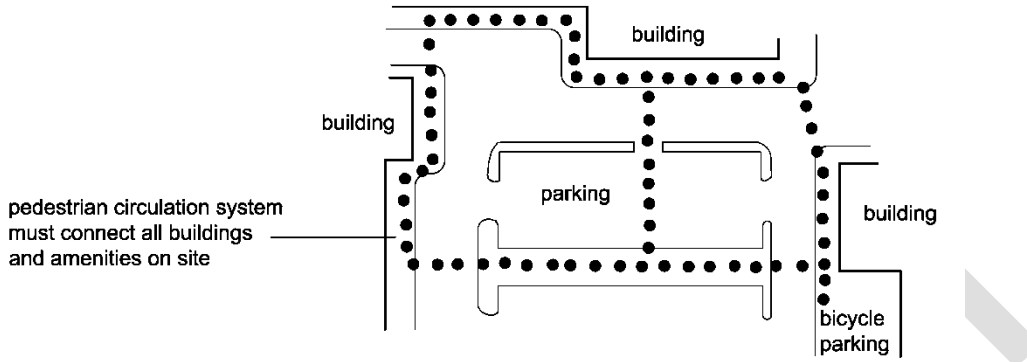


Figure *: Internal Site Connections

D. Design

Required on-site pedestrian circulation facilities must be designed and constructed in accordance with the following requirements:

- (1) The on-site pedestrian circulation system must be hard-surfaced, with a dust-free material and be at least five (5) feet in width.**
- (2) When the on-site pedestrian circulation system crosses driveways, parking areas or loading areas, it must be clearly differentiated through the use of elevation changes, a different paving material or other equally effective methods. Striping does not meet this requirement. See Figure *.**

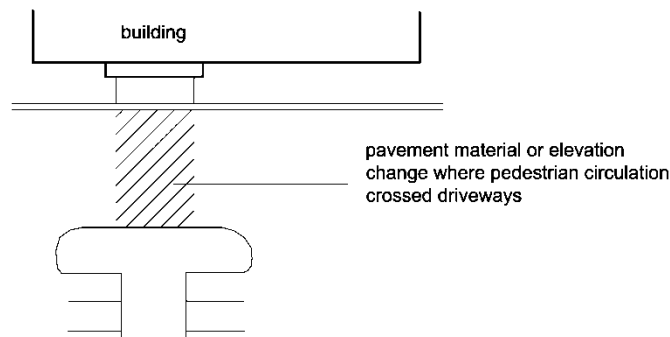


Figure *:

- (3) When the on-site pedestrian circulation system is parallel and adjacent to a motor vehicle travel lane, it must be a raised path at least six (6) inches above the vehicle travel lane surface or be separated from the vehicle travel lane by a raised curb, bollards, landscaping or another physical barrier. If a raised path is used, the ends of the raised portions must be equipped with accessible curb ramps.**
- (4) The on-site pedestrian circulation system must be illuminated to ensure that it can be used safely at night by employees, residents, and customers. Lighting must be at a height appropriate for a pedestrian pathway system.]**

§ 340-161. On-site loading spaces required.

- A. In any zone, in connection with every building or part thereof having a gross floor area of 4,000 square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display or sales, mortuary, or other uses similarly requiring the receipt and distribution by vehicles of materials and merchandise, there shall be provided and maintained on the same lot with such building or use at least one on-site loading space plus one additional such loading space for each 10,000 square feet of gross floor area or major fraction thereof.
- B. Each loading space shall not be less than 10 feet in width, 45 feet in length, and 14 feet in height. Such space shall occupy all or any part of any required yard or court, except a front yard.
- C. No such space shall be located closer than 50 feet to any lot located in any R District, unless wholly within a completely enclosed building or unless enclosed on all sides by a wall or uniformly painted board fence, not less than six feet in height.
- [D. Off-street loading spaces may occupy all or any part of any required yard, except a front yard. Nonresidential off-street loading spaces shall be located at least fifteen (15) feet from every street line and six (6) feet from every residential lot line [DG32]. The edges of the loading spaces shall be curbed or buffered, and the space between the off-street loading area and the street or lot line shall be landscaped and maintained in a sightly condition.**
- E. All off-street loading areas must be properly engineered and improved with an all-weather, dustless surface approved by the Zoning Inspector.
- F. Plans for the location, design and construction of all loading areas are subject to approval by the Zoning Inspector.
- G. Loading spaces may not be used to satisfy off-street parking requirements or for the conduct of vehicle repair or service work of any kind.

§ 340-162. Reserved.

DRAFT