

ORDINANCE 7-2018

AN ORDINANCE AMENDING CHAPTER 16, ARTICLES 2, 3 AND 5 OF THE WELLINGTON MUNICIPAL CODE CONCERNING OFF-STREET PARKING AREAS AND OUTDOOR STORAGE AREAS.

WHEREAS, Chapter 16, Articles 2, 3 and 5 of the Wellington Municipal Code sets forth definitions and provisions relating to the regulation of off-street parking areas, surfacing requirements and outdoor storage areas; and

WHEREAS, the Planning Commission, during a workshop session held February 5, 2018 identified that certain provisions of the municipal code relating to parking lot surfaces were inconsistent and in need of clarification; and

WHEREAS, the Planning Commission requested Town staff draft amendments to the Municipal Code to correct inconsistencies and provide clarity in the regulations; and

WHEREAS, the Planning Commission by motion on March 5, 2018 recommended approval of proposed amendments to Chapter 16, Articles 2, 3 and 5 of the Wellington Municipal Code.

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

SECTION 1: The following definitions contained at Chapter 16, Article 2, Section 10 "Definitions" of the Wellington Municipal Code are added or amended as follows:

Off-street parking area means all off-street areas and spaces designed, used, required or intended to be used for the parking, storage, maintenance, service, repair, display or operation of motor vehicles, including driveways or access ways in and to such areas and circulation aisles throughout such areas, but not including approved outdoor storage areas as defined herein or public streets and rights-of-way.

Parking lot means any off-street parking area as defined herein.

Outdoor storage means the keeping in an unroofed area of any equipment, goods, material, merchandise or operable vehicles including cars, trucks, boats and recreational vehicles in the same place for more than twenty-four (24) hours. The definition of outdoor storage includes vehicles, cars, trucks, boats or recreational vehicles undergoing active repair that are kept in the same place for more than twenty-four (24) hours. Containers and semi-trailers may not be used for residential or storage uses except on construction sites.

Active repair is a term developed to differentiate between inoperable vehicles that are in the process of being made operable and those that are being stored without the benefit of ongoing repair or which are being stored for salvage purposes.

SECTION 2: Chapter 16, Article 3, Section 150 "Parking" of the Wellington Municipal Code is hereby amended as follows:

The intent of the parking standards is to provide adequate parking and access for motor vehicles, ensure compliance with provisions of the Americans with Disabilities Act (ADA) and minimize the visual impact of off-street parking areas.

SECTION 3: Chapter 16, Article 3, Section 160 "Parking; general provisions" of the Wellington Municipal Code, subsection (b) is amended as follows:

(b) Surface. All off-street parking areas as defined herein shall be surfaced with poured in place concrete or asphaltic concrete. All portions of a driveway that is within street right-of-way shall be paved and designed to the standards of the Town Engineer.

SECTION 4: Chapter 16, Article 5, Section 130 "LI – Light Industrial District" of the Wellington Municipal Code subsection (c)(3) and subsection (c)(4) are amended as follows:

(3) Approved outdoor storage areas, equipment and refuse areas shall be concealed from view from abutting rights-of-way and from adjoining residential districts.

(4) All off-street parking areas as defined herein shall be surfaced with poured in place concrete or asphaltic concrete. Approved outdoor storage areas as defined herein may be surfaced with minimum three-quarter inch diameter crushed rock or approved alternative material to a depth of at least four inches. If a crushed rock or alternative material surface is used, the subgrade of such areas shall be treated to the specifications of the Town Engineer. Areas surfaced with crushed rock or approved alternative material shall be treated with dust retardants, as needed, and kept free of weeds, trash and other debris. Appropriate fire-lane aisles and, if required, fire hydrants shall be provided.

SECTION 5: Chapter 16, Article 5, Section 140 "TR – Transitional District" of the Wellington Municipal Code, subsection (c)(3) is amended as follows:

(3) Approved outdoor storage areas, equipment and refuse areas shall be concealed from view from abutting rights-of-way and from adjoining residential districts.

SECTION 6: Chapter 16, Article 5, Section 150 "I – Industrial District" of the Wellington Municipal Code, subsections (c)(4) and (c)(5) are amended as follows:

(4) Approved outdoor storage areas, equipment and refuse areas shall be concealed from view from abutting rights-of-way and from adjoining residential districts.

(5) All off-street parking areas as defined herein shall be surfaced with poured in place concrete or asphaltic concrete. Approved outdoor storage areas as defined herein may be surfaced with minimum three-quarter inch diameter crushed rock or approved alternative material to a depth of at least four inches. If a crushed rock or alternative material surface is used, the subgrade of such areas shall be treated to the specifications of the Town Engineer. Areas surfaced with crushed rock or approved alternative material shall be treated with

dust retardants, as needed, and kept free of weeds, trash and other debris. Appropriate fire-lane aisles and, if required, fire hydrants shall be provided.

SECTION 7: Repealer. All ordinances, resolutions and motions of the Board of Trustees of the Town of Wellington, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby superseded and repealed; provided that such repeal shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution or motion thereby.

SECTION 8: Validity. The Board of Trustees hereby declares that should any section, paragraph, sentence, word or other portion of this ordinance or the rules and regulations adopted herein be declared invalid for any reason, such invalidity shall not affect any other portion of this ordinance or said rules and regulations, and the Board of Trustees hereby declares that it would have passed all other portions of this ordinance and adopted all other portions of said rules and regulations, independent of the elimination here from of any such portion which may be declared invalid.

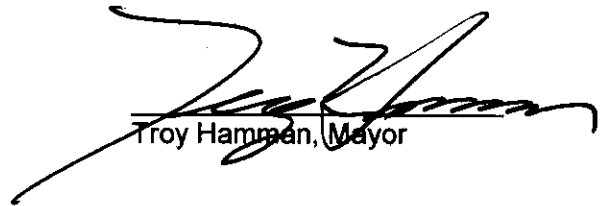
SECTION 9: Necessity. In the opinion of the Board of Trustees of the Town of Wellington, this ordinance is necessary for the preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Wellington.

SECTION 10: Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours. Furthermore, the Mayor's signature shall be affixed to the plat and attested by the Town Clerk.

PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON AND ORDERED TO BECOME PUBLISHED THIS 24th DAY OF April, 2018 AND ORDERED TO BECOME EFFECTIVE 30 DAYS FROM THE DATE OF PUBLICATION.

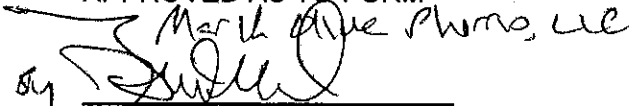
ATTEST:


Ed Cannon, Town Administrator/Clerk


Troy Hamman, Mayor

PUBLISHED BY TITLE THIS 27 DAY OF April, 2018 IN "THE COLORADOAN."

APPROVED AS TO FORM


J. Brad March, Town Attorney