

§ 97-48. Off-street parking and loading.

[Amended 2-23-2009 by L.L. No. 1-2009]

A. Off-street parking.

(1) Purpose. The Town finds that large and highly visible parking areas represent one of the most objectionable aspects of commercial development. Such parking lots damage the historic layout and architectural fabric of hamlet areas, harm the natural environment and visual character of the community, interfere with pedestrian safety and accessibility, and reduce the quality of life in developed areas. However, the Town also recognizes that inadequate parking can diminish quality of life by creating traffic congestion, safety hazards, and inconvenience. The Town therefore seeks to balance the need for adequate parking with the need to minimize harm resulting from the provision of parking and to avoid the negative impacts of excessive parking lot construction.

(2) Parking requirements for residential uses.

(a) Minimum parking required for residential uses:

[1] For a single-family or two-family dwelling: two spaces per dwelling unit.

[2] For a multifamily dwelling: 1 1/2 spaces per dwelling unit.

(b) These requirements may be reduced for dwelling units with less than 1,000 square feet of floor space, senior citizen and planned adult community housing, mixed-use development, or other appropriate circumstances if the Planning Board determines that such reductions are warranted.

(3) Parking requirements for nonresidential uses. The number and layout of parking spaces for nonresidential uses shall be based on the need to protect public safety and convenience while minimizing harm to the character of the community and to environmental, historic, and scenic resources. Since nonresidential uses vary widely in their need for off-street parking, parking requirements shall be based on the specific operational characteristics of the proposed uses. The provisional parking standards in Subsection [A\(3\)\(a\)](#) below shall be applied and may be varied by the Planning Board according to the criteria in Subsection [A\(3\)\(b\)](#) below.

(a) Provisional parking standards.

[1] Retail or service business uses: four spaces per 1,000 square feet of enclosed floor space, excluding space used for storage.

[2] Industrial/Warehouse uses: two spaces per 1,000 square feet of enclosed floor space or one space per employee.

[3] Office uses: three spaces per 1,000 square feet of floor space.

[4] Lodging facility: one space for each bedroom plus one space for each nonresident employee and one space for every 200 square feet of floor space for meetings and functions.

[5] Restaurants, theaters, and other places of public assembly: one space for every three seats.

[6] Uses not listed above: as appropriate to the circumstances.

(b) Criteria for applying provisional standards. **In applying or modifying the provisional parking standards for any proposed use, the Planning Board shall consider:**

[1] The maximum number of vehicles that would actually be parked at the use at times of peak usage. Parking spaces shall be sufficient to satisfy 85% of the anticipated peak demand. The likelihood of people walking, bicycling, or carpooling to the proposed use shall be taken into consideration.

[2] The size of the structure(s) and the site.

[3] The environmental, scenic, or historic sensitivity of the site (including applicable limitations on impermeable surfaces). In cases where sufficient area for parking cannot be created on the site without disturbance to these resource values, the Planning Board may require a reduction in the size of the structure so that the available parking will be sufficient.

[4] The availability of safely usable on-street parking.

[5] The availability of off-site off-street parking within 400 feet that is open to the public, owned or controlled by the applicant, or available on a shared-use basis, provided that the applicant dedicates such off-site land for public parking or demonstrates a legal right to shared use.

[6] The requirements for parking for the disabled as prescribed by the Americans with Disabilities Act.

(c) Set-aside for future parking. The Planning Board may, as a condition of reducing the provisional parking standards, require an applicant to set aside additional land to meet potential future parking needs. Such land may remain in its natural state or be attractively landscaped but may not be used in a manner that would prevent it from being developed for parking in the future.

(d) Parking lot as accessory use to residential dwelling. Parking spaces may be made available for nonresidential uses on residential lots in the HR District by special permit. Such spaces shall be screened from adjoining properties and roads and shall not exceed five spaces per lot.

(e) Fee in lieu of parking space. Where the required spaces cannot be provided on site and are not currently available on the street and/or in municipal parking lots, the applicant shall pay a fee in lieu of one or more required spaces in an amount established by the Town Board sufficient to cover the estimated cost of providing additional public parking spaces. Such fee shall be kept in a dedicated fund for municipal parking purposes and shall be used for such purposes within three years or returned to the applicant (or the applicant's successor).