

**ORDINANCE NO. 07  
Series 2007**

March 20, 2007: Introduced as Council Bill 04, Series 2007 by Councilmember Harriet LaMair, seconded by Councilmember Scott Roswell, and considered by the title only on first reading. Passed by a vote of 4 yes and 1 no.

May 1, 2007: Considered in full text on second reading. Passed by a vote of 5 yes and 1 no.

**A BILL FOR AN ORDINANCE  
OF THE CITY OF CHERRY HILLS VILLAGE  
AMENDING CHAPTER 16 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE,  
CONCERNING ZONING, BY AMENDING SECTION 16-16-10, CONCERNING OFF-  
STREET PARKING REQUIREMENTS.**

WHEREAS, the City of Cherry Hills Village is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, the City of Cherry Hills Village is authorized to regulate land uses for property within the boundaries of the City; and

WHEREAS, the current zoning requirements concerning parking, as set forth in Section 16-16-10 of the Cherry Hills Village Municipal Code, require that off-street parking areas be located on the same lot as the building or use that they serve; and

WHEREAS, the City Council has determined that it is reasonable and appropriate to: (i) allow off-street parking areas to be located on lots that adjoin the lot of the building or use that they serve; and (ii) modify the City's requirements concerning the placement and screening of off-street parking areas to allow the City to better address the visual and aesthetic aspects of parking areas.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:**

Section 1. That subsection 16-16-10(a) of the City of Cherry Hills Village Municipal Code is hereby amended to read as follows:

(a) For every structure hereafter used, occupied or constructed, off-street parking areas shall be provided and shall contain adequate space for access, parking, vehicle and pedestrian circulation, and loading and unloading. Such parking areas shall be located on the same lot as, or lots adjoining, the building or use structure that they serve, and permitted as an accessory use to the structure. Adjoining lots include lots that are separated by a public right-of-way of not more than 60 feet. The following table establishes the minimum parking stall space and aisle dimensions for full size and compact automobile spaces. Within parking areas of twenty (20) spaces or more, a maximum of thirty percent (30%) of the required parking spaces may be designated as compact. Areas included in driveways or otherwise required to move cars in and out of parking spaces shall not be considered to meet off-street parking space requirements. Parking requirements shall apply to all districts. Parking lots with more than five (5) spaces must be striped in accordance with the following standards:

|        | <i>Standard<br/>Parking Space</i> | <i>Compact<br/>Parking Space</i> | <i>Handicapped<br/>Parking Space</i> |
|--------|-----------------------------------|----------------------------------|--------------------------------------|
| Width  | 9 feet                            | 8 feet                           | 12 feet                              |
| Length | 18 feet                           | 16 feet                          | 20 feet                              |

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| <i>Aisle Configuration</i>         | <i>Width</i> |
|------------------------------------|--------------|
| One-way -- parking angle 00° - 45° | 12 feet      |
| One-way -- parking angle 46° - 89° | 18 feet      |
| One-way -- parking angle 90°       | 24 feet      |
| Two-way (any angle)                | 24 feet      |

**Section 2.** That subsection 16-16-10(d)(3) of the City of Cherry Hills Village Municipal Code is hereby amended to read as follows:

(3) Distance to property or street line: Shall not be closer than ten (10) feet to a property or street line for parking on the same lot as the principal structure, and not closer than twenty (20) feet to a property or street line for parking on any lot adjoining a principal structure.

**Section 3.** That subsection 16-16-10(d)(4) of the City of Cherry Hills Village Municipal Code is hereby amended to read as follows:

(4) ~~Additional landscaping Screening:~~ The City ~~may~~ shall require screening with additional landscaping area and/or and plant materials between off-street parking and uses on neighboring properties, which, are not compatible, or which, in the City's opinion, require buffering ~~due to~~ for visual, privacy, noise, or aesthetic characteristics reasons. ~~This buffering Landscaping~~ may take the form of densely planted trees and shrubs, berms and other landforms or fences.

**Section 4.** That subsection 16-16-10(d)(5) of the City of Cherry Hills Village Municipal Code is hereby amended to read as follows:

(5) Required minimum landscaping. In addition to the screening required by subsection (4), ~~An~~ area or a combination of areas equal to at least fifteen percent (15%) of the total hard-surfaced parking lot area shall be landscaped to beautify the area and avoid the appearance of an unbroken expanse of parking surface. The required landscaping must include a minimum ten-foot-wide landscape strip along any street frontage. Any parking area in excess of thirty (30) parking spaces shall require interior landscaped islands.

**Section 5.** Severability. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

**Section 6.** Effective Date. This ordinance shall take effect in accordance with the City of Cherry Hills Village Home Rule Charter.

Adopted as Ordinance No. 07 Series 2007, by the City Council of the City of Cherry Hills Village, Colorado this 1<sup>st</sup> day of May, 2007.

  
Michael J. Wozniak, Mayor

ATTEST:

  
\_\_\_\_\_  
Karen C. Losier, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Thad W. Renaud, City Attorney

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**CITY OF CHERRY HILLS VILLAGE  
PUBLIC NOTICE**  
The following Ordinance was passed on second reading by the City Council of Cherry Hills Village, Colorado on Tuesday, May 1, 2007:  
**ORDINANCE NO. 07, SERIES 2007**  
**A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE AMENDING CHAPTER 16 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE CONCERNING ZONING, BY AMENDING SECTION 16-16-30, CONCERNING OFF-STREET PARKING REQUIREMENTS.**  
The ordinance is available for inspection at [www.cherryhillsvillage.com](http://www.cherryhillsvillage.com) and at the office of the City Clerk during regular business hours.  
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Published: May 10, 2007  
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