

Town of West Yellowstone

Town Council Work Session

Tuesday, August 23, 2016

Town Hall, 440 Yellowstone Avenue

West Yellowstone, Montana

6:00 PM

Agenda

Public Comment Period

CDBG Grant Application Update

Discussion

Planning Board

Discussion

- Parking in lieu
- Planning Board Role

The Public is invited to attend.



17.42.100 Payment for purchase of off-street parking spaces.

Whenever within the B-3 zoning district of the town off-street parking spaces must be provided, the property owner or developer may, subject to town council review and approval, pay for parking spaces not provided in accordance with Section [17.42.090](#). The property owner or developer, upon written application to the town council, shall make a request to the town council to purchase off-street parking spaces in lieu of those not provided by the property owner or developer. The town council shall review each application and shall only approve an application if it conforms to the intent of this code as set forth in Section [17.42.010](#), and to criteria established by the town council, including but not limited to traffic congestion, potential traffic hazards, and the general safety and well-being of the public. If the application is approved, the property owner or developer shall pay a fee to the town to purchase the parking spaces not provided for the particular building or use, prorated in accordance with lot ownership.

A. Of the total parking required for motels, eighty percent must be provided on site. Twenty percent may be off site through the cash-for-parking fee. Required parking spaces can be parking on the street directly adjacent to the property, based on frontage, but cannot exceed fifty percent of the total spaces located on the street adjacent to the subject property.

Example: If a motel needs one hundred spaces, eighty spaces must be on site. If there are twenty spaces in front of the motel on the street, they can consider ten of them in their cash-for-parking plan; the other ten will be elsewhere, but they will still pay the current parking space fee for all twenty spaces.

B. For short-term uses, which are those uses shown with an asterisk in Table 17.42.090, the following formula shall be applied: total number of spaces required according to Table 17.42.090 minus those provided on premises, with the difference to be multiplied by 0.2. The result is the number of spaces that must be purchased.

Example: If an eating establishment needs twenty spaces and provides ten on-site spaces, the remainder, ten, is multiplied by 0.2. The result, two, is the number of spaces that must be purchased. For change of use, the two purchased spaces are counted as either two long-term spaces or ten short-term spaces.

C. The fee charged for each parking space required which is not provided by the developer in accordance with the requirements of this chapter shall be a one-time fee, the amount of which shall be established by resolution of the town council. This fee amount shall be paid to the town and shall be reviewed and adjusted periodically to reflect changes in development costs. Approval by the town council shall be obtained and payment of the fee shall be made to the town prior to the issuance of a building permit, or if there is no construction or alteration of a building, but only a change of use, then prior to the granting of a business license. All fees collected and all interest earned shall be held in a parking fund established by the town to be used for the creation and maintenance of municipal parking spaces. (Ord. 254 §3, 2010; Ord. 231 §1, 2007; Ord. 215 §6, 2004; Ord. 188 (part), 1996; Ord. 164 (part), 1994)

17.42.110 Payment exceptions.

Payment for purchase of parking spaces not provided shall not be acceptable for the following uses in the B-3 zoning district:

1. Single-family dwellings;
2. Multifamily dwellings;
3. Apartments, condos, townhouses; and
4. Mobile homes. (Ord. 164 (part), 1994)

RESOLUTION No. 325

A RESOLUTION RECOGNIZING THE NEED FOR INCREASED PUBLIC PARKING SPACES IN THE TOWN OF WEST YELLOWSTONE, AND DECREASING THE AMOUNT OF PAYMENTS FOR CASH FOR PARKING REQUIRED FOR DEVELOPMENT WITHIN THE TOWN, AS PROVIDED IN SECTION 17.42.100 OF THE WEST YELLOWSTONE CODE.

BE IT RESOLVED by the Town of West Yellowstone, Montana as follows:

WHEREAS, Section 17.42.100 of the West Yellowstone Town Code provides for payment for parking of spaces required for development within the Town; and

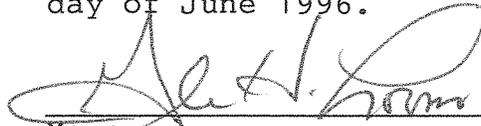
WHEREAS, The town has established a fee of \$3000.00 per parking space as the amount required for payment for parking spaces pursuant to the Town Code Section mentioned above; and

WHEREAS, in view of the cost of improving real property to provide adequate public parking spaces, and the need for additional parking spaces in connection with development of property within the Town, it appears that the present fee for payment of parking should be reduced,

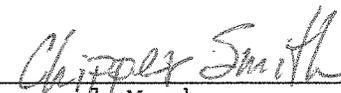
NOW, THEREFORE, IT IS HEREBY RESOLVED by the Town of West Yellowstone, Montana that the fee provided for in section 17.42.100 of the Town Code for payment of purchase of off-street parking spaces shall be set at \$1200.00.

IT IS FURTHER RESOLVED that the decrease provided for herein shall be effective immediately upon passage and attestation of this Resolution.

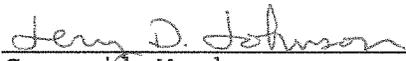
PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS day of June 1996.



Mayor



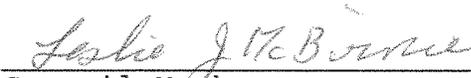
Council Member



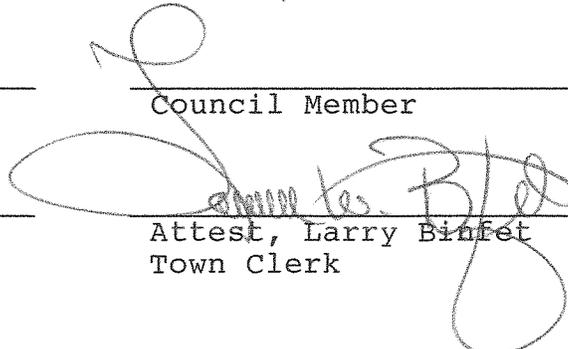
Council Member



Council Member



Council Member



Attest, Larry Binnet
Town Clerk

Parking in Lieu

Block	Lot	# of Spaces	Amount Paid	Date Paid	Purchaser
8	3	0.2	\$480	2/8/00	Montana Café
10	14	1.8	\$270	2/24/91	Rusted Oak - Nunnes
11	8	1.5	\$225	9/29/87	Clyde Seely
12	10	2	\$2,400	11/23/99	Salon West Spa
15	W 105' /S 60' of 6	2.6	\$390	11/18/87	Madison River Outfitters
15	N 100' of 5	10.8	\$1,620	12/24/90	Lincoln Development (Mr. Zips)
16	14	11.3	\$1,695	5/10/88	Daniels Corp. (Canyon Square)
16	8	10	\$1,500	2/19/91	West Park Mall
16	14	2	\$300	8/19/94	Canyon Square Mall
16	6	4	\$4,800	7/14/00	Roundup Trading Post
16	11, 12 & 13	6.4	\$7,680	6/15/01	Madison Crossing
18	14	2	\$2,400	8/31/99	Loomis Enterprises
22	5 & 6	1	\$3,000	4/1/95	Conrad Mitchell / Comfort Inn
24	13	4	\$600	9/10/93	Randy Roberson
24	1 & 7	19	\$2,850	12/3/93	Smith & Chandler
25	8,12,13&14	51	\$7,650	1/27/94	Yellowstone Conference Hotel
26	9	7.1	\$8,520	4/11/97	Bears Den
26	11	3	\$450	9/14/93	Traveler's Lodge - Loomis Ent.
27	1/2 of 7	1.7	\$2,040	3/10/98	White's Mall
27	4	0.8	\$960	4/1/14	Old Town Café
27	6	4.6	\$690	7/5/88	First Security Bank
27	13	3.5	\$4,200	4/7/97	Outpost Restaurant
27	14	2.3	\$345	12/16/87	Grant Lincoln (Borchers Station)
27	14	7.5	\$1,125	10/9/91	Jacklin's
28	W 80' of 2	2.3	\$2,760	8/27/97	Strozzi's Dude
			\$58,950		

**Chapter 2.04
TOWN PLANNING BOARD**

Sections:

2.04.010 Created.

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There is created a town planning board that shall consist of seven members and shall be appointed in accordance with MCA Section 76-1-221, and governed by the applicable sections of MCA Chapter 1, Title 76. (Ord. 69, 1977)

Mobile Version

Montana Code Annotated 2015

[Previous Section](#) [MCA Contents](#) [Part Contents](#) [Search](#) [Help](#) [Next Section](#)

76-1-221. Membership of city planning board. (1) A city planning board shall consist of not less than seven members to be appointed as follows:

- (a) one member to be appointed by the city council from its membership;
- (b) one member to be appointed by the city council, who may in the discretion of the city council be an employee or hold public office in the city or county in which the city is located;
- (c) one member to be appointed by the mayor upon the designation by the county commissioners of the county in which the city is located;
- (d) four citizen members to be appointed by the mayor, two of whom shall be resident freeholders within the urban area, if any, outside of the city limits over which the planning board has jurisdiction under this chapter and two of whom shall be resident freeholders within the city limits.

(2) The clerk of the city council shall certify members appointed by its body. The certificates shall be sent to and become a part of the records of the planning board. The mayor shall make similar certification for the appointment of citizen members.

History: (1)En. Sec. 4, Ch. 246, L. 1957; amd. Sec. 1, Ch. 271, L. 1959; Sec. 11-3804, R.C.M. 1947; (2)En. Sec. 7, Ch. 246, L. 1957; Sec. 11-3807, R.C.M. 1947; R.C.M. 1947, 11-3804(part), 11-3807.

Provided by Montana Legislative Services

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76-1-102. Purpose. (1) It is the object of this chapter to encourage local units of government to improve the present health, safety, convenience, and welfare of their citizens and to plan for the future development of their communities to the end that highway systems be carefully planned; that new community centers grow only with adequate highway, utility, health, educational, and recreational facilities; that the needs of agriculture, industry, and business be recognized in future growth; that residential areas provide healthy surroundings for family life; and that the growth of the community be commensurate with and promotive of the efficient and economical use of public funds.

(2) In accomplishing this objective, it is the intent of this chapter that the planning board shall serve in an advisory capacity to presently established boards and officials.

History: En. Sec. 1, Ch. 246, L. 1957; amd. Sec. 1, Ch. 247, L. 1963; amd. Sec. 2, Ch. 273, L. 1971; R.C.M. 1947, 11-3801(part).

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[Previous Section](#) [MCA Contents](#) [Part Contents](#) [Search](#) [Help](#) [Next Section](#)

76-1-106. Role of planning board. (1) To ensure the promotion of public health, safety, morals, convenience, or order or the general welfare and for the sake of efficiency and economy in the process of community development, if requested by the governing body, the planning board shall prepare a growth policy and shall serve in an advisory capacity to the local governing bodies establishing the planning board.

(2) The planning board may propose policies for:

- (a) subdivision plats;
- (b) the development of public ways, public places, public structures, and public and private utilities;
- (c) the issuance of improvement location permits on platted and unplatted lands; or
- (d) the laying out and development of public ways and services to platted and unplatted lands.

History: En. Sec. 28, Ch. 246, L. 1957; amd. Sec. 10, Ch. 247, L. 1963; R.C.M. 1947, 11-3828(1), (2); amd. Sec. 5, Ch. 582, L. 1999; amd. Sec. 2, Ch. 599, L. 2003.

Provided by Montana Legislative Services