

**ARTICLE VI: PARKING, DRIVEWAYS & LOADING****DIVISION 50 PARKING REQUIREMENTS****Section 50.01 General**

The provision of adequate off-street parking is a vital part of the functional design of any area. In addition, the aspect of safety for both pedestrians and motorists is a primary consideration in the application of this Division. Specific requirements for the provision of off-street parking and loading shall be provided under this Division.

**Section 50.02 Application of Regulations**

- A. The requirements will be enforceable at the time of the erection of any building and/or at the time any principal building is enlarged or increased in capacity (through the addition of dwelling units, guest rooms, seats, or floor area).
- B. The requirements will be enforceable before the conversion from one type of use and/or occupancy to another use or occupancy. If a change in use causes an increase in the required number of off-street parking, stacking or loading spaces, such additional spaces shall be provided in accordance with the requirements of this Ordinance; except that if the change in use would require an increase of less than five percent in the required number of parking spaces, no additional off-street parking shall be required.
- C. All parking spaces required by this division shall be a minimum of 200 square feet in area with a minimum width of ten feet. Handicap spaces shall be provided according to the requirements set forth in the North Carolina State Building Codes, Volume I-C.
- D. Parking spaces may be provided in a parking garage or a properly graded and surfaced open space.
- E. No spaces that are rented or are located on a public right-of-way may be counted toward compliance with this division.
- F. All parking, stacking and loading facilities shall be permanently maintained by the owners or occupants as long as the use they serve exists.
- G. All parking, stacking and loading facilities shall have vehicular access to a public street or approved private street.
- H. Land used to provide required parking, stacking, and loading shall not be used for any other purposes, except for temporary events. If such land is devoted to any other purpose, the Certificate of Occupancy of the affected principal use shall immediately become void.
- I. The construction of or modification to (I) open parking lots containing 1,500 or more spaces or (ii) parking decks and garages containing 750 or more spaces shall comply with

the concentrated air emissions standards of the NC Division of Environmental Management.

### **Section 50.03 Special Parking Requirements**

- A. Central business district. The requirements of this division are not applicable to a Central Business District, provided there is adequate off-street or satellite parking available to accommodate all noncommercial uses.
- B. Residential districts. Where parking spaces for more than eight (8) cars are required in a residential district, the following shall be complied with:
  - 1. The lot may be used only for parking and not for any type of loading, unloading, sales, dead storage, repair work, dismantling, servicing, or recreation.
  - 2. All entrances, exits, barricades at sidewalks, and drainage plans shall be acceptable per the subdivision regulations of the Town.
  - 3. A strip five feet wide shall be reserved as open space adjoining any street line of any lot zoned for residential use, and shall be guarded with wheel bumpers and planted in grass and/or shrubs, according to the bufferyard requirements of this Ordinance.

### **Section 50.04 Certification**

Each application for a zoning permit for a commercial, industrial, institutional, or multi-family residential unit submitted to the Zoning Administrator shall identify the location and dimensions of off-street parking spaces and driveways in accordance with the requirements of this division.

### **Section 50.05 Combination of Required Parking Space**

- A. The required parking spaces for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use except as provided in subsection (B) below.
- B. One-half of the parking spaces required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use that will be closed at night and on Sundays. Provided said parking is within four hundred (400) feet and permission of adjacent property owner is obtained.

### **Section 50.06 Remote Parking Space**

- A. If off-street parking spaces required by this section cannot be reasonably provided on the same lot on which the principal use is located, such spaces may be provided on any land within 400 feet of the main entrance to such principal use provided the land is in the same ownership as the principal use or secured by a long term lease arrangement, which shall be renewable for as long as the requirement for the off-street parking of the principal use exists.

- B. Land described in subsection (A) above shall be used for no other purpose.
- C. When adequate provisions for parking space (meeting the requirements of this Article) have been made for the principal use on its lot, the requirements of divisions (A) and (B) above shall be inapplicable. (Note: In such cases, the applicant shall apply for a certificate of compliance for the principal use.)
- D. In cases of new construction, an applicant shall submit (with his application for a building permit and zoning permit) a document, duly executed and acknowledged, which subjects the land to remote parking use in connection with the principal use for which it is made available. (Note: The applicant shall deposit the appropriate filing fee and, upon the issuance of a zoning permit, the Zoning Administrator shall cause the document to be registered in the Office of the County Register of Deeds.)

### **Section 50.07            Number of Parking Spaces Required**

- A. The minimum number of required off-street parking and stacking spaces is indicated in Table 50.07.
- B. Whenever the number of parking spaces required by Table 50.07 results in a requirement of a fractional space, any fraction of one-half or less may be disregarded while a fraction in excess of one-half shall be counted as one parking space.
- C. For any use not specifically listed in Table 50.07, the parking and stacking requirements shall be those of the most similar listed use, as determined by the Zoning Administrator.
- D. All developments in all zoning districts shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question.
- E. The Board of Commissioners and Planning Board recognizes that, due to the particularities of any given development, the inflexible application of the parking standards set forth in Table 50.07 may result in a development either with inadequate parking space or parking space far in excess of its needs. Therefore, the permit-issuing authority may permit deviations from the requirements of Table 50.07 and may require more parking or allow less parking whenever it finds that such deviations are more likely to satisfy the general standard delineated in subsection (D). The permit issuing authority may allow deviations, for example, when it finds that a residential development is irrevocably oriented toward the elderly, disabled or other population that demonstrates a lesser parking need or when it finds that a business or service is primarily oriented to walk-in trade. Whenever the permit-issuing authority allows or requires a deviation from the requirements of Table 50.07, it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

**DIVISION 55 DRIVEWAYS AND LOADING**

**Section 55.01 Driveway Requirements**

The following requirements are applicable to all districts:

- A. Commercial and residential districts.
  - 1. No portion of any entrance driveway leading from a public street shall be closer than 20 feet to the corner of any intersection, measured along the right-of-way line from the intersection of the rights-of-way of the two streets.
  - 2. The width of any driveway leading from a public street shall not exceed 30 feet at its intersection with the curb or street line.
  - 3. No two driveways on a single lot leading from a public street shall be within 20 feet of each other measured along the right-of-way between the nearest approximate edges of the curb cuts for each, except for single-family and two-family residencies.
- B. Industrial districts.

Centerlines of driveways leading to and from the same establishment shall not be closer than 75 feet.

**Section 55.02 Off-Street Loading**

The number of off-street loading berths required by this section shall be considered as the absolute minimum, and the developer should evaluate his/her own needs to determine if they are greater than the minimum specified by this section. For purposes of this section, an off-street loading berth shall have minimum dimensions of 13 feet by 25 feet, and 14 feet clearance with adequate means for ingress and egress in a forward motion.

- A. For a nonresidential structure containing not more than 25,000 square feet of gross floor area, one berth shall be required.
- B. For a nonresidential structure containing 25,000 or more square feet of gross floor area, the number of berths specified in the table below shall be provided.

Square Feet of Gross Floor Area	Required Number of Berths
25,000 to 79,999	2
80,000 to 127,999	3
128,000 to 191,999	4
192,000 to 255,999	5
256,000 to 319,999	6
320,000 to 400,000	7
Each 90,000 above 400,000	1