

**CHAPTER 7
OFF-STREET PARKING AND LOADING REQUIREMENTS**

Section 7.1 Off-Street Parking Loading, and Storage Requirements

Every new use, shall require off-street parking, loading, and/or storage space in compliance with these regulations. Any enlargement, expansion or alteration or change of an existing use shall also require off-street parking, loading, and/or storage space in compliance with these regulations. However, if the enlargement, alteration or expansion is of a use located in the C-B Zoning District, the use shall be exempt from providing additional off-street parking, loading, and/or storage space, as required in this Section.

7.1.1 The number of required off-street parking spaces shall be increased when a change of use of either a structure or of land requires additional parking spaces in compliance with this Section (except as noted in Section 6.7). Parking spaces may be decreased when a change of use requires fewer spaces than was originally provided.

7.1.2 A principal use which is not deficient in the number of off-street parking spaces provided may expand without having to provide additional off-street parking spaces under certain circumstances. Such circumstances are:

A. When, after the expansion, the number of off-street parking spaces provided still meets or exceeds the required minimum.

B. If the expansion results in the need to create no greater than five (5) off-street parking spaces in order to meet the minimum number of required spaces, these additional spaces may be waived by the Zoning Administrator on a one-time basis only. In shopping centers, office parks and similar planned, phased or multi-use developments, such waiver may only be applied once within the development.

In no instance shall a reduction be allowed for the number of off-street parking spaces parking for any use which expands when, prior to such expansion, said use was deficient in the number of off-street parking spaces provided.

7.1.3 A certificate of occupancy shall not be issued for any use until all off-street parking and loading requirements in accordance with this Ordinance have been met and are in place and ready for use.

7.1.4 Location of Required Parking

Off-street parking spaces shall generally be provided on the same lot as the principal use. In instances where such parking for a principal non-residential use cannot be reasonably provided on the same lot, it may be provided on a separate lot. At least 1/2 of the required parking shall be provided on the lot containing the principal use or a satellite lot, provided said parking lies within a 300 foot walking distance to the lot containing the principal use, or 300 foot walking distance if the use served is allowed in residentially zoned areas or is any non-residential use seeking off-site parking in a residentially zoned district (R-A-R-20, R-10).

In all Residential (R-A, R-20, R-10) zoning districts, required off-street parking shall be provided on the lot on which the use is located.

7.1.5 Cooperative Parking

- A. Cooperative provisions for off-street parking may be made by contract between two or more adjacent property owners. The parking area provided on any one lot may be reduced to not less than one-half (1/2) the number of parking spaces required for the use occupying such lot. The end result shall be that the sum of the parking spaces for the uses computed cooperatively shall be the same or more than if the uses were computed separately. Any such cooperative parking mechanism must first be submitted to the Zoning Administrator for his review and approval prior to the issuance for certificate of occupancy.
- B. Similarly, one parking area may contain required spaces for several different uses, but except as otherwise provided in this Section, the required space assigned to one use may not be credited to any other use.
- C. To the extent that developments that wish to make joint use of the same parking spaces operate at different times up to one-half (1/2) of the parking spaces may be credited to both uses if one use is a church, theater, or assembly hall whose peak hours of attendance will be at night or on Sundays, and the other use is one which will be closed at night or on Sundays.

7.1.6 Parking Space Dimensions

- A. Each parking space, (other than those designed for the disabled) shall contain a rectangular area at least twenty (19) feet long and ten (10) feet wide. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, so long as the parking spaces so created contain within them the rectangular area required by this section.
- B. Wherever parking areas consist of spaces set aside for parallel parking, the dimensions of such parking spaces shall be not less than twenty-three (23) feet by nine (9) feet.
- C. Each angled parking space, (other than those designed for the disabled) shall contain a rectangular parking area of the following size:

<u>Parking Angle</u>	<u>Stall Width</u>	<u>Stall Length</u>
0-15 degrees	10'	23'
16-90 degrees	10'	19'

7.1.7 Required Widths of Parking Area Aisles and Driveways

- A. Parking area aisle widths shall conform to the following table, which varies the width requirement according to the angle of parking.

<u>Aisle Width</u>	<u>Angle of Parking</u>				
	<u>0</u>	<u>30</u>	<u>45</u>	<u>60</u>	<u>90</u>
One Way Traffic	13	13	13	18	24
Two Way Traffic	19	20	21	23	24

- B. Driveways shall be not less than ten feet in width for one way traffic and eighteen feet in width for two way traffic, except that ten feet wide driveways are permissible for two way traffic when (i) the driveway is not longer than fifty feet, (ii) it provides access to not more than six spaces, and (iii) sufficient turning

space is provided so that vehicles need not back into a public street. In no case shall a driveway width exceed thirty-six (36) feet in width, except as required by NCDOT.

7.1.8 Spaces for the Disabled

- A. Except for a lot containing a duplex, triplex, quadruplex, or single-family dwelling, all uses shall be required to provide the following number of spaces designed for disabled persons.

<u>Total Number of Required Off-Street Parking Spaces</u>	<u>Total Number of Spaces Required for Disabled</u>
1-50	1
51-100	2
101 or more	2 plus one for every fifty spaces over one hundred

The number of such spaces shall be in addition to those indicated in Table 2.

- B. Off-street parking spaces for the disabled shall be designed as follows:
 1. All spaces for the disabled shall have access to a curb-ramp or curb-cut when necessary to allow access to the building served, and shall be located so that users will not be compelled to wheel behind parked vehicles, and shall be located the shortest possible distance between the parking area and the entrance to the principal building it serves.
 2. Parallel parking spaces for the disabled shall be located either at the beginning or end of a block or adjacent to alley entrances. Curbs adjacent to such spaces shall be of a height which will not interfere with the opening and closing of motor vehicle doors.
 3. Each parking space for the disabled shall be paved and prominently outlined with paint, with a permanent sign of a color and design approved by the North Carolina Department of Transportation, bearing the internationally accepted wheelchair symbol, posted at the head of the parking space.
 4. The size of the parking space shall be per building code specifications.

7.1.9 General Design Requirements

- A. Unless no other practicable alternative is available, any off-street parking area shall be designed so that, without resorting to extraordinary movements, vehicles may exit such areas without backing onto a public street. This requirement does not apply to parking areas consisting of driveways serving lots which contain one or two family dwelling units, although backing onto collector or arterial roads is discouraged.
- B. Off-street parking areas of all developments shall be designed so that sanitation, emergency, and other public service vehicles can serve such developments without the necessity of backing unreasonable distances or making other

dangerous of hazardous turning movements.

- C. Every off-street parking area shall be designed so that vehicles cannot extend beyond the perimeter of such area onto adjacent properties or public rights-of-way. Such areas shall also be designed so that vehicles do not extend over sidewalks or tend to bump against or damage any wall, vegetation, or other obstruction.
- D. Circulation areas shall be designed so that vehicles can proceed safely without posing a danger to pedestrians or other vehicles and without interfering with parking areas.
- E. No off-street parking area shall be located over an active or auxiliary septic tank field.
- F. All off street parking areas shall be located no closer than ten (10) feet from the edge of any public street right-of-way and five (5) feet from the edge of any sidewalk area.
- G. Lighting of off-street parking lots must be directed away from lot lines and nearby residences.

7.1.10 Off-Street Parking Area Surfaces

- A. Off-street parking areas [in zoning districts other than in the Industrial districts (M-1, M-2)] that are required to have more than five (5) parking spaces shall be graded and surfaced with asphalt, concrete, bituminous surface treatment or other material that will provide equivalent protection against potholes, erosion, and dust. Such parking surfaces shall not, however, be required for off-street parking facilities serving family day care centers, customary home occupations, rural home occupations, athletic fields, churches, or public or private parks,
- B. Off-street parking areas that are not provided with the type of surface specified in subsection 7.1.10 (A) shall be graded and surfaced with crushed stone, gravel, or other suitable material to provide a surface that is stable and will help to reduce dust and erosion. The perimeter of such parking areas shall be defined by bricks, stones, railroad ties, or other similar devices. In addition, whenever such a vehicle accommodation area abuts a paved street, the driveway leading from such street to such area (or, if there is no driveway, the portion of the off-street parking area that opens onto such streets), shall be paved as provided in subsection 7.1.10 (A) for a distance of fifteen feet back from the edge of the paved street. This subsection shall not apply to single-family or two-family residences or other uses that are required to have only one or two parking spaces.
- C. Parking spaces in areas surfaced in accordance with subsection 7.1.10 (A) shall be appropriately demarcated with painted lines or other markings. Parking spaces in areas surfaced in accordance with subsection 7.1.10 (B) shall be demarcated whenever practical.
- D. Off-street parking areas shall be properly maintained in all respects. In particular, and without limiting the foregoing, off-street parking area surfaces shall be kept in good condition (free from potholes, etc.) and parking space lines or markings shall be kept clearly visible and distinct.

7.1.11 Off-Street Parking Lot Usage

- A. The use of off-street parking lots in residential zones is limited to private passenger vehicles (cars, mini-vans, sport utility vehicles, pick-up trucks).
- B. No repair, washing, or maintenance of vehicles, display, or storage of vehicles or merchandise is allowed in off-street parking lots.
- C. The temporary parking or storage of manufactured homes shall be prohibited in any zoning district in which manufactured homes are not permitted (excluding manufactured homes located in manufactured sales lots).
- D. Automobiles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

7.1.12 Off-Street Parking Space Requirements

The number of off-street parking spaces for any particular use as required by this Ordinance shall be computed as follows:

- A. When units of measurement determining the number of required parking spaces result in a fractional space, any fraction of one-half (1/2) or more shall require one (1) parking space.
- B. Where seats consist of pews or benches, each twenty (20) inches of a pew or bench shall be considered as one seat.
- C. For the purpose of computing parking requirements based on the number of employees, the on-site owners or managers shall also be considered employees.
- D. The number of required off-street parking spaces designed for use by handicapped persons as prescribed by the North Carolina State Building Code shall be computed separately from the off-street parking requirements as otherwise contained in this Ordinance.
- E. Table 2 indicates the required number of off-street parking spaces for any use permitted by right or subject to the issuance of a conditional use permit as indicated in this Ordinance, except as noted in Section 7.1.12(D) above.

**TABLE 2
REQUIRED OFF-STREET PARKING SPACES**

<u>Group Number</u>	<u>Parking Requirements</u>
0.1	None
0.2	To be determined by the Zoning Administrator by individual review.
0.3	Four (4) spaces for each five (5) personnel including reservists expected to report for duty at the facility on any day of maximum use.
0.4	One (1) space per three (3) boat slips.

- 0.5 The required amount of parking for the residential and commercial uses on the lot.
- 1.1 Two (2) spaces per dwelling unit.
- 1.2 One (1) space plus additional parking as herein provided for the principal residential dwelling.
- 1.3 Efficiency Units - 1.5 Spaces Per Unit
1 or 2 Bedroom Units - 2.0 Spaces Per Unit
3+ Bedrooms Per Unit - 2.25 Spaces Per Unit
Dwellings designed specifically for the Elderly or Disabled -1.25 Spaces Per Unit
- 1.4 To be determined by computing the parking requirements for the types of dwelling units composing the planned residential development.
- 1.5 One (1) per employee during the shift of greatest employment plus one (1) per vehicle used in the operation plus 1.5 spaces per dwelling unit.
- 1.6 One (1) space for each employee who does not reside on-premises plus the required spaces for the residential dwelling unit plus one (1) space for each three hundred square feet of gross floor area devoted to the home occupation (up to a maximum of three such spaces.)
- 1.7 One (1) space per room rented in the dwelling unit plus the required spaces for the dwelling unit.
- 1.8 The number of parking spaces required for each individual use within the development as herein provided.
- 1.9 Four (4) spaces per family care home.
- 2.1 One (1) space per guest bedroom plus one (1) space per employee on the shift of maximum employment.
- 2.2 Three (3) spaces for each five (5) resident beds.
- 2.3 One (1) space per employee during the shift of greatest employment plus three (3) spaces for the first twenty-five (25) persons of certification capacity and one (1) space for each additional twenty five (25) persons of certification capacity.
- 2.4 One (1) space plus additional required parking spaces for the residential dwelling.
- 2.5 One (1) space per two hundred (200) square feet of office area.
- 2.6 One (1) space per employee during the shift of greatest employment plus one (1) space for each vehicle used in the operation plus one (1) space for each four (4) horses capable of being kept at the facility.
- 2.7 One (1) space per employee during the shift of greatest employment plus one (1) space for each three (3) viewer or spectator seats.
- 2.8 One (1) space for each two hundred (200) square feet of gross floor area plus two (2) spaces for each fuel nozzle.

- 2.9 One (1) space for each two hundred-fifty (250) square feet of gross floor area.
- 2.10 One (1) space per employee during the shift of greatest employment plus three (3) spaces per service bay. Service bays shall not be considered as being off-street parking spaces.
- 2.11 One (1) space per employee during the greatest shift of employment plus one (1) space per three (3) boat slips. Additional parking shall be required as provided in this section for ancillary services such as restaurants, motels, gift shops, etc.
- 2.12 Three (3) spaces or one space per four hundred (400) square feet of gross floor area of enclosed retail sales area, whichever is greater; plus additional spaces required for the residential use.
- 2.13 One (1) space per camp site plus one (1) space per employee during the shift of greatest employment plus one (1) space per vehicle used in the operation.
- 2.14 One (1) space per four hundred (400) square feet of gross floor area plus one space per employee during the shift of greatest employment.
- 2.15 One (1) space per three hundred (300) square feet of gross floor area.
- 2.16 One (1) space per three (3) spectator seats (or spectator capacity in the largest gymnasium or assembly hall) plus one (1) space per employee during the shift of greatest employment.
- 2.17 One (1) space per two students during the shift of greatest enrollment. If an auditorium is provided for performances, parking spaces for this shall be computed separately.
- 2.18 One (1) space per two hundred-fifty (250) square feet of gross floor area, plus one hundred (100) linear feet of queuing area per drive-in window plus two (2) spaces per automatic teller.
- 2.19 One (1) space per employee during the shift of greatest employment plus one (1) additional space per credit or tax counselor during said shift.
- 2.20 One (1) space per three (3) seats in the chapel(s), plus one space for each employee during the shift of greatest employment. In addition, off-street parking area shall be provided to accommodate a minimum of thirty (30) passenger vehicles for the purpose of forming a funeral procession.
- 2.21 Two (2) spaces per bed, not including bassinets.
- 2.22 One (1) space per two hundred and fifty (250) square feet of gross floor area.
- 2.23 One (1) space per one hundred (100) square feet of gross floor area; or one space for each employee during the shift of greatest employment plus one (1) space per each three (3) customer seats, whichever is greater. If drive-in window service is provided, a reservoir area equal to at least three (3) spaces per drive-in window shall be provided.
- 2.24 Same as Subsection 2.23 plus one (1) space for each call-box located outdoors on-premises.
- 2.25 Four spaces for each salesperson plus one (1) space per each other employee during the shift of greatest employment. These spaces shall be in addition to those used for

vehicle/boat display purposes. If repair and/or auto/boat body services are provided on-site, these shall be computed separately.

- 2.26 One (1) space located away from pumps for each fuel nozzle plus three (3) spaces for each service bay plus one (1) space for each employee during the shift of greatest employment.
- 2.27 One (1) space per employee during the shift of greatest employment, plus one (1) space for each vehicle used in the operation plus one (1) space for each four hundred (400) square feet of retail sales and customer area.
- 2.28 Three (3) spaces per barber, or beautician, or photographer.
- 2.29 One (1) space per employee during the shift of greatest employment plus one (1) space for each three patron seats.
- 2.30 One and one-half (1-1/2) spaces per employee during the shift of greatest employment.
- 2.31 One (1) space per one hundred-fifty (150) square feet of gross floor area.
- 2.32 Three (3) spaces per bowling lane, batting range or golf hole plus one (1) space per employee during the shift of greatest employment plus one (1) space per vehicle used in the operation.
- 2.33 Three (3) spaces per pool table plus one (1) space per employee during the shift of greatest employment.
- 2.34 One (1) space per speaker outlet plus one (1) space per employee.
- 2.35 Two (2) spaces per patient treatment or examination room (or similar patient treatment space) plus one (1) space per doctor practicing at the clinic or office plus one (1) space per each additional employee during the shift of greatest employment.
- 2.36 One (1) space per employee during the shift of greatest employment; and reserve spaces equal to three times the number of washing bays at the facility or capacity of the mechanical washing system (for automatic car washes), whichever is greater.
- 2.37 One (1) space per employee during the shift of greatest employment plus one (1) space per two hundred (200) square feet of customer reception area (if such reception area is provided.)
- 2.38 One (1) space per employee during the shift of greatest employment plus one (1) space for each two (2) washing machines.
- 2.39 One (1) space per employee during the shift of greatest employment.
- 2.40 One (1) space per one hundred-fifty (150) square feet of waiting area.
- 2.41 One (1) space per ten (10) storage units plus one (1) space per employee during the shift of greatest employment.
- 2.42 One (1) space per employee during the shift of greatest employment plus one (1) space for each vehicle used in the operation. In addition, in order to accommodate visitors, one additional space per ten (10) required spaces shall be provided.
- 2.43 One (1) space per employee during the shift of greatest employment plus one (1) space

for each vehicle used in the operation.

- 2.44 One (1) space per three hundred (300) square feet of lot area used for display or sales.
- 2.45 One (1) space for each three persons that the facility is designed to accommodate plus one (1) space for each employee during the shift of greatest employment.
- 2.46 One (1) space per employee during the shift of greatest employment plus one (1) space for each vehicle used in the operation.
- 2.48 One (1) space per employee during the shift of greatest employment plus one (1) space for each vehicle used in the operation. In addition, in order to accommodate visitors, one additional space per ten (10) required spaces shall be provided with a minimum of five (5) and a maximum of ten (10) such "visitor" spaces being required.
- 2.49 One (1) space per employee during the shift of greatest employment, plus one (1) space for each vehicle used in the operation plus one (1) space for each six-hundred (600) square feet of retail display or wholesale cash and carry area.
- 2.50 One (1) space for each two hundred (200) square feet of gross floor area of all uses, excluding indoor theaters. The parking requirements for indoor theaters shall be computed separately.
- 2.51 One (1) space per employee during the shift of greatest employment plus one (1) space for each three (3) persons that the facilities are designed to accommodate when fully utilized.
- 2.52 Two (2) spaces per salesperson, plus one (1) space for each vehicle used in the operation.
- 2.53 One (1) space per four hundred (400) square feet of sales or display area.
- 2.55 One and one-half (1-1/2) spaces per employee.
- 2.56 One (1) space per three-hundred (300) square feet of office area.
- 2.57 One and one-half (1-1/2) spaces per batting station plus one (1) space per employee during the shift of greatest employment.
- 2.58 One (1) space per two-hundred (200) square feet of retail sales area.
- 2.59 One (1) space per one-hundred (100) square feet of water; plus one space per tennis or racquetball court (outdoor or indoor) and one (1) space per two-hundred (200) square feet of exercise area not otherwise calculated for parking purposes.
- 2.60 Two (2) spaces per firing station plus one (1) space per employee during the shift of greatest employment.
- 2.61 1.2 spaces per employee during the shift of greatest employment.
- 2.62 One (1) space per one-hundred fifty (150) square feet of gross floor area plus one (1) space per employee during the shift of greatest employment.
- 2.63 Two (2) spaces per employee during the shift of greatest employment.
- 2.64 One (1) space per fifty (50) square feet of public area (including dining halls) plus one (1)

space per employee during the shift of greatest employment.

- 2.65 One (1) space per employee during the shift of greatest employment plus one space for each vehicle used in the operation. The spaces required for employees may be reduced by 0.75 for each employee that reports to work off-site at least seventy-five percent (75%) of work days.
- 2.66 One (1) space per employee during the shift of greatest employment plus one (1) space per dining table plus queuing space for at least twelve (12) automobiles per drive-through lane.
- 2.67 The off-street parking requirements for each principal use within the shopping center shall be computed separately.
- 2.68 One (1) space per two-hundred fifty (250) square feet of gross floor area.
- 2.69 One (1) space per employee during the shift of greatest employment plus one (1) space for each vehicle used in the operation plus two (2) spaces per each vehicle which is designed to be accommodated in the service area.
- 2.70 One (1) space per employee during the shift of greatest employment; in addition, the Zoning Administrator shall determine the number of spaces required for truck drivers who operate in the facility.
- 2.71 One (1) space per guest room or suite; plus one (1) space per employee during the shift of greatest employment plus one (1) space per three (3) seats in any meeting room.
- 3.1 One (1) space per staff member plus 1.6 spaces per classroom; or one (1) space for each three seats used for assembly purposes, whichever is greater.
- 3.2 One (1) space for each three (3) seats in the sanctuary. Where seats consist of pews or benches, each twenty (20) inches of a pew or bench shall be considered as one seat.
- 3.3 Five (5) spaces for each room used for instruction; or one (1) space for each three (3) seats used for assembly purposes, whichever is greater. "Assembly purposes" shall be deemed to include the capacity of either indoor or outdoor assembly, whichever is greater.
- 3.4 One (1) space for each three (3) persons that the facilities are designed to accommodate when fully utilized (if such a measurement can be made), plus one (1) space two hundred (200) feet of gross floor area used in a manner not susceptible to such calculation.
- 3.5 One (1) space per employee during the shift of greatest employment plus parking on private internal roads with room for cars to pass parked cars on said roads.
- 3.6 One (1) space per employee during the shift of greatest employment plus one (1) space per twenty-five (25) inmates.
- 3.7 One (1) space per two hundred (200) square feet of area which is accessible to patrons and their guests which is located within enclosed buildings plus one (1) space for every three (3) persons that the outdoor facilities are designed to accommodate when used to their maximum capacity.
- 3.8 One (1) space per three hundred (300) square feet of office area plus one (1) space for each vehicle used in the operation plus one (1) space for each three (3) seats in the

waiting room area.

- 3.9 One (1) space for each three (3) students plus one (1) space per employee during the shift of greatest employment.
- 3.10 One (1) parking space for each employee during the shift of greatest employment plus two (2) additional spaces.
- 3.11 One (1) space per employee during the shift of greatest employment, plus one (1) space per vehicle used in the operation plus one (1) space per two hundred (200) square feet of customer waiting area.
- 3.12 One (1) space per employee during the shift of greatest employment plus one space per vehicle used in the operation plus one space per two (2) patron seats; or one (1) space per three auditorium or similar spectator seats, whichever is greater.
- 3.13 One (1) space for every three persons that the facilities are designed to accommodate when used to the maximum capacity plus one (1) space per employee during the shift of greatest employment.
- 3.14 One (1) space per employee during the shift of greatest employment plus one (1) space per vehicle used in the operation; plus one (1) space per three hundred (300) square feet of viewing area or one (1) space per three (3) auditorium seats or similar spectator seats, whichever is greater.
- 3.15 One (1) space per employee during the shift of greatest employment plus one (1) space for each vehicle used in the operation plus seven (7) additional spaces.
- 3.16 One (1) space per employee during the shift of greatest employment plus four (4) spaces per hole plus one (1) space for each vehicle used in the operation (excluding golf carts).
- 3.17 One (1) space per employee during the shift of greatest employment plus three (3) spaces per hole. If an amusement arcade is provided on-site, parking requirements for it shall be computed separately.
- 4.1 One (1) space per employee during the shift of greatest employment plus one (1) space per vehicle used in the operation. In order to accommodate visitors, one additional space for each twenty (20) required spaces shall also be required.
- 4.2 One (1) space per employee during the shift of greatest employment; plus one (1) space per vehicle used in the operation; plus one (1) space per six-hundred (600) square feet of retail sales floor area or five (5) spaces, whichever is greater.

7.1.13 Landscaping Within Off-Street Parking Areas

The purpose of such landscaping is to provide a visual buffer both to the motorist traveling on adjacent roads and to persons using the off-street parking facility. In addition, the landscaping shall serve as a means of reducing glare, controlling water runoff, and promoting the improved appearance of off-street parking areas which might otherwise consist of large unbroken expanses of paved surfaces.

- A. Landscaping, in accordance with the requirements contained herein, shall be required in off-street parking areas under the following circumstances:
 - 1. The off-street parking area contains twenty (20) or more spaces; and

2. The off-street parking area lies in any front or side yard; or in a rear yard and said rear yard is visible from any public road right-of-way adjoining the subject property.

In addition, if a building permit is requested for the renovation of a previously developed site which increases the building square footage by 50% or more, these requirements for landscaping off-street parking areas must be provided as a minimum. Property zoned C-B is exempt from this requirement.

- B. The amount of landscaping shall be a function of the zoning district in which the lot is located. Landscaping, calculated by the required number of trees and shrubs per parking space (in such areas where landscaping is required), shall be provided at a minimum as follows:

<u>Zoning District</u>	<u>Required Number Of Trees And Shrubs Per Parking Space</u>
1. R-A, R-20, R-10	Trees - 0.30 Shrubs - 0.75
2. G-B, M-1, M-2	Trees - 0.15 Shrubs - 0.50

Thus, if there were an off-street parking area containing 125 spaces (in the front and side yards), and such parking area were located in an G-B zone, internal landscaping within the parking area shall consist of a minimum of 38 trees, and 94 shrubs. If the same parking area were located in a R-10 District, 19 trees, and 63 shrubs would be required.

- C. Landscaping along the perimeter of parking areas or landscaped areas not bounded on at least three (3) sides by parking spaces, driveways, or maneuvering areas shall not be counted toward the landscaped area required under this Section.
- D. Trees to be planted shall be selected from the approved species listed in Table 3 and 4. Minimum tree caliper measured 6 inches above ground on all trees shall be 2-1/2" and the minimum height shall be 8 feet. No trees identified as large maturing trees shall be planted within 20' of an electrical distribution line. This does not include low-voltage insulated or covered lines of 240 volts or less or telephone or cable television lines.
- E. Shrubs used in any screening or landscaping must be at least 2 feet tall when planted and shall be selected from the approved species listed in Section 7-5.4.7A. They must be of a variety and adequately maintained so that an average height of 5 to 6 feet could be expected as normal growth within 3 years of planting.
- F. Any landscaped area provided under this Section shall not contain bare soil. Any ground area shall be covered with stones, mulch, grass, or other decorative or vegetative ground cover.
- G. Any landscaped area provided under this Section shall be separated from parking spaces, driveways, and maneuvering areas by a curb at least six (6) inches high and the landscaped area shall be at least eight (8) feet wide and designed to minimize damage by vehicles to plants located in the landscaped

area. The minimum unpaved area per tree shall be 200 square feet.

H. No shrubs shall be located within any vehicle overhang area. [Area two (2) feet beyond curb or wheel stop at the head of a parking space].

I. Each parking space shall be no further than sixty (60) feet from a tree constituting part of the required landscaped area.

J. Landscaping Installation and Maintenance

The plantings that constitute required landscaping shall be properly installed and maintained in order to fulfill the purpose for which it is established. Required trees shall be selected from the Approved Species List found in Table 3 and 4. Required shrubs shall be selected for healthy growth under local climate conditions and are not highly prone to disease, and from an approved species found in Section 5.4.7A. Plant materials shall be planted in accordance with generally recommended and accepted planting and growing practices. The owner of the property, and any tenant on the property where landscaping is required shall be jointly and severally responsible for the maintenance of all required landscape materials. Such maintenance shall include all actions necessary to keep the landscaped areas free of litter and debris; to keep plantings healthy; to keep growth from interfering with safe vehicular or pedestrian travel, or use of parking areas; or from creating any nuisances to adjoining properties.

Any vegetation that constitutes part of the required landscaping shall be replaced in the event that it dies. All landscaping materials shall be protected from damage by erosion, motor vehicles or pedestrians.

K. Use of Existing Landscaping Features

Use of existing trees or shrubs to satisfy the off-street landscaping requirements of this section is strongly encouraged. If such existing landscaping is used and consists of mature and semi-mature trees, the Zoning Administrator shall have the authority to reduce the amount of required landscaping by up to fifty (50) percent. In no instance shall any paved area within the parking area extend closer to any existing tree used for landscaping than its drip line.

L. Landscaping Required Prior to Issuance of Certificate of Occupancy

After the effective date of this Ordinance, a Certificate of Occupancy shall not be issued for any use located on a lot(s) upon which screening and/or landscaping is required, unless such screening and landscaping is provided on said lot(s) as herein specified.

M. Improvement Guarantees

It is recognized that vegetation used in landscaping or screening should be planted at certain times of the year to ensure the best chance of survival. In order to ensure compliance with this section and to reduce the potential expense of replacing landscaping or screening materials which were installed in an untimely or improper fashion, in lieu of requiring the completion and installation of these improvements prior to occupancy, the Town of Badin may enter into an agreement with the subdivider/developer whereby the subdivider/developer shall agree to complete all required landscaping and screening. To secure this agreement, the subdivider/developer shall provide to the Town of Badin one of

the following guarantees. The amount of such guarantee shall be equal to 1.25 times the cost of purchasing, installing, and completing landscaping and screening materials required under this Ordinance. All such guarantees shall be subject to the approval of the Town Council and shall be made payable to the Town of Badin. The subdivider/developer shall provide either one or a combination of the following guarantees:

1. Surety Performance Bond(s)

The subdivider/developer shall obtain a performance bond(s) from a surety company authorized to do business in North Carolina. The duration of the bond(s) shall be until such time as the improvements are accepted by the Town Council.

2. Cash or Equivalent Security

The subdivider/developer shall deposit cash, an irrevocable letter of credit or other instrument readily convertible into cash at face value, either with the Town or in escrow with a financial institution designated as an official depository of the Town of Badin.

If cash or other instrument is deposited in escrow with a financial institution as herein provided, the subdivider/developer shall then file with the Town of Badin an agreement between the financial institution and himself guaranteeing the following:

- a. That said escrow account shall be held in trust until released by the Town Council and may not be used or pledged by the subdivider/developer in any matter during the term of the escrow; and
- b. That in the case of a failure on the part of the subdivider/developer to complete said improvement, the financial institution shall, upon notification by the Town of Badin and submission by the Town of Badin to the financial institution of a landscape architect's estimate of the amount needed to complete the improvements, immediately either pay to the Town the funds estimated to complete the improvements, up to the full balance of the escrow account, or deliver to the Town any other instruments fully endorsed or otherwise made payable in full to the Town.

3. Default

Upon default, meaning failure on the part of the subdivider/developer to complete the required improvements in a timely manner as spelled out in the performance bond or escrow agreement, then the surety, or the financial institution holding the escrow account, shall, if requested by the Town Council, pay all or any portion of the bond or escrow fund to the Town of Badin up to the amount needed to complete the improvements based on a landscape architect's estimate. Upon payment, the Town Council, in its discretion, may expend such portion of said funds as it deems necessary to complete all or any portion of the required improvements. The Town shall return to the bonding firm any funds not spent in completing the improvements. Should the amount of funds needed to complete the installation of all required improvements exceed

the amount in the bond or escrow account, the subdivider/developer shall nonetheless be responsible for providing the funds to cover such costs. The subdivider/developer shall at all times bear the financial burden for the installation of all required improvements. A lien shall be attached to the property if the subdivider/developer fails to provide the full financial responsibility under this Section.

4. Release of Guarantee Security

The Town Council may authorize the Town Clerk to release a portion of any security posted as the improvements are completed and approved by the Town. Such funds shall then be released within ten (10) days after the corresponding improvements have been so approved.

7.1.14 Off-Street Loading Requirements

In order to assure a proper and uniform development of off-street loading areas and to relieve traffic congestion in the streets, the off-street loading requirements set forth in this Section will apply in two Business District zones (G-B), and in the and Industrial (M-1, M-2) Districts. The C-B District is exempt from providing off-street loading requirements.

7.1.14.1 Minimum Off-Street Loading Space Requirements

The following minimum loading space requirements shall apply for the appropriate use:

<u>Type of Use</u>	<u>Gross Floor Area (Square Feet)</u>	<u>Required Number of Loading Spaces</u>
Office,	0 - 4,999	None
Restaurant,	5,000 - 49,999	1
Hotel or	50,000 - 99,999	2
Motel	100,000+	2 plus one for each 100,000 square feet of gross floor area in excess of 100,000 square feet
Other	0 - 4,999	None
Commercial	5,000 - 19,999	1
Establish-	20,000 - 49,999	2
ments,	50,000 - 79,999	3
Shopping	80,000 - 99,999	4
Centers	100,000 - 149,999	5
or Industrial Uses	150,000+	5 plus one for each 50,000 square feet of gross floor area in excess of 150,000 square feet.

7.1.14.2 Design of Loading Spaces

Off-street loading spaces shall be designed and constructed so that all maneuvering to park vehicles for loading and unloading can take place entirely within the property lines of the premises. Loading spaces must be designed so as to not interfere with the normal movement of vehicles and pedestrians on public rights-of-way. Where feasible, off-street loading shall be located in the rear yard. In certain zoning districts, however, off-street loading areas shall be required in the rear yard. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

Each loading berth shall have a paved surface and be a minimum of twelve (12) feet in width and thirty-five (35) feet in length. Each such berth shall also have a minimum vertical clearance of fourteen (14) feet. For any use which is required to furnish three (3) or more loading berths, at least one (1) of every three (3) berths shall have a minimum width of twelve (12) feet, minimum length of sixty-five (65) feet and a minimum vertical clearance of fourteen (14) feet.