

TOWN OF MONTREAT

ZONING ORDINANCE

ARTICLE IX - ~~OFF-STREET~~ PARKING AND LOADING REGULATIONS

(Revised 6/14/2001); (Revised 11/14/2002)

(Revised 9/10/2009); (Revised 1/14/2010)

900 Off-Street Parking Regulations.

900.1 General. Areas suitable for parking or storing automobiles and bicycles in off-street locations shall hereafter be required in all Zoning Districts at the time of initial construction of any principal building producing an increase in dwelling units, guest rooms, floor area, seating or bed capacity, or when a conversion in use occurs unless provisions are made to accommodate a combination of on and off-street parking in accordance with the provisions of this section. A requirement to supplement existing parking accommodations shall only apply to new construction or work involving increases in area of - or modifications to - existing buildings, or changes in use or occupancy classification as defined by N.C. State Building Code. The requirement for additional accommodations shall be based upon the increased area or change only. Resurfacing/re-stripping of existing parking facilities shall not be required to comply with all provisions of this ordinance unless a change in the layout or number of provided spaces occurs. Such off-street parking areas shall be provided and maintained in accordance with the requirements set forth herein.

Off-street parking areas shall be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way, sidewalks or strike against or damage any wall, vegetation, utility, or other structure. All paved parking areas shall be curbed using a standard curb with a minimum width of 1'-6". This requirement may be waived by the Town if alternative stormwater management designs are approved and incorporated to encourage sheet flow drainage into pervious areas or as part of an overall engineered stormwater water retention/treatment system. All newly-installed parking lots, regardless of surfacing, shall retain stormwater onsite or direct flows to systems designed to effectively remove pollutants and promote infiltration and recharge of the subsurface aquifer.

With the exception of one- and two-family dwellings, all public-use parking spaces/areas shall be clearly delineated and identified by use of reflective paint, signage or other durable surface treatment as approved by the Town. Signage shall be Engineering Grade Prismatic (EGP) reflective finish designed in compliance with the current effective Manual on Uniform Traffic Control Devices (MUTCD) guidance. Accessible spaces for use by persons with disabilities shall be provided in conformity with the current effective North Carolina State Building Code and ADA standards. Compact car, bicycle, and other special-use parking spaces shall be located and clearly identified to provide ease-of-use by the public.

900.2 Parking Space Area Requirements. For the purpose of this Ordinance, parking space dimensions (other than those designed to be handicap accessible) shall be as follows:

1. A standard car parking space is nine feet (9') wide and eighteen feet (18') long.

2. A compact car parking space is eight feet (8') wide and sixteen feet (16') long.
3. Parallel parking space dimensions shall be a minimum of eight feet (8') wide and twenty feet (20') long.

No two-way entrance or aisle shall be greater than ~~less than~~ twenty-four feet (24') wide. In no event shall an entrance be greater than ~~less than~~ twelve feet (12') for one-way traffic. No parking area shall be closer than eight feet (8') to the traveled portion of the roadway and said eight foot area shall be maintained as a landscaped buffer, unless the Zoning Official determines an alternate layout/design provides an equivalent safety factor. No vegetation in this landscaped area shall exceed two and one-half feet (2 1/2') in height nor shall it obstruct visibility at any intersection, entrance or the traffic intersection. Parking areas shall be constructed with proper drainage and well-maintained traffic directional system.

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900.3 Parking Area Surfaces.

900.31 All vehicular parking spaces shall be constructed of durable, dustless surface as defined herein unless otherwise approved by the Zoning Official and shall comply with the remaining requirements of this section for durable, dustless surfaces.

900.32 The durable, dustless surface may be temporarily omitted upon approval of the Zoning Official wherever it can be shown by the property owner or developer that the permanent size, shape or location of the parking area cannot be determined until the permanent development of the property is accomplished. In those instances where a nondurable, non-dustless surface is approved, such surface shall at all times be maintained in good condition and free of ruts, potholes and vegetation. Failure to properly maintain such area may be considered sufficient cause for the Zoning Official to require the owner to construct a durable, dustless surface.

900.33 For the purposes of this Section, a durable, dustless surface shall be constructed of concrete, asphalt, macadam, brick or similar material or special paving brick or block or structural grid material of such design as to permit the passage of water freely through the brick or block or permit the cultivation of grass within the voids thereof.

Loose stone or compacted stone without a suitable bonding agent may be acceptable as a durable, dustless surface if incorporated as part of an engineered pervious surface designed to accept the associated vehicular loads.

900.4 Permitted Slope. No grade within a commercial or institutional parking area ~~or access lanes~~ shall exceed sixteen percent (16%) slope. Residential parking areas shall not exceed twenty percent (20%) maximum grade. Driveway areas that exceed 20% slope and/or which do not provide adequate turnaround width for parked vehicles may not be included in calculation of required parking spaces. Accessible parking spaces, as defined by the current effective North Carolina State Building Code and ADA standards, Volume 1-C, shall not exceed a surface slope of two percent (2%) at any point.

900.5 Bicycle Parking. ~~Every use or occupancy All non-residential and multi-family residential buildings~~ shall include an area for parking bicycles, other than single- and two-family residential buildings which shall be considered exempt from the requirements of this section. This area may be designated parking space(s) within the parking lot near the building or an area outside the parking lot adjacent to the building. The bike parking area shall include a bike rack. Bicycle parking accommodations shall be classified as either short-term or long-term use spaces. Short-term use is defined as being readily accessible to cyclist visiting a building or area for less than twenty-four hours; long-term use provides parking accommodations for cyclist intending to make use of overnight facilities for one or more days. For all non-exempt residential uses, including those in combination with other uses, at least eighty percent (80%) of resident bicycle parking shall be designed as long-term parking. Any additional parking provided for guests parking shall be designed as short-term parking. For all other uses, at least eighty percent (80%) of all bicycle parking shall be designed as short-term parking. Required short-term bicycle parking spaces shall be located in a convenient and visible area within one hundred (100) feet of a principal entrance and shall permit the locking of the bicycle frame and one (1) wheel to the rack and shall support a bicycle in a stable position. Required long-term bicycle parking spaces shall be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas or private storage areas accessory to dwelling units. With permission of the zoning administrator, long-term bicycle parking spaces for nonresidential uses may be located off-site within three hundred (300) feet of the site. Bicycle parking standards are based on the number of vehicular parking spaces and the expected time needed to park the bike. All bicycle parking requirements (short- and long-term) shall be demonstrated on site plans and final plats for development.

The minimum number of bicycle parking spaces per any multi-family or non-residential use, when required is two (2) or one rack. A single “inverted-U” bicycle parking rack will count as two (2) bicycle parking spaces. The maximum required short-term bicycle spaces shall be 20 or 10 “inverted-U” racks for any single development.

900.5 ~~Location on Other Property. If the required automobile parking space cannot reasonably be provided on the same lot with the principal use, such spaces shall be provided on~~

~~other off-street property under the same ownership or on other property rented or leased, provided such property lies within five hundred feet (500') walking distance of the main entrance to such principal use. Such automobile parking spaces shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner which would reduce the number of parking spaces below the required minimum.~~

900.6 Shared Parking. Shared parking may be approved under the following conditions:

1. Adjacent lots serving non-residential buildings must be interconnected.
2. Only two (2) facilities/buildings that meet the conditions stated in this section may request shared parking for a given parking lot/area.
3. Where vehicular access is provided between adjoining non-residential uses and the operating hours of adjoining uses do not overlap, all of the required parking spaces (up to 100%) may be shared. For example, if a church, theater, assembly hall or other use with peak hours of attendance at night or on Sundays, is located next to another use or uses that are closed at night or on Sundays, both uses may be able to take advantage of this option.
4. If the operating hours of two (2) adjoining non-residential uses overlap five or fewer hours each day, half of the required parking spaces (up to 50%) may be shared.

The joint use of shared off-street parking between two uses must be guaranteed by a contract or other legally binding document between two or more adjacent property owners.

~~900.6 Common Off-Street Parking Areas. Two (2) principal uses may utilize a common parking area in order to comply with off-street parking requirements, provided that the total number of individual spaces available in such common areas is not less than the total sum of the spaces required for the individual uses as separately computed in accordance with the provisions of this Ordinance, and provided that the owner of said lot relinquished his/her development rights over to the property until such time as minimum required parking space is provided elsewhere.~~

900.7 Use of Public Streets for Parking. When determining parking area requirements for individual uses, portions of public streets may not be considered as permissible for parking unless part of an overall parking plan developed to accommodate new construction, alterations to, or changes in use of, existing buildings.

1. Parallel parking is currently permitted only along select streets in the Institutional (I) or Institutional/Residential (I/R) Districts, as delineated on the official zoning map, due to historic use of these locations for parking. Requests for approval of newly-created parallel or diagonal parking spaces in the I and I/R Districts of Town shall be **evaluated and approved** reviewed for approval on a case by case basis by the **Town Administration, Town Administrator, Public Works Director and Code Administrator.**
2. Residential buildings may meet or contribute to meeting motor vehicle parking requirements with on-street parking if individual driveways are minimized and the

fronting street is sized or specifically designed to accommodate the parking needs of residential buildings. On-street parking shall be permitted by means of an Administrative Approval. The residential buildings served by the provided parking area(s) shall operate with the understanding that their use of these facilities is non-exclusive and continued access to the public is to be maintained. No private signage shall be permitted that restricts public use of designated on-street parking spaces or areas.

900.8 Structured Parking. Above-ground structured parking ~~should~~ shall be screened in such a way that cars are not visible from adjacent buildings or pedestrian ways. Locating structured parking at the interior of the block or developed area, surrounded by buildings, is the preferred method.

~~900.8 Off-Street Parking Space Requirements. Off-street parking space shall be provided for uses listed below as specified:~~

900.9 Off-Street Parking Space Requirements. Off-street parking space shall be provided for uses listed below as specified:

900.91 Residential Occupancies.

1. Residential and Institutional/Residential District.

A. Single and Two-Family Residential. The total number of required parking spaces for residential structures shall be calculated by considering both heated square footage and sleeping accommodations (bedrooms) provided, and shall be the greater of the two.

- i. The number of parking spaces based on square footage is as follows:
Two (2) spaces required per dwelling unit up to 2000 square feet. One (1) additional space required for each additional 500 square feet above 2000. For existing homes out of compliance with this ordinance, one (1) additional parking space shall be required for each 500 square feet that is added to the structure.
- ii. The number of parking spaces based on bedrooms is as follows: For dwelling units there shall be one (1) parking space for each bedroom. For existing homes out of compliance with this ordinance, one (1) additional parking space shall be required for each bedroom that is added to a structure.

B. Multi-Family Dwellings, Lodges and Boarding Houses. A minimum of one (1) auto space per dwelling unit or rooming unit is required with one (1) space for resident owner or manager. One (1) additional compact car space and one (1) long-term bicycle space are required for each multiple of four (4) dwelling or rooming units (or fraction thereof). Short-term bicycle parking accommodations are not required until four (4) long-term bicycle spaces are

installed based upon number of units provided, at which point one (1) short-term space shall be required for every four (4) long-term spaces installed. A maximum of two (2) auto spaces is permitted per dwelling or rooming unit.

2. Institutional District Use Requirements.

A. Inns and Motels/Hotels. One (1) auto space per rooming unit is required with one (1) space per manager/staff member. One (1) compact car space and one (1) long-term bicycle space is required for each multiple of five (5) rooming units. A maximum of 1.25 auto spaces is permitted per rooming unit (rounded to the nearest whole number).

B. Dormitories. One (1) auto space per each two (2) persons in the dorm based on full occupancy. Ten percent (10%) of the total number of required auto spaces may be met through installation of compact spaces. One (1) long-term and two (2) short-term bicycle parking spaces are required for every ten (10) occupants (or fraction thereof) based on full capacity.

900.92 Other Occupancies/Uses. One (1) auto space per 1,000 square feet of gross floor area. One (1) compact car space per each twenty (20) required auto spaces (or fraction thereof). One (1) long-term and two (2) short-term bicycle parking spaces are required for every twenty (20) spaces installed (or fraction thereof).

~~900.81 Residential. The total number of required parking spaces for residential structures shall be calculated by considering both heated square footage and sleeping accommodations (bedrooms) provided, and shall be the greater of the two:~~

~~1) The number of parking spaces based on square footage is as follows: Two (2) spaces required per dwelling unit up to 2000 square feet. One (1) additional space required for each additional 500 square feet above 2000. For existing homes out of compliance with this ordinance, one (1) additional parking space shall be required for each 500 square feet that is added to the structure.~~

~~2) The number of parking spaces based on bedrooms is as follows: For dwelling units there shall be one (1) parking space for each bedroom. For existing homes out of compliance with this ordinance, one (1) additional parking space shall be required for each bedroom that is added to a structure.~~

~~900.82 Commercial, Professional Offices and Government. One (1) space for each two hundred (200) square feet of gross floor space.~~

~~900.83 Recreation Areas:~~

~~Ball Fields. One (1) space per five (5) seats in the stands.~~

~~Tennis Courts. Two (2) spaces per court.~~

~~900.84 — Gymnasiums and Other Indoor Recreation Facilities. One (1) parking space for each one hundred fifty (150) square feet of gross floor area.~~

~~900.85 Cultural and Community Facilities, Places of Public Assembly and Religious Complexes. One (1) parking space per one hundred fifty (150) square feet of gross floor space or one (1) space per each three (3) seats in the principal assembly room or area, whichever is greater.~~

~~900.86 — Boarding Houses. One (1) space for each guest room and one (1) space for each owner or manager residing on the premises.~~

~~900.87 — Educational Facilities.~~

~~900.871 — Classroom Buildings. — Provide one (1) space every two (2) students. The count of students shall be performed on September 1 annually.~~

~~900.872 Administrative Offices. Provide one (1) space for each full-time employee.~~

~~900.873 — Dormitories. One (1) space per each two (2) persons in the dorm based on full occupancy.~~

~~900.88 — Family Care Homes, Group Care Facilities and Hospitals. One (1) space for each four (4) patient beds, plus one (1) space for each staff or visiting doctor, plus one (1) space for each three (3) employees.~~

900.9 Off-Street Loading Regulations.

900.91 Loading Spaces. Every Building, excluding single family, two family and group dwellings, shall provide space indicated herein for the loading and unloading of vehicles off the street. Such space shall have access to an alley or if there is no alley, to a street. For the purposes of this Section, an off-street loading space shall have the minimum dimensions of twelve feet (12') by forty feet (40') and be free and clear of obstruction at all times. However, the minimum loading requirements shall meet the needs of each individual use. Required space shall be considered as follows:

- 1) Multi-family dwellings with more than ten dwelling units and large group dwellings: One (1) loading space.
- 2) All other uses:

<u>Square Feet</u>	<u>Number of Spaces</u>
01-25,000	1
25,000 – 99,000	2
100,000 – 159,000	3
160,000 – 239,000	4
239,000 – 349,000	5
Additional 100,000 or fraction thereof	1 additional

900.92 Loading Spaces Adjacent to Sidewalks. Where a loading space is adjacent to a public sidewalk or other public walkway, it shall be so located, arranged and improved with curbs or other barriers, as to provide adequate protection for pedestrians.

900.93 Maneuvering Areas. All off-street loading spaces shall be allowed to use public rights-of-way for maneuvering areas incidental to parking, but loading spaces shall be so located that no vehicle will obstruct traffic or be parked on a street while loading or unloading is taking place.