

## **ARTICLE 7: STREET, PARKING, DRIVEWAY AND CONNECTIVITY STANDARDS**

### **Section 7.1 Street Design Standards**

#### **Section 7.1.1 Purpose**

The primary purpose of Section 7.1 is to establish standards for streets and street patterns in the jurisdiction of the Town of Elm City. The North Carolina Department of Transportation Traditional Neighborhood Development (TND) Guidelines (hereafter referred to as TND Road Guidelines) and the North Carolina Department of Transportation Division of Highways Board of Transportation Subdivision Road Minimum Construction Standards (hereafter referred to as or Subdivision Road Standards) as amended shall be used as the principal street standards for the Town of Elm City.

#### **Section 7.1.2 Application**

- A. The TND Road Guidelines shall be applied in subdivisions and developments where non-vehicular travel is to be afforded every practical accommodation that does not adversely affect safety considerations and the subdivisions or developments are within the corporate limits of the Town of Elm City or served with the Town's public water and sewer. These type subdivisions and developments include residential subdivisions, Planned Residential Developments, and Planned Village Developments. The Board of Commissioners may waive the use of these standards and allow the Subdivision Road Standards to be applied for a particular subdivision or development based upon recommendations from the TRC and the Planning Board and findings that the guidelines are impractical for the particular subdivision or development, there are safety considerations or non-vehicular traffic is a low priority and need for the particular subdivision or development. The Board of Commissioners may also require these guidelines be applied in other subdivisions and developments, depending upon adjacent developments, existing and proposed land uses and related pedestrian and non-vehicular travel needs and opportunities in the adjoining areas.
- B. The Subdivision Road Standards may be used for other subdivisions and developments, such as non residential subdivisions, large commercial and industrial developments and other development where non-vehicular travel is a lower priority or less practical, and the needs of the subdivision or development are best met by the Subdivision Road Standards. These standards are also suitable for subdivisions and developments outside the corporate limits of the Town of Elm City and are not served with the Town's public water and sewer.

- C. Either the Subdivision Road Standards or the TND shall be utilized for subdivision development or other developments where public roads are needed or required. The use of the Subdivision Road Standards or TND must be requested by the owner, applicant or subdivider and approved by the Board of Commissioners with recommendations from the Subdivision Administrator, TRC and/or Planning Board at the time of a site plan, Sketch Plan or Preliminary Subdivision review. However, use of these standards does not negate the requirement for continuity, including sidewalks and bicycle facilities as set forth in Section 7.2 in Article 7. In addition, the Board of Commissioners may require that the TND Road Guidelines be followed, depending upon adjacent developments, existing and proposed land uses and related pedestrian and non-vehicular travel needs and opportunities in the adjoining areas. The determination and approval by the Board of Commissioners of the type of street required should be addressed at the subdivision sketch plan stage as set forth in Section 3.2.4 in Article 11 and Section 11.2.25 in Article 11.
- D. Regardless of the standards or guidelines applied to a subdivision or development, the connectivity requirements set forth in Section 7.2 shall be applicable and met.

#### **Section 7.1.3 TND Road Guidelines Benefits**

- A. Application of the TND Road Guidelines results in developments that are more walkable as compared to conventional subdivisions. A street layout using these guidelines has the potential to increase access by encouraging and accommodating alternate transportation, including bicycling and walking. Also, by using these guidelines there is a higher potential for greater interconnectivity of streets, resulting in reduced vehicle miles traveled. These guidelines support a dense network of narrow streets that serve to both slow and disperse vehicular traffic and provide a pedestrian friendly environment.
- B. In the application of TND Road Guidelines the overall function, comfort and safety of a multipurpose or “shared” street system are more important than its vehicular efficiency alone. Use of these guidelines produces a high proportion of interconnected streets along with sidewalks and non-vehicular paths. Streets and rights of ways may be shared between vehicles (moving and parked), bicycles and pedestrians. Most streets are designed to minimize through traffic by the design of the street and the location of land uses. Streets are designed to only be as wide as needed to accommodate the usual vehicular mix for that street and the land uses along the street while still providing adequate access for moving vans, garbage trucks, fire engines and school buses.

#### **Section 7.1.4 Town of Elm City Street Network Design Principles**

- A. The street hierarchy characteristics are set forth in the following table and provide insight as to the traffic characteristics reflected by each type of road. In addition, street design principles are provided to maximize the establishment of a street network that promotes multi-functionality, illustrates applied design elements reinforced in the TND Road Guidelines and encourages development of livable neighborhoods and pleasing developments with tree lined, pedestrian/bicycle friendly boulevards and streets.

<b>Street Design Principles</b>		
<b>Type Street Hierarchy</b>	<b>Traffic Characteristics</b>	<b>Desirable Street Design Principles</b>
<b>Freeways</b>	Widest road with 100 feet or more of Rights of Way - Provides limited or controlled access for high-speed, high volume, long-distance, such as interstate or major highway travel by cars and trucks.	Note: DOT regulated, designed and constructed
<b>Arterial (Thoroughfare, Parkway or Boulevard)</b>	Wide road with approximately 100 or less feet of Rights-of-Way - Provides regional interconnectivity with multi-lane, high-speed, high volume, long-distance, inter-city, cross-town travel by cars and trucks with some long-distance bicycle travel. Parkways pass traffic through natural areas; Boulevards pass traffic through urban areas.	Narrow, tree-lined boulevards with trees in the medians, nature strips with sidewalks located behind them, bicycle lanes and street lighting for pedestrians and drivers. (Nature strips are the six to seven feet of green space between sidewalks and the curb and gutter which separate the people on the sidewalk from the traffic by providing space for trees and nature.)
<b>Secondary Arterial Roads (Avenue)</b>	Approximately 60 feet of Rights-of-Way - Provides relatively short distance medium speed connectors between neighborhoods and core areas traveled by cars and trucks along with bicyclist use.	Narrow, tree-lined boulevards with trees in the medians, nature strips with sidewalks located behind them, bicycle lanes, street lighting for pedestrians and drivers and bulb-outs with on-street parking. (Bulb-outs are an extension of the curb and gutter to the edge of the parking lane. The space created can be used for landscaping and street furniture and to reduce pedestrian crossing distances and slow vehicles.)

<p><b>Collector Roads (Main Street, Collector street)</b></p>	<p>Approximately 50 feet of Rights-of-Way - Provides low-speed access to neighborhoods and collects and distribute vehicles to and from the arterial road system to residential neighborhoods and commercial areas with relatively high pedestrian and bicycle use.</p>	<p>Narrow, tree-lined, on-street parking with pedestrian refuges, sidewalks, bicycle lanes and built-in traffic calming elements. Intersections are compact, low speed intersections using minimum size radii or modern roundabouts. A grid network of collector streets allows distribution of traffic throughout the neighborhood so no residents suffer from high traffic levels and all residents enjoy high levels of mobility. Because residents can reach locations by foot or bicycle, vehicle volumes are reduced. The many entrances and exits reduce traffic on arterial roads, especially turning vehicles, thereby reducing road costs. To be truly effective in reducing vehicle speeds, grid neighborhoods are built with traffic calming elements integrated into the street design.</p>
<p><b>Residential Streets (Lane, Local Street or Alley)</b></p>	<p>Typically 50 feet or less in Rights-of-Way width; Provides access to homes with high use by vehicles, pedestrians and bicyclists. Lanes provide access to single family homes and local streets provide access to a variety of homes and alleys provide access to properties for services but are not intended for through traffic</p>	<p>Usually 24 to 28 feet wide, but can be less if only servicing a few homes, parking permitted on both sides, short segments, sidewalks and trees on both sides, and built-in traffic calming elements. Intersections are compact, low speed intersections using minimum size radii or modern roundabouts.</p>

- B. In designing and arranging street patterns and types with a subdivision or development the above street design principles are endorsed by the Board of Commissioners are strongly encouraged to be implemented in any proposed street system.

**Section 7.1.5 Street Requirements and Standards**

- A. The standards set forth in the North Carolina Department of Transportation Traditional Neighborhood Development (TND) Guidelines and the North Carolina Department of Transportation Division of Highways Board of Transportation Subdivision Road Minimum Construction Standards as amended shall serve as the basic requirements for street and related infrastructure design, construction and installation. The standards and

requirements in these documents shall be applicable for all street and related infrastructure requirements not specifically set forth in Section 7.1.2

B. In addition, the following requirements shall also be met:

1. In relationship to adjoining street system, a proposed street or street segment shall extend to the existing street at the same width, but in no case less than the required minimum width of the existing street. When existing streets are wider than the required width of the new street, and safety concerns can be met, the developer may be permitted to provide for a transition between the "over-wide" street and the new street with the approval of the Board of Commissioners after recommendations from the TRC and Planning Board.
2. Streets shall intersect at right angles, or as nearly so as possible, and intersections of streets shall be designed so as to avoid "dog-legs." The minimum distance between intersections shall be one hundred twenty-five feet unless a different distance is approved by the Board of Commissioners.
3. The placement of streets and lots in relation to topography shall be considered in order to minimize filling, grading or other alterations of existing conditions.
4. Private streets may be platted in any subdivision, provided that:
  - a. The overall Town-wide circulation and connectivity requirements as set forth in Section 7. 2 have been addressed;
  - b. Every subdivision with private streets shall provide at least one access to a publicly dedicated street if less than five (5) acres in size and two (2) or more if five (5) acres or more in size.
  - c. There shall be no privately held or owned reserve strips paralleling or terminating at street ends or otherwise controlling access to streets;
  - d. Public pedestrian access shall be provided by trails, sidewalks, walkways or greenway corridors;
  - e. A maintenance agreement for the private street is recorded setting forth an unity that will be responsible for the maintenance, such as a Home owners association; and
  - f. The provisions of Section 11.2.19 shall be met

C. Each subdivision, except subdivisions with five (5) or fewer lots, shall have at least two points of access. However, in all cases all subdivisions shall meet the connectivity requirements in Section 7.2.

D. Street grades shall conform in general to the terrain. Street grades shall be such as to provide natural surface drainage of stormwater regardless of the presence or absence of storm sewers. The intent of this section is to avoid

creating depressions or inverts which will flood in flash storms and for which storm sewers are inadequate to limit the need for cuts and fills; and to respect the natural setting.

- E. Streets shall have storm provisions for stormwater management and control consisting of the proper size pipe, curb and gutter and catch basins within the corporate limits or open ditch drainage system within the areas outside the corporate limits.
- F. All streets within the corporate limits that are required to have sidewalks shall have such walkways with a minimum width preference of five (5) feet unless the Board of Commissioners approves a lesser or greater width based upon land use characteristics and other needs in the area. For example, a commercial area may require wider sidewalks while a smaller residential area with few homes might be sufficiently served with a lesser width walkway. Streets classified as collector roads and larger in the table in Section 7.1.2.A shall have sidewalks on both sides of the road unless waived by the Board of Commissioners for compelling reasons. In any situation where the Board of Commissioners with the recommendations of the Planning Board, TRC, Subdivision Administrator or other reviewing agency determines that sidewalks will be beneficial to the overall development and connectivity as set forth in Section 7.2 and/or serve the public interest or obviate a potential safety hazard, sidewalks or alternative walkways, such as greenway corridors, shall be required.
- G. Off-street walkway systems and/or trails may be considered in lieu of walkways required by this section if approved by the Board of Commissioners. Walkway systems and/or trails shall be hard-surfaced or constructed of a compacted surface as set forth in Section 8.2.3.A in Article 8.
- H. Sidewalks shall be located on the public right-of-way contiguous to the property line to prevent interference or encroachment by fencing, walls, and hedges or other planting or structures. Wider walkways (6 feet or more in width) may be required by the Board of Commissioners, especially in commercial development areas, in order to match existing development and/or to meet public health and safety concerns.
- I. Street pavement centerlines shall coincide with the centerline of the right-of-way where practical.
- J. Drive way shall be no closer than 100 feet to the nearest intersection, except for residential development where driveways may be within 40 feet of an intersection. Driveway may be required to set back further from an intersection if approved by the Board of Commissioners with recommendations from the planning Board, Subdivision Administration and TRC,

- K. Areas occupied by road-access easements shall not be included in the computation of the minimum area requirement of the lot.

## **Section 7.2 Connectivity for Streets, Bicycle and Pedestrian Use**

### **Section 7.2.1 Meaning and Purpose**

- A. Connectivity refers to the directness of links and the density of connections in a road network. Connectivity relates to the number of intersections along a segment of streets and how the entire area is connected to the whole road network system.
- B. The purpose of connectivity is to establish a system of streets with multiple routes and connections serving various origins and destinations. A well-connected road network has many short links, numerous intersections, and minimal dead-ends (cul-de-sacs). As connectivity increases, travel distances decrease and route options increase, allowing more direct travel between destinations, creating a more accessible road system that can accommodate a variety of transportation options, including pedestrian and bicycle traffic.
- C. Connectivity between local streets and high-volume streets is a significant transportation concern, and interconnected streets ease traffic flow problems between these type streets because they provide alternative routes that help decrease the demand on any single street. Inter-connectivity of the road system also balances traffic levels between streets.
- D. Connectivity allows greater access for fire, medical, and law enforcement. The interconnection of streets in neighborhoods promotes easier emergency access, improving overall safety in the community. In addition, increased connectivity reduces need for more vehicle travel around areas to get to a particular destination by enhancing greater accessibility between various travel origins and destinations.
- E. Improving connectivity to the street system also involves internal and adjacent site connections that provide route choices for pedestrians, bicyclists, as well as vehicles.

### **Section 7.2.2 Connectivity Design Principles**

In order to promote expanded connectivity of the Town of Elm City's road system and foster improvements to the overall system that encourage transportation options, including pedestrian and bicycle use, the following connectivity design principles are recognized and supported by the Board of Commissioners. All site development plans and subdivision plans are strongly encouraged to incorporate these principles into their overall traffic and road network designs.

- A. Street width, traffic control, and road surface requirements for bicycling are considered in all street construction and improvement projects.
- B. Sidewalk and crossing needs of pedestrians are considered in each street project or improvement.
- C. Bicyclist and pedestrian needs are considered in each rural highway project or improvement.
- D. Neighborhood-oriented commercial uses, parks, and schools are encouraged in or within safe and easy walking or bicycling distance from residential areas.
- E. Commercial and institutional developments are encouraged to be arranged adjacent to the street/sidewalk, rather than centered in (or at the rear of) a large parking lot.
- F. Major developments are encouraged to include plans for non-motorized travel, (sidewalk and bicycle routes) in terms of internal circulation and external access.
- G. New employment centers are encouraged to include plans for bicycle parking, showers, and lockers.
- H. Well-located, secure bicycle parking in business districts, development sites and other public sites is encouraged.
- I. Insure that the major roads (arterial and collector network) are compatible with pedestrian and bicycle travel needs by:
  - 1. Adding width (striped or un-striped) to through lanes and replace dangerous elements (unsafe grates, insensitive signals) for improved bicycle access.
  - 2. Adding or improving sidewalks, create safe crossings, add ADA-compliant ramps, and modify signalization and intersections where needed for improved pedestrian access.
  - 3. Widening and paving shoulders for use of bicyclists and pedestrians where appropriate and/or providing alternative routes where necessary.
  - 4. Insure that low-volume connectors provide a network of low volume streets and roads for through bicycle and pedestrian travel.
  - 5. Installation of sidewalks, elimination of hazards (e.g., sight distance restrictions), and addition of traffic calming measures (as needed) are encouraged.

6. Improve sidewalk and bicycle routes that provide alternatives to major arterials by including destination signing and marking, ADA-compliant curb ramps, and vehicle traffic diverters.
- J. Eliminate major barriers to bicycling and walking with consideration given to ADA access needs, as well as access through, around, over, or under major barriers.
- K. Appropriate long-term bicycle parking and bicycle/pedestrian access at major destinations, including safe lockers and/or supervised and secure parking, is provided.
- L. Adequate sidewalks, curb cuts and crossings, and non-motorized access from low-volume connectors are provided.
- M. Bicycle lanes and routes comply with State of North Carolina Department of Transportation approved guidelines for sidewalks and bicycle routes.
- N. Improved connectivity is encouraged through additions to the road network and missing access links.

### **Section 7.2.3 Connectivity Design Standards**

In order to promote expanded connectivity of the Town of Elm City's road system and foster improvements to the overall system that encourage transportation options, the following minimum connectivity standards shall be applicable in any new site development or subdivision four acres or more in size.

- A. Bike and pedestrian access ways shall be provided except where prevented by barriers. Such access ways may consist of sidewalks, bike routes delineated on the roads, separate bike and pedestrian paths, such as open space areas with greenway corridors. Bike and pedestrian access ways shall be designed so as to link or interconnect with other areas.
- B. Cul-de-sacs and other closed-end street systems shall be limited to situations where natural barriers prevent full street connections. Where used, close-end streets or cul-de-sacs shall be limited to no more than 400 feet in length, unless the Board of Commissioners grants approval for a longer cul-de-sac. Paths that provide shortcuts for walking and cycling shall be provided when ever possible between areas adjacent to the cul-de-sac development. Utilization of required open space areas can be used to meet this interconnectivity requirement. (See Section 8.1 in Article 8 regarding open space standards.)

- C. Traffic calming street designs, such as narrow widths, circular routes, and traffic islands, and/or installations, such as speed bumps, should generally be used instead of street closures to control excessive vehicle traffic.
- D. As much as possible, new developments and urban redevelopments should have a high degree of roadway and pathway connectivity. Typical street connectivity standards include the features listed below where they can reasonably be accommodated and are not restricted by geographic barriers.
1. Average intersection spacing for local streets shall be 300-400 feet.
  2. Maximum intersection spacing for local streets shall be limited to 550 to 650 feet.
  3. Maximum intersection spacing for arterial streets shall be 950 to 1,050 feet.
  4. Maximum spacing between pedestrian/bicycle connections shall be 300 to 400 feet with mid-block paths and pedestrian shortcuts created.
  5. Local street pavement widths should be reduced to 24-36 feet where possible.
  6. Maximum block size shall be limited to 5-12 acres.
  7. Gated communities and other restricted access roads that interfere with needed interconnectivity between areas or developments within a particular area shall be discouraged and should be avoided.
  8. Multiple access connections shall be required between a development and major arterial streets.
  9. A minimum connectivity index of approximately 1.4 is encouraged. (The connectivity index is calculated by dividing the number of road intersections by the number of road segments between intersections, including cul-de-sacs.)
  10. Pedestrian and cycling connections, and sometime connections for transit and/or emergency vehicles where appropriate, are encouraged where through traffic is closed to general automobile traffic.
  11. Streets shall be stubbed out to adjacent properties to create interconnected street network as adjacent areas are developed. Such "stub" streets are initially cul-de-sacs but are connected to new streets when adjacent parcels are developed in the future.
  12. Connections into and out of a subdivision or development to external roads, including stub outs to adjacent properties, shall be placed between 750 and 1,250 feet apart as measured along the exterior of the property line unless impractical due to topography or natural features. The Board of Commissioners may require additional connections based upon safety, service needs and need to provide connection with adjacent areas.

## **Section 7.3 Parking, Driveways and Loading**

### **Section 7.3.1 General**

The provision of adequate off-street parking and loading is a vital part of the functional design of any developed area. In addition, the design of such areas including driveways is important in promoting safety for both pedestrians and motorists. General requirements for the provision of off-street parking and loading are listed under this Division. More detailed requirements for parking, driveways, and loading are listed in a specific division following these general requirements.

### **Section 7.3.2 Application of Regulations**

- A. The requirements of this Article 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). In other words, additional parking/loading spaces are required to be provided for an enlargement or increase in capacity of an existing principal building, but not for the existing building itself. But if it can be demonstrated that the existing parking/loading spaces are sufficient to meet the requirements in Section 7.3.10 for the existing building and any additions, then no new parking/loading spaces will be required.
- 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, stacking and loading facility requirements for developments or various land uses or activities as set forth in Section 7.3.10, including all residential, commercial and industrial areas or developments shall be provided on a properly graded and stabilized surface (paved, graveled, or equivalent).
- D. All parking, stacking and loading facilities shall be set back at least five feet from every exterior property line and all abutting street right-of-way lines. The five foot wide strip shall be reserved as open space and shall be guarded with wheel bumpers and planted in grass and/or shrubs, according to the bufferyard requirements of this Ordinance.
- E. In addition to meeting the parking requirements of this Section , elementary, junior high, high schools, kindergartens, nurseries, and day care centers shall also provide a safe place, off the street, for the loading and unloading of children from automobiles and buses.

- 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. In addition, the Town may take other enforcement actions as permitted by this Ordinance, in order to remedy such violations.
- 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 7.3.3 General Requirements for Off-Street Parking**

- A. Each application for a zoning permit for a commercial, industrial, institutional, or multi-family residential unit submitted to the Zoning Administrator shall submit a site plan that identifies the location and dimensions of off-street parking spaces and driveways in accordance with the requirements of this Ordinance.
- B. Required off-street parking shall be provided on every lot or if a remote off-street parking area within 500 feet from the lot if parking can not be reasonable provided on the lot and the requirements of Section 7.3.7 are met.
- C. No spaces that are rented, except as provided in Section 7.3.7, or are located on a public right-of-way may be counted toward compliance with this Article.
- D. No Certificate of Occupancy shall be issued until the parking requirements and regulations are fully met, unless a financial guarantee (bond, letter of credit, etc) equivalent to 150 percent of the estimated cost of the improvements has been posted.
- E. Off-street parking areas that make it necessary for vehicles to back out directly into a public road are prohibited, except for dwelling units each having an individual driveway or within the B-1 downtown area.
- F. At least eighty (80) percent of all required off-street parking spaces shall be clearly marked and located on stabilized hard surface (asphalt, concrete, or equivalent) and the remainder being located on a grade, stabilized surface (gravel, grass, etc,) capable of accommodating intermittent vehicular traffic.

**Section 7.3.4 Dimensional Requirements**

- A. All parking spaces required by this article shall have a minimum width of nine (9) feet and the following minimum lengths, except as otherwise permitted by this Ordinance. Perpendicular (90 degree) spaces shall have a minimum length of 18 feet, and parallel (0 degree) spaces shall have a minimum length of 23 feet. Handicap spaces shall be provided according to the requirements set forth in the North Carolina State Building Codes, Volume I-C.
- B. Minimum Dimensions of Parking Spaces & Aisles in Parking Lots :

<u>Parking Angle</u>	<u>Parking Dimensions in Feet</u>		<u>Aisle Width in Feet</u>	
	<u>Parking Area*</u>		<u>One-Way Traffic</u>	<u>Two-Way Traffic</u>
0° - 20°	9 ft. wide, 23 ft. length		13	19
21° - 44°	9 ft. wide, 20 ft. length		13	20
45° - 89°	9 ft. wide, 20 ft. length		13	22
90°	9 ft. wide, 162 sq. ft. area*		24	24

\* A maximum of fifteen (15) percent of required off street parking 90 degree angle spaces may be for compact cars with an area of 144 square feet and a width of 8 feet provided such spaces are clearly identified by signage or other markings for compact cars.

**Section 7.3.5 Special Parking Requirements**

Permissible non-residential uses within residential district, where there are parking spaces for more than eight (8) cars, are required to comply with the following:

1. The lot may be used only for parking and not for any type of loading, unloading, business sales, dead storage, repair work, dismantling or servicing.
2. All entrances, exits, barricades at sidewalks, and drainage plans shall be acceptable per the subdivision regulations of the Town.

**Section 7.3.6 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 use such spaces on adjacent property provided the use on said

adjacent property will be closed at night and on Sundays, whichever is applicable, with the permission of the adjacent property owner.

### **Section 7.3.7 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 500 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 subsections (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 or agreement, duly executed and acknowledged, which subjects the off-site 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 or agreement to be registered in the Office of the Wilson County Register of Deeds.)

#### **E. Application and agreement for Remote Off-Site Parking**

If an off-site parking area is not under the same ownership as the principal use served, a written agreement between the record owner(s) and the owner(s) of the principal use served shall be required. The owner of the off-site parking area shall enter into a written agreement in a form acceptable to the Town of Elm City Attorney, as appropriate, providing that the land comprising the parking area shall never be disposed of except in conjunction with the sale of the principal use building which the parking area serves so long as the facilities are required; and that such agreement shall bind his heirs, successors, and assigns. Such agreement shall be recorded in the Office of the Wilson County Register of Deeds. In addition the following application or any changes there to shall be attached to a request for remote off site parking along with any supporting documentation to be considered by the Town of Elm City in their deliberation of this request, including the written agreement between the remote off-site property owner and owner of the principal building property served by the remote parking spaces, a scaleable aerial photo showing both properties and the distance between them.



recorded by the City Clerk in the Wilson County Register of Deeds. The off-site parking, if approved, was for a total of \_\_\_\_\_ spaces.

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Clerk to the Town of Elm City

Date

### **Section 7.3.8 Number of Parking Spaces Required**

- A. The minimum number of required off-street parking and stacking spaces is indicated in Section 7.3.10.
- B. Whenever the number of parking spaces required by Section 7.3.10 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 51.07, 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. Because the standards in Section 7.3.10 are minimum requirements, each developer should evaluate whether his/her needs are greater than the minimum specified.
- E. Where there is a proposed use or activity not listed in Section 7.3.10 the Board of Adjustment shall handle such situation and make the final decision as to the number of spaces required. The Board of Adjustment shall also handle requests for deviations or variances in the parking space standards consistent with Section 5.4.8.F below
- F. 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 Section 7.3.10 may result in a development either with inadequate parking space or parking space far in excess of its needs. Therefore, the Board of Adjustment may permit deviations (of up to 20 percent) from the requirements of Section 7.3.10 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 Board of Adjustment may allow such 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. In addition, where it is likely that there could be a need for bicycle parking (for example at a school), up to 10 percent of the required spaces may be eliminated, so long

as an equal number of bicycle parking/storage spaces are provided. Whenever the Board of Adjustment allows or requires a deviation from the requirements of Section 7.3.10, it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

### Section 7.3.9 Exceptions

- A. The Zoning Administrator may withhold a Zoning Permit if a parking layout not specifically prohibited by this Article would be likely to cause avoidable safety or traffic congestion problems until modification is made. The applicant may appeal the Zoning Administrator's decision to the Board of Adjustment under the normal procedure for an appeal.
- B. If a peculiar characteristic of any establishment makes the requirements in this Article clearly unrealistic, the Board of Adjustment may grant the applicant a parking modification as set forth in Section 7.3.8.F above.
- C. The Zoning Administrator may allow a new use to be established in an existing building even if all parking requirements of this Section cannot be met for the new use, provided that as much off-street parking as can reasonably be provided is provided by the use, and no foreseeable traffic congestion problems will be created.

### Section 7.3.10 Table of Off-parking and Staking Requirements

<b>Section 7.3.10 Table of Off-Street Parking and Stacking Requirements</b>	
<b>Use</b>	<b>Spaces Required</b>
<b>Residential Uses</b>	
1) Bed & Breakfast establishment	1 per guestroom, plus 2 for resident family, plus 2 per 3 other employees on the largest shift
2) Dwelling, single family (including manufactured/mobile homes) and two-family	2 per dwelling unit
3) Dwelling, multifamily and townhouse	2 1/2 per dwelling unit
4) Family Care Home	1 per 4 beds, plus 1 per employee and visiting specialist, plus 1 per vehicle used in the operation
5) Group housing, such as boarding houses, dormitories, and similar establishments	1.2 per bedroom
<b>Accessory Uses</b>	
1) Accessory dwelling unit	1 per attached unit, 2 per detached unit
2) Home occupation where Special Use Permit is required	1, plus 1 for each non-resident employee (in addition to the requirement for the dwelling unit)
3) Rural Family Business	1 per 500 feet of gross floor area/operating area (in addition to the requirement for the dwelling unit)
<b>Recreational Uses</b>	
1) Amusement parks; fairgrounds; skating rinks	1 per 200 square feet of activity area
2) Athletic fields	25 per field
3) Auditorium; stadium	1 per 5 persons to be seated in the auditorium as based

	upon the design capacity of the building
4) Batting cages, golf driving ranges; miniature golf	1 per cage or tee
5) Tennis courts	3 per court
6) Bowling centers	4 per lane
7) Social or Fraternal Clubs; physical fitness Centers and similar indoor recreation	1 per 200 square feet of gross floor area or 1 per every 5 seats in the principal assembly room which ever is greater.
8) Recreational vehicle park or campground	1.1 for each space, plus 1 for each employee during peak season
9) Swimming pools, swim clubs	1 per 100 square feet of water and deck space or 1 space for every 5 memberships which ever is greater
<b>Educational and Institutional Uses</b>	
1) Ambulance services; fire stations; law enforcement stations	1 per employee on the largest shift
2) Churches	1 per 4 seats (or seating spaces) in main chapel or 1 per every 6 feet of pew space
3) Colleges and universities	7 per classroom, plus 1 per 4 beds in campus dorms, plus 1 per 250 square feet of office space, plus 1 per 5 fixed seats in assembly halls and stadiums
4) Elementary and middle schools	3 spaces for each room used for administrative offices or class room instruction, or 1 for every 6 seats in the principal assembly room which ever is greater, plus adequate stacking for safe loading and unloading of students
5) Government offices; post offices	1 per 150 square feet of public service area plus 2 per 3 employees on the largest shift
6) Libraries; museums and art galleries	1 per 450 square feet of gross floor area for public use plus 2 per 3 employees on the largest shift
7) Nursing and convalescent homes	1 per 4 beds, plus 1 per employee and visiting specialist, plus 1 per vehicle used in the operation
8) Hospital	1 per every bed space
9) Senior high schools	1 space per school employee and 1 space per 4 students or 5 per classroom plus 1 per 250 sq. ft. of administrative office space which ever is greater
<b>Business, Professional and Personal Services</b>	
1) Automobile repair services	3 per services bay plus 1 per wrecker or service vehicle plus 2 per 3 employees on the largest shift
2) Banks and financial institutions	*1 per 200 square feet gross floor area plus stacking for 4 vehicles at each drive-through window or automatic teller machine
3) Barber and beauty shops	3 per operator
4) Equipment rental and leasing	1 per 200 square feet gross floor area
5) Funeral homes or crematoria	1 per 4 seats in main chapel plus 2 per 3 employees on the largest shift plus 1 per vehicle used in the largest operation
6) Kennels or pet grooming	1 per 300 square feet of sales, grooming or customer waiting area plus 2 per 3 employees on the largest shift
7) Laboratories	*2 per 3 employees on the largest shift plus 1 per 250 square feet of office space
8) Medical, dental, or related offices	4 space for each doctor plus 1 per employee including doctors
9) Motion picture production	1 per 1000 square feet of gross floor area
10) Offices not otherwise classified	1 per 250 square feet of gross floor area

11) Repair of bulky items (appliances, furniture, boats, etc.)	2 per 3 employees on largest shift plus 1 per vehicle used in operation
12) Theaters (indoor)	1 per 4 seats
13) Vocational, business, or secretarial schools	1 per 100 square feet of classroom space plus 1 per 250 square feet of office space
14) Services and repairs not otherwise classified	1 per 250 square feet gross floor area plus 1 per vehicle used in the operation
15) Day Care Center	1 space for every adult attendant plus 1 space for every 6 children or fraction thereof
<b>Drive-through not otherwise classified</b>	
Drive through not otherwise listed	*Stacking for 4 vehicles at each bay, window, lane, ordering station or machine in addition to the use requirement
<b>Retail Trade</b>	
1) Convenience stores	*1 per 200 square feet gross floor area, plus 4 stacking spaces at pump islands
3) Department stores, food stores	1 per 200 square feet gross floor area
4) Fuel oil sales	2 per 3 employees on largest shift plus 1 per vehicle used in the operation
5) Furniture; floor covering sales	1 per 1,000 square feet gross floor area
6) Motor vehicle, motorcycle, or recreational vehicle sales or rental; manufactured homes sales	5 spaces plus 1 per 10,000 square feet of display area plus 2 per 3
7) Restaurants	*1 per 4 seats plus 2 per 3 employees on the largest shift and 11 total stacking spaces with minimum 5 spaces at or before ordering station
8) Retail businesses or sales not otherwise classified	1 space per 200 square feet of gross floor area (1 space minimum)
9) Retail sales of bulky items (appliances, building materials, etc.)	1 per 500 square feet of gross floor area
10) Service station, gasoline sales	*3 per service bay plus 1 per wrecker or service vehicle plus 2 per 3 employees on largest shift plus 4 stacking spaces at pump islands
11) Motel, Tourist Home, and Boarding House	1 space for every rental room
<b>Wholesale Trade</b>	
1) Market showroom	1 per 1,000 square feet gross floor area
2) Wholesale uses	2 per 3 employees on the largest shift plus 1 per 200 square feet of retail sales or customer service area plus 1 per vehicle used in the operation
<b>Transportation, Warehousing and Utilities</b>	
1) Communications towers; demolition debris landfills; utility lines or substations	No required parking
2) Self-storage warehouses	1space per 5,000 square feet devoted to storage
4)Transportation, warehousing and utility uses not otherwise classified	2 per 3 employees on the largest shift plus 1 per vehicle used in the operation
<b>Manufacturing and Industrial Uses</b>	
Manufacturing and Industrial Uses	2 per 3 employees on the largest shift plus 1 per 200 square feet of retail sales or customer service area plus 1 per vehicle used in the operation
<b>Other Uses</b>	
Flea markets; other open air sales	1 per 1,000 square feet of lot area used for storage, sales, and display
Shopping Centers	1 per 200 square feet gross floor area in main building(s)

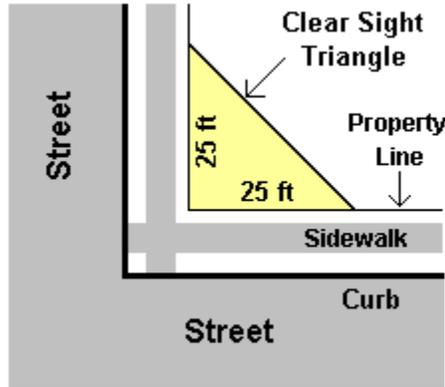
a) up to 250,000 square feet of gross floor area	(excluding theaters) plus parking as required for out-parcels or theaters
b) over 250,000 square feet of gross floor area	1,250 spaces plus 1 per 225 square feet gross floor area above 250,000 square feet

## Section 7.4 Driveways

### Section 7.4.1 Driveway Requirements and Sight Distance Triangle

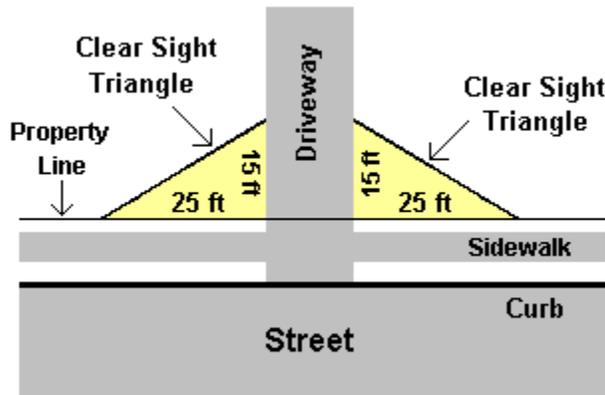
- A. North Carolina Department of Transportation (NCDOT) and Town of Elm City standards shall serve as the minimum requirements for vehicular driveways, unless the Town adopts a more restrictive requirement(s). The following requirements were consistent with NCDOT standards as of the date of adoption of this ordinance, and therefore are included in order to provide some general guidelines for new driveways. (NCDOT reserves the right to require more restrictive requirements in those cases where they determine a greater standard is warranted; therefore proposals for new driveways will need to be coordinated with NCDOT.)
1. No portion of any driveway (providing access from a street) shall be closer than 100 feet from the intersection of another street, measured along the right-of-way line from the point of intersection of the two street right-of-ways.
  2. In order to reduce the number of driveway intersections along streets, the use of shared driveways (with common access easements) between adjacent properties is strongly encouraged.
  3. No driveway serving **one-way** traffic shall be less than twelve (12) feet in width at its narrowest section adjacent to a street.
  4. No driveway serving **two-way** traffic shall be less than twenty (20) feet in width at its narrowest section adjacent to a street.
  5. No driveway shall exceed thirty-six (36) feet in width at its narrowest section adjacent to a street, unless specifically authorized by NCDOT.
- B. In addition to the NCDOT standards/guidelines listed above, within the Town of Elm City planning jurisdiction for residential uses, no driveway shall exceed 25 feet in width at its narrowest section adjacent to a street, unless NCDOT determines that a greater width is necessary to accommodate the vehicles customarily using the driveway.
- C. The following corner lots/clear sight distances shall be applicable for all driveway and intersections within the Town of Elm City planning jurisdiction.

1. In order to provide for unobstructed traffic visibility at intersections, in any district where a front yard for a corner lot is required, no sign, fence, wall, tree, hedge, other vegetation, or structure which extends more than three (3) feet above the curb level, shall be erected, placed or maintained within a clear sight triangle area formed by the intersecting street lot lines or extensions thereof, and a straight line joining said street lot lines at points which are twenty-five (25) feet distant from the point of intersection, measured along said street lot lines. Tree canopies may be permitted above a plane measured seven feet above curb level.



2. Front yard fence height limits:

Any fence within twenty-five (25) feet of a driveway and within fifteen (15) feet from the front property line or between an existing building and the front property line, whichever is less, shall be no higher than three (3) feet to provide visibility for vehicles and pedestrians.



**Section 7.5 Off-Street Loading**

**Section 7.5.1 Off-Street Loading Requirements**

- A. Every building or structure used for business, trade, industry, or office and institutional purposes, shall provide a loading space(s) as indicated in this Section. Because these are minimum requirements, each developer should evaluate his/her own needs to determine if they are greater than the minimum specified.
- B. All loading spaces shall be provided with an adequate means for ingress and egress to a street in a forward motion, including an access driveway with a width of at least twenty-four (24) feet and adequate turning radii for the delivery vehicles customarily associated with the particular use.
- C. All loading spaces shall be located on the same lot as the use and in such a way as to not obstruct or interfere with any parking space or parking lot aisle.
- D. The minimum dimensions the first required loading space shall be 12 feet by 30 feet, with a 14 foot clearance. All other required loading spaces shall have minimum dimensions of 12 feet by 55 feet, and 14 foot clearance.
- E. All required loading spaces shall be clearly identified as such by the use of signage or with pavement marking & striping, so that they are not confused as parking spaces
- F. Loading spaces shall be provided in accordance with the following schedule:
  - 1. Retail Operations, including restaurants and dining facilities within hotels and office buildings\*:

<u>Gross Floor Area in Square Feet</u>	<u>Required Number of Loading Spaces</u>
Less than 10,000	0
10,000 to 39,999	1
40,000 to 74,999	2
75,000 to 149,999	3
150,000 to 249,999	4
Plus 1 additional space for each 250,000 sq. ft. or fraction thereof over 250,000	

\*For shopping centers and enclosed malls, the floor area of individual shops may be combined and shared loading spaces be provided for the overall center, so long as they are spaced so as to safely and adequately serve all the individual shops.

2. Office and Institutional Uses (Including Hotel and Motels):

No requirement for less than 50,000 square feet of gross floor area  
 1 space for 50,000 to 100,000 square feet of gross floor area

1 additional loading space for each 100,000 sq. ft. or fraction thereof over 100,000

3. Industry and Wholesale Operations:

<u>Gross Floor Area in Square Feet</u>	<u>Required Number of Loading Spaces</u>
Less than 5,000	0
5,000 to 24,999	1
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
Plus 1 additional space for each 90,000 sq. ft. or fraction thereof above 400,000	