Director of
Planning and Inspections
MEREDITH GUNS

Building Inspector
MARTY SHAW
CHARLES THUMAN

Code Enforcement Officer
JORDAN BLYTHE

THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

Assistant Director of
Planning and Inspections
CAMERON RAY

Senior Planner
RYAN LANG

Zoning Administrator
DONNA ELLIOTT

PLANNING DEPARTMENT

December 14, 2020

To: Planning Board

From: Meredith Guns, Planning Director

Subject: Chapter 153.076 Off-Street Parking and Loading– Review Ordinance

At the October 12, 2020 Board of Commissioners meeting, the Board agreed to review the off-street parking and loading ordinance to examine possible changes that will be beneficial to businesses while maintaining adequate parking. On November 9th, the Board of Commissioners reviewed the recent changes to the ordinance and staff recommendations for possible amendments.

Over the past 10 years there have been several changes to the parking ordinance, many to address a perceived over parking of large commercial sites including warehouses and shopping center/office complexes. In both cases, parking requirements were reduced for larger shopping center or warehouse developments (153.076(D)). Prior to that a parking reduction schedule was adopted to reduce the number of paved parking spaces by a specified percentage based on the total number of spaces required. However, a reserve area for the unpaved parking are required to be designated on the site plan (153.076(C)). A remote parking area amendment was adopted to allow for businesses to expand required parking areas offsite within 1,000 feet of the business (153.076(A)(4)). An amendment was adopted for restaurants to allow for employee parking be arranged in a stacked configuration for up to 15% of the required spaces to reduce paved areas (153.076(A)(12)(d)). The Town has also modified parking requirements for large houses over 6,000 square feet requiring additional drive aisles for circulation and accessibility for emergency services (153.076(A)(10)(a)(2)).

Current single family parking requirements have shown to be satisfactory. The requirements are one space per bedroom and allow for stacked parking. This has shown to be adequate for year round single family dwellings and in some cases slightly inadequate for weekly vacation rentals, but the overall requirements have proven successful. Additionally, parking requirements for small commercial developments are efficient. Restaurant parking has also shown to be adequate. However, if the restaurant is popular or has entertainment, parking can be inadequate in which case, the Board may want to consider a provision to allow a business to build on-street parking if possible.

Page 2:
Off Street Parking and Loading

The Board of Commissioners request the Planning Board consider changes to reduce parking requirements for large scale commercial projects that do not fall under shopping center/office complex and warehouse. Additionally, it is recommended to review the Parking Table, 153.076(D), specifically *Retail, Office and Related Uses* to determine if some of these uses could be parked less than one space per 200 square feet of gross floor area. For example, businesses with a drive through, such as a bank, which reduce the number of customers that need to park. Additionally, the Board ask to consider reducing parking space size, possibly allowing for a percentage of spaces to be for compact vehicles.

Attached is the entire Off Street Parking and Loading Ordinance for your review. Staff recommends the Planning Board consider the following:

1. Reduce the standard parking space size for commercial and multifamily from 10ft x 20ft to 10ft x 18ft or 10ft x 16x with a two-foot overhang.
2. Allow for 20% of parking spaces on lots with required parking over 25 spaces be compact spaces 8ft x 16ft with two-foot overhang, which will be clearly marked "compact car". This is similar to Virginia Beach, Wrightsville Beach and Atlantic Beach.
3. Reduce parking requirements for the following:
    a. Medical offices/dentist (not urgent care) to 1 space per 250 square feet of gross floor area. These type of offices typically are by appointment and control the number of people based on services.
    b. Hairstylist, tanning salons, barber shop to 1 space per 250 square feet of gross floor area. These are typically appointment based businesses.
    c. Bank and Financial Institutions to 1 space per 250 square foot of gross floor area. Much banking is now done online or via the drive thru windows.
    d. Business/Professional Office to 1 space per 250 square foot of gross floor area.
    e. Tier retail building with one business based on size of building much like the shopping center parking requirements:
        i. Retail less than 5,000SF - 1 space per 200 Square feet of gross floor area.
        ii. Retail 5,000-10,000SF - 1 space per 250 Square feet of gross floor area.
        iii. Retail greater 10,000SF- 1 space per 300 square feet of gross floor area.

§ 153.076 OFF-STREET PARKING AND LOADING.

(A) Detailed specifications. Required off-street parking spaces are permanent areas and shall not be used for any other ground purpose; and shall be constructed in accordance with generally accepted engineering practices.

(1) Dimensions: standard parking spaces. In all zones, parking space dimensions will be 200 square feet, 10 feet by 20 feet. However, for commercial and multi-family residential, only 18 feet of the length need to be paved or constructed of turfstone. The remaining two feet of length shall remain pervious, and a concrete curb stop shall be placed at the front end of each space to accommodate vehicle overhang on the remaining two feet of length.

(2) Design – Every parking space 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 sidewalk or tend to bump against or damage any wall, vegetation, or other obstruction. Parking is not permitted use within buffer or landscape areas.

(3) Submission of plans. Before the construction of any building in any of the various zones, in addition to the building plan to be submitted to the building inspector for approval, there shall also be submitted a detailed plan of the off-street parking arrangements to be utilized for such structure, including the number of spaces, size and type of construction of the off-street parking area. Submission of a satisfactory parking plan shall be a condition precedent to the issuance of any building permit.

(4) *Remote parking space.* Remote parking space shall be a conditional use, if the off-street parking space required by this chapter cannot be reasonably provided on the same lot on which the principal structure is located. Such space may be provided on any land entirely within 1,000 feet of the main entrance to such principal structure. Remote parking areas shall comply with all aspects of the zoning code. In no case shall remote parking spaces be separated from the principal structure by US 158. Remote parking areas shall not be used for any transfer of development rights. The following minimum conditions shall be required:

(a) Adequate pedestrian facilities from the primary structure to the remote parking area shall be provided.

(b) Safety lighting shall be provided within the public right-of-way from the primary structure to the remote parking area.

(5) *Width of commercial and multi-family driveways.* The width of commercial and multi-family driveways shall be no less than 12 feet in a one-way traffic flow and 24 feet in a two-way traffic flow.

(6) *Width and length of driveway serving a one- or two-family dwelling.* The width of a residential driveway shall be no less than ten feet; if used as part of the parking area, shall be of sufficient length to keep the number of parked cars provided for in division (A)(1) off the street right-of-way.

(7) *Materials for driveways and parking lots.*

(a) Commercial driveways, parking areas and turn around areas shall be made of asphalt, concrete or permeable blocks, pavements, including porous concrete, porous asphalt, concrete grid pavers, permeable interlocking concrete pavers, and plastic reinforcing grids as defined in § 153.180(E)(3)(b). No types of temporary materials, such as landing mats and boards, shall be used for the construction of driveways.

(b) Overflow parking areas for commercial sites, in excess of required parking, may utilize grassed or unimproved areas of the site for parking. Parking shall not be allowed in required stormwater, landscaped or wastewater areas. If improvements are made to overflow parking areas standards and materials for required parking areas shall be utilized.

(c) Single-family and duplex residential driveway and parking areas can utilize approved commercial materials as in division (7)(a) above or a minimum of four inches of compacted Aggregate Base Course (ABC) with one inch of pea gravel as an approved surface. When ABC pea gravel option is utilized, the following conditions shall apply:

1. All improvements in the right-of-way shall meet one of the commercial specifications listed in division (7)(a).

2. Loose stone surface shall be bordered by concrete or salt-treated timbers in a manner which retains the stone in the driveway or parking area.

(d) Gravel driveways and parking areas shall be allowed in the G&I Public and MFED Zoning Districts for recreational facilities that will be unoccupied.

(8) *Curbs.* In any commercial zone and for all hotels, motels and auditoriums in a high-density residential zone (RH), a curb of at least six inches in height shall be constructed along the entire width of the building lot on all highway or street sides of the lot. The curbing shall be constructed of concrete. Curbing may also be required to aid in stormwater management.

(9) Parking requirement for multifamily and commercial establishments.

(a) *Yards.* Commercial and multi-family. No parking lot shall be located closer than ten feet to a public right-of-way. The area between the parking lot and street right-of-way shall be planted and maintained in lawn or other appropriate planting, or shall be improved otherwise as approved in site plan review.

(b) *Lighting.* Any lighting shall be arranged so as to direct the light and glare away from streets and adjacent property. (See § 153.074, Outdoor lighting.)

(c) *Drainage.* Parking lots shall not drain onto or across public rights-of-way, or into adjacent property except into a natural watercourse or a drainage easement;

(d) *Markings.* For multi-family and commercial establishments, each parking space shall be clearly marked and maintained.

(e) *Entrances for multi-family and commercial establishments.* On all corner lots, no vehicular openings shall be located at closer than 36 feet from the point of intersection of the established street right-of-way lines. No entrances or exits, whether or not on a corner lot, shall exceed 30 feet in width at the property line. The outside radius (R) an entrance/exit connection shall be a minimum of five feet, not to exceed a maximum of 15 feet except where required for ingress/egress by fire apparatus as determined by the Fire Code Official, and then not to exceed 25 feet. There shall be a minimum distance between one-way driveways of 25 feet measured along the curb line.

(f) *Special commercial and multi-family entrance requirements - US 158/Croatan Highway.* Where a lot abuts U.S. 158/Croatan Highway and does not abut any other dedicated public right-of-way, one entrance shall be allowed consistent with the following dimensional requirements: the width of a commercial driveway shall not exceed 36 feet measured at the property line. The outside radius (R) of an entrance/exit connection shall be a minimum of five feet, not to exceed a maximum of 25 feet.

(g) *Special entrance requirements – Government and Institutional Zone (G&I); public ownership.* Entrance(s) for lots located in the G&I Public Zoning District used for storage of publicly- owned vehicles and equipment shall be allowed consistent with the following dimensional requirements: the width of a driveway shall not exceed 36 feet measured at the point of tangency; and the outside radius of an entrance/exit connection shall be a minimum of five feet, not to exceed a maximum of 45 feet.

(10) *Parking requirements for single-family and duplex structures.*

(a) *Yards.*

1. Dwellings with four bedrooms or less:

a. Driveways and parking areas shall not exceed a single or combined width of 80% of the total lot width, not to exceed 40 feet, whichever is less; and

b. Driveways and parking areas shall maintain a minimum of a two-foot side yard setback and must maintain a five-foot setback in rear yards.

2. Dwellings with five or more bedrooms:

a. A minimum of one but no more than two paved driveways of at least ten feet in width and not exceeding a single or combined width of 20 feet shall be permitted in this area. Parking setback shall be equal to the total width of the driveway(s) measured from the property line. Driveways in the required parking setback area cannot be sued for calculation of required parking.

b. Parking setbacks for the side and rear yard shall be a minimum of five feet from the property line for both driveways and parking areas.

c. Turn around area for properties abutting highways, thoroughfares and/or collector streets shall be within the designated parking area outlined in this section. Driveways with a minimum width of 20 feet may utilize the driveway area within the required setback as the turn around area.

(11) *Solid waste requirements.* Sufficient space shall be provided on the premises for the location of solid waste containers as required by § 50.15 of this code, regulating the collection and disposal of trash and garbage. Such solid waste container location may be in a required parking lot; provided that such location does not occupy a required parking space or maneuvering space; and provided further that such solid waste container location shall provide convenient and safe access to the servicing vehicle.

(12) *Vehicle circulation and movement.*

(a) Vehicle accommodation areas, specifically turn around areas, shall be designed so that, without resorting to extraordinary movements, vehicles may exit such areas without backing onto a public street.

(b) Vehicle accommodation areas of all development 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 or hazardous turning movements.

(c) 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.

(d) Spaces for restaurant employee parking may be arranged in a stacked configuration (spaces one in front of another) not to exceed 15% of the total required spaces. Stacking may not be deeper than two spaces, both of which shall be considered stacked. Signs shall indicate the location of employee parking spaces.

(13) *Sidewalk requirements for commercial and multi-family development abutting US 158 in the Commercial Zoning District.* Sidewalk improvements shall be installed along the entire length of properties fronting US 158. The sidewalk improvements shall be a minimum width of five feet and meet all NCDOT standards.

(B) *Minimum parking requirements and specific use standards.*

(1) All developments in all zoning districts shall provide the number of parking spaces, as specified in the Table of Parking Requirements, to accommodate the number of vehicles that are likely to be attracted to the development in question.

(2) When determination of the number of parking spaces required by this table 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.

(3) All space requirements which are based upon employment shall be computed on the basis of the greatest number of persons on duty at any one period during the day or night.

(4) The required parking space 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 that one-half of the parking space required for places of worship, theaters or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night and on Sundays.

(5) It is recognized that the table cannot and does not cover every possible situation that may arise. Therefore, in cases not specifically or reasonably covered, the Board of Commissioners will determine the parking requirements using this table as a guide.

(C) *Parking reduction schedule.* A reserve area shall be created when using any reduction in parking. Each reserve area shall be clearly indicated on the site plan including layout and the number of parking spaces utilized in the reduction. All reserve area shall be calculated as impervious area for purposes of lot coverage and stormwater management.

If the required parking facilities total:	***Required parking for the proposed use can be reduced by:***
100 to 150 parking spaces	10%
151 to 250 parking spaces	20%
251 or more parking spaces	30%

(D) *Table of parking requirements.*

Residential and related uses	***Required parking***
Automated ice vending structure	1 parking space per 200 square feet of gross floor area with a minimum of 4 spaces and reserved lane capacity equal to 3 spaces per window for any drive-through or drive-up dispensing.
Dwellings – multi-family (Commercial and Ocean Impact Residential Districts only)	2 parking spaces per dwelling, plus one parking space for each bedroom over 2. With the exception of stacked or assigned parking the number of spaces may then be reduced as follows: For 15-19 units a 10% reduction, for 20-24 units a 15% reduction, and for 25 units or more a 20% reduction. This may not be combined with the reductions permitted by § 153.076(C).
Dwellings – single-family, duplex and multi-family (including mobile homes)	2 parking spaces per dwelling unit, plus 1 parking space for each bedroom over 2
Hotel and motel	1.2 parking spaces for each unit, plus 1 parking space for each employee
Hotel/motel with restaurant	1.2 parking spaces for each unit, plus 1 parking space for each employee, plus 1 parking space per 200 square feet of gross floor area

Hotel/motel with retail, office, meetings	1.2 parking spaces for each unit, plus 1 parking space for each employee plus 1 parking space per 200 square feet of gross floor area for secondary uses	
Hotel/motel event gardens	1 parking space for every 3 persons the event garden is designed to accommodate when fully utilized	
Retail, office and related uses	Required parking - One parking space per 200 square feet of gross floor area for the following uses:	
	Antique shops	Hammocks
	Appliance stores	Hardware stores
	Art galleries	Home care systems (wheelchairs and the like)
	Arts and crafts	Jewelry stores
	Astrology and tarot card reading office	Laundromats
	Auto supplies	Medical offices less than 4,000 square feet with a minimum of 5 spaces
	Automobile sales, rentals, and repair	Motorcycle sales and service
	Bait and tackle shops	Music stores
	Bank	Paint and wall treatment stores
	Beauty parlors/barber shops/nail salons	Personal spas
	Blueprint business (reproductions and the like)	Pet stores
	Boat sales, rentals, and repair	Pharmacies/drug store
	Body piercing	Photo shops (film processing, sales and the like)
	Books	Pools and spas
	Broadcast studios	Post office
	Business/professional	Produce markets

	Carpet and flooring	Rental shops
	Clothing	Safety equipment
	Clothing (tailor)	Shoe repair
	Convenience stores	Sign business
	Cycle and skate shops	Tanning salons
	Dry cleaners	Taxicab operations
	Electronic equipment, sales and repair	Thrift stores/consignment shop
	Embroidering/screen printing shops	Toy stores
	Financial institutions	Trophy and engraving shop
	Florists	Surfboard manufacture shop
	Food/produce/grocery store	Video, audio, and lighting
	Frames (picture frames, matting and the like)	Water care products and supplies
	Furniture	Window and door stores
	Gift shops	Wood crafts and hobbies
	Government offices	Dental offices
	One parking space per 400 square feet of gross floor area for the following uses:	
	Furniture stores with a minimum of 4,000 square feet	
Residential and related uses	***Required parking***	
Drive-in and drive-through windows	Reserved lane capacity equal to 5 spaces per window and 3 spaces of reserve lane capacity for drive-through automated teller machines, plus required parking for the enclosed structure/use	
Car wash, conveyor type	1 space for every 3 employees, plus reservoir capacity equal to 5 times the capacity of the washing operation	

Car wash, self-service type	2 spaces for drying and cleaning purposes per stall, plus 2 reservoir spaces in front of each stall
Restaurant uses	***Required parking***
Brewery with secondary use(s) (bar, restaurant, retail and the like)	1 parking space per 200 square feet of gross floor area for the brewery, plus parking for secondary uses as required in this chapter
Restaurants, bars, nightclubs (no substantial carry-out or delivery service, no drive-in service, no service or consumption outside fully enclosed building)	1 parking space per 100 square feet of gross floor area
Restaurants, bars, nightclubs (carry-out and delivery service, drive-in service, service outside fully enclosed structure)	1 parking space per 100 square feet of gross floor area, including outside dining areas and a reservoir lane capacity equal to 5 spaces per drive-in window
Restaurants with secondary use(s) (brewery, retail, amusement arcade and the like)	1 parking space per 100 square feet of gross floor area for the restaurant use, plus 1 parking space per 200 square feet of gross floor area for the secondary use(s)
Carry-out facilities, snack bars, refreshment stands, bakeries, limited food establishments with no indoor or outdoor seating or any establishment where food is prepared for consumption off premises	1 parking space per 200 square feet of gross floor area
Wholesale, warehouse or industrial uses	***Required parking***
Warehouse as defined in § 153.002	1 parking space per 1,000 square feet of gross floor area, 1 parking space per 200 square feet of gross floor area for office areas, but not less than 6 parking spaces
Light Industrial Warehouse as defined in § 153.002	1 parking space per 400 square feet of gross floor area, 1 parking space per 200 square feet of gross floor area for office areas, but not less than 5 parking spaces
Retail Warehouse as defined in § 153.002	1 parking space per 200 square feet of gross floor area for retail and office areas and 1 parking space per 400 square feet of gross floor area for storage area with no public access
Warehouse, industrial complex	1 parking space per 600 square feet of gross floor area for industrial complex and office as defined. 1 parking space

	per 400 square feet of gross floor area for additional office space and/or all other uses
Recreational uses	***Required parking***
Skating rinks, tennis, billiards and pool halls, indoor athletic and exercise facilities, fishing piers, miniature golf, driving range, amusement arcade, batting cages, ball fields, water rides, skateboard ramps, swimming pools, haunted houses, trampoline with harness and tether, small amusement rides with maximum capacity of 24 persons	1 parking space for every 3 persons that the facilities are designed to accommodate when fully utilized, plus 1 space per 200 square feet of gross floor area used in a manner not susceptible to such calculation
Auditorium or convention centers	1 parking space for each 2 spectator seats
Assembly halls, libraries, museums, nonprofit organizations, art centers, social and fraternal area clubs, union halls and similar uses	1 parking space per 300 square feet of gross floor
Theaters	1 parking space for each 4 seats
Institutional uses	***Required parking***
Medical clinics or health clinics	1 parking space per 150 square feet of gross floor area
Hospitals and other medical facilities in excess of 10,000 square feet of gross floor area	2 spaces per bed or 1 parking space per 150 square feet of gross floor area, whichever is greater
Nursing homes/Assisted living	3 parking spaces for each 5 beds intended for patient use
Places of worship	1 parking space for every 4 seats in the portion of the religious complex to be used for services, plus spaces for any residential use as determined in accordance with the parking requirements set forth for residential use, plus 1 space for every 200 square feet of gross floor area designed to be used neither for services nor residential purposes
Nursery schools and day care centers	1 parking space per 200 square feet of gross floor area, plus 1 space per employee
Services and enterprises related to animals	1 parking space per 200 square feet of gross floor area, plus 1 space per employee

Elementary and secondary schools	25 parking spaces, plus 1.75 spaces for each classroom and administrative office
High schools	25 parking spaces, plus 1 space for each 5 students for which the building was designed, plus 1 space for each classroom and administrative office
Trade or vocational schools, colleges, community colleges and universities	1 parking space per 150 square feet of gross floor area
Shopping Centers/Office Complex	***Required parking***
Shopping center/office complex - 5,000 gross square feet or less (no restaurant uses)	1 space per 200 square feet of gross floor area
Shopping center/office complex - 5,000 gross square feet or less w/restaurant uses	1 space per 200 square feet of gross floor area for retail and office uses
	1 space per 100 square feet of gross floor area for restaurant use
Shopping center/office complex - 5,000 to 10,000 gross square feet (no restaurant uses)	1 space per 250 square feet of gross floor area
Shopping center/office complex - 5,000 to 10,000 gross square feet w/restaurant uses	1 space per 250 square feet of gross floor area for retail and office uses
	1 space per 100 square feet of gross floor area for restaurant use
Shopping center/office complex - greater than 10,000 gross square feet	1 space per 250 square feet of gross floor area

(E) *Off-street loading.* One or more loading berths or other spaces shall be provided for standing, loading and unloading operations either inside or outside a building or structure erected in accordance with the requirements of the following table. A loading berth shall have minimum plan dimensions of 12 feet by 60 feet and an overhead clearance of 14 feet. A loading space need not be necessarily a full berth but shall be sufficient to allow normal loading and unloading operations of a kind and magnitude appropriate to the property served thereby. The Board of Commissioners shall determine the sufficiency of loading space but in no case shall the use of such space hinder the free movement of vehicles and pedestrians over a street, sidewalk or alley.

Use Classification	***Space Requirements***
Retail operations, including restaurant and dining facilities within hotels and office buildings, with a total useable floor area of 20,000 square feet or more devoted to such purpose	One loading berth every 10,000 square feet of floor area
Retail operations and all first floor nonresidential uses with a gross floor area of less than 20,000 square feet and all wholesale and light industrial operations with a gross floor area of less than 10,000 square feet	One loading berth every 10,000 square feet of floor area
Office buildings and hotels with a total useable floor area of 100,000 square feet or more devoted to such purposes	One loading berth for every 100,000 square feet of floor area
Industrial and wholesale operations with a gross floor area of:	
10,000 to 40,000 square feet	One loading berth
40,001 to 100,000 square feet	Two loading berths
100,001 to 160,000 square feet	Three loading berths
160,001 to 240,000 square feet	Four loading berths
240,001 to 320,000 square feet	Five loading berths
320,001 to 400,000 square feet	Six loading berths
Each 90,000 square feet above 400,000 square feet	One additional berth