

**ARTICLE 9.**

**OFF-STREET PARKING AND LOADING; DRIVEWAYS**

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## ARTICLE 9.

### OFF-STREET PARKING AND LOADING; DRIVEWAYS

#### Sec. 18-526. Off-street parking standards.

(a) Purpose. The purpose of this section is to provide off-street parking standards that will alleviate congestion in the streets and allow for the efficient storage of motor vehicles while, concurrently, reducing any adverse environmental impacts to the urban area. By reducing glare, noise levels and air pollution to occupants and residents of adjoining properties, and by controlling storm water drainage and soil erosion, these standards will generally contribute to the public health, safety and general welfare of the citizenry and will create a more aesthetically pleasing living environment in the City of Wilmington.

(b) Parking must be provided for new construction of principal buildings and certain instances of alterations to existing sites and conversions of buildings from one (1) district use or occupancy to another district or district use. No lands or buildings, or any part thereof, shall be occupied or used for any purpose, nor shall any building permit be approved, until the owner of the real estate involved provides off-street motor vehicle parking and driveways in accordance with the minimum requirements set forth herein and in the sections for off-street truck loading (section 18-527), off-street parking spaces (sections 18-528 and 18-532), off-street parking design (section 18-529), and driveways (section 18-530). No additional parking shall be required for the issuance of a building permit under subsection 18-142(h) of this chapter (Reconstruction of nonconforming uses). When an existing building or use on the same lot is altered or expanded to increase its gross floor area by fifty (50) percent or more, or whenever a conversion of buildings from any district use to another district use requires additional off-street parking, all parking lot design requirements of this article shall be met. Other off-street parking facilities for which a plan is required under section 18-529 shall meet only those standards which the City Manager determines to be necessary to protect the public health, safety or welfare; except that this waiver shall not apply to expansions that occur within two (2) years of each other as noted by the dates the building permits were issued and that together would otherwise require all off-street parking improvements to be made. (See Article 8 for application of the landscaping requirements to building or use expansions.)

(c) Vehicle movement. All off-street parking areas, except those serving a single or two-family housing unit, shall be arranged so that ingress and egress is by the forward motion of the vehicle.

(d) Location on other property. If the required automobile parking space cannot reasonably be provided on the same lot as the principal use, it may be provided on a lot within two (2) city blocks or six hundred fifty (650) feet (whichever is greater) of the principal use structure. This parking area shall be held in fee simple by the owner of the use served, or in another manner that assures continued availability for required parking, provided the form of tenure shall be approved by the City Attorney before such use is issued a certificate of occupancy.

(e) Nonresidential off-street parking in residential district. Such parking may be provided in residential districts upon issuance of a special use permit as required in Article 3, Division IV, subject to its prerequisites required in Article 6, Division I.

(f) Parking space in private driveways. Private driveways serving detached single and two-

family housing units of sufficient size to meet the requirements of this section shall be considered as providing the required off-street parking space.

(g) Safety barriers. All service stations, parking lots, display or sales areas for motor vehicles of any type shall erect a safety barrier inside the street yard exclusive of driveway entrances. Such barriers shall be at least seven (7) inches in height and six (6) inches in width, and shall be of approved construction and otherwise designed to prohibit any overhang of motor vehicles in any public right-of-way.

(h) Combination of parking spaces on a lot. Required parking spaces for any number of separate buildings or uses may be combined in one (1) parking lot, but the required spaces assigned to one (1) use may not be assigned to another use if the uses normally operate at the same time.

(i) Exception to off-street parking standards.

(1) Central Business District. The provisions of subsection 18-526(b) shall not apply to the Central Business District, except section 18-529 and section 18-530 shall be applicable to new construction of off-street parking areas.

(2) Historic Districts. The provisions of subsection (b) shall not apply to properties in the Historic District Mixed Use (HDMU). The provisions of subsection (b) shall also not apply to properties in the Historic District (HD) and located within one thousand three hundred twenty (1,320) feet of a government-owned parking facility where public parking is available. Conversions of residential structures resulting in increased residential density in the Historic District (HD) and Historic District Residential (HD-R) shall meet the parking requirements for new construction in these areas. Conversions shall not be exempt from off-street parking requirements.

(3) Hemenway. Residential uses located within the Hemenway Redevelopment Area of the City of Wilmington shall provide one (1) parking space per unit. The required parking can be provided either off-street, or on-street, if adequate off-street parking area is not available. The City Manager will determine the capability of providing off-street parking on the residential lot in order to determine if on-street parking is needed. Maps identifying the boundaries of the Hemenway Redevelopment Area may be viewed at the Development Services Department.

(4) Historic mixed use buildings located in the 1945 Corporate Limits. The provisions of subsection (b) shall not apply to existing structures. Off-premises parking shall be encouraged through subsection 18-526(d) of this chapter.

(5) Religious institutions located in the 1945 corporate limits. The provisions of subsection (b) shall not apply to religious institutions that require 50 or fewer parking spaces if on-street parking is available within a two-block radius. Off-premises parking shall be encouraged through subsection 18-526(d) of this chapter.

(j) Use of parking facilities.

- (1) Limitations on use of required parking facilities.
  - a. Permitted use. Required parking spaces approved in accordance with this chapter shall only be used for the intermittent parking of licensed motor vehicles of employees, occupants, owners, tenants or customers utilizing the building served by said required parking space.
  - b. Storage, repair or display of any equipment or merchandise, shall not be permitted. Storage of vehicles for sale at an automobile dealership may be permitted.
  - c. All parking areas not in compliance with these requirements shall be rendered in compliance prior to September 1, 2000.
- (2) Limitations on use of supplemental parking facilities.
  - a. Supplemental parking (parking facilities provided but not required) shall only be used for the intermittent parking of licensed motor vehicles of employees, occupants, owners, tenants or customers utilizing the building served by said parking space with exceptions described below.
  - b. Storage or repair of any equipment or merchandise shall not be permitted. Storage of vehicles for sale at an automobile dealership may be permitted.
  - c. Display and sale of any merchandise shall not be permitted except as may be approved by the city through a temporary use permit.
  - d. All parking areas not in compliance with these requirements shall be rendered in compliance prior to September 1, 2000.

**Sec. 18-527. Off-street loading.**

(a) *Location.* All required loading spaces shall be located on the same lot and shall have the same zoning as the use it is to serve. No off-street loading space shall be located in a required front yard or within a triangular sight distance. Loading facilities shall be constructed so that all maneuvering will take place entirely within the property lines of the facility. Interior off-street loading spaces may be located inside the structure it serves provided the other provisions of this section, such as size and access, are met.

(b) *Size.* For uses handling goods in quantity as described in subsection 18-527(h)(1), off-street loading spaces shall have a minimum width of twelve (12) feet and a minimum length of forty-five (45) feet, exclusive of aisles and maneuvering space. For uses not handling goods in quantity as described in subsection 18-527(h)(2), off-street loading spaces shall have a minimum width of twelve (12) feet and a minimum length of twenty-five (25) feet, exclusive of aisles and maneuvering space. In all cases loading spaces shall have a minimum vertical clearance of fifteen (15) feet.

(c) *Surfacing.* All off-street loading spaces shall be paved with asphalt or concrete material, or with alternative paving material (e.g. concrete pavers, brick, "turfstone" or similar material) determined to exhibit equivalent wear resistance and load bearing characteristics as asphalt or concrete, of a type and thickness capable of carrying, without damage, the heaviest vehicle loads reasonably anticipated on such surface. Loading spaces associated with parking facilities which are exempted from the paving requirements of this ordinance (see subsection 18-529(c)(4)e.) shall likewise be exempted from these paving requirements.

(d) *Repair and service.* No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities, except emergency repair service necessary to relocate a vehicle to a normal repair facility.

(e) *Utilization.* Off-street loading space shall not be used to satisfy the space requirements for off-street parking facilities or portions thereof, nor vice versa.

(f) *Similar use applicable.* The City Manager shall apply the off-street loading requirements for the most similar use listed herein to an unspecified use.

(g) *Access.* Each off-street loading space shall be provided with unobstructed ingress and egress to a public or private street.

(h) *Off-street loading requirements.*

(1) Uses handling goods in quantity. Uses which normally handle large quantities of goods including, but not limited to, industrial plants, wholesale establishments, storage warehouses, freight terminals and hospitals or sanitariums, shall provide off-street loading facilities in the following amounts:

Gross Floor Area of Establishment in Square Feet	Required Number of Loading Spaces
Less than 5,000	N/A
5,000 to 24,499	1
25,000 to 49,999	2
50,000 to 99,000	3
100,000	4

For each additional one hundred thousand (100,000) square feet of gross floor area, at least one (1) additional loading space shall be provided.

(2) Uses not handling goods in quantity. Commercial establishments which do not handle large quantities of goods including, but not limited to, office buildings, restaurants, auditoriums, convention halls, coliseums, exhibition halls, funeral homes, hotels and motels shall provide off-street loading facilities in the following amounts:

Gross Floor Area of Establishment in Square Feet	Required Number of Loading Spaces
Less than 19,999	N/A

20,000 to 69,999	1
70,000 to 100,000	2

For each additional one hundred thousand (100,000) square feet of gross floor area, at least one (1) additional loading space shall be provided.

- (3) Other uses. The City Manager or the designated appropriate reviewing agency shall apply the off-street loading requirements for the most similar use listed herein to an unspecified use.

**Sec. 18-528. Off-street parking space schedule.**

(a) Unless otherwise required within the following schedule all employers shall provide one (1) space per two (2) employees of the largest shift. Any visitor and/or company vehicle parking shall not be counted to meet the requirements of this provision.

(b) Any nonresidential and/or public assembly use that does not provide for fixed seating and/or is not a specifically listed use within any zoning district shall have its off-street parking requirements established by the City Manager as follows:

- (1) The maximum allowable occupancy number shall be determined in accordance with the North Carolina State Building Code for the proposed use; and then,
- (2) That number for the proposed use shall be divided by three (3). The quotient of the above calculation shall be the minimum amount of off-street parking spaces to be provided.

(c) All nonresidential uses shall comply with the requirements of the North Carolina Building Code or General Statutes for off-street parking spaces for the handicapped, whichever is more stringent.

(d) General maximum allowable parking standards. If a parking group does not contain a specific maximum limit on the number of parking spaces, the maximum allowable parking spaces shall be one hundred fifty (150) percent of the minimum parking standard for such parking group. The maximum parking requirement will not be applicable to lots of twenty (20) spaces or less. Parking provided under the footprint of a building shall not count as additional parking above the maximum. Parking provided in stand alone parking structures shall not count toward the maximum except those spaces on the ground level of the structure.

Parking in excess of essential site improvements as defined in Article 15 up to the maximum may be allowed with the options listed:

- (1) Pervious paving materials used only on sites where soils are suitable for infiltration; and/or
- (2) Runoff from additional parking area is managed by at least one (1) of the following techniques (refer to: NCDENR Best Management Practices Manual for design criteria): bioretention area; filter strip; sand filter; and or grassed swales.

An applicant may apply to the technical review committee or appropriate reviewing body for up to twenty-five (25) percent of parking over the maximum provided that the following conditions are met:

- (1) All parking in excess of essential site improvements meets the above conditions.
- (2) The applicant requesting the additional parking above the maximum submits information that justifies the number of parking spaces being proposed, including estimates of parking demand based on recommendations of the Institute of Traffic Engineers and/or other reliable data. The information shall document the source of data used to develop the recommendation.
- (3) The applicant demonstrates that no other parking alternatives exist, including shared parking opportunities with neighboring properties.

(e) For manufacturing and warehousing uses containing a minimum (cumulative) structure size of twenty-five thousand (25,000) square feet and which are not generally dependent on walk-in trade for their business operations, the parking requirement may be reduced to a minimum of 1:15 parking spaces per employee on the shift of the average greatest employment.

(f) Bicycle parking. Each new multi-family, commercial, or office development or major redevelopment requiring twenty-five (25) or more automobile parking spaces shall make provisions for parking a minimum of five (5) bicycles. Each additional one hundred (100) automobile parking spaces above the twenty-five (25) minimum shall require provisions for parking an additional five (5) bicycles up to a bicycle parking system that can accommodate a maximum of twenty (20) bicycles. The bicycle parking provisions shall allow for bicyclists to secure their vehicle against theft. Bicycle parking facilities shall be provided within twenty (20) feet of the primary entrance to the facility. In the event of multiple entrances, bicycle-parking facilities shall be dispersed for easy access to the multiple entrances.

(g) Parking studies. Some land uses have widely varying parking demand characteristics, making it impossible to specify a single off-street parking standard. A developer proposing to develop or expand such a use may be required to submit a parking study that provides justification for the number of off-street parking spaces proposed. The technical review committee shall review this study and any other traffic engineering and planning data relevant to the establishment of an appropriate off-street parking standard for the proposed use. A parking study must include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE) and/or other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study must document the source of data used to develop the recommendations. After reviewing the parking study, the technical review committee shall establish the off-street parking standard for the proposed use.

(h) Alternative parking plan to meet minimum parking requirements. An alternative parking plan represents a proposal to meet off-street parking and transportation access needs by means other than providing parking spaces on-site in accordance with section 18-532. Applicants who wish to provide fewer off-street parking spaces than required pursuant to section 18-528 and/or section 18-532 shall secure approval by the Technical Review Committee of an alternative parking plan, in accordance with the standards of this subsection.

- (1) Procedures:
  - a. Plan contents. Alternative parking plans shall be submitted in a form established by the City Manager and made available to the public. At a minimum, such plans must detail the type of alternative proposed and the rationale for such a proposal.
  - b. Review and administrative approval. The technical review committee is authorized to review and act on alternative parking plans if the plan proposes a reduction of off-street parking spaces.
  
- (2) Eligible alternatives. The technical review committee shall be authorized to consider and approve any alternative to providing off-street parking spaces on the site of the subject development if the applicant demonstrates that the proposed plan will protect surrounding neighborhoods, maintain traffic circulation patterns and promote quality urban design at least as well as a plan that complies with otherwise applicable off-street parking standards. The following alternatives are intended to serve as examples of the types of alternatives that may be approved.
  - a. Bicycle parking. The technical review committee may authorize a reduction in the number of required off-street parking spaces for developments or uses that provide bicycle parking in addition to the required number of bicycle parking spaces or that make special provisions to accommodate bicyclists. Examples of accommodations include bicycle lockers, employee shower facilities and dressing areas for employees.
  - b. Valet parking. The technical review committee may authorize valet parking as a means of satisfying otherwise applicable off-street parking standards.
    - i. An automobile must be retrievable from its parking space with the movement of no more than two (2) additional vehicles; and
    - ii. The technical review committee must determine from the best information available that the valet parking will not cause interference with the public use of streets or ways or imperil the public safety.
  
- (3) Transportation management plan. The technical review committee may authorize a reduction in the number of required off-street parking spaces for developments or uses that institute and commit to maintain a transportation management program in accordance with the standards of this section.
  - a. Required study. The applicant must submit a study that clearly indicates the types of transportation management activities and measures proposed.
  - b. Transportation management activities. There are no limitations on the types of transportation management activities for which reductions may be granted from

otherwise required off-street parking ratios.

The following measures are a guide to eligible transportation management activities.

- i. Transportation coordinator. The appointment of a transportation coordinator with responsibility for disseminating information on ride-sharing and other transportation options may be cause for a reduction in otherwise applicable off-street parking requirements. In addition to acting as liaisons, transportation coordinators must be available to attend meetings and training sessions with transit providers.
- ii. Off-peak work hours. Employers that institute off-peak work schedules, allowing employees to arrive and depart at times other than the peak commute period, may be eligible for a reduction in otherwise applicable off-street parking requirements. The peak morning commute period is defined as 7:30 to 9:00 a.m. The afternoon peak period is defined as 4:30 to 6:00 p.m.
- iii. Preferential parking. The provision of specially marked spaces for each registered car pool and van pool may be cause for a reduction in otherwise applicable off-street parking requirements.
- iv. Financial incentives. The provision of cash or in-kind financial incentives for employees commuting by car pool, van pool and transit may be cause for a reduction in otherwise applicable parking requirements.

**Sec. 18-529. Off-street parking design.**

(a) *Purpose.* The purpose of this section is to protect and promote the public health, safety and general welfare by requiring safe and adequate design of parking lots and the landscaping of such facilities which will:

- (1) Help to reduce wind and air turbulence, heat and noise and glare;
- (2) Act as a natural drainage system lessening storm water drainage problems and soil erosion,
- (3) Provide shade;
- (4) Conserve and stabilize property values and otherwise facilitate the creation of a convenient, attractive and harmonious community; and
- (5) Relieve the blighted appearance of parking lots and generally preserve a healthy and pleasant environment.

(b) *Plan.*

- (1) Prior to any work being done or any building or driveway permit being issued, all off-street parking facilities of five (5) or more spaces and/or twenty-five hundred (2,500) square feet constructed, reconstructed, revised or enlarged shall have a plan of the facility reviewed by the City Manager or his designee for compliance with General Statutes, city ordinances and the provisions of the city's Technical Standards and Specifications Manual.
- (2) The plan shall show the number, size and location of spaces; arrangements of circulation aisles; locations of driveways; provisions for vehicular and pedestrian circulation; locations of sidewalks and curbs on or adjacent to the facility; barriers or wheel stops; interior, perimeter and street side landscaping; locations, legend and details of signs; lighting standards; typical cross-section of pavement; storm drainage facilities; and other pertinent information necessary to indicate compliance with this section.
- (c) *Design criteria.*
  - (1) Maneuvering. All parking and loading facilities shall be constructed so that all maneuvering will take place entirely within the property lines of the facility.
  - (2) Barriers. Each parking space located at the perimeter of a parking facility shall be equipped with a curb, wheel stop, or similar device to prevent vehicle encroachment beyond property lines of parking lots and into pedestrian ways or traffic aisles.
  - (3) Vision clearance. Parking lot design shall comply with the vision clearance provisions set forth in section 18-556 herein.
  - (4) Except as provided in subsection 18-526(b) of this chapter, all new, enlarged or repainted parking facilities shall comply with the standards set forth in the City Technical Standards and Specifications Manual and the following:
    - a. A standard parking space shall have a minimum width of eight and one-half (8 1/2) feet and a minimum length of eighteen (18) feet.
    - b. Parking spaces for small vehicles may be provided in lieu of standard parking spaces for parking decks and for residential, non-medical office, warehousing, and industrial uses. However, no more than twenty-five (25) percent of the total number of required parking spaces shall be small vehicle spaces. The minimum width of a small vehicle space shall be eight (8) feet and its minimum length shall be sixteen (16) feet. Small vehicle parking spaces shall be designated by proper signage alerting drivers to the limitation of space size. Small vehicle parking spaces are not permitted in conjunction with other uses than those listed above.
    - c. Spaces larger than the standard size are permitted, provided at least the minimum number of spaces required are furnished.
    - d. All nonresidential uses shall comply with the requirements of the North Carolina

Building Code or General Statutes for off-street parking spaces for the handicapped, whichever is more stringent.

- e. All parking facilities containing twenty-five (25) or more spaces or stalls shall be paved with concrete or asphalt material, or with alternative paving material (e.g. concrete pavers, brick, "turfstone" or similar material) determined to exhibit equivalent wear resistance and load bearing characteristics as asphalt or concrete, according to the parking lot standards of the Technical Standards and Specifications Manual. There are three (3) exceptions to these requirements: Parking facilities in the Historic District (which may be surfaced with other materials, recognized as historical surfacing materials in the Historic District Design Guidelines); "overflow" parking facilities (i.e., parking facilities providing parking in excess of the number of spaces required in section 18-532 of this ordinance for the uses for which the parking is provided); and those parking facilities determined by the City Manager or designee to serve establishments for which infrequent use of the parking facilities is anticipated (e.g., for certain assembly uses--Churches, recreational areas, etc.). These latter two (2) types of parking facilities may be surfaced with material deemed appropriate for such facilities on a case-by-case basis by the City Manager or designee upon consultation with the traffic engineering division and engineering department.
- f. All parking facilities containing between five (5) and twenty-four (24) spaces or stalls, inclusive, may be paved or surfaced with a stone material in accordance with the requirements set forth in the Technical Standards and Specifications Manual; provided that all spaces set aside for parking by handicapped persons must comply with all applicable codes, ordinances and technical requirements, and paved access to a handicapped-accessible entrance to the principal building must be provided; provided further that all parking facilities surfaced in accordance with this paragraph must otherwise comply with the requirements of the Technical Standards and Specifications Manual.
- g. Alternative parking surfaces. The City may require that parking proposed in excess of the minimum standard be stabilized grass parking or an alternative permeable surface appropriate to the specific site. Alternative parking surfaces shall be adequately maintained to provide a stable parking surface.
- h. Shared parking study. Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit a shared parking analysis to the technical review committee that clearly demonstrates the feasibility of shared parking. The study must address, at a minimum, the size and type of the development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces. A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be approved by the City Attorney and submitted to the City for recordation on forms made available in the office of the City. Recordation

of the agreement must take place before issuance of a building permit for any use to be served by the off-site parking area. A shared parking agreement may be revoked only if required off-street parking spaces can be otherwise provided, in accordance with section 18-532.

- i. Water-oriented space size. Water-oriented (boat slip) parking spaces shall have a minimum width of ten (10) feet and a minimum length of sixteen (16) feet. Space adjacent to a floating dock shall have a minimum length of sixteen (16) feet. Water-oriented parking spaces shall be identified by signs. Water-oriented parking shall consist of a minimum of two (2) boat slips but shall not account for more than ten (10) percent of the total number of spaces required for any use.
- (5) Drainage. No storm water drainage from a parking facility shall cross the surface of any adjoining public right-of-way to reach a storm water drainage system.

### **Sec. 18-530. Driveways.**

- (a) *General.*
- (1) Only driveways designed, approved, constructed and surfaced in accordance with the provisions herein shall be allowed to provide motor vehicle access to or from any property upon which a building has been constructed, reconstructed or physically altered. All driveways shall be paved with either asphalt or concrete, or with alternative paving material (e.g. concrete pavers, brick, "turfstone" or similar material) determined to exhibit equivalent wear resistance and load bearing characteristics as asphalt or concrete, according to the standards of the Technical Standards and Specifications Manual for parking lots, except for driveways in the Wilmington Historic District (which may be surfaced with brick as provided in subsection 18-530(e) herein or with other materials recognized as historic surfacing materials in the Historic District Design Guidelines) or for driveways which serve "overflow" parking facilities (i.e., parking facilities providing parking in excess of the number of spaces of this ordinance for those uses for which the parking is provided or for parking lots in which other surfacing materials are permitted. (See subsection 18-529(c)(4)e.).
- (2) Before a building permit is issued for the construction, reconstruction or change in use of any building or land used for purposes other than a single or two-family residence, all driveways shall be reviewed and approved by the city engineer. Private driveways serving single-family and two-family dwellings shall not be regulated by the provisions of this article. "Construction, reconstruction or change in use" refers to those improvements made to the site involving overall structure size or to changes in use which would require the addition of one (1) or more parking spaces under the provisions of section 18-532; it is not intended to refer to construction activities which merely involve changes to exterior architectural features (e.g., painting, addition of siding, roofing activities, etc.) as defined in Article 15. An applicant for a driveway connection shall be required to construct in accordance with the Technical Standards and Specifications Manual and dedicate to the public medians, acceleration and deceleration lanes, and/or traffic storage lanes when the

city engineer determines that the improvements will serve the traffic of the proposed driveway and the anticipated volume of traffic using the proposed driveway may significantly interfere with the flow of traffic on abutting or surrounding public streets.

- (3) When the use of any driveway has been permanently discontinued, the property owner of that driveway shall, at his expense, replace all necessary curbs, gutters, aprons, sidewalks, and appurtenances thereto, within sixty (60) days of receipt of a written notice from the city engineer.
  - (4) No driveway shall conflict with any municipal facility such as traffic signal standards, catch basins, fire hydrants, crosswalks, loading zones, bus stops, utility poles, fire-alarm supports, meter boxes and sewer cleanouts or other necessary structures, except with the express approval of the appropriate city officials. Any adjustments to municipal facilities to avoid such conflicts shall be at the expense of the driveway applicant.
- (b) *Permit requirements.*
- (1) A permit must be obtained from the city engineer prior to the removal, alteration or construction of any curb, driveway, gutter and/or pavement or prior to the performance of any other work in any public or private street. Conditions governing the issuance of such a permit are:
    - a. A continuing indemnity bond with sufficient surety acceptable to the City may be required of the party performing the work. All work must be done in conformity with the standards established herein.
    - b. The City shall be indemnified for any damages it might sustain as a result of the breach of condition above. The damages payable to the City shall be the amount required to make such improvement conform to city standards.
  - (2) A fee in accordance with the City's adopted fee schedule shall be paid to the City at the time the application for a driveway permit is made.
- (c) *Submission of plans.*
- (1) Two (2) copies of plans showing the location and dimensions of all proposed improvements shall be filed with the city engineer for his approval prior to the issuance of a driveway permit for uses other than single or two-family residential.
  - (2) All design and construction of driveways shall conform to the requirements of the City Technical Standards and Specifications Manual, except for those driveways within the Historic District which shall conform to the requirements of the Historic District Design Guidelines. (See also subsection 18-530(a)(1) for acceptable modifications to the surfacing requirements of the Technical Standards and Specifications Manual).
- (d) *Driveway permit inspection.* Once the driveway permit is duly issued, the supervisor of the

driveway construction site shall keep the permit available for on-the-job inspection by authorized personnel of the City. The inspector or other authorized representative of the City shall have the authority to require the immediate stoppage of work not performed either in accordance with the approved plans or under the requirements of this chapter and may order the nonconforming installations be corrected and/or blocked.

- (e) *Brick driveways.*
- (1) In the historic districts and Central Business District brick driveways consisting of smooth, hard-burned clay bricks with an appropriate concrete base conforming to the design standards of the city engineer will be allowed.
- (2) In the event repairs are required after brick driveways are installed due to utility replacement or other construction work, the driveway applicant shall pay that portion of the repair cost which exceeds the cost of repair using standard concrete six (6) inches in thickness. Normal maintenance or replacement will be the responsibility of the driveway applicant.

**Sec. 18-531. Interpretation of parking schedule.**

Because of their common parking requirements, the following specific uses shall meet the parking requirements for the listed general use category:

- (a) *Banking services:* banks, credit agencies other than banks, savings and loan associations and other financial institutions.
- (b) *Personal services:* barber shops, beauty salons and tanning salons.
- (c) *Residential:* accessory apartment, duplex, triplex, quadraplex, garage apartment, manufactured housing parks, multi-family including townhouses, PUD, single family detached, residential unit contained within a principal use.
- (d) *Retail sales establishments:* adult establishments, antique shop, appliance dealers, arcades with coin operated amusements, arts and crafts shops, automobile care center, automobile parts and supply, bicycle shops, boat dealers, boat stores, candy stores, carpet and rug dealers, hardware stores, grocery stores, gift, novelty and souvenir shops, market, department and variety stores, dairy stores, clothing shops, convenience food stores, lawn and garden stores, hobby, toy and game shop, jewelry stores, limited optical stores, paint, glass and wallpaper stores, picture frame shop, radio and television stores, shoe repair, shoe stores, shopping center, spas and health clubs, specialty food shops, sporting goods stores, and similar uses.

**Sec. 18-532. Parking schedule.**

Unless otherwise noted, square footage is based upon building area.

USES	REQUIRED NUMBER OF OFF STREET PARKING SPACES	
	Maximum	Minimum
Residential Uses	2.5 per unit	0-1 bedroom 1.5; 2 bedrooms 2; 3 bedrooms or more 2.25. If the City determines that the parking requirements of the anticipated resident population requires additional parking, the City may require up to 2.5 spaces per unit. Elderly housing may be reduced up to 1 space per 2 units.

Related Residential Uses	Maximum	Minimum
Daycare, adult or child		1 per 8 participants
Dormitory, private		1 per resident plus 1 per supervisor and staff person
Family care home		1 per 4 beds and 1 per supervisor and staff person
Fraternity or sorority houses		1 per resident plus 1 per supervisor and staff person
Group day facilities		1 per supervisor and staff person
Group home residential		2 plus 1 per 4 beds and 1 per supervisor and staff person
Group home supportive, medium		2 plus 1 per 4 beds and 1 per supervisor
Group home supportive, large		2 plus 1 per 4 beds and 1 per supervisor
Group home supportive, small		2 plus 1 per 4 beds and 1 per supervisor
Nursing homes		1 per 4 beds and 1 per supervisor and staff person
Assisted living residence		1 per 4 beds and 1 per supervisor and staff person
Religious institutions	1 per 3 seats	1 per 4 seats

Non-Residential	Maximum	Minimum
Amusement and recreation services, indoor	1 per 200 square feet of gross floor area (sq ft gfa)	1 per 400 sq ft gfa
Artists, commercial including silk screening		1 per 500 sq ft gfa
Assembly Hall	1 per 250 sq ft gfa or 1 per every 3 seats, whichever is greater	1 per 400 sq ft gfa or 1 per every 4 seats, whichever is greater
Automobile and truck dealers		1 per 500 sq ft gfa
Automobile renting and leasing		1 per 100 sq ft gfa
Automobile repair shop	1 per 400 sq ft gfa max	1 per 600 sq ft gfa and 1 per 2,000 sq ft of display area

Automotive services, except repair and towing	1 per 400 sq ft gfa max	per 600 sq ft gfa and 1 per 2,000 sq ft of display area
Banking services	1 per 200 sq ft gfa	1 per 400 sq ft gfa
Bowling alleys and pool halls		1 per alley plus requirements for any other use associated with the establishment, such as a restaurant
Building material dealers	1 per 250 sq ft gfa	1 per 400 sq ft gfa
Business services	1 per 250 sq ft gfa	1 per 400 sq ft gfa
Carpet and upholstery cleaners	1 per 400 sq ft gfa	1 per 600 sq ft gfa and 1 per 2,000 sq ft of display area minimum
Catalog stores	1 per 400 sq ft gfa	1 per 600 sq ft gfa and 1 per 2,000 sq ft of display area minimum
Communications facilities	1 per 250 sq ft gfa	1 per 400 sq ft gfa
Contractor's equipment and supply dealers and service	1 per 200 sq ft gfa	1 per 300 sq ft gfa
Contractor, general or special trade	1 per 200 sq ft gfa	1 per 300 sq ft gfa
Contractor's storage yard	1 per 200 sq ft gfa	1 per 300 sq ft gfa
Cultural arts center	1 per 250 sq ft gfa	1 per 400 sq ft gfa
Divers, commercial	1 per 400 sq ft gfa	1 per 600 sq ft gfa and 1 per 2,000 sq ft of display area
Drive-in theater	1 per 1000 sq ft gfa	1 per 1,500 sq ft gfa or 1 per 1.5 employees
Electric motor repair shop	1 per 250 sq ft gfa	1 per 400 sq ft gfa
Farmer's market, seasonal only	1 per 200 sq ft gfa	1 per 400 sq ft gfa
Furniture store	1 per 500 sq ft gfa	1 per 1,000 sq ft gfa
Golf course, private or public		50 per 18 holes
Guest lodging		1 per guest room and 1 per supervisor and staff person
Guns sales, including repair	1 per 400 sq ft gfa	1 per 600 sq ft gfa and 1 per 2,000 sq ft of display area
Hospitals, except animal hospitals	1 per each 2 licensed beds intended for patient use, plus 1 per each staff person, including medical and support staff based on the largest employee shift	
Industrial	1 per 1,000 sq ft gfa	1 per 1,500 sq ft gfa
Kennels, commercial boarders and breeders	1 per 250 sq ft gfa	1 per 400 sq ft gfa
Laboratories, testing	1 per 400 sq ft gfa	1 per 600 sq ft gfa and 1 per 2,000 sq ft of display area
Launders, industrial		1 per 500 sq ft gfa
Libraries	1 per 200 sq ft gfa	1 per 300 sq ft gfa
Mini-warehousing		1 space per 1000 sq ft gfa
Marinas		1 per 4 dry slips, plus 1 per 2 wet slips
Manufactured housing dealers		1 per 100 sq ft gfa
Mini-warehousing		1 per 1,000 sq ft gfa
Motels and hotels		1 per guest room plus 50% of the required spaces for any accessory uses

Motorcycle dealers		1 per 500 sq ft gfa
Motor freight companies		1 per 1000 sq ft of non-office floor area plus 1 per 300 sq ft office floor area
Movers, van lines and storage		1 per 1000 sq ft gfa
Movie theaters, except drive-in		1 per 4 seats
Nightclubs	1 per 2.5 seats or 1 per 65 sq ft gfa exclusive of kitchen and restroom facilities	1 per 4 seats or 1 per 80 sq ft gfa exclusive of kitchen restroom facilities
Offices, medical	1 per 170 sq ft gfa	1 per 250 sq ft gfa
Offices, professional	1 per 200 sq ft gfa	1 per 300 sq ft gfa
Package delivery services, commercial		1 per 500 sq ft gfa
Parks and recreation areas, municipal	1 per 200 sq ft gfa	1 per 400 sq ft gfa
Personal services	1 per 225 sq ft gfa	1 per 400 sq ft gfa
Pipe lines except natural gas		1 per 1000 sq ft of non-office floor area plus 1 per 300 sq ft office floor area
Recreation facility, private	1 per 200 sq ft gfa	1 per 400 sq ft gfa
Repair shops, not elsewhere classified	1 per 250 sq ft gfa	1 per 400 sq ft gfa
Research and development laboratories	1 per 250 sq ft gfa	1 per 400 sq ft gfa
Restaurant: standard & fast food carry-out	1 per 2.5 seats or 1 per 65 sq ft gfa exclusive of kitchen and restroom facilities	1 per 4 seats or 1 per 80 sq ft gfa exclusive of kitchen restroom facilities
Retail sales establishment	1 per 200 sq ft gfa	1 per 400 sq ft gfa
Sales office, off-premises	1 per 1000 sq ft gfa	1 per 1500 sq ft gfa or 1 per 1.5 employees
Schools: colleges and universities	1 per 5 students, or 1 per 3 seats in auditoriums and other places of assembly or facilities available to the public, which ever is greater	
Schools: correspondence and vocational	1 per 5 students, or 1 space per 3 seats in auditoriums and other places of assembly or facilities available to the public, which ever is greater	
Schools: primary	1 per teacher and staff person	
Schools: secondary	1 per 5 students, or 1 per 3 seats in auditoriums and other places of assembly or facilities available to the public, which ever is greater	
Schools: trade, correspondence, and vocational	1 per 5 students, or 1 per 3 seats in auditoriums and other places of assembly or facilities available to the public, which ever is greater	
Service stations	1 per 200 sq ft gfa	1 per 400 sq ft gfa
Ship chandlers	1 per 1000 sq ft gfa	1 per 1500 sq ft gfa or 1 per 1.5 employees
Shipping brokers, freight and cargo	1 per 1000 sq ft gfa	1 per 1500 sq ft gfa or 1 per 1.5 employees
Skating rink, roller or ice	1 per 200 sq ft gfa	1 per 400 sq ft gfa
Small engine repair, except automotive	1 per 200 sq ft gfa	1 per 400 sq ft gfa
Social services, not elsewhere classified	1 per 200 sq ft gfa	1 per 300 sq ft gfa
Swimming pool, private	1 per 200 sq ft gfa	1 per 400 sq ft gfa
Tattoo and body piercing	1 per 225 sq ft gfa	1 per 400 sq ft gfa

Telecommunication facility unattended	1 per 1,000 sq ft gfa	1 per 1,500 sq ft gfa
Tire dealers and service		1 per 500 sq ft gfa
Towing services, automobile and truck	1 per 400 sq ft gfa	1 per 600 sq ft gfa and 1 per 2,000 sq ft of display area min
Used merchandise stores, except automotive goods	1 per 225 sq ft gfa	1 per 400 sq ft gfa
Utility stations and plants outside public rights-of-way	1 per 1,000 sq ft gfa	1 per 1,500 sq ft gfa or 1 per 1.5 employees
Veterinary services with open pens	1 per 170 sq ft gfa	1 per 250 sq ft gfa
Warehousing general		1 per 1,000 sq ft gfa
Water transportation	1 per 1000 sq ft gfa	1 per 1,500 sq ft gfa or 1 per 1.5 employees
Welding, repair	1 per 250 sq ft gfa	1 per 400 sq ft gfa
Wholesale trade, durable goods		1 space per 1,000 sq ft gfa
Wholesale trade, non-durable goods, except liquefied milk storage		1 space per 1,000 sq ft gfa
Wholesale trade, non-durable goods		1 space per 1,000 sq ft gfa

**Sec. 18-533. Off-street parking and/or storage of certain vehicles.**

(a) *Manufactured housing.* The off-street parking or storage of any manufactured housing shall be prohibited in any district except:

- (1) The MHP, Manufactured Housing Park District approved under this Land Development Code or the New Hanover County Mobile Home Parks Ordinance, or
- (2) An establishment for sales, servicing, maintenance and/or manufacturing of mobile homes.

(b) *Trailers.* Any trailer over twenty-five (25) feet in length shall not be parked or stored in any residential, O&I, or CB District except in an enclosed building. Trailers less than twenty-five (25) feet in length shall only be parked behind the plane of the front façade of the principal building on any residential lot. A maximum of two (2) trailers are permitted on any such lot, only one of which may be parked between the front and rear facades of the principal building. If the trailer and/or any equipment loaded on the trailer exceeds six (6) feet in height, it shall only be parked behind the plane of the rear facade. This regulation shall not be interpreted to prohibit the loading and unloading of commercial trailers in any such district.

(c) *Commercial vehicles.* One commercial vehicle with a gross vehicle weight rating (GVWR) of not more than ten thousand (10,000) pounds may be parked on any residential lot containing a principal building, provided that such vehicle is parked off the street, is parked in a delineated parking area (e.g., a driveway or a garage), and is used by a resident of the premises. In all other cases, the parking of a commercial vehicle in any residential district is prohibited. This regulation shall not be interpreted to prohibit commercial vehicles from loading or unloading in any residential district.

(d) *Recreational vehicles:* Parking or storage of recreational vehicle(s) shall be permitted as accessory to a principal residential use only in accordance with the following conditions:

- (1) Unless stored in a garage, carport, or accessory building, recreational vehicles shall be parked or stored behind the portion of the principal building closest to the street provided, however, that parking shall be permitted anywhere on the premises or on an adjacent street (if otherwise lawful), not to exceed twenty-four (24) hours.
- (2) In any side yard not adjacent to a street, no such recreational vehicles may be parked or stored if it exceeds six (6) feet in height above the ground provided, however, masts, antennas, vent stacks, windshields or other minor accessories may exceed this height limit.
- (3) Recreational vehicles exceeding the limitations set forth in (2) above, shall be parked or stored outdoors only in the rear yard. Any equipment so stored shall be subject to the accessory building requirements in Article 6.
- (4) No recreational vehicles parked or stored on a residential lot shall be in such location for living, sleeping, housekeeping or business purposes.
- (5) The City Manager may conditionally allow front yard or side yard storage of recreational vehicles if all of the following conditions are present:
  - a. The recreational vehicle cannot be stored in the rear yard due to dimensional restrictions, such as those created by existing trees or structures blocking access. The applicant shall provide photographic and dimensional evidence to the City Manager.
  - b. The recreational vehicle is stored at a minimum of two hundred (200) feet from the frontage line.
  - c. Sufficient vegetation or screening exists to screen the recreational vehicle from adjacent property. Sufficient vegetation or screening is defined as fifty (50) percent opacity to a minimum height of six (6) feet. If vegetative screening is utilized, fifty (50) percent opacity shall be achieved within two (2) years of permit. The City Manager may approve applications based on topographic differences between the storage area and adjacent properties that effectively screen the storage area.
  - d. The recreational vehicle shall not be located within thirty (30) feet of any adjacent primary structure.

(e) *Utility machines or vehicles.* A total of two (2) utility machines or vehicles not exceeding seven (7) feet in height may be permitted on a residentially zoned or used lot provided they are parked or stored in the rear yard and are not used in conjunction with a commercial purpose or business. Those utility machines or vehicles stored or parked on trailers shall adhere to the regulations of subsection (b) above; however, under no circumstance shall more than two (2) utility machines or vehicles be permitted on such lots.

**Secs. 18-534--18-540. Reserved.**

