

## ARTICLE 24 PARKING

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### **24.01 Parking Spaces Required**

**24.01.01** All developments in all zoning districts shall initially and continually provide a sufficient number of permanent off-street motor vehicle and bicycle parking spaces, in compliance with this Article, to accommodate the residents, employees, customers, visitors and others who may spend time at that development.

**24.01.02** Unless otherwise expressly stated, every development shall provide the parking spaces required per Table 24.01 below and the other provisions of this Article. Parking spaces may be provided in a parking structure. For uses not covered in Table 24.01, the parking requirements shall be as determined by the Administrator as set forth at subsection 24.01.11 below.

**24.01.03** Unless otherwise expressly stated, these requirements apply as follows:

**A. New Construction.** Any new buildings or structures must provide parking as required by this Article at such times as a Certificate of Occupancy or other zoning Certificate required for use or occupancy is issued.

**B. Additions & Renovations.**

1. A building or site may be renovated or repaired without providing additional parking provided that there is no increase in gross floor area or improved site area, subject to the provisions of subsection I below.
2. When an existing building, use and/or occupancy is enlarged or expanded to include additional dwelling units, floor area, seating capacity, or other units of measurement used for establishing parking and loading requirements, parking is required for the enlarged or expanded building area, use or occupancy only; *provided, however*, that if the enlarged area, use or occupancy would require an increase of less than ten (10) percent in the required number of parking spaces or fewer than four (4) spaces, no additional motor vehicle parking shall be required.

**C. Change of Use or Occupancy.**

1. Upon conversion from one type of use or occupancy to another, or any change in the manner in which the use is constructed that would result in additional parking requirements, parking is required for the new use or occupancy; provided, *however*, that if a change in use or occupancy would require an increase of less than ten (10) percent in the required number of parking spaces or fewer than four (4) spaces, no additional motor vehicle parking shall be required.
2. Notwithstanding the foregoing provision, when there is a change in use of the structure(s) on an existing parcel that does not involve any enlargement of a structure is proposed for such lot, and the parking requirements of Section 24.01 that would be applicable as a result of the proposed change cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for parking, then the applicant need only comply with the requirements of Section 24.01 to the extent that (i) parking space is practicably available on the lot where the development is located, and (ii) satellite parking space is reasonably available. It shall be a continuing condition of the permit authorizing development on such lot that the applicant obtain satellite parking when it does become available.

**Table 24.01 Required Parking by Use:**

Residential Land Uses	Minimum Parking Required
A-1 Secondary Suite A-3 Accessory Dwelling Unit T-1 Temporary Family health care structure T-2 Temporary Construction or Repair Dwelling T-3 Temporary Construction Trailer	1 space
1.01 Single-Family Dwelling 1.02 Manufactured Home "Class A" 1.03 Manufactured Home "Class B" 1.06 Duplex (each unit) 1.07 Duplex (each unit) 1.08-1.10 Townhouse (each unit) 2.01 Family Care Home A-21 Caretaker's Residence	2 spaces
1.05 Manufactured Home Park	2 spaces /Manufactured Home plus, 1 visitor parking space/10 Manufactured Homes, plus 2 spaces for Manufactured Home Park Employees
1.11-1.16 Multi-Family	0.7 space per bedroom
1.17 Adult Living Community	1 space/ unit plus .5 visitors parking space/dwelling unit
3.01 Home for Survivors of Domestic Violence	3 Spaces

Residential Land Uses	Minimum Parking Required
3.06 Vacation Rental	
2.02 Family Care Institutions 2.03-2.04 Halfway House 2.05 Residential Care Facility 2.06 Fraternity or Sorority Dwelling 3.02-3.03 Shelter for Homeless	1 space/4 1 space/4 beds Residential care facilities-plus one space for every two Staff members
2.07 Boarding Housing 3.04-3.05 Bed and Breakfast 3.08 Motel 3.09-3.11 Hotel	1.25 space/rentable room, plus 10 per 1000 ft <sup>2</sup> of restaurant/lounge, plus 20 per 1000 ft <sup>2</sup> per meeting/banquet room

Commercial Land Uses	Maximum Parking Allowed
16.01 Mini-Storage A-10 Produce Stand	1 space/1000 ft <sup>2</sup> GFA
4.06 Post Office, Distribution 14.0 Manufacturing 16.02 Outdoor Storage 16.03 Warehouse 16.04 Fuel Storage Facility 17.02 & 17.03 Trucking or Freight Terminal A-24 Chemical Storage Facility	2 spaces/1000 ft <sup>2</sup> GFA
10.0 Daycare 11.34 Gas Station	3 spaces/1000 ft <sup>2</sup> GFA
11.01 Kennel 11.02-11.03 Veterinary Office/Hospital 11.04 & 11.05 Financial Institution 11.13 ABC Store 11.14 – 11.15 Personal Service Establishment 11.16-11.18 Retail Store 11.20 – 11.21 Business or Professional Office 11.22-11.25 Medical Office 11.28 Open Air Market 11.35 Car Wash 12.0 Recreation 18.0 Waste Related Uses 19.0 Particular Activities which Pose Particular...	5 spaces/1000 ft <sup>2</sup> GFA or outdoor area used for principal use
11.06 – 11.11 Restaurant	12 spaces/1000 ft <sup>2</sup> GFA
4.03 Funeral Home Establishment	12 spaces/1000 ft <sup>2</sup> of visitation area, plus one space per every two seats in the chapel.
4.05 Post Office	1 space per employee plus 5 spaces/1000 ft <sup>2</sup> GFA

Commercial Land Uses	Maximum Parking Allowed
6.0 Non-Government Utility Facility	3 spaces per facility
7.0 Telecommunication	1 space per service provider
8.0 Assembly	1 space for every two seats in sanctuaries/chapels plus 3 spaces per 1000 ft <sup>2</sup> for daycares
9.0 Education	5 spaces per classroom
11.29 Vehicle Sales and Service 11.30 Equipment Sales and Service 11.31 Moped Sales and Service 11.32 Boat or Marine Craft Sales and Service	3 spaces/1000 ft <sup>2</sup> GFA, plus 2 spaces/1000 ft <sup>2</sup> of outdoor display, plus 2 per service bay
1.05 Manufactured Home Park 4.01 Airport/Land Strip 4.02 Heliport 4.04 Cemetery 4.07 Animal Sanctuary 5.0 Government Uses 13.0 Agricultural Uses 17.01 Passenger Terminals A-19 Helistop T-8 Temporary Non-Fixed Site Event Venue	As determined by the Administrator

**24.01.05 Exceptions in the B1 Downtown Core District.** Development in the B1 Downtown Core District is not required to meet the requirements of this Article, and will be construed as conforming to the requirements of this Article; *provided, however*, that (i) this exception does not apply to multi-family use(s) or Use 3.09 Hotel, Small, and (ii) this exception applies to motor vehicle parking and loading/unloading areas, and does not apply with respect to bicycle parking.

**24.01.05 Maximum Parking; Excess Parking**

- A.** The maximum allowed parking spaces for a use subject only to a minimum per Table 24.01 shall be 120% of the required minimum, provided that the applicant may establish the need for a higher maximum as provided at subsection 24.01.09 below.
- B.** An applicant may be allowed additional parking in excess of the maximum established per subsection (A) above in the following instances:
  - 1. The applicant is proposing to develop structured parking and is proposing extra spaces that will be available for public use and/or for shared or satellite parking as defined in this Article.

2. In the R3 and B3 districts, an applicant may be allowed additional parking spaces in surface parking lots in excess of the maximum established per subsection (A) above in the following instances:
  - i. The additional parking spaces are to be used for shared parking or satellite parking, as defined in this Article, or for public use, and
  - ii. The applicant provides double the landscape buffer otherwise required under this Ordinance.

**24.01.06** Except as otherwise provided herein, all required parking shall be located on the same parcel as the use to be served.

**24.01.07** When more than one (1) use is provided on any development or building lot, the parking requirements enumerated herein shall be the sum total of the parking requirements of the various uses, except as otherwise provided herein.

**24.01.08** The number of parking spaces provided at the time of approval of the development may not be subsequently reduced or increased without the written approval of the permit-issuing authority upon proper written application.

**24.01.09** Minimums and maximums may be adjusted by the permit-issuing authority when the applicant provides reliable and persuasive evidence (which may include but is not necessarily limited to a parking demand analysis prepared by a qualified engineer) demonstrating that the minimum parking required per the provisions of this Article would result in excess and unnecessary parking for the development, or that maximum parking allowed per the provisions of this Article is inadequate to meet the parking needed for the development.

**A.** Without limiting the generality of the foregoing, the permit-issuing authority may allow deviations from the parking requirements set forth herein when it finds that:

1. A residential development is irrevocably oriented toward the elderly;
2. A business is primarily oriented to walk-in trade.

**B.** Whenever the permit-issuing authority allows or requires a deviation from the presumptive parking requirements set forth herein, it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

**24.01.10** When a use is proposed which is not listed in Table 24.01 or is listed "To Be Determined", the permit-issuing authority shall determine the number of spaces required or permitted, as relevant, by referencing the most similar use listed in Subsection 24.01.03 and such other factors as are deemed relevant, including the particular parking demand and trip generation characteristics of the proposed use.

**A.** If the permit-issuing authority concludes that no reasonably similar use is listed, it may require the applicant to a parking demand analysis prepared by a qualified engineer or

such other evidence as it reasonably deems necessary and/or adequate to determine the number of needed or permitted spaces for the proposed use.

- B.** A parking demand analysis shall include, at a minimum:
- i. Estimates of parking demand based on reliable data collected from comparable uses or based on external data from credible research organizations; and
  - ii. Be based on developments and/or uses that are comparable in density, intensity, bulk, scale, type of activity and location; and
  - iii. Studies must document the source of all data used to develop the recommended requirements; and
  - iv. The submitted study must include all source materials and data logs used to develop the recommendation as exhibits to the recommendation; and
  - v. The submitted demand study must include an executive summary that succinctly outlines the methodology and recommendation.

**24.01.11 Allowed Reductions in Parking Requirements for Multi-Family Dwellings**

- A.** The minimum parking required for multi-family dwellings may be reduced for each of the following by the factor indicated, with a maximum reduction of 15%:
1. If the development is located within ½ mile of the Appalachian State University main campus or the Appalachian Health Sciences Building, the minimum parking may be reduced by 10%.
  2. If the development is served by a public transit route, with a transit shelter or bus pull-off existing or to be constructed within ¼ mile of the development, the minimum parking may be reduced by 10%; *provided*, that the transit route has capacity to serve the development and that such is demonstrated by the applicant to the reasonable satisfaction of the Administrator. To be entitled to this reduction for a route and/or transit stop that is not currently in existence, the applicant must provide written documentation establishing to the satisfaction of the Administrator that the transit authority will establish the route and/or facility prior to or simultaneously with first occupancy of the development.
  3. For every six (6) bicycle parking spaces in excess of the short- or long-term bicycle parking space requirements, the motor vehicle parking requirement may be reduced by one (1) space.

**24.01.11** For Residential Uses 1.01 through 1.10, driveways may be used to satisfy minimum on-site parking requirements, provided that sufficient space is available to prevent vehicle encroachment onto sidewalk and/or into adjoining vehicular travel lanes.

(Ord. 20160421, 11-17-2016; Ord. PL00264-021317, 03-16-2017; Ord. PL00258-020917, 04-20-2017; Ord. PL01388-32818, 04-26-2018; Ord. PL02860-071119, 09-19-2019; Ord. PL03076-090919, 11-19-2019; Ord. PL03370-112019, 10-21-2021)

**24.02 Parking Space Dimensions and Required Widths of Parking Area Aisles and Driveways**

**24.02.01** Subject to Subsections 24.02.02, 24.02.03 and 24.02.06, each parking space shall contain a rectangular area at least seventeen- and one-half feet long (17.5') and nine feet (9') wide. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, so long as the parking spaces so created contain within them the rectangular area required by this Section.

**24.02.02** In parking areas containing ten (10) or more parking spaces, a rectangular area of only seven- and one-half feet (7.5') in width by fifteen feet (15') in length, may be conspicuously designated as reserved for compact cars in the following situations:

- A. Multi-family uses may provide up to fifty percent (50%) of the parking spaces for compact cars.
- B. All other uses may provide up to thirty-five percent (35%) of the parking spaces for compact cars.
- C. Compact spaces must be signed as "compact".

**24.02.03** Wherever parking areas consist of spaces set aside for parallel parking, the dimensions of such parking spaces shall be not less than twenty-three feet (23') by nine- and one-half feet (9.5').

**24.02.04** Parking area aisle widths shall conform to the Table 24.02 Geometric Design Standards for Parking Table, which varies the width requirement according to the angle of parking.

**24.02.05** Driveways shall not be less than eleven feet (11') in width for one-way traffic and eighteen feet (18') in width for two-way traffic, except that eleven feet (11') wide driveways are permissible for two-way traffic when:

- A. The driveway is no longer than fifty feet (50'), and
- B. The driveway provides access to not more than six (6) spaces, and
- C. Sufficient turning space is provided so that vehicles need not back into a public street.

**Table 24.02 Geometric Design Standards for Parking**

Geometric Design for Standard Automobiles

Parking Angle (degrees)	Stall Width (Feet)*	Stall Depth (to Curb) (feet)	Aisle Width (feet)	Stall Width Parallel to Aisle (feet)	Module Width (feet)	Bumper Overhang (feet)
0	9.5	N/A	12.0	23.0	31.0	N/A
45	9.0	17.5	12.0	12.7	47.2	2.0
60	9.0	19.0	16.0	10.4	54.0	2.5
75	9.0	19.5	23.0	9.3	62.0	2.5
90	9.0	18.0	24.0	9.0	60.0	3.0

\*Note: Stall width shall be measured perpendicular to the vehicle not parallel to the aisle.

**Geometric Design for Compact Automobiles**

Parking Angle (degrees)	Stall Width (Feet)*		Stall Depth (to Curb) (feet)	Aisle Width (feet)	Stall Width (Parallel to Aisle (feet)	Module Width (feet)	Bumper Overhang (feet)
	Multi-Family	Other Uses					
0	8.0	8.0	N/A	11.0	1.0	27.0	N/A
45	7.5	8.0	16.0	11.0	10.5	43.0	2.0
60	7.5	8.0	16.7	14.0	8.7	47.4	2.3
75	7.5	8.0	16.3	17.4	7.8	50.0	2.5
90	7.5	8.0	15.0	20.0	7.5	50.	2.5

*\*Note: Stall width shall be measured perpendicular to the vehicle not parallel to the aisle.*

(Ord. PL00258-020917, 04-20-2017)

**24.03 General Design Requirements**

- 24.03.01** Unless no other practicable alternative is available, vehicle accommodation areas shall be designed so that, without resorting to extraordinary movements, vehicles may exit such areas without backing into a public street. This requirement does not apply to parking areas consisting of driveways that serve one or two dwelling units, but a design requiring backing onto arterial streets is to be avoided unless there is no reasonable alternative.
- 24.03.02** Vehicle accommodation areas of all developments shall be designed so 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.
- 24.03.03** Every vehicle accommodation area shall be designed so that vehicles cannot extend beyond the perimeter of such area onto adjacent properties or public rights-of-way. Such areas shall also be designed so that vehicles do not extend over sidewalks or tend to bump against or damage any wall, vegetation, or other obstruction.
- 24.03.04** 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.
- 24.03.05** All vehicle accommodation areas shall designate parking space for handicapped persons in accordance with the state Building Code.
- 24.03.06** **Location of Residential Parking:** Parking outside a substantially enclosed structure of more than four (4) motor vehicles between the front building line of the principal building and the street is prohibited on any lot used for purposes that fall within the following principal use classifications: 1.01, 1.02, 1.03, 1.04, 1.05, 1.06.
- 24.03.07** Vehicle accommodation areas shall be designed to minimize breaks in the pedestrian environment along the public street and create safe and comfortable passage for pedestrians. Curb cuts shall be minimized in width and number.
- 24.03.08** To the extent such can be reasonably avoided, property located at a street intersection shall not have parking, loading, or service areas within 25' of a corner.



- 24.03.09** Uninterrupted areas of parking lot shall be limited to 36 spaces. Parking lots with more than 36 spaces shall be broken by landscape features, which can include natural features designed to handle storm water runoff.
- 24.03.10** Multiple parking lots serving a non-residential or multi-family development should be interconnected where reasonably possible.
- 24.03.11** Except for single- or two-family dwellings and excluding vehicle accommodation areas designed for two (2) vehicles or less, all vehicle accommodation areas shall be surfaced with a bituminous paving or NCDOT standard ABC stone. ABC stone may not be used on vehicle accommodation areas with slopes greater than five percent (5%).
- 24.03.12** Parking spaces in areas surfaced with bituminous paving shall be appropriately demarcated with painted lines or other markings. Parking spaces in areas surfaced with NCDOT standard ABC stone shall be demarcated whenever practicable.
- 24.03.13** Vehicle accommodation areas shall be properly maintained in all respects. In particular, and without limiting the foregoing, vehicular accommodation area surfaces shall be kept in good condition (free from potholes, etc.) and parking space lines or markings shall be kept clearly visible and distinct.
- 24.03.14** Use of pavement or asphalt sealant, coating or like product (hereafter referred to as “sealant”).
- A.** Any sealant may only be used in conformity with its manufacturer’s specifications and is further subject to the following requirements:
1. No person may apply a sealant nor authorize its application without first obtaining a zoning permit from the Administrator. As part of the permit application, the applicant must disclose the date the sealant will be applied, the location of the area to which the sealant will be applied, the type of sealant which will be applied and such other information as the Administrator shall request. The Administrator may charge appropriate fees to defray the costs of inspections needed to verify compliance with this Section.
  2. A sealant may not be applied unless the pavement and air temperatures at the location of the application, at all times during application and for at least forty-eight hours thereafter, are and are predicted to be at least fifty-five degrees (55°) Fahrenheit and stable or rising, but less than eighty degrees (80°) Fahrenheit.
  3. A sealant may not be applied during rainy or wet weather.
  4. Any person applying a sealant must have on site for ready inspection by the Administrator a copy of the manufacturer’s specifications for application of the sealant.
- B.** Additional Requirement for Non-Coal-Tar-Based Sealants: In addition to the foregoing requirements of Subsection 24.04.04(A), a non-coal-tar-based sealant may not be

applied if at the time the application is to begin, any chance of precipitation is predicted by the National Weather Service for any portion of the period during which the sealant is expected to be applied, or at the time application begins there is more than a fifteen percent (15%) chance of precipitation predicted by the National Weather Service for any portion of the forty-eight (48) hours following the anticipated completion of the application.

**C. Additional Requirement for Coal-Tar-Based Sealants:**

1. In addition to the foregoing requirements of Subsection 24.04.04(A), a sealant containing coal tar may not be applied if at the time the application is to begin, any chance of precipitation is predicted by the National Weather Service for any portion of the period during which the sealant is expected to be applied; at the time application begins there is a ten percent (10%) or more chance of precipitation predicted for any period within the forty-eight (48) hours following the anticipated completion of the application; or if at the time application begins, there is more than a twenty (20%) percent chance of precipitation predicted for any period within seven (7) full days following the anticipated completion of the application, each as predicted by the National Weather Service.
2. A sealant containing coal tar may never be applied to a surface, any part of which is located within a flood way, nor to a surface, any part of which is within 200 feet from the closest point of any natural watercourse, and shown on a map labeled as the "NC Stream Map" as produced by the North Carolina Stream Mapping Project (<http://www.ncstreams.org>)" on file with and available through the Administrator.
3. A sealant containing coal tar may only be applied to a surface, any part of which is located in an area of special flood hazard, if buffering is placed along all portions of the downslope perimeter of the surface sufficient to absorb and impede any draining of the sealant from the surface to a degree equivalent or more effective than the absorption and impedance which can be achieved with bales of hay, laid end to end, and such buffering is maintained in place for a period of no less than seven days following application of the sealant. For purposes of this paragraph, the use of bales of hay of normal size and weight, laid end to end, shall be considered sufficient to meet the requirements of this paragraph.
4. A sealant containing coal tar may only be applied to a surface, any part of which contains a storm drain, if buffering or filters are placed around the full perimeter of the storm drain sufficient to absorb and impede any draining of the sealant from the surface to a degree equivalent or more effective than the absorption and impedance which can be achieved with bales of hay, laid end to end, and such buffering is maintained in place for a period of no less than seven days following application of the sealant. For purposes of this paragraph, the use of bales of hay of normal size and weight forming an unbroken perimeter around a storm drain

shall be considered a sufficient buffer and filter to meet the requirements of this paragraph.

(Ord. PL00258-020917, 04-20-2017)

**24.04 Reserved**

(Ord. PL00258-020917, 04-20-2017)

**24.05 Shared Parking**

**24.05.01** One parking area may contain required spaces for several different uses, but except as otherwise provided in this Section, the required space assigned to one use may not be credited to another use.

**24.05.02** To the extent that developments that wish to make joint use of the same parking spaces operate at different times, the same spaces may be credited to both uses. For example, if a parking lot is used in connection with an office building on Monday through Friday but is generally ninety percent (90%) vacant on weekends, another development that operates only on weekends could be credited with ninety percent (90%) of the spaces on that lot. Or, if a church parking lot is generally occupied only to fifty percent (50%) of capacity on days other than Sunday, another development could make use of fifty percent (50%) of the church lot's spaces on those other days.

**24.05.03** If the joint use of the same parking spaces by two or more (2+) principal uses involves satellite parking spaces, then the provisions of Section 24.06 are also applicable.

**24.05.04** Where motor vehicle access is provided between adjoining non-residential sites and the operating hours of adjoining uses do not significantly overlap, the uses may share up to 50 percent of required parking spaces.

**24.05.06** Bicycle parking may be provided in a common area of a shared parking area for adjacent sites.

**24.05.07** An applicant proposing the use of shared parking must:

- A.** Demonstrate that the applicant has the express legal right to use the spaces in question; and
- B.** Provide the shared use agreement detailing how the spaces will be shared among the uses; and
- C.** Provide proof to the Administrator of a continuation of the right to use the shared parking annually, on January 15 of each year, unless the Administrator has provided for a different frequency of such reporting; and
- D.** The applicant must sign an acknowledgment that the continuing validity of the applicant's permit depends upon the continuing ability to provide the requisite number of parking spaces. If the shared parking is no longer available or the landowner or applicant fails to comply with the requirements of the Section, the parking requirement

reverts to those requirements found in Table 24.01 and the landowner or applicant must demonstrate compliance with said requirements or its zoning Certificate shall be revoked.

(Ord. PL00258-020917, 04-20-2017; Ord. PL04727-050721, 07-01-2021))

**24.06 Satellite Parking**

**24.06.01** Required parking spaces may be provided on adjacent or nearby lots in accordance with the provisions of this Section. These off-site spaces are referred to in this Section as satellite parking spaces.

**24.06.02** All satellite parking spaces must be located within ¼ mile of a public entrance of a principal building housing the use associated with such parking, or within ¼ mile of the lot on which the use associated with such parking lot is located if the use is not housed within any principal building; *provided, however,* that this limitation does not apply to on-campus housing located in the UI district; and further provided that satellite parking may not be used for visitor or customer parking required for any use unless the satellite parking spaces are within 200 feet of the parcel to be served by such parking.

**24.06.03** The applicant wishing to take advantage of the provisions of this Section must present satisfactory written evidence that the applicant has the legal right to use the satellite parking spaces, and that such right is exclusive during the operating hours of the use in question. The applicant must also sign an acknowledgment that the continuing validity of the applicant’s permit depends upon the continuing ability to provide exclusive use during operating hours of the requisite number of parking spaces. If the parking spaces are required for residential uses, “operating hours” shall be considered to be 24 hours a day for purposes of this section.

**24.06.04** Persons who obtain satellite parking spaces in accordance with this Section are not responsible for ensuring that the satellite parking areas from which they obtain their spaces satisfy the design requirements of this Article.

**24.06.05** The applicant using satellite parking to comply with the requirements of this Article must provide proof to the Administrator of a continuation of the right to use the shared parking annually, on January 15 of each year, unless the Administrator provides for a different frequency of reporting.

**24.06.06** The applicant using satellite parking to comply with the requirements of this Article must sign an acknowledgment that the continuing validity of the applicant’s permit depends upon the continuing ability to provide the requisite number of parking spaces. If the applicant fails to comply with the requirements of the Section, the parking requirement reverts to those requirements found in Table 24.01 and the property owner or applicant must demonstrate compliance with said requirements or the zoning Certificate may be revoked.

(Ord. PL00258-020917, 04-20-2017; Ord. PL04727-050721, 07-01-2021))

**24.07 Reserved**

(Ord. PL00258-020917, 04-20-2017)

**24.08 Loading and Unloading Areas**

**24.08.01** Subject to Subsection 24.08.06, whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient off-street loading and unloading area, located at the rear, side or end of the business, must be provided initially and continually in accordance with this Subsection to accommodate the delivery or shipment operations in a safe and convenient manner.

**24.08.02** The loading and unloading area must be of sufficient size to accommodate the numbers and types of vehicles that are likely to use this area, given the nature of the development in question. Subsection 24.08.03 indicates the number of spaces that, presumably satisfies the standard set forth in this Subsection. However, the permit-issuing authority may require more or less loading and unloading area if reasonably necessary to serve the development.

**24.08.03** For the purpose of this Section, the off-street loading and unloading space shall have the minimum dimensions of twelve feet (12') by fifty-five feet (55') and overhead clearance of fourteen feet (14') from street grade.

- A.** Retail business shall provide one (1) space of 300 square feet for each 5,000 square feet of floor space.
- B.** Wholesale and industry shall provide one (1) space of 500 square feet for each 10,000 square feet of floor area.
- C.** In the case of mixed uses, the total requirements for off-street loading or unloading space shall be the sum of the requirements for the various uses except to the extent the applicant can demonstrate to the satisfaction of the Administrator that different operating hours or other factors will permit different users or tenants to share the same loading spaces. It shall be an express condition of the permit issued to an applicant taking advantage of this provision that the loading spaces are to be practically adequate to serve the development, and if such spaces prove to be inadequate the Administrator may require that the development provide additional loading spaces or, if additional spaces are not provided, revoke the permit for the development.

**24.08.04** Loading and unloading areas shall be so located and designed that the vehicles intended to use them can (i) maneuver safely and conveniently to and from a public right-of-way, and (ii) complete the loading and unloading operations without obstructing or interfering with any public right-of-way or any parking space or parking lot aisle.

**24.08.05** No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

**24.08.06** Whenever (i) there exists a lot with one or more structures on it constructed before the effective date of this Ordinance, and (ii) a change in use that does not involve any enlargement of a structure is proposed for such lot, and (iii) the loading requirements of this Section cannot be satisfied because there is not sufficient area available on the lot that can be practicably be used for loading and unloading, then the applicant need only comply with this Section to the extent reasonably possible.

(Ord. PL00258-020917, 04-20-2017; Ord. PL04727-050721, 07-01-2021)

**24.09 Bicycle Parking**

**24.09.01** The number of bicycle spaces included in the required bicycle parking facilities shall be determined by the following table of uses. Use descriptions are abbreviated and are for descriptive purposes only. Uses listed below are preceded by a number which corresponds to a use category in the Table of Principal Uses, *supra*, and include all specific uses described in association with that number. In those instances, when alternative measures are associated with a particular use, e.g., “2, or 1 per 20 units,” the measure providing the higher number of bicycle parking spaces shall be used.

- A. When required, the minimum number of bicycle parking spaces for any multi-family or non-residential use is two (2) spaces or one (1) rack.
- B. A single “inverted U” bicycle parking rack will count as two bicycle parking spaces.

**C. Table 24.09**

Use Type	Specific Use	Short-Term Bicycle Parking Minimum <sup>2</sup>	Long-Term Bicycle Parking Minimum <sup>3</sup>
1.0 Household Living	1.01 Single-Family Dwelling	-	-
	1.02 Manufactured Home “Class A”		
	1.03 Manufactured Home “Class B”		
	1.06 Duplex		
	1.07 Duplex		
	1.05 Manufactured Home Park		
	1.08-1.10 Townhouse	1 per 20 units	1 per 4 units
	1.11-1.13 Multi-Family		
	1.14-1.16 Multi-Family		
	1.17 Adult Living Community (Multi-Family Only)		
2.0 Group Living	2.01 Family Care Home	-	1 space per 5 employees
	2.02 Family Care Institutions	-	1 space per 5 employees
	2.03-2.04 Halfway House		
	2.05 Residential Care Facility		

Use Type	Specific Use	Short-Term Bicycle Parking Minimum <sup>2</sup>	Long-Term Bicycle Parking Minimum <sup>3</sup>
	2.06 Fraternity or Sorority Dwelling	1 space per 20 beds	1 space per 10 beds
	2.07 Board Housing	1 space per 20 beds	1 space per 10 beds
3.0 Transient Living	3.01 Home for Survivors of Domestic Violence	2 spaces	2 spaces
	3.02-3.03 Shelter for Homeless	2 spaces	2 spaces
	3.04-3.05 Bed & Breakfast	2 spaces	2 spaces
	3.06 Vacation Rental	2 spaces	2 spaces
	3.08 Motel 3.09-3.11 Hotel	2 spaces	2 spaces
4.0 Institutional Uses	4.01 Airport/Land Strip 4.02 Heliport 4.04 Cemetery 4.07 Animal Sanctuary 4.03 Funeral Home Establishment 4.05 Post Office 4.06 Post Office, Distribution	TBD	TBD
5.0 Government Uses	All Government Uses	TBD	TBD
6.0 Non-Governmental Utility Facility	All Non-Government Utility Facility	-	-
7.0 Telecommunications	All Telecommunication Uses	-	-
8.0 Assembly	8.01-8.03 Religious Assembly	1 space per 2,000 ft <sup>2</sup> GFA <sup>6</sup>	1 space per 5,000 ft <sup>2</sup> GFA <sup>6</sup>
	8.04-8.05 Assembly Uses	1 space per 1,000 ft <sup>2</sup> GFA <sup>6</sup>	1 space per 10,000 ft <sup>2</sup> GFA <sup>6</sup>
9.0 Education	9.01-9.05 Education Uses	3 spaces per classroom	.5 spaces per classroom
	9.06-9.09 Education Uses	3 spaces per classroom	.5 spaces per classroom
10.0 Daycare	All Daycare Uses	2 spaces	2 spaces
11.0 General Sales & Service	11.01 Kennel 11.02-11.03 Veterinary Office/Hospital 11.04 & 11.05 Financial Institution 11.12 ABC Store 11.14 - 11.15 Personal Service Establishment 11.16-11.18 Retail Store	1 space per 5,000 ft <sup>2</sup> GLA <sup>4</sup>	1 space per 10,000 ft <sup>2</sup> GLA <sup>4</sup>

Use Type	Specific Use	Short-Term Bicycle Parking Minimum <sup>2</sup>	Long-Term Bicycle Parking Minimum <sup>3</sup>
	11.20 - 11.21 Business or Professional Office 11.22-11.25 Medical Office 11.28 Open Air Market		
	11.06 - 11.11 Restaurant	1 space per 5,000 ft <sup>2</sup> GLA <sup>4</sup>	1 space per 10,000 ft <sup>2</sup> GLA <sup>4</sup>
	11.34 Gas Station	-	-
	11.35 Car Wash	-	-
	11.29 Vehicle Sales and Service 11.30 Equipment Sales and Service 11.31 Moped Sales and Service 11.32 Boat or Marine Craft Sales and Service	-	-
	12.0 Recreation & Entertainment Uses	12.01 Indoor Shooting Range	1 space per 5,000 ft <sup>2</sup> GFA <sup>6</sup>
12.03 Indoor Theater 12.05 Event Venue Cat I		1 space per 5,000 ft <sup>2</sup> GFA <sup>6</sup>	1 space per 10,000 ft <sup>2</sup> GFA <sup>6</sup>
12.10 Recreation Cat I		1 space per 5,000 ft <sup>2</sup> GFA <sup>6</sup>	1 space per 10,000 ft <sup>2</sup> GFA <sup>6</sup>
12.04 Outdoor Theater 12.06 Event Venue Cat. II 12.07 Event Venue Cat III		1 space per 2,000 ft <sup>2</sup> GFA <sup>6</sup>	1 space per 10,000 ft <sup>2</sup> GFA <sup>6</sup>
12.09 Coliseum 12.11 Recreation Cat II 12.12 Recreation Cat III12.01,		1 space per 20 motor vehicle spaces	TBD
12.08 Campgrounds/RV Parks		-	-
13.0 Agriculture Uses		All Agricultural Uses	-
14.0 Manufacturing	14.01 Microbrewery 14.02 Brew Pub	1 space per 5,000 ft <sup>2</sup> GLA <sup>4</sup>	1 space per 10,000 ft <sup>2</sup> GLA <sup>4</sup>
	All other Manufacturing Uses	TBD	TBD
16.0 Storage	16.01 Mini-Storage 16.02 Outdoor Storage	-	-
	16.03 Warehouse 16.04 Fuel Storage Facility	TBD	TBD
	17.0 Transportation	17.01 Passenger Terminals 17.02 & 17.03 Trucking or Freight Terminal	TBD
18.0 Waste Related Uses	All Waste Related Uses	-	-



Use Type	Specific Use	Short-Term Bicycle Parking Minimum <sup>2</sup>	Long-Term Bicycle Parking Minimum <sup>3</sup>
19.0 Particular Activities which Pose Particular Concerns to Public Health	All Particular Activities which Pose Particular Concerns to Public Health Uses	1 space per 5,000 ft <sup>2</sup> GFA <sup>6</sup>	1 space per 10,000 ft <sup>2</sup> GFA <sup>6</sup>
Accessory Uses	A-1 Secondary Suite	-	-
	A-3 Accessory Dwelling Unit	-	-
	A-10 Produce Stand	-	-
	A-21 Caretaker’s Residence	-	-
	A-19 Helistop	TBD	-
Temporary Uses	A-24 Chemical Storage Facility	-	-
	T-1 Temporary Family Health Care Structure		
	T-2 Temporary Construction or Repair Dwelling	-	-
	T-3 Temporary Construction Trailer		
	T-8 Temporary Non-Fixed Site Event Venue	TBD	-

- Notes:
1. For uses not listed, or for uses To Be Determined by the Administrator, refer to 24.01.09
  2. The minimum number of short-term bicycle parking spaces is 2 unless no bicycle parking is required. In no case shall more than 20 short-term spaces be required.
  3. The minimum number of long-term bicycle parking spaces is 2 unless no bicycle parking is required.
  4. GLA = Gross Leasable Area
  5. DU = Dwelling Unit.
  6. GFA = Gross Floor Area and includes both indoor and outdoor space used
  7. Calculating spaces based on employees or other occupants must be based on the total number of persons present or on duty at the time of maximum use

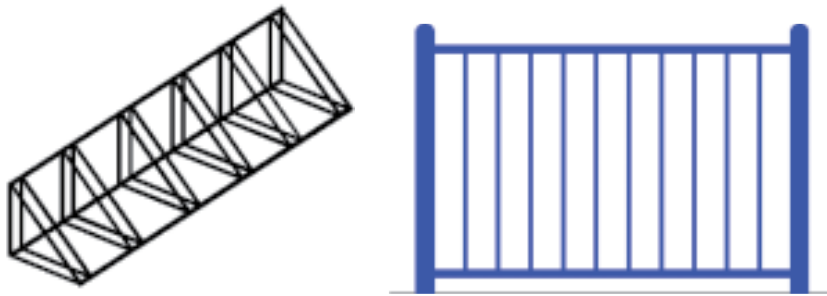
- 24.09.04** Bicycle Parking facilities shall meet the following standards:
- A. Bicycle parking facilities shall conform with the design guidelines promulgated by the Association of Pedestrian and Bicycle Professionals (APBA) as found in the “Bicycle Parking Guidelines” manual.
  - B. Bicycle racks shall provide for at least two (2) points of contact with the bicycle frame and for the locking of at least one wheel using varying types of bike locks (U-lock, wire cable, etc.)
  - C. All racks must be safe, sturdy and well-anchored.

Examples of acceptable facilities:





Examples of **unacceptable** facilities (because they secure only one wheel):



- D. Outside bicycle parking facilities shall be illuminated in conformity with the standards for "open parking areas" of UDO Section 25.05. Inside bicycle parking facilities shall be illuminated in conformity with the standards for "building entries" of UDO Section 25.05.
- E. Areas set aside for outside bicycle parking shall be clearly marked and reserved for bicycle parking only. Where the location of said parking is not easily visible from the street, a sign that does not exceed four square feet (4 ft<sup>2</sup>) in area and directs cyclists to parking shall be provided on site and must be visible from the street or from the main building entrance. For purposes of this Section, "main building entrance" shall connote and refer to the primary doorway by which residents, visitors or customers enter and exit a building, whether or not said entrance is oriented facing the public street. Signs shall comply with the MUTCD for Bicycle parking signage.

Examples of acceptable signs:



- F. Bicycle parking shall be located so as to avoid impeding or creating a hazard to pedestrians from parked or approaching bicycles, and to avoid creating a hazard to bicyclists or bicycles from automobiles or other motor vehicles. Bicycle racks installed on private sidewalks within the development must provide a clear, unobstructed passage of at least five feet (5') for pedestrians and should be installed at least three feet (3') from the face of any curb. Bicycle racks may not be installed on public sidewalks without the express authorization of the Boone Town Council, subject to such conditions which may be attached to such authorization.

**24.09.05 Short Term Bicycle Parking**

- A. Short-term bicycle parking shall meet the needs of people visiting businesses, institutions and other uses with similar needs – typically lasting up to two (2) hours. Since short-term users are infrequent visitors to these locations, the parking installation should be readily visible and self-explanatory.
- B. Parking facilities for short term bicycle parking must be located no farther from the main building entrance than the distance to the closest non-handicap vehicle space, or fifty feet (50'), whichever is greater, and visible from public sidewalk areas along the public street frontage adjoining the use and located directly in front of the main building entrance unless the main building entrance is not oriented toward the public street. In those instances, where the main building entrance is not oriented toward the public street, the parking facilities must be visible from such locations, as determined by the Administrator or permit-issuing authority, which will provide the greatest level of visibility to achieve the dual purposes of security for the bicycles using the facilities and availability to bicyclists visiting the building for the first time.
- C. Short term bicycle parking, when allowed within a public right-of-way, should be coordinated with street furniture as applicable and may (but is not required to) be covered.

**24.09.06 Long Term Bicycle Parking**

- A. Long term bicycle parking shall provide for daily, overnight or even longer duration bicycle parking by residents and employees. These users often leave bicycles unattended and unmonitored for extended periods and require exclusive access, additional security and weather protection.
- B. Long term bicycle parking shall be covered or enclosed, and must provide security and protection from weather and the elements. Long term parking spaces may include indoor parking, racks in covered loading dock areas, racks in garage structures, bicycle lockers or other means, and should be incorporated whenever possible into the building design.

(Ord. 20140384, 08-18-2014, Ord. PL00258-02092017, 4-20-2017; Ord. PL01388-032818, 04-26-2018; Ord. PL03076-090919, 12-19-2019; Ord. PL04727-050721, 07-01-2021)

**24.10 Motorcycle Parking**

**24.10.01** The B – 1 Central Business zoning district is exempt from the requirements of this Section.

**24.10.02** Motorcycle parking facilities meeting the standards of this Section shall be provided by a permit applicant under each of the following circumstances, and one (1) motorcycle parking space shall be provided for every 40 motor vehicle parking spaces:

- A. When a new building is constructed;
- B. When any addition or enlargement of an existing building is constructed;
- C. When a change in occupancy of any building occurs where 40 or more vehicle parking spaces are provided.

**24.10.03** Motorcycle parking facilities shall meet the following design standards:

- A. Each motorcycle parking space shall be no less than eight feet (8') long by four feet (4') wide, and sufficient space for access shall be provided.
- B. Motorcycle parking facilities must be visible from public sidewalk areas along the public street frontage adjoining the use and located directly in front of the main building entrance unless the main building entrance is not oriented toward the public street. In those instances, where the main building entrance is not oriented toward the public street, the motorcycle parking facilities must be visible from such locations, as determined by the Administrator or permit-issuing authority, which will provide the greatest level of visibility to achieve security for the motorcycles using the facilities. Motorcycle parking facilities must also include features to provide reasonable security for motorcycles. Designers are encouraged to include fixed features such as rails, hoops, or posts designed to provide a simple locking point to secure a motorcycle or scooter using a chain or similar device.
- C. Motorcycle parking facilities shall be clearly marked and reserved for motorcycle parking only, using signage and/or pavement marking determined by the Administrator or permit-issuing authority as adequate to both direct motorcycle riders to the proper facilities and to prevent use of the motorcycle parking facilities by other motor vehicles.
- D. The slope of motorcycle parking facilities should be as close to level as possible while still providing adequate drainage. "Adequate drainage" is such drainage as will prevent the buildup of water and ice in included motorcycle parking spaces. Motorcycle parking facilities must have a firm surface capable of supporting the weight supported by the stand of the heaviest of models of motorcycle.