

ARTICLE 17. OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS

Section 17-1: Application

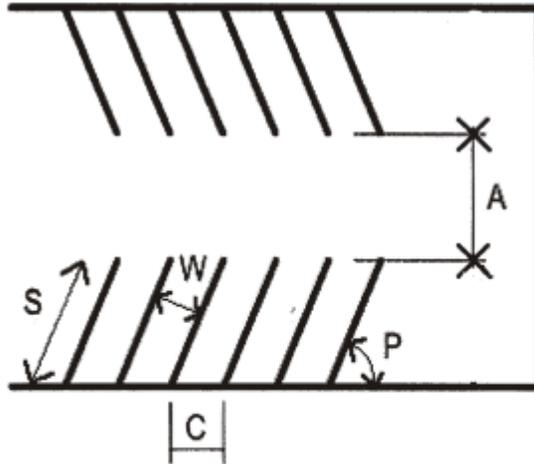
The off-street parking and loading requirements shall apply to all districts shown on the Official Zoning Map of the Town of Pembroke.

Section 17-2: General

- (A) Off-Street Parking Requirements. There shall be provided at the time of the erection of any building, at the time an existing structure is demolished in order to permit new construction, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area; or before conversion from one type of use or occupancy to another, permanent off-street parking space in the amount specified by this Ordinance. Such parking space may be provided in a parking garage or properly graded open space. All parking areas shall be designed so that ingress to and egress from such area shall be established and maintained, and that all vehicular traffic shall enter and leave the lot by forward motion of the vehicle. No off-street parking or loading shall be permitted in a required yard or open space, except in the case of a single or two-family dwelling. No required off-street parking shall be located on any public right-of-way.
- (B) Minimum Parking Requirements. Each application for a development permit shall include information as to the location and dimensions of off-street parking and loading space and the means of ingress and egress to such space. Required off-street parking area for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained, and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk, or alley, and so that any automobile may be parked and unparked without moving another. This information shall be in sufficient detail to enable the Building Inspector to determine whether or not the requirements of this Ordinance are met. No Certificate of Occupancy shall be issued until the parking requirements of this section are met. *(Amended 8/2/2021)*
- (C) Dimensions. Each automobile parking space shall have the following minimum dimensions:

Angle (degrees)	Stall Width (feet)	Curb Length per Car (feet)	Stall Depth (feet)	Aisle Width between parking spaces (feet)
0	9	23	9	12
20	9	26-1/3	14	12
30	9	18	16-1/2	12
45	9	13	19-1/6	12
60	9	10	20-1/2	14-1/2
70	9	9-3/5	20-5/6	23

Angle (degrees)	Stall Width (feet)	Curb Length per Car (feet)	Stall Depth (feet)	Aisle Width between parking spaces (feet)
90	9	9	19	24



P=Parking Angle, degrees
C=Curb Length, feet
S=Stall Depth, feet

W=Stall Width, feet
A=Aisle Width, feet

(D) Parking Lots with More than Four Spaces.

- (1) Surfacing. All such parking lots shall be graded and surfaced with crush and run, blacktop, concrete, brick, or other such surfacing material to ensure a dustless surface condition. Nonresidential uses providing off-street parking for more than 20 vehicles, and all nonresidential uses in the business districts providing off-street parking shall have paved parking lots, with blacktop, concrete, or brick as surfacing material.
- (2) Markings. Each parking stall shall be marked off and maintained so as to be distinguishable.
- (3) Lighting. Any lighting shall be so arranged as to direct the light and glare away from streets and adjacent property.
- (4) Curb or Bumpers. The required yards shall be set off from parking areas by either continuous curb or one noncontinuous stationary bumper for each parking space abutting on a yard, which curb or bumper shall not be less than five inches or more than two feet high.
- (5) Drainage. Parking lots shall not drain onto or across public sidewalks, or into adjacent property except into a natural watercourse or a drainage easement. In already developed areas where this condition would be impossible to meet, the

Zoning Administrator may exempt the developer from this requirement, provided that adequate provision is made for drainage.

- (6) Separation of Bumper and Walkways. In the event any parking stall abuts upon a walkway, there shall be a space of three and a half feet between the wheel bumper or curb and the edge of the walkway.
- (7) Entrances and Exits. These shall be provided in accordance with Section 17-4 of this Ordinance.
- (E) Combination of Required Parking Space. The required parking space for any number of separate uses may be combined in one lot but the required space assigned to one use may not be assigned to another use, except that ½ of the parking spaces required for churches, theater, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night and on Sundays.
- (F) Remote Parking Space. If the off-street parking space required by this Ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within 400 feet of the main entrance to such principal use.
- (G) Separation from Walkways, Sidewalks, and Streets. All parking, loading, and service areas shall be separated from walkways, sidewalks, and streets by curbing or other suitable protective device to prevent vehicles from intruding into these areas.
- (H) Handicapped Parking Requirements. Handicapped parking spaces shall meet the following criteria:
 - (1) Handicapped parking spaces shall be in accordance with the regulations set forth by the Americans with Disabilities Act. All handicapped spaces shall be identified by pavement markings and by appropriate signage. Handicapped parking shall be required on all multi-family and nonresidential sites.
 - (2) Handicapped parking spaces shall be located in the closest proximity to major building entrances, but in no event shall such spaces be located more than 100 feet from a major building entrance.
 - (3) Handicapped parking spaces shall be a minimum of eight feet in width by 20 feet in length and shall have an adjacent access aisle that has a minimum width of five feet. Two accessible parking spaces may share a common access aisle.
 - (4) The first one out of every eight accessible parking spaces shall be a van accessible space. Van parking spaces shall have an adjacent access aisle a minimum of eight feet in width and a vertical clearance of at least eight feet along the vehicular route to the parking space.

(5) Handicapped parking will be required on all sites. The minimum number to be provided for all multi-family and nonresidential development is as follows:

- (a) Up to 25 spaces in lot: One handicapped space.
- (b) 26 to 50 spaces in lot: Two handicapped spaces.
- (c) 51 to 75 spaces in lot: Three handicapped spaces.
- (d) 76 to 100 spaces in lot: Four handicapped spaces.
- (e) 101 to 150 spaces in lot: Five handicapped spaces.
- (f) 151 to 200 spaces in lot: Six handicapped spaces.
- (g) 201 to 300 spaces in lot: Seven handicapped spaces.
- (h) 301 to 400 spaces in lot: Eight handicapped spaces.
- (i) Over 400 spaces in lot: Two percent of total spaces.

(I) Landscaping Requirements. See Article 15.

(J) Exceptions. (Amended 10/2/2023)

- (1) The Zoning Administrator may withhold a permit or Certificate of Occupancy if a parking layout not specifically prohibited by this Section would be likely to cause avoidable safety or traffic congestion problems until modification is made. The applicant may appeal the Zoning Administrator's decision to the Board of Adjustment under the normal procedure for an appeal.
- (2) If a peculiar characteristic of an establishment makes the requirements in this Section clearly unrealistic, the Board of Adjustment may grant the applicant a parking modification.
- (3) In the Central Business District, the Zoning Administrator may allow a new use to be established in an existing building even if all parking requirements of this Article cannot be met for the new use, provided that as much off-street parking as can reasonably be provided is provided by the use, and no foreseeable traffic congestion problems will be created.
- (4) Alternative Parking Plan (Special Use Permit Required). It is recognized that the intent of the parking requirements of this Article may be accomplished by alternative methods or applications. Certain uses, due to their nature or operation may be able to propose alternative methods that better serve the use in a more practical manner than what is required by this UDO. Alternative Parking Plans shall be incorporated into the site plan if the developer chooses to utilize this option. Alternative Parking Plans are required to receive Special Use Permit approval from the Town Council. Alternative Parking Plans shall incorporate the following elements:
 - (a) A parking or traffic study conducted and prepared by a North Carolina licensed Professional Engineer that includes parking estimates for the

proposed use, average number of vehicles per day, adjacent uses and parking provided on adjacent uses, evaluation of the use including structure size and type. An explanatory narrative identifying the need for alternative parking;

- (b) Off-site parking agreements with existing adjacent lots, if any, shall be recorded with the Robeson County Register of Deeds. The use of off-site parking on adjacent properties shall not compromise the total number of spaces needed for adjacent uses and cause adjacent uses to no longer comply with the UDO;
- (c) Alternative plans shall incorporate as many elements of Section 17-2 General Requirements as possible. Where not possible, an explanatory narrative as to why the elements cannot be incorporated is required.
- (d) Alternative plans shall not detract from the continuity, connectivity and convenient proximity for pedestrians between or among existing or future uses in the vicinity;
- (e) Alternative plans shall minimize aesthetic visual and aesthetic impacts along transportation corridors where possible and locate parking areas along the rear or side portion of the structure;
- (f) Alternative plans shall minimize visual and aesthetic impacts on any adjacent residential properties;
- (g) Alternative plans shall not create any physical impact on facilities that serve alternative modes of transportation;
- (h) Alternative plans shall not impact natural areas or features of the site.
- (i) Alternative plans shall meet the parking dimension requirements in Section 17-2 (C) Dimensions;
- (j) If the size, type, or use of the development changes resulting in more than a 10% increase in parking needed for the use, the Alternative Parking Plan is required to undergo site plan review and receive approval from the Town Council.

Section 17-3: Minimum Parking Requirements

The minimum number of required off-street parking spaces shall be calculated as follows. In the case of a building or use not expressly provided for, the number of off-street access spaces shall be the same as for a similar use or inclusive category for which space is provided. Where there is more than one use in a single structure, or on a single tract, or two or more instances of the same use, the

minimum number of required off-street parking spaces shall be equal to the sum of the requirements of the various uses, except for shopping centers for which numbers of spaces are expressly provided.

Agricultural - Livestock and Vegetative	One space per 400 square feet of gross floor area.
Art Gallery	One space per each 300 square feet of gross floor area.
Assemblies (Assembly Hall, Armory, Stadium, Coliseum)	One parking space or each four spectator seats (one seat is equal to two feet of bench length).
Auction Sales	One space per two seats or two per 100 square feet of gross leasable area, whichever is greater.
Automatic Teller Machine	Two spaces per machine.
Automobile Laundry/Car Wash, Full Service	One space for each two employees on shift of greatest employment, plus one space for the manager. Plus sufficient space for twelve stacking/queuing spaces per day.
Automobile Laundry/Car Wash, Self Service	Four stacking spaces for each washing stall, plus two drying spaces for each washing stall.
Automobile Parts and Accessory Sales	One space per each 400 square feet of leasable area, plus one space for each employee on the maximum work shift.
Automobile Repair and/or Body Work	One space for each service bay.
Automobile Service Station Operations	1.5 spaces for each fuel nozzle. In addition, one parking space shall be provided for each 50 square feet of usable floor area in the cashier's and office areas. In no instance shall such a facility provide less than five parking spaces. In no instance shall a required parking space or its maneuvering area conflict with vehicles being fueled or awaiting fuel.

Bank	One space per each 400 square feet of floor area up to 20,000 square feet, plus one for each 500 square feet of floor area in excess of 20,000 square feet.
Barbering and Hairdressing Services	Two parking spaces per beauty or barber chair.
Bed and Breakfast Inn	One space for every rental room plus one space for every two permanent occupants.
Bicycle Sales and Repair	Three spaces per 1,000 square feet of gross floor area.
Bingo Parlor	One space for three seats (based on design capacity) or one per 100 square feet of total floor area, whichever is greater.
Books and Printed Matter, Distribution	4.5 spaces for every 1,000 square feet of gross floor area.
Bowling Alley	Three spaces per alley plus one space for each 1,000 square feet for any other use associated with the establishment such as restaurant, etc.
Cemetery	One space per full-time employee.
Churches	One parking space for each four seats in the sanctuary.
Clinic Services, Medical and Dental	Four parking spaces for each doctor plus one parking space for each employee.
Day Care Center	One space for each adult attendant and one space for every six children or fraction thereof.
Day Support Facility (<i>Amended 8/4/2014</i>)	One space for every four persons of approved occupancy (building capacity) plus one space designated for safe and convenient loading and unloading of persons for each 20 persons of approved capacity or portion thereof.

Drive-in Restaurant	One space for each three seats, fifteen spaces for drive-in service, plus one space for each two employees.
Drug and Alcohol Treatment Center	One space per two beds and one space per staff member.
Dry Cleaning and Laundry	One space for each 200 square feet of gross floor area used by the general public.
Dwelling, Single and Two-family	Two parking spaces per dwelling unit.
Dwelling, Multi-family	1.5 spaces for each 1-bedroom unit, 2 spaces for each 2-bedroom unit, 2.5 spaces for all units over 2 bedroom.
Dwelling, Rooming or Boardinghouse	One space for each two rooms, plus one space for the owner or manager if living on the premises.
Eating and Drinking Facilities	One space for each four seats.
Eating and Drinking Facilities, Fast Food <i>(Amended 1/3/2022)</i>	Thirteen spaces per 1,000 square feet of gross floor area. When queuing (stacking) lanes are provided for drive through service, up to fifty (50) percent of the designated queuing spaces may be included in determining compliance with the parking requirement.
Exterminating Services	Three spaces per 1,000 square feet of gross floor area.
Funeral Homes	One parking space for each five seats in the chapel or parlor, plus one for each funeral vehicle.
Golf Course	Twenty-five spaces per nine holes, plus one space per employee on shift of greatest employment.

Health Club/Gymnasium	One space for each 100 square feet of gross floor area.
Home Occupation	Two spaces in addition to residence requirements.
Hospital or Sanitarium Care	Two spaces for each bed.
Industrial and Research uses, warehousing, and very low customer volume wholesaling operations	One space for each employee on the largest shift, plus one space for every administrative office and two spaces for visitors.
Kennel Operations, Care	One space per 400 square feet, but no fewer than four spaces.
Libraries	One space for each 4 seats provided for patron use.
Manufactured Home Parks	Two spaces for each manufactured home plus one visitor parking space for each four manufactured homes.
Motel, Hotel, or Motor Court Operations	One space for every rental room, one space for every two permanent occupants, plus one space for each three employees. (Additional spaces may be required for commercial or business uses in the same building).
Municipal Building	One space for each employee and one space for each five seats in the largest assembly room.
Nursery Operations (Plant)	One space per 1,000 square feet of total sales area.
Nursing Home/Assisted Living	One space per three residents, plus one additional space for each employee.
Offices, General or Professional	One parking space for each 300 square feet of gross floor area.

Post Office	One space for each 400 square feet of gross floor area, plus one space per each two employees on the shift of greatest employment.
Public or Private Clubs and Community Centers	One space for each 200 square feet of gross floor space.
Public Utility Buildings	One space for each employee.
Recreation Center	One space for every 100 square feet of floor area.
Retail and Service Establishments, such as furniture, appliance, household equipment, carpet and hardware stores, repair shops including shoe repair, contractors' showrooms, drapery, paint and wallpaper, upholstery, interior decorator, motor vehicle sales, plant nurseries, etc.	One space for each 500 square feet of gross floor area or fraction thereof, including any outdoor sales area.
All other commercial uses such as retail stores, wholesale outlet stores, department stores, discount stores, drug stores, coin-operated laundries, variety stores	One space for each 200 square feet of gross floor area of fraction thereof, including any outdoor sales area.
Schools, Elementary and Junior High	One parking space for each classroom and administrative office, one additional parking space for each 100 students, plus one space for each bus assigned to the school.
Schools, Junior Colleges, Colleges, and Universities	One space for every six students, based upon the maximum number of students attending classes on the premises at any one time during any 24-hour period.
Schools, Senior High	One parking space for each ten students for which the building was designed, one parking space for each classroom and administrative office, plus one space for each bus assigned to the school.

Shopping Centers (in lieu of individual store parking requirements) up to 150,000 square feet of gross leasable area	Six spaces per 1,000 square feet of gross leasable area or fraction thereof.
Shopping Centers above 150,000 square feet of gross leasable area	Four spaces per 1,000 square feet of gross leasable area or fraction thereof.
Storage, Self-Service (<i>Amended 10/2/2023</i>)	One space for each 1,200 square feet of gross floor area.
Swimming Pool	Two spaces for every 100 square feet of water area.
Telecommunication Towers	Four spaces per 1,000 square feet.
Theater Productions, Indoor	One space for each four seats in the largest assembly area.
Theater Productions, Outdoor	One space for each 45 square feet of assembly or floor area.
Travel Agency	Four spaces per 1,000 square feet.
Veterinarian	One space per 500 square feet.
Wholesale establishments, warehouses, and other businesses not catering to retail or package trade	One space for every 1,000 square feet of gross floor area.

Special situations which are not covered by the table above shall be handled by the Board of Adjustment. The Board of Adjustment shall make the final determination as to the number of spaces to be required, but shall in all cases give due consideration to the needs therefor.

Section 17-4: Driveways

(A) General. After the date of passage of this section, 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 pervious material) determined to exhibit equivalent wear resistance and load bearing characteristics as asphalt or concrete.

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 Administrator. Private driveways serving single-family and two-family dwellings shall not be regulated by the provision of this Ordinance. “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 or more parking spaces under the provision of Article 17, Off-Street Parking and Off-Street Loading Requirements; 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.).

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 60 days of receipt of a written notice from the Administrator.

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 clean-outs or other necessary structures, except with the express approval of the Director of Public Works. Any adjustments to municipal facilities to avoid such conflicts shall be at the expense of the driveway applicant.

(B) Permit Requirements. A permit must be obtained from the Public Works Director 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:

- (1) A continuing indemnity bond with sufficient surety acceptable to the town may be required of the party performing the work. All work must be done in conformity with the standards established herein.
- (2) The town shall be indemnified for any damages it might sustain as a result of the breach of condition above. The damages payable to the town shall be the amount required to make such improvement conform to town standards.

Based on the Town of Pembroke Schedule of Fees, a fee shall be paid to the town at the time the application for a driveway permit is made.

(C) Submission of Plans. Two copies of plans showing the location and dimensions of all proposed improvements shall be filed with the Administrator for approval prior to the issuance of a driveway permit for uses other than single or two-family residential.

All design and construction of driveways shall conform to the requirements of the North Carolina Department of Transportation.

(D) Driveway Location(s).

- (1) A safe means of ingress and egress shall be provided for all parking spaces and driveways for uses other than single and two-family residential and shall be at least 24 feet wide.
- (2) Two driveways entering the same street from a single lot shall be permitted only if the minimum distance between the closest edges of the driveways equals or exceeds 50 feet.
- (3) Three driveways entering the same street from a single lot shall be permitted only if the minimum distance between the closest edges of the driveways equals or exceeds 150 feet.
- (4) Four or more driveways entering the same street from a single lot shall be prohibited.
- (5) In no case may the total width of all driveways exceed 50% of the total property frontage.
- (6) No driveway (nearest edge) shall be located within 10 feet of a side lot property line except in the case of a shared driveway (single curb/access point) utilized by two or more lots.
- (7) No driveway (nearest edge) shall be located within 25 feet of an intersection on a secondary road and 40 feet on a primary road except in the case where no other lot access to a public street or town-approved private road is available.

(E) 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 town. The inspector or other authorized representative of the town 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 section and may order the nonconforming installations be corrected and/or blocked.

(F) Brick Driveways. Brick driveways will be allowed consisting of smooth, hard-burned clay bricks with an appropriate concrete base conforming to the design standards of the Administrator. 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 inches in thickness. Normal maintenance or replacement will be the responsibility of the driveway applicant.

Section 17-5: Off-Street Loading Requirements

In any district in which a building hereafter erected is to be occupied by any manufacturing, processing, assembly, wholesaling, retailing, laundering, dry cleaning, or similar activity requiring the receiving or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building at least one off-street loading space. Each such loading space shall be at least 15 feet in width, 30 feet in length, and shall have a height clearance of at least 15 feet.

If there is not more than one delivery and pickup during the hours when a retail trade, office, or institutional establishment is open to patrons, such space may be combined with the existing parking space on the premises. Loading space shall be provided in accordance with the following schedule:

Office and Institutional Uses including Hotels and Motels	One space for each 50,000 square feet of gross floor area or fraction thereof.
Retail Business	One space for each 20,000 square feet of gross floor area or fraction thereof.
Wholesale Trade and Industry	One space for each 10,000 square feet of gross floor area or fraction thereof.
Elementary, Junior High, High Schools, Kindergartens, Nurseries, and Day Care Centers	One space for each 50,000 square feet of gross floor area or fraction thereof, plus a safe place off the street for the loading and unloading of children from automobiles and buses.

The off-street loading space provided shall be permanent and shall not be used for any other purpose.

Exceptions. If a peculiar characteristic of an establishment makes the requirements of this Section clearly unrealistic, the Board of Adjustment may grant the applicant a modification of the loading requirements in regard to that particular establishment.

The Zoning Administrator may allow a new use to be established in an existing building even if all loading requirements of this Section cannot be met for the new use, provided that as much loading space as can reasonably be provided is provided by the use, and traffic or safety hazards will not be created.