

## ARTICLE 12

### OFF-STREET PARKING, STACKING, AND LOADING AREAS

#### **12.1 Off-Street Parking, Stacking, and Loading Space Required.**

When any building or structure is erected, modified, and/or enlarged the requirements of this Section shall be met. For enlargements, modifications, or increase in capacity, the requirements of this Section shall apply only to such enlargements, modifications or increases in capacity. In cases of mixed occupancy, the minimum number of off-street parking and loading spaces shall be the cumulative total of individual use requirements unless otherwise specified.

#### **12.2 Paving and Maintenance.**

All parking, stacking, and loading facilities shall be permanently paved and maintained by the owners or occupants as long as the use they serve exists, except as provided in Section 12.3 herein.

#### **12.3 Access.**

All parking, stacking, and loading facilities shall have paved vehicular access to a public street. Exception is made for single family residential dwellings in the AG district beyond the public road right-of-way.

#### **12.4 Use for No Other Purpose.**

Land used to provide required parking, stacking, and loading shall not be used for any other purposes, except for temporary events. Use of land designated for and providing parking, loading, and/or stacking for other purposes shall be considered a violation of this Ordinance and subject to the penalty provisions of Article 23.

#### **12.5 Requirements for Change in Use.**

If a change in use causes an increase in the required number of off-street parking, stacking, or loading spaces, such additional spaces shall be provided in accordance with the requirements of this Ordinance; except that if the change in use would require an increase of less than five percent (5%) in the required number of parking spaces or fewer than five (5) spaces, no additional off-street parking shall be required.

#### **12.6 Accessible Spaces.**

Accessible spaces for the physically handicapped shall be provided as required by the North Carolina Building Code.

#### **12.7 Bicycle Parking.**

All non-residential uses, except agricultural and agricultural based businesses, and all multi-family residential uses, including condos and townhomes with shared parking, shall include bicycle parking spaces in the amount, at a minimum, equal to 5% of the parking provided for automobiles. This area may be a designated parking space within the parking lot near the building or an area outside the parking lot adjacent to the building. The bike parking area must include a bike rack with provisions for locking bikes.

### **12.8 Overflow Parking.**

Off-street areas used for special event parking (to accommodate occasional overflow volumes) may be used with pervious ground cover where such cover can sustain the traffic and use volumes; however, shall be constructed of any dust-free, compacted, pervious ground cover where levels of use exceed pervious material capability to maintain dust free conditions. The owner of the property shall be responsible for the maintenance of such parking in a clean and dust-free condition. Grass and mulch are examples of pervious ground cover; gravel and pavement are examples of impervious surfaces.

### **12.9 Parking of Over Size Vehicles in Residential Districts.**

In order to maintain the visual appeal of residential areas, over size vehicles such as RV's (recreational vehicles), water craft and accessories, towing trailers, and commercial vehicles larger than one ton shall not be parked or stored on the street in residential districts.

### **12.10 Off-Street Parking Lots and Access Areas.**

Off-street parking is required to meet the needs of the employees, clients, and/or customers of the principal use. Due to the potential for parking areas to use a large percentage of a development site, efforts should be made to accurately estimate the parking needs of the principal use. Strategies such as shared parking and remote parking should be used to maximize the use of existing parking available in the area in which a use is to be located. Parking areas should be designed to minimize breaks in the pedestrian environment along the public street and create safe and comfortable passage for pedestrians. The following standards shall therefore be met.

12.10-1 Location of Parking Lots. Parking lots shall be placed behind buildings where practical; persons who wish to vary from this standard will have to appeal to the Technical Review Committee. Side of the building parking will be permitted only as indicated by Building Type and shall be measured along the build-to line. Off-street parking is not permitted in front of the primary building facade, except where specified in an adopted street section, detailed as a public plaza, or as approved by the Technical Review Committee as part of site plan review and approval.

12.10-2 Limitation on Uninterrupted Areas of Parking. Uninterrupted areas of parking lot shall be limited in size. Large parking lots shall be broken by buildings and/or landscape features.



Figure 12.10-1: Example of parking lot broken up by landscaping.

12.10-3 Enclosure of Parking Lots. Parking lots shall be enclosed by tree planting and/or building walls(s). For small lots (thirty-six spaces or less), landscaping shall be required at the perimeter; for large lots (more than thirty-six spaces), landscaping shall be at the perimeter and placed to break the lot into parking areas of no more than thirty-six spaces.

12.10-4 Pedestrian Corridors. Parking lots shall be designed to allow pedestrians to safely move from their vehicles to the building. On small lots, this may be achieved by providing a sidewalk at the perimeter of the lot. On larger lots, corridors within the parking area should channel pedestrians from the car to the perimeter of the lot or to the building(s). These corridors should be delineated by a paving material which differs from that of vehicular areas and planted to provide shade and an edge. Small posts or bollards may be used to define/protect the pedestrian corridors. The minimum width of the sidewalk or pedestrian

corridor shall be five (5) feet, with vehicle encroachment is calculated as two (2) feet beyond curb or wheel stop.

- 12.10-5 Driveway Width. To maintain pedestrian comfort and calm the speed of entering traffic, driveways to parking areas should be no wider than 24 feet. Driveways connecting to state roads shall meet the requirements of the NC Department of Transportation.
- 12.10-6 Interconnection of Parking Lots. To the extent practicable, adjoining parking lots serving non-residential buildings shall be interconnected. When vehicular connections are not practical, pedestrian walkways shall be provided to enable pedestrian connections between parking lots.
- 12.10-7 Paving of Parking Lots. All commercial driveway and parking areas shall be paved with asphalt, concrete, pervious pavement and/or pavers, or brick pavers except for areas used for overflow, special events, and peak parking. Any non-paved surface used for overflow, special events, and peak parking that cannot be maintained with healthy, living turf grass or similar ground cover shall be paved with asphalt, concrete, pervious pavement and/or pavers, or brick pavers. Paving shall not be required for:
- (A) Overflow -parking facilities for churches, private clubs, lodges, or other similar nonprofit organizations.
  - (B) Parking areas for agricultural uses in the Agricultural (AG) District.
  - (C) Parking areas for manufacturing and industrial uses in the Industrial (IND) District provided they are constructed with an all-weather surface.
  - (E) Parking areas for tracked heavy construction equipment, skid-mounted equipment and similar equipment, provided they are constructed with an all weather surface.
- For paved parking areas, curb and gutter or an equivalent drainage system shall be provided along the periphery of the parking lot, except where it is determined by the *Planning, Zoning and Subdivision Administrator* that such system is not practical for storm drainage and/or water quality purposes. Access drives shall be paved and maintained free from defects from the curb-line to a point at least ten (10) feet beyond the public right-of-way line for all parking and loading facilities, whether paved or unpaved.
- 12.10-8 Minimize Dust and Erosion. All parking areas shall be graded, properly drained, stabilized, and maintained to minimize dust and erosion.
- 12.10-9 Marking of Parking Spaces. All parking spaces and stacking lanes shall be clearly identified with paint lines, bumper guards, curbs, or similar treatment.
- 12.10-10 Wheel Guards or Curbs Required. All parking spaces abutting the perimeter or a landscape island shall be provided with wheel guards or curbs located so that no part of the parking vehicle will extend beyond the property line or encroach into a required planting area.

- 12.10-11      Reduction in Number of Spaces. Unless there is a change in use requiring a lesser number of spaces, the number of spaces shall not be reduced below the minimum requirements of this Article except as provided for in Section 12.5 (Requirements for Change in Use).
- 12.10-12      Parking Space Dimension. The minimum size for parking spaces shall be as shown in the Town of Midland Technical Standards and Specifications Manual.
- 12.10-13      Plug-in Electric Vehicle (PEV) Charging Stations. PEV charging stations shall be provided for all uses where drive-through service is provided in accordance with either Section 10.1-6 or 10.1-17. Hotels and/or motels shall provide PEV charging stations within designated parking spaces for a minimum of eight percent (8%) of all guest rooms. Restaurants shall provide PEV charging stations within designated parking spaces for a minimum of four percent (4%) of the restaurant seating capacity, in addition to the requirements of Section 10.1-17.
- 12.10-14      Lighting and Illumination. All light fixtures (freestanding, flood, or any other form of light fixture) shall be provided with full cut-off fixtures, visors, or any other suitable directional control to direct light either downward or directly on the appropriate building. The following standards and limitations shall apply:
- (A) Wall pack lighting is not permitted.
  - (B) No light fixture shall create any glare or spillover lighting effects on any residential properties or streets.
  - (C) Freestanding light fixtures along all public street systems and internal street systems shall not exceed nineteen feet in total mounted height and shall consist of a decorative fixture that shields the source of light away from neighboring properties. Residential streets shall utilize the Open Traditional design on a 12' "A" pole.
  - (D) Lighting located within parking lots may not exceed thirty-three feet in total mounted height. Parking lot lighting shall consist of a fixture that shields the source of light away from neighboring properties and direct the illumination to the ground's surface.
  - (E) Lighting installations shall include timers, dimmers, and /or sensors to reduce overall energy consumption and unnecessary lighting.
  - (F) Lighting levels for canopies and awnings of commercial facilities shall be adequate only to facilitate the activities taking place in such locations and shall not be used to attract attention to the businesses. Lighting fixtures mounted on canopies shall be recessed so that the light's lens cover is recessed or flush with the bottom surface (ceiling) of the canopy and/or shielded by the fixture or the edge of the canopy so that light is restrained. Canopies shall be constructed of non-light-emitting material.

### 12.11 Off-Street Parking Requirements and Bicycle Incentive.

While on-street parking can contribute substantially to everyday parking needs, sufficient off-street parking must also be provided to serve the particular needs of the building(s). The following minimum and maximum requirements for off-street parking are set forth to ensure the provision of adequate off-street parking while preventing the development of parking areas that are under used. Minimum required parking spaces can be reduced by twelve percent (12%) where fully enclosed bicycle lockers are provided on a one-for-one exchange ratio, except for single family detached dwellings.

TABLE 12-1

Type of Land Use	One Parking Space Required for Each:	
	Minimum	Maximum
<b>Residential</b>		
Accessory dwelling unit	1 bedroom	0.5 bedroom
Dwellings, multi-family with 2 bedrooms or less	1 unit	0.5 unit
Dwellings, multi-family with 3 bedrooms or more	0.5 unit	0.33 unit
Dwellings, multi-family elderly or disabled	2 units	0.5 unit
Dwellings, single-family with 2 bedrooms or less	1 unit	not applicable
Dwellings, single-family with 3 bedrooms or more	0.5 unit	not applicable
<b>Public Facilities and Institutions</b>		
Ambulance services, fire stations, police stations	2 employees on largest shift	1 employee on largest shift

Assisted living facilities	2 employees, plus 1 space per 2 units	1 employee, plus 1 space per 1 unit
Adult care facilities	2 employees, plus 1 space per 6 adults	1 employee, plus 1 space per 6 adults
Child care facilities	2 employees, plus 1 space per 10 children	1 employee, plus 1 space per 10 children
Churches, Synagogues, and places of worship	1 space for each 4 seats or each 40 sq. ft. of floor area available for movable seats or for each 200 sq. ft. of gross floor area	1 space for each 3 seats or each 30 sq. ft. of floor area available for movable seats or for each 150 sq. ft. of gross floor area
Civic, social service, cultural, and fraternal facilities	350 sq. ft.	250 sq. ft.
Colleges and universities	3 employees, plus one space per 3 full-time students not residing on campus	1 employee, plus one space per each full-time student not residing on campus
Family care homes and group homes, children	2 employees	1 employee
Family care homes and group homes, adults	2 employees, plus 1 space per 5 adults	1 employee, plus 1 space per 5 adults
Hospitals	4 in-patient or out-patient beds plus 1 space per 2 employees on largest shift	3 in-patient or out-patient beds plus 1 space per 1 employee on largest shift
Libraries, museums, and art galleries	450 sq. ft., plus one space per 2 employees on shift of greatest employment	250 sq. ft., plus one space per 2 employees on shift of greatest employment
Medical, dental, or related offices	Examining room plus 1 space per 2 employees, including	0.33 Examining room plus 1 space per employee, including doctors

	doctors	
Nursing and convalescent homes	4 beds plus 1 space per 2 employees on largest shift	3 beds plus 1 space per 1 employee on largest shift
Schools (kindergarten, elementary, middle, and high)	0.5 classrooms, plus 1 space per 5 students for high schools	0.33 classrooms, plus 1 space per 5 students for high schools
Shelters	2 employees/volunteers on largest shift	1 employee/volunteer on largest shift
<b>Office, Business, and Industrial Uses</b>		
Banks & financial institutions	350 Sq. ft. gross floor area plus stacking for 4 vehicles for each drive through facility	250 sq. ft gross floor area plus stacking for 4 vehicles for each drive through facility
Barber shops and salons	0.5 operator stations, plus one space per 2 employees on shift of greatest employment	0.33 operator stations, plus one space per 2 employees on shift of greatest employment
Batting cages, driving ranges, miniature golf, shooting ranges	1.5 cages, tees, or firing points	1 cage, tee, or firing point
Bed and breakfast establishments, tourist home, boarding house	1 room, plus 1 space for the resident manager/ owner and 1 for each employee	0.5 room, plus 2 spaces for the resident manager/ owner and 1 space for each employee
Car wash (full service)	2 spaces in manual drying area plus 1 space per 2 employees on shift of greatest employment plus stacking for 20 vehicles	3 spaces in manual drying area plus 1 space per employee on shift of greatest employment plus stacking for 30 vehicles
Car wash (self	0.5 wash bays, plus 2	0.33 wash bays, plus 2 stacking



service)	stacking spaces per wash bay	spaces per wash bay
Clubs, lodges	350 sq. ft.	200 sq. ft.
Convenience stores with gas pumps	350 sq. ft. (spaces at gas pumps are not recognized as parking spaces)	200 sq. ft. (spaces at gas pumps are not recognized as parking spaces)
Delivery services	2 employees on largest shift plus 1 per vehicle used in operation	1 employee on largest shift plus 1 per vehicle used in operation
Drive through (not otherwise classified)	2 employees plus stacking for 3 vehicles at each window or machine	1 employee plus stacking for 4 vehicles at each window or machine
Equipment rental and leasing establishments	350 sq. ft.	250 sq. ft.
Flea markets; open air sales	0.5 acre of site area plus 1 per 2 employees on largest shift	0.25 acre of site area plus 1 per employee on largest shift
Funeral establishments	4 seats of largest public room, plus one space per 2 employees on shift of greatest employment	2 seats of largest public room, plus one space per 1 employee on shift of greatest employment
Furniture sales, floor covering sales	1500 sq. ft. gross floor area	1000 sq. ft. gross floor area
Health and fitness facilities, similar indoor recreation	200 sq. ft.	100 sq. ft.
Hotels and motels	2 guest rooms, plus additional spaces as required for other uses within the hotel/motel	1 guest room, plus additional spaces as required for other uses within the hotel/motel
Kennels or pet grooming	500 sq. ft. of sales, grooming, or	350 sq. ft. of sales, grooming, or customer waiting area plus 1

	customer waiting area plus 1 space per 2 employees on largest shift	space per 1 employee on largest shift
Live-work unit	Residential unit plus each 350 sq. ft. of office/business space	Residential unit plus each 250 sq. ft. of office/business space
Manufacturing, assembly or finishing operations	2 employees on shift of greatest employment plus 1 space per 400 sq. ft. of retail sales or customer service area	1 employee on shift of greatest employment plus 1 space per 200 sq. ft. of retail sales or customer service area
Motor vehicle, motorcycle, or recreational vehicle sales or display rental; manufactured home sales	10,000 sq. ft. of display area plus 1 space per 2 employees on largest shift	5,000 sq. ft. of display area plus 1 space per employee on largest shift
Office	350 sq. ft.	250 sq. ft.
Repair and service businesses providing on-site services	300 sq. ft.	200 sq. ft.
Repair and service businesses providing off-site services	2 employees	1 employee
Restaurants, bars, night clubs (plus 11 spaces for stacking if drive-through service is proposed)	4 seats, plus one space per 2 employees on shift of greatest employment	2 seats, plus one space per 2 employees on shift of greatest employment
Retail sales	350 sq. ft.	200 sq. ft.
Self-service storage facilities	10 storage units, plus one space per 2 employees on shift of	5 storage units, plus one space per 2 employees on shift of greatest employment

	greatest employment	
Servicing, packaging, and storage of commodities	2 employees on shift of greatest employment	1 employee on shift of greatest employment
Theaters, stadiums, arenas, and sports courts	4 seats	3 seats
Vehicle service stations and auto repair garages (spaces at gas pumps are not recognized as parking spaces)	1 service bay, plus one space per 2 employees on shift of greatest employment	0.33 service bays, plus one space per 2 employees on shift of greatest employment
Veterinary services	1 employee (including doctors) plus 2 spaces per doctor	1 employee (including doctors) plus 4 spaces per doctor
Warehouses, wholesale, and distributive businesses	2 employees on shift of greatest employment, plus one space per 350 sq. ft. of area open to the public	1 employee on shift of greatest employment, plus one space per 250 sq. ft. of area open to the public
<b>Other</b>		
Amusement parks, fairgrounds, skating rinks	350 sq. ft. of activity area	250 sq. ft. of activity area
Athletic fields	350 sq. ft. of field	250 sq. ft. of field
Equestrian facility	2 stalls	1 stall
Golf courses	0.5 tee	0.25 tee
Tennis Courts	1 court	0.5 court

For any use not specifically listed in this Section, the parking, stacking and loading requirements shall be those of the most similar use.

## 12.12 Off-Street Parking Exceptions.

The following exceptions to the off-street parking requirements of section 12.11 shall be permitted.

- 12.12-1        Existing Buildings and Infill Housing in the MS and OM Districts. In the Main Street (MS) and Old Midland (OM) Districts, existing buildings that were legally constructed without the provision of on-site parking, and infill housing on existing lots of record may meet requirements with on-street parking, if available, and will be construed conforming as to parking. Such buildings are eligible for change of use permits, and for building upfits. Any expansion of the building and/or use shall provide off-street parking as required by this Article.
- 12.12-2        Parking Reduction in MS and OM Districts. In the Main Street (MS) and Old Midland (OM) Districts, the off-street parking requirements of this Article shall be reduced 50% for all uses where shared and/or remote parking provisions are made in accordance with Sub-section 12.12-8 below.
- 12.12-3        Fee in Lieu in MS and OM Districts. In the Main Street (MS) and Old Midland (OM) Districts, uses may provide a fee in lieu of providing any or all of the off-street parking required by this Article. This fee shall be in the amount determined by the Town of Midland and based on the cost of providing parking (including land costs, development costs, and maintenance costs) in the Main Street (MS) and Old Midland (OM) Districts. Such fee(s) shall be used by the Town for the provision and maintenance of parking in the Main Street (MS) and Old Midland (OM) Districts. Any fee collected in lieu of providing the required parking for a particular business or use shall be used to provide or maintain parking that can be used by clients, customers, employees, and others frequenting that business or use. Such parking shall be located within a reasonable distance (not more than 1,350 feet as measured along pedestrian ways) of the business or use providing the fee in lieu.
- 12.12-4        On-Street Parking for Residential Buildings. Residential buildings may meet or contribute to meeting parking requirements with on-street parking, where available and approved by the Technical Review Committee (TRC), if individual driveways are minimized and the fronting street is specifically designed to meet the parking needs of the residential buildings.
- 12.12-5        Parking on Streets in Residential Districts. Parking shall be allowed along all streets in residential districts except along alleys, designated bike lanes, and areas specifically signed for no parking. Vehicles shall park so as not to block access to properties.

- 12.12-6        No Parking in Right-of-Way. In no case shall off-street parking extend into the public right of way, or into an easement for a public sidewalk on private property.
- 12.12-7        Storage of Vehicles on Street. Vehicles shall not be parked on the street for extended periods such that they appear to be stored on the street. The *Planning, Zoning and Subdivision Administrator*, at his/her discretion, may require removal of vehicles that appear to be stored on the street in the interest of protecting the public safety and welfare.
- 12.12-8        Shared and Remote Parking.
- (A)    Shared parking. The *Planning, Zoning and Subdivision Administrator* shall approve the joint use of up to 100 percent of the required parking spaces for two or more uses located on the same parcel or adjacent parcels; provided that the developer can demonstrate that the uses will not overlap in hours of operation or in demand for the shared spaces. Any sharing of required parking spaces by uses located on different parcels shall be guaranteed by a written agreement between the owner of the parking area and the owner of any use located on a different parcel and served by the parking area. Should the uses change such that the new uses overlap in hours of operation or in demand for the shared spaces, the shared parking approval shall become void. Parking meeting the requirements of this Article shall then be provided for each use. Parking agreements shall be for a minimum of five (5) years, shall run with the property, and shall be recorded in the office of the Register of Deeds for Cabarrus County. A sidewalk or other pedestrian way shall connect the shared parking area to the uses for which parking is being provided.
- (B)    Remote parking. If the required number of parking spaces for any land use cannot be reasonably provided on the same lot on which the principal use is located, such parking space may be provided, for up to a maximum of 50% of the required parking, on any land within 750 feet walking distance of the property on which the principal use is located, provided that the zoning use regulations for the district in which the remote parking space is located permit the principal use which the parking spaces serve and, provided further, that no crossing of a major thoroughfare is required to travel from the use to the remote parking spaces, unless the pedestrian may access the remote parking by crossing said thoroughfare at a signalized

crosswalk. Uses that cannot provide the remaining 50% of the required parking on-site must pay a fee-in-lieu or otherwise comply with the off street parking requirements. Any remote parking spaces located on a different parcel than the use for which the remote parking spaces serve shall be guaranteed by a written agreement between the owner of the remote parking area and the owner of the use located on a different parcel and served by the remote parking area. Change of ownership of either parcel shall require a renewal of the agreement. Parking agreements shall be for a minimum of five (5) years, shall run with the property, and shall be recorded in the office of the Register of Deeds for Cabarrus County.

**12.13 Loading Areas.**

Off-street loading areas shall be provided to allow for delivery, loading, and similar activities to occur in a safe, designated area that will not impede the flow of traffic or block pedestrian or vehicular access.

12.13-1 Location. Off-street loading areas shall be located on the same zone lot as the use they serve.

12.13-2 Minimum Size. The minimum size for an off-street loading area shall be 250 square feet.

12.13-3 Arrangement. All off-street loading areas shall be arranged and marked to provide for orderly and safe unloading and loading, and shall not hinder the free movement of vehicles and pedestrians. All loading and unloading maneuvers shall take place on private property. No backing in from street or maneuvering on right-of-way shall be permitted.

12.13-4 Minimum Number of Loading Areas Required.

(A) Retail operations, including restaurant and dining facilities within hotels and office buildings:

Gross Floor Area (Sq. Ft.)	Number of Areas
0 - 40,000	1
40,001 - 75,000	2
75,001 - 150,000	3
150,001 - 250,000	4
For each additional 250,000 square feet or fraction thereof	1

(B) Office buildings and hotels:

Gross Floor Area (Sq. Ft.)	Number of Areas
0 - 100,000	0

For each additional 100,000 square  
feet or fraction thereof 1

(C) Industrial and wholesale operations:

Gross Floor Area (Sq. Ft.)	Number of Areas
0 - 10,000	0
10,000 - 40,000	1
40,001 - 100,000	2
100,001 - 160,000	3
160,001 - 240,000	4
240,001 - 320,000	5
320,001 - 400,000	6
For each additional 90,000 square feet or fraction thereof	1