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**DEVELOPMENT
STANDARDS**

Chapter 5. Development Standards

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CHAPTER 5. DEVELOPMENT STANDARDS

5.1. OFF-STREET PARKING AND LOADING

5.1.1. Purpose and Intent

The purpose of this section is to ensure provision of off-street parking and loading facilities in proportion to the generalized parking, loading, and transportation demand of the different uses allowed by this Ordinance. The standards in this section are intended to provide for adequate off-street parking while allowing the flexibility needed to accommodate alternative solutions. The standards encourage pedestrian-oriented development in village and community centers, while avoiding excessive paved surface areas, promoting low impact development, where appropriate, and safeguarding historic resources.

5.1.2. Applicability

A. General

These off-street parking and loading standards shall apply to all development in the county.

B. Time of Review

Review of proposed development to ensure compliance with the standards of this section shall occur at time of site plan (Section 2.4.7), planned development master plan (Section 2.4.5) zoning compliance permit (Section 2.4.9), or temporary use permit (see Section 2.4.11), whichever occurs first.

C. Existing Development

(1) Change in Use

Any change in use of an existing development shall provide the additional off-street parking and loading facilities required to comply with this section.

(2) Expansion and Enlargement

Any expansion or enlargement of an existing structure that will increase the number of units upon which the applicable parking standard is based (e.g., square feet, employees, dwelling units, seats, bedrooms) shall provide additional off-street parking, loading, and circulation facilities as required by application of these minimum off-street parking, loading, and circulation standards, unless exempted.

(3) Nonconforming Parking or Loading Facilities

Expansion or enlargement of an existing development on a site that does not comply with the standards of this section shall comply with the standards of Section 8.6, Nonconforming Sites.

SECTION 5.1: OFF-STREET PARKING AND LOADING**Subsection 5.1.3: Off-Street Parking Standards****D. Exemptions**

The following activities are exempt from the requirements of this section:

- (1) Re-striping an existing parking lot which does not create a deficient number of parking spaces or nonconforming situation;
- (2) Expansion of a single-family or duplex dwelling that does not increase the number of bedrooms; and
- (3) Rehabilitation or re-use of an historic structure.

5.1.3. Off-Street Parking Standards**A. Parking Plan Required**

The parking plan shall accurately designate the required parking spaces, access aisles, pedestrian connections, materials, dimensions, driveways, loading area and circulation, and the relation of the off-street parking facilities to the development the facilities are designed to serve.

B. Minimum Number of Spaces Required

Unless otherwise expressly stated in this section or approved through an alternative parking plan, the minimum number of off-street parking spaces shall be provided in accordance with Table 5.1.3.C, Minimum Off-Street Parking Standards.

C. Maximum Number of Spaces Permitted

- (1) Commercial and Industrial uses of 5,000 square feet in area or larger listed in Table 5.1.3.C, Minimum Off-Street Parking Standards, shall not exceed 125 percent of the minimum number of parking spaces required in the table.
- (2) Through approval of an alternative parking plan in accordance with Section 5.1.6.A, Provision Over the Maximum Allowed, commercial and industrial uses may provide up to a maximum of 175 percent of the minimum number of parking spaces required in the table.
- (3) Provision of more than 175 percent of the minimum number of parking spaces for uses subject to the standards of this section shall require approval of a special use permit in accordance with Section 2.4.6, Special Use Permit.

TABLE 5.1.3.C: MINIMUM OFF-STREET PARKING STANDARDS

USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
AGRICULTURAL USE CLASSIFICATION		
Agriculture / Horticulture	All	1 per every 1,500 sf
Animal Husbandry	All	
Agriculture Support and Services (Directly Related)	Agri-education	1 per every 1,000 sf
	Agri-entertainment	
	Agricultural processing	1 per every 1,500 sf
	Agribusiness	3
	Equestrian facility	1 per stall + 2
	Farmers market	1 per every 300 sf

SECTION 5.1: OFF-STREET PARKING AND LOADING**Subsection 5.1.3: Off-Street Parking Standards****TABLE 5.1.3.C: MINIMUM OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
	Nursery, production	1 per every 300 sf (excluding greenhouses)
	Roadside market	1 per every 300 sf
Agriculture Support and Services (Not Directly Related)	Agricultural research facility	1 per every 800 sf
	Distribution hub for agricultural products	1 per every 6,000 sf
	Farm machinery sales, rental, and service	1 per every 300 sf
	Stockyard / Slaughterhouse	1 per every 200 sf
Silviculture	All	None
RESIDENTIAL USE CLASSIFICATION		
Household Living	Dwelling, duplex	1.5 per DU
	Dwelling, live/work	1 per DU
	Dwelling, mansion apartment	1 per DU
	Dwelling, manufactured home (class A)	2 per DU
	Dwelling, manufactured home (class B)	2 per DU
	Dwelling, multi-family	1.8 per DU
	Dwelling, single-family detached	0.5 per bedroom for 1-4 bedrooms
		1.0 per bedroom for 5-10 bedrooms
		0.5 per bedroom for 11+ bedrooms
	<i>Example: an 8 bedroom single family detached dwelling requires 6 parking spaces (2 for the first 4 bedrooms; 4 for bedrooms 5-8). A 15 bedroom single family detached dwelling requires 10 parking spaces (2 for the first 4 bedrooms; 6 for bedrooms 5-10; and 2 for bedrooms 11-15).</i>	
Group Living	Dwelling, townhouse	1.8 per DU
	Dwelling, upper story	0.5 per DU
	Dormitory	1 per every 2 resident beds
	Family care home	1 per every 3 resident beds
	Rooming or boarding house	1 + 1 per guest bedroom
INSTITUTIONAL USE CLASSIFICATION		
Community Services	Community center	1 per every 300 sf
	Cultural facility	1 per every 300 sf
	Library	1 per every 300 sf
	Museum	1 per every 500 sf
	Senior center	1 per every 300 sf
	Youth club facility	1 per every 300 sf
Day Care	Adult day care center	1 per every 300 sf
	Child care center	1 per every 325 sf
Educational Facilities	College or university	1 per every 900 sf
	School, elementary	1 per classroom + 10
	School, middle	1 per classroom + 10
	School, high	1 per every 300 sf
	Vocational or trade school	1 per every 300 sf
Government Facilities	Government maintenance, storage, or distribution facility	1 per every 600 sf
	Government office	1 per every 300 sf
Health Care Facilities	Blood/tissue collection facility	1 per every 300 sf
	Drug or alcohol treatment facility	1 per every 300 sf
	Hospital	1 per every 3 inpatient beds
	Medical treatment facility	1 per every 300 sf
	Assisted living facility	1 per every 3 patient beds

SECTION 5.1: OFF-STREET PARKING AND LOADING**Subsection 5.1.3: Off-Street Parking Standards****TABLE 5.1.3.C: MINIMUM OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
Institutions	Auditorium, conference, and convention center	1 per every 400 sf
	Club or lodge	1 per every 300 sf
	Halfway house	1 per bedroom + 2
	Nursing home	1 per every 3 patient beds
	Psychiatric treatment facility	1 per every 3 beds
	Religious institution	1 per every 6 seats in worship area
Parks and Open Areas	Arboretum or botanical garden	See Section 5.1.3.E
	Cemetery, columbaria, mausoleum	See Section 5.1.3.E
	Community garden	See Section 5.1.3.E
	Park, public or private	See Section 5.1.3.E
Public Safety	Correctional facility	See Section 5.1.3.E
	Law enforcement, fire, or EMS facility	See Section 5.1.3.E
	Security training facility	See Section 5.1.3.E
Transportation	Airport	See Section 5.1.3.E
	Helicopter landing facility	See Section 5.1.3.E
	Passenger terminal, surface transportation	See Section 5.1.3.E
Utilities	Solar array	None
	Telecommunications antenna collocation on tower or building	None
	Telecommunications tower, freestanding	None
	Utility, major	1 per every 1,500 sf
	Utility, minor	None
	Wind energy facility, large	1 per every 1,500 sf
COMMERCIAL USE CLASSIFICATION		
Adult Entertainment	All	1 per every 200 sf
Animal Care	Animal grooming	1 per every 300 sf
	Animal shelter	1 per every 300 sf
	Kennel	1 per every 400 sf
	Veterinary clinic	1 per every 300 sf
Eating Establishments	Dinner theater	1 per every 4 seats
	Restaurant, with indoor or outdoor seating	1 per every 150 sf (including outdoor waiting/ seating/ dining areas)
	Specialty eating establishment	1 per every 200 sf
Offices	Business and sales	1 per every 300 sf
	Professional services	1 per every 300 sf
Parking, Commercial	Parking lot	None
	Parking structure	None
Recreation / Entertainment, Indoor	Fitness center	1 per every 300 sf
	Recreation, indoor	1 per every 300 sf
	Theater	1 per every 4 seats
Recreation / Entertainment, Outdoor	Arena, amphitheater, or stadium	1 per every 4 seats
	Athletic facility	See Section 5.1.3.E
	Automotive racing	1 per every 3 seats
	Golf course	4 per hole
	Golf driving range	1 per tee + 1 per every 15 sf of hitting area
	Marinas	1 per slip or mooring
	Outdoor shooting range	1.5 per firing station

SECTION 5.1: OFF-STREET PARKING AND LOADING**Subsection 5.1.3: Off-Street Parking Standards****TABLE 5.1.3.C: MINIMUM OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
	Outdoor tour operator	1 per every 2 employees + 1 per every 5 persons of total tour vehicle capacity
	Recreation, outdoor	See Section 5.1.3.E
Retail Sales & Services	Auction House	1 per every 300 sf
	Bar, nightclub, or cocktail lounge	1 per every 100 sf
	Convenience store	1 per every 250 sf
	Crematory	1 per 4 seats in main assembly room
	Drug store or pharmacy	1 per every 300 sf
	Entertainment establishment	1 per every 250 sf
	Financial institution	1 per every 300 sf
	Flea market	1 per every 200 sf of building area + 3 per outdoor stand or rented space
	Funeral home	1 per 4 seats in main assembly room
	Grocery store	1 per every 300 sf
	Laundromat	1 per every 300 sf
	Retail sales establishments	1 per every 300 sf
	Pawn shop	1 per every 200 sf
	Personal services establishment	1 per every 300 sf
	Repair establishment	1 per every 300 sf
	Shopping center	1 per 200 for first 30,000sf
		1 per 300 sf for next 30,000 sf (30,001-60,000)
		1 per 400 sf for next 40,000 sf (60,001-100,000)
		1 per 450 sf for >100,000 sf
	<i>Example: a 70,000 sf shopping center requires 275 parking spaces (150 for the first 30,000 sf; 100 for the next 30,000 sf; and 25 for final 10,000 sf).</i>	
Vehicle Sales and Services, Heavy	Tattoo parlor/body piercing establishment	1 per every 300 sf
	Aircraft parts, sales, and maintenance	1 per every 300 sf
	Automotive painting/body shop	1 per every 300 sf
	Automotive wrecker service	1 per every 500 sf
	Boat and marine rental, sales, and service	1 per every 400 sf of building area + 1 per every 5,000 sf of outdoor display area
Vehicle Sales and Services, Light	Automotive parts and installation	1 per every 300 sf
	Automobile repair and servicing (without painting/bodywork)	1 per every 300 sf
	Automobile sales or rentals	1 per every 300 sf of building area + 1 per every 5,000 sf of outdoor display area
	Car wash or auto detailing	1 per every 500 sf
	Taxicab service	1 per every 400 sf
Visitor Accommodations	Bed and breakfast inn	2 spaces + 1 per guest bedroom
	Hotel or motel	1 per every guest room + 75% of spaces required for on-site accessory uses
	Hunting Lodge	1 per bedroom + 2
	Private Campgrounds	1 per campsite + 1 visitor space for each 10 camp sites

SECTION 5.1: OFF-STREET PARKING AND LOADING**Subsection 5.1.3: Off-Street Parking Standards****TABLE 5.1.3.C: MINIMUM OFF-STREET PARKING STANDARDS**

USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
INDUSTRIAL USE CLASSIFICATION		
Extractive Industry	All uses	1 per every 1,000 sf of building area
Industrial Services	Contractor service	See Section 5.1.3.E
	Crabshedding	1 per every 500 sf
	Fuel oil/bottled gas distributor	1 per every 400 sf
	General industrial service and repair	1 per 1,500 sf
	Heavy equipment sales, rental, and service	1 per 400 sf
	Laundry, dry cleaning, and carpet cleaning plants	1 per every 500 sf
	Manufactured home and prefabricated building sales	1 per 400 sf
	Research and development	1 per every 800 sf
Manufacturing and Production	Manufacturing, heavy	1 per every 1,000 sf
	Manufacturing, light	1 per every 1,000 sf
Warehouse and Freight Movement	Cold storage plant	1 per every 2,000 sf
	Outdoor storage (as a principal use)	See Section 5.1.3.E
	Self-service storage	1 per every 100 units
	Truck or freight terminal	1 per every 2,000 sf
	Warehouse (distribution)	1 per every 2,500 sf
	Warehouse (storage)	1 per every 2,500 sf
Waste-Related Services	Incinerator	See Section 5.1.3.E
	Landfill, land clearing and inert debris or construction debris	See Section 5.1.3.E
	Public convenience center/transfer station	See Section 5.1.3.E
	Recycling center, processing	1 per every 2,500 sf
	Recycling center, transfer	1 per every 2,500 sf
	Salvage and junkyard	1 per every 10,000 sf of outdoor area
	Waste composting	See Section 5.1.3.E
Wholesale Sales	All uses	1 per every 1,000 sf

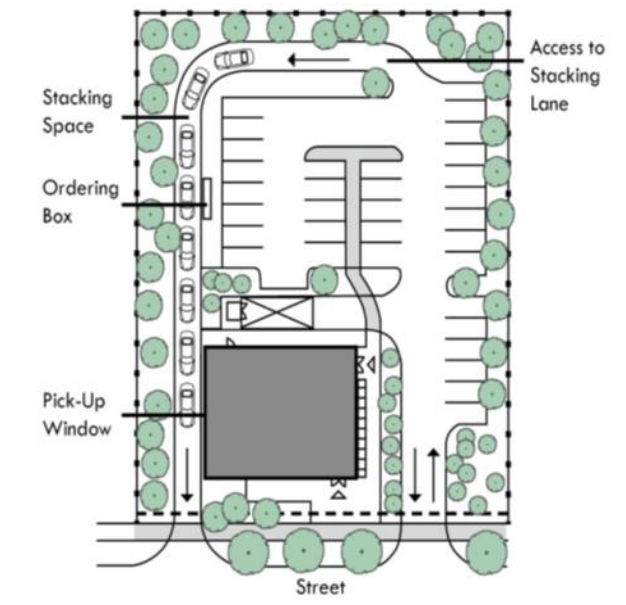
D. Stacking Spaces**(1) Required Number of Stacking Spaces**

In addition to meeting the off-street parking standards in Table 5.1.3.C, Minimum Off-Street Parking Standards, uses with drive-through facilities and other auto-oriented uses where vehicles queue up to access a service shall provide the minimum number of stacking/standing spaces established in Table 5.1.3.D, Required Stacking Spaces, and Figure 5.1.3.D, Stacking Spaces.

(2) Design and Layout

Required stacking spaces shall:

- (a)** Be a minimum of 10 feet wide and 20 feet long; and,
- (b)** Not impede on-site and off-site vehicular, bicycle, or pedestrian movements or movements into or out of required off-street parking spaces.

SECTION 5.1: OFF-STREET PARKING AND LOADING**Subsection 5.1.3: Off-Street Parking Standards****Figure 5.1.3.D, Stacking Spaces****TABLE 5.1.3.D: REQUIRED STACKING SPACES**

USE OR ACTIVITY	MINIMUM NUMBER OF STACKING SPACES	MEASURED FROM
Automated teller machine (drive-up)	2	Teller window
Automobile repair and service	2 per bay	Bay entrance
Car wash	1 per bay	Bay entrance
Day care center, elementary, and middle school	2	Main building entrance
Financial institution or drug store with drive-through service	3 per lane	Agent window
Gasoline sales	1 per pump island	Each end of the outermost gas pump island
Nursing home or assisted living facility	3	Building entrance
Personal services with drive-through (e.g., laundry/dry-cleaning establishment)	3 per lane	Agent window
Restaurant, with drive-through service	3 per window/lane + 3 per order box	

E. Uses with Variable Parking Demand Characteristics

Uses that reference this subsection in Table 5.1.3.C, Minimum Off-Street Parking Standards, have widely varying parking and loading demand characteristics, making it difficult to establish a single off-street parking or loading standard. Upon receiving a development application for a use subject to this subsection, the Director is authorized to apply the off-street parking standard in the table that is deemed most similar to the use, or establish the off-street parking requirements by reference to standard parking resources published by the National Parking Association or the American Planning Association. Alternatively, the Director may require the applicant to submit a parking demand study that justifies estimates of parking demand based on the recommendations of the Institute of Traffic Engineers (ITE), and includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location.

5.1.4. Configuration of Vehicular Use Areas**A. General Standards for Off-Street Parking, Stacking, and Loading Areas****(1) Use of Parking Area, Stacking Area, or Loading Space**

All vehicular parking areas, stacking areas, internal aisles, and loading spaces required by this section may be referred to as “vehicular use area” and shall be used only for their intended purposes. Any other use, including, but not limited to, vehicular storage, vehicle sales, vehicular repair work, vehicle service, or display of any kind, shall constitute a separate business use of the space.

(2) Identified as to Purpose and Location

Except for single-family detached and two-to-four family dwellings, off-street parking areas of three or more spaces and off-street loading spaces shall include painted lines, wheel stops, or other methods of identifying individual parking and loading spaces and loading areas and distinguishing such spaces from aisles or other vehicular use areas.

(3) Location

Off-street surface parking shall be located in accordance with any applicable design standards in Section 5.7, Multi-Family Design Standards, Section 5.8, Nonresidential Design Standards, Section 5.9, Shopping Center Design Standards, or Section 5.10, Community Compatibility Standards, as appropriate.

(4) Surfacing

(a) Except for development within PD districts, SFR district, single-family dwellings on lots of three acres in area or larger, and as provided for in Section 5.1.6.G, Alternative Materials, all off-street parking, loading, and circulation areas shall be surfaced with asphalt, concrete, brick, crushed stone, pavers, aligned concrete strips, or an equivalent material. These materials shall be maintained in a smooth, well-graded condition.

(b) All required parking, loading, and circulation areas within PD districts shall be surfaced with asphalt, concrete, brick pavers, or an equivalent material. The use of crushed stone or similar material is not permitted.

(c) Religious institutions, overflow parking, and parking for special events may take place on grass surfaces.

(5) Arrangement**(a) Convenient Access**

(i) All off-street parking, loading, and circulation areas shall be arranged for the access and safety of pedestrians and vehicles.

(ii) Except for single-family detached and two-to-four family dwellings, off-street parking areas with three or more spaces shall be arranged so that no parking or maneuvering incidental to parking shall occur on a public street or sidewalk, and so that an automobile may be parked and un-parked without moving another automobile (except as provided in Section 5.1.6.E, Valet and Tandem Parking).

(b) Backing onto Streets Prohibited

Except for parking areas serving single-family detached dwellings, all off-street parking, loading, and circulation areas shall be arranged so that no vehicle is required to back from such areas directly onto a public street. Vehicular access ways and vehicular use areas on private lands are not considered public streets.

(c) Easements

No off-street parking, loading, or circulation area shall be located within an easement without the written consent of the person or agency that holds the easement, unless already provided for by an existing easement agreement.

(6) Access and Curb Cuts

Any construction of or modification to an access drive or curb cut shall require prior approval of the Director. This provision shall not apply to private access streets that are consistent with Section 6.2.1.1, which requires that private streets be built to the same standard as public streets.

(7) Parking Lot Cross-Access

(a) General

All development, except townhouse, single-family detached, and two-to four-family dwellings shall be designed to allow for parking lot cross-access to adjacent compatible development in accordance with the following standards:

(i) Limited to Two Parcels

Cross-access ways shall be designed and located based on the standards of this section, but in no case shall a development be required to provide cross-access to more than two adjacent parcels.

(ii) Future Stubs Required

A connection for future parking lot cross-access shall be provided to all adjoining undeveloped or partially undeveloped lands deemed appropriate for future development in the Land Use Plan or adjoining lands that are developed and include opportunities for such connection. The adjoining lands shall:

- (A)** Be zoned MXR, GB, LB, CC, VC, or located within a Planned Development zoning district; or be zoned LI or HI and have frontage on a major arterial street; and
- (B)** Consist of an adequate amount of undeveloped area to support new development.

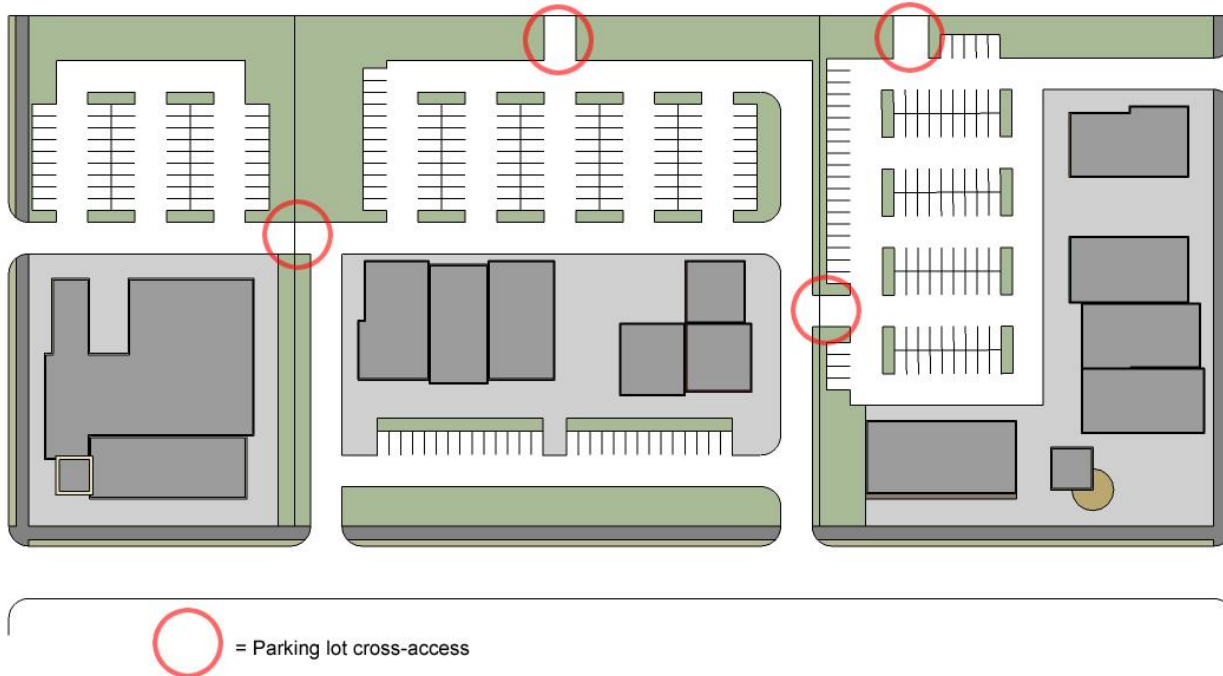
Development subject to these standards shall be designed to provide future cross-access in at least one location while remaining in compliance with all landscaping and stormwater standards.

(iii) Minimum Width

Cross-access ways shall allow for two-way traffic between parcels through the use of a single drive aisle with a minimum

width of 20 feet, or through two one-way aisles, each with a minimum width of 10 feet.

Figure 5.1.4.7, Parking Lot Cross Access



(b) Waiver

- (i)** The cross-access standard may be waived by the Director if the applicant demonstrates it is impractical to provide cross-access due to:
 - (A)** Topography or natural features; or
 - (B)** Vehicular safety factors.
- (ii)** When cross-access is waived in accordance with this section, bicycle and pedestrian connections shall be provided between adjacent developments or uses, unless the provision is deemed unreasonable or impracticable.

(c) Recording Required

Where provided, a cross-access easement shall be recorded in the Currituck County Register of deeds by the owner/developer.

(8) Drainage

All off-street parking, loading, and circulation areas shall be properly drained in accordance with the stormwater management standards in this Ordinance, so as not to cause any nuisance on adjacent land.

(9) Exterior Lighting

When lighted, off-street parking, loading, and circulation areas shall be lighted so as to prevent glare or illumination exceeding maximum allowable levels on adjacent land (see Table 5.4.6, Maximum Illumination Levels), and unless exempted, shall comply with the standards of Section 5.4, Exterior Lighting.

SECTION 5.1: OFF-STREET PARKING AND LOADING

Subsection 5.1.4: Configuration of Vehicular Use Areas

(10) Landscaping

Except for parking areas serving single-family detached and two-to-four family dwellings, or other exempted uses, all off-street parking, loading, and circulation areas shall be landscaped to soften their visual impact on adjacent areas in accordance with Section 5.2.5, Vehicular Use Area Landscaping.

(11) Curbs and Motor Vehicle Stops

All off-street parking, loading, and circulation areas shall be designed to prevent vehicles from overhanging a sidewalk or walkway less than six feet wide, or adjacent property. Motor vehicle stops shall be prefabricated concrete or recycled plastic product manufactured specifically for this use. The use of railroad ties or other non-traditional stops shall not be permitted. Nothing shall prevent planting islands from serving as stormwater management devices (see Figure 5.1.4.11, Parking Lot Stormwater Devices).

Figure 5.1.4.11, Parking Lot Stormwater Devices



(12) Maintained in Good Repair

(a) Maintained at All Times

All off-street parking, loading, and circulation areas shall be maintained in good repair and in safe condition at all times so as not to constitute a hazard to public safety or a visual or aesthetic nuisance to surrounding land.

(b) Periodically Restored

All off-street parking, loading, and circulation areas shall be periodically painted or otherwise restored to maintain a clear identification of separate parking stalls or loading spaces.

(13) Construction of Off-street Parking and Loading Areas

All off-street parking and loading areas shall be completed prior to occupancy of the use or uses they serve. In the case of phased development, surface off-

SECTION 5.1: OFF-STREET PARKING AND LOADING**Subsection 5.1.5: Dimensional Requirements**

street parking, loading, and circulation areas should only be provided for the portions of the development for which a site plan has been approved.

B. Accessible Parking Spaces for Physically Disabled Persons

Development required to provide off-street parking spaces shall ensure that a portion of the total number of required off-street parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the Federal American with Disabilities Act.

5.1.5. Dimensional Requirements**A. General**

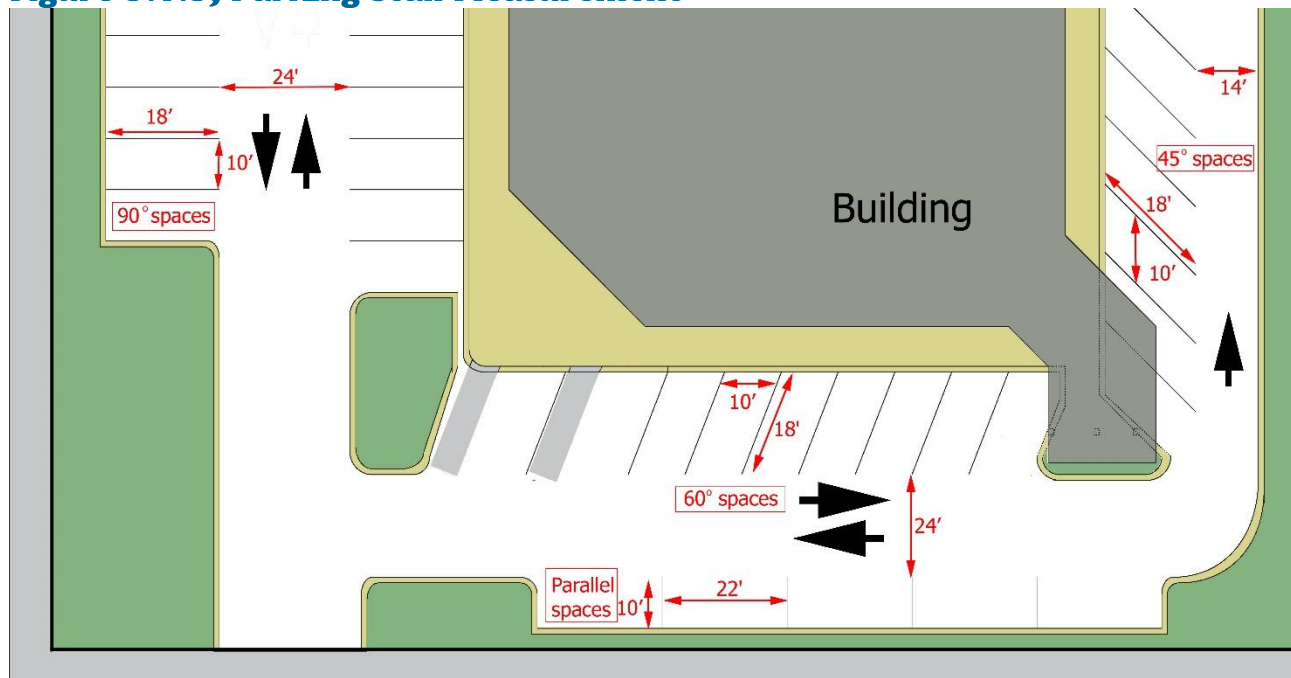
Standard car parking spaces and parking lot aisles shall comply with the minimum dimensional standards established in Table 5.1.5, Dimensional Standards for Parking Spaces and Aisles, and Figure 5.1.5, Parking Stall Measurement.

TABLE 5.1.5: DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES

PARKING SPACE TYPE	MINIMUM WIDTH (FEET)	MINIMUM DEPTH (FEET)	MINIMUM AISLE WIDTH (FEET) [1]	
			ONE-WAY	TWO-WAY
Parallel (0°)	10	22	12	20
Angled (45°)		18	14	20
Angled (60°)			16	24
Perpendicular (90°)			24	24

[1] Parking lot aisles not adjoining parking spaces shall have a minimum width of 10 feet for one-way traffic and 20 feet for two-way traffic

Figure 5.1.5, Parking Stall Measurement



5.1.6. Alternative Parking Plans

The Director is authorized to approve an alternative parking plan for development that proposes alternatives to providing the number of off-street parking spaces required by Table 5.1.3.C, Minimum Off-Street Parking Standards, in accordance with the standards of this subsection. Nothing in this subsection shall limit the utilization of one or more of the following off-street parking alternatives by a single use. When required, a parking demand study shall be performed by a registered engineer.

A. Provision over the Maximum Allowed

Requests to exceed more than the maximum number of off-street parking spaces required by Section 5.1.3.C, Maximum Number of Spaces Permitted, shall comply with the following:

(1) Parking Demand Study

Requests to exceed the maximum number of required off-street parking spaces shall be accompanied by a parking demand study demonstrating how the maximum number of parking spaces established in Section 5.1.3.C, Maximum Number of Spaces Permitted, is insufficient for the proposed development.

(2) Minimum Amount Required

The maximum number of off-street spaces allowed shall be limited to the minimum number of additional spaces demonstrated as needed by the required parking demand study, or other relevant and appropriate data.

B. Shared Parking

Requests for shared parking shall comply with the following standards:

(1) Location

- (a)** Except for shared parking located within a parking structure or served by a parking shuttle, shared parking spaces shall be located within 1,000 feet of the primary entrance of all uses served.
- (b)** Shared parking located within a parking structure or served by a shuttle shall be located within 2,000 feet of the primary entrance of all uses served.
- (c)** Shared parking spaces shall not be separated from the use they serve by a major arterial or collector street, unless the shared parking area or parking structure is served by an improved pedestrian crossing.

(2) Pedestrian Access

Adequate and safe pedestrian access shall be provided from and to the shared parking areas.

(3) Timing

Two or more uses sharing parking spaces shall have staggered peak usage times.

(4) Maximum Shared Spaces

The maximum reduction in the number of parking spaces required for all uses sharing the parking area shall be 50 percent. The percentage may be increased to 60 percent when the uses share parking spaces located within a parking structure.

(5) Directional Signage

When determined necessary by the Director due to distance, indirect locations, or visual barriers, directional signage that complies with the standards of this Ordinance shall be provided to direct the public to the shared parking spaces.

(6) Shared Parking Plan

(a) Justification

Those requesting to use shared parking as a means of satisfying the off-street parking standards must submit a parking demand study as part of an Alternative Parking Plan that justifies the feasibility of shared parking. Justification shall include information on the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

(b) Recorded Agreement

The parking demand study portion of an Alternative Parking Plan shall be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be recorded with the Currituck County Register of Deeds. Recordation of the agreement shall take place prior to occupancy for any use to be served by the shared parking area. A shared parking agreement may be revoked only if all required off-street parking spaces is provided in accordance with the requirements of Table 5.1.3.C, Minimum Off-Street Parking Standards.

(c) Duration

A shared parking agreement shall remain in effect until one or more of the uses subject to the agreement changes.

C. Off-Site Parking for Nonresidential Uses

Generally, all off-street parking areas for any nonresidential use shall be provided on the same parcel of land as the use it serves. Off-street parking for nonresidential uses may be located on another parcel of land, if there are practical difficulties in locating the parking area on-site or the public safety or public convenience is better served by off-site parking. Off-site parking for nonresidential uses shall comply with the following standards:

(1) Maximum Distance

Off-site parking shall be located no more than 2,000 feet from the use it is intended to serve.

(2) Pedestrian Way Required

A pedestrian way that complies with all applicable ADA requirements, and is not more than 2,000 feet in length, shall be provided from the off-site parking area to the use it serves.

(3) No Undue Hazard

The off-site parking area shall be convenient to the use it serves without causing unreasonable:

(a) Hazard to pedestrians;

(b) Hazard to vehicular traffic;

- (c) Traffic congestion;
 - (d) Interference with commercial activity or convenient access to other parking areas in the vicinity;
 - (e) Detriment to the appropriate use of business lands in the vicinity; or
 - (f) Detriment to any abutting residential neighborhood.
- (4) **Recorded Agreement**
- An off-site parking portion of an Alternative Parking Plan shall be enforced through written agreement among the owner of land where parking is located and the applicant seeking off-site parking. An attested copy of the agreement must be recorded with the Currituck County Register of Deeds. Recordation of the agreement shall take place prior to occupancy for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if all required off-street parking spaces is provided in accordance with the requirements of Table 5.1.3.C, Minimum Off-Street Parking Standards.

D. Deferred Parking

An applicant may submit a request to defer the construction of up to 30 percent of the number of parking spaces required in Table 5.1.3.C, Minimum Off-Street Parking Standards, if the request complies with the following standards:

- (1) **Fewer Spaces Needed**
- The applicant shall demonstrate that because of the location, nature, or mix of uses, there is a reasonable probability the number of parking spaces actually needed to serve the development is less than the minimum required by Table 5.1.3.C, Minimum Off-Street Parking Standards.
- (2) **Reserve Parking Plan**
- The request shall be accompanied by a Reserve Parking Plan identifying: (a) the amount of off-street parking being deferred, and (b) the location of the area to be reserved for future parking, if future parking is needed.
- (3) **Parking Demand Study**
- The applicant shall provide assurance that a parking demand study, prepared by a registered engineer, evaluating the adequacy of the existing parking spaces in meeting the parking demand generated by the development will be submitted to the Director within 24 months after occupancy of the development. If the study indicates that the existing parking is adequate, then construction of the remaining number of parking spaces shall not be required. If the study indicates a need for additional parking, it shall be provided consistent with the Reserve Parking Plan and the standards of this section.
- (4) **Limitations on Reserve Areas**
- Areas reserved for future parking shall be brought to the finished grade and shall not be used for buildings, storage, loading, or other purposes requiring buildings or permanent structures.
- (5) **Landscaping Required**
- Areas reserved for future parking shall be landscaped with an appropriate ground cover, and shall comply with all relevant landscaping standards of this Ordinance.

E. Valet and Tandem Parking

An off-street parking program utilizing limited valet and tandem parking may be allowed for uses listed under the commercial use classification in Table 5.1.3.C, Minimum Off-Street Parking Standards, in accordance with the following standards:

- (1) The development served shall provide 75 or more parking spaces;
- (2) No more than 30 percent of the total number of spaces shall be designated as tandem; and
- (3) A valet parking attendant must be on duty during hours of operation.

F. On-Street Parking

An on-street alternative parking plan may be allowed for uses listed in the Planned Development districts in accordance with the PD master plan and terms and conditions.

G. Alternative Materials

The use of pervious or semi-pervious parking area surfacing materials—including, but not limited to, “grass-crete,” “turfstone,” porous concrete, seashells, or recycled materials such as glass, rubber, used asphalt, brick, block, and concrete—may be approved by the County Engineer for the required vehicular surface area on a site, provided such areas are properly maintained. Where possible, such materials should be used in areas proximate to and in combination with on-site stormwater control devices or tree protection measures (see Figure 5.1.6, Alternative Materials).

5.1.7. Bicycle Parking

Planned developments, mixed-use developments, and non-residential uses of 15,000 square feet or more shall provide individual or shared bicycle parking facilities or racks in accordance with the following standards:

A. General Standards

Bicycle parking facilities or racks shall:

- (1) Be located in a visible, well-lit ground-level area;
- (2) Be within 75 feet of the primary pedestrian building entrance;
- (3) Be securely anchored to the ground;
- (4) Enable bicycles to be secured;
- (5) Not interfere with pedestrian or vehicular traffic; and,
- (6) Be consistent in material and style of the development.

Figure 5.1.6, Alternative Materials

B. Shared Bicycle Parking

Uses on the same or opposing block faces may establish shared or consolidated bicycle parking spaces in central or mid-block locations.

5.1.8. Loading Spaces**A. Number of Required Off-street Loading Berths**

The following uses shall provide on-site loading areas or berths in accordance with the standards in Table 5.1.8, Required Off-Street Loading Berths.

TABLE 5.1.8: REQUIRED OFF-STREET LOADING BERTHS [1]

USE OR ACTIVITY	MINIMUM NUMBER OF LOADING BERTHS		
	Gross Floor Area (GFA)	Short Loading	Long Loading
Offices and personal service establishments in multi-story buildings [2]	7,500 sf or more	1	0
All other commercial or industrial use types [1]	7,500 sf – 30,000 sf	1	0
	30,001 - 50,000 sf	1	1
	Over 50,000	0	2
	Each additional 100,000 sf	0	1

NOTES:

[1] Residential floor area within a mixed-use development is not included within the GFA.

[2] Single-story buildings may utilize temporary loading spaces.

B. Standards**(1) Minimum Dimensions****(a) Short Loading Areas or Berths**

Unless otherwise specified, a required short loading area or berth shall be at least 12 feet in width and 30 feet in length, exclusive of aisle and maneuvering space and shall have a vertical clearance of at least 15 feet.

(b) Long Loading Areas or Berths

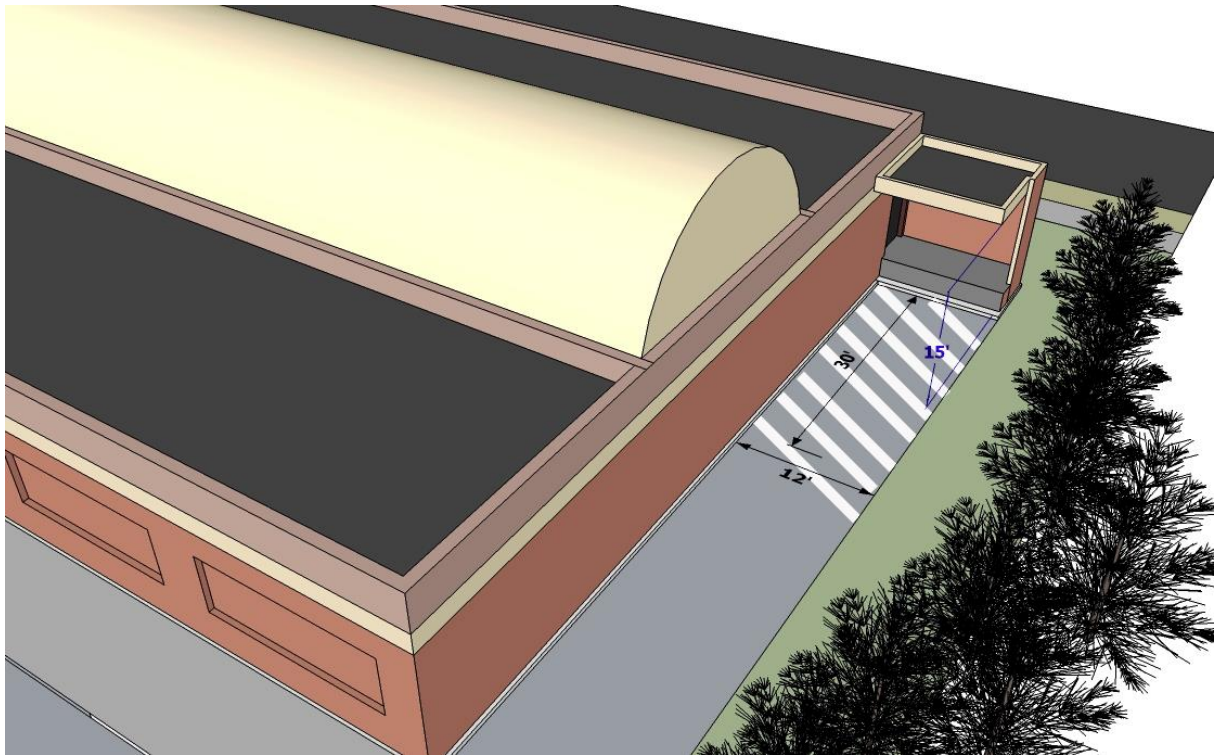
Unless otherwise specified, a required long loading area of berth shall be at least 12 feet in width by at least 50 feet in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least 15 feet.

(2) Location

Where possible, loading areas shall be located to the rear of the use they serve. In addition, the loading area shall be located adjacent to the buildings loading doors, in an area that promotes their practical use.

(3) Delineation of Loading Spaces

All loading spaces shall be delineated by signage and striping and labeling of the pavement.

Figure 5.1.8, Loading Space Configuration**(4) Access to a Street**

Every loading area shall be provided with safe and convenient access to a street, but in no case shall the loading space extend into the required aisle of the parking lot. Off-street loading spaces shall be configured to avoid the need for vehicles to back up within the street right-of-way, to the maximum extent practicable.

(5) Single-Story Buildings

Single-story office and personal services uses in buildings of 7,500 square feet or more are not required to provide dedicated loading zones, and may be served by temporary loading spaces.

(6) Paving

The ground surface of loading areas shall be paved with a durable, dust free, and hard material, such as surface and seal treatment, bituminous hot mix, Portland cement, concrete, or some comparable material. Such paving shall be maintained for safe and convenient use at all times.

(7) Landscaping

Loading areas shall be landscaped in accordance with Section 5.2.5, Vehicular Use Area Landscaping.

(8) Exterior Lighting

Exterior lighting for loading areas shall comply with the standards in Section 5.4, Exterior Lighting.

5.2. LANDSCAPING STANDARDS

5.2.1. Purpose and Intent

The purpose of this section is to promote and protect the public health, safety, and general welfare by providing for the planting, maintenance, and preservation of trees, shrubs, and other plants within the county. The intent of this section is to promote this purpose by:

- A.** Ensuring and encouraging the planting, maintenance, restoration and survival of trees, shrubs, and other plants;
- B.** Contributing to the protection of community residents and visitors from personal injury and property damage, and the protection of the county from property damage, caused or threatened by the improper planting, maintenance or removal of trees, shrubs or other plants;
- C.** Mitigating against erosion and sedimentation;
- D.** Reducing stormwater runoff and the costs associated therewith;
- E.** Encouraging low impact development techniques like bio-retention and other best management practices for dealing with stormwater, in appropriate locations;
- F.** Preserving and protecting the water table and surface waters;
- G.** Restoring soils and land denuded as a result of construction and/or grading;
- H.** Increasing the tree canopy to provide shade and moderate the effect of urban heat islands;
- I.** Providing incentives for greater use of sustainable development practices like green roofs, use of native plant materials, and techniques to reduce the need for irrigation;
- J.** Protecting and enhancing property values and aesthetic qualities;
- K.** Providing additional improvements to air quality through the carbon dioxide uptake process provided by trees and landscaping;
- L.** Soften the appearance of expansive paved areas and building mass; and,
- M.** Providing visual screening, where appropriate.

5.2.2. Applicability

A. General

Except where expressly exempted, these standards shall apply to all development in the county.

B. Time of Review

Review for compliance with the standards of this section shall occur during review of an application for a site plan (Section 2.4.7), subdivision plan (Section 2.4.8), planned development master plan (Section 2.4.5), zoning compliance permit (Section 2.4.9), or temporary use permit (Section 2.4.11), as appropriate.

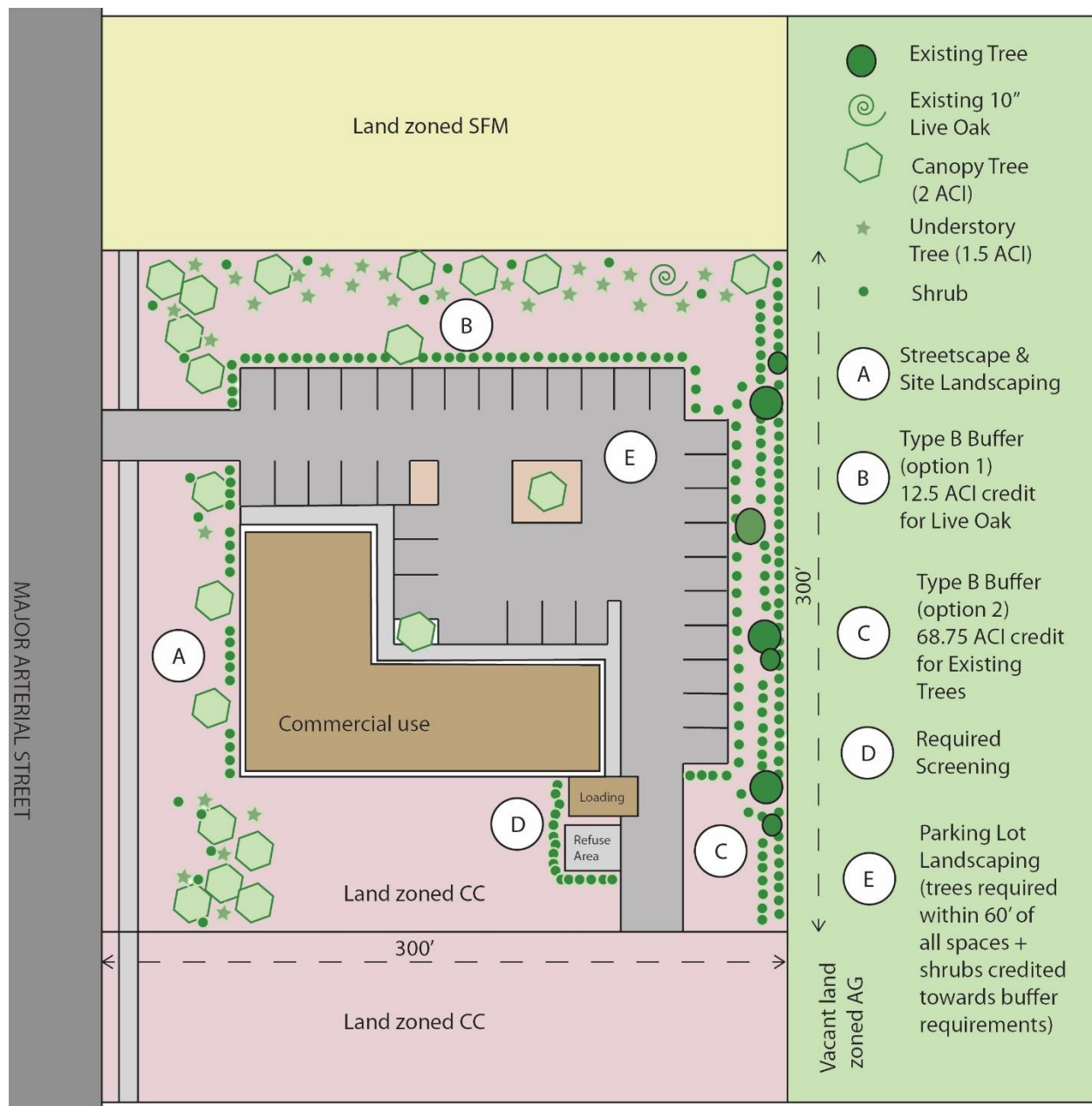
C. Existing Development

Changes in use or other minor alterations to existing development proposed after January 1, 2013 shall comply with the standards in Section 8.6, Nonconforming Sites.

5.2.3. General Requirements

A. Landscape Plan

- (1)** To ensure compliance with the standards of this section, a landscape plan demonstrating how landscaping will be planted on a development site shall be included as a part of any application for site plan, subdivision plan, zoning compliance permit, or temporary use permit, as appropriate.
- (2)** In the event of phased development, a landscape plan shall be required for each distinct phase of the development, and shall depict landscaping associated with the particular phase of development.
- (3)** A landscape plan shall contain, at minimum, the following:
 - (a)** Location and identification of required and proposed streetscape, site landscaping, vehicular use area landscaping, buffers, and screening;
 - (b)** Calculations of required and proposed landscaping;
 - (c)** Locations, species, and caliper of existing vegetation to be retained that is to be counted towards the minimum landscaping requirement;
 - (d)** Reforestation areas; and,
 - (e)** Heritage tree inventory, trees identified to be removed and required mitigation plantings, and proposed tree protection zones.



Stormwater management facilities required by this Ordinance may be incorporated into landscaping, resulting in credit towards landscaping or open space set-aside requirements.

- (1) Plantings shall comply with the planting standards in the Administrative Manual.
- (2) Existing healthy vegetation meeting the minimum size criteria for new plantings that is retained during and after construction shall be credited towards these

landscaping standards in accordance with Section 5.2.3.D, Credit for Existing Vegetation.

D. Credit for Existing Vegetation

- (1)** Existing healthy, well-formed canopy and understory trees as well as healthy upright shrubs shall be credited toward the minimum landscaping requirements in this section, provided:
 - (a)** The vegetation to be credited shall meet the minimum size standards in the Administrative Manual;
 - (b)** The vegetation to be credited conforms with all species requirements and does not include noxious weeds or other nuisance vegetation;
 - (c)** The vegetation to be credited is protected before and during development by tree protection fencing or other methods approved by the Director prior to the start of any land-disturbing activities; and
 - (d)** The location of the existing vegetation contributes to the screening or buffering functions of the landscaping.
- (2)** As an incentive for retention of existing trees, existing trees meeting the standards in (1) above that are retained during and after development shall be credited towards the minimum landscaping requirements in this Ordinance at a rate of 1.25 times the tree's actual caliper or diameter at breast height.

E. Planting Islands in Vehicular Use Areas

- (1)** When provided, each planting island shall contain sufficient area to accommodate the root growth of the plant material used. The size of plant material at maturity and its placement shall allow for a two-and-one-half foot bumper overhang from the face of the curb.
- (2)** Planting islands shall have a minimum size of 180 square feet for single loaded parking bays, and a minimum size of 360 square feet for double loaded bays.
- (3)** Soil utilized in planting islands, driveway medians, and other areas internal to a vehicular use area shall be free of debris and appropriate for planting prior to deposition in planting areas.
- (4)** All plantings in a planting island shall be protected from vehicle damage by the installation of curbing, wheel stops, or other comparable methods. This standard shall not prohibit the use of planting areas as stormwater management devices.

F. Time for Installation of Required Landscaping

(1) Time Limit

All required landscaping (including mulching and seeding) shall be installed in accordance with the required planting standards set forth in this section prior to occupancy unless the Director grants an extension to this time limit in accordance with Section 5.2.3.F.2, Extensions.

(2) Extensions

- (a)** The Director may, for good cause shown, grant an extension of up to 120 days to install required landscaping. Circumstances that may warrant an extension include, but are not limited to, the following:

SECTION 5.2: LANDSCAPING STANDARDS**Subsection 5.2.4: Site Landscaping**

- (i) Unusual environmental conditions, such as drought, ice, or over-saturated soil (deep mud);
 - (ii) It is not yet the appropriate planting season for the approved plant species;
 - (iii) Credible evidence that the approved plant species or required plant sizes are not commercially available and cannot be substituted within a reasonable time despite an applicant's diligent effort to secure the required materials; or
 - (iv) Completion of utility work occurring in a proposed landscaped area is incomplete or delayed.
 - (b) No extension shall be granted unless a performance guarantee in accordance with the requirements in Section 6.3, Performance Guarantees, is in place to ensure that all required landscaping installation will be completed at a predetermined later date.
- (3) Multi-Phase Development**
- Multi-phase development shall only be required to provide the landscaping directly associated with development in the active phase(s).

5.2.4. Site Landscaping

A. General

Site landscaping, for the purpose of this section, is landscaping that is not:

- (1) Required vehicular use area landscaping;
- (2) Located within a required perimeter buffer; or
- (3) Required screening.

B. Purpose and Intent

Site landscaping material is intended to soften the visual impact of the building base and provide for the even dispersal of trees and other plantings across a development site.

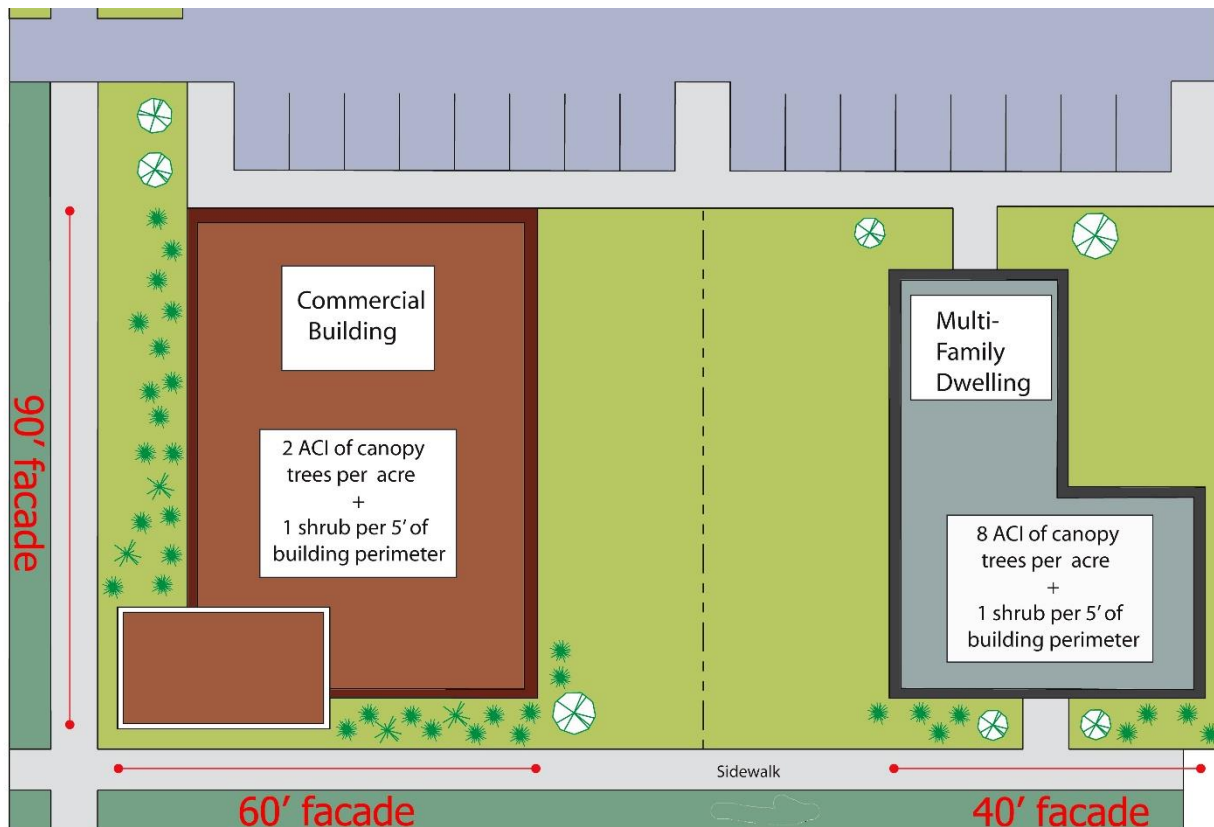
C. Site Landscaping Standards

Except for single-family detached dwellings, site landscaping shall be required for all development, and shall be supplied in the amounts identified in Table 5.2.4, Required Site Landscaping Plantings, and Figure 5.2.4, Site Landscaping Placement. Site landscaping shall meet the minimum size standards for new planting specified in the Administrative Manual.

SECTION 5.2: LANDSCAPING STANDARDS**Subsection 5.2.4: Site Landscaping****TABLE 5.2.4 REQUIRED SITE LANDSCAPING PLANTINGS**

TYPE OF USE	REQUIRED PLANTINGS PER SITE [1]
Multi-family and townhouse dwellings, nursing homes, and assisted living facilities	8 caliper inches of canopy trees per acre + at least 1 shrub per each 5 feet of building façade facing a street (excluding alleys)
Public and Institutional Uses	4 caliper inches of canopy trees per acre + at least 1 shrub per each 5 feet of building façade facing a street (excluding alleys)
Commercial and Industrial Uses	2 caliper inches of canopy trees per acre + at least 1 shrub per each 5 feet of building façade facing a street (excluding alleys)

NOTE:
[1] At least one-half of the required shrubs shall be evergreen.

Figure 5.2.4, Site Landscaping**D. Location**

Required shrubs shall be planted along building facades facing streets. Required shrubs may be planted up to 15 feet from the building provided there is a sidewalk located between the planting area and the building wall. Foundation planting shall be continuous, except as need for stairs, sidewalk connection, or building entrance.

5.2.5. Vehicular Use Area Landscaping

All vehicular use areas shall include landscaping, both within the interior of the vehicular use area and around its perimeter (see Figure 5.2.5, Vehicular Use Area Landscaping), as a means of mitigating the parking area's microclimate and visual impacts.

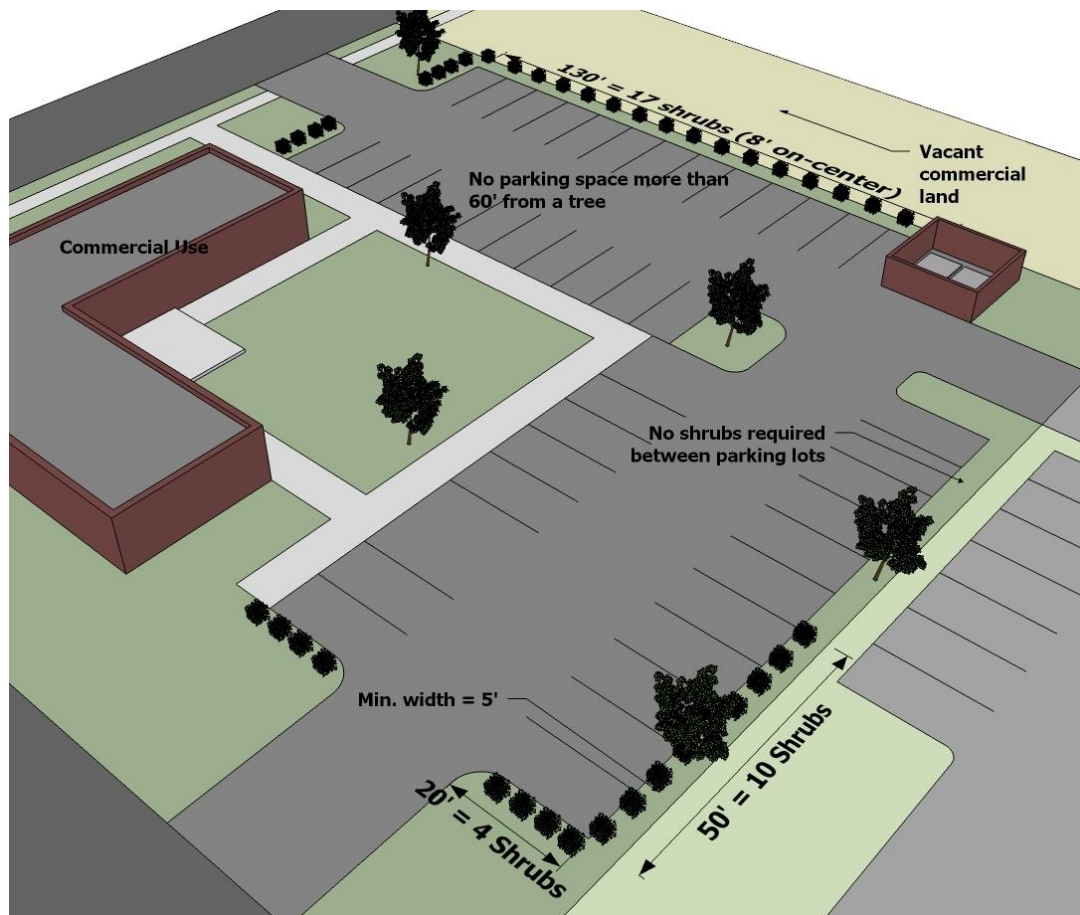
A. Purpose and Intent

The purpose for these standards is to screen vehicular use areas from view from streets and adjacent land.

B. Applicability

The vehicular use area landscaping standards in this section shall apply to all new development, except single-family detached and two-to-four family dwellings.

Figure 5.2.5, Vehicular Use Area Landscaping



C. Perimeter Landscaping Strips

Where a vehicular use area abuts a street right-of-way, vacant land, or any other development (except another parking lot), perimeter landscaping strips shall be provided and maintained between the vehicle use area and the abutting right-of-way or property line in accordance with the following standards.

(1) Visual Screen

Perimeter landscaping for vehicular use areas shall form a visual screen with a minimum height of 36 inches above grade (within three years of planting), excluding required sight clearances at driveways and near intersections.

(2) Protection of Landscaping Strip

The perimeter landscaping strip shall be protected from vehicular damage by the installation of curbing, wheel stops, extra width in the landscaping strip, or other method approved by the Director. Nothing shall prohibit the use of a perimeter landscaping strip as a stormwater management device.

(3) Location

Perimeter landscaping strips shall be located on the property, and shall be placed to screen vehicular use areas from off-site views while assuring visibility and safety of pedestrians on the public street, as well as those within the vehicular use area.

(4) Minimum Width

The minimum width of a perimeter landscaping strip serving a vehicular use area shall be five feet.

(5) Required Materials

- (a)** Evergreen shrubs, beach grass, or a combination of the two shall be used to form the visual screen in the perimeter landscaping strip.
- (b)** Shrubs or grasses shall be planted with a maximum on-center spacing of five feet. On-center spacing may be increased to eight feet when the vehicular use area abuts vacant land. The on-center spacing requirement may be varied through approval of an Alternative Landscape Plan (see Section 5.2.9).
- (c)** Portions of a perimeter landscaping strip not occupied by shrubs or grasses shall include appropriate ground cover.

D. Shading Requirements

No parking space shall be separated from the trunk of a canopy tree by more than 60 feet. Perimeter vehicular use area landscaping, other required landscaping, or existing vegetation may be used to meet this requirement.

E. Additional Standards

Where two or more off-street surface parking lots are located adjacent to one another, but upon different lots, no vehicular use area perimeter landscaping strip shall be required between the two parking lots. Nothing in this section shall be construed to waive the requirement for perimeter landscape buffers in Section 5.2.6.

5.2.6. Perimeter Landscape Buffers

A. Purpose and Intent

Perimeter landscape buffers are intended to mitigate potential negative effects of contiguous uses in different zoning districts.

B. Applicability



All development shall provide a perimeter landscape buffer to separate it from adjacent lands with a different zoning district designation, in accordance with Table 5.2.6.A, Buffer Types, and Table 5.2.6.B, Buffer Type Application.

C. Types of Buffers

When development subject to the requirements of this section is in a zoning district adjacent to a different zoning district, the buffer requirement of this section shall apply. Where a particular buffer type is required in Table 5.2.6.B., Buffer Type Applications, the requirement may be met using either Option 1 or Option 2, as appropriate. Option 3 is available for use in the VC district. Where an option utilizing a fence is selected, the fence shall comply with the standards of Section 5.3., Fences and Walls, as appropriate.



SECTION 5.2: LANDSCAPING STANDARDS**Subsection 5.2.6: Perimeter Landscape Buffers****TABLE 5.2.6.A: BUFFER TYPES**

ACI = Aggregate Caliper Inches

BUFFER TYPE	DESCRIPTION	MINIMUM SCREENING REQUIREMENT [1] [2]		
		OPTION 1: MIN. WIDTH: 25 FEET	OPTION 2: MIN. WIDTH: 10 FEET	VC DISTRICT MIN. WIDTH: 5 FEET
TYPE A: BASIC BUFFER				
	This perimeter buffer functions as basic edge demarcating individual properties with a slight visual obstruction from the ground to a height of ten feet.	6 ACI of canopy trees + 6 ACI of understory trees per 100 linear feet	2 ACI of canopy trees + 10 ACI of understory trees + 15 shrubs per 100 linear feet	One 5-foot-high solid fence + 20 shrubs per 100 linear feet
TYPE B: AESTHETIC BUFFER				
	This perimeter buffer functions as an intermittent visual obstruction from the ground to a height of at least 20 feet, and creates the impression of spatial separation without eliminating visual contact between uses.	8 ACI of canopy trees + 10 ACI of understory trees + 15 shrubs per 100 linear feet	2 ACI of canopy trees +14 ACI of understory trees + 20 shrubs per 100 linear feet	One 5-foot-high high solid fence + 2 ACI of canopy trees + 16 ACI of understory trees per 100 linear feet

SECTION 5.2: LANDSCAPING STANDARDS**Subsection 5.2.6: Perimeter Landscape Buffers****TABLE 5.2.6.A: BUFFER TYPES**

ACI = Aggregate Caliper Inches

BUFFER TYPE	DESCRIPTION	MINIMUM SCREENING REQUIREMENT [1] [2]		
		OPTION 1: MIN. WIDTH: 25 FEET	OPTION 2: MIN. WIDTH: 10 FEET	VC DISTRICT MIN. WIDTH: 5 FEET
TYPE C: SEMI-OPAQUE BUFFER				
	This perimeter buffer functions as a semi-opaque screen from the ground to at least a height of six feet.	12 ACI of canopy trees + 14 ACI of understory trees + 20 shrubs per 100 linear feet	One 4-foot-high berm or one 4-foot-high solid fence + 2 ACI of canopy trees + 16 ACI understory trees per 100 linear feet	N/A
TYPE D: OPAQUE				
	This perimeter buffer functions as an opaque screen from the ground to a height of at least six feet. This type of buffer prevents visual contact between uses and creates a strong impression of total separation.	18 ACI of canopy trees + 20 ACI of understory trees + 35 shrubs per 100 linear feet	One 6-foot-high solid fence + 12 ACI of canopy trees per 100 linear feet	N/A

NOTES:

[1] Any required perimeter buffer width can be reduced to five feet with the provision of a solid masonry wall at least six feet in height, along with ten shrubs per every 100 linear feet located outside the wall.

[2] Perimeter buffer widths (but not vegetation amounts) may be reduced in accordance with Section 5.2.9, Alternative Landscape Plan.

D. Buffer Type Application

Table 5.2.6.B, Buffer Type Application, specifies the type of perimeter landscape buffer that new development shall provide between it and adjacent property, based on the zoning district of the development site and that of the adjacent property. The buffer type is indicated by a letter corresponding to one of the three buffer types depicted in Table 5.2.6.A, Buffer Types.

TABLE 5.2.6.B: BUFFER TYPE APPLICATION [1]						
A = Type A Buffer B = Type B Buffer C = Type C Buffer D = Type D Buffer N/A = No Buffer Required						
ZONING CLASSIFICATION OF PROPOSED SITE [2]	ZONING CLASSIFICATION OF ADJACENT DEVELOPMENT					
	RC & AG	SFM, SFO, SFR, SFI, & SINGLE- FAMILY DEVELOPMENT	MXR, GB, & LB	VC & CC	LI	HI
RC, AG	N/A	N/A	N/A	N/A	N/A	N/A
SFM, SFO, SFR, SFI	N/A	N/A	N/A	N/A	N/A	N/A
MXR, GB, LB	A	B	N/A	N/A	N/A	N/A
PD	[2]	[2]	[2]	[2]	[2]	[2]
VC, CC	B	B	N/A	N/A	N/A	N/A
LI	C	C	C	N/A	N/A	N/A
HI	D	D	D	D	C	N/A

NOTES:

[1] Letters correspond to the buffer types in Table 5.2.6.A.

[2] Development in PD districts is subject to perimeter buffer requirements in the PD master plan and additional district specific standards. In cases where development is proposed next to an existing PD district having no perimeter buffer, the proposed development shall provide a perimeter buffer that is consistent with the type of buffer required if the adjacent use was in a differing base district appropriate for the type of use.

E. Responsibility for Buffer Installation**(1) Vacant Parcels**

Where a developing parcel is adjacent to a vacant parcel and a perimeter buffer is required in accordance with this section, the developing parcel shall provide a minimum of one-half of the perimeter buffer required adjacent to the vacant land.

(2) Existing Land Uses

Where a perimeter buffer meeting the standards in this section has already been provided by the adjoining existing development, the proposed development shall be responsible for 50 percent of the minimum buffer width and screening required in Table 5.2.6.A, Buffer Types, and Table 5.2.6.B, Buffer Type Application, if there is a written recorded agreement documenting the buffer requirements for each property.

F. Location of Buffers

- (1) Perimeter buffers required by this section shall be located along the outer perimeter of the parcel and shall extend to the parcel boundary line.
- (2) In cases where the parcel boundary line is within a drainage swale, the perimeter buffer shall extend to the edge of the swale instead of the property line.
- (3) In the case of parcel boundary lines along a public right-of-way, solid fencing in excess of 48 inches, if provided, shall not encroach beyond the building setback line unless part of an approved Alternative Landscape Plan.
- (4) A perimeter buffer may be located along shared access easements between parcels in nonresidential developments.

G. Development within Required Buffers

- (1) Unless permitted in this section, the required buffer shall not contain any development, impervious surfaces, or site features that do not function to meet the standards of this section or that require removal of existing vegetation.
- (2) Sidewalks, trails, and associated pedestrian features may be placed in perimeter buffers if all required landscaping is provided and damage to existing vegetation is minimized, to the maximum extent practicable.
- (3) Overhead and underground utilities may cross a perimeter buffer, but shall not be configured to run parallel with and inside a perimeter buffer unless the landscaping located within the buffer remains undisturbed, or is replaced, if damaged.
- (4) Stormwater management devices that incorporate vegetation (e.g., bioretention basin, rain gardens, constructed wetlands, etc.) may be placed within a perimeter buffer provided the screening function of the buffer is maintained.
- (5) If required landscaping material is damaged or removed due to utility activity within a required buffer, the landowner shall be responsible for replanting all damaged or removed vegetation necessary to ensure the buffer meets the standards in this Ordinance, unless otherwise provided for by the subject easement agreement.

5.2.7. Screening

A. Purpose and Intent

These screening standards are required as a means of screening objectionable site features like refuse collection areas, service and loading facilities, ground-based utility equipment, or similar site features from view of adjacent land and streets.

B. General Requirements

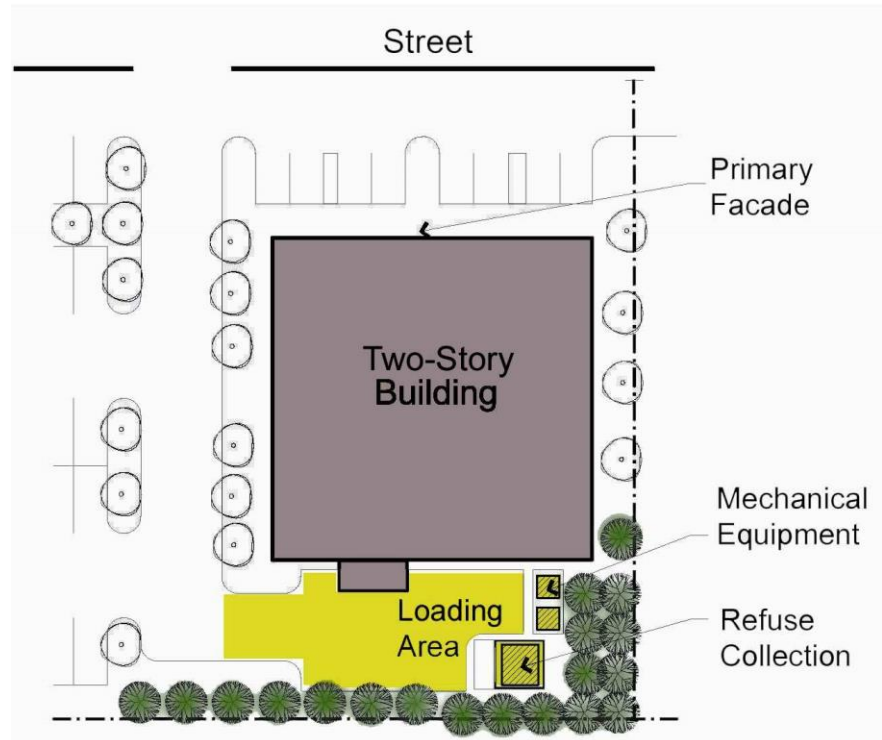
In addition to the site landscaping, vehicular use area landscaping, and perimeter buffer standards in this section, screening shall be required to conceal specific areas of high visual or auditory impact or hazardous areas from both on-site and off-site views (see Figure 5.2.7, Screening Methods). Such areas shall be screened at all times, unless otherwise specified, regardless of adjacent uses, districts, or other proximate landscaping material.

C. Items to Be Screened

The following areas shall be screened from off-site views in accordance with this section:

- (1) Large waste receptacles (dumpsters) and refuse collection points (including cardboard recycling containers);

Figure 5.2.7, Screening Methods



- (2) Loading docks or bays;
- (3) Outdoor storage areas, in accordance with Section 4.3.3.S;
- (4) To the extent feasible given access requirements, ground-based utility equipment in excess of 12 cubic feet; and
- (5) Ground level mechanical units, from public streets only.

D. Screening Methods

The following items are permitted for use as screening materials. Alternative screening materials that are not listed may be used if the Director determines they are comparable to these screening materials.

- (1) Vegetative materials that meet the minimum vegetative screening requirements for a Type D buffer (see Table 5.2.6.A, Buffer Types) and the size standards in the Administrative Manual;
- (2) An earthen berm that is at least two feet in height, covered with grass, and planted with other landscaping materials consistent with the function of and requirements for a Type D buffer (see Table 5.2.6.A, Buffer Types)—provided, however, that a berm shall not be used if it will replace existing trees of six inches in caliper or more;

- (3) An opaque fence constructed of treated or rot-resistant wood (such as cypress or redwood), or a plastic or vinyl fence designed to look like an opaque wooden fence, of a minimum height necessary to fully-screen the object being screened; or
- (4) A masonry wall that is the minimum height necessary to fully-screen the object being screened, and that is constructed of brick, textured concrete masonry units, or stuccoed block.
- (5) Use of chain link fencing with wooden or plastic slats shall be limited to access gates only.

5.2.8. Streetscape

A. Purpose and Intent

These streetscape landscaping provisions are proposed to help maintain the character of the Caratoke Highway and other major arterial streets by requiring new development that is adjacent to or visible from a major arterial right-of-way be screened from the view of passing motorists.

B. Applicability

These streetscape landscaping standards are applied to all new development on lots that front a major arterial right-of-way, or are within 1,000 feet of the major arterial right-of-way.

C. Exemptions

The following forms of development are exempted from these standards:

- (1) Agricultural uses;
- (2) Single-lot single-family homes;
- (3) Single-lot two-to-four family dwellings; and
- (4) Development within 1,000 feet of a major arterial street, but not visible from the right-of-way.

D. Streetscape Standards

(1) Sites Accessed from a Major Arterial

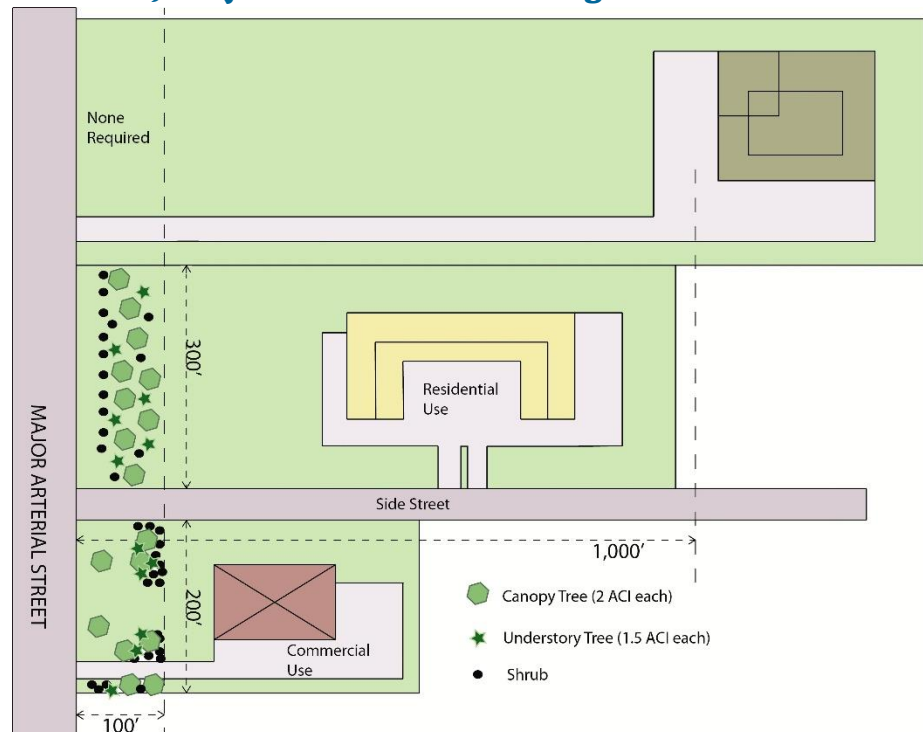
Development on lots adjacent to and accessed from a major arterial shall comply with the streetscape standards in Table 5.2.8, Major Arterial Streetscape Landscaping.

TABLE 5.2.8: MAJOR ARTERIAL STREETSCAPE LANDSCAPING

REQUIRED LANDSCAPING MATERIAL [1]	RESIDENTIAL USES	INSTITUTIONAL, COMMERCIAL, AND MIXED-USES	INDUSTRIAL USES
Aggregate caliper inches of canopy trees per 100 linear feet	6	8	10
Aggregate caliper inches of understory trees per 100 linear feet	3	4.5	6
Number of shrubs per 100 linear feet	5	10	15

NOTES:

[1] There is no minimum width for streetscape landscaping, but required landscaping material shall be located within 100 feet of the highway right-of-way.

Figure 5.2.8, Major Arterial Screening**(2) Sites Visible from, but not Accessed from Major Arterial**

Development on lots within 1,000 feet of and visible from a major arterial right-of-way shall be configured to screen the development from view from the highway with eight aggregate caliper inches of canopy trees per 100 linear feet (see Figure 5.2.8, Major Arterial Screening).

5.2.9. Alternative Landscape Plan**A. General**

Alternative landscape plans, materials, or methods may be justified due to natural conditions, such as streams, estuarine or wetland areas, topography, and physical conditions related to the site. Lot configuration and utility uses and easements may justify an alternative landscape plan, as well as impractical situations that would result from application of Section 5.2, Landscaping Standards.

B. Allowable Deviations

The Director or if noted, the permit issuing authority, shall approve an Alternative Landscape Plan if it meets the purpose and intent of the landscaping standards in this section. Allowable deviations from the standards of this section include, but are not limited to the following:

(1) Reduced Planting Rates due to Public Facilities

An adjustment to planting locations or reduction of up to 20 percent in the type or total number of required caliper inches may be allowed when underground connections to public facilities or public utilities, or public easements or right-of-way, are located upon or in close proximity to the parcel.

(2) Reduction in Standards due to Nature of Parcel

A reduction in the count, spacing, or planting type standards by up to 20 percent may be allowed where the reduction is desirable in terms of protection of existing natural resources, better consistency with the goals of the Land Use Plan, or a site design that exceeds the quality of what would otherwise result under a strict application of the standards in this Ordinance.

(3) Existing Natural Features

A reduction in the count, spacing, or planting type standards by up to 20 percent may be allowed where the reduction will help preserve or protect existing natural features such as wildlife habitat or unique ecosystem features.

(4) Redevelopment of Nonconforming Sites

The installation of required landscaping during redevelopment of existing nonconforming sites shall occur in accordance with Section 8.6, Nonconforming Sites.

(5) Location of Street Trees

Deviations in the placement, spacing, or tree type (understory vs. canopy) are allowable from the standards in Section 6.2.I.K, Street Trees, when the deviation is consistent with existing street trees placement along the same or adjacent block faces.

(6) Utility Uses

A reduction in the required landscaping standards may be allowed for utility uses in accordance with the following standards:

- (a)** An adjustment to planting locations or reduction in the type or total number of required caliper inches may be allowed by the permit issuing authority provided the utility provider demonstrates the required landscaping will interfere with the utility equipment or service.

- (b) Utility equipment and associated security fencing shall be screened from rights-of-ways and existing developed land by a Type C buffer. The buffer may be reduced in accordance with Subsection (a) above.

5.2.10. Maintenance

A. General

The owner shall be responsible for the maintenance of all landscape areas not in the public right-of-way. Such areas shall be maintained in accordance with the approved Landscape Plan or Alternative Landscape Plan and shall present a healthy and orderly appearance free from refuse and debris. All vegetation shown on an approved Landscape Plan or Alternative Landscape Plan shall be replaced if it dies, is seriously damaged, or removed. This section is not intended to prevent normal, routine maintenance.

(1) Damage Due to Natural Occurrence

In the event that any vegetation or physical element functioning to meet the standards of this section is severely damaged due to an unusual weather occurrence or natural catastrophe, or other natural occurrence such as damage by wild or domestic animals, the owner or developer shall be required to replant if the landscaping standards are not being met. The owner shall have one growing season to replace or replant. The Director shall consider the type and location of the landscape buffer or required vegetation area as well as the propensity for natural re-vegetation in making a determination on the extent of replanting requirements.

(2) Protection During Operations

The owner or developer shall take actions to protect trees and landscaping from unnecessary damage during all facility and site maintenance operations. Plants shall be maintained in a way that does not obstruct sight distances at roadway and drive intersections, obstruct traffic signs or devices, or interfere with the use of sidewalks or pedestrian trails.

(3) Maintain Shape

All required trees (whether canopy or understory) shall be maintained in their characteristic natural shape, and shall not be severely pruned, sheared, topped, or shaped as shrubs. Trees (including, but not limited to Crape Myrtles) that have been severely pruned, sheared, topped, shaped as shrubs, such that they no longer serve the intended buffering or screening function, shall be considered as damaged vegetation in need of replacement within one growing season.

B. Natural Death

The natural death of existing vegetation within any required landscape area does not necessarily constitute a violation and does not require re-vegetation to replace the plant material unless the required landscape area no longer complies with the required standards of this section. In no instance shall this provision be construed to prevent replanting if, in the opinion of the Director, the required performance standard of the landscaping is not being met.

5.3. FENCES AND WALLS

5.3.1. Purpose and Intent

The purpose and intent of this section is to regulate the location, height, and appearance of fences and walls to maintain visual harmony within neighborhoods and throughout the county, protect adjacent properties from the indiscriminate placement and unsightliness of fences and walls, and ensure the safety, security, and privacy of properties.

5.3.2. Applicability

- A.** The provisions of this section shall apply to all construction, substantial reconstruction, or replacement of fences or walls not required for support of a principal or accessory structure, and to any other linear barrier intended to delineate different portions of a lot.
- B.** Temporary fences for construction sites, sand fencing in beachfront areas, or tree protection fencing are exempted from these standards, but shall comply with the requirements of the State Building Code adopted by the county, and the standards of Section 4.4, Temporary Use Standards.
- C.** In the event of any inconsistency between the provisions of this section and any screening standard in Section 5.2.7, Screening, the standards in Section 5.2.7 shall control.

5.3.3. Locational Requirements

A. General

- (1)** Fences or walls shall be located outside of the public right-of-way, and may not exceed 24 inches in height if located within a required sight triangle.
- (2)** Fences and walls are permitted on the property line between two or more parcels of land held in private ownership.
- (3)** Fences and walls may be located within any required yard.

B. In Easements or Around Fire Protection Facilities

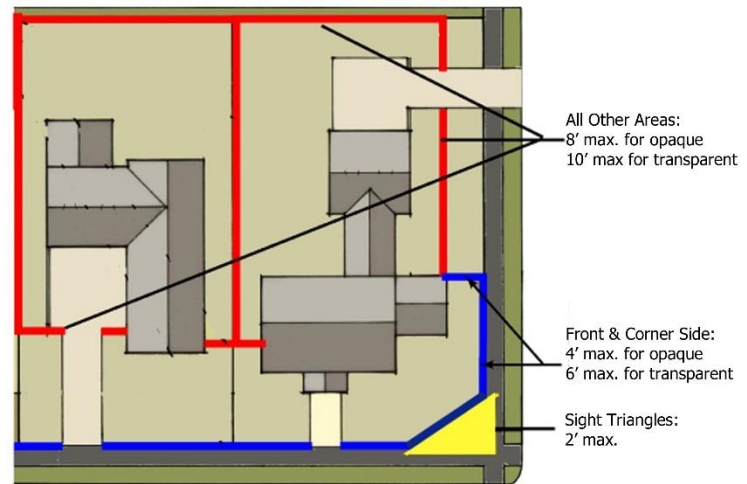
Fences located within utility easements or around fire protection facilities shall receive written authorization from the easement holder or the county (as appropriate). The county shall not be responsible for damage to, or the repair or replacement of, fences that must be removed to access such easements or facilities.

C. Blocking Natural Drainage Flow

No fence or wall shall be installed so as to block or divert a natural drainage flow on to or off of any other land unless subject to an approved stormwater management plan. Nothing in this section shall be construed to prevent the installation of temporary fencing to protect existing trees, limit sedimentation, or control erosion.

D. Within Buffers

Fences and walls shall be installed so as not to disturb or damage existing vegetation or installed plant material, to the maximum extent practicable. The perimeter fencing or wall for a single development shall be of a uniform style that complies with the standards of this section.

Figure 5.3.4, Fence and Wall Height**5.3.4. Height Standards**

All fences and walls shall conform to the standards in Table 5.3.4, Fence and Wall Height. In all cases, heights are measured from finished grade on the highest side of the fence or wall (see Figure 5.3.4, Fence and Wall Height).

TABLE 5.3.4: FENCE AND WALL HEIGHT

LOCATION ON A LOT	MAX. HEIGHT FOR OPAQUE FENCE OR WALL (FT)	MAX. HEIGHT FOR TRANSPARENT FENCE OR WALL [1] (FT)	
		RESIDENTIAL DISTRICT	NON-RESIDENTIAL DISTRICT
Within Sight Triangle	2	2	2
Within Front Setback	4	6	6
Within Corner Side Setback	4	6	6
All Other Areas	8	8	10

NOTES:

[1] Transparent fences or walls are constructed so that 50 percent or more of the fence or wall is visually permeable

5.3.5. Exemption for Security Plan

A landowner or tenant or a representative of a public agency responsible for a government facility, public safety use, utility, or other use in need of heightened security may submit to the Director a site security plan proposing a fence or wall taller than those permitted by this section

or proposing the use of barbed, concertina, or electric wire atop a fence or wall for security reasons. The Director shall approve, or approve with conditions, the site security plan and its proposed exemption of fences or walls from the standards of this section, upon finding:

A. Need for Safety or Security Reasons

The condition, location, or use of the land, or the history of activity in the area, indicates the land or any materials stored or used on it are in significantly greater danger of theft or damage than surrounding land, or represents a significant hazard to public safety without:

- (1) A taller fence or wall;
- (2) An electric fence; or
- (3) Use of barbed or concertina wire atop a fence or wall.

B. No Adverse Effect

The proposed fence or wall configuration will not have a significant adverse effect on the security, functioning, appearance, or value of adjacent properties or the surrounding area as a whole.

5.3.6. Abutting Major Arterials

A. A fence or wall located within 25 feet of a major arterial right-of-way shall:

- (1) Include breaks, offsets, decorative columns, or other design details in opaque wall planes at least every 100 feet as illustrated in Figure 5.3.6.A, Design Features for Opaque Fences and Walls; and
- (2) Not be constructed of chain link, wire mesh, or similar materials.



Figure 5.3.6.A, Design Features for Opaque Fences and Walls

- B.** Wherever a fence or wall is installed, if one side of the fence or wall appears more “finished” than the other (e.g., one side has visible support framing and the other does not), then the more “finished” side of the fence shall face the major arterial right-of-way rather than the interior of the lot.

- C.** All fencing or wall segments located along a single lot side shall be composed of a uniform style and colors compatible with other parts of the fence.

Figure 5.3.6.B, Finished Side to the Outside



5.3.7. Prohibited Fences

A. Barbed Wire, Concertina Wire, and Aboveground Electrified Fences

- (1)** In all zoning districts, fences using barbed or concertina wire and aboveground electrified fences shall be prohibited unless:
- (a)** Used for the restraint of livestock; or
 - (b)** Allowed through an approved security plan (see Section 5.3.5, Exemption for Security Plan).
- (2)** Underground electric fences designed for control of domestic animals are allowed.

B. Debris, Junk, Rolled Plastic, Sheet Metal, Plywood, or Other Waste Materials

Fences or walls made of debris, junk, rolled plastic, sheet metal, plywood, or waste materials are prohibited in all zoning districts unless such materials have been recycled and reprocessed, for marketing to the general public, as building materials designed to resemble new building materials (e.g., picket fencing made from recycled plastic and fiber).

5.3.8. Maintenance

All fences and walls and associated landscaping shall be maintained in good repair and in a safe and attractive condition, including but not limited to, the replacement of missing, decayed, or broken structural and decorative elements. All fences and walls shall receive regular structural maintenance to prevent and address sagging and weathering of surfaces visible from the public right-of-way. Any deteriorated, damaged, or decayed fence materials shall be repaired and any fence or wall post or section that leans more than ten degrees from vertical shall be repaired within 30 days to correct that condition.

5.4. EXTERIOR LIGHTING

5.4.1. Purpose and Intent

The purpose of this section is to regulate light spillage and glare to ensure the safety of motorists and pedestrians, and to ensure lighting does not adversely affect land uses on adjacent lands. More specifically, this section is intended to:

- A.** Regulate lighting to assure that excessive light spillage and glare are not directed at adjacent lands, neighboring areas, and motorists;
- B.** Ensure that all site lighting is designed and installed to maintain adequate lighting levels on site;
- C.** Avoid negative impacts from exterior lighting on coastal wildlife habitat; and
- D.** Provide security for persons and land.

5.4.2. Applicability

A. General

The provisions of this section shall apply to all development in the county unless exempted in accordance with Section 5.4.2.D, Exemptions.

B. Time of Review

Review for compliance with the standards of this section shall occur as part of the review of an application for a site plan (Section 2.4.7), planned development master plan (Section 2.4.5), or zoning compliance permit (Section 2.4.9), as appropriate.

C. Existing Development

Compliance with these standards, to the maximum extent practicable, shall also apply to redevelopment of an existing structure, building, or use when it is expanded, enlarged, or otherwise increased in intensity equivalent to or beyond 50 percent.

D. Exemptions

The following is exempted from the exterior lighting standards of this section:

- (1)** FAA-mandated lighting associated with a utility tower or airport;
- (2)** Lighting associated with navigational beacons, the United States flag, North Carolina flag, or Currituck County flag;
- (3)** Holiday lighting during the months of November, December, and January, provided the lighting does not create unsafe glare on street rights-of-way;
- (4)** Battery-powered emergency lighting;
- (5)** Architectural lighting of 450 lumens or less.
- (6)** Temporary lighting for circuses, fairs, carnivals, theatrical, or other performances provided such lighting is discontinued upon completion of the performance; and,
- (7)** Lighting for public monuments or statuary.

5.4.3. Lighting Plan

To ensure compliance with the standards of this section, a lighting plan demonstrating how exterior lighting will comply with the standards of this section shall be included as part of any application for site plan, planned development master plan, subdivision, zoning compliance permit, or temporary use permit, as appropriate. The lighting plan shall include:

- A.** Exterior lighting fixture type, shielding, and mounting height;
- B.** Exterior lighting pole height;
- C.** Footcandle measurements and lumens levels;
- D.** Hours of illumination; and,
- E.** Certification by the person preparing the lighting plan that the proposed development complies with the exterior lighting standards of this ordinance.

5.4.4. Prohibited Lighting

The following lighting is prohibited:

- A.** Light fixtures that imitate an official highway or traffic control light or sign;
- B.** Light fixtures in the direct line of vision with any traffic control light or sign;
- C.** Light fixtures that have a flashing or intermittent pattern of illumination, except for time and temperature displays;
- D.** Privately-owned light fixtures located in the public right-of-way; or
- E.** Searchlights, except when used by Federal, State or local authorities.

5.4.5. Street Lighting

- A.** Private streets, public streets dedicated to the North Carolina Department of Transportation, sidewalks, and other common areas or facilities in developments may be illuminated to ensure the security of land and the safety of persons using such roads, sidewalks, and other common areas or facilities. When provided, illumination shall be in accordance with a plan designed by the utility company.
- B.** All street lights shall be located inside full cut-off fixtures mounted on non-corrosive poles served by underground wiring.
- C.** The light structure and light color of street lights shall be consistent throughout the subdivision.
- D.** Illumination standards must be met prior to final plat approval (see Section 2.4.8) or prior to occupancy, when final plat approval is not required.

5.4.6. General Standards for On-Site Exterior Lighting

A. Hours of Illumination

Institutional uses, commercial uses, and industrial uses that are adjacent to existing residential development shall extinguish all exterior lighting—except lighting necessary for security or emergency purposes—by 10:00 P.M. or within one hour of closing, whichever occurs first. For the purposes of this subsection, lighting “necessary for security or emergency purposes” shall be construed to mean the minimum amount of

SECTION 5.4: EXTERIOR LIGHTING**Subsection 5.4.6: General Standards for On-Site Exterior Lighting**

exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways, or to illuminate outdoor storage areas. Lighting activated by motion sensor devices is strongly encouraged.

B. Shielding with Full Cut-Off Fixtures

Except for single-family detached and two-to-four family dwellings, all exterior luminaries, including security lighting, shall be full cut-off fixtures and directed downward, consistent with Figure 5.4.6.B, Full Cut-Off Fixtures. In no case shall lighting be directed above a horizontal plane through the lighting fixture.

C. Maximum Height

Except for athletic fields or performance areas, the height of outdoor lighting, whether mounted on poles, walls, or by other means, shall comply with the standards in Table 5.4.6.C., Maximum Height for Exterior Lighting.

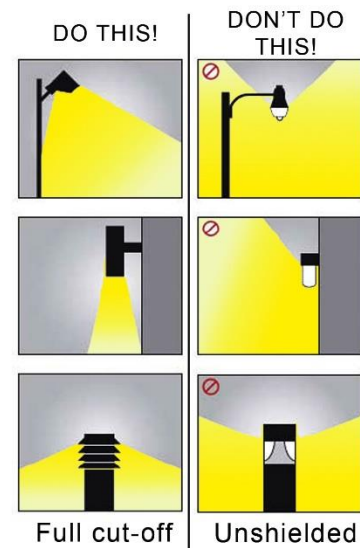
Figure 5.4.6.B, Full Cut-Off Fixtures

TABLE 5.4.6.C: MAXIMUM HEIGHT FOR EXTERIOR LIGHTING	
TYPE OF USE	MAXIMUM HEIGHT (MEASURED FROM GRADE)
Residential (street lights)	15 feet [1]
Commercial, Institutional, Industrial, [2]	25 feet
Industrial use	25 feet

NOTES:

[1] Exterior security lights supplied and installed by a public utility shall not exceed 25 feet.

[2] Includes mixed-use development, but excludes residential uses in mixed-use, multi-story buildings.

D. Maximum Illumination Value

- (1) All outdoor lighting and indoor lighting visible from outside shall be designed and located so that the maximum illumination measured in footcandles at ground level at a lot line shall not exceed the standards in Table 5.4.6.D., Maximum Illumination Levels.
- (2) In no instance shall illumination levels within a site or development exceed 30 footcandles.

SECTION 5.4: EXTERIOR LIGHTING**Subsection 5.4.7: Design Standards for Specific Uses and Site Features****TABLE 5.4.6.D: MAXIMUM ILLUMINATION LEVELS**

TYPE OF USE ABUTTING A LOT LINE [1]	MAXIMUM ILLUMINATION LEVEL AT LOT LINE (FOOTCANDLES)
Residential use or vacant land zoned for residential development	0.5
Institutional use	1.0
Commercial use, or vacant land zoned for commercial development [2]	2.0
Industrial use	3.0
Parking lot	2.5
NOTES: [1] See Table 4.1.1.A Summary Use Table [2] Includes mixed-use development	

E. Signage

Lighting for signage shall be governed by the standards in Section 5.12, Signage.

5.4.7. Design Standards for Specific Uses and Site Features**A. Awnings**

Awnings or canopies used for building accents over doors, windows, etc., shall not be internally illuminated (i.e., from underneath or behind the awning) unless the awning material is entirely opaque.

B. Beachfront Lots

For purposes of protecting wildlife habitat, the following standards shall apply to all development on lots adjacent to the beachfront:

- (1)** The source of illumination (i.e., the bulb, or element) shall not be directly visible from the beach.
- (2)** Lights may be mounted on poles with a maximum overall height of 12 feet. All lighting fixtures atop poles shall be fully shielded fixtures that are configured to minimize glare on off-site areas.

C. Sports and Performance Venues

Lighting of outdoor sports areas, athletic fields, and performance areas shall comply with the following standards:

- (1) Glare Control Package**
All lighting fixtures shall be equipped with an existing glare control package (e.g., louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.
- (2) Hours of Operation**
The hours of operation for the lighting system for any game or event shall not continue more than one hour after the end of the game or event.

D. Wall Pack Lights

- (1) Wall packs on the exterior of the building shall be fully shielded (e.g., true cut-off type bulb or light source not visible from off-site) to direct the light vertically downward and be of low lumens (1,600 lumens or lower).
- (2) Wall pack light sources visible from any location off the site are prohibited.

E. Canopies

Areas under a canopy shall be designed so as not to create glare off-site. Acceptable methods include one or both of the following:

- (1) A recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the canopy that provides a full cutoff or fully-shielded light distribution.
- (2) A surface mounted fixture incorporating a flat glass that provides a full cutoff or fully-shielded light distribution.

F. Pedestrian Lighting

Pedestrian lighting shall comply with the following:

- (1) Bollard lamps shall be mounted no higher than 4 feet above grade; and
- (2) Light poles shall not exceed 15 feet above grade.

5.4.8. Measurement

- A.** Light level measurements shall be made at the lot line of the land upon which light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the land.
- B.** Measurements shall be made at finished grade (ground level), with the light-registering portion of the meter held parallel to the ground pointing up. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five percent.
- C.** Measurements shall be taken with a light meter that has been calibrated within two years.

5.4.9. Exemptions for a Security Plan

Government facilities, parks and open areas, public safety, and other development where sensitive or dangerous materials are stored may submit a security plan to the Director proposing exterior lighting that deviates from the standards in this subsection. The Director shall approve, or approve with conditions, the security plan and its proposed deviation from the standards of this subsection, upon finding that:

- A.** The proposed deviation from the standards is necessary for the adequate protection of the public;
- B.** The condition, location, or use of the land, or the history of activity in the area, indicates the land or any materials stored or used on it are in significantly greater danger of theft or damage, or members of the public are at greater risk for harm than on surrounding land without the additional lighting; and

SECTION 5.5: REFUSE COLLECTION FACILITIES**Subsection 5.5.1: Purpose and Intent**

- C.** The proposed deviation from the standards is the minimum required, and will not have a significant adverse effect on neighboring lands.

5.5. REFUSE COLLECTION FACILITIES**5.5.1. Purpose and Intent**

The purpose and intent of this section is to establish standards for refuse collection facilities as a means of limiting negative impacts (e.g., visual and otherwise) on adjacent lands.

5.5.2. Applicability

All nonresidential and multi-family development shall provide appropriate refuse collection facilities in accordance with these standards.

5.5.3. Standards**A. Location**

Refuse collection facilities shall:

- (1)** Be located so as to facilitate collection and minimize any negative impact on on-site operations, neighboring lands, or public rights-of-way (see Figure 5.5.3, Refuse Location);
- (2)** Not be located between a principal structure and any adjacent streets; and
- (3)** Be located at least twenty feet from any lot line shared with a lot containing a single-family detached dwelling.

B. Configuration

Refuse collection facilities shall be:

- (1)** A minimum size necessary to accommodate both solid waste containers and recycling containers.
- (2)** Located atop a concrete pad with a minimum depth of six inches.
- (3)** Screened in accordance with Section 5.2.7, Screening;
- (4)** Contained within an enclosure when visible from a street; and
- (5)** Constructed according to specifications established by the solid waste services provider to allow for collection without damage to the collection vehicle.

Figure 5.5.3, Refuse Location

5.6. COMMUNITY FORM STANDARDS

5.6.1. Purpose and Intent

The purpose and intent of this section is to establish community form standards for development in the county. More specifically, this section is intended to:

- A.** Support street development as an integral component of community design;
- B.** Provide safe, efficient, and convenient vehicular, bicycle, and pedestrian access and circulation patterns within and between developments;
- C.** Maintain the carrying capacity of the county's major arterial streets;
- D.** Foster a pedestrian-friendly distribution of land uses and street network;
- E.** Assure safe access to and from streets by emergency vehicles; and
- F.** Reduce interference with through traffic by other vehicles, bicycles, or pedestrians entering, leaving, and crossing streets.

5.6.2. Applicability

A. General

Unless exempted in accordance with Section 5.6.2.E, Exemptions, or except where otherwise expressly stated, the standards in this section apply to all new development in the county, as well as to all street rights-of-way.

B. Time of Review

Review for compliance with the standards in this section shall take place as part of the review of an application for a site plan (Section 2.4.7), subdivision (section 2.4.8), planned development master plan (Section 2.4.5), or zoning compliance permit (Section 2.4.9), as appropriate.

C. Existing Development

Compliance with these standards, to the maximum extent practicable, shall also apply to redevelopment of an existing structure, building, or use when it is expanded, enlarged, or otherwise increased in intensity in an amount equivalent to or beyond 50 percent.

D. Conflict

In the event of conflict or overlap with the standards in this section and the standards in Chapter 6: Subdivisions and Infrastructure, the standards in Chapter 6 shall control.

E. Exemptions

- (1)** Lots in the RC and SFR districts are exempted from the standards in this section.
- (2)** Subdivisions of five or fewer lots shall be exempted from the following standards in this section:
 - (a)** Section 5.6.4, Internal Street Connectivity;
 - (b)** Section 5.6.5, External Street Connectivity; and
 - (c)** Section 5.6.6, Development Entry Points.
- (3)** Conservation subdivisions shall be exempt from the following standards in this section:

SECTION 5.6: COMMUNITY FORM STANDARDS

Subsection 5.6.3: Street Standards

- (a) Section 5.6.4, Internal Street Connectivity; and
 - (b) Section 5.6.6, Development Entry Points.
- (4) In addition to exemptions listed in (2) above, subdivisions of five or fewer lots shall be exempted from Section 5.6.10, Sidewalks and Pedestrian Circulation.

5.6.3. Street Standards

All streets shall be developed in accordance with the standards in this section and the standards in Section 6.2.1, Street Standards.

5.6.4. Internal Street Connectivity

A. Minimum Connectivity Index Score Required

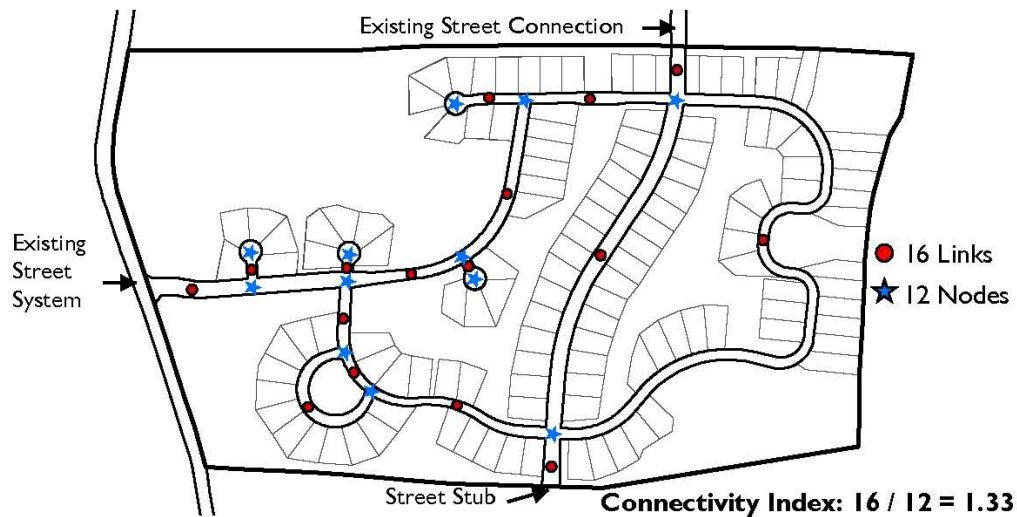
All development shall achieve an internal street connectivity score in accordance with Table 5.6.4, Minimum Street Connectivity Index:

TABLE 5.6.4: MINIMUM STREET CONNECTIVITY INDEX	
ZONING DISTRICT WHERE DEVELOPMENT IS PROPOSED	MINIMUM CONNECTIVITY INDEX SCORE
AG, SFM, SFO, SFI, HI	1.20
MXR, GB, LB, LI, PD-M	1.40
CC, VC, PD-R, PD-O	1.60

B. Connectivity Index Score Calculation

The connectivity index for a development is calculated by dividing its links by its nodes. Figure 5.6.4.A, Street Connectivity Index, provides an example of how to calculate the connectivity index. Nodes (stars) exist at street intersections and cul-de-sac heads within the development. Links (circles) are stretches of road that connect nodes. Street stub-outs are considered as links, but temporary dead-end streets internal to a development or alleys are not counted as links. One link beyond every node that exists in the development and provides access to the street system outside the development shall be included in the index calculation. In the diagram, there are 36 links (circles) and 21 nodes (stars); therefore the connectivity index is 1.71 ($36/21 = 1.71$).

Figure 5.6.4.A, Street Connectivity Index

**C. Reduction in Minimum Index Score**

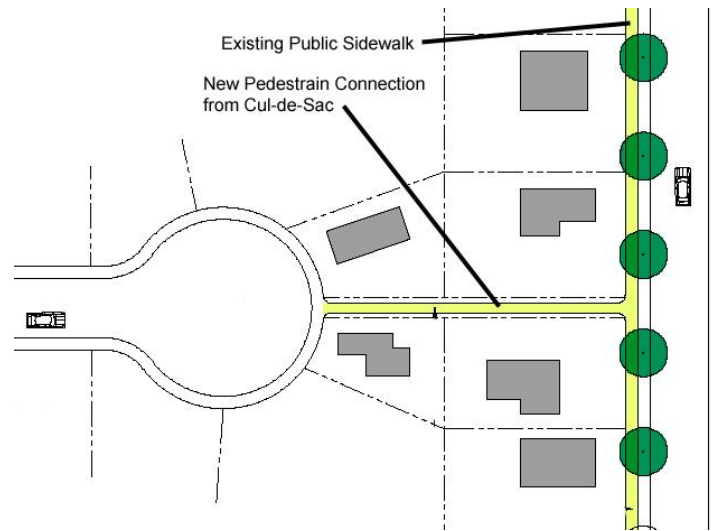
The minimum connectivity index score may be reduced if the owner/developer demonstrates it is not possible to achieve due to topographic conditions, natural features, existing road configurations, or adjacent existing development patterns. In these instances, internal street design shall achieve as high a connectivity index score as reasonably practical.

D. Pedestrian Connections Required

- (I) A right-of-way eight-feet-wide for pedestrian/bicycle access between a cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street or pedestrian pathway (as shown in Figure 5.6.4.B, Pedestrian Connections) shall be required whenever the Director determines a proposed cul-de-sac or street turnaround:
 - (a) Is in close proximity with significant pedestrian generators or destinations such as schools, parks, trails, employment centers, or similar features; or
 - (b) Creates an unreasonable impediment to pedestrian circulation.

- (2) This pedestrian connection shall count as a link for the purpose of calculating the connectivity index.

Figure 5.6.4.B, Pedestrian Connections



5.6.5. External Street Connectivity

- A.** The arrangement of streets in a development shall provide for the alignment and continuation of existing or proposed streets into adjoining lands. Street rights-of-way shall be extended to or along adjoining property boundaries such that a roadway connection or street stub shall be provided for development where practicable and feasible in each direction (north, south, east, and west) for development which abuts lands that are undeveloped or partially undeveloped and deemed appropriate for future development in the Land Use Plan or in which the adjoining lands are developed and include opportunities for such connections.
- B.** In cases where the property boundary is within a drainage swale or ditch, the roadway connection or street stub shall terminate no more than five feet from the edge of the swale, ditch, or drainage easement and the developer shall post a performance guarantee with the county (see Section 6.3, Performance Guarantees) to ensure funds are available to complete the street connection. In addition to right-of-way dedication, an easement shall be established that will grant current and future owners of the abutting properties the right to construct road connections as either public or private roads. The easement shall include sidewalk and utility infrastructure improvements.
- C.** In cases where a roadway connection or street stub exists or is guaranteed on an abutting property, new development shall connect to the street stub to form a through street. In cases where the existing street stub is not maintained by NCDOT, the construction entrance and primary means of access for the new development shall not be from the street stub unless written permission is granted from the entity responsible for street maintenance in the existing development. New development secondary roadway connections shall not require written permission from the entity responsible for street maintenance in the existing development.
- D.** At all locations where streets terminate with no street connection, but a future connection is planned or accommodated, a sign shall be installed at the location with the words "FUTURE ROAD CONNECTION" to inform property owners.
- E.** The final plat (see Section 2.4.8) shall identify all stub streets and include a notation that all street stubs are intended for connection with future streets on adjoining undeveloped or underdeveloped lands.
- F.** Stub streets that exceed 150 feet in length shall include a turn-around in accordance with Section 6.2.1.E, Cul-de-Sacs and Dead-End Streets.

5.6.6. Development Entry Points

- A.** Unless exempted in accordance with subsection (D) below, all subdivisions shall provide access from the development to the street system outside the development in accordance with Table 5.6.6, Required Subdivision Access:

TABLE 5.6.6: REQUIRED SUBDIVISION ACCESS	
DEVELOPMENT TYPE	MINIMUM NUMBER OF ACCESS POINTS
RESIDENTIAL USES	
50 or fewer units	1
51 to 100 units	2
101 or more units	3
ALL OTHER USES	
Less than 5 acres	1
5 to 20 acres	2
More than 20 acres	2+ 1 every additional 20 acres

- B.** Nothing in this section shall limit the total number of streets providing access to the street system outside a development, or exempt a development from meeting all applicable external street connectivity standards.
- C.** Street stubs shall be credited as an access point when all ingress or egress to a development is only available from a single major arterial street.
- D.** Development shall be exempted from these standards if it is demonstrated the following conditions apply:
- (1)** No other street access points can be located due to existing lot configurations, absence of connecting streets, environmental, or topographic constraints;
 - (2)** NCDOT will not authorize the required number of entrances; or
 - (3)** Alternative access can be provided in a manner acceptable to the county that is supported by a transportation impact analysis.

5.6.7. Driveway and Access Standards**A. General Standards**

- (1)** All driveways shall meet minimum NCDOT driveway standards.
- (2)** All driveways shall be constructed so that:
 - (a)** Vehicles can enter and exit from a lot without posing any substantial danger to themselves, pedestrians, or vehicles traveling on abutting streets; and
 - (b)** Interference with the free and convenient flow of traffic on abutting or surrounding streets is minimized.
- (3)** Except for single-family detached development, all driveways that abut a paved street shall be surfaced with asphalt or six inches of concrete for a distance of 15 feet from the edge of pavement.

SECTION 5.6: COMMUNITY FORM STANDARDS

Subsection 5.6.7: Driveway and Access Standards

- (4) Single-family detached development obtaining ingress or egress from a major arterial street shall incorporate a driveway surfaced with asphalt or six inches of concrete for a distance of 15 feet from the edge of pavement. When asphalt is used, it shall be at least three-and-one-half inches thick atop an eight-inch-thick crushed stone base.
- (5) Whenever individual parcels are assembled for a single development, consolidation of existing direct access shall be required, and in no instance shall the number of access points exceed the limits of this section.
- (6) Except when unreasonable due to parcel size or shape, major subdivisions shall ensure all lots have sufficient frontage to obtain access from a street other than a major arterial or collector street.
- (7) Driveways on corner and double frontage lots shall provide access from the street with less traffic, to the maximum extent practicable.

B. Design Standards

- (1) Except for driveways serving two or more lots, lots on a cul-de-sac, or a camper lot, all driveways shall be setback from side and rear lot lines at least ten feet.
- (2) Driveways for single-family and two-to-four family dwellings shall extend ten feet into the lot before establishing drive aisles or parking spaces (see Figure 5.6.7, Driveway Design Standards).
- (3) Driveways serving nonresidential and multi-family uses shall extend 20 feet into the lot or site before establishing drive aisles or parking spaces.
- (4) Driveway radii shall be designed in accordance with the type of intended vehicle to be served, and shall not extend beyond side lot lines.

Figure 5.6.7, Driveway Design Standards



C. Driveway Widths

Driveway widths shall be in accordance with Table 5.6.7.C, Driveway Width:

TABLE 5.6.7.C: DRIVEWAY WIDTH				
USE TYPE	RESIDENTIAL USES		NONRESIDENTIAL USES	
	MINIMUM WIDTH (FT)	MAXIMUM WIDTH (FT)[1]	MINIMUM WIDTH (FT) [2]	MAXIMUM WIDTH (FT) [1] [3]
Single-Family Detached & Two-to-Four Family	10	24	N/A	N/A
All Other Uses: One Way Driveway	10	24	10	36
All Other Uses: Two Way Driveway	20		20 [4]	

NOTES:

[1] Maximum driveway width shall be measured at the lot line abutting the street right-of-way

[2] Nonresidential driveways shall meet emergency vehicle access requirements as determined by the Fire Code Official.

[3] Not applied to fire stations.

[4] Minimum width may be reduced to 10 feet if the driveway is shorter than 75 feet in length, it provides access to less than six spaces, and is configured to allow vehicles to turn around without backing onto the street. It may also be reduced to ten feet if the use generates less than five vehicle trips per day.

D. Driveway Spacing and Alignment Standards

Except for a single-family dwelling, two-to-four family dwelling, and lot fronting a restricted access street, a new driveway shall comply with the following minimum spacing standards:

- (1) A new driveway shall be located at least 100 feet from the centerline of an existing driveway or street on the same lot or an adjacent lot along the same block face.
- (2) A new driveway shall be directly aligned with a driveway on opposing lots, or shall be located at least 100 feet from the centerline of a driveway on an opposing lot, to the maximum extent practicable.

E. Restricted Access Streets

When sufficient frontage on a separate street is not available or access from a separate street is not practicable, the following standards shall apply to driveways on a major arterial street.

(1) Where Applied

The following restricted access street standards shall apply to lots fronting the following streets:

- (a) US 158;
- (b) NC 168;
- (c) NC 12;
- (d) NC 34;
- (e) NC 136;
- (f) NC 615;
- (g) SR 1222 (Tulls Creek Road);

- (h) SR 1131 (Poplar Branch Road); and,
- (i) SR 1227 (South Mills Road)

(2) Maximum Number of Driveways

The maximum number of driveways for each lot fronting a restricted access street shall comply with Table 5.6.7.E.2, Maximum Driveways per Lot:

TABLE 5.6.7.E.2: MAXIMUM DRIVEWAYS PER LOT	
FRONTAGE DISTANCE (FEET)	MAXIMUM NUMBER OF DRIVEWAYS (#)
< 500 feet	1
500 feet to 1,000 feet	2
> 1,000 feet	3

(3) Minimum Separation

- (a) A lot fronting a restricted access street shall maintain minimum separation distances between driveways in accordance with Table 5.6.7.E.3, Minimum Separation:

TABLE 5.6.7.E.3: MINIMUM SEPARATION	
HIGHWAY DESIGN SPEED (MPH)	MINIMUM DRIVEWAY/STREET CENTERLINE SEPARATION (FT)
Up to 35	125
Over 35	200

- (b) The Director, upon advice of NCDOT, may authorize a reduction in minimum separation distance due to lot width, presence of existing streets or curb cuts, or other physical features that make compliance with these standards impractical.

F. Deviations

Deviations from the standards Section 5.6.7, Driveway and Access Standards, may be approved by the NCDOT upon a finding the development can achieve a satisfactory level of access control consistent with the objectives of this Ordinance.

5.6.8. Primary Drive Aisles

Primary drive aisles within an off-street surface parking lot with 200 or more spaces shall be designed to appear as an extension of the public street network extending from the public right-of-way along the full length of the primary facades of structures being served by the drive (see Figure 5.6.8, Primary Drive Aisles), and shall comply with the following standards:

- A.** Primary drive aisles shall have a maximum cross section of 38 feet to serve two travel lanes and accommodate parallel parking spaces along both sides of the drive aisle in areas not needed for turning movements;

SECTION 5.6: COMMUNITY FORM STANDARDS

Subsection 5.6.8: Primary Drive Aisles

- B.** Primary drive aisles shall be striped to designate parallel parking spaces, where appropriate, but in no case shall parallel parking spaces be designated within 60 feet of the primary building entrance(s);
- C.** Sidewalks meeting or exceeding the county standards shall be provided adjacent to the building's front facade; and
- D.** Street trees shall be provided along both sides of the primary drive aisle in accordance with Section 6.2.1.K, Street Trees, although understory trees may be used adjacent to the building façade within 40 feet of building entrances.

Figure 5.6.8, Primary Drive Aisles



5.6.9. Pedestrian Pathways

Off-street surface parking lots with 200 or more spaces shall provide fully-separated, improved pedestrian pathways that:

- A.** Are located within planted landscaped islands located a minimum of every six parking bays;
- B.** Include, to the maximum extent practicable, a pathway aligned with and perpendicular to the primary entrance into the building served by the parking lot (see Figure 5.6.9, Pedestrian Pathways);
- C.** Are paved with asphalt, concrete, or other comparable material;
- D.** Are of contrasting color or materials than the drive aisle when crossing drive aisles;
- E.** Are in compliance with applicable State and Federal requirements while at a minimum, are four feet wide when located within landscaped islands, and ten feet wide when crossing drive aisles;
- F.** Terminate at drive aisle edges;
- G.** Connect to all existing or planned adjacent transit facilities;
- H.** Meet all applicable ADA requirements;
- I.** Are positively drained; and
- J.** Provide safe and efficient pedestrian access to the use they serve.

Figure 5.6.9, Pedestrian Pathways**5.6.10. Sidewalks and Pedestrian Circulation****A. Location**

- (1)** Sidewalks shall be located within an existing public street right of way or an easement dedicated to the public and running parallel to the street. Pedestrian pathways and trails shall be located within open space set-asides.
- (2)** Sidewalks shall be required on both sides of all streets, except:
 - (a)** In the SFR and SFI districts, and in subdivisions of five or fewer lots (where no sidewalks are required);
 - (b)** Along alleys (where no sidewalks are required);
 - (c)** In residential subdivisions where the average lot area is greater than one acre in size, or there are fewer than 20 lots (in these instances, pedestrian pathways or trails are required that provide an equivalent level of pedestrian circulation);
 - (d)** On cul-de-sacs less than 500 feet in length (where sidewalks are required only on one side of the street);
 - (e)** Where an existing or proposed sidewalk or pedestrian pathway paved with asphalt, concrete, or other hard-surface material located outside a

SECTION 5.6: COMMUNITY FORM STANDARDS**Subsection 5.6.10: Sidewalks and Pedestrian Circulation**

street right-of-way trail can provide an equivalent level of pedestrian circulation to all lots in the subdivision; and

- (f) In cases where environmental or topographic conditions make such provision prohibitive and no practicable alternative design is available.

B. Configuration

- (1) Except as otherwise provided in this ordinance,
 - (a) Sidewalks shall be ADA-accessible, at least five feet in width, may be required to match the width of a connecting sidewalk that exceeds five feet in width; and,
 - (b) Pedestrian pathways, walkways, and trails shall be ADA-accessible and at least eight feet in width;
- (2) Sidewalks, pedestrian pathways, and trails shall be constructed of asphalt, concrete, or other hard-surface materials, consistent with an approved site plan, or with the established sidewalk patterns in the general area of the development;
- (3) Pedestrian street crossings and crosswalks shall be:
 - (a) Ten feet in width on major arterial streets and no less than six feet in width on all other streets; and,
 - (b) Well defined and raised above the adjacent street level, be a different material, or be striped as a traffic-calming measure.
- (4) Sidewalks, pedestrian pathways, and trails shall connect with existing or planned sidewalks at property boundaries. In cases where the property boundary is within a drainage swale or ditch, the sidewalk connection shall terminate at the edge of the swale, ditch, or drainage easement. An easement shall be established that will grant current and future owners of the abutting properties the right to construct sidewalk connections. The new development shall connect to the sidewalk stub to form pedestrian circulation; and
- (5) New nonresidential, mixed-use, and multi-family development shall provide at least one on-site improved connection between the development and the adjacent public sidewalk system (planned or existing).

C. Credit for Trails

Hard-surfaced, ADA-accessible trails within open space set-asides may be credited towards these sidewalk requirements when trails connect developments or connect open space set-asides to schools, shopping areas, or other recreation areas.

5.7. MULTI-FAMILY DESIGN STANDARDS

5.7.1. Purpose and Intent

The purpose for these multi-family design standards is to:

- A.** Promote greater compatibility between multi-family development and other allowable uses in the county; and
- B.** Establish a minimum level of quality for multi-family development.

5.7.2. Applicability

A. General

These standards apply to all new multi-family and townhouse development in the county.

B. Time of Review

Review for compliance with the standards of this section shall occur during review of a site plan (Section 2.4.7), planned development master plan (Section 2.4.5), or zoning compliance permit (Section 2.4.9), as appropriate.

C. Existing Development or Redevelopment

Redevelopment of an existing multi-family or townhouse development that exceeds 33 percent of the building's assessed value shall require the newly redeveloped portions to comply with the standards of this section, to the maximum extent practicable.

D. Community Compatibility Standards

Multi-family development located adjacent to single-family detached development shall also be subject to the community compatibility standards in Section 5.10.

5.7.3. Multi-Family Design Standards

New multi-family and townhouse development shall comply with the following standards:

A. Access and Circulation

(1) Street Network

- (a)** On sites including new streets, an interconnected network of streets shall be provided, to the maximum extent practicable.
- (b)** The internal network of streets shall meet NCDOT standards and shall connect to adjacent existing streets to better integrate the development with its context.

(2) Pedestrian Circulation

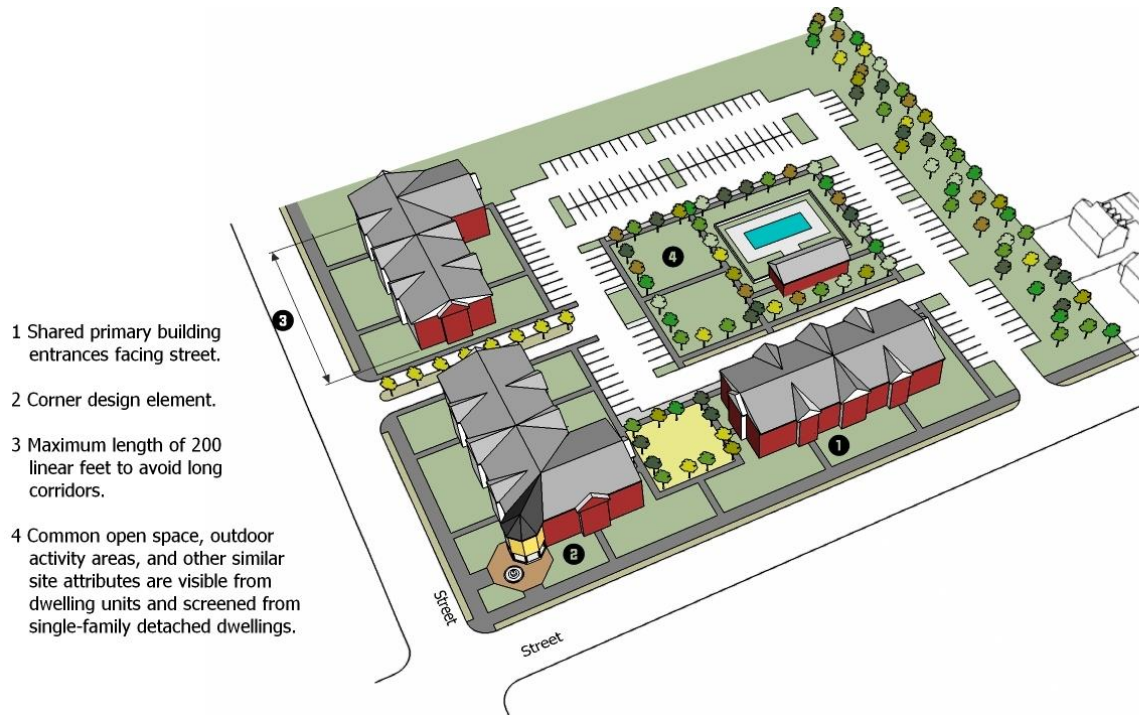
- (a)** A clearly defined, visible, and identifiable pedestrian network (combination of pathways, low shrub or ground cover plantings, and trees) shall be provided between parking lots, public street sidewalks, open spaces, recreational facilities, and individual buildings.
- (b)** The owner or an owners association shall maintain pedestrian walkways.
- (c)** Where possible, pedestrian walkways shall be connected within parks, open spaces or common areas internal and external to the site.

- (d) Both vehicular and pedestrian access must be visible from the street or alley serving the development.
- (e) Pedestrian entrances to the site shall be accentuated through the use of landscaping, special paving, gateways, or smaller features.

- (a)** Except as otherwise provided in this ordinance, off-street parking shall not be provided between the front of the principal building(s) and the street it fronts (excluding alleys).
- (b)** Vehicular access to the development shall be provided from a secondary street or an alley, when present.
- (c)** All parking and vehicular access ways shall be surfaced with concrete, asphalt, or pervious pavement, subject to an approved alternative parking plan (see Section 5.1.6, Alternative Parking Plans).
- (d)** Off-street parking lots of 200 or more spaces shall be organized into a series of parking bays surrounded by buildings, landscaping or accessways.

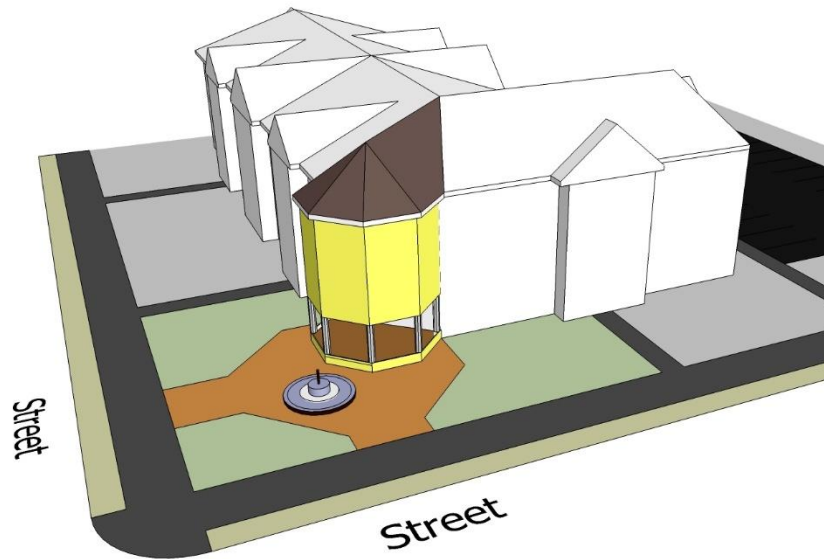
- (a)** The primary entrance of a single building development shall face the street.
- (b)** Multi-building development shall create a street edge and be configured so that the primary building entrances are oriented towards external streets, when possible.
- (c)** All buildings with shared entrances shall be oriented so that primary entrances face the street. In case of corner lots, the primary entrance(s) shall face the street from which the building derives its street address (see Figure 5.7.3.B.1, Multi-family Development Orientation).
- (d)** Individual multi-family buildings shall be configured so that no single building exceeds 200 linear feet in any direction.
- (e)** Long corridors and hidden entrance(s) to buildings shall be avoided.
- (f)** Buildings that do not have a direct and visible pedestrian entrance from a public street shall, at a minimum, have windows or patios facing the street. A Type A perimeter buffer shall be provided between the side and/or rear building façade and the street.
- (g)** Common open spaces and children's play areas shall be clearly visible from the dwelling units on the site.

Figure 5.7.3.B.1, Multi-Family Building Orientation



(2) Building Features

- (a)** Developments abutting public street corners shall provide two or more of the following elements on the building facades closest to the intersection (see Figure 5.7.3.B.2, Corner Buildings):
 - (i)** Placement of primary pedestrian entry;
 - (ii)** Distinctive roof form (e.g. recess, projection, tower, turret, pediment); or
 - (iii)** Other architectural features (e.g. porches, canopies).
- (b)** Building details, including roof forms, siding materials, windows, doors, and trim shall reflect a similar level of quality and architectural detailing on all sides facing:
 - (i)** A street;
 - (ii)** Abutting existing single-family development; and
 - (iii)** Vacant land designated as a single-family district on the official zoning map.

Figure 5.7.3.B.2, Corner Buildings**C. Building Design****(1) Maximum Height**

Buildings subject to the standards of this section shall have a maximum height of two stories within 100 feet of a lot with an existing single-family detached residential dwelling, without an intervening public street. This standard shall apply regardless of any incentives, administrative adjustments, or master plans.

(2) Facade Articulation

- (a)** Street-facing building facades shall be articulated with wall offsets at least two feet deep for every 30 feet of facade frontage.
- (b)** In addition to wall offsets, front facades facing streets shall provide a minimum of three of the following articulation elements (see Figure 5.7.3.C, Front Facades):
 - (i)** One or more dormer windows or cupolas;
 - (ii)** Pillars, posts or pilasters;
 - (iii)** One or more bay windows with a minimum twelve-inch projection from the facade plane;
 - (iv)** Multiple windows with a minimum of four-inch-wide trim;
 - (v)** Raised corniced parapets over the door;
 - (vi)** Eaves with a minimum of four-inch-wide trim; or
 - (vii)** Integral planters that incorporate landscaped areas and/or places for sitting.
- (c)** Side and rear facades shall maintain the architectural design, articulation, level of detail, and materials consistent with the front facade. Side and rear facades shall maintain at least ten percent of the facade area as windows.

- (d) A covered entryway with a four foot minimum dimension shall be provided at the primary entrance.

Figure 5.7.3.C, Front Facades and Roof Forms



(3) Roof Form

- (a) Development shall incorporate sloped roofs greater than or equal to one foot of vertical rise for four feet of horizontal run (3:12), and less than or equal to one foot of vertical rise for every one foot of horizontal run (12:12), or shall incorporate a three-foot parapet with a dimensional cornice around a flat roof. Alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.
- (b) All roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or otherwise be configured to the degree practicable, to have a minimal visual impact as seen from the street.

(4) Garage Location

Attached garages shall be located to the side or rear of buildings (see Figure 5.7.3.D, Garage Placement) and accessed from alleys or secondary streets, to the maximum extent practicable.

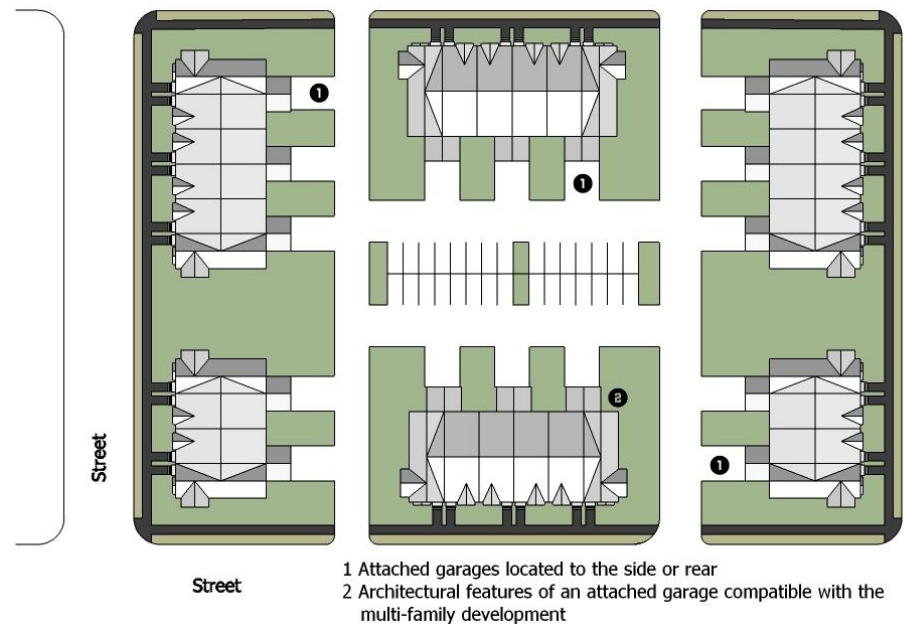
(5) Elevated Ground Floor Height

The minimum ground finished floor elevation shall be elevated two feet above established or finished grade.

D. Site Features

(1) Accessory Structures

- (a) Street-facing detached garages on corner lots shall be located to the side or rear of buildings (see Figure 5.7.3.D, Garage Placement).
- (b) Access to accessory structures (such as garages, carports, storages, trash receptacles) shall be provided from alleys or secondary streets, to the maximum extent practicable.

Figure 5.7.3.D, Garage Placement

- (c) Accessory buildings shall include exterior materials, colors, and roof form designed to be consistent with the principal structure.
- (d) Accessory structures shall not physically obstruct pedestrian entrances.
- (e) Centralized trash receptacles, if provided, shall be located in an enclosed area located to the rear of principal buildings.
- (f) HVAC and mechanical equipment shall be integrated into the overall building design and not visible from adjoining streets or other open space set-asides. Through-wall units and vents shall not be located along the street frontages, unless recessed within a balcony or similar feature.

5.8. NONRESIDENTIAL DESIGN STANDARDS

5.8.1. Purpose and Intent

These design standards are intended to identify the county's goals and expectations for commercial, office, and mixed-use development quality as a means of establishing higher quality development that is more compatible with residential development in the county. More specifically, the purposes of this section are to:

- A. Encourage establishment of a strong sense of place with vibrant commercial, office, and mixed-use development in key areas of the county;
- B. Encourage a more pedestrian-friendly environment through attention to human-scale design and site features;
- C. Foster greater compatibility between adjacent residential and nonresidential development;

- D.** Limit the impacts of automobile-oriented development in commercial, office, and mixed-use areas; and
- E.** Enhance the appearance of development along major arterial streets.

5.8.2. Applicability

A. General

- (1)** Unless exempted in accordance with Section 5.8.2.D, Exemptions, the standards in this section shall apply to all new development located within the GB, LB, CC, VC, PD, and MXR zoning districts.
- (2)** Large retail development shall comply with the Nonresidential Design Standards in Section 5.8.3 as well as the Large Retail Design Standards in Section 5.8.4. In the event of conflict, the standards in Section 5.8.4, Large Retail Design Standards, shall control.

B. Timing of Review

Review of proposed development to ensure compliance with the standards of this section shall occur at time of site plan (Section 2.4.7), planned development master plan (Section 2.4.5), or zoning compliance permit (Section 2.4.9), as appropriate.

C. Existing Development and Redevelopment

Development existing prior to January 1, 2013 as well as redevelopment of buildings established before January 1, 2013 are encouraged to, but not required to, comply with these standards.

D. Exemptions

Residential, institutional, and agricultural development, development subject to the standards in Section 5.7, Multi-Family Design Standards, and development subject to the standards in Section 5.9, Shopping Center Design Standards, shall be exempted from the standards of this section.

E. Community Compatibility Standards

Commercial, industrial, mixed-use, and multi-family development located adjacent to single-family detached development shall also be subject to the community compatibility standards in Section 5.10.

5.8.3. Nonresidential Design Standards

All development subject to this section shall comply with the following standards:

A. Access and Circulation

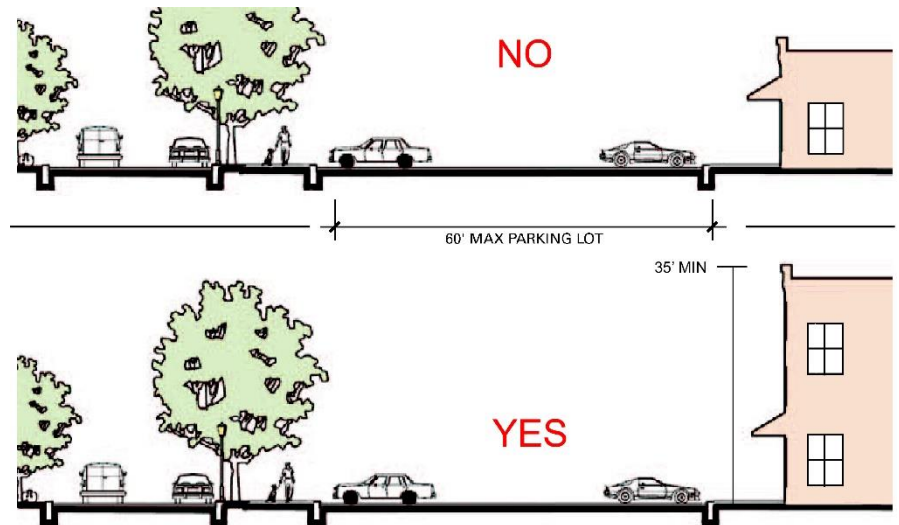
(1) Off-Street Parking Location

(a) VC District

Single-story commercial, office, and mixed-use development in the VC district shall be configured to locate all required surface off-street parking to the side or rear of the building. Buildings of two or more stories may locate up to two rows of off-street parking between the primary entrance and the street it faces. In no instance shall more than

two rows of off-street parking be located between the building and the street it faces (see Figure 5.8.3.A, Parking Location).

Figure 5.8.3.A, Parking Location



(b) All Other Zoning Districts

No more than 50 percent of the required off-street parking shall be located between the building's primary façade and the street it fronts.

B. Building Placement

(1) Building Orientation and Entryways

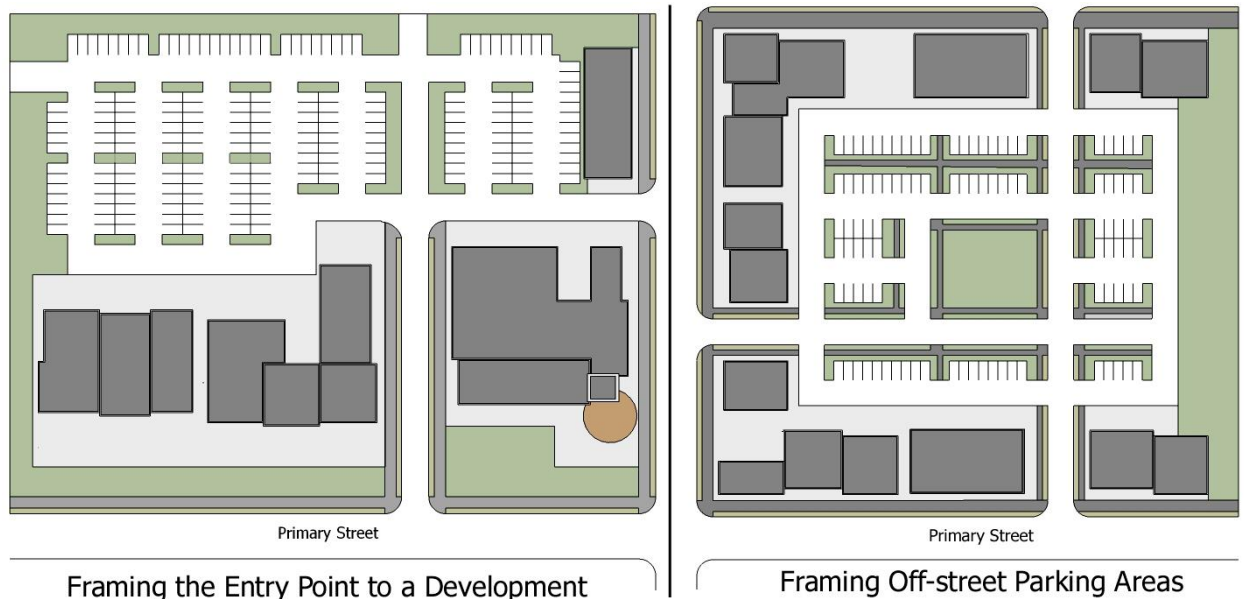
The front façade of all buildings, as defined by the primary entrance, shall face the primary street. Nothing shall prohibit a secondary entrance from facing a surface parking area, secondary street open space, or courtyard.

(2) Single Building Development

All single building development shall be oriented parallel or perpendicular to the street it fronts rather than being sited at unconventional angles.

(3) Multi-Building Development

- (a)** Development comprised of multiple buildings shall be configured with two or more of the following design elements (see Figure 5.8.3.B.2, Multi-Building Development):

Figure 5.8.3.B.2, Multi-Building Development

- (i) Site configuration as a series of smaller “blocks” defined by buildings fronting on-site streets and internal vehicle access ways, utilizing pedestrian oriented design such as walkways, or other circulation routes and multi-modal transportation access/waiting areas when appropriate;
 - (ii) Corner buildings designed to front both sides of an adjacent street intersection or entry point to the development in an “L” configuration;
 - (iii) Buildings facing each other across a relatively narrow vehicular access area with pedestrian amenities in a “main street” character;
 - (iv) Buildings framing and enclosing at least three sides of parking areas, public spaces, or other site amenities; or
 - (v) Buildings framing and enclosing outdoor dining or gathering spaces for pedestrians between buildings.
- (b) The primary entrances of buildings shall be oriented towards a street along the perimeter of a development, towards streets interior to the development, or towards open space areas.

C. Building Design

(I) Design Features

Buildings subject to these standards shall be configured so that no single façade visible from a street shall extend more than 50 feet without inclusion of three of the following features (see Figure 5.8.3.C.1, Required Building Design Features):

Figure 5.8.3.C.1, Required Building Design Features



- (a) The use of projections or recesses in the building façade wall with a depth of 18 inches from the primary façade plane and a minimum width of 10 feet;
- (b) Façade color changes following the same dimensional standards as the offset standards in (a) above;
- (c) A series of four or more pilasters having a minimum depth of eight inches, a minimum width of eight inches, and a minimum height of 80 percent of the façade's height;
- (d) Roofline changes, coupled with correspondingly aligned wall offset facade material changes, including changes in the roof planes or changes in the height of a parapet wall (such as extending the top of pilasters above the top of the parapet wall); or
- (e) A covered front porch occupying at least 25 percent of the front façade.

(2) Roofs

Figure 5.8.3.C.2, Roof Form

- (a) Structures with a flat roof shall include parapet walls with a decorative three-dimensional cornice (see Figure 5.8.3.C.2, Roof Form).
- (b) All rooftop equipment shall be screened from view from all streets.
- (c) Buildings in the Outer Banks shall use a pitched roof.
- (d) A pitched roof shall have eaves that extend a minimum of 12 inches from the building face.



(3) Fenestration

- (a) Buildings subject to these standards shall be configured so that building facades visible from streets include a window or functional general access doorway at least every 20 feet along the façade. False or display casements are an allowable alternative, as approved by the Director.
- (b) At least 30 percent of the first 10 feet in height of a façade facing a street shall be transparent.
- (c) First floor windows facing a street shall remain visually permeable and shall not be obstructed by window signs.

- (d) Ventilation grates or emergency exit doors located at the first floor level oriented toward a street shall be decorative.

(4) Outbuildings

Outbuildings located in front of other buildings within the same development shall include a consistent level of architectural detail on all four sides of the building as well as exterior materials and colors that are compatible with the primary building in the development.

(5) Prohibited Materials

Metal siding shall not be used on front building facades and facades visible from streets. Overly bright, neon, or “day-glow” colors shall not be used as the primary exterior building color.

D. Site Features

(1) Loading, Storage, and Service Areas

- (a) Loading, service, and equipment areas shall be located in a manner that minimizes their visibility from off-site areas, to the maximum extent practicable.
- (b) Loading, service, and equipment areas that are associated with an outparcel building shall be screened through the use of structural elements and similar materials attached to and integrated with the building.

5.8.4. Large Retail Design Standards

In addition to the Nonresidential Design Standards in Section 5.8.3, all new single tenant buildings of 30,000 gross square feet in area or more with 60 percent or more of the total floor area occupied by retail sales activities, shall comply with the following standards.

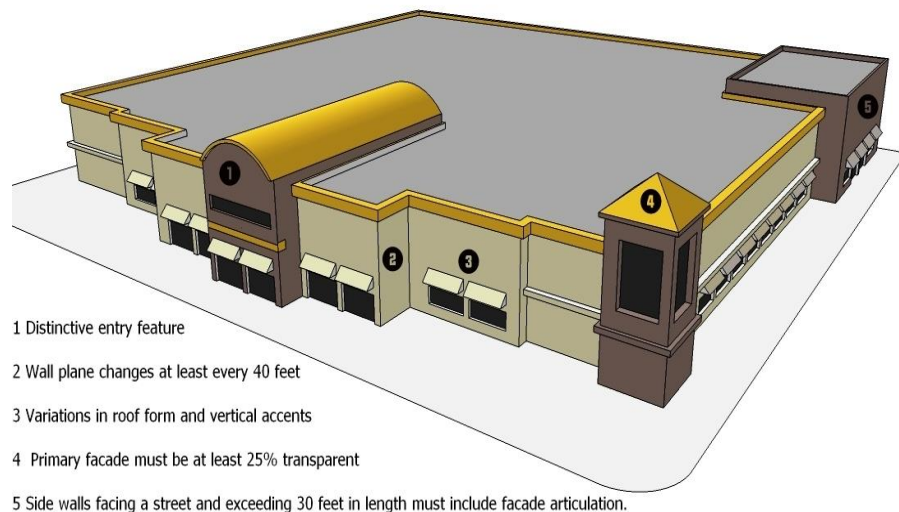
A. Building Entrances

Large retail buildings shall have clearly defined, highly visible customer entrances featuring no less than three of the following:

- (1) Canopies or porticos;
- (2) Overhangs;
- (3) Recesses/projections;
- (4) Arcades;
- (5) Raised corniced parapets over the door;
- (6) Peaked roof forms;
- (7) Arches;
- (8) Outdoor patios;
- (9) Display windows;
- (10) Architectural detail such as tile work and moldings integrated into the building structure and design; or
- (11) Integral planters that incorporate landscaped areas and places for sitting.

SECTION 5.8: NONRESIDENTIAL DESIGN STANDARDS**Subsection 5.8.4: Large Retail Design Standards****B. Building Massing**

- (1)** The front facade of a large retail building shall be articulated to reduce its mass, scale, and uniform appearance (see Figure 5.8.4.A, Large Retail Façade Massing). Large retail buildings shall incorporate two or more of the following design elements on each facade visible from a street:
 - (a)** Changes in wall plane, such as projections or recesses, having a wall offset of at least one foot depth, and located a minimum of every 40 feet. Each required offset shall have a minimum width of ten feet;
 - (b)** Distinct changes in texture and color of wall surfaces;
 - (c)** Variations in roof form and parapet heights;
 - (d)** Vertical accents or focal points.
- (2)** Side walls exceeding 30 feet length shall have facade articulating elements such as columns and/or changes in plane, texture, or masonry pattern.

Figure 5.8.4.A, Large Retail Façade Massing**C. Off-Street Parking Location Standards**

- (1)** Up to 60 percent of the total parking provided is permitted to be located between the front façade of a building and the street it faces.
- (2)** Off-street parking lots of 250 or more spaces serving a large retail building shall be organized into a series of parking bays surrounded by buildings, landscaping, or streets (see Figure 5.8.4.B, Large Retail Parking Areas).

Figure 5.8.4.B, Large Retail Parking Areas



D. Glazing

- (1) Facades of large retail buildings facing a street shall include glazing in an amount equal to 25 percent of the ground floor facade area.
- (2) Glazing on side facades may consist of clear, frosted, or spandrel glass, and shall be organized into a display window configuration.

5.9. SHOPPING CENTER DESIGN STANDARDS

5.9.1. Purpose and Intent

The purpose for these standards is to establish minimum standards to promote higher quality shopping center development while also allowing greater flexibility for development configured as a shopping center.

5.9.2. Applicability

A. General

These standards shall apply to any commercial development in one or more buildings of 5,000 square feet in area or larger that are configured to include four or more individual tenant spaces.

B. Time of Review

Review of proposed development to ensure compliance with the standards of this section shall occur at time of site plan (Section 2.4.7), planned development master plan (Section 2.4.5), or zoning compliance permit (Section 2.4.9), as appropriate.

C. Existing Development and Redevelopment

Development or redevelopment of an existing building or site that results in a shopping center larger than 5,000 square feet or with four or more tenant spaces shall be subject to the requirements of this section, to the maximum extent practicable.

D. Community Compatibility Standards

Shopping centers located adjacent to single-family detached development shall also be subject to the community compatibility standards in Section 5.10.

5.9.3. Shopping Center Design Standards

A. Access and Circulation

(1) Off-Street Parking

No more than 50 percent of the required off-street parking shall be located between the building's primary façade and the street it fronts.

(2) Internal Pedestrian Walkways

All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low-maintenance surface materials such as pavers, bricks, or scored/stamped concrete or asphalt to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways (see Figure 5.9.3.A.2, Pedestrian Walkways).

(3) Outparcel Development

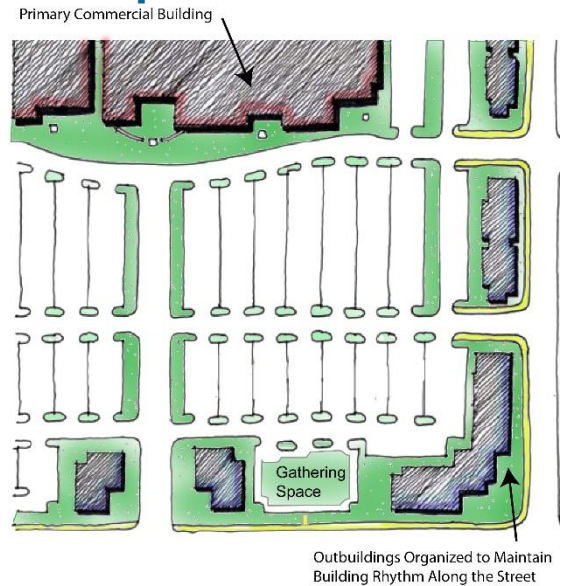
- (a)** To the maximum extent practicable, outparcels and their buildings shall be clustered in order to define street edges, entry points, and spaces for gathering or seating between buildings.

**Figure 5.9.3.A.2,
Pedestrian Walkways**



SECTION 5.9: SHOPPING CENTER DESIGN STANDARDS**Subsection 5.9.3: Shopping Center Design Standards**

- (b) The even dispersal of outparcel sites consisting of widely-spaced, single, functionally unrelated buildings on lots of similar street frontage widths is prohibited (see Figure 5.9.3.A.3, Outparcel Development).
- (c) Spaces between buildings on outparcels shall be configured with small scale pedestrian amenities such as plazas, seating areas, pedestrian connections, and gathering spaces.
- (d) Auto-oriented businesses with drive-through facilities should be located on the edge of a given cluster of multiple buildings.

Figure 5.9.3.A.3, Outparcel Development**B. Building Placement****(1) Maximum Lot Coverage**

Development subject to these standards shall maintain a maximum lot coverage of 65 percent or less. Outparcels in the development may have higher lot coverage amounts provided the development as a whole maintains a maximum lot coverage of 65 percent or less.

(2) Setbacks

Side and rear setbacks shall not apply to interior lot lines of outparcels within the development.

C. Building Design**(1) Customer Entrances****(a) Required Entrances**

- (i) Each side of a building facing a public street shall include at least one customer entrance, except that buildings shall not be required to provide common entrances on more than two sides of the structure which face public streets.
- (ii) Nothing in these standards shall require entrances facing side streets to be operable.

(b) Entrance Design

Buildings shall have clearly-defined, highly visible customer entrances that include no less than three of the following design features (see Figure 5.9.3.C.1, Building Entrances):

- (i) Canopies/porticos above the entrance;
- (ii) Roof overhangs above the entrance;
- (iii) Entry recesses/projections;

SECTION 5.9: SHOPPING CENTER DESIGN STANDARDS

Subsection 5.9.3: Shopping Center Design Standards

- (iv) Arcades that are physically integrated with the entrance;
- (v) Raised corniced parapets above the entrance;
- (vi) Gabled roof forms or arches above the entrance;
- (vii) Outdoor plaza adjacent to the entrance having seating and a minimum depth of 20 feet;
- (viii) Display windows that are directly adjacent to the entrance;
- (ix) Architectural details, such as tile work and moldings, that are integrated into the building structure and design and are above and/or directly adjacent to the entrance;
- (x) Front porches with a minimum depth of six feet and a minimum length of 25 percent of the front façade (counts as two features); or
- (xi) Integral planters or wing walls that incorporate landscaped areas or seating areas. A wing wall is a wall secondary in scale projecting from a primary wall and not having a roof.

Figure 5.9.3.C.1, Building Entrances



(2) Glazing

- (a) At least 35 percent of the ground floor façade facing a street or single-family development shall incorporate glazing (windows or doors).
- (b) For the purposes of calculating the portion of the ground floor façade glazing, the façade area shall be calculated by measuring the applicable building wall between the finished grade and the underside of the roof.
- (c) Reflective or heavily tinted glass that obstructs views into the building shall not be used.

(3) Façade Massing

(a) Offset Required

Front façades 60 feet wide or wider shall incorporate wall offsets of at least two feet in depth (projections or recesses) a minimum of every 40 feet. Each required offset shall have a minimum width of 20 feet.

(b) Offset Alternatives

The following alternatives can be used in place of the required front façade offsets (see Figure 5.9.3.C.3, Façade Massing):

- (i) Façade color changes following the same dimensional standards as the offset requirements;
- (ii) A series of four or more pilasters having a minimum depth of one foot, a minimum width of one foot, and a minimum height of 80 percent of the façade's height; and/or
- (iii) Roofline changes when coupled with correspondingly aligned façade material changes.

Figure 5.9.3.C.3, Façade Massing



(4) Roof Line Changes

- (a) Roof line changes shall include changes in roof planes or changes in the top of a parapet wall, such as extending the top of pilasters above the top of the parapet wall.
- (b) When roof line changes are included on a façade that incorporates wall offsets or material or color changes, roof line changes shall be vertically aligned with the corresponding wall offset or material or color changes.

(5) Roof Planes

- (a)** Pitched roofs shall be used on development located on the Outer Banks.
- (b)** Except for mansard roofs, cupolas, and steeples, sloped roofs shall include two or more sloping roof planes with greater than or equal to one foot of vertical rise for every three feet of horizontal run (4:12), and less than or equal to one foot of vertical rise for every one foot of horizontal run (12:12) (see Figure 5.9.3.C.5, Roof Form).

Figure 5.9.3.C.5, Roof Form

- (c)** When flat roofs are used, parapet walls with three-dimensional cornice treatments shall conceal them. The cornice shall include a perpendicular projection a minimum of eight inches from the parapet façade plane.

(6) Roof Penetrations and Equipment

- (a)** All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (with the exception of chimneys), shall be screened with a parapet wall having a three-dimensional cornice treatment so as to have a minimal visual impact.
- (b)** In the case of pitched roofs, roof-based equipment shall be located on the elevation least likely to be seen from public streets, and shall be painted or otherwise camouflaged to minimize visual impact.

(7) Prohibited Materials

The following materials shall be prohibited on building facades facing public street or residentially-zoned land:

- (a)** Metal siding and exposed smooth-finished concrete block;
- (b)** Synthetic stucco (EIFS) within two feet of the grade level and within two feet of any exterior door jamb; and
- (c)** Vinyl siding shall be prohibited on the primary façade, and be limited to 60 percent of any other façades.

D. Traffic Impact Analysis Required

Development consisting of 30,000 square feet of floor area or more shall include a traffic impact analysis prepared by a registered engineer that contains the following information:

- (1)** General site and land use description;
- (2)** The number of trips to be generated; the volume of existing/background traffic on roads adjacent to and within one-half mile of the tract;
- (3)** The heaviest hourly volume of traffic expected to be generated by the site;
- (4)** The volume ratio of inbound and outbound trips to the site;
- (5)** Directional distribution of the vehicle trips;
- (6)** Assignment of vehicle trip volumes to the roadway network; and,
- (7)** A capacity analysis to include:
 - (a)** Traffic volumes;
 - (b)** Driveway locations;
 - (c)** Spacing between intersection signals;
 - (d)** Relationship with existing collector plans;
 - (e)** Internal traffic flow and parking layout;
 - (f)** Pedestrian access;
 - (g)** Proposed actions necessary to alleviate traffic circulation problems; and
 - (h)** Any additional information as deemed necessary by the Director.

5.10. COMMUNITY COMPATIBILITY STANDARDS**5.10.1. Purpose and Intent**

The purpose of these community compatibility standards is to provide a proper transition and ensure compatibility between single-family detached development and other more intense development. More specifically, it is the intent of these standards to:

- A.** Provide effective transitions between single-family detached and more intense uses;
- B.** Protect the character of existing single-family detached development from negative impacts resulting from more intense and incompatible adjacent forms of development;
- C.** Limit interruptions in vehicular and pedestrian connections created by efforts to segregate uses; and
- D.** Establish or maintain vibrant pedestrian-oriented areas where differing uses can operate in close proximity to one another.

5.10.2. Applicability**A. General**

Unless exempted in accordance with Section 5.10.2.E, Exemptions, these neighborhood compatibility standards shall apply to commercial, industrial, mixed-use, and multi-family development located on land adjacent to or across a local street or alley from existing single-family detached development.

B. Existing Development

Commercial, industrial, mixed-use, and multi-family development existing on January 1, 2013 located on land adjacent to or across a local street or alley from existing single-family detached development shall be subject to these standards if any expansion or alteration exceeds 50 percent of the building's assessed value at the time of expansion or alteration.

C. Timing of Review

Review for compliance with these standards shall occur at the time of site plan (see Section 2.4.7), planned development master plan (see Section 2.4.5), or zoning compliance permit (see Section 2.4.9), as appropriate.

D. Conflict

In the case of conflict between these standards and other standards in this Ordinance, the community compatibility standards in this section shall control.

E. Exemptions

Commercial, industrial, mixed-use, and multi-family development located on land adjacent to or across a local street from a single-family detached dwelling on property zoned LB, GB, LI, or HI, or on a ten acre lot or larger is exempt from these standards.

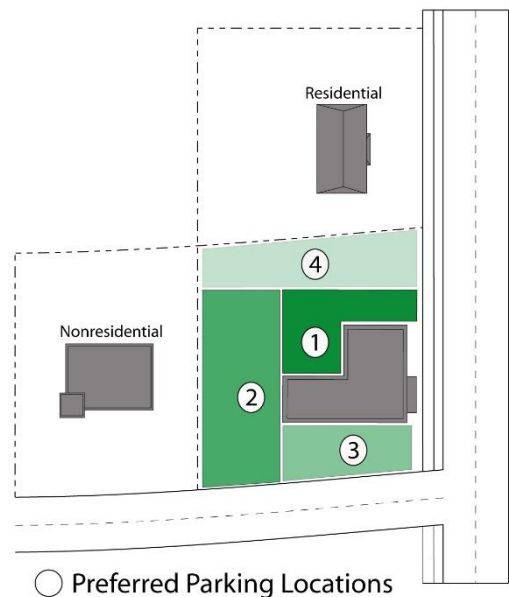
5.10.3. Design Standards**A. Access and Circulation****(I) Off-Street Parking Areas**

- (a) The total amount of off-street parking shall not exceed the required minimum specified in Table 5.1.3.C, Minimum Off-Street Parking, and may be reduced through an Alternative Parking Plan (see Section 5.1.6) that demonstrates such reduction will not have an adverse impact on the adjacent residential development.

- (b) When required, off-street parking shall be established in one of the following locations, listed in priority order (see Figure 5.10.3.A, Parking in Transitional Areas):

- (i) Adjacent to off-street parking lots serving nonresidential uses on abutting lots;
- (ii) Adjacent to lot lines abutting nonresidential development;

Figure 5.10.3.A, Parking in Transitional Areas



- (iii) Adjacent to lot lines abutting mixed-use development;
 - (iv) On a lot's corner side;
 - (v) Behind the building;
 - (vi) In front of the building; or
 - (vii) Adjacent to lot lines abutting single-family detached dwellings.
- (c) Parking structure facades adjacent to single-family detached development shall be configured to appear as solid building walls, to soften their visual impact.
- (d) Off-street surface parking areas located adjacent to single-family detached residential development shall be screened by a Type D perimeter buffer (see Section 5.2.6, Perimeter Landscape Buffers).

B. Building Placement

Multi-building development shall be configured to establish a continuum of use intensity where uses of moderate intensity are sited between high-intensity uses and low-intensity uses (e.g., office uses between retail and detached residential), as they relate to adjacent residential development.

C. Building Design**(I) General**

Buildings subject to these standards shall:

- (a) Use a similar roof type to adjacent residential development in terms of slope and arrangement to prevent abrupt changes in roof form;
- (b) Facades greater than 80 feet in length facing residential development, shall be configured to appear as a series of discrete storefronts with no single storefront occupying more than 50 percent of the total façade width (see Figure 5.10.3.C.1, Building Facades in Transitional Areas);

Figure 5.10.3.C.1, Building Facades in Transitional Areas



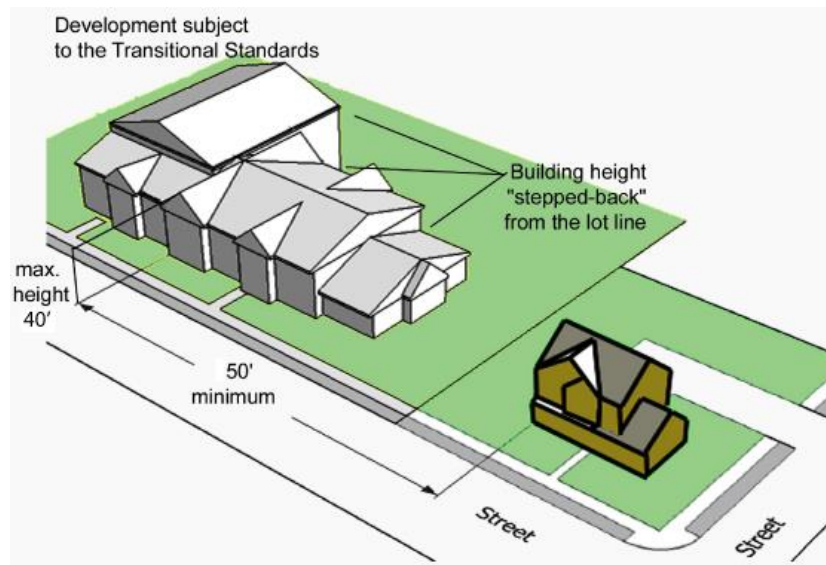
- 1 Development facing single-family detached dwellings configured to appear as a series of discrete storefronts
- 2 Use of architectural features similar to the adjacent single-family detached dwellings

- (c) Use exterior colors that are compatible with nearby residential development;
- (d) Use similarly sized and patterned architectural features such as windows, doors, awnings, arcades, pilasters, cornices, wall offsets, building materials, and other building articulations found on adjacent residential development; and
- (e) Orient porches, balconies, outdoor space, and other exterior site features such as vending machines away from adjacent single-family detached dwellings.

(2) Building Height

- (a) Buildings shall maintain a maximum height of 35 feet within 100 feet of a lot line shared with existing single-family detached dwellings (see Figure 5.10.3.C.2, Building Height).
- (b) Buildings over three stories in height shall be broken up into modules or wings with the smaller and shorter portions of the structure located adjacent to residential development.

Figure 5.10.3.C.2, Building Height

**D. Site Features****(1) Loading and Refuse Areas**

Loading, service, and refuse areas shall be:

- (a)** Screened from view of single-family detached dwellings using materials that are the same as, or of equal quality to, the materials used for the principal building; or
- (b)** Incorporated into the overall design of the building and landscape so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.

(2) Exterior Lighting

Exterior lighting shall:

- (a)** Have a maximum height of 15 feet; and
- (b)** Be configured so that the source of illumination is not visible from public street right-of-way or adjacent single-family residential property.

(3) Signage Standards

- (a)** Within 50 feet of residential lot lines, the maximum sign copy area for freestanding, ground, and wall signs shall be reduced by 25 percent on lots subject to these standards.
- (b)** Signage within 20 feet of a lot line shared with a single-family detached dwelling shall be limited to directional or incidental signage.

(4) Open Space Set-Aside Configuration

Required open space set-asides shall be located between a proposed development and adjacent single-family detached dwelling, to the maximum extent practicable.

5.11. FARMLAND COMPATIBILITY STANDARDS

5.11.1. Purpose and Intent

The purpose and intent of these farmland compatibility standards is to promote development that is compatible with existing farms and agricultural uses in Currituck County. More specifically, these standards are intended to:

- A.** Ensure new development does not negatively impact existing adjacent agricultural uses;
- B.** Maintain and promote rural character in agricultural areas;
- C.** Allow farming families to capture the monetary value of their land through limited development while continuing to farm; and
- D.** Ensure greater compatibility between existing farms and new non-farm uses.

5.11.2. Applicability

Except where exempted by Section 5.11.3, Exemptions, the standards in this section shall apply to all major subdivisions (see Section 2.4.8), planned developments (see Section 2.4.5), or site plans (see Section 2.4.7) on lots or tracts of ten acres in area or greater proposed adjacent to a bona fide farm or agricultural use associated with a bona fide farm.

5.11.3. Exemptions

The standards in this section shall not apply to the following:

- A.** Utility uses in accordance with Section 5.2.9: Alternative Landscape Plan; and
- B.** Portions of a conservation subdivision adjacent to an agricultural use or activity taking place within the conservation subdivision's open space set-aside.

5.11.4. Time of Review

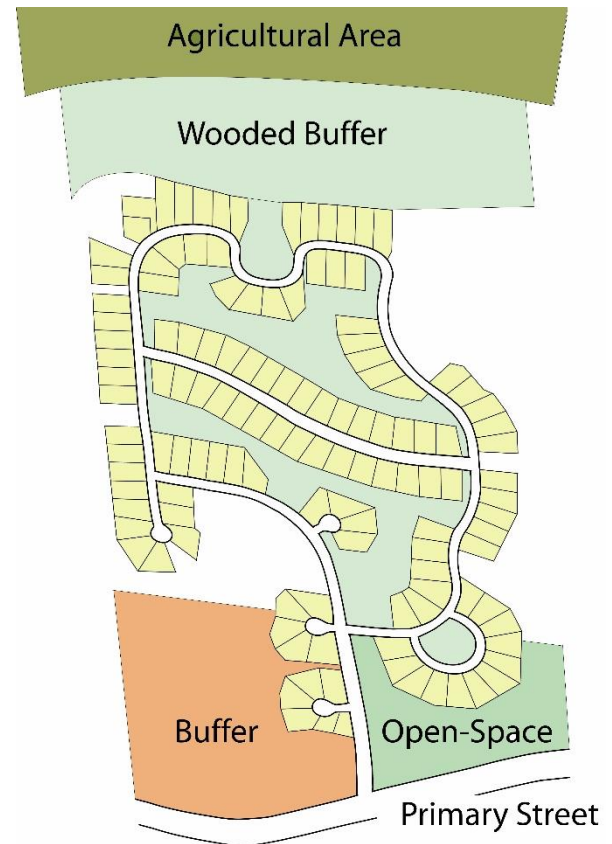
Review for compliance with these standards shall take place during review of a preliminary or final plat (see Section 2.4.8), as appropriate.

5.11.5. Farmland Compatibility Standards**A. Vegetated Buffer**

Development subject to these standards shall provide a fifty-foot-wide vegetated buffer between building lots in the development and an existing agricultural use. The buffer shall (see Figure 5.11.5, Farmland Compatibility Features):

- (1) Remain undisturbed for a minimum distance of 25 feet from the edge of the agricultural use or boundary of the agricultural activity. Planted vegetation shall not be located in the 25' undisturbed portion of the buffer;
- (2) Include at least 14 trees, equally distributed, for every 100 linear feet of buffer length to create an opaque buffer. Planted trees shall consist of mixed hardwoods and may contain up to 50% evergreen species, excluding pine trees. Existing vegetation can be used to meet the minimum buffer requirements of this section;
- (3) Incorporate existing or planted vegetation, configured in a staggered fashion, so as to create two or more rows of trees within the buffer; and
- (4) Planted vegetation required by this section shall not be subject to the minimum size standards for new planting specified in the Administrative Manual;
- (5) Incorporate a fence, berm, drainage ditch, or any combination of these features to physically separate the agricultural use from the new development. Nothing in this section shall limit the use of wire fencing for this purpose.

Figure 5.11.5, Farmland Compatibility Features

**B. Location of Open Space Set-Aside**

In cases where new development includes an open space set-aside, it shall be located between the agricultural use and the buildings in the new development, to the maximum extent practicable.

C. Lot Location

Development subject to these standards shall be configured to ensure farms or agricultural uses retain direct access to adjacent streets.

D. Notification on Plat

Preliminary and final plats subject to these standards shall bear a notation in 14 point type indicating the development is adjacent to an existing agricultural or farm use that

is anticipated to generate noise, light, dust, odor, or vibration as part of its normal operations.

5.12. SIGNAGE

5.12.1. Purpose and Intent

The purpose of this section is to support and compliment the various land uses allowed in Currituck County by the adoption of regulations concerning the placement, number, location, size, appearance, illumination, and animation of signs. The erection of signs is controlled and regulated in order to promote the health, safety, welfare, convenience, and enjoyment of travel on streets, as well as protect the public investment in such streets. The provisions of this section are also intended to:

- A.** Promote the reasonable, orderly, and effective display of signs, displays, and devices;
- B.** Protect the public welfare as well as land values by preserving the aesthetic qualities of the unique natural environment;
- C.** Preserve the county's environment from excessive and obtrusive signs;
- D.** Promote the safety of persons and land by providing that signs do not create traffic hazards or hazards due to collapse, fire, collision, decay, or abandonment;
- E.** Promote the efficient transfer of general public and commercial identification or information and maintain a viable business community throughout the year by improving the legibility and effectiveness of signs;
- F.** Preserve the environment from excessive and obtrusive signs in support of the county's resort and tourism industry;
- G.** Enhance the image, appearance, and economic vitality of the community; and,
- H.** Allow non-commercial speech anywhere that commercial, advertising or business signs are permitted.

5.12.2. Prohibited Signs

The following signs are prohibited:

- A.** Off-premise advertising signs (billboards), including digital billboards, except as otherwise provided by this Ordinance;
- B.** Signs located within the sight distance triangle or public right-of-way (without an approved NCDOT encroachment agreement);
- C.** Signs attached to the structure of a lawfully permitted sign, without a permit, except as otherwise provided by this Ordinance;
- D.** Signs attached to any traffic sign, utility pole, or tree, except as otherwise provided by this Ordinance;
- E.** A sign that by its location, color, illumination, size, shape, nature, or message would obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies;
- F.** Signs that emit a sound, odor, or visible matter such as smoke or vapor;

SECTION 5.12: SIGNAGE

Subsection 5.12.3: Signs Exempt from Signage Regulations

- G.** Signs that exhibit statements, suggestive words, or pictures of an obscene or pornographic nature;
- H.** Banners, inflatable signs or balloons, flags (except those exempted by this Ordinance), pennants, streamers, propellers, whirligigs, umbrellas with logos or commercial messages, and animated display boards;
- I.** Signs or portions of signs designed to move by any means or give the appearance of movement in any manner except for suspended signs intended for pedestrians and flags as described in this Ordinance;
- J.** Roof signs;
- K.** Vehicle signs on vehicles or trailers that are not currently licensed and registered by the Department of Motor Vehicles;
- L.** Internally-illuminated signs (other than window signs) on lots located on the Outer Banks; and
- M.** Mobile marquee signs on lots in the Outer Banks.

5.12.3. Signs Exempt from Signage Regulations

The following signs are exempt from the signage standards in this section:

- A.** Signs and legal notices erected by or on behalf of, or pursuant to, the authorization of a governmental body, including but not limited to, traffic, directional, or regulatory signs;
- B.** Informational signs that identify public property, convey public information, or display other identification not having a commercial message;
- C.** Signs designed to direct and guide vehicular and pedestrian traffic on private property, but bearing no advertising matter;
- D.** Religious or civic symbols for noncommercial purposes, including lights and decorations temporarily displayed on holidays;
- E.** Official signs of a non-commercial nature erected by public utilities;
- F.** Residential flags or flags, pennants, and insignia of any governmental or non-profit organization when not displayed in connection with a commercial promotion or as an advertising device;
- G.** Trademarks or product names which are displayed as part of vending machines, dispensing machines, automatic teller machines, and gasoline pumps;
- H.** Vendor signs located at convenience stores, provided such signs are not attached to public utility poles or traffic signs; and
- I.** Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.

5.12.4. Signs Exempted from Sign Permit Requirements

The following non-illuminated signs are exempt from the requirements to obtain sign permit approval, but are subject to the standards in Section 5.12.8, Maintenance Standards, and the standards in this section.

SECTION 5.12: SIGNAGE**Subsection 5.12.4: Signs Exempted from Sign Permit Requirements****A. Non-Commercial Signs**

- (1)** One temporary sign may be placed on a property at any time provided the sign does not exceed eight square feet in area and four feet in height.
- (2)** One additional temporary sign may be placed on a property that is actively listed or offered for sale. Such sign shall be removed within five days following the sale date of the property. The sign shall not exceed eight square feet in area and four feet in height.
- (3)** One additional temporary sign may be placed on a property where an active, unexpired building permit has been issued by the County. Such sign shall be removed within ten days after the issuance of a certificate of compliance. The sign shall not exceed eight square feet in area and four feet in height.
- (4)** Up to three additional temporary signs may be placed on a property for a period of 30 days prior to an election involving candidates or an issue on the ballot of an election. Such signs shall be removed within ten days of the conclusion of the election. Each sign shall not exceed eight square feet in area and four feet in height.
- (5)** One additional temporary sign may be placed on a property with road frontage greater than 160 feet and an additional temporary sign may be placed for each additional 100 feet of road frontage provided that each additional sign shall not exceed 32 square feet in area and 10 feet in height and the signs maintain a minimum spacing of 50 feet.
- (6)** One additional sign may be placed on a property with a compliant home occupation. The sign shall not exceed six square feet in area and four feet in height if freestanding or eight feet in height if wall-mounted.
- (7)** A property owner may place wall signs on a building such that the signs shall not singularly or collectively exceed 14 square feet in area and 20 feet in height.
- (8) Flags and Banners**
 - (a)** Up to four flags are permitted per major subdivision, existing PUD, or Planned Development entrance. Subdivision flags shall not exceed 24 square feet in area and 20 feet in height.
 - (b)** Up to one additional flag and one banner, not to exceed 30 square feet in area or 10 feet in height is permitted at a model home location within a major subdivision, existing PUD, or Planned Development.

B. On-Premise Signs Located in Business and Mixed-Use Zoning Districts

- (1) Window Signs**
 - (a)** Window signs shall not exceed 25 percent of the total window area that contains the sign, except that trademark and merchandise displayed for sale shall not be included in the total window sign area.
- (2) Temporary Signs and Flags Located on the Mainland**
 - (a)** Limited to a maximum of 2 per lot; sign area shall not singularly or collectively exceed 40 square feet; sign height shall not exceed 10 feet; signs shall be setback 10 feet from side and rear lot lines.

SECTION 5.12: SIGNAGE**Subsection 5.12.5: Determining Sign Number, Area, and Height**

- (b)** Up to 5 flags are permitted per lot; each flag shall not exceed 20 square feet in area.

(3) Temporary Signs and Flags Located on the Outer Banks

- (a)** Sign type shall be limited to sandwich board signs.
- (b)** Each business unit may have one temporary on-premise sandwich board sign.
- (c)** The sign shall not exceed eight square feet in area and four feet in height.
- (d)** The sign shall be located on an existing sidewalk or deck and immediately adjacent to the entrance of the business installing the sign.
- (e)** The sign shall comply with the outdoor display requirements of Section 4.3.3.R. where applicable.
- (f)** The sign may be located adjacent to NC 12 from October 1 to May 15 provided it is located on the same parcel as the business or on shopping center property (including common area).
- (g)** The sign shall be removed if the business is closed on three or more consecutive days.
- (h)** One flag allowed per business. Flag shall be anchored to the wall, deck, support post, or railing (if a support post is not available) of the building and shall not exceed 15 square feet in area or 20 feet in height.

C. Roadside Market Signs

- (1)** May be erected up to 30 days before the seasonal opening of the establishment, and shall be removed within 30 days of the seasonal closing.
- (2)** Sign area shall not exceed 32 square feet.
- (3)** Sign height shall not exceed ten feet.

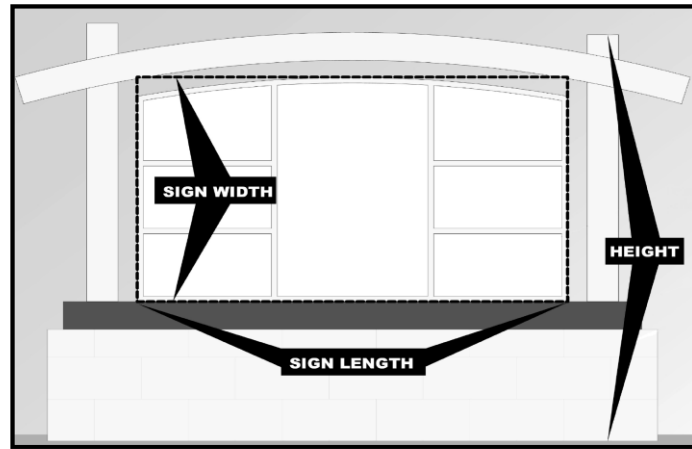
5.12.5. Determining Sign Number, Area, and Height

- A.** For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements organized information. When displayed in a random manner without an organized relationship of elements, each element shall be considered as a single sign.
- B.** A two-sided or multi-sided sign shall be regarded as one sign so long as:
 - (1)** With respect to V-type signs, the angle between the faces does not exceed 45 degrees.
 - (2)** With respect to double faced (back to back) signs, the distance between the backs of each face of the sign does not exceed three feet.
- C.** Sign area shall be determined by drawing the smallest geometric form to encompass the extreme limits of the writing, representation, emblem, color, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. Sign area shall not include any supporting framework, bracing, or decorative fence or

SECTION 5.12: SIGNAGE**Subsection 5.12.6: Specific Sign Standards**

wall when such fence or wall otherwise meets the UDO regulations and is clearly incidental to the display itself (see Figure 5.12.5, Sign Area).

Figure 5.12.5, Sign Area



- D.** Sign height shall be measured from the top of the highest component of the sign to the higher of: the natural grade or the street grade of the street to which the sign is oriented.

5.12.6. Specific Sign Standards

The following signs are permitted with a valid sign permit (see Section 2.4.10):

A. Freestanding Signs

Freestanding signs on properties with approved Agricultural, Commercial, or Industrial uses shall comply with the standards in Table 5.12.6.A, Freestanding Signs:

TABLE 5.12.6.A: FREESTANDING SIGNS [1]		
STANDARD	ON MAINLAND [2]	ON OUTER BANKS
Maximum Number	1 per frontage of 500 feet or less; Up to 2 for frontages over 500feet	1 per lot
Minimum Spacing	100 feet between signs serving same development or approved access points	
Maximum Area [3]	128 square feet for frontages of 160 feet or less; 160 square feet for frontages over 160 feet	48 square feet
Minimum Setback (from ROW)	10 feet for signs taller than 10 feet	
Maximum Height	20 feet	8 feet

NOTES:

[1] Freestanding signs shall be landscaped in accordance with Section 5.12.7

[2] Includes Knotts Island and Gibbs Woods

[3] Per individual sign

B. Institutional Signs

- (1)** Institutional signs located in Business and Mixed-Use Zoning districts shall comply with the standards of Table 5.12.6.A. Institutional signs located in Residential and Special Base Zoning districts shall be limited to one free standing

SECTION 5.12: SIGNAGE**Subsection 5.12.6: Specific Sign Standards**

on-premise sign not exceeding 48 square feet in area or 8 feet above natural grade.

- (2) Up to one off-premise directional sign (arrow type) with a maximum sign area of eight square feet and a maximum height of eight feet may be placed at an intersection within one mile of the property. These signs shall not be internally illuminated.

C. Message and Menu Board Signs

Message board signs shall comply with the following standards:

- (1) Electronically-controlled signs are prohibited in the Outer Banks.
- (2) No more than 50 percent of a sign's maximum area can be occupied by a message board, reader board, or electronically controlled message sign.
- (3) Except for time and temperature signs, the message shall remain stationary for at least five seconds.

Menu board signs shall comply with the following standards:

- (1) Up to 100 percent of a menu board sign's area can be electronically controlled.
- (2) Menu board signs shall be associated with an approved drive through lane.
- (3) Menu board signs shall not be used for additional advertisement to off-site views and shall be for the sole purpose of conveying menu information to patrons in the drive through lane.
- (4) Menu board signs shall have a maximum area of 60 square feet and shall not exceed 8 feet in height.

D. Off-Premise Directional Signs**(1) Applicability**

The standards in this section shall apply to tourist-oriented businesses or facilities located in an Agriculture, Business or Mixed-Use Zoning District adjoining the Currituck Sound, Atlantic Intracoastal Waterway, or within two miles of a major arterial street. Tourist oriented businesses include the following:

- (a) Amusement park;
- (b) Cultural center;
- (c) Facility tour location:
 - (i) Must conduct tours at least four times daily on a regularly scheduled year-round basis.
- (d) Historic Register structure or site:
 - (i) Must be open to the public at least three months out of the year.
- (e) Recreation area
- (f) Natural phenomenon
- (g) Zoological/Botanical park and farm; and,
- (h) Agricultural facility.

(2) Prohibited

SECTION 5.12: SIGNAGE**Subsection 5.12.6: Specific Sign Standards**

Except as provided in Section 5.12.3 Signs Exempt from Signage Regulations, and 5.12.4 Signs Exempted from Sign Permit Requirements, off-premise directional signs are prohibited for the following:

- (a) Commercial uses and properties located on the Outer Banks.
- (b) Commercial uses adjoining a major arterial street.

(3) Exemptions

Off-premise directional signs erected as a part of an NCDOT program located within the NCDOT right of way.

(4) General

- (a) Off-premise directional signs must be located on property within two miles of the intersection of a major arterial street and the collector street accessing the commercial use.
- (b) Off-premise directional signs must be located in an Agriculture, Business, or Mixed-Use Zoning District adjoining a major arterial street.
- (c) A maximum of one off-premise directional sign is permitted per business. A use lot shall have a maximum of one off-premise directional sign.
- (d) Off-premise directional signs shall not exceed 32 square feet in area and 15 feet in height.
- (e) An off-premise directional sign shall be allowed to display the name of the business only (no logo) and the direction in which it is located.
- (f) Off-premise directional signs shall not be located within the sight triangle or street right of way.
- (g) Off-premise directional signs shall not contain an electronic message board or be lighted in any manner.

E. Pennant, Streamer, and Banner Signs

- (1) Pennant, Streamer, and Banner signs are prohibited on the Outer Banks.
- (2) Pennant, Streamer, and Banner signs shall not be attached to a street sign or telephone pole and shall not encroach into the street right-of-way.
- (3) Pennant, Streamer, and Banner signs are only permitted for maximum of 30 days for each of the following events:
 - (a) Grand openings;
 - (b) Seasonal openings (for those businesses who are closed during one or more seasons); or
 - (c) Going out of business.

F. Shopping Center Signs

Signs associated with a shopping center shall comply with the requirements in Table 5.12.6.F, Shopping Center Signs:

TABLE 5.12.6.F: SHOPPING CENTER SIGNS [1]

STANDARD	ON MAINLAND [2]		OUTER BANKS
	Freestanding Signs	Freestanding Signs- Outparcels	Freestanding Signs
Maximum Number	1 per street frontage; up to 2 for frontages over 500 feet		
Minimum Spacing	100 feet between signs serving same development or approved access points		
Maximum Area [3]	3 to 10 establishments: 200 square feet; More than 10 establishments: 300 square feet	64 square feet	80 square feet; 24 square feet for secondary road frontages; 32 square feet for outparcels
Minimum Setback (from ROW)	10 feet for signs taller than 12 feet		
Maximum Height	25 feet	10 feet	12 feet Outparcel: 6 feet

NOTES:

[1] Shopping center signs shall be landscaped in accordance with Section 5.12.7

[2] Includes Knotts Island and Gibbs Woods

[3] Per individual sign

G. Special Event Signs

A special event sign is for identifying a special event, on or off premise, and may be approved as part of a temporary use permit (see Section 2.4.11), subject to the following standards:

- (1) Up to three signs, each with a maximum area of 32 square feet and a maximum height of six feet shall be allowed;
- (2) On the mainland, such signs may be erected up to 17 days before the event, and shall be removed within 8 days after the event;
- (3) On the Outer Banks, such signs may be erected up to seven days before the event and shall be removed within two days after the event.

H. Wall Signs

Wall signs shall comply with the following standards:

- (1) Wall signs shall be anchored directly to the wall, to the maximum extent practicable, and shall not be painted on a wall's surface.
- (2) Wall signs shall not project or be offset more than 12 inches from the wall it is mounted to.
- (3) Wall signs shall not extend above the roof line.
- (4) Wall signs shall be placed on a wall that is oriented toward a public street, public vehicular access, or public drive aisle leading to public parking or an entrance. In no instance shall a wall sign directly face adjacent a single-family dwelling located within a residential zoning district.
- (5) Maximum wall sign area shall be in accordance with Table 5.12.6.H, Wall Sign Area:

TABLE 5.12.6.H: WALL SIGN AREA

LOCATION	MAXIMUM SIGN AREA SIZE	
	SHOPPING CENTERS	ALL OTHER NONRESIDENTIAL USES
Mainland Currituck County, including Knotts Island and Gibbs Woods	20 percent of the wall area to which the sign is fastened, not to exceed 400 square feet	
Outer Banks	32 square feet per wall of a business or business unit; 54 square feet for businesses over 5,000 square feet in area	

I. Development Entrance Sign

Development Entrance Signs shall comply with the requirements in Table 5.12.6.I, Development Entrance Signs.

TABLE 5.12.6.I: DEVELOPMENT ENTRANCE SIGNS [1]

STANDARD	ON MAINLAND [2]	OUTER BANKS
Maximum Number	2 per entrance	1 per entrance
Maximum Area [3]	60 square feet	48 square feet
Minimum Setback (from ROW)	10 feet for signs taller than 10 feet	
Maximum Height	15 feet	6 feet

[1] Development entrance signs shall be landscaped in accordance with Section 5.12.7

[2] Includes Knotts Island and Gibbs Woods

[3] Per individual sign

5.12.7. Landscaping Standards

All freestanding and shopping center signs shall include landscaping that encompasses the entire base of the sign at a minimum rate of two square feet of landscape area per one square foot of sign area. Required landscaping shall contain an appropriate combination of shrubs and ground cover.

5.12.8. Maintenance Standards**A. Sign Permit Required**

- (1) Except as otherwise provided in this Ordinance, it shall be unlawful for any person to erect, construct, enlarge, move, illuminate, or replace any sign, without first having obtained a sign permit in accordance with Section 2.4.10.
- (2) No use shall arbitrarily attach a sign to the structure of a lawfully permitted sign without prior approval of a sign permit in accordance with Section 2.4.10.

B. Indemnification

All persons involved in the maintenance, installation, alteration, or relocation of any sign shall agree to hold harmless and indemnify Currituck County, its officers, agents, and employees against any and all claims of negligence resulting from such work.

C. Properly Secured

- (1) All signs shall be adequately secured to meet all applicable building code standards and shall be maintained in good structural condition.

SECTION 5.12: SIGNAGE**Subsection 5.12.8: Maintenance Standards**

- (2) All signs shall be adequately secured and stabilized to minimize the danger that either the sign or the supporting structure may be moved by the wind or other forces of nature and cause injury to persons or property.
- (3) Flags shall be attached to a singular pole or building and shall have no other means of support (i.e., be free-flying).

D. Illumination

- (1) Illuminated signs shall be designed, installed, and maintained in a manner that avoids glare or reflection on adjoining properties and does not interfere with traffic safety.
- (2) A sign shall not be erected that contains, employs, or utilizes lights or lighting which rotates, flashes, moves, or alternates.
- (3) Sign lighting shall not exceed 15 footcandles at any location on the property and shall not exceed 1.5 footcandles measured at ground level.
- (4) External sign lighting shall be full cut-off lens.
- (5) Internally illuminated signs (other than window signs) shall only locate on lots on the Mainland, Knotts Island, and Gibbs Woods.

E. Durable Materials

- (1) All signs shall present a professional appearance by being designed and constructed using material, lettering, and graphic standards commonly used in the sign industry. Hand crafted and lettered signs are not prohibited in their entirety, but are subject to removal if, in the opinion of the Director, the sign does not meet the spirit of this Ordinance.
- (2) Except for awnings, signs constructed with fabric, cardboard, or paper are prohibited.
- (3) Peeling or flaking paint, broken panels, missing letters, defective illumination, torn fabric, and other damage to a sign or sign structure shall be replaced or repaired. All signs and all components thereof, including without limitation supports, braces, and anchors, shall be kept in a state of good repair.
- (4) Flags that are shredded, torn, tattered, or frayed must be replaced or removed upon written notification from the Director.

F. Clearing of Vegetation

No person shall, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy, or remove any trees, shrubs, or other vegetation located:

- (1) Within the right-of-way of any public street or road, unless the work is done pursuant to the express written authorization of the NCDOT;
- (2) On land that is not under the ownership or control of the person doing or responsible for such work, unless the work is done pursuant to the express authorization of the person owning the property where such trees or shrubs are located; or
- (3) In any area where trees or shrubs are required to be preserved, subject to the standards in this Ordinance or a prior development approval.

- (4)** The area within ten feet in all directions of any part of a sign shall be kept clear of all debris.

G. Discontinuance

- (1)** A sign located on property of a closed establishment shall remove the sign copy within 30 days of the date of business closure. The sign shall be altered in such a way as to not detract from the overall appearance of the sign. Exposed lighting, such as occurs with the removal of a transparent panel, is not acceptable under any circumstance.
- (2)** If the message portion of a conforming sign is removed, leaving only the supporting "shell" of a sign or the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within 30 days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign.
- (3)** Signs unlawfully placed in any street right-of-way or on any public land, including signs affixed to street and traffic signs or public utility poles, may be removed by the Director without notice in accordance with Section 9.6.I.H, Removal of Signs from Street Right-of-Way.

5.13. INCENTIVES FOR SUSTAINABLE DEVELOPMENT PRACTICES

5.13.1. Purpose and Intent

In an effort to encourage sustainable development practices as a means of the protection of natural resources, and ensuring a high quality of life for future county residents, the UDO provides the following sustainable development practice incentives are provided.

5.13.2. Type of Incentives

- A.** Development integrating sustainable development practices in accordance with the provisions of this section shall be eligible for the following incentives:
 - (1)** An increase in the maximum allowable height by up to one story or ten feet beyond the maximum allowed in the base zoning district, with approval of the Fire Code Official;
 - (2)** A modification to the off-street parking requirements resulting in a reduction from the minimum requirements by 15 percent, or an increase to the maximum allowable number of spaces provided by 15 percent (without an alternative parking plan);
 - (3)** An increase in the maximum allowable sign area or maximum height for wall or freestanding signs by 10 percent; or
 - (4)** A reduction in the amount of required open space set-aside by 10 percent.
- B.** Development may include a sufficient number of sustainable development practices to take advantage of more than one type of incentive, but in no instance shall the amount of an incentive be increased or decreased (as appropriate) beyond the maximum listed in this sub-section.

5.13.3. Applicability

The incentives included in this section are available to new development in the MXR, business and mixed-use districts, and planned development districts, except that incentives related to residential building height shall be limited to uses only in the MXR, and VC districts.

5.13.4. Conflict with Community Compatibility Standards

In cases where bonuses in this section conflict with the community compatibility standards in Section 5.11, the community compatibility standards shall control.

5.13.5. Procedure

- A.** Development seeking to use incentives shall include a written request with the development application that demonstrates how compliance with the standards will be achieved.
- B.** Review for compliance with this section, and granting of requests in accordance with this section shall occur during review of a site plan (Section 2.4.7), planned development master plan (Section 2.4.5), special use permit (Section 2.4.6), or zoning compliance permit (Section 2.4.9), as appropriate. The decision-making body responsible for review

of the development application shall also be responsible for the review of sustainable development incentive request.

- C.** The incentive shall be based on the number of sustainable development practices provided, in accordance with Table 5.13.A, Sustainable Development Practice Incentives, and Section 5.13.G, Menu of Sustainable Development Practices. To obtain the right to a particular incentive, development shall provide the minimum number associated of sustainable development practices from both schedule A and schedule B in the table.

TABLE 5.13.A: SUSTAINABLE DEVELOPMENT PRACTICE INCENTIVES

TYPE OF INCENTIVE	MINIMUM NUMBER OF SUSTAINABLE DEVELOPMENT PRACTICES PROVIDED	
	FROM SCHEDULE A	FROM SCHEDULE B
An increase in the maximum allowable height by up to one story or ten feet beyond the maximum allowed in the base zoning district	2	3
A reduction from the minimum parking space requirements by 15 percent, or an increase to the maximum allowable number of parking spaces provided by 15 percent	2	2
An increase in the maximum allowable sign area or maximum height for wall or freestanding signs by 10 percent	1	3
A reduction in the amount of required open space set-aside by 10 percent	1	2

5.13.6. Menu of Sustainable Development Practices

One or more of the sustainable development practices in Table 5.13.B, Sustainable Development Practices, may be offered by an applicant for proposed development in accordance with Table 5.13.A, Sustainable Development Practice Incentives.

TABLE 5.13.B: SUSTAINABLE DEVELOPMENT PRACTICES

SCHEDULE	TYPE OF PRACTICE	DOCUMENTATION OF COMPLIANCE
ENERGY CONSERVATION		
A	Inclusion of solar photovoltaic panels or small wind energy facilities	Indication on site plan
A	Use of central air conditioners that are Energy Star qualified	Provision of manufacturer's certification statement
A	Use of only solar or tankless water heating systems throughout the structure	Inclusion on construction drawings
A	Use of a white roof or roofing materials with minimum reflectivity rating of 60 percent or more	Provision of materials sample and manufacturer's certification statement (statement not required for white roofs)
B	Provision of skylights in an amount necessary to ensure natural lighting is provided to at least 15 percent of the habitable rooms in the structure	Indication on site plans
B	Roof eaves or overhangs of three feet or more on southern or western elevations	Indication on site plans

TABLE 5.13.B: SUSTAINABLE DEVELOPMENT PRACTICES

SCHEDULE	TYPE OF PRACTICE	DOCUMENTATION OF COMPLIANCE
B	Structure design that can accommodate the installation and operation of solar photovoltaic panels or solar thermal heating devices (including appropriate wiring and water transport systems)	Inclusion on construction drawings
B	Inclusion of shade features (e.g., awnings, louvers, shutters, etc.) to shade all windows and doors on the southern building facade	Indication on site plan
B	Configuration of new buildings with one axis at least 1.5 times longer than the other, and the long axis oriented in an east-west configuration for solar access	Indication on site plan
LEED CERTIFICATION		
AAA [2]	Construction of the principal structure to meet or exceed LEED Platinum certification standards	Provision of Green Building Certification Institute's verification of project compliance (may be provided within one year following occupancy)
AA [2]	Construction of the principal structure to meet or exceed LEED Gold certification standards	
BBB	Construction of the principal structure to meet or exceed LEED Silver certification standards	
BB	Construction of the principal structure to meet or exceed LEED Bronze certification standards	
WATER CONSERVATION AND QUALITY PROTECTION		
AA [1]	Configuration of the principal structure's roof so that at least 50 percent of the roof is a "green" roof intended to capture and hold rain water	Indication on site plan
A	Inclusion of rain water capture and re-use devices such as cisterns, rain filters, and underground storage basins with a minimum storage capacity of 500 gallons	Inclusion on construction drawings
A	Provision of rain gardens or other appropriate stormwater infiltration system(s) of at least 500 square feet in area	Indication on site plan
A	Provision of open space set-asides at a rate 200 percent or more beyond the minimum required	
B	Provision of rain gardens or other appropriate stormwater infiltration BMP systems of at least 100 square feet in area	
B	Removal of all lawn or turf in favor of living ground cover or mulch	
B	Use of xeriscape landscaping techniques without irrigation	
B	Provision of 150-foot undisturbed buffers adjacent to/surrounding all wetlands or surface waters	
B	Use of permeable surfacing on 50 percent or more of the vehicular use area	
BUILDING CONFIGURATION		
A	Construction of principle structure in accordance with Barrier Free Design Standards (ANSI A117.1)	Inclusion on construction drawings
A	Construction of the principal structure to a design wind speed standard of 150 mph	Signed attestation from a qualified NC licensed engineer
A	Inclusion of underground parking or parking structures sufficient to accommodate 51 percent or more of the off-street parking requirements	Indication on site plan
B	Provision of on-site transit facilities (e.g., designated park-and-ride parking spaces, bus shelters, or similar features)	
B	Inclusion of showering and dressing facilities in nonresidential developments for employees using alternative forms of transportation	Inclusion on construction drawings
B	Provision of at least one enclosed recycling station per building suitable for storage and collection of recyclable generated on-site	Indication on site plan

NOTES:

[1] Credited as provision of three schedule "A" features

[2] Credited as provision of two schedule "A" features

5.13.7. Failure to Install or Maintain Sustainable Development Practices

The failure to install or maintain approved sustainable development practices is a violation of this Ordinance, shall render the subject development nonconforming, and may result in revocation of the authorization for use of sustainable development practice incentives.

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