



ADVISORY PLAN COMMISSION STAFF REPORT

Application No:	2024-APC-10
Meeting Date:	February 27, 2024
Subject:	8.12 Parking Standards, Subsection 3 Surfacing & Drainage
Action Requested:	The Plan Commission wishes to amend the Town of Pittsboro Unified Development Ordinance to allow residential driveways established before July 13, 2004 to remain as gravel if the driveway is extended.
Petitioner:	Town of Pittsboro Advisory Plan Commission
Location:	Not Applicable
Parcel Size:	Not Applicable
Existing Zoning:	Not Applicable
Recommendation:	Approve
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Procedure

Proposed zoning text amendments (rezones) are considered by the Plan Commission and ultimately approved or rejected by the Town Council. Before making a recommendation to the Town Council, the Plan Commission must hold a publicly advertised hearing. The public hearing is advertised in The Republican one time, at least 10 days before the hearing. After the Plan Commission conducts the hearing and makes a recommendation, the proposed zoning text amendment is certified to the Town Council. The Town Council has 90 days to hear the text amendment. If the Town Council approves the proposal, it immediately becomes effective. If the Town Council fails to act on the proposal within 90 days after certification, the text amendment takes effect as if it has been adopted ninety days after certification. If the Town Council rejects the proposal or makes an amendment to the proposal, then it shall be returned to the Plan Commission for its consideration, with a written statement of the reasons for the rejection or amendment. The Plan Commission has 45 days to approve the amendment or reject the amendment. If the Plan Commission approve the amendment it becomes law. If the Plan Commission fails to act within 45 days, the ordinance stands as passed by the Town Council. If the Plan Commission disproves the rejection or amendments by the Town Council, the action of the Town Council on the original rejection or amendment stands only if confirmed by another vote of the Town Council within 45 days after the Plan Commission certifies its disapproval.

Background

The Town Planner drafted amendments to the UDO per direction of the Plan Commission from their January 23, 2024 Plan Commission Meeting. The Plan Commission held a workshop on February 8, 2024 to discuss each amendment and provide further direction to the Town Planner. Drafts of the amendments were published for review on February 20, 2024.

Correspondence

As of the writing of this staff report, staff hasn't received any comments from the public.

Summary

Technical Advisory Committee: Not Applicable

Waivers: None.

Secondary Plat Standards: Not Applicable.

Zoning District Standards: Not Applicable.

Attachments

1. Draft Amendments

Recommendation

Staff recommends that the Plan Commission forward a favorable recommendation to the Town Council to allow residential driveways established before July 13, 2004 to remain as gravel if the driveway is extended.

Motions

1. Motion to forward a favorable recommendation to the Pittsboro Town Council to allow residential driveways established before July 13, 2004 to remain as gravel if the driveway is extended..
2. Motion to forward an unfavorable recommendation to the Pittsboro Town Council to allow residential driveways established before July 13, 2004 to remain as gravel if the driveway is extended.
3. Motion to continue UDO Amendments 2024-APC-10 to the to the March 26, 2024 Advisory Plan Commission Meeting.

8.12 PARKING STANDARDS

I. DEVELOPMENT STANDARDS

All off-street parking areas shall be developed in accordance with the standards of this Section, except in the case of agricultural uses.

3. SURFACING & DRAINAGE

- a. In all districts, all open, off street parking and driveway areas shall be surfaced with an all-weather, dust free concrete, asphalt, brick paver, or the like as approved by the administrator, capable of carrying a wheel load of four thousand (4,000) pounds, and shall be maintained in good condition and free of weeds, dirt, trash and debris; except that, a gravel surface may be used for a period not exceeding one year after the date of granting the Certificate of Occupancy where ground conditions are not immediately suitable for permanent surfacing as specified above.
- b. Residential driveways established before July 13, 2004 are excluded from the paved surface requirement in 8.12.(1)(3)(a). If an existing residential drive is extended, and it was established before the aforementioned date and is extended, the extension may be comprised of gravel.
- c. A gravel surface in the area of storage or handling may be used permanently in association with industries that handle liquids or chemicals which create a potential hazard if containment should be lost and where absorption into the ground through a loose surface material would eliminate or alleviate such hazard.
- d. Such parking areas shall be graded and properly drained in such a manner that there will be no free flow of water onto either adjacent property or public sidewalks. Further, any additional run off generated by such improved areas shall be disposed of in appropriate drainage facilities.
- e. In any parking area, the surface shall be painted, marked, or otherwise delineated so that each parking space is readily apparent.

8.12 PARKING STANDARDS

~~A. INTENT~~

~~The regulations of this Section are designed to alleviate or prevent congestion of the public streets by establishing minimum requirements for on-site storage of motor vehicles, in accordance with the use for which the property is occupied.~~

~~B. SCOPE~~

- ~~1. Accessory off street parking and loading facilities shall be provided and maintained in accordance with the provisions of this Section for all buildings, structures or premises used in whole or in part for purposes permitted by this Ordinance.~~
- ~~2. When the intensity of use of any building, structure or premises shall be increased through the addition of dwelling units, floor area, beds, seating capacity, or other unit of measurement, parking and loading facilities as required herein shall be provided for such increase in intensity of use.~~
- ~~3. For any non-conforming use which is hereafter damaged or partially destroyed, and which is lawfully reconstructed, re-established, or repaired, off street parking and loading facilities equivalent to those maintained at the time of such damage or partial destruction shall be restored and continued in operation; provided, however, in no case shall it be necessary to restore or maintain parking or loading facilities in excess of those required by this Ordinance for equivalent new uses.~~
- ~~4. Whenever the existing use of a building, structure or premises shall hereafter be changed or converted to a new use permitted by this Ordinance, parking and loading facilities shall be provided as required for such new use.~~
- ~~5. Accessory off street parking or loading facilities in existence at the time of the effective date of this Section shall not hereafter be reduced below, or if already less than, shall not be further reduced below the requirements for a similar new use under the provisions of this Ordinance.~~
- ~~6. Nothing in this Ordinance shall be deemed to prevent the voluntary establishment of accessory off street parking or loading facilities to serve any existing use of land or buildings, provided that all regulations herein governing the location, design, and operation of such facilities are adhered to.~~
- ~~7. Accessory off street parking and loading facilities provided to comply with the provisions of this Ordinance shall not subsequently be reduced below the requirements of this Ordinance.~~

~~C. GENERAL PROVISIONS~~

- ~~1.—Accessory off-street parking and loading spaces shall be provided on the same lot as the use served, except as otherwise provided in this Ordinance, and may be situated as one or more individual areas.~~
- ~~2.—Any building, structure or use of land, when erected or enlarged, shall provide for off-street parking spaces for automobiles in accordance with the following provisions and Table 8.7. A parking plan shall be required for all uses except single and two family dwellings.~~
- ~~3.—Accessory off-street parking facilities required herein shall be utilized solely for the parking of passenger automobiles or light trucks of less than one (1) ton capacity, belonging to patrons, occupants or employees of specified uses. Said parking facilities shall not be used for the storage, display, sale, repair, dismantling or wrecking of any vehicle, equipment or material, unless such facilities are enclosed in a building and otherwise permitted in the district.~~
- ~~4.—No business signs or advertisements shall be permitted in parking areas, provided, however, directional and identification signs shall be permitted in accordance with Section 8.15.~~
- ~~5.—In the OTBD District, accessory off-street parking areas shall be permitted within the required front yard, provided that no parking area is located within the right-of-way, and provided that all applicable requirements for screening and greenbelts are met.~~

~~D.—DETERMINING THE NUMBER OF SPACES REQUIRED——~~

- ~~1.—In determining the minimum required number of off-street parking or loading spaces, the following instructions shall be applicable in such computations:

 - ~~a.—If the unit of measurement is any fraction of the unit specified in relation to the number of spaces to be provided, said fraction shall be considered as being the next unit and shall be counted as requiring one space.~~~~
- ~~2.—In sports arenas, churches and other places of assembly in which patrons occupy benches, pews or other similar seating facilities, each twenty two (22) inches of such seating shall be counted as one (1) seat for the purpose of determining requirements hereunder.~~

~~E.—REDUCED PARKING RATIOS IN THE OTBD DISTRICT.~~

~~In order to accommodate the unique built environment of the downtown area covered by the OTBD District, required parking areas in this district shall be one half (1/2) of those required in the Table 8.7 (Schedule of Parking Standards).~~

- ~~1.—Accessory off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided is not less than the sum of the separate~~

requirements for each such use, and provided that all regulations governing location of accessory parking spaces, in relation to the use served, are adhered to. Further, no parking space or portion thereof shall serve as a required space for more than one use unless otherwise authorized by the Board or Zoning Appeals.

2. ~~Required off-street loading and unloading spaces shall not be construed as being part of the required off-street parking spaces.~~
3. ~~No part of any alley shall be used to meet the minimum parking requirements of this Ordinance.~~
4. ~~For purposes of determining off-street parking requirements under this subsection, gross floor area shall mean the total horizontal areas of the one or several floors of the building or portion thereof devoted to a particular use, including accessory storage areas located within selling or working space such as counters, racks, or closets and any basement floor area devoted to retailing activities, to the production or processing of goods or to offices; provided, however, gross floor area shall not include that area devoted entirely and permanently to storage purposes, parking and loading facilities, or space used for restrooms, utilities, stairwells or elevator shafts.~~
5. ~~Off-street parking shall be provided according to the ratios set forth in Table 8.7: Schedule of Parking Standards.~~
6. ~~Every company car, truck, tractor or trailer normally stored at a business site shall be provided with an off-street parking space. Such space shall be in addition to the parking requirements listed in Table 8.7: Schedule of Parking Standards.~~
7. ~~For uses not specified in this Section, or in such instance when the requirement for an adequate number of spaces is unclear or not specified in another part of this Ordinance, the number of parking spaces shall be determined by the Administrator on the basis of similar requirement, the number of persons served or employed, and the capability of adequately serving the visiting public. Such determination may be appealed to the Board of Zoning Appeals.~~
8. ~~In case of conflict between the provisions of this Section, the higher requirement shall govern.~~

~~F. DRIVE THROUGH STACKING~~

~~Drive through establishments shall provide stacking space for the queuing of vehicles awaiting use of drive-through windows. Each stacking space must be twelve (12) feet long, and each lane of stacking spaces must be at least nine (9) feet wide. Lane widths should be delineated with pavement markings. However, individual spaces within the lane need not be marked. Table 8.7:~~

Schedule of Parking Standards denotes the number of stacking spaces required for common drive-through uses. Any drive-through use not listed shall be required to provide at least four (4) stacking spaces per drive-through window. Stacking spaces must be in addition to the required parking spaces and must not be located within a required driveway, internal circulation system, or parking aisle.

~~G. PARKING SPACES ACCESSIBLE TO THE DISABLED~~

The Town of Pittsboro encourages all development within the Town which serves the public to provide facilities which are accessible to people with disabilities as defined by the Americans with Disabilities Act (ADA) of 1990. In accordance with this goal, accessible parking shall be provided by any building or use initiated after the effective date of this Ordinance according to the minimum requirements established and adopted by federal, state, or local law.

~~H. OFF-SITE AND SHARED PARKING~~

- ~~1. Off-Site Parking. Off-site parking may be allowed on another lot that is within five hundred (500) feet of the lot occupied by the use(s) for which it is required. A formal easement, in perpetuity, between property owners shall be provided prior to Development Plan approval. The agreement shall be recorded with the property.~~
- ~~2. Shared Parking. Shared parking may be allowed between two (2) or more lots that share property lines.

 - ~~a. Uses with Similar Business Hours. The total of such offstreet parking spaces supplied collectively for multiple uses with similar business hours, where all uses are located within a shopping center or a retail/office/business park subdivision, may be less than the sum of the requirements for the various uses computed separately. In no case shall the sum of the requirements for the various uses be reduced by more than fifteen percent (15%) of the required parking for uses when computed separately as determined by the Administrator.~~
 - ~~b. Uses with Dissimilar Business Hours. Churches, civic clubs, auditoriums, lodge halls, banquet halls, movie theaters, and stadiums may make arrangements with existing business establishments which normally have different hours of operation for sharing up to fifty percent (50%) of their required parking spaces; provided however, where there is a sharing of facilities by different owners or tenants, there shall be a formal easement, in perpetuity, approved by the Plan Commission. In addition, should any of the uses having such an agreement after passage of this Ordinance be changed or facilities discontinued, then the required spaces for the use or uses remaining shall be provided elsewhere as a condition precedent to the continued use of the building or buildings.~~~~

~~The approved agreement shall be recorded with the property by the Hendricks County Recorder.~~

~~3.—Approval Requirements. All off-site and shared parking space arrangements are subject to the approval of the Administrator. Approvals shall be based on the determination that the use of off-site and/or shared parking will not provide hardships for pedestrians, will not result in potentiality hazardous traffic conditions, and will provide an adequate number of parking spaces for the uses involved. The parking needs of possible future uses of the property shall also be considered by the Administrator.——~~

I. DEVELOPMENT STANDARDS

All off-street parking areas shall be developed in accordance with the standards of this Section, except in the case of agricultural uses.

1.—DIMENSIONS

~~Minimum parking space dimensions shall be provided in accordance with Table 8.6, exclusive of access drives or aisles, ramps, columns. Such space shall have adequate vertical clearance.~~

~~Except on lots occupied by one and two family dwellings, each off-street parking space shall open directly upon an aisle or driveway designed in accordance with Table 8.6, so as to provide safe and efficient means of vehicular access to such parking space. Such aisle or driveway shall be unobstructed and allow for the passage of emergency vehicles at all times.~~

TABLE 8.6 MINIMUM SPACE AND AISLE DIMENSIONS OF PARKING SPACES

Parking Angle* (in degrees)	Space Width	Space Depth	Aisle Width (in feet)
Parallel	8'	22'	12' (one way)
Right Angle	9'	18'	24' (two way)
60° angle	9'	18'	18' (one way)
45° angle	9'	18'	18' (one way)
Small Car*	9'	15'	24' (two way)

The length for measuring the depth of a parking space shall be measured at right angles to the edge of the useable parking forming the angles, exclusive of aisles.

*Note: Spaces exclusive for compact or subcompact cars may be used only if specifically designated "For Small Cars Only." A maximum of twenty five percent (25%) of a parking area may be designated for small cars.

2.—LAYOUT & DESIGN

- a.—All off street parking or loading facilities shall be designed with appropriate means of vehicular access to a street or alleys in a manner which will least interfere with traffic movement.
- b.—Driveway entrances or exits shall be no closer than twenty five (25) feet to an adjoining residential property line or ten (10) feet to an adjoining non-residential property line, or designed in such a manner as to least interfere with traffic movement. No driveway across public property at the right of way line of the street shall exceed a width of thirty (30) feet; provided, however, two driveways not exceeding thirty (30) feet in width each may constitute a single entrance exit divider designed driveway, provided further, that such driveways shall conform to the specifications found in the most recently adopted version of the Design and Construction Standards of the Town of Pittsboro.
- c.—Required off-street parking spaces shall be so designed, arranged and regulated so that:
 - i.—Such parking areas are lined or designated to insure the most efficient use of the parking spaces
 - ii.—Parking in all nonresidential districts shall be provided with curbing, wheel stops, or other devices to prevent motor vehicles from being parked or driven within required setback areas or onto required landscaped open space.
 - iii.—Individual spaces are located so that no part of the parked vehicle will extend beyond the boundary of the established parking area into any minimum required yard or onto adjoining property.
 - iv.—Parking spaces are unobstructed and have access to an aisle or driveway so that any automobile may be moved without moving another, and so that no maneuvering directly incidental to entering or leaving a parking space shall be on any public right of way or walkway.
 - v.—All paved portions of all parking spaces and maneuvering aisles shall be set back a minimum of five (5) feet from any wall of a building.

- ~~d. Off-street parking spaces may be open to the sky or enclosed in a building. In any instance, when a building is constructed or used for parking facilities on the lot, said building shall be treated as any major structure and subject to all requirements thereof.~~
- ~~e. Parking areas may be provided with a one-story shelter building or guard building which shall not exceed one hundred (100) square feet of gross floor area and shall conform to all the structural requirements of the District.~~
- ~~f. All parking lots abutting residential uses or Districts, and all parking lots in any district containing more than fifteen (15) spaces shall be subject to the landscaping and screening requirements for such parking lots as set forth in Section 8.11.~~
- ~~g. All parking areas shall provide means of pedestrian circulation to the use and between the use and the street.~~
- ~~h. Any lighting facilities used to illuminate off-street parking areas shall be so located, shielded and directed upon the parking area in such a manner that they do not reflect or cause glare onto adjacent properties or interfere with street traffic. In no instance shall bare unshaded bulbs be used for such illumination.~~

3. SURFACING & DRAINAGE

- a. In all districts, all open, off street parking and driveway areas shall be surfaced with an [impervious](#) all-weather, dust free concrete, asphalt, brick paver, or the like as approved by the administrator, capable of carrying a wheel load of four thousand (4,000) pounds, and shall be maintained in good condition and free of weeds, dirt, trash and debris; except that, a gravel surface may be used for a period not exceeding one year after the date of granting the Certificate of Occupancy where ground conditions are not immediately suitable for permanent surfacing as specified above.
- b. [Residential Driveways](#) ~~located~~ established before July 13, 2004 are excluded from the paved surface requirement in 8.12.(1)(3)(a). If an existing drive is extended, and it was established before the aforementioned date and is extended, the extension may be comprised of gravel. ~~If established after July 13, 2004, then the drive shall be paved. Brick pavers or other decorative pavements may be used as accents in parking area design. Poured in-place concrete curbs shall be used.~~
- c. A gravel surface in the area of storage or handling may be used permanently in association with industries that handle liquids or chemicals which create a potential hazard if containment should be lost and where absorption into the ground through a loose surface material would eliminate or alleviate such hazard.
- d. Such parking areas shall be graded and properly drained in such a manner that there will be no free flow of water onto either adjacent property or public sidewalks. Further, any

additional run off generated by such improved areas shall be disposed of in appropriate drainage facilities.

- e. In any parking area, the surface shall be painted, marked, or otherwise delineated so that each parking space is readily apparent.