BOARD OF ZONING APPEALS
Agenda
Cape Charles Civic Center - 500 Tazewell Avenue
June 15, 2016
10:00 A.M.

1. Call to Order; Roll Call

2. Public Hearing

A. Hear public comment on proposed variance
B. Close public hearing

3. Invocation and Pledge of Allegiance

4. Public Comments

4. Consent Agenda

A. Approval of Agenda Format
B. Approval of Minutes of September 9, 2015 Meeting

5. New Business

A. Variance application – Lot 83A3-A-7 parcel A parking standard relief

6. Adjourn

DRAFT

Board of Zoning Appeals

Public Hearing & Meeting

Cape Charles Civic Center
September 9, 2015
10:00 a.m.

At approximately 10:00 a.m. in the Cape Charles Civic Center, Board Member Pete Baumann called to order the Board of Zoning Appeals Public Hearing and Meeting. In attendance were Board members Diane D'Amico and Bill Murphy. Jay Wiegner and Gene Kelly were not in attendance. Also present were Town Planner Larry DiRe, Assistant Town Clerk Amanda Hurley and applicants of 309 Jefferson Avenue John Hanson and Carol Selby. There were no members of the public in attendance.

Pete Baumann led the Board in the recitation of the Pledge of Allegiance.

PUBLIC COMMENTS

Gene Kelly, Tazewell Avenue

Assistant Town Clerk Amanda Hurley read the comments submitted by Mr. Gene Kelly. (Please see attached.)

There were no other public comments to be heard.

CONSENT AGENDA

Motion made by Bill Murphy, seconded by Diane D'Amico to accept the agenda format as presented. The motion was approved by unanimous consent.

The Board reviewed the minutes from the August 5, 2015 Public Hearing and Meeting.

Motion made by Diane D'Amico, seconded by Bill Murphy, to approve the minutes from the August 5, 2015 Public Hearing and Meeting as presented. The motion was approved by unanimous consent.

NEW BUSINESS

A. *Variance Application – 309 Jefferson Avenue*

The Board discussed the letter and comments from Attorney Michael Sterling of Vandeventer Black LLP. Mr. Sterling stated that "there is a reasonable basis of discretion to determine either that the "character" of the use has been continued or impermissibly changed. The issues for consideration include whether: (i) there is special provision for barber shops or beauty parlors in the ordinance; (ii) a commercial barber shop, retail sale or restaurant establishment would be a permissible use under the same zoning classification under the ordinance; (iii) both uses are licensed by a regulatory body; (iv) the proposed use as a combined "retail sales" and "restaurant" establishment would be more restrictive than a "commercial use" pursuant to the definitions in the ordinance; (v) any change in the level of anticipated consumer and vehicle traffic, trash removal, deliveries, noise or other activity at the property; and, (vi) any detrimental effect upon the purposes and policies the zoning ordinance was designed to promote."

There was much discussion regarding the character of the use of the building, more or less restrictive and the reasonableness test. The Board questioned whether the application was an appeal or a variance and Bill Murphy stated that it was more of a continuation allowance.

Diane D'Amico expressed her concern regarding placing conditions or restrictions on the property and what would happen if the property was sold within the two years of the continued nonconforming use and whether or not the approval would set a precedent. Diane D'Amico commented that the lot without a building on it was not included in the application and it was an expansion of use because it would be turned into a parking lot. It was assumed that in the past, the lot had been used for parking unofficially. Diane D'Amico also expressed her concern regarding increased litter on the street and noise.

Motion made by Bill Murphy, seconded by Pete Baumann, to approve the application for 309 Jefferson Avenue as proposed.

After further discussion, Bill Murphy amended his motion to approve the application for 309 Jefferson Avenue for both lots with the conditions that the applicants take provisions to maintain the appearance of the property and make an effort to curtail litter and noise in the area. The motion died for lack of a second.

Diane D'Amico questioned whether the term "Restaurant" which was used to describe the use was too restrictive and needed to be changed and Larry DiRe stated that the attorney used the terms "Retail/Vendor".

Motion made by Pete Baumann, seconded by Bill Murphy, to approve the application for 309 Jefferson Avenue for both lots with the conditions that the applicants take provisions to maintain the appearance of the property, make an effort to curtail litter and noise in the area and change the proposed use from Restaurant to Retail/Vendor. The motion was approved by majority vote with Diane D'Amico opposed.

Motion made by Pete Baumann, seconded by Bill Murphy, to adjourn the Board of Zoning Appeals Meeting. The motion was approved by unanimous consent.

_____
Board Member Pete Baumann

_____
Assistant Town Clerk

DRAFT

September 9, 2015

Variance 309 Jefferson Avenue

Unfortunately I am unable to attend. I am filling in for an employee who is out of the country. I have read the appeal and at first glance saw nothing negative regarding the physical reconstruction of the building. The concerns raised by Mr. Storey and Ms. Stratton are valid in my judgement, however. The original use as a Barber Shop, although non -conforming to a residential classification, presented less of a problem. Hours of operation and volume of customers at the location should increase due to the nature of the proposed business. Is this in keeping in a residential zone? That is my primary concern. There is also the potential for litter problems and possible noise issues.

The usage criteria is somewhat vague in this report. Is there to be any seating or counter area inside or will customers just purchase food items for take out. The other possibility for a business of this nature is the application for an ABC take out license. I know that has not been mentioned, but the other business on Mason has one. This would be a factor that would make me even more opposed. As I view this application at this point I am inclined to vote against it.

Gene Kelly

Board of Zoning Appeals Staff Report

From: Larry DiRe

Date: June 15, 2016

Item: 5A - Variance Application – Lot 83A3-A-7 parcel A (southside 200 block of Mason Avenue\old Be-Lo Supermarket site)

Attachments: Application with narrative, survey plat\site plan, general vicinity lot map and drawings; Article IV Section 4.5.

Background

This lot is in the Harbor District Mixed Use zoning district. In April 2014 several variances were awarded to this applicant for the phase one mixed used development at this lot. Those variances run with the property, but the parking variance (forty spaces for phase one), may not be appropriate for this phase of development.

Application Specifics

The applicant is seeking relief from a strict application of the off-street parking requirements found in the section below. Prior to any construction permit applications, a project area site plan is required. One item required on that site plan is off-street parking in conformity with the parking standards. Those standards are based on the number of bedrooms for residential units and "nature of use" for commercial. At this time the applicant cannot provide information on the specific "nature of use" for the planned commercial units. Instead the applicant is requesting a flat total of thirty-seven spaces to accommodate both the residential and commercial units of the proposed mixed use development. The applicant is seeking relief from the requirements of Article IV Section 4.5.1. That section states the following:

*"**Section 4.5.1 Table of Parking Standards"***

Nature of Use Parking Standards
A. Park and Open Space:
1. Park and playground as determined by authority
2. Golf course 36.0 spaces per 18-hole course plus 1 space per employee
3. Accessory building as determined by authority

B. Agricultural
1. Agricultural, as defined 1.0 space per employee

C. Residential
1. Single-family dwelling 2.0 spaces per dwelling unit
2. Two-family dwelling 2.0 spaces per dwelling unit
3. Townhouse 2.0 spaces per dwelling unit
4. Multi-family dwelling 1.0 space per one bedroom dwelling unit; otherwise 2.0 spaces per dwelling unit

5. Mobile home 2.0 spaces per dwelling unit

D. Care Facility/Institutional
1. Library 1.0 space per 300 sf GFA
(Gross Floor Area)
2. Museum 1.0 space per 300 sf GFA
3. School
a. Nursery 1.0 space per employee
b. Elementary 1.0 space per employee
c. Middle 1.0 space per employee
d. Junior 1.0 space per employee
e. Other .25 space per student plus 1.0 space per employee
4. Instructional school .5 space per student plus 1.0 space per employee
5. Church
a. Parish house; Educational/
Social annex .25 space per seat
b. Place of Worship .25 space per seat
6. Hospital 2.0 spaces per bed
7. Cemetery 20 spaces per chapel or .25 space per seat
8. Funeral home 20 spaces per chapel or .25 space per seat, whichever is greater

E. Residential/Commercial
1. Home occupation see Section 4.8.C Residential Standards
2. Bed and breakfast 1.0 space per bedroom plus 1.0 space per owner/resident (see Section 3.2.C 4 c)
3. Rooming house 1.0 space per bedroom plus 1.0 space per employee
4. Boarding house 1.0 space per bedroom plus 1.0 space per employee
5. Hotel and motel 1.0 space per bedroom plus 1.0 space per employee

F. Offices
1. Office
a. Professional 1.0 space per 300 sf GFA
b. Other 1.0 space per 300 sf GFA
2. Principal Office/Medical
a. Physician 1.0 space per 200 sf GFA
b. Surgeon 1.0 space per 200 sf GFA
c. Dentist 1.0 space per 200 sf GFA
3. Bank
a. Standard 1.0 space per 200 sf GFA
b. Drive-in 1.0 space per 200 sf GFA (stacking as per Section 4.5.B)
4. Real estate 1.0 space per 250 sf GFA

G. Retail 1.0 space per 200 sf GFA

H. Restaurant
1. Standard (no drive in) 1.0 space per 100 sf GFA
2. Carry out 1.0 space per 100 sf GFA
3. Fast food (no drive in) 1.0 space per 100 sf GFA
4. Drive in 1.0 space per 65 sf GFA
5. Delivery only/catering 1.0 space per employee and 1.0 space per each delivery vehicle

I. Service/General 1.0 space per 275 sf GFA

J. Entertainment
1. Private club 1.0 space per 3 seats
2. Club and lodge 1.0 space per 3 seats
3. Auditorium/assembly hall 1.0 space per 3 seats
4. Theater 1.0 space per 3 seats
5. Commercial recreation/entertainment 1.0 space per 3 seats
6. Recreation facility 1.0 space per 3 seats

K. Service/Manufacturing
1. Sign printing shop 1.0 space per 400 sf GFA
2. Upholstery shop 1.0 space per 400 sf GFA
3. Cabinet and furniture 1.0 space per 400 sf GFA
4. Printing/publishing 1.0 space per 400 sf GFA
5. Blacksmith shop 1.0 space per 400 sf GFA

L. Motor Vehicles
1. Convenience store 1.0 space per 200 sf GFA
2. Auto service station 2.0 spaces per service island plus 1.0 space per employee
3. Car wash 3.0 spaces per washing bay
4. Auto/trailer sales 3.0 spaces per employee
5. Automobile service 1.0 spaces per employee plus
4.0 spaces per bay

M. Wholesale
1. Nursery 1.0 space per 400 sf GFA
2. Machinery
a. Sales 1.0 space per 500 sf GFA
b. Service 3.0 spaces per service bay plus 2
N. Utilities
1. Transportation 1.0 space per 200 sf GFA
2. Public utilities and service 2.0 spaces per employee
3. Public utility generating, booster, or 1.0 space per 1,500 sf GFA plus relay stations, transmission lines and 1.0 space per employee tower, for maintenance of public utilities, including railroads and facilities and water and sewerage facilities

O. Storage:
1. Monumental stone works 1.0 space per 1,500 sf GFA
2. Coal, wood yards, lumber yards, 1.0 space per 1,500 sf GFA feed and seed
3. Frozen food locker 1.0 space per 1,500 sf GFA

P. Manufacturing
1. Manufacturing 1.0 space per 500 sf GFA

Variance Criteria

Section 2.9 of the Zoning Ordinance states the following definition of variance:

"the permission to depart from the literal requirements of this zoning ordinance. A variance is a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of this ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, size of structure, or size of yards and open spaces. Establishments or expansions of a use otherwise prohibited shall not be allowed by a variance, nor shall a variance be granted because of the presence (or existence) of non-conformities in the zoning district or adjoining districts."

Section 2.6.2 B of the Zoning Ordinance states the following guidance in determining the basis for variance:

"When a property owner can show that his property was acquired in good faith and where by reason of the exceptional narrowness, shallowness, size, or shape of specific piece of property at the time of the adoption of this ordinance, or where by reason of exceptional topographical conditions or other extraordinary situation or condition of such piece of property, or of the condition, situation, or development of property immediately adjacent thereto, the strict application of the terms of this ordinance would effectively prohibit or unreasonably restrict the utilization of the property or where the board is satisfied, upon the evidence heard by it, that the granting of such variance will alleviate a clearly demonstrated hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant. All variances shall be in harmony with the intended spirit and purpose of the ordinance."

Section 2.6.2 B of the Zoning Ordinance provides the following guidance in determining the need to grant variances:

"No such variance shall be authorized by the board unless it finds all of the following conditions exist:

1. *That the strict application of the ordinance would produce undue hardship.*
2. *That such hardship is not shared generally by other properties in the same zoning district and the same vicinity*
3. *That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance."*

Recommendation

Determine if all three of the conditions outlined in Section 2.6.2 B of the Zoning Ordinance exist, and determine if the Board of Zoning Appeals will issue a variance.

MUNICIPAL CORPORATION OF CAPE CHARLES, VIRGINIA

Application for Zoning Variance

Date 23 MAY 2016

Permit No._____
Fee: $250.00

Applicant PATRICK HAND Signature [signature]
Address 2242 ARLINGTON CHASE RD Cape Charles, VA 23310 Telephone 757 377 4222

Owner STRAWBERRY STREET STATION LLC
Address_____ City_____ State_____ ZIP Code_____

Contractor_____
Address_____ City_____ State_____ ZIP Code_____
Town License No._____ State License No._____

Location of Improvement 200 BLOCK OF MASON AVE
PARCEL "A" Lot No. 83A3A-7 Block No._____ Lot Size_____ Lot Area 26,250 SQFT
Type of Improvement COMMERCIAL/RESIDENTIAL 3 STORY BRICK
Proposed Use MIXED
Estimated Construction Costs 2 MILLION ±

Dimension of Structure or Improvement Width 162' ~~Length~~ DEPTH 94' Height 32'
Total Square Footage 23,040

Structure or Improvement will be set back
5' from front property line
74' from side property line WEST SIDE
4' from side property line on corner lot ADJACENT TO PEDESTRIAN MALL
6' from rear property line

Town Water Permit_____ **Town Sewer Permit**_____

CERTIFICATION OF APPLICANT

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer, and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Signature of Owner/Agent [signature] MANAGING PARTNER 23 MAY 2016
STRAWBERRY STREET STATION LLC

BUILDING PERMIT

Issuance of the Zoning Variance in itself does not permit the applicant, owner, or contractor to proceed with the improvements noted above. Improvements can proceed only after issuance of a building permit from the Cape Charles Building Official, whose office is in the Municipal Building at 2 Plum Street in Cape Charles and who can be reached at 757-331-2176.

Date Approved_____ **Date Denied**_____

Zoning Administrator_____

23 May, 2016

To- Cape Charles Board of Zoning Appeal

From- Strawberry Street Station LLC

Re-Zoning Variance Request for 83A3-A-7 parcel A

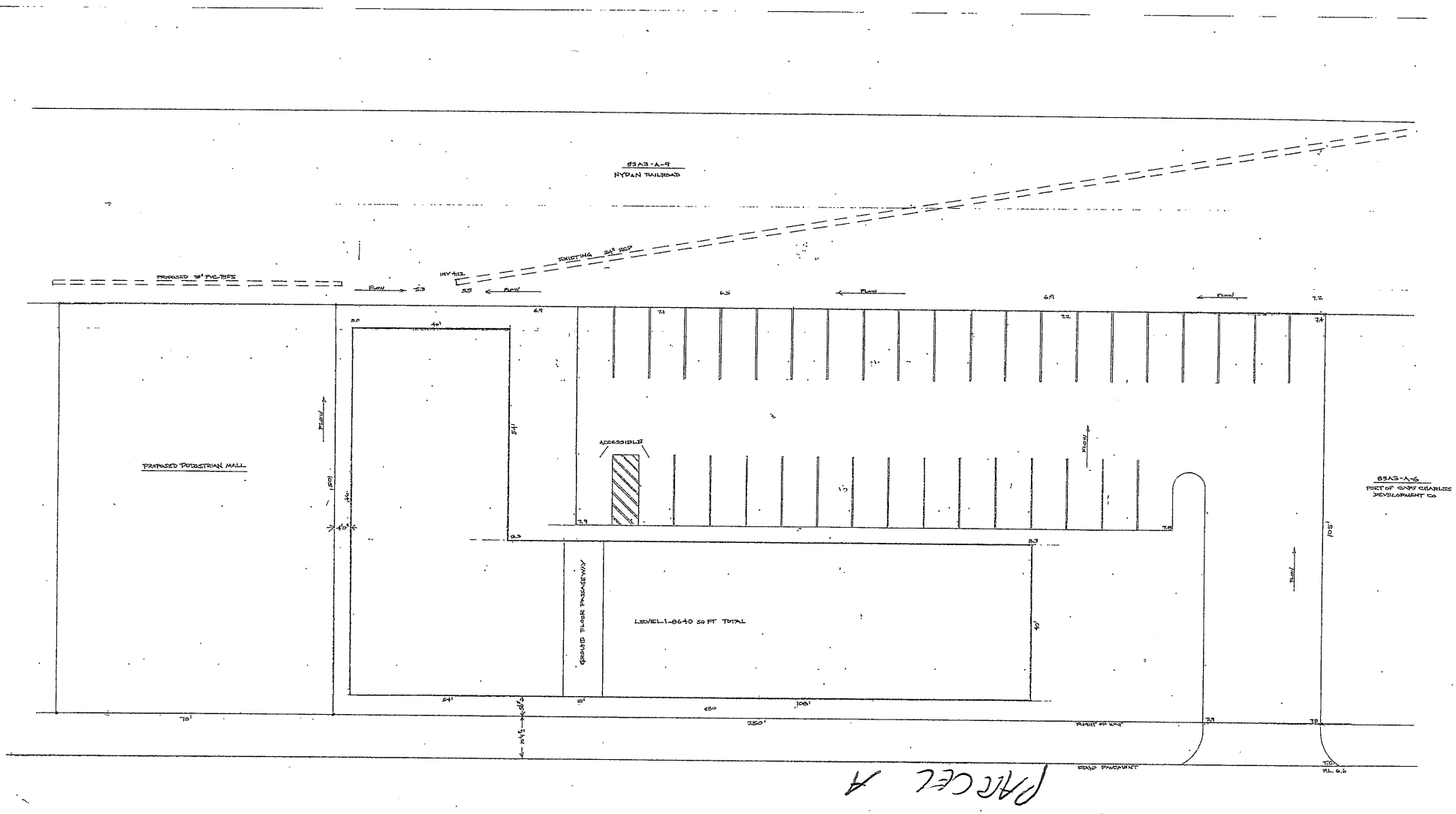
Dear Sirs et Madams,

Strawberry Street Station LLC is planning to build a 26,250 sq ft mixed use building on 83A3-A-7 Parcel"A" located on the southside of the 200 block of Mason Ave. The project includes a maximum of 7920 sq ft of retail and office space as well as up to 12 residential units. We respectfully request that you allow one parking space per residential unit and one space for each 400 sq ft of commercial space. We currently have 37 spaces including two accessible spaces in our plan which are mostly hidden from Mason Ave by the proposed structure and proposed green area adjacent to Mason Ave.

The proposed project is a 2 and 3 story building with store fronts at street level and residential on 2nd and 3rd levels. Residential access is via dedicated stairs and a rear 2nd level walkway. The proposed building will have a number of 18 -36 ft wide segments that will vary in height and look so the project will not look like one development but a series of independent attached buildings. All exterior will be brick. This project will frame the pedestrian mall extending the Strawberry St corridor and compliment but not look like a part of the project currently under construction on 83A3-A-7 Parcel B. This project also helps to create a "two sided main street" effect for Mason Ave while still providing some green area and view though to the harbor. Thank you in advance for your consideration.

Respectfully submitted,

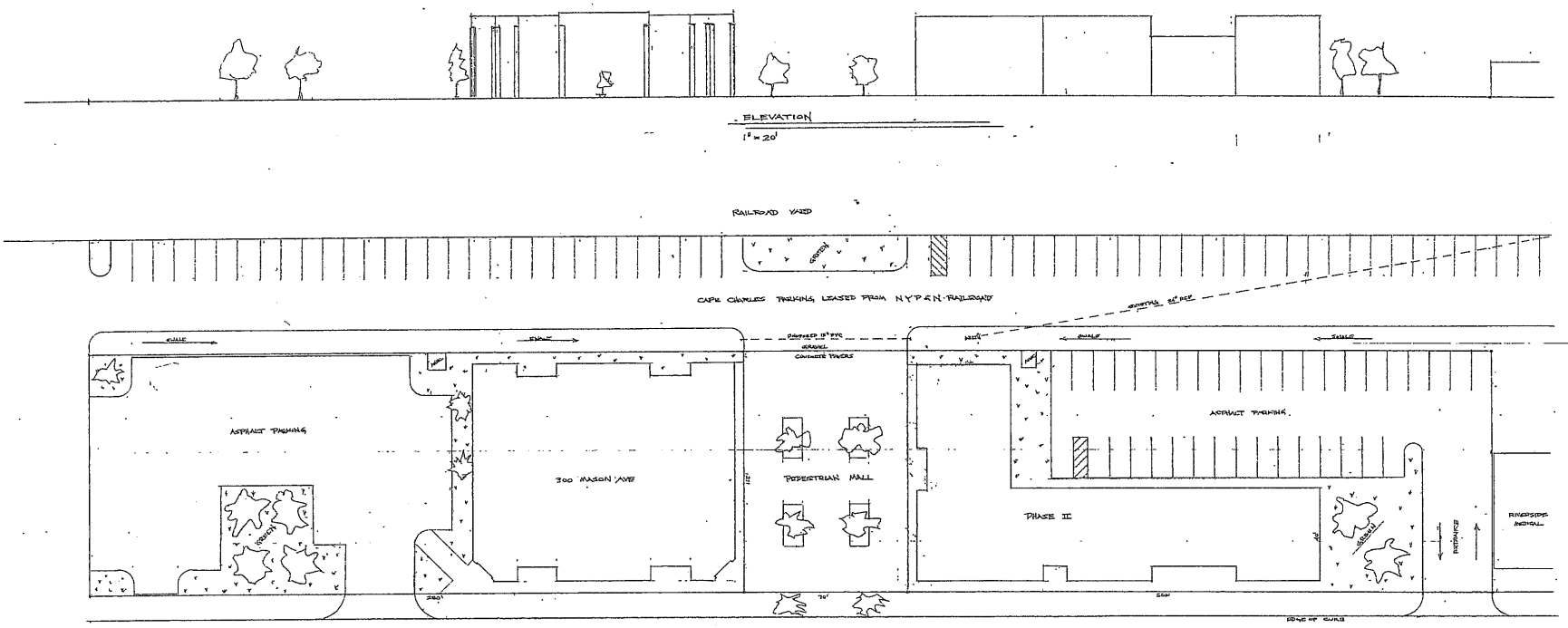
Patrick Hand
Partner, Strawberry Street Station LLC



PRELIMINARY SITE PLAN

83A3-A-7-B MASON AVE CAPE CHARLES

1" = 10' 2 MAY 2016



SITE PLAN - MASON AVE MIXED USE DEVELOPMENT

1" = 20' PATRICK HAND 2 MAY, 2016

23 May, 2016

To- Cape Charles Board of Zoning Appeal

From- Strawberry Street Station LLC

Re-Zoning Variance Request for 83A3-A-7 parcel A

Dear Sirs et Madams,

Strawberry Street Station LLC is planning to build a 26,250 sq ft mixed use building on 83A3-A-7 Parcel"A" located on the southside of the 200 block of Mason Ave. The project includes a maximum of 7920 sq ft of retail and office space as well as up to 12 residential units. We respectfully request that you allow one parking space per residential unit and one space for each 400 sq ft of commercial space. We currently have 37 spaces including two accessible spaces in our plan which are mostly hidden from Mason Ave by the proposed structure and proposed green area adjacent to Mason Ave.

The proposed project is a 2 and 3 story building with store fronts at street level and residential on 2nd and 3rd levels. Residential access is via dedicated stairs and a rear 2nd level walkway. The proposed building will have a number of 18 -36 ft wide segments that will vary in height and look so the project will not look like one development but a series of independent attached buildings. All exterior will be brick. This project will frame the pedestrian mall extending the Strawberry St corridor and compliment but not look like a part of the project currently under construction on 83A3-A-7 Parcel B. This project also helps to create a "two sided main street" effect for Mason Ave while still providing some green area and view though to the harbor. Thank you in advance for your consideration.

Respectfully submitted,

Patrick Hand

Patrick Hand
Partner, Strawberry Street Station LLC

1. Required open spaces shall be landscaped in accordance with a landscape plan to be submitted with the site plan and approved by the Zoning Administrator.
2. Screening shall be provided along the common side and rear lot lines of every commercial and industrial district that abuts a residential use or zone. Such screening shall include either fencing or shrubs and trees that provide a six feet in height barrier to visual observation. Screening shall be shown on the landscape plan submitted.
3. Parking lots. There shall be a landscaped open space within the perimeter of the parking areas in the minimum amount of two square feet per parking space. At least one tree shall be planted for each forty square feet of landscaped area.

D. Multi-Family Developments and Mobile Home Parks

1. Screening may be required for multi-family developments and mobile home parks that abut single-family districts or uses.
2. Parking areas may require landscaping and screening in multi-family and mobile home parks. Where required, other provisions of this ordinance shall apply.

E. Exterior Lighting

1. All exterior lighting shall be arranged and installed so that the direct or reflected illumination does not exceed (0.5) foot candles above the background measured at the lot line of any adjoining parcel.
2. Lighting standards shall be of a directional type capable of shielding the light source from direct view from any adjoining parcel.
3. All lighting shall comply with Dark Sky standards.

Section 4.5 Parking Requirements

Except as otherwise provided in this ordinance, wherever a zoning or conditional use permit is required under this ordinance, the development shall meet the standards set out in this section which include but are not limited to providing adequate off-street parking and loading spaces.

A. Parking Spaces Required. Except as otherwise provided by this ordinance, every development or change of use shall provide a sufficient number of off-street parking spaces to accommodate the number of vehicles that are likely to be attracted to the development during the peak hour of a typical weekday or weekend, whichever is greater. In calculating the number of parking spaces needed, the number of spaces established for uses as set up in this Article, Table of Parking Standards, is presumed to be sufficient; however, the permit-issuing authority may, where appropriate, establish a different number of spaces by calculating such as need from the appropriate methodology set out in the most recent version of the Institute of Transportation Engineers (ITE) Reference Manual entitled "Parking Generation" or where that methodology is inadequate or inappropriate, from studies in the town and/or similar-sized towns and communities.

B. New in-fill structures or change of use projects on the first floor of structures in Commercial District C-1 shall be exempt from complying with the exact requirement of Section 4.5.A (Parking Spaces Required), Section 4.6 (Loading and Unloading), and Section 4.8 (Table of Parking Standards). Owners are encouraged to provide off-street

or remote parking for themselves, employees, and loading facilities where possible (i.e., alleys to back yard areas). Owners shall evaluate existing parking and access and submit proposed plan to Town. Projects will be evaluated on a case-by-case basis. New or change of use second and third floor units shall be required to conform to parking requirements as set forth herein.

C. Reading the Table of Parking Standards. When a determination of the number of parking spaces required by this table results in a requirement of a fraction of a space, any fraction shall be counted as one parking space.

D. Adjustments--Satellite Parking

1. General. If the number of off-street parking spaces required by this Article cannot reasonably be provided on the same lot where the principal use associated with these parking spaces is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section.
2. Location. Off-street parking, other than those intended for employees' use, shall be located within 600 feet of a public entrance of a principal building housing the use associated with such parking.
3. Condition. Property owners who obtain satellite parking in accordance with this section shall not be held accountable for ensuring that the satellite parking areas from which they obtain their spaces satisfy the design requirements of this ordinance. This means that the person owning the lot on which the satellite parking is being provided must secure a zoning or conditional use permit for the use and must meet the requirements of this ordinance. A developer desirous of taking advantage of the provisions for satellite parking must present satisfactory written evidence that he has the permission of the owner or the person in charge of the lot or parcel to use such space.

E. Adjustments--Shared Parking

One parking area may contain required spaces for several different uses, but except as provided below, the required space assignment to one use may not be credited to any other use. The extent that developments wish to make joint use of the same parking spaces operated at different times, the same space may be credited to both uses. In determining the parking requirements where the uses intend to share parking, the permit-issuing authority will establish the peak hourly demand by calculating such a need from appropriate methodology set out in the most recent version of ITE Reference Manual entitled "Parking Generation," or where that methodology is inadequate from studies done in the town or similar towns and communities. Persons intending to take advantage of this provision are required to demonstrate that an enforceable agreement exists between two parties who intend to share parking.

F. General Design of Parking Areas

1. Vehicular accommodation area
   a. Safety in relation to streets. Every off-street vehicular accommodation area shall be designed so it has access to a public street without impeding vehicular movement in that street. Vehicle accommodation areas, other than for single-family dwellings and duplexes on local or

minor streets, shall be designed so that vehicles exit such areas without backing onto a public street.

b. Pedestrian safety. Vehicular accommodation areas shall be designed so that vehicles can proceed without posing a significant danger to pedestrians or other vehicles. The permit-issuing authority may allow driveways handling two-way traffic to be built to one-way traffic standards where aisles will be less than sixty feet in length and where the number of parking spaces served will be fewer than five spaces.

c. Drainage. Except where the authority determines that adequate capacity in the storm drainage system to which the site is draining exists and is willing to accept the increase volume in runoff, no vehicle accommodation area shall be constructed in such a manner that a significant volume of surface water from the lot will be drained onto the public street or buildings. No vehicle accommodation area shall be constructed in such manner that will increase the quantity or decrease the quality of the runoff to adjacent lots.

d. Lighting. Adequate lighting shall be provided for vehicle accommodation areas that are used at night. Parking lights shall not exceed 18 feet in height. Lighting shall not interfere with the use of nearby properties or the safe use of public streets. All lighting is to be compliant with Dark Sky lighting standards.

e. Landscaping. All vehicle accommodation areas shall be landscaped. Said landscaping shall be in compliance with all other requirements of this ordinance.

   i. The primary landscaping material used in parking areas shall be trees which provide shade or are capable of providing shade at maturity.

   ii. Landscaping areas shall be reasonably dispersed throughout, located so as to divide and break up the expanse of paving. The area designated as required setbacks shall not be calculated as required landscaping area.

f. Screening. Plantings which meet the standards for screening of this ordinance will be used to screen vehicle accommodation areas other than those serving single-family and duplex dwellings from an adjacent residential district or use. Fencing may be substituted for plantings with the approval of the Zoning Administrator.

g. Reductions for protecting trees. The minimum number of spaces required may be reduced where the permit-issuing authority has determined that the reductions are necessary to preserve a healthy tree or trees with a three-inch or greater diameter from being damaged or removed and where the site plan provides for the retention of said tree or trees.

h. Handicapped spaces. Any use shall be required to provide handicapped spaces in accordance with the provisions of the Americans with Disabilities Act. All handicapped spaces shall be identified by appropriate restrictive signing and markings.

i. Compact spaces. In parking areas containing ten or more spaces, up to 35 percent of the required parking spaces may be set aside for the exclusive use of compact cars (being defined as cars 100 inches or less). Compact car spaces must be clearly marked and designated as such.

j. Bicycle racks and motorcycle pads. The number of spaces required by this section may be reduced by one space for each bicycle rack for five or more bicycles and each motorcycle pad for two or more motorcycles which are provided up to a total of 5 percent of the number of spaces.

k. Marking and maintenance. Parking stalls in paved areas shall be marked as such. Vehicular accommodation areas shall be properly maintained in all respects. Without limiting the foregoing, landscaping shall be kept healthy and well maintained, surfaces shall be free of potholes, and lines marking spaces shall be distinct and clear.

l. Vehicles in working condition. All off-street parking facilities shall be used solely for the parking of vehicles in operating condition. No motor vehicle repair work, except for emergencies, no storage of merchandise, and no motor vehicle parked for the sole purpose of sale shall be permitted in any required vehicle accommodation area.

2. Parking stalls and aisle dimensions

a. Normal. A required off-street parking space shall include a rectangular area with a length of at least 18 feet and a width of at least 9 feet, exclusive of access drives or aisles, ramps, columns, or office or work parking area. Such space shall have a vertical clearance of at least 6½ feet. Aisles shall not be less than 18 feet for 90□ parking nor less than 13 feet for 45□ parking. Angles shall be measured between centerline of the parking space and centerline of the aisle. For parallel parking, the length of the space shall be increased an additional two feet and the width increased by one foot.

b. Compact. A compact car parking space shall have a minimum length of 16 feet and a minimum width of 8½ feet.

3. Surfacing

a. Paved parking areas. All paved parking areas shall meet the following requirements:

i. a minimum depth of six inches of number 21A aggregate base and a minimum of one and one half inches of asphalt; or

ii. six inches of concrete on appropriate base; or

iii. four inches of brick or porous paving block on four inches of number 21A aggregate base.

iv. Land development shall minimize impervious cover to promote infiltration of storm water into the ground consistent with the use or the development permitted.

(a) Grid and modular pavements may be used for any required parking area, alley, or other low traffic driveway unless otherwise approved by the Zoning Administrator.

4. Standards for non-paved areas. Whenever a vehicle accommodation area is exempt from the paved parking requirements, the permit-issuing authority:

a. may require that landscaped aisles or special separations be provided every three or more spaces where it finds it is desirable to ensure that the parking stalls will be readily identifiable to the users, and

b. may require that the perimeter of the accommodation area, encompassing but not limited to the unpaved parking stalls and the side of any unpaved drive or aisle leading to said stalls, be rimmed or edged with landscape timbers, railroad ties, brick, or curbing of adequate size

where it finds that it is desirable to prevent erosion or the washing away of the parking area.

5. Porous paving materials may be used. The permit-issuing authority may require that porous paving materials be substituted for other surfaces in any portion of an accommodation area where it finds it is necessary to protect the root system of a tree or trees from damage.

Section 4.5.1 Table of Parking Standards

	Nature of Use	Parking Standards
A.	Park and Open Space:	
	1. Park and playground	as determined by authority
	2. Golf course	36.0 spaces per 18-hole course plus 1 space per employee
	3. Accessory building	as determined by authority
B.	Agricultural	
	1. Agricultural, as defined	1.0 space per employee
C.	Residential	
	1. Single-family dwelling	2.0 spaces per dwelling unit
	2. Two-family dwelling	2.0 spaces per dwelling unit
	3. Townhouse	2.0 spaces per dwelling unit
	4. Multi-family dwelling	1.0 space per one bedroom dwelling unit; otherwise 2.0 spaces per dwelling unit
	5. Mobile home	2.0 spaces per dwelling unit
D.	Care Facility/Institutional	
	1. Library	1.0 space per 300 sf GFA (Gross Floor Area)
	2. Museum	1.0 space per 300 sf GFA
	3. School	
	a. Nursery	1.0 space per employee
	b. Elementary	1.0 space per employee
	c. Middle	1.0 space per employee
	d. Junior	1.0 space per employee
	e. Other	.25 space per student plus 1.0 space per employee
	4. Instructional school	.5 space per student plus 1.0 space per employee
	5. Church	
	a. Parish house; Educational/ Social annex	.25 space per seat
	b. Place of Worship	.25 space per seat
	6. Hospital	2.0 spaces per bed

7. Cemetery	20 spaces per chapel or .25 space per seat
8. Funeral home	20 spaces per chapel or .25 space per seat, whichever is greater
E. Residential/Commercial	
1. Home occupation	see Section 4.8.C Residential Standards
2. Bed and breakfast	1.0 space per bedroom plus 1.0 space per owner/resident (see Section 3.2.C 4 c)
3. Rooming house	1.0 space per bedroom plus 1.0 space per employee
4. Boarding house	1.0 space per bedroom plus 1.0 space per employee
5. Hotel and motel	1.0 space per bedroom plus 1.0 space per employee
F. Offices	
1. Office	
a. Professional	1.0 space per 300 sf GFA
b. Other	1.0 space per 300 sf GFA
2. Principal Office/Medical	
a. Physician	1.0 space per 200 sf GFA
b. Surgeon	1.0 space per 200 sf GFA
c. Dentist	1.0 space per 200 sf GFA
3. Bank	
a. Standard	1.0 space per 200 sf GFA
b. Drive-in	1.0 space per 200 sf GFA (stacking as per Section 4.5.B)
4. Real estate	1.0 space per 250 sf GFA
G. Retail	1.0 space per 200 sf GFA
H. Restaurant	
1. Standard (no drive in)	1.0 space per 100 sf GFA
2. Carry out	1.0 space per 100 sf GFA
3. Fast food (no drive in)	1.0 space per 100 sf GFA
4. Drive in	1.0 space per 65 sf GFA
5. Delivery only/catering	1.0 space per employee and 1.0 space per each delivery vehicle
I. Service/General	1.0 space per 275 sf GFA
J. Entertainment	

1.	Private club	1.0 space per 3 seats
2.	Club and lodge	1.0 space per 3 seats
3.	Auditorium/assembly hall	1.0 space per 3 seats
4.	Theater	1.0 space per 3 seats
5.	Commercial recreation/entertainment	1.0 space per 3 seats
6.	Recreation facility	1.0 space per 3 seats

K. Service/Manufacturing

1.	Sign printing shop	1.0 space per 400 sf GFA
2.	Upholstery shop	1.0 space per 400 sf GFA
3.	Cabinet and furniture	1.0 space per 400 sf GFA
4.	Printing/publishing	1.0 space per 400 sf GFA
5.	Blacksmith shop	1.0 space per 400 sf GFA

L. Motor Vehicles

1.	Convenience store	1.0 space per 200 sf GFA
2.	Auto service station	2.0 spaces per service island plus 1.0 space per employee
3.	Car wash	3.0 spaces per washing bay
4.	Auto/trailer sales	3.0 spaces per employee
5.	Automobile service	1.0 spaces per employee plus 4.0 spaces per bay

M. Wholesale

1.	Nursery	1.0 space per 400 sf GFA
2.	Machinery	
	a. Sales	1.0 space per 500 sf GFA
	b. Service	3.0 spaces per service bay plus 2

N. Utilities

1.	Transportation	1.0 space per 200 sf GFA
2.	Public utilities and service	2.0 spaces per employee
3.	Public utility generating, booster, or relay stations, transmission lines and tower, for maintenance of public utilities, including railroads and facilities and water and sewerage facilities	1.0 space per 1,500 sf GFA plus 1.0 space per employee

O. Storage:

1.	Monumental stone works	1.0 space per 1,500 sf GFA
2.	Coal, wood yards, lumber yards, feed and seed	1.0 space per 1,500 sf GFA
3.	Frozen food locker	1.0 space per 1,500 sf GFA

P. Manufacturing

1. Manufacturing 1.0 space per 500 sf GFA

Q. Storage and Stacking Spaces Required. Whenever a use involves the storage or stacking of vehicles awaiting service, the development shall also provide a sufficient number of storage spaces or adequately sized stacking lanes to accommodate the peak hourly demand for the peak day in a typical week for said storage. The following uses are presumed to require the following number of storage spaces or stacking area:

Typical Use--uses with a drive-in window including but not limited to banks and drive-in restaurants.

Space Required--lanes sufficient to stack six automobiles per window including, in the event of a staged drive-in, three automobiles beyond the stage farthest from the window without interfering with the use of the adjacent road or street.

Type Use--Vehicle repair uses including but not limited to enclosed auto repair and boat and trailer repair.

Space Required--four spaces per service bay or repair area.

Any stacking lane or storage space shall be required to be surfaced to the same standards as the paved parking area with which it is associated.

Section 4.6 Loading and Unloading

A. Loading and Unloading Areas Required. Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient off-street loading and unloading area shall be provided in accordance with this section to accommodate the delivery or shipment operations in a safe and convenient manner. This section also pertains to uses that generate a need for consumer pick up.

B. Number of Loading Spaces Required. The loading and unloading area must be of sufficient size to accommodate the numbers and types of vehicles that are anticipated to use this area. The following indicates the number and size of spaces that are presumed to satisfy this requirement; however, the permit-issuing authority may require more or less loading and unloading area where it finds that such an area is more appropriate for the development.

Uses which normally handle large quantities of goods including but not limited to the following categories:

Schools
Churches
Care facilities
Hospitals
Retail sales
Wholesale sales