

**ORDINANCE NO. 2020-27**

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE  
CHAPTER 10 PARKING STANDARDS TO REMOVE REQUIRED MOTORCYCLE  
PARKING AND CREATE INCENTIVES FOR BICYCLE AND ELECTRIC VEHICLE PARKING**

WHEREAS, the City of Brevard Planning Board has recommended that Brevard City Code, Unified Development Ordinance, Chapter 10 – Parking Standards be amended; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is both consistent and inconsistent with the following element of the City of Brevard Comprehensive Plan:

*ELEMENT 5: INFRASTRUCTURE*

*POLICY 5.2.C: Continue to require new sidewalks and parking for bicycles and motorcycles with new development.*

And the amendment is consistent with the following other adopted City plans and policies:

*2013 PARKING NEEDS ASSESSMENT*

*“Walking and biking infrastructure and amenities will be added and improved. Examples of these include, but are not limited to: new sidewalks, bike lanes, bike racks, and signage...”*

and,

WHEREAS, a public hearing was conducted on Monday, October 19, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance be amended as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

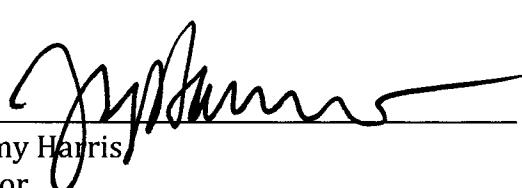
SECTION 01. Brevard City Code, Unified Development Ordinance Chapter 10 is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved upon first reading this the 19<sup>th</sup> day of October, 2020.

  
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Jimmy Harris  
Mayor

ATTEST:



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Jill Murray, CMC  
City Clerk

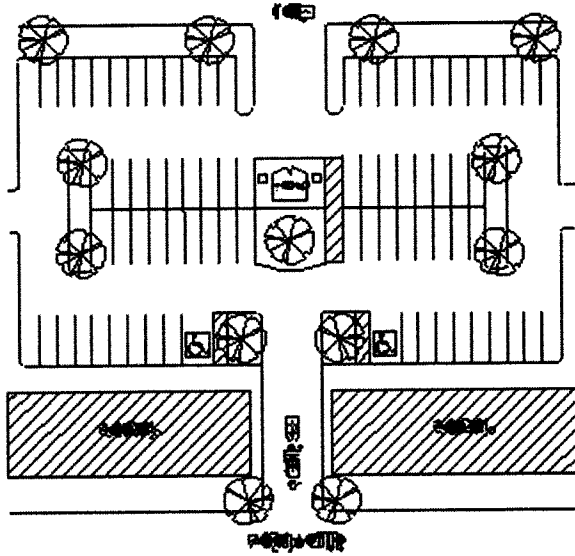
APPROVED AS TO FORM:



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Michael K. Pratt  
City Attorney

1 **10.3. - Off-street parking requirements.**



2  
3 Typical Parking Arrangement

4 A. *Minimum parking ratios:*

Use Type	Required Parking Spaces
Single-Family Residential	2 spaces per dwelling unit
Multi-Family Residential (DMX, NMX)	1 space per dwelling unit
Multi-Family (All Other)	1.5 spaces per dwelling unit
Retail Uses	1 per 500 square feet
Office Uses	1 per 500 square feet
Theaters	1 per 3 seats
Restaurants	1 per 4 seats
Manufacturing/Warehousing/Light Assembly	.25 per 1,000 square feet of non-office space
Bed and Breakfast Inns/Hotels/Motels	1 per room or suite
Civic Uses (Assembly Uses Only)	1 per 4 seats (If benches or pews are used then the standard shall be measured as 1 per 6 feet)

- 5  
6 1. The following areas are exempt from non-residential minimum parking requirements:
- 7 a. Downtown Mixed Use (DMX)
  - 8 b. Neighborhood Mixed Use (NMX) in the Railroad Avenue/Lumberyard area

9 **Note**— All square footage is in gross square feet.

10 B. *Maximum parking allowed:*

- 11 1. Additional parking that exceeds ten percent of the required minimum (hereafter "excess parking")  
12 shall not be permitted, except as follows:
- 13 a. Excess parking may be provided within in an underground, roof-top, or multi-story parking  
14 structure.

- 15           b. Other excess parking may be permitted. However, stormwater control measures for such  
 16 excess parking area shall be designed to control the stormwater run-off generated by a 25-  
 17 year, 24-hour rain event (9.2 inches), and shall otherwise comply with Chapter 6, Section  
 18 6.6 of this ordinance.
- 19           c. Parking spaces with electric vehicle charging stations shall not be counted towards the  
 20 calculation of "excess parking" for the purposes of this subsection.
- 21 C. ~~Motorcycle and bicycle~~ *Bicycle parking:*
- 22           1. ~~All developments containing 20 or more parking spaces shall provide dedicated motorcycle~~  
 23 ~~parking areas. One motorcycle space shall be provided for every 20 automobile parking spaces.~~  
 24 ~~Motorcycle spaces shall be located near the front of the building and shall not be counted as~~  
 25 ~~excess parking.~~
- 26           2. Group developments, planned developments, multi-family developments containing more than  
 27 three dwelling units, conditional zoning districts, and special use permit developments, and any  
 28 other development ~~containing~~ requiring ten or more parking spaces shall provide secure bicycle  
 29 storage capable of serving building users. One bicycle space shall be provided for every 20  
 30 required automobile parking spaces as determined by Section 10.3.A, with a minimum of one 4-  
 31 bicycle rack provided near the primary entrance of each building entrance. Bicycle racks are  
 32 encouraged to be placed in convenient locations near building entrances. The administrator may  
 33 adjust bicycle parking requirements to account for shared parking, buildings located in close  
 34 proximity to one another, or the presence of public bicycle racks in close proximity.
- 35 D. *Accessible parking:* Accessible parking shall be provided in accordance with the North Carolina State  
 36 Accessibility Code.
- 37 E. *Exemptions and adjustments:*
- 38           1. Developments which meet any of the following criteria may be totally or partially exempt from the  
 39 parking requirements of this section.
- 40           a. Developments which involve an increase in floor area and which will not increase the number  
 41 of parking spaces required under this chapter by more than 25 percent;
- 42           b. Developments which involve only a change of use and which will not increase the number of  
 43 parking spaces required under this chapter by more than 25 percent.
- 44           2. In any district, the minimum number of spaces required may be adjusted by the administrator  
 45 when it has been determined that the reductions are necessary to preserve a healthy tree or trees  
 46 (with a 12-inch or greater diameter) from being damaged or removed, and where the site plan  
 47 provides for the retention of said tree or trees.
- 48           3. No development shall be exempted from bicycle and ~~motorcycle~~ parking requirements.
- 49 F. *Variations in parking requirements:* In lieu of actual construction of required on-site parking spaces, all  
 50 or any portion of the off-street parking required in this section may be provided as follows:
- 51           1. *Satellite parking:* Satellite parking (a parking lot that is located on a parcel or lot that is not  
 52 contiguous or adjacent to the parcel or lot containing the use for which the parking is intended)  
 53 may be permitted, subject to certification by the administrator that the following requirements have  
 54 been met:
- 55           a. The use being served by the satellite parking shall be a permitted principal use, as  
 56 established in Chapter 2, in the zoning districts within which the lot containing such parking  
 57 is located;
- 58           b. The satellite parking spaces shall be located within 1,320 feet (¼ mile) walking distance of a  
 59 public entrance to the structure or lot containing the use for which such spaces are required.  
 60 A safe, direct, attractive, lighted and convenient pedestrian route shall exist or be provided  
 61 between the satellite parking and the use being served;
- 62           c. The continued availability of satellite parking spaces necessary to meet the requirements of  
 63 this section shall be ensured by an appropriate condition that the continued validity of the  
 64 zoning compliance or special use permit shall be dependent upon the permit holder's  
 65 continued ability to provide the requisite number of parking spaces.
- 66           2. *Shared/combined parking:* The joint use of shared off-street parking between two uses may be  
 67 made by contract between two or more adjacent property owners.
- 68           3. *Overflow parking:* Off-street areas used to accommodate occasional (no more than once per  
 69 month) overflow parking may be constructed of grass. The owner of the property shall be  
 70 responsible for the maintenance of such parking in a clean and dust-free condition.
- 71           4. Reduction of automobile parking for bicycle parking. The Administrator may reduce the required  
 72 number of off-street automobile parking spaces by one automobile space for every four bicycle  
 73 parking spaces provided beyond the minimum required amount of bike parking found in Section  
 74 10.3.C, up to a maximum of 25% of the minimum requirement.
- 75           5. Inclusion of parking for electric vehicle charging stations: Each charging station space shall count  
 76 toward satisfying the minimum required off-street parking.
- 77 G. *Use of parking spaces and loading spaces:*

- 78 1. Required parking and loading areas shall be available for the parking of operable vehicles of  
79 residents, customers, and employees, and shall not be used for the storage of vehicles or  
80 materials, or for the parking of vehicles used for loading or unloading.
- 81 2. Required loading spaces shall be available for the loading and unloading of vehicles, and shall  
82 not be used for the storage of vehicles or materials, or to meet off-street parking requirements.

83 (Ord. No. 3-07, § 9, 2-5-07; Ord. No. 13-07, § 1, 9-17-07; Ord. No. 2017-08, § 1(Exh. A), 3-20-  
84 17; Ord. No. 2018-04, § 1(Att. C), 2-19-18)