

ARTICLE 6: DESIGN AND PERFORMANCE STANDARDS

Table of Contents

6-1	UNIFORM APPLICATION OF DESIGN STANDARDS.....	1
6-2	BUILDING DESIGN AND ARCHITECTURAL CHARACTER.....	1
	A. <i>Applicability</i>	1
	B. <i>[Reserved]</i>	1
	C. <i>Building Design Standards</i>	1
	D. <i>Avoiding Monotony of Design</i>	2
	E. <i>Harmony of Design</i>	2
	F. <i>Architectural Character</i>	3
	G. <i>Evidence of Compliance</i>	6
6-3	COMPATIBILITY STANDARDS	7
	A. <i>Glare</i>	7
	B. <i>Heat and Humidity</i>	7
	C. <i>Noise</i>	7
	D. <i>Vibration</i>	7
	E. <i>Operational/Physical Compatibility</i>	7
	F. <i>Evidence of Compliance</i>	8
6-4	LANDSCAPING, BUFFERING, AND SCREENING	8
	A. <i>Purpose and Applicability</i>	8
	B. <i>General Provisions</i>	10
	C. <i>Perimeter Buffers: Existing Vegetation or New Perimeter Landscaping, General Requirements</i>	11
	D. <i>Streetscape Landscaping: Preservation of Existing Vegetation and Installation of New Landscape Areas</i>	21
	E. <i>Tree Survey</i>	27
	F. <i>Tree Protection During Construction</i>	28
	G. <i>Landscaping for Parking Areas</i>	29
	H. <i>Other Landscape Requirements</i>	32
	I. <i>Incentives</i>	33
	J. <i>[Reserved]</i>	34
	K. <i>Time for Installation of Required Landscaping</i>	34
	L. <i>Implementation of Landscape Plan; Inspections</i>	35
	M. <i>Maintenance Responsibility</i>	35
	N. <i>Replacement of Disturbed and Damaged Vegetation</i>	37
	O. <i>Failure to Comply</i>	37
6-5	PARKING, STACKING, AND LOADING	37
	A. <i>General Requirements</i>	37
	B. <i>Parking Requirements for Change in Use</i>	39
	C. <i>Number of Parking and Stacking Spaces Required</i>	40
	D. <i>Design Standards for Parking, Stacking and Loading Areas</i>	44
	E. <i>Location</i>	47
	F. <i>Combined Parking</i>	47
	G. <i>Loading Areas</i>	48
	H. <i>Parking and Loading Area Landscaping</i>	49
	I. <i>Excessive Illumination in Parking Lots and Loading Areas</i>	49
6-6	OUTDOOR LIGHTING	50
	A. <i>General Requirements</i>	50
	B. <i>Lighting Plan Required</i>	50
	C. <i>Exterior Lighting Standards</i>	50

6-7	SIGNS	52
6-7.1	PURPOSE AND INTENT	52
6-7.2	PERMIT REQUIRED	52
6-7.3	SIGN DEFINITIONS	53
6-7.4	GENERAL SIGN STANDARDS	57
6-7.5	EXEMPT SIGNS	59
6-7.6	PROHIBITED SIGNS	61
6-7.7	SIGN PLACEMENT, SIZE, HEIGHT, SETBACK, SEPARATION, CLEARANCE AND CONSTRUCTION BY SIGN TYPE.....	62
A.	<i>Outdoor Advertising Signs (Billboards)</i>	62
B.	<i>On-Premises Signs (freestanding pole or ground mounted on-premises signs unless otherwise specified)</i>	63
C.	<i>Wall Signs</i>	64
D.	<i>Projecting Signs</i>	65
E.	<i>Suspended Signs</i>	66
F.	<i>Identification Signs</i>	66
G.	<i>Menu Signs</i>	67
H.	<i>Awning and Canopy Signs</i>	67
I.	<i>Marquee Signs</i>	67
J.	<i>Mobile or Portable Signs</i>	67
K.	<i>Professional or Occupational Signs or Name Plates; Incidental Signs</i>	68
6-7.8	NONCONFORMING SIGNS	68
6-8	RECREATION AND OPEN SPACE REQUIREMENTS	70
6-8.1	MINIMUM PUBLIC RECREATIONAL SPACE REQUIREMENTS	70
6-8.2	MINIMUM PRIVATE RECREATIONAL SPACE REQUIREMENTS	73
6-8.3	PRIVATE COMMON OPEN SPACE REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS	74
6-8.4	OWNERSHIP AND MAINTENANCE OF REQUIRED PRIVATE OPEN SPACE	77

ARTICLE 6 DESIGN AND PERFORMANCE STANDARDS

6-1 Uniform Application of Design Standards

Unless otherwise stated, all design standards herein and in Article 7, Sections 6.5, 6.6, 6.7, and 6.10, shall be applied to all new nonresidential development in the City and to bring properties into conformance, as allowed by Article 10.

Amended June 6, 2022

6-2 Building Design and Architectural Character

The purpose and intent of this section is to establish standards to guide development that is aesthetically pleasing and compatible within the context of the surrounding area. These guidelines are intended to allow for creativity and diversity, and avoid to monotony in design.

A. Applicability

1. The standards and guidelines contained in Section 6-2 shall apply to all new nonresidential structures or combined structures greater than 15,000 square feet and to expansions or alterations of any such existing building where the expansion or alteration exceeds 50 percent of the building value as assessed for real property taxes except in HM, LM Zoning Districts.

(Amended March 4, 2013; June 6, 2022)

2. All development subject to this Section shall be compatible with the established architectural character of the City of Mebane by utilizing a design that is complementary to existing City architectural styles, designs, and forms. Compatibility shall be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and the use of building materials that have color, shades, and textures similar to those existing in the immediate area of the proposed development.

B. [Reserved] Amended June , 2022

C. Building Design Standards

Design standards promote creativity and innovation while discouraging obtrusive, incongruous structures. The City discourages architectural styles that do not build upon and promote the existing character of the City. The City supports the view that inspiring, well-maintained, and harmonious development is in the best economic development interests of all residents and businesses.

1. Emphasize Human Scale

Building design shall emphasize a human scale at ground level, at entryways, and along street frontages through the creative use of windows, doors, columns, canopies, and awnings.

2. **Major Building Design Features Proportional**
Major building design features, such as windows, doors, eaves, and parapets, shall be designed to be in proportion to one another.
3. **Structural Lines Retained at Storefront Level**
The structural lines of a building and its materials shall be retained at the storefront level. For instance, brick piers and columns shall be carried down to street level.
4. **Awnings and Canopies**
Awnings and canopies shall complement the color and material of the building to which they are affixed.
5. **Massing**
A single, large, dominant building mass shall be avoided. Where large structures are required, mass should be broken up through the use of setbacks, windows, projecting and recessed elements, and similar design techniques. Changes in mass shall be related to entrances, the integral structure, and/or the organization of interior spaces and activities and not merely for cosmetic effect.
6. **Front entrances must face the street whenever practicable, and combined with windows, shall comprise a minimum of 30% of the front-facing facade.**

Amended June 6, 2022

D. Avoiding Monotony of Design

Monotony of design in single or multiple building projects shall be avoided by varying detail, form, and siting to the maximum extent practicable, within the standards set forth in this article, to provide visual interest.

E. Harmony of Design

The purpose of this subsection is to preserve the design character of existing development, to protect the visual pattern of the community, and to promote harmony in the visual relationships and transitions between new and older buildings. New buildings should respect the scale, form, and proportion of existing development. This can be done by repeating building lines and surface treatments and by requiring some uniformity of detail, scale, proportion, texture, materials, color, and building form.

1. **Building Color Shades**
Building color shades shall be used to facilitate blending into the neighborhood and unify the development. The color shades of building materials shall draw from the range of color shades that already exist on the block or in the adjacent neighborhood.
2. **Building Materials**

Building materials shall either be similar to the materials already being used in the neighborhood or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color, and texture, shall be utilized to ensure that enough similarity exists for the building to be compatible, despite the differences in materials.

3. **Similar Size and Height for Infill Development**
New infill development shall either be similar in size and height or, if larger, be articulated and subdivided into massing that is proportional to the mass and scale of other structures on the same block, or if no buildings exist thereon, then on adjoining blocks.
4. **Unify Individual Storefronts**
If several storefronts are located in one building, the individual storefronts shall be unified in all exterior design elements, such as mass, window and door placement, color, materials, and signage.
5. **Additions and Renovations**
Building additions and façade renovations should be designed to reflect existing buildings in scale, materials, window treatment, and color. A change in scale may require a transitional design element between the new development and existing buildings.
6. **Varying Architectural Styles**
In developments with multiple structures of varying architectural styles, buildings shall be compatible by such means as a pattern of architectural features, similar scale and proportions, and consistent location of signage.

F. Architectural Character

Architectural character focuses on the specific details that greatly affect the overall appearance of a particular development. These architectural character standards in this subsection provide direction in aspects of color, facade materials, rooflines, and the enhancement of entryways. The primary goal is to define the 'finishing touches' that provide the development with a sense of permanence, style, and compatibility. The City discourages proposals that have not taken these matters into account. The City policy is that all development be treated as a lasting contributor to the community and as a 'good neighbor' to its surroundings.

1. Roofs

The following standards are intended to foster variations in roof lines to soften and reduce the massive scale of large buildings:

- (a) Roof lines shall be varied to reduce the scale of structures and add visual interest.
- (b) Roof shape (for example: flat, hip, mansard, or gable) and material shall be architecturally compatible with façade elements and the rest of the building.

- (c) Flat roofs must be enclosed by a parapet that screens mechanical equipment from view by pedestrians at street level.
- (d) The height of the parapet shall not exceed one-third of the height of the supporting wall. Such parapet shall not be of a constant height for a distance greater than 150 feet.

2. Facades

- (a) **Recesses and Projections**
Facades greater than 100 feet in length, measured horizontally, shall incorporate building wall offsets including recesses and projections along at least 20 percent of the length of the façade. Windows, awnings, and arcades shall total at least 60 percent of the façade length abutting a public street.
- (b) **Repeating Design Patterns**
Facades greater than 100 feet in length, measured horizontally, shall incorporate a repeating pattern of change in color, texture, and material modules. All elements should repeat at intervals of no more than 30 feet, either horizontally or vertically.
- (c) **Renovations**
Façade renovations shall incorporate original building details to the maximum extent practicable.
- (d) **Materials**
Brick, stone, or wood facades shall not be covered or replaced with artificial siding or panels.
- (e) **Roof Cornices**
If roof cornices have been removed or damaged on an existing building, renovations of that building must include retaining, repairing, and replacing the roof cornices if previously removed.
- (f) **Replacement of Windows**
Replacement of windows on the façade of an existing building shall be accomplished by using windows of the same trim, size, and character as the original or by using a different style of window that complements the architectural style of the building.
- (g) **Exterior Wall Cladding**
All exterior walls visible from a parking lot or public right-of-way in any zoning district except the HM and LM Industrial zoning districts shall be clad with the same material required for the front of the building.

Amended June 6, 2022

- (h) **Building Orientation**

New buildings shall be oriented so that the largest and longest façade faces the primary road. To the maximum extent feasible, new buildings shall be oriented or designed to minimize shadows falling on public or semi-public spaces.

3. Entryways

(a) **Required Entryway Features**

Entryway design elements and variations shall provide orientation and aesthetically pleasing character to the building. The following standards identify desirable entryway design features. Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:

- (1) Canopies or Porticos
- (2) Arcades
- (3) Overhangs
- (4) Recesses/projections
- (5) Raised corniced parapets over the doors
- (6) Peaked roof forms
- (7) Arches
- (8) Wing walls
- (9) Outdoor patio
- (10) Display windows
- (11) Planters
- (12) Architectural details such as tile work and moldings which are designed into the building structure and overall design

(b) **Sides Facing Abutting Street**

All sides of a principal building that directly face an abutting public street shall feature at least one customer entrance.

4. Exterior Building Materials and Colors

(a) **Predominant Exterior Building Materials**

Predominant exterior building materials shall be high quality materials, including EIFS, brick, wood, cast stone, stucco,

sandstone, other native stone, tinted/textured concrete masonry units, and high-quality metal siding, including flat metal siding with a non-metallic appearance or if integrated as an ornamental feature and standing seam or batten metal siding featuring interlocking rivets. The Development Director may approve the use of similar materials not identified.

- (1) Prohibited building materials:
Metal siding composed of sheets that are not interlocking and/or not of durable construction, including corrugated metal siding and box rib metal siding.

Amended June 6, 2022

(b) **Colors**

- (1) Façade colors shall be of low reflectance and/or subtle colors. Building trim may feature brighter colors, but neon tubing is not allowed as an accent material. The use of high intensity colors or fluorescent colors shall be prohibited.
- (2) Variations in color schemes are encouraged in order to articulate entryways and public amenities so as to give greater recognition to these features.

5. Outdoor Plazas

Outdoor plazas shall contain benches spaced every 250 feet and at least two of the following features:

- (a) Landscaping island
- (b) Fountains
- (c) Clock tower
- (d) Pond or other prominent water feature
- (e) Sculptures or similar artwork

Amended June 6, 2022

G. Evidence of Compliance

The Planning Director shall require such evidence of ability to comply with the building design standards as set forth in this Section as the Director deems necessary prior to issuance of a certificate of zoning compliance.

6-3 Compatibility Standards

The standards of Section 7-6 of this Ordinance shall apply to all lots, excepting those lots otherwise exempted by Section 4.4. The operational compatibility standards in Section 6-3 shall apply to all uses.

Amended June 6, 2022

A. Glare

Glare from arc welding, acetylene torch cutting, or similar processes shall be contained within a completely enclosed and vented building.

B. Heat and Humidity

Uses, activities, and processes shall not produce any unreasonable, disturbing, or unnecessary emissions of heat or humidity at the property line of the site on which they are situated, which cause material distress, discomfort, or injury to a reasonable person.

C. Noise

No activity or operation subject to this Ordinance shall exceed the maximum permitted sound levels as set forth in this Ordinance and in Article IV of the Mebane City Code of Ordinances.

D. Vibration

No use, activity, or process shall produce vibrations that are perceptible without instruments at the property line for more than three minutes in any one hour of the day between the hours of 7:00 a.m. and 10:00 p.m., or for more than 30 seconds in any one hour between the hours of 10:00 p.m. and 7:00 a.m.

E. Operational/Physical Compatibility

The following conditions may be imposed upon the approval of any development to ensure that it is compatible with existing uses, including but not limited to, restrictions on:

1. Hours of operation and deliveries;
2. Location on a site of activities that generate potential adverse impacts on adjacent uses, such as noise and glare;
3. Placement of trash receptacles;
4. Location of loading and delivery areas;
5. Location, intensity, and hours of illumination;
6. Placement and illumination of outdoor vending machines, telephones, ATMs, signage, bicycle parking, and similar outdoor services, structures, and activities;

Amended June 6, 2022

7. Additional landscaping and buffering;

8. Height restrictions to preserve light and privacy and views of significant features from public property and rights-of-way;
9. Preservation of natural lighting and solar access;
10. Ventilation and control of odors and fumes; and
11. Dust-control paving.

F. Evidence of Compliance

The Planning Director shall require such evidence of ability to comply with appropriate performance standards, mitigation measures, and conditions as set forth in this Section as the Director deems necessary prior to issuance of a certificate of zoning compliance.

6-4 Landscaping, Buffering, and Screening

A. Purpose and Applicability

1. Purpose:

Protection of Mebane's natural environment and enhancement of the community's built environment with installation of new landscape areas are important to the City of Mebane and its citizens. The regulations of this Section are a tool to ensure these goals are accomplished. The purposes of this Section are:

- (a) To encourage the proper use of the land by promoting an appropriate balance between the built environment and preservation/conservation of open space;
- (b) To preserve and improve property values and protect private and public investment through preservation of open space, protection of the existing tree canopy, providing buffers between incompatible uses and along roadways, and encouraging the planting of new vegetation as deemed appropriate;
- (c) To consider the guidelines and recommendations in Mebane's adopted planning documents and policies;

Amended June 6, 2022

- (d) To preserve and protect the identity and character of Mebane;
- (e) To enhance the business economy; and
- (f) To set forth development standards and requirements for preserving existing vegetation and installation of new landscape areas.

2. Application:

The requirements of this Section shall apply to all uses of land, buildings, and structures located within the City of Mebane Planning and Zoning Jurisdiction which are not exempted in subsection 3 below. Fencing criteria are all applicable and available in 4-2.D.

Amended June 6, 2022

3. Exemptions:

None of the landscaping and screening requirements of this Section shall apply to:

- (a) A detached single-family dwelling on its own separate lot, with the exception of requiring one tree be planted in the front yard.
- (b) A two-family dwelling on its own separate lot, with the exception of requiring one tree be planted in the front yard.
- (c) Existing uses and buildings, including repairs, alterations, or improvements to the interiors and exteriors of existing buildings which do not result in additions or expansions to them.
- (d) Additions or expansions made to existing buildings within any consecutive 12-month period where the gross floor area of the additions or expansions does not exceed 35% of the gross floor area of the existing buildings. Any required vegetation removed for this expansion shall be replaced elsewhere on site. This allowance shall not exempt a property from addressing nonconformances, subject to the criteria of Article 10.
- (e) Additions or expansions made to existing vehicular parking areas within any consecutive 12-month period where the total area of the additions or expansions will not exceed 35% of the existing vehicular parking areas.
- (f) Application to Small Developments and Lots:
Non-residential development of parcels that exist at the adoption of this ordinance of 2 acres or less, shall not be subject to the perimeter landscaping standards of Section 6-4. All other provisions of this section shall apply, including streetscaping. Such uses and development shall submit an alternative landscape plan to the Zoning Administrator showing the following landscaping and screening requirements:
 - A perimeter buffer of average width of fifteen feet (15') with a minimum of five feet (5') buffer area in width shall be located along the outer perimeter of parcel to separate that

use from adjacent residential uses. This buffer shall function as a semi-opaque Type B buffer.

- There shall be a minimum of one canopy tree every 2500 square feet or one understory tree for every 1400 square feet of parking area. The trees shall all be within 60 feet of the trunk of a canopy tree or 30 feet from understory trees, should utility conflicts or circumstances prevent compliance. All vehicular parking areas shall be screened from adjacent properties and streets by evergreen plantings that will attain a height of three feet (3') within three years. The use of shrubs and ground covers is encouraged in parking area islands and along the borders of parking areas.

Adopted on May 7, 2012; September 10, 2018; June 6, 2022

B. General Provisions

1. Landscaping plans

Landscaping and tree preservation plans shall be submitted for approval as part of each site plan required by this Ordinance.

2. Pre-Submittal Conference

A presubmittal conference with the Zoning Administrator is required to understand the requirements of this Section.

Amended June 6, 2022

- (a) Under certain circumstances the application of the standards delineated in this Section may either be inappropriate or ineffective in achieving the purposes of this Section. When landscaping and screening is required by this Section or by other provisions of this Ordinance and the site design, size, topography, unique relationships to other properties, lot configuration, spatial separation, natural vegetation, existing or proposed utility easements, or other special considerations exist relative to the proposed development, the developer may submit a specific alternative plan to the Zoning Administrator. The alternative landscaping plan shall indicate how the proposed alternative means of compliance are justified by site or development conditions and illustrate how compliance with the standards which need deviation can be achieved to the maximum extent practicable. If approved by the Zoning Administrator, the alternative landscaping plan may be utilized to meet the requirements of this Ordinance. Any party aggrieved by the staff's approval or disapproval of an alternative landscaping plan may appeal to the Board of Adjustment for its decision, as allowed by Section 8-1.

- (b) A combination of natural vegetation, fences, walls and berms may be utilized to achieve the screening requirements of this Section provided that the following standards are met:
- (1) Walls (a minimum of six feet in height and constructed of masonry, stone or pressure treated lumber) or an opaque fence (a minimum of six feet in height) may be used to reduce the widths of the buffer yards required by 10 feet.
 - (2) Understory trees shall be substituted for canopy trees if, a conflict exists with overhead utility lines.
 - (3) Wall planters shall be constructed of masonry, stone or pressure treated lumber and shall have a minimum height of 30 inches. The minimum height of shrubs in wall planters shall be 12 inches. The effective planting area of the wall planter shall be 4 feet in width (7 feet if the wall planter contains trees).
 - (4) Any berm utilized for screening purposes shall comply with the standards and requirements of subsection H, 4.

Amended June 6, 2022

4. All portions of required perimeter and streetscape buffer yards not planted with trees or shrubs or covered by a wall, driveway, or other barrier shall be planted with grass, ground cover, or natural mulch of a minimum depth of 3 inches, and shall be maintained to prevent mulch, dirt and other materials from washing into streets and sidewalks.
5. All tree and plant material selections shall be native or adapted to the Mebane region and its climate. A minimum of three (3) species of trees shall be used in all landscaping plans. A recommended plant materials list is provided in Appendix G. All species identified as invasive by the NC State University Agricultural Extension or NC Department of Agriculture are prohibited from being planted to satisfy the landscaping requirements and are recommended for removal and replacement.
6. Installation and construction practices should be utilized which preserve and replace existing topsoil.

Amended June 6, 2022

C. Perimeter Buffers: Existing Vegetation or New Perimeter Landscaping, General Requirements

1. Applicability

All land uses for which site plan approval is required shall provide a buffer to separate that use from adjacent land uses in accordance with the buffer

chart (see Table 6-4-1). Within the B-1 Central Business District, however, the requirements of this Section shall apply only to boundaries between properties located within the district and properties located outside the district, and not to boundaries between properties which are each located within the B-1 Central Business District. In cases where a required setback is smaller than the required buffer, the width of the buffer shall not be reduced.

Amended June 6, 2022

2. Purpose of buffers

Natural and landscaped buffers to separate adjacent land uses shall be provided in order to:

- (a) Shield properties from any adverse external effects of adjacent development, so as to mitigate incompatibilities between adjacent uses;
- (b) Preserve open space;
- (c) Preserve or create tree canopy and vegetation;
- (d) Minimize future increases in stormwater runoff;
- (e) Improve appearance of developments; and
- (f) Reduce glare and moderate temperature of impervious areas; and
- (g) Provide connectivity of buffers and dedicated open space among properties.

Amended June 6, 2022

3. Existing Natural Buffers

Existing buffers should be preserved rather than removing existing vegetation, in order to promote the preservation of existing natural areas. Where possible, buffers should remain in an undisturbed condition; but if the buffer is not a stream buffer, some maintenance may be necessary to prevent overgrowth. If an existing buffer does not meet the required buffer type as specified in Table 6-4-1, it must be enhanced to meet the specifications. The buffer shall have the width, amount of vegetation, and other features to properly mitigate negative effects of contiguous land uses.

4. Landscaped or Re-vegetated Buffers

If the Zoning Administrator determines that there is not an existing buffer on the site or has been disturbed, then a re-vegetated natural buffer shall be installed.

5. Type and width of buffer required

Table 6-4-1 determines the type and width of existing buffer or landscaped buffer that must be installed.

Table 6-4-1: Width and Type of Buffers* for Existing Perimeter Buffers and Landscaped Perimeter Buffers
Amended June 6, 2022

Proposed Use Class	IF DEVELOPED Adjacent Use Class							IF VACANT Adjacent Property Zoning District			
	1	2	3	4	5	6	7	Residential Zones	O&I	B-3 B-2 B-1	HM LM
4	20' B	40' B	30' B	20' B	20' B	20' B	20' B	25' B	10' B	10' B	10' B
5	25' B	40' B	30' B	20' B	20' C	20' C	20' B	25' B	10' C	10' C	10' B
6	50' B	100' B	70' B	40' B	20' C	20' C	25' B	50' B	20' C	20' C	10' C
7	75' B	125' B	100' B	50' B	30' B	25' B	20' C	70' B	25' B	25' B	10' C

* see subsection C, 7, (a) and (b) for descriptions of buffer types

Notes:

1. When no significant trees and shrubs occur within the perimeter buffer, new trees and shrubs are required to be planted to meet the requirements for the applicable buffer type. The new plantings shall be spread across the entire width of the buffer and not always planted in a row or rows.
2. No buffer is required between shared public uses (example a park adjacent to a school, library, or other shared public facility).
3. Buffers consistent with these land use classes are required between out-parcels and the adjacent shopping center or development to which the parcel is related. However, a required perimeter buffer between outparcels may be shifted elsewhere on the site per subsection C, 9.
4. Buffer areas along the perimeter of a small lot subdivision shall be required to provide a greater separation from adjoining lower density residential areas.

6. Land use classes for purposes of determining buffer width and type
The seven land use classes appearing in Table 6-4-1 include the following uses and structures:

Table 6-4-2
LAND USE CLASSES
Amended June 6, 2022

Land Class	Land Uses Included within the Land Class
Class 1	<p>Parks (except for active outdoor recreation), resource conservation facilities, farms (bona fide) and like uses.</p> <p>Open space—No buffer is required for any use adjacent to recorded permanent open space unless it is needed to meet the buffer width and type requirements in Table 6-4-1. Buffer width and type is based on the land use on the opposite side of the open space. Setbacks from open space will be the same as those for buffers since the open space is being used to meet buffer requirements.</p>
Class 2	<p>Single family detached dwellings on lots that are 8,000 square feet in area or larger and like uses.</p> <p>In addition, ‘underdeveloped’ properties (larger size properties greater than 10 acres that have the potential for higher density development as specified on the Land Use Plan Map) that may presently be zoned and/or used for residential shall be placed in the class according to the future land use as shown on the adopted Land Use Plan Map. This shall not apply to properties that contain an existing residential dwelling unit within 200 feet of the proposed use property line.</p>
Class 3	<p>Single family detached dwellings in residentially zoned districts on lots of less than 8,000 square feet and like uses (including detached patio homes).</p> <p>Privately-maintained residential amenities</p>
Class 4	<p>Animal hospitals/clinics having no outside kennels</p> <p>Churches</p> <p>Clinics</p> <p>Clubs and lodges</p> <p>Colleges</p> <p>Day care centers</p> <p>Duplex, attached or semi-detached dwellings</p> <p>Golf course sales, service and maintenance areas</p> <p>Guest houses</p> <p>Libraries</p> <p>Manufactured home parks</p> <p>Multi-family dwellings</p> <p>Museums</p> <p>Nursing homes</p> <p>O&I District not containing retail stores and/or restaurants, nightclubs and/or bars</p> <p>Offices and banks with a gross floor area on the property of 50,000 square feet or less</p> <p>Parking lots as a principal use containing less than 50 parking spaces</p> <p>Patio homes attached</p> <p>Public safety stations</p> <p>Recreation centers</p> <p>Recreation, outdoor active public (includes those associated with schools and parks)</p> <p>Schools</p>

	Townhouses
	Towers: water, radio, television or telecommunication up to 75 feet in height from the finished grade elevation to the top of the tower (not including antennae)
	Walk-up teller machines and/or depositories
Class 5	Amphitheater, outdoor (government) seating not more than 250 persons
	Amusement establishments, indoor
	Assisted living facilities
	Banks (including drive-through)
	Bowling alleys
	Drive-through windows associated with banks and similar uses
	Farm markets
	Hospitals
	Hotels and motels which are not located adjacent to a residential district that have no more than 150 rooms
	Life Care Communities
	Nursery, landscape supply businesses
	O&I District containing retail stores, and/or restaurants, nightclubs and/or bars
	Offices which are not specifically listed in Class 4 above with a total gross floor area greater than 50,000 square feet
	Parking lots as a principal use containing greater than 50 parking spaces
	Theaters
Towers: water, radio, television or telecommunication, up to 150 feet in height from the finished grade elevation to the top of the tower (not including antennae)	
Utility substations	
Class 6	Amphitheater, outdoor (government) seating more than 250 persons
	Amusement establishments, outdoor
	Automobile service stations
	Car washes
	Convenience stores
	Drive-through windows with uses otherwise permitted by this class
	Event center
	Hotels and motels, 150 rooms and greater, which are not located adjacent to a residential district
	Mini-storage warehouses
	Recreation, outdoor (commercial/private)
	Retail stores, shopping centers, or restaurants, nightclubs and/or bars not included within the O&I zoning district
	Towers: water, radio, television or telecommunication up to 199 feet in height from the finished grade elevation to the top of the tower (not including antennae)
	Vehicle sales, service, and rental
	Wholesale and jobbing establishments
	Adult Establishments
	Amphitheaters, outdoor (commercial/private)
	Dog kennels, outdoors
	Hotels and motels which are located adjacent to a residential district
	Manufacturing, heavy

Class 7	Manufacturing, light
	Outdoor storage
	Prototype process and production plants
	Public utility facilities
	Railroad lines, stations and yards
	Recycling and salvage operations
	Research laboratories
	Resource extraction
	Towers: radio, television or telecommunication above 199 feet in height from the finished grade elevation to the top of the tower (not including antennae)
	Vehicle raceway, motor
	Warehousing and distribution establishments

As an additional reference guide, Appendix C includes an alphabetical listing of land uses by land use class.

7. Types of Buffers and Landscaped Areas; Performance Standards

The two types of landscaped buffers that appear in Table 6-4-1 are described below along with performance standards for each. The use of existing plantings and trees is the preferred method of meeting the buffer and landscape requirements.

These types of buffers may be achieved by meeting the requirements listed below or by an approved alternative method that meets the performance requirements.

(a) **Type B, Semi-opaque**

Performance Standards: This perimeter buffer functions as an opaque screen from the ground to at least a height 6 feet. Vegetative material within this buffer shall meet the following criteria:

- (1) Existing or planted deciduous and/or evergreen trees shall attain a height at maturity of no less than 40 feet.
- (2) At least 50% of understory trees shall be evergreen and attain a height at maturity of no less than 10 feet.
- (3) At least 75 percent of the required shrubs shall be evergreen species locally adapted to the area.
- (4) Maximum spacing shall generally be no wider than 20 feet between tree trunks (but may be wider depending on tree type, if approved by the zoning administrator), with evergreen shrubs spacing ranging from four to eight feet on center.
- (5) Composition of the Semi-opaque Type B buffer may include a wall, fence, landscaped earthen berm, planted vegetation,

existing vegetation, or any appropriate combination of the elements.

- (6) Plantings shall be spread across the entire span of the buffer and not planted in a single row.

Amended June 6, 2022

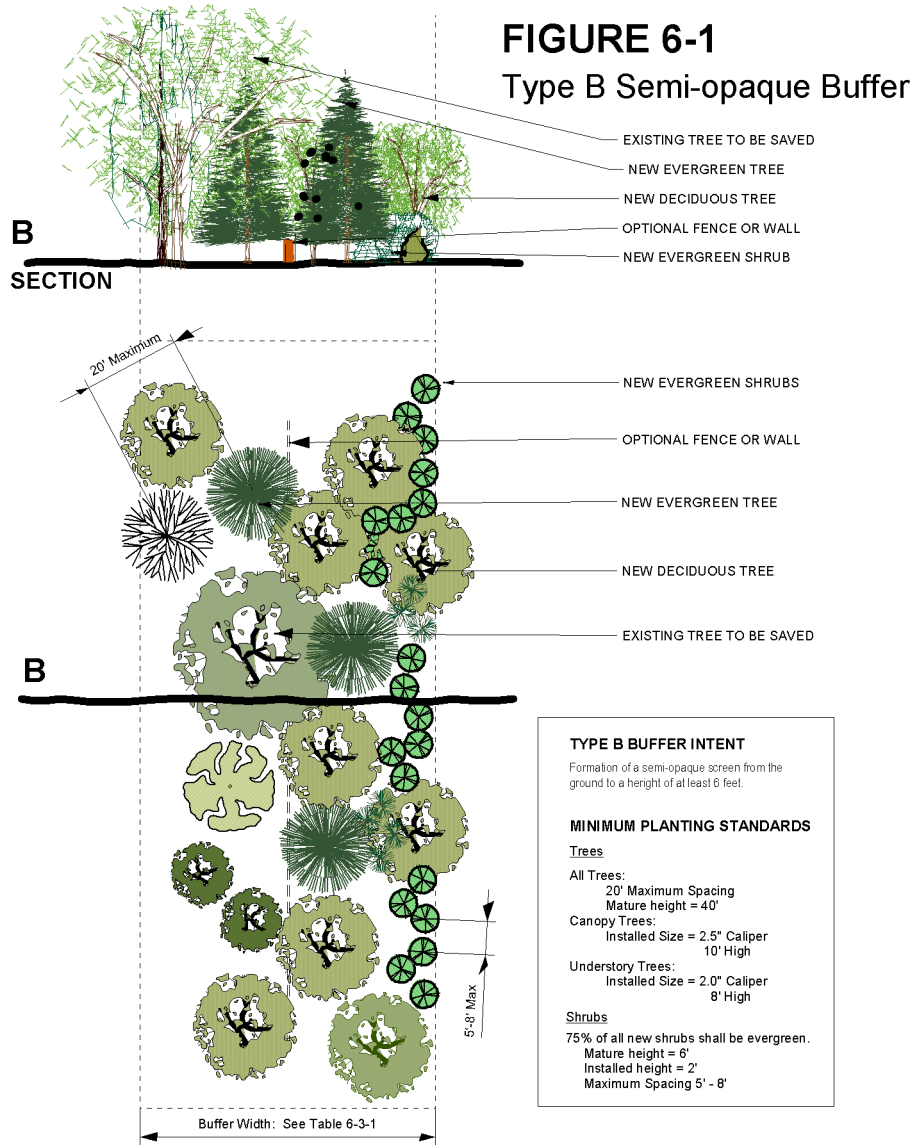


Figure 6-a: Type B Semi-Opaque Buffer

(b) Type C, Aesthetic

Performance Standards: 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. Vegetative material within this buffer shall meet the following criteria:

- (1) Existing or proposed tree plantings and shrubs of either deciduous and/or evergreen species may be installed in either a random, clustered, and/or linear fashion.
- (2) At least 50% of shrubs shall be evergreen.
- (3) Maximum spacing shall generally be no wider than 40 feet between canopy tree trunks, 20 feet between understory trees, and 8 feet between shrubs (Amended 12/05/11)
- (4) Composition of the Aesthetic Type C buffer may include a wall, fence, earth berm, planted vegetation, existing vegetation, or any appropriate combination of these elements.
- (5) Plantings shall be spread across the entire span of the buffer and not in a single row.

Amended June 6, 2022

(c) General Buffer Standards

Buffer plantings shall conform to the following standards:

- (1) The new plantings comprising the buffer shall be spread across the entire span of the buffer and not always planted in a row or rows. In some cases, planting in a row or rows is necessary to achieve the desired performance objective. Specifically, the entire buffer width may not be needed to achieve the desired performance objective of the buffer type. However, the remainder of the required buffer area should have a minimum spacing of trees as required by the applicable buffer type.
- (2) Buffer performance requirements must be achieved within five years.
- (3) Additional trees and shrubs may be required in addition to the existing vegetation to meet these buffer requirements.

FIGURE 6-2
Type C Aesthetic Buffer

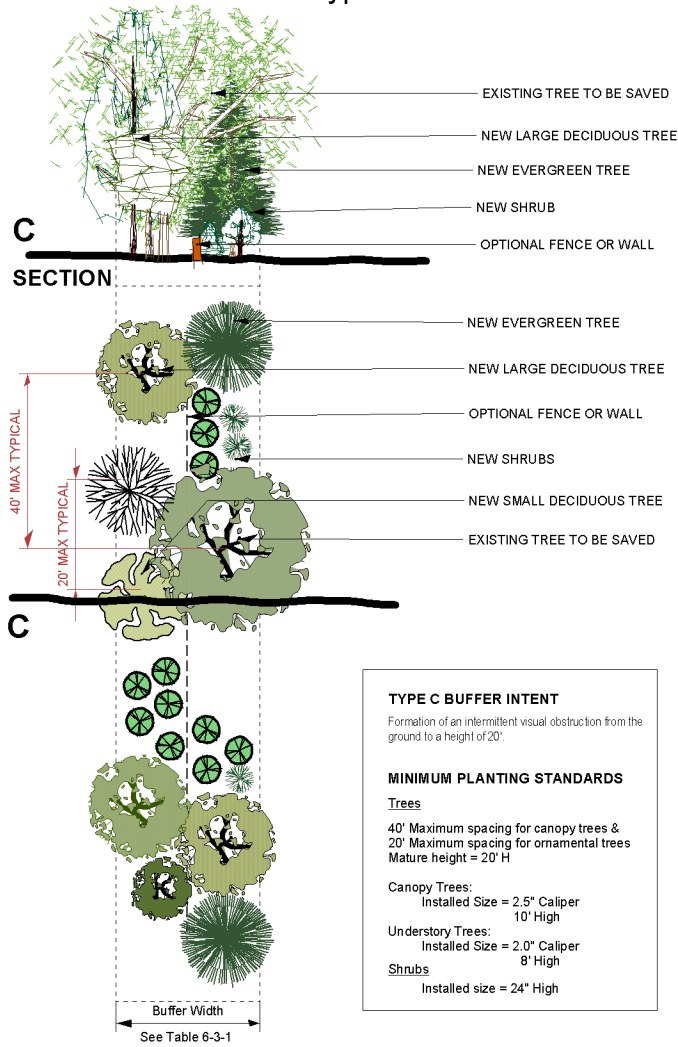


Figure 6-b: Type C Aesthetic Buffer

8. Location of buffers

The perimeter buffers required by this Section shall be located along the outer perimeter of the parcel and shall extend to the parcel boundary line or right-of-way line; however, the buffers may be located along shared access easements between parcels in non-residential developments. Within shopping centers or other non-residential centers/developments, the perimeter buffer area between outparcels may be shifted totally or in part, elsewhere on the site. For example a 20-foot buffer between like uses may be shifted elsewhere on the site preferably interior to the site as long as the total area is provided for. In Manufacturing zoning districts featuring loading docks, the parking lot trees may be shifted elsewhere on the site to enhance perimeter buffers or streetscapes in an effort to buffer adjoining land uses of lesser intensity. The intent of this subsection is to provide for more flexibility in designing sites and potentially save larger natural areas elsewhere on the site.

Perimeter buffers shall not include any portion of an existing or proposed public or private street right of-way and public or private easements. Stormwater control measures may be allowed in a buffer provided that it can be landscaped to meet the intent of the buffer requirements.

Amended June 6, 2022

9. Existing vegetation, fences, walls, and berms

Existing significant vegetation within the required buffer shall be preserved and credited toward standards for the type of buffer required, unless otherwise approved by the Zoning Administrator at the time of site plan approval. Existing berms, walls, or opaque fences within the buffer, but not including chain link fencing, may be used in part to fulfill the requirements for the 6-foot tall screen where required, provided that these elements are healthy and/or in a condition of good repair. Other existing site features within the required buffer area which do not otherwise function to meet the standards for the required buffer shall be screened from the view of other properties or removed, as determined during review and approval of the site plan.

Amended June 6, 2022

10. Installation of new vegetation and other features

If existing significant vegetation and other site features do not fully meet the standards for the type of buffer required, then additional vegetation and/or site features (such as fences) shall be planted or installed within the required buffer area to meet the performance criteria outlined in subsection 7 above (Types of Buffers/Landscaped Areas; Performance Standards).

11. No development within the required buffers

With the exceptions noted below, 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. No grading, development, or land-disturbing activities shall occur within the buffer or within the tree protection fence area unless approved by the Zoning Administrator.

Sidewalks and trails may be placed in buffers provided that damage to existing vegetation is minimized, and the intent of the buffer requirement is met. Utilities are not permitted in buffers unless no reasonable alternative exists. If utilities are placed in a buffer, they shall be located and installed in a way that minimizes disturbance of the buffer area (for example, installed not parallel but perpendicular or not less than at a 75 degree angle). Streets may not be placed within a buffer except to cross the buffer where necessary to connect to adjoining properties.

Amended June 6, 2022

13. **Ownership and maintenance of buffers**
Whenever possible, buffers in residential subdivisions shall be dedicated in an easement in common area exclusive to privately-owned lots and managed by the Homeowners Association. No required buffer in a residential subdivision shall be wholly owned (in fee simple absolute) by the owner of an individual residential building lot unless adequate, legally binding covenants are in place which ensure that the buffer is properly maintained and is not removed. If the buffer is placed upon privately-owned lots, the lots shall be sized to accommodate the buffer in addition to the minimum lot standards for the zoning district.

Amended June 6, 2022

D. Streetscape Landscaping: Preservation of Existing Vegetation and Installation of New Landscape Areas

1. **Preservation of Existing Vegetation along Roadways**
All uses which are subject to the requirements of this Ordinance shall preserve existing healthy vegetation within the streetscape or street front along all existing and proposed streets to meet the goals of a Type B perimeter buffer. Construction access to a site should occur where an existing or proposed entrance or exit is located.

Amended June 6, 2022

- (a) **Residential Development Perimeters:** Natural and dense vegetation should be maintained along major collectors and thoroughfares to mitigate the impact of these roadways.
- (b) On sites zoned for commercial or manufacturing, selective thinning may occur to improve the health of trees within the buffer. In addition, existing low-growing healthy vegetation and undergrowth for typical trees may be removed, if necessary, to allow for greater visibility of the site; however, healthy native ornamental specimen species should be saved if practical. Proposals for thinning buffers must be approved by the Zoning Administrator.

Amended June 6, 2022

- (c) The Zoning Administrator may allow the installation and maintenance of a planted streetscape in lieu of preservation of the existing vegetation along each thoroughfare or all streets which are adjacent to the site. Such modifications can be made with sound justification related to topography, drainage, site configuration, quality and quantity of existing healthy vegetation, road construction requirements or other similar issue. If a planted streetscape is permitted, then the required vegetation will be installed or in an amount comparable to what existed naturally (given time for maturity at a later date). If no existing healthy vegetation exists, then a minimum of a Type C planting is required.

Existing healthy vegetation may be removed in order to achieve required automobile sight distance triangles at intersections, driveways, or ingress/egress points, drive access to the site or to locate sidewalks or trails after review and approval by the Zoning Administrator

- (d) The applicant may appeal the Zoning Administrator's decision by electing to have the development plan forwarded to the City Council for consideration, after review and recommendation by the Planning Board.

2. Required Width of Streetscapes for All Types of Development

The width of the streetscape for non-residential uses (except when located in the B-1, Central Business District) shall be a minimum of 20 feet and a Type B design along thoroughfares and major collectors, as measured from the right-of-way line. The width of streetscapes in the B-1 district shall be determined on a case-by-case basis in accordance with the provisions of subsection I, 2, (c).

- (a) For residential developments along thoroughfares and major collectors, the width of the streetscape shall be a minimum of 20 feet in width. In accordance with subsection I, Incentives the Zoning Administrator may grant reductions in the width for residential streetscapes, only when the remaining streetscape is effective at reducing the impact of the adjacent roadway (i.e. use of walls, berms with a substantially more intensive landscape plan). The City Council may permit other reductions, after review and recommendation by the Planning Board.
- (b) On redeveloped sites or existing non-conforming sites, Council may reduce the streetscape to less than ten feet to promote redevelopment and reuse of existing developments (see subsection I, Incentives). The following criteria shall be considered in reducing the width of a streetscape:
 - (1) The relationship of existing topography to the finished street grades;

- (2) The type, amount, and location of existing vegetation within 30 feet of the right-of-way line;
 - (3) The size and configuration of the site;
 - (4) The location and extent of existing and proposed underground and overhead utilities;
 - (5) Slopes steeper than two and one-half to one (2.5:1) next to the right-of-way;
 - (6) Natural barriers to installation or maintenance of the streetscape, such as waterways, rock formations, and soil conditions;
 - (7) Proposed landscaping within the streetscape that exceeds the minimum.
- (c) If reductions are granted, the total area or part of that area that is reduced may be required to be placed elsewhere on the site, after review and approval by the Planning Director.

Amended June 6, 2022

3. Streetscape Landscaped Area

Table 6-4-2 below lists the full widths of streetscape required for the development based on land use across an adjacent street. The full width listed is required on each proposed site (not split between the two uses).

Table 6-4-3
STREETSCAPE LANDSCAPED AREA WIDTHS
Amended June 6, 2022

Proposed Land Use Class*	Land Use Class Across Adjacent Street			
	1 or 2	3	4 or 5	6 or 7
4	30'	30'	10'	15'
5	30'	30'	10'	15'
6	75'	50'	15'	10'
7	75'	50'	15'	10'

* Refer to land use class descriptions in subsection C, 6.

Width represents the full width required along the street frontage of the proposed use.

If property across the adjacent street is vacant, then the existing land use designation shall be used

A minimum 20-foot streetscape buffer is required for all uses located adjacent to thoroughfares and major collector streets.

A minimum 50-foot streetscape buffer is required for all uses located adjacent to interstate corridors.

Subdivisions with lots fronting on interior streets which have rear yards directly adjacent to thoroughfares or collector streets shall provide a minimum 30' wide Type B Streetscape.

4. Plantings in Streetscape

The property owner or developer shall preserve existing healthy trees or, if none exist, install or maintain one canopy tree for each 40 linear feet of streetscape. One understory ornamental tree every 20 feet on average is also required. Shrubs shall be planted four to eight feet from the center, depending on the type of shrub. The planting throughout the streetscape should be designed to achieve a natural tree stand area in future years. Additional trees may be required to be installed where existing healthy trees are preserved to ensure that the spacing of streetscape trees is met. The selected tree type located under overhead power lines may reach a maximum height of 20-25 feet at maturity.

Amended June 6, 2022

5. Tree Placement

Trees shall be installed on the thoroughfare side of any berm or screen planting, no less than 5 feet from the sidewalk or back of curb where no sidewalk exists or is planned within the right-of-way. Trees should be installed in a staggered fashion, or in clusters or groupings of large and/or small trees in combination with associated plantings. Trees may be planted in a linear arrangement parallel to the street depending upon the area (e.g., downtown areas, neotraditional developments, etc.). Street trees shall be spaced at least 8 feet from light poles and 10 feet from electrical transformers in order to safely service these utilities (understory trees may be placed closer if approved by the Zoning Administrator). No plantings shall impede vehicular visibility or movement at any intersection. For any corner lot, a sight triangle measuring ten feet from the right of way

and extending 70 feet from the edge of each side of the corner lot shall be required when designing the landscaping dimensions.

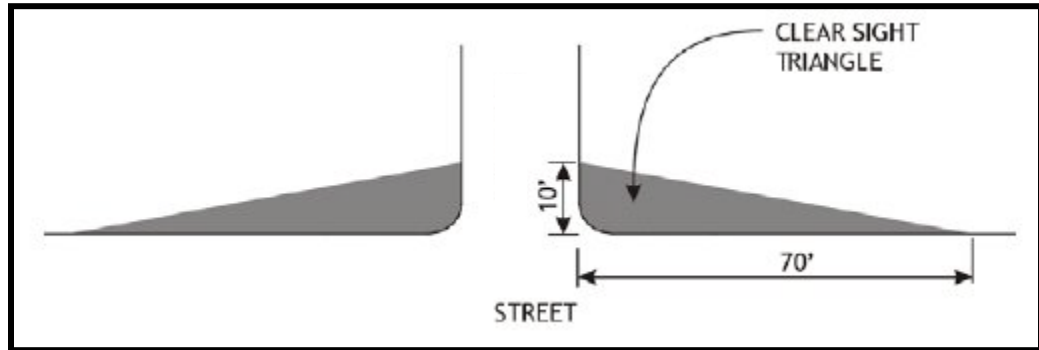


Figure 6-c: Required 10'x70' Sight Triangle

(Amended September 11, 2017)

6. **Pervious Area for New Trees**
A minimum of 300 square feet of pervious ground area per canopy tree shall be provided (understory trees may be allowed in less area but no less than 240 square feet). Any planting area bounded by an impervious surface should be at least ten feet wide. No canopy tree should be planted closer than 5 feet to a sidewalk, paved areas or other impervious surfaces (other types of trees may be closer).
7. **Stabilizing Steep Slopes**
All slopes two to one (2:1) and steeper shall be stabilized with permanent slope retention devices or a suitable combination of plantings and retention devices. Slopes greater than three to one (3:1) shall not be stabilized with turf grass (i.e. grasses that are mowed) but with other permanent ground cover such as weeping love grass, low junipers, etc.
8. **Screening Parking Areas**
Where there is a parking area between the thoroughfare and a non-residential building, streetscaping shall provide a semi-opaque screen or barrier between the right-of-way and the parking area. The screen or barrier may consist of plants, earthen berms, fences, walls, or any combination thereof which meets the following:

- (a) The screen shall occupy the length of the parking area except for the area within any sight triangles and sidewalks and driveways that cut through the screen to connect the parking area to streets and other properties. Shrubs shall be at least two feet in height above the ground and healthy at the time of installation.

Amended June 6, 2022

- (b) Berms may be used or installed instead of or in addition to plantings. If the berm does not meet the performance standards of this Section, then plant materials shall be installed which meet these performance standards. The installation of additional plant

materials is encouraged so as to enhance the visual and aesthetic qualities of the streetscape.

- (c) Berms must, at a minimum, be planted with and maintained with a groundcover vegetation or grass that will permanently stabilize the soil.
- (d) Shrubs, plantings, hedge, or wall shall provide a screen or barrier for the first three feet of height within three years and shrubs shall be maintained at a height of no less than three feet.

Amended June 6, 2022

9. Planting Criteria for Steep Slopes adjacent to Rights-of-Way

Where the right-of-way is bounded by slopes steeper than two to one (2:1) or is otherwise not suitable for the planting of street trees, the following standards shall apply:

- (a) If natural areas are permitted to be removed and/or graded, the streetscape shall provide a planting strip at a grade no greater than 4 feet horizontal to 1 foot vertical, for street trees at least ten feet wide located parallel to the thoroughfare. All street trees required by this Section shall be located at least 6 feet from the curb or sidewalk.
- (b) Existing significant vegetation within thirty feet of and extending to the right-of-way may be used to satisfy the requirements of this Section.

10. (Reserved)

11. Ownership of Streetscapes

No required streetscape in a residential subdivision shall be wholly owned (in fee simple absolute) by the owner of an individual residential building lot zoned for residential uses unless adequate, legally binding covenants are in place which ensure proper maintenance of the areas as a streetscape. Any required buffer or streetscape for a residential development shall not be credited toward meeting the lot size requirements. The preferred method is that the residential streetscape be a separate lot and owned by a separate entity (e.g. homeowners association).

12. No Development within the Required Streetscapes

The required streetscape 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, as permitted in this Ordinance. No grading, development, or land-disturbing activities shall occur within the streetscape or within the tree protection fence area unless approved by the Zoning Administrator or the City Council and shown on City-approved drawings. Sidewalks and trails may be placed in streetscapes provided that damage to existing vegetation is minimized, and the screening requirements of the streetscape are met.

Access drives and roadways may be permitted to cross streetscapes. Utilities are not permitted in streetscapes unless no reasonable alternative exists. If utilities are placed in a buffer, they shall be located and installed in a way that minimizes disturbance of the buffer area (for example, installed not parallel but perpendicular or not less than at a 75 degree angle). Streets may not be placed within a buffer except to cross the buffer where necessary to connect to adjoining properties.

Amended June 6, 2022

E. Tree Survey

1. Purpose and Intent

Preserving existing healthy vegetation on a site during development enhances the visual character of the community by screening and softening the impact of buildings and controlling surface water runoff. The purpose of a tree survey is to identify those areas of vegetation, including specimen trees and significant vegetation, before development plans are so far advanced that it is impractical to modify the plans to protect the vegetation identified to be saved. Preserving specimen trees or significant vegetation on a site should not prevent a particular site from being developed for reasonable uses, given existing zoning.

2. Tree Survey Requirements

A tree survey is prepared by the developer and is a description of the existing vegetation to be saved on a site. This is necessary to ensure protection that appropriate measures are taken to protect the tree stands from damage during construction. Trees should be protected in stands or clusters whenever possible. The survey:

- (a) Identifies significant vegetation found within the required buffers and other undisturbed areas (This is done to protect this vegetation during construction through proper location of tree protection fencing).
- (b) Provides a written description of the forest stand(s) and understory vegetation within buffer areas and other undisturbed areas and an indication of the general health and vigor of the stand or specimen trees for any existing vegetation to be preserved and counted toward required buffers and streetscape.

Amended June 6, 2022

- (c) Locates all streetscapes and buffers as required under subsections C and D.

- (d) Locates all tree protection fencing as required under subsection F, Tree Protection During Construction on landscape plan sheet and grading plan sheet.
- (e) Locates all other important natural features influencing site design (including perennial and intermittent streams).
- (f) Shows buffers required under other Sections of this Ordinance and other areas proposed for preservation.
- (g) Shows other important natural features influencing site design, such as the location of wetlands, rock outcroppings, streams, lakes and other bodies of water should be shown on the survey.

F. Tree Protection During Construction

1. During development of the property, the owner shall be responsible for the erection of barriers necessary to protect any existing or installed vegetation located within the preservation or undisturbed buffer areas from damage both during and after construction. Except for driveway access points, sidewalks, curb and gutter, no paving with concrete or other impervious material shall be allowed within a tree dripline. No nails, ropes, cables, signs or fencing shall be attached to any part of a tree that is to remain. Landscaping or other activities taking place after removal of protective fencing shall be accomplished with light machinery or hand labor.

Amended June 6, 2022

2. **Tree Protection Fencing**
All existing vegetation that is to be preserved, including buffers, shall be fenced with a sturdy and visible fence before grading begins. Fencing of these areas adjacent to existing and proposed roadways is also required. Fencing is required on all City and NCDOT road projects that are adjacent to protected streetscapes or buffers. The fencing must be a minimum 4 feet high and of durable construction and must be placed outside of the drip line of the tree to be protected. Passive forms of tree protection, such as continuous rope or flagging, may be used to delineate tree save areas that are remote from the area of land disturbance.

Both applicant and the Zoning Administrator, in determining the exact location of any tree protection fencing, will consider the existing site conditions. The fence shall be maintained on the site until all site work is completed. It shall be removed before final site inspection for the certificate of occupancy.

3. **Tree Protection Zone Signs**
Tree Protection Zone signs stating that the area is not to be disturbed must be installed on the tree protection fence visible on all sides of the fenced in area (minimum one on each side and/or every 300 linear feet).

Amended June 6, 2022

G. Landscaping for Parking Areas

1. Purposes

The requirements of this subsection are intended to ensure attractive views of a property from streets and adjacent properties; to block views of parking lots from the adjacent rights-of-way, to moderate temperatures of impervious areas and abate glare from parking lots or service areas; to filter automotive exhaust; and to encourage the preservation of stands of existing trees.

2. Existing vegetation

Existing healthy, well-formed, canopy trees may be counted toward the requirements of this subsection, provided that these trees are protected, in accordance with subsection F, before and during development of the site and maintained after development in a healthy growing condition. No credit shall be given for retention of species identified as invasive by the NC State University Agricultural Extension or NC Department of Agriculture.

- (a) **Within the parking area:** All parking areas must have at least one canopy tree trunk within 60 feet of each parking space. Two understory trees may be used instead of one canopy tree only if overhead or underground utility lines will impair the canopy tree's growth to mature habit. (Amended December 5, 2011)
- (b) **Screening the parking area:** All parking areas shall be screened from adjacent properties and streets by evergreen plantings that will attain a height of three feet within three years. The use of shrubs and ground covers is encouraged in parking area islands and along the borders of parking areas.

Amended June 6, 2022

3. Design standards

The design of the parking area with landscaped areas, and the selection of plant materials, shall meet the standards noted below. Parking area trees are in addition to required streetscape trees.

- (a) All parking spaces shall be within 60 feet of the trunk of a canopy tree, or 30 feet from understory trees if needed due to overhead utilities or with special circumstances. There shall be a minimum of one canopy tree every 2,500 square feet and one understory tree every 1400 square feet of parking area. All parking areas shall be screened from adjacent properties and streets by evergreen plantings that will attain a height of three feet within three years. The use of shrubs and ground covers is encouraged in parking area islands and along the borders of parking areas.

Amended June 6, 2022

- (b) All planting medians and/or islands in parking areas should be at least ten feet long by ten feet wide with a minimum of 300 square feet of space per canopy tree where these trees are proposed. This dimension must be measured from the back of the curbs. Linear planting strips between the length of parking isles are strongly encouraged rather than numerous small one tree islands. If linear planting strips are used then the distance of parking spaces from a trunk of a canopy tree may be increased to 70 feet.
- (c) A minimum 10 foot wide continuous planted median shall be installed in off-street parking areas approximately every 250 linear feet in one direction for vehicular surface areas exceeding 75,000 square feet. Other design options may be approved provided that the intent of 'breaking up' large areas of parking is met. In vehicular use areas primarily serving multi-axle trucks where landscaping is not practical, required plantings may be placed elsewhere on site if the purposes and standards of this Ordinance are met.

Amended June 6, 2022

- (d) All sidewalks shall be at least five feet from the trunks of canopy trees, unless otherwise approved by the Zoning Administrator. For example, when the placement of the sidewalk would require the removal of an existing canopy tree to meet this requirement or where there is not enough space on the site to accommodate both the tree and the sidewalk this requirement may be modified.

Amended June 6, 2022

- (e) Parking lots shall be graded so that landscape islands do not impound water, unless surface impoundment is required as a method of on-site retention of stormwater. Landscape islands should be thoroughly cultivated and amended so as to support healthy plant growth.
- (f) Preservation of existing groups or stands of trees, as well as isolated islands with single trees, is strongly encouraged (see subsection I, Incentives)

FIGURE 6-4 Parking Lot Landscaping

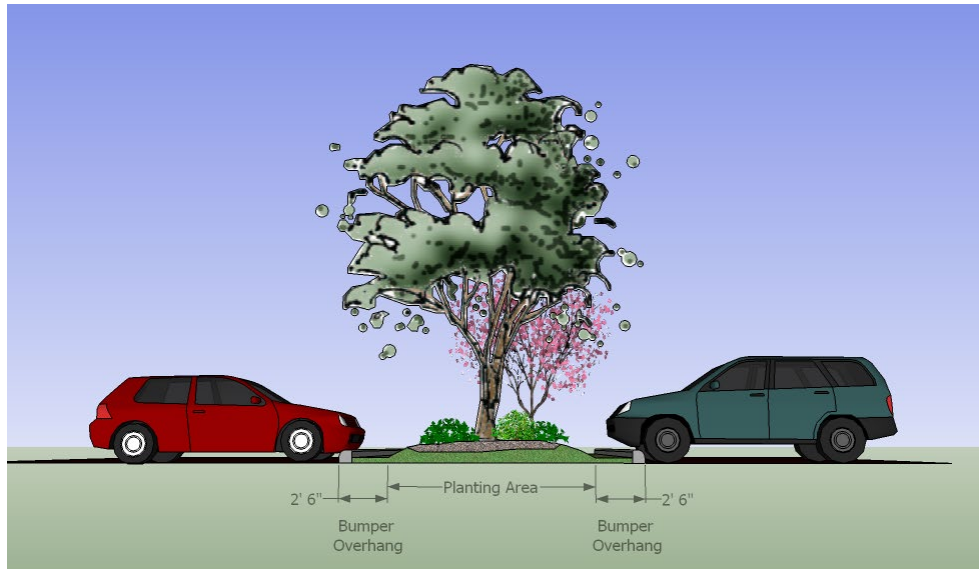


Figure 6-d: Required Parking Lot Landscaping

- (g) Canopy trees shall be at least two and one-half inches in caliper when installed and at least 10 feet in height.
- (h) Evergreen shrubs shall be at least 24 inches in height and minimum three-gallon container size at the time of installation.
- (i) Adequate drainage and mulching shall be provided for landscaped medians and islands.
- (j) The property owner or developer shall provide for continuous maintenance of the landscaped areas after occupancy of the building. The property owner shall ensure that performance criteria within this ordinance and/or included on the approved development plan are met. Failure to correct deficiencies in a timely manner shall result in a citation for violation of this Ordinance, as provided for in Article 11.

Amended June 6, 2022
- (k) Parking lots shall be designed and constructed so as to prevent vehicles from striking trees or overhanging shrubs.

- (l) The size of the planting area and size of plant material at maturity shall allow for a 2.5-foot vehicle overhang from the face back of the curb. Barriers, such as curbs or wheel stops, shall be provided between parking lots and loading areas and landscaped areas.

H. Other Landscape Requirements

1. Required Foundation Plantings for Nonresidential Buildings

With the exception of buildings in the B-1 Central Business District, foundation plantings are required on all non-loading and non-service sides of non-residential buildings unless an exception is approved by the Zoning Administrator. If deemed appropriate and in an effort to maintain ADA-compliant walkways, minimize encroachments, or not place an undue financial burden upon an property owner, the Zoning Administrator may allow the use of planter boxes for permanent vegetation.

2. Standards for New Planting

Canopy trees shall be at least 10 feet high above ground level and a minimum of two and one-half inches in caliper, and understory trees shall be at least 8 feet high above ground level and a minimum of 2 inches in caliper at the time of installation and shall have an expected mature height based on the buffer type. All shrubs shall be healthy, measure at least 24 inches above ground level and shall reach the height required for performance within three years after installation.

3. Easements

Nothing shall be planted or installed within an underground or overhead utility easement or a drainage easement without the consent of the City and the easement holder at the time of site plan approval. Any encroachments shall be solely the responsibility of the property owner unless otherwise stated in a legal agreement with the City.

Amended June 6, 2022

4. Design standards for Berms

All berms used in a perimeter buffer (or in a streetscape or streetfront landscape area) shall meet all of the following design standards:

- (a) The slope of all berms shall not exceed a 2:1 ratio (horizontal to vertical), shall have a top width at least one-half the berm height, and a maximum height of 4 feet above the toe (top) of the berm. The Zoning Administrator shall approve all berms. Berms proposed to be greater than four feet in height may be permitted if deemed appropriate by the Zoning Administrator.

- (b) Proposed berms to be placed over an existing or proposed utility easement(s) shall be approved by the Zoning Administrator;
- (c) All berms, regardless of size, shall be stabilized with a ground cover or other suitable vegetation;
- (d) Berms shall be vegetated as required by this subsection. Berms must be stabilized with ground cover to prevent erosion and sedimentation. It is strongly discouraged to use berms as a substitute for existing healthy vegetation. However, if berms are allowed to replace existing vegetation which already meets the standards in this Section then they must also meet the buffer standards and must be approved by the Zoning Administrator; and
- (e) Berms shall in no case damage the roots of existing healthy vegetation designated to be preserved.

5. Screening of Stormwater Devices

Culverts, rip rap structures, holding ponds, and other stormwater-related devices must be landscaped to reduce their visual impacts. This landscape screening must consist of evergreen plantings and be part of the approved landscape plan.

6. Designated Utility Corridor

In order to reduce the damage to root systems of existing vegetation within streetscapes, buffers or any other tree save areas, designation of planned utility connection corridors is required to be shown on all development plans to coordinate the location of electrical, telephone, cable and other similar utilities.

I. Incentives

1. Purpose

The purpose of this section is to allow alternative ways to meet the standards set forth in this ordinance. This subsection provides flexibility provided that the overall intent of this Section is met. These incentives are discretionary and are subject to approval of the Zoning Administrator.

2. Incentives

The following incentives are provided to encourage the preservation of existing healthy vegetation and innovation in site design. The Zoning Administrator may approve use of these incentives unless otherwise noted.

- (a) Existing healthy non-invasive vegetation and the area of land used to maintain the vegetation may be counted towards meeting the performance criteria for buffers, streetscapes, and parking areas set out in subsections C, Perimeter Buffers and subsection G, Landscaping for Parking Areas.

Amended June 6, 2022

- (b) A five to twenty percent reduction in the number of parking spaces required on the site shall be allowed to the extent that the reduction in the amount of required pavement will: (i) preserve existing healthy trees in an undisturbed natural condition, or (ii) allow an existing development to retrofit parking to conform to these regulations. The amount of reduction can be determined only after taking any unique site conditions and the impact of the reduction on parking needs for the use into account and must be agreed upon by both the applicant and the Zoning Administrator.
- (c) City Council may reduce the width of streetscapes required under subsection D, Streetscape Landscaping and buffers under subsection C, Perimeter Buffers. Buffer reductions between uses may be considered based on the use of innovative site/building design concepts. Council may make exceptions to the minimum buffer widths for developments within the downtown area and for redevelopment sites. Reducing widths of streetscapes and buffers should be done only when meeting the required width prevents reasonable use of the property based on the zoning and/or additional existing healthy vegetation or open space is provided elsewhere on the site.

Amended June 6, 2022

- (d) Interior buffer areas may be relocated provided (i) the square footage of area is relocated elsewhere on site (preferably to save more existing vegetation) and (ii) parking lot landscape areas are designed in a combined linear fashion instead of small isolated pockets.

J. [Reserved] Amended June 6, 2022

K. Time for Installation of Required Landscaping

1. Time Limit

All landscaping, including mulching and seeding shall be completed in accordance with the approved development plan or Developer Agreement, as allowed by Article 2 Section 26 before a certificate of occupancy for the site is issued unless the Zoning Administrator grants an exception. If an exception is granted, a performance bond or other type of security is

required and will be identified in the Developer Agreement to ensure required landscaping will be done at a predetermined later date. The amount of the bond shall be 125% the cost of the plant material yet to be installed, based on the highest estimate received.

Amended June 6, 2022

2. Extensions and Exceptions

Extensions and exceptions to the above time limit may be granted under the following conditions:

- (a) Unusual environmental conditions, such as drought, ice, over-saturated soil, or inappropriate planting season for the plant species (plantings between June through August are strongly discouraged).
- (b) Substitution or unavailability of plant species or acceptable plant size as specified on the site plan.
- (c) Circumstances beyond the developer's or property owner's control, such as incomplete construction or utility work to occur in a proposed landscaped area within 30 days after expected site completion.

L. Implementation of Landscape Plan; Inspections

- 1. Inspections before Certificate of Occupancy: The Zoning Administrator shall inspect the site before the issuance of a permanent certificate of occupancy for the development and shall not issue the permanent Certificate of Occupancy if the landscaping required under this Section is not living or healthy or is not installed in accordance with the standards set forth in this Section and in accordance with the approved site plan.

M. Maintenance Responsibility

- 1. In order for any landscaping and screening to fulfill the purpose for which it was established, it must be properly maintained. The owner of the property, the HOA, and any tenant on the property where screening is required will be jointly and severally responsible for the maintenance of all landscaping and screening materials required under this Ordinance. Maintenance includes actions necessary to keep screening materials healthy, neat and orderly in appearance and free of litter and debris.

Amended June 6, 2022

- 2. The landscaping and screening requirements of this Ordinance are intended to be performance-oriented and the failure of trees and planting materials to achieve adequate growth and development shall constitute noncompliance. All screening and landscaping areas must be protected from damage by motor vehicles or pedestrians which could reduce the effectiveness of the screening.

3. Any dead, unhealthy, or missing vegetation, or vegetation disfigured by severe or excessive pruning (e.g. “topping”), shall be replaced with locally adapted vegetation that conforms to the standards of this Ordinance and the approved site and/or subdivision plan. In the case of removal of existing original vegetation from required vegetation protection areas, the replacement requirements of subsection O below shall apply.

Amended June 6, 2022

4. In the event that any vegetation or physical element functioning to meet the standards of this Ordinance 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 may be required to replant if the buffer standards are not being met. The owner shall have one growing season to replace or replant after reconstruction is complete. The Zoning Administrator shall consider the type and location of the landscape buffer or required vegetation area as well as the propensity for natural revegetation in making a determination on the extent of replanting requirements.
5. Any appeals of the Zoning Administrator’s decision relating to the amount of required revegetation shall be made to the City Council within ten days following the notice of decision, and the City Council shall consider reduction requests at the next available regular meeting.
6. All required buffers, streetscapes, vehicular use areas, and other landscaped areas shall be free of refuse and debris, shall be treated for pest/diseases in accordance with the approved site and/or subdivision plan, and shall be maintained so as to prevent mulch, straw, dirt, or other materials from washing onto streets and sidewalks.
7. The owner should take actions to protect trees and landscaping from unnecessary damage during all facility and site maintenance operations. Plants must be maintained in a way that does not obstruct sight distances at roadway and drive intersections, obstruct traffic signs or devices, and/or interfere with the use of sidewalks or pedestrian trails. Viable plants shall not be removed, damaged, cut or severely pruned so that their natural form is impaired (shrubs within existing vehicle use areas and streetscapes may be pruned, but must maintain the minimum required height).
8. In the event that existing required vegetation located within any required buffers, streetscapes, vehicular use or other landscape areas poses an immediate or imminent threat to improved structures on private or public property, severe pruning and/or removal of the vegetation is allowable provided prior approval from the Zoning Administrator is obtained, and the performance standard of the landscape area is maintained consistent with this Ordinance.
9. Unapproved removal of vegetation and/or severe or excessive pruning in non-emergency situations will result in a violation of this Ordinance.

10. The owner of the property on which a required fence or wall is located shall maintain the fence or wall in a safe and attractive condition. This shall mean the following:
 - (a) No fence or wall shall have more than 20 percent of its surface area with disfigured, cracked, ripped or peeling paint or other material;
 - (b) A fence or wall shall not stand with bent or broken supports, including loose or missing appendages; and
 - (c) Fences and walls shall be plumb (vertical) to the ground.

N. Replacement of Disturbed and Damaged Vegetation

1. The disturbance or damage of vegetation within any required buffers, streetscapes, vehicular use areas, or other landscape areas required by this Ordinance, or by zoning condition, shall constitute a violation of this Ordinance.
2. The natural death of existing vegetation within any required landscape area does not constitute a violation and would not require revegetation to replace the plant material unless the required landscape area no longer achieves the required performance standards of this Ordinance.
3. All disturbed or damaged landscaped areas and natural vegetation shall be replanted so as to meet the standards of this Ordinance, as well as the approved site and/or subdivision plat, if applicable. A replacement planting plan shall be submitted for review and approval by the Zoning Administrator prior to replacement. This plan will ensure proper replacements are made.
4. In situations where existing required vegetation on a developed site or vacant site with an approved site and/or subdivision plat has been removed or damaged in violation of this Ordinance, the Zoning Administrator may require that the entire site be reviewed and revegetated consistent with the current provisions of this Ordinance.

O. Failure to Comply

Failure to substantially comply with the standards and requirements of Section 6-4, including the maintenance of required landscaping materials and replacement of damaged vegetation shall result in the revocation of the zoning or special use permit. Permit revocation shall follow with the procedures delineated in Section 11-6.

6-5 Parking, Stacking, and Loading

A. General Requirements

1. Parking, Stacking and Loading Space Required

When any building or structure is erected, modified, enlarged or increased in capacity, or any open use is established, modified or enlarged, the requirements of this Section shall be met. For enlargements, modifications, or increase in capacity, the requirements of this Section shall apply only to such enlargements, modifications or increases in capacity. Parking requirements for uses in the B-1 Central Business District shall be reviewed on a case-by-case basis and deviations in the number of required parking spaces may be made in accordance with the provisions of Section 6-5.C, 5.

2. Required Number

The minimum number of required off-street parking, stacking and loading spaces is indicated in subsection 6-5.3 (parking and stacking) and subsection 6-5.7 (loading). In cases of mixed occupancy, the minimum number of off-street parking, stacking and loading spaces shall be the cumulative total of individual use requirements unless otherwise specified. Bicycle racks shall be required at a ratio of one bicycle rack for every dedicated handicapped space, as required by 6-5.A. 3.

Amended June 6, 2022

3. Handicapped Spaces

Spaces for the physically handicapped shall be provided as required by the NC Building Code, Volume I-C and the Americans with Disabilities Act of 1990.

4. Minimum Number of Parking Spaces

In all instances, except for residential and accessory uses, where less than five off-street parking spaces is required by Table 6-5-1, a minimum of five automobile parking spaces and one bicycle rack shall be provided.

Amended June 6, 2022

5. Reduction of Minimum Requirements

Unless there is a change in use requiring fewer spaces, the number of spaces shall not be reduced below the minimum requirements of this Article.

6. Maintenance

All parking, stacking and loading facilities shall be permanently maintained by the owners or occupants as long as the use they serve exists.

7. Access

All parking, stacking and loading facilities shall have vehicular access to a public street or approved private street.

8. Use for No Other Purpose

Land used to provide required parking, stacking, and loading shall not be used for any other purposes, except for authorized temporary events. If such land is devoted to any other purpose, the Certificate of Occupancy of the affected principal use shall immediately become void.

9. Compliance with Air Quality Standards

The construction of or modification to (i) open parking lots containing 1,500 or more spaces or (ii) parking decks and garages containing 750 or more spaces shall comply with the concentrated air emissions standards of the NC Division of Environmental Management.

10. Parking of Vehicles in Residential Districts

Parking vehicles in excess of one ton rated capacity shall be prohibited in a residential zoning district except for loading and unloading purposes, for emergency home service, or for use in the conduct of a legal nonconforming use; and then parking of such vehicles shall be permitted only on the property occupied by the legal nonconforming use. In no case shall parking of such a vehicle be permitted on the street.

11. On-street Parking Restrictions

See Chapter 34 of the City of Mebane Code of Ordinances for specific regulations regarding parking restrictions on public streets, including prohibitions against the on-street parking or storage of certain types of motor vehicles and the on-street parking of oversized motor vehicles.

12. Electric Vehicle Charging Stations

Provision of an electric vehicle charging station shall be credited as the equivalent of two parking spaces for vehicles with combustion engines.

Amended June 6, 2022

B. Parking Requirements for Change in Use

If a change in use causes an increase in the required number of off-street parking, stacking or loading spaces, such additional spaces shall be provided in accordance with the requirements of this Ordinance; except that if the change in use would require

an increase of less than five percent in the required number of parking spaces, no additional off-street parking shall be required.

C. Number of Parking and Stacking Spaces Required

1. The minimum number of required off-street parking and stacking spaces is indicated in Table 6-5-1. However, in no event shall a nonresidential use or the nonresidential component of a mixed use development provide more than 120 percent of the minimum parking spaces established in Table 6-5-1 except through the approval by the Zoning Administrator of a parking demand study, prepared by a qualified professional, which demonstrates the need for parking spaces in excess of 120 percent of the minimum requirement established in Table 6-5-1.
2. Whenever the number of parking spaces required by Table 6-5-1 results in a requirement of a fractional space, any fraction of one-half or less may be disregarded while a fraction in excess of one-half shall be counted as one parking space.
3. For any use not specifically listed in Table 6-5-1, the parking and stacking requirements shall be those of the most similar listed use, as determined by the Zoning Administrator.
4. All developments in all zoning districts shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question. The City recognizes that the B-1 zoning district serves the needs of a denser land use environment and that parking requirements may need to be reduced, as allowed by subsection 5.

Amended June 6, 2022

5. The City Council recognizes that, due to the particularities of any given development, the inflexible application of the parking standards set forth in Table 6-5-1 may result in a development either with inadequate parking space or parking space far in excess of its needs. Therefore, the permit-issuing authority may permit deviations from the requirements of Table 6-5-1 and may require more parking or allow less parking whenever it finds that such deviations are more likely to satisfy the general standard delineated in subsection 4 above.

The permit-issuing authority may allow deviations, for example, when it finds that a residential development is irrevocably oriented toward the elderly, disabled or other population that demonstrates a lesser parking need or when it finds that a business or service is primarily oriented to walk-in trade. The permit-issuing authority may also, for example, require additional overflow or visitor parking in cases where the proposed lot sizes are such that anticipated parking needs for occasional visitors can not be accommodated on individual lots. Whenever the permit-issuing authority allows or requires a deviation from the requirements of Table 6-5-1, it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

Table 6-5-1

Off-Street Parking and Stacking Requirements
Amended June 6, 2022

USE	MINIMUM SPACES REQUIRED
Residential Uses	
1) Boarding and rooming house; bed & breakfast	1/bedroom plus 2/3 employees on the largest shift
2) Congregate care, family care, or group care facilities	1/4 beds plus 1/employee and visiting specialist plus 1/vehicle used in the operation
3) Multi-family dwellings (including condominiums)	
0 to 1 bedroom units	1.50/unit
2 bedroom units	1.75/unit
3 or more bedroom units	2.00/unit plus 0.5 per bedroom over 3 bedrooms
4) Homeless shelter	1/resident staff member, plus 2/3 nonresidential staff members and/or volunteers on the largest shift, plus 1/each vehicle used in the operation
5) Single-family detached & two-family dwellings; manufactured homes; townhouse dwellings; manufactured home parks; residential use in a nonresidential building	2/dwelling unit plus 0.5 per bedroom over 2 bedrooms
Accessory Uses	
1) Accessory dwelling unit	1/attached unit, 2/detached unit
2) Caretaker dwelling	2/unit
3) Home occupation	1/each non-resident employee
Recreational Uses	
1) Amusement parks; fairgrounds; skating rinks	1/200 square feet of activity area
2) Athletic fields	25/field
3) Auditorium; assembly hall; convention center; stadium	1/5 persons based upon the design capacity of the building
4) Batting cages, golf driving ranges; miniature golf; shooting ranges	1/cage, tee, or firing point
5) Billiard parlors; tennis courts	3/table or court
6) Bowling centers	4/lane
7) Clubs; coin-operated amusement; physical fitness centers and similar indoor recreation	1/200 square feet of gross floor area
8) Riding academy	1/2 stalls
9) Go-cart raceways	1/go-cart plus 1/employee on the largest shift
10) Recreational vehicle park or campground	See Section 8.56
11) Swimming pools, swim clubs	1/100 square feet of water and deck space
Educational and Institutional Uses	
1) Ambulance services; fire stations; law enforcement stations	1/employee on the largest shift
2) Churches	1/4 seats in main chapel
3) Colleges and universities	7/classroom plus 1/4 beds in main campus dorms plus 1/250 square feet of office space plus 1/5 fixed seats in assembly halls and stadiums
4) Correctional institutions	1/10 inmates plus 2/3 employees on largest shift plus 1/vehicle used in the operation

USE	MINIMUM SPACES REQUIRED
5) Day care centers; day care homes	1/employee plus 1/10 clients plus stacking for 4 vehicles
6) Elementary and middle schools	5 spaces plus 1/employee
7) Government offices; post offices	1/150 square feet of public service area plus 2/3 employees on largest shift
8) Hospitals	1/4 in-patient or out-patient beds plus 2/3 employees on largest shift plus 1/staff doctor
9) Libraries; museums and art galleries	1/450 square feet of gross floor area for public use plus 2/3 employees on the largest shift
10) Nursing and convalescent homes	1/4 beds plus 1/employee and visiting specialist plus 1/vehicle used in the operation
11) Senior high schools	1/4 students plus 1/employee
Business, Professional and Personal Services	
1) Automobile repair services	3/service bay plus 1/wrecker or service vehicle plus 2/3 employees on the largest shift
2) Banks and financial institutions	*1/200 square feet gross floor area plus stacking for 4 vehicles at each drive-through window or automatic teller machine
3) Barber and beauty shops	3/operator
4) Car washes	
a) Full-service	*stacking for 30 vehicles or 10/approach lane, whichever is greater plus 3 spaces in the manual drying area plus 2/3 employees on the largest shift
b) Self-service	*3 stacking spaces/approach lane plus 2 drying spaces/stall
5) Delivery services	2/3 employees on largest shift plus 1/vehicle used in the operation
6) Equipment rental and leasing	1/200 square feet gross floor area
7) Funeral homes or crematoria	1/4 seats in main chapel plus 2/3 employees on the largest shift plus 1/vehicle used in the largest operation
8) Hotels and motels containing...	
a) 5,000 square feet or less ancillary space, i.e. restaurant, meeting rooms, lounge or lobby or a restaurant/lounge containing 3,000 square feet or less	1.1/rental unit
b) more than 5,000 square feet of ancillary space, i.e. restaurant, meeting rooms, lounge or lobby or a restaurant/lounge containing over 3,000 square feet	1.25/rental unit
9) Kennels or pet grooming	1/300 square feet of sales, grooming or customer waiting area plus 2/3 employees on the largest shift
10) Laundromat (coin operated)	1/4 pieces of rental equipment
11) Laundry and dry cleaning plants or substation	*2/3 employees on the largest shift plus 1/vehicle used in the operation plus stacking for 4 vehicles/pickup station
12) Laboratories	*2/3 employees on the largest shift plus 1/250 square feet of office space
13) Medical, dental, or related offices	3/examining room plus 1/employee including doctors
14) Motion picture production	1/1000 square feet of gross floor area
15) Offices not otherwise classified	1/250 square feet of gross floor area

USE	MINIMUM SPACES REQUIRED
16) Repair of bulky items (appliances, furniture, boats, etc.)	2/3 employees on largest shift plus 1/vehicle used in operation
17) Theaters (indoor)	1/4 seats
18) Truck wash	3 stacking* spaces/stall
19) Veterinary service (other)	4/doctor plus 1/employee including doctors
20) Vocational, business, or technical schools	1/100 square feet of classroom space plus 1/250 square feet of office space
21) Services and repairs not otherwise classified	1/250 square feet gross floor area plus 1/vehicle used in the operation
Drive-throughs not otherwise classified	Stacking* for 4 vehicles at each bay, window, lane, ordering station or machine in addition to the use requirement
Retail Trade	
1) Bars, night clubs, taverns	1/3 persons based upon the design capacity of building plus 2/3 employees on the largest shift, located on the same zone lot
2) Convenience stores	1/200 square feet gross floor area plus 4 stacking* spaces at pump islands
3) Department stores, food stores	1/200 square feet gross floor area
4) Fuel oil sales	2/3 employees on largest shift plus 1/vehicle used in the operation
5) Furniture; floor covering sales	1/1,000 square feet gross floor area
6) Motor vehicle, motorcycle, or recreational vehicle sales or rental; manufactured homes sales	5 spaces plus 1/10,000 square feet of display area plus 2/3 employees on the largest shift
7) Restaurants	1/4 seats plus 2/3 employees on the largest shift & 11 total stacking* spaces with minimum 5 spaces at or before ordering station
8) Retail sales not otherwise classified	1/200 square feet gross floor area
9) Retail sales of bulky items (appliances, building materials, etc.)	1/500 square feet of gross floor area
10) Service stations, gasoline sales	3/service bay plus 1/wrecker or service vehicle plus 2/3 employees on largest shift plus 4 stacking* spaces at pump islands
Wholesale Trade	
1) Market showroom	1/1,000 square feet gross floor area
2) Wholesale uses	2/3 employees on the largest shift plus 1/200 square feet of retail sales or customer service area plus 1/vehicle used in the operation
Transportation, Warehousing and Utilities	
1) Airport, bus and railroad terminals	1/4 seats plus 2/3 employees on the largest shift
2) Communications towers; demolition debris landfills; heliports; utility lines or substations	No required parking
3) Self-storage warehouses	1 space/5,000 square feet devoted to storage
4) Marinas; dry stack storage	1 space/slip; 1 space/2 dry storage spaces
5) Transportation, warehousing and utility uses not otherwise classified	2/3 employees on the largest shift plus 1/vehicle used in the operation

USE	MINIMUM SPACES REQUIRED
Manufacturing and Industrial Uses	2/3 employees on the largest shift plus 1/200 square feet of retail sales or customer service area plus 1/vehicle used in the operation
Other Uses	
Flea markets; other open air sales	1/1,000 square feet of lot area used for storage, sales, and display
Shopping Centers	
a) < 250,000 square feet gross floor area	1/200 square feet gross floor area in main building(s) (excluding theaters) plus parking as required for outparcels or theaters
b) > 250,000 square feet gross floor area	1,250 spaces plus 1/225 square feet gross floor area above 250,000 square feet

/ = per

* = NCDOT may require additional stacking spaces for uses abutting state or federal highways.

D. Design Standards for Parking, Stacking and Loading Areas

1. Parking facilities shall be designed and constructed so as to:

- a. Allow unobstructed movement into and out of each parking space without interfering with fixed objects or vehicles;
- b. Minimize delay and interference with traffic on public streets and access drives;
- c. Maximize sight distances from parking lot exits and access drives; and
- d. Allow off-street parking spaces in parking lots to have access from parking lot driveways and not directly from streets.

2. Dimensional Requirements

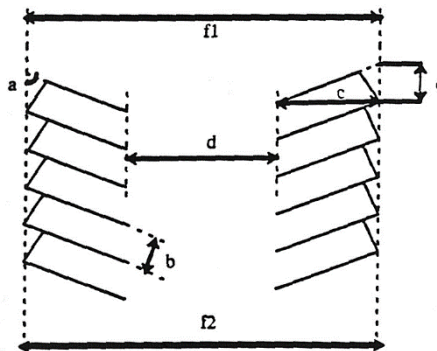
Parking facilities shall be designed and constructed to meet the minimum parking space dimensions, aisle dimensions and other standards found in Table 6-5-2.

Table 6-5-2
Parking Space Geometric Design Standards
Amended June 6, 2022

A	B	c	d
PARKING ANGLE (degrees)	STALL WIDTH (*)	STALL TO CURB (ft.)	AISLE WIDTH (ft.)
0	9'-0"	23'	12.0
45	9'-0"	20'	13.0
60	9'-0"	20'6"	18.0
90	9'-0"	18'	26'

(*) 9'-0" Minimum (*) 7'-6" Compact Cars Only, for non-required spaces only.

- (1) Curb length for end space of 3 or more parallel spaces may be 20' in length with no obstruction at the end.
- (2) Parking spaces adjacent to landscaping and/or sidewalks may be allow for a vehicle overhang of up to 12 inches, provided that any walkways maintain a walking path compliant with ADA standards.
- (3) Spaces may be widened up to 10' and accordingly reduce the aisle width so that the curb-to-curb distance is unchanged.
- (4) Minimum width of painted lines shall be 4".
- (5) Depth of space is measured from face of curb. If provided, a concrete gutter is not required to be painted.
- (6) Stacking Space Geometric Design Standards: Stacking Spaces shall be twelve feet (12) by twenty (20) feet.



3. Improvements

- a. Except as provided for in subsection 3 below, required parking spaces, access drives, and loading areas shall be paved and maintained with concrete, asphalt, or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights.
- b. Access drives shall be paved and maintained from the curblines or edge of pavement to a point at least ten feet beyond the public right-of-way line for all parking and loading facilities, whether paved or unpaved.
- c. Paving shall not be required for:
 - (1) Detached single-family residential dwellings.
 - (2) Parking areas for tracked heavy construction equipment, skid-mounted equipment and similar equipment, provided they are constructed with an all-weather surface.
- d. Parking lots containing 12 or more spaces shall also include curbing and storm drainage facilities. Driveway aprons shall be constructed to extend to the improved roadway. Provided, however, upon application the City may waive the requirement of curbing and/or storm drainage facilities where it is clearly demonstrated that curbing would be detrimental to the environment due to erosion or run off concerns or that the strict requirement of curbing and storm drainage would be unduly burdensome and financially not feasible, as reviewed and recommended by the City Engineer.

Amended June 6, 2022

- e. All facilities shall be graded, properly drained, stabilized and maintained to minimize dust and erosion.
- f. All parking spaces and stacking lanes shall be clearly identified with paint lines, bumper guards, curbs, or similar treatment.
- g. All parking spaces shall be provided with wheel guards or curbs located so that no part of the parked vehicle will extend beyond the property line or encroach more than two feet into a required planting area.
- h. Concrete pads for stationary refuse containers shall be provided beneath and in the approach to each container.
- i. Parking lots shall be designed and constructed such that walkways shall maintain a minimum unobstructed width of five feet (vehicle encroachment is calculated as two feet beyond curb).

Amended June 6, 2022

E. Location

1. Off-site Parking Lots
When required off-street parking is permitted to be located off-site, it shall begin within five hundred feet of the zone lot containing the principal use. Required off-street parking shall not be located across an intervening major or minor thoroughfare.
1. Parking in Nonresidential Districts
Automobile parking for any use may be provided in any nonresidential district.
2. Nonresidential Parking in Residential Districts
Surface parking in a residential zoning district for any use not permitted in that district is allowed under the following conditions:
 - a. Property on which the parking is located must abut the lot containing the use that the parking serves. The property must be under the same ownership or subject to a parking encumbrance agreement. All access to such property shall be through nonresidentially-zoned property;
 - b. Parking shall be used only during daylight hours;
 - c. Parking shall be used by customers, patrons, employees, guests, or residents of the use that the parking serves;
 - d. No parking shall be located more than one hundred twenty feet into the residential zoning district.
 - e. No parking shall be permitted closer than one hundred fifty feet to any public road right-of-way upon which the principal use would not be permitted driveway access; and
 - f. Long-term or dead storage, loading, sales, repair work or servicing of vehicles is prohibited.
 - g. The parking lot complies with the landscaping and screening requirements of Section 6-5.

F. Combined Parking

1. Separate Uses
The required parking for separate or mixed uses may be combined in one facility.
2. Shared Parking
The parking spaces required for a church, theater, auditorium or assembly hall or other similar use may also serve as required spaces for another use located on the same zone lot. Shared spaces may also be located off-site as allowed in Section 6-5.5, A, Off-site Parking Lots. In either case, the Zoning

Administrator must determine that the various activities will have peak parking demand at different periods of the day or week. Otherwise, no off-street parking required for one building or use shall be applied toward the requirements of any other building or use. A shared parking plan shall be enforced through a written agreement between the owners of record of all properties involved. The agreement shall be submitted to the Zoning Administrator prior to the issuance of a building permit for any use served by the shared parking area.

Amended June 6, 2022

3. Reassignment
Required off-street parking spaces shall not be leased or otherwise assigned to another use except as provided in subsection B.

G. Loading Areas

1. General

Every building or structure used for business, trade or industry hereafter erected shall provide space as indicated in this subsection for the loading and unloading of vehicles off the street. The space shall have access to any alley, or if there is no alley, to a street.

2. Location

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

3. Design Standards

- a. Minimum Number of Loading Spaces Required:

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

Gross Floor Area (FT²)	Number of Spaces
0 - 20,000	0
20,001 - 40,000	1
40,001 - 75,000	2
75,001 - 150,000	3
150,001 - 250,000	4
For each additional 250,000 square feet or fraction thereof	1

- (2) Office buildings and hotels:

Gross Floor Area (FT2)	Number of Spaces
0 - 100,000	0
For each additional 100,000 square feet or fraction thereof	1

(3) Industrial and wholesale operations:

Gross Floor Area (FT2)	Number of Spaces
0 - 10,000	0
10,001 - 40,000	1
40,001 - 100,000	2
100,001 - 160,000	3
160,001 - 240,000	4
240,001 - 320,000	5
320,001 - 400,000	6
For each additional 90,000 square feet or fraction thereof	1

- b. Each loading space shall be at least twelve feet wide, sixty-five feet long, and fourteen feet in clearance.
- c. All off-street loading areas shall be arranged and marked to provide for orderly and safe unloading and loading, and shall not hinder the free movement of vehicles and pedestrians. All loading and unloading maneuvers shall take place on private property. No backing in from a road or maneuvering on the road right-of-way shall be permitted.

H. Parking and Loading Area Landscaping

Parking lots shall provide landscaping and screening in accordance with the standards delineated in Section 6-4, Landscaping for Parking Areas.

I. Excessive Illumination in Parking Lots and Loading Areas

Lighting within any parking and loading area that unnecessarily illuminates any other lot and substantially interferes with the use or enjoyment of such other lot is prohibited. Floodlights, spotlights, or any other similar lighting shall not be used to illuminate parking and loading areas.

All parking and loading area lighting shall be designed and located in accordance with the requirements of Section 6-6, Outdoor Lighting.

6-6 Outdoor Lighting

A. General Requirements

1. All exterior lighting, such as that used in and around buildings, recreation areas, parking lots, and signs, shall be designed to protect against the spillover of light to adjacent properties. It shall also be designed to protect against glare onto public rights-of-way thereby impairing the vision of motorists and adjoining properties.
2. All exterior lighting shall be shielded from adjacent properties by thick evergreen vegetated buffers, berms, walls, or fences, and/or the use of directional lighting, lighting shields, special fixtures, timing devices, appropriate light intensities, luminaries, and mountings at appropriate heights.
3. Exterior lighting shall be architecturally integrated with the building's style, materials, and colors in the selection and design of light poles, brackets, and fixtures.

B. Lighting Plan Required

1. A lighting plan indicating illumination intensities shall be submitted with site plans and subdivision plats. The Zoning Administrator is authorized to waive this requirement for small independent development projects on less than an acre if the fixture types are specified on the site plan or plat.
2. Any changes to the lighting plan must be approved by the Zoning Administrator through a site and/or subdivision plat revision.

C. Exterior Lighting Standards

1. General standards:

- (a) Outdoor lighting shall be designed, located and mounted at heights no greater than:
 - (1) 18 feet above grade for non-cut-off lights.
 - (2) 35 feet above grade for cut-off lights.
- (b) All outdoor lighting shall be designed and located such that the maximum illumination measured in foot candles at a property line shall not exceed 0.4 for non cut-off lights and 1.5 for cut-off lights. Cut-off lighting shall be designed to direct light downward (e.g., shoe box style).

- (c) For parking lots, the minimum light level shall be no less than 0.2 foot-candles. The average foot-candle maintained to the minimum foot-candles ratio shall be no greater than 4:1 (upper to lower limits).
- (d) All outdoor lighting fixtures shall be located a minimum of 10 feet from a property or right-of-way line and should not be within a required perimeter buffer or streetscape unless it is located at the interior edge.
- (e) A lighting plan is required for site plan approval for all but single family residential developments.
- (f) Floodlights, spotlights or any other similar lighting shall not be used to illuminate buildings or other site features unless approved as an integral architectural element on the development plan. On-site lighting may be used to accent architectural elements and not be used to illuminate entire portions of building(s).

2. Lighting for Canopies

- (a) Lighting for canopies shall be restricted to lighting fixtures (including lenses) that do not project below the bottom of the canopy. Lighting for canopies for service stations and other similar uses shall not exceed an average of 20 footcandles as measured at ground level at the inside of the outside edge of the canopy.
- (b) Canopies used for building accents over doors, windows, etc. shall not be internally lit (i.e., from underneath or behind the canopy).

3. Wall Pack Lights

Wall packs on buildings may be used at entrances to a building to light unsafe areas. They are not intended to draw attention to the building or provide general building or site lighting. 'Wall Packs' on the exterior of the building shall be fully shielded (true cut-off type--bulb or light source not visible from off-site) to direct the light vertically downward and be of low wattage (preferably 100 watts or lower).

4. Illumination of Outdoor Sports Fields and Outdoor Events Areas

- (a) All such lighting fixtures shall be equipped with a glare control package (e.g., louvers, shields, or similar devices), and the fixtures

shall be aimed so that their beams are directed and fall within the primary playing or event area; and

- (b) The hours of operation for the lighting system for any game or event shall not exceed one hour after the end of the game or event.

5. Sign Lighting

Lighting fixtures illuminating signs shall comply with the requirements of Section 6-7, and such fixtures shall be aimed and shielded so that direct illumination is focused exclusively on the sign face.

6. Timer Devices

- (a) Timer devices shall be employed to shut off luminaries or to reduce light levels when full lighting is not required, such as after normal business hours.
- (b) Special attention shall be given to protecting adjoining residential properties from off-site illumination after 10:00 pm.

6-7 Signs

6-7.1 Purpose and Intent

The sign regulations, adopted and prescribed in this Section, are found by the City Council to be necessary and appropriate to:

- A. Recognize that signs serve a legitimate public service and that they complement and support trade, tourism, and investment within the City of Mebane;
- B. Encourage the effective use of signs as a means of visual communication;
- C. Promote a positive community appearance for the enjoyment of all citizens;
- D. Maintain and enhance the aesthetic environment and the community's ability to attract sources of economic development and growth;
- E. Protect the public from damage or injury attributable to distractions and/or obstructions caused by improperly designed or located signs; and
- F. Protect existing property values in both residential and nonresidential areas.

6-7.2 Permit Required

All signs except those specifically exempted in Section 6-7.5 shall be erected, installed, or modified only in accordance with a duly issued and valid sign permit issued by the Zoning Administrator. Sign permits shall be issued in accordance with the zoning permit requirements and procedures of Section 2-15, and the

submission requirements of Appendix A. If plans submitted for a zoning or special use permit include sign plans in sufficient detail that the permit issuing authority can determine whether the proposed sign(s) comply with the provisions of this Section, then issuance of the requested land use or special use permit shall constitute approval of the proposed sign(s).

6-7.3 Sign Definitions

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this subsection should have the meaning indicated when used throughout this Section.

A. Sign

Any words, lettering, numerals, parts of letters or numerals, figures, phrases, sentences, emblems, devices, designs, or trade names or trademarks by which anything is known (including any surface, fabric or other material or structure designed to carry such devices such as are used to designate or attract attention to an individual, firm, an association, a corporation, a profession, a business, or a commodity or product) which are exposed to public view and used to attract attention.

B. Advertising Signs (Billboards or Outdoor Advertising Signs)

A sign which publicizes and directs attention to a business, profession, commodity, activity, product, service or entertainment not conducted, sold or offered upon the premises where such sign is located. Billboards located within 660 feet of interstate or federally assisted primary highways are subject to the standards and permitting requirements of the Outdoor Advertising Control Act which is administered by the North Carolina Department of Transportation.

C. Animated Sign

Any sign which flashes, revolves, rotates or swings by mechanical means, or which uses a change of lighting to depict action, or to create a special effect or scene.

D. Banner

A temporary sign of light weight fabric or similar material that is rigidly mounted to a pole or a building by a rigid frame at two or more edges. National, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

E. Building Marker

A sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface, or made of bronze or other permanent material.

F. Canopy or Awning Sign

Any sign which is painted, mounted, or attached to an awning, canopy or other fabric-like or plastic protective structure which is extended over a door, window, or entranceway. A marquee is not a canopy.

G. Changeable Copy Sign

Any sign on which copy is changed manually and copy is shown on the same sign face such as reader boards with changeable letters or changeable pictorial panels but not limited to the above. Poster panels and painted boards are not changeable copy signs.

H. Commercial Message

Any sign wording, logo, or other representation that directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity. This definition does not include company nameplates or logos on instructional signs.

I. Construction Sign

A sign on a construction site during the period of construction on which is printed or written the name of the owner, developer, contractor, architect, planner, engineer, or development title.

J. Electronically Controlled Message Sign

A sign on which the copy changes automatically on a lampbank, such that the message or display does not run continuously in the travel mode, and any message or display remains stationary for a minimum of two seconds. Any sign on which the message or display runs continuously in the travel mode and/or on which any message or display does not remain stationary for a minimum two seconds shall be considered a flashing sign.

K. Flashing Sign

A type of animated sign which contains an intermittent, blinking, scintillating, or flashing light source, or which includes the illusion of intermittent or flashing light, or an externally mounted intermittent light source. An electronically controlled message sign is not a flashing sign.

L. Freestanding Sign

Any sign which is supported by structures or supports which are placed on, or anchored in the ground, and which structures or supports are independent from any building or other structure.

M. Governmental Sign

Any sign erected by or on behalf of a governmental body to post a legal notice, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.

N. Identification Sign

A permanent sign announcing the name of a subdivision, manufactured home park, campground/RV park, multifamily or townhouse development, planned unit development, church, school, park or quasi-public structure or facility, and similar uses permitted in residential zoning districts. Identification signs may be pole or ground mounted.

O. Incidental Sign

A sign that provides only information for the convenience and necessity of the public. Company logos may be displayed on such signs but must not occupy more than 25% of the sign area. Incidental signs include directories, entrance, exit and other necessary directional signs.

P. Marquee Sign

A sign attached to or made part of a marquee and generally designed to have changeable copy. A marquee is a permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of a building, usually above an entrance to provide protection from the weather.

Q. Menu Sign

A permanent on-premises sign located at businesses that provide drive-up or drive-through services such as fast food restaurants, banks, etc. Menu signs shall be located so as not to create vehicle stacking problems which will interfere with the flow of traffic.

R. Non-commercial Sign

A sign which has no commercial content, but instead involves only the expression of ideals, opinions, or beliefs.

Amended June 6, 2022

S. Nonconforming Sign

Any sign that does not conform to size, height, location, design, construction, or other requirements of this Ordinance. The nonconformity may result from adoption of this Ordinance or any subsequent amendment.

T. On-Premises Sign

A sign that publicizes and directs attention to a profession, commodity, activity, product, service or entertainment conducted, sold or offered upon the nonresidential premises where such sign is located. On-premises signs include freestanding pole and ground mounted signs.

U. Portable Sign

A sign not permanently attached to any surface.

V. Professional or Occupational Sign or Name Plate

A sign that publicizes and directs attention to a home occupation or to a profession.

W. Projecting Sign

Any sign that is end mounted or otherwise attached to an exterior wall of a building that forms an angle of 30 degrees or more with said wall.

X. Real Estate Sign

A sign that advertises the sale, rent, or lease of property.

Y. Salvageable Sign Components

Components of the original sign structure prior to the damage that can be repaired or replaced on site by the use of labor only. If any materials, other than nuts, bolts, nails or similar hardware, are required in order to repair a component, the component is not considered to be salvageable.

Z. Sign Area

The area of a sign shall be measured in conformance with the following:

- (1) The area of the face of a sign shall be calculated to include the outermost part that forms the shape or display. Necessary supports and trim moldings shall not be included when calculating the area of the sign. Aprons below advertising signs shall not exceed 3 feet in height. Aprons serve an aesthetic function and shall not be used for any purposes other than to identify, by name, the sign company responsible for the sign.
- (2) In computing the area of a sign, standard mathematical formulas for common regular geometric shapes (triangle, parallelogram, circle and ellipse, or combinations thereof) shall be used.
- (3) In the case of an irregularly shaped sign or a sign with letters and/or symbols affixed to or painted, displayed or incorporated into or upon a wall, canopy, awning or decorative facade of a building, the area of the sign shall be the area within the singular continuous perimeter, outlining the limits of the writing, representation, emblem, or any figure of similar character.
- (4) A double-faced sign with an angle or a spacing between the sign backs shall be considered two separate signs except as otherwise allowed for outdoor advertising signs per Section 6-7.7, A., 5.(c). Outdoor advertising signs (billboards) shall not be stacked, horizontally or vertically.

AA. Sign Height

The vertical distance measured from the ground elevation where the sign is located, to the highest point of the sign except as follows: When the ground elevation is different from the elevation of an adjacent road, the height of a sign shall be measured from the road elevation of the adjacent road at the edge of the pavement.

BB. Suspended Sign

A sign which is suspended from the underside of a horizontal plane surface such as a canopy or marquee and is supported by that surface.

CC. Temporary Signs

Temporary signs are those signs that relate to such events as elections, auctions, yard sales, agricultural products sales, annual charitable, civic or fraternal events, horse shows, festivals, bona fide grand openings and model home show openings.

DD. Wall Sign

A sign which is attached to a wall or facade of a building or canopy.

EE. Warning Sign

Any sign with no commercial message that displays information pertinent to the safety or legal responsibilities of the public such as signs warning of 'high voltage', 'no trespassing', and similar directives.

6-7.4 General Sign Standards

- A. All signs, except for those attached flat against the wall of a building, shall be constructed to withstand minimum wind loads as specified by the NC State Building Code. Sufficient documentation shall be submitted to the Zoning Administrator for review to assure that wind and stress requirements have been met prior to any permit being issued. Such documentation shall be signed and sealed by a registered North Carolina architect or engineer.
- B. All signs shall be installed and maintained in compliance with the North Carolina State Building Code and the National Electrical Code and shall have appropriate permits and inspections. Electrical signs and fixtures shall bear labels of a nationally accepted testing laboratory.
- C. All signs shall be maintained in a state of good repair and shall present a neat, well-kept appearance.
- D. All lights used for the illumination of a sign shall be shielded so that the light will not shine directly on surrounding areas or create a traffic hazard or distraction to operators of motor vehicles on the public thoroughfares. Except as specifically provided for herein, externally illuminated signs shall be lighted from the top of

the sign downward to reduce light pollution. The maximum lamp wattage permitted for a sign with external illumination shall not exceed two watts per square foot of sign face area except that signs less than eight feet in height or less than 50 square feet in sign face area may be illuminated by ground mounted uplighting not exceeding 100 lamp watts per sign face. The Zoning Administrator is authorized to order a change in the illumination of any sign that becomes a hazard or a nuisance.

- E. Illuminated signs may have either an exterior or interior source of illumination, unless otherwise prohibited herein. All wiring, grounding, etc. for illuminated signs shall meet the requirements of the National Electric Code. Electronically controlled message signs shall include mechanisms, such as dimmer controls and photo cells, to appropriately adjust display brightness as ambient light levels change.
- F. Illuminated signs in O&I zoning districts within 200 feet of property zoned or used for residential purposes shall be turned off by 11:00 pm. provided the institution or business is not in operation at the time.
- G. No sign shall have more than two display surfaces.
- H. The Zoning Administrator or designee shall have the authority to order the painting, repair, alteration or removal of a sign, at the expense of the owner of such sign, which shall constitute a hazard to safety, health or public welfare by reasons of inadequate maintenance, dilapidation or obsolescence. The existence of a sign or its support structure with no message display for a period of 90 days shall be justification to declare the sign abandoned and require its removal.
- I. Any sign erected without proper permits or in violation of this Section shall be brought into compliance within 30 days of notification by the Zoning Administrator or said sign shall be removed immediately.
- J. Any permitted sign projection over a public sidewalk shall be no lower than 9 feet above the level of the sidewalk or lower than 14 feet above the level of a vehicular driveway. An encroachment agreement must be obtained from the North Carolina Department of Transportation.
- K. No sign or sign structure shall be erected, constructed, or maintained so as to interfere with vision clearance along any street or highway or at any intersection of two or more streets or highways. No sign shall be located within a sight distance triangle of 10 feet x 70 feet at the intersection of public streets nor within a sight distance triangle of 10 feet x 35 feet at a point where driveways and private street rights-of-way intersect with public and private street rights-of-way. No sign or sign structure may be located within a street or street right-of-way except as allowed over sidewalks in subsection J above and in Section 6-7.5, W.
- L. Whenever the ordinance permits a commercial sign, a non-commercial message may be substituted for the commercial message. The right to substitute the non-commercial message does not waive any other requirement imposed by the UDO as to the number, size, type, construction, location, lighting, safety or other regulated attribute.

Amended June 6, 2022

6-7.5 Exempt Signs

The following listed signs are subject to all placement and dimensional requirements of this Ordinance and shall comply with the North Carolina Department of Transportation sight distance and road rights-of-way clearances. The following listed signs shall, however, be exempt from permit and fee requirements, except that any illuminated sign shall require an electrical permit. Exempt signs shall be maintained in good condition and shall not constitute a hazard to safety, health or public welfare. Exempt signs that are found to be in violation shall be ordered corrected or removed.

- A. Signs bearing only property identification numbers and names, post office box numbers of occupants of the premises, or other identification of premises not of a commercial nature, provided such signs are not illuminated and do not exceed 2 signs per zoning lot and 2 square feet in area per display surface.
- B. Flags and insignia of government, when not displayed in connection with a commercial promotion. Flags, emblems or insignia of corporate, political, professional, fraternal, civic, religious, or educational organizations.
- C. Legal notices, bankruptcy, estate and legal sale signs, and traffic directional or regulatory signs erected by or on behalf of a governmental body.
- D. Historical or memorial signs or tablets, and names and construction dates of buildings when cut into any masonry surface.
- E. Signs directing and guiding traffic and parking on private property, provided such signs bear no advertising matter other than company name, logo and do not exceed 4 square feet in area per display surface and off-premise directional or open house signs not to exceed 4 square feet.
- F. Real estate signs advertising the sale, rental, or lease of the premises on which said signs are located, provided such signs do not exceed one sign per street frontage or one sign per 400 feet of street frontage or six square feet in area per display surface.

The Zoning Administrator shall approve larger signs when needed for large tracts of land for sale, rental or lease. Any advertisement, sign, placard or other advertising device designed or intended to solicit offers for sale or purchase of unimproved real property in the City of Mebane or its extra-territorial jurisdiction and which states or implies that the property is suitable for commercial, multi-family or industrial use shall prominently display the current zoning classification of the property.

- G. All real estate signs are to be removed after sale, rental, or lease of the premises within 72 hours.
- H. Construction site identification signs whose message is limited to identification of architects, engineers, contractors, and other individuals or firms involved with the construction, the name of the building, the intended purpose of the building,

and the expected completion date, provided such signs do not exceed 32 square feet in area per display surface, are not erected before issuance of a building permit, and are removed within seven days of issuance of a Certificate of Occupancy, or when a development is 90 percent built out. Construction signs in residential zones shall not be illuminated or reflectorized.

- I. Temporary political yard signs advertising candidates or issues, provided such signs do not exceed one sign per candidate per zone lot or 4 square feet in area per display surface, are not erected prior to 60 days before the appropriate election, and are removed within 4 days after the election. No sign shall be attached to utility poles, traffic regulatory signs, or other publicly-maintained structures.
- J. Public event announcements by public or non-profit organizations of special events or activities of interest to the general public, provided such signs do not exceed one sign per site of such events or activities or 12 square feet in area per display surface, and are removed within 14 days of erection.
- K. Any sign that is required by law or erected by the City of Mebane or other governmental agencies, such as street signs, public service signs, and historical markers, which contain no commercial advertising matter.
- L. Any warning signs; utility signs; signs for public use; and no trespassing, no hunting, or neighborhood watch signs shall contain no commercial message.
- M. Religious symbols at a place of worship or at a church-owned or operated facility. Such symbols must meet all setbacks and lighting requirements for signs.
- N. Works of art with no commercial message.
- O. Lights and decorations with no commercial message temporarily displayed on traditionally adopted civic, patriotic or religious holidays.
- P. Hand-carried signs.
- Q. Signs located on the interior of buildings, courts, lobbies, stadiums, or other structures that are not intended to be seen from the exterior of such structures.
- R. Signs affixed to vehicles and trailers used in the normal transport of goods or persons where the sign is incidental and accessory to the primary use of the vehicle or trailer.
- S. Signs painted or attached to vending machines, gas pumps, ice machines, or similar devices which indicate the contents of the machine, name or logo of supplier, the price or operating instructions.
- T. Window signs painted on the inside of a window.
- U. Changing copy of existing sign(s) without enlarging; however, a drawing of the new sign face must be submitted to the Zoning Administrator prior to changing the sign face.

- V. All other temporary signs not specified elsewhere in this Section shall not be placed on the premises more than 30 days prior to the temporary event and must be removed within 10 days following the temporary event. Such signs are limited to 12 square feet in area and 4 feet maximum height. Such temporary signs shall not be illuminated.
- W. Banners on or across public street rights-of-way that are expressly approved by the City of Mebane City Manager or the North Carolina Department of Transportation, as applicable.
- X. Pennants, banners, streamers, spinners, balloons, gas filled figures, and other similar devices are prohibited except as temporary signs advertising a temporary event, promotion or announcement. Such temporary promotional signs may be erected 10 days prior to the event and must be removed within 5 days after the conclusion of the event or promotion advertised but in any event within 40 days after erection.

Temporary signs of this nature may only be utilized four times within any calendar year for any zoning lot or business within the City's zoning jurisdiction. Provided, however, automobile sales lots located in business or industrial districts shall be allowed to utilize pennants, banners, and streamers on an unlimited basis.

Permits are not required, however, the owner or occupant of the premises upon which said signs are located shall maintain a log or other record indicating the date said sign or device was erected and removed. Said record shall be made available to the Zoning Administrator upon his request. Such log or record shall also include other temporary signage located on the premises. The Zoning Administrator may require the immediate removal of any sign or other device not listed within said record. In the event of a violation of the requirements of this section, including a failure to maintain the required record, no temporary signs to which this Ordinance applies may be utilized on the lot or business in question for a period of twelve months. Provided, however, the signs and devices referred to above may only be utilized in commercial and industrial zoning districts and may not be displayed in residential zoning districts.

6-7.6 Prohibited Signs

The following signs shall not be permitted, erected or maintained within the City of Mebane planning and zoning jurisdiction.

- A. Signs with moving, revolving or rotating parts, optical illusions or movement or mechanical movements by any description or other apparent movement achieved by electrical, electronic or mechanical means and signs with lights or illuminations which flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color or use intermittent electrical pulsations, except for time, temperature, date signs; traditional barber poles; and electronically controlled message signs.
- B. No sign shall make use of the words 'STOP', 'SLOW', 'CAUTION', 'DANGER', or any other word, phrase, symbol, or character in such a manner as is reasonably likely to be confused with traffic directional and regulatory signs.

- C. No sign shall be erected so that by its location, color, nature, or message it is likely to be confused with or obstruct the view of traffic signals or signs, or is likely to be confused with the warning lights of an emergency or public safety vehicle.
- D. No sign may be located in such a manner as to obscure, or physically interfere with the effectiveness of an official traffic sign, signal or device, obstruct or physically interfere with the driver's view of approaching, merging or intersecting traffic.
- E. Strings of light bulbs used in connection with commercial premises for commercial purposes other than traditional holiday decorations.
- F. Portable signs, including signs painted on or displayed on vehicles or trailers used to serve primarily as a sign, except that portable signs used as temporary signs in accordance with Section 6-7.7, J are permitted.
- G. Signs erected, maintained, painted or drawn on any tree, rock or other natural feature.
- H. Signs that extend vertically above the highest portion of the roof of any structure.
- I. Signs which obstruct any fire escape, required exit, window, door opening, or wall opening intended as a means of ingress or egress or signs which interfere with any opening required for ventilation.
- J. Signs which project over a public right-of-way, except that (i) wall signs may project up to 12 inches over a public street right-of-way in zoning districts which permit structures to be built at the property line adjoining the street; (ii) signs suspended underneath a canopy or awning may be located over a public sidewalk provided that they are at least 9 feet above the sidewalk; (iii) projecting signs that comply with the requirements of Section 6-7.7, D are allowed; and (iv) street banners that comply with the requirements of Section 6-7.5, W are permissible.

6-7.7 Sign Placement, Size, Height, Setback, Separation, Clearance and Construction by Sign Type

A. Outdoor Advertising Signs (Billboards)

1. Permissible Zoning Districts: HM and LM within 400 feet of the on and off ramps of an interstate highway (*amended April 7, 2008*).
2. Maximum height: 60 feet.
3. Minimum separation from another billboard: 1,000 feet radius of another billboard.
4. Minimum setback: Front and rear setbacks shall be the same as required in Table 4-2-1 for a principal building the zoning district in which located.

Billboards shall be set back a minimum of 25 from a side property line and 100 feet from an adjoining residentially-used or zoned side property line.

5. Maximum sign display area:
 - (a) 400 square feet in area.
 - (b) Top outs and side outs are permitted in addition to the above sign area dimensions. Top outs and side outs shall be confined to the immediate plane of the sign and may extend above and/or to the side of the sign face a maximum of two feet. Top outs and side outs shall not exceed a total of 32 square feet in area.
 - (c) Double-faced, back-to-back signs may be permitted provided that each individual sign face does not exceed the maximum display area requirements in subsection (a) above. A double-faced sign with an angle or spacing between the sign backs shall be considered as one sign (*amended April 7, 2008*).
6. Construction: Billboards shall be constructed of metal with only one pole. Billboards shall not be stacked, horizontally or vertically.
7. Minimum separation from utility lines shall be in compliance with the requirements of the utility provider having jurisdiction.
8. All structures, blank surfaces, backs and supports shall be uniformly painted in a neutral finish when exposed to any road and shall be maintained in good repair.
9. Minimum requirements contained within the North Carolina Outdoor Advertising Control Act (North Carolina General Statute 136-126 et seq.) which are more stringent or in addition to those contained in this Section shall apply.
10. Outdoor advertising signs may be illuminated provided such illumination is placed and shielded so as to prevent direct rays of illumination from being cast on nearby properties and/or motor vehicles approaching on a public way from any direction. All externally illuminated outdoor advertising signs shall be lighted from the top of the sign downward to reduce light pollution. No rotating, revolving, flashing, or intermittent lighting devices shall be attached to or made a part of any billboard.
11. Dilapidated and Abandoned Signs: If at any time a billboard falls into a state of dilapidation, disrepair, or becomes abandoned or discontinued as defined by the latest edition of *Regulations for the Control of Outdoor Advertising in North Carolina by the North Carolina Department of Transportation*, the permits for such sign shall be revoked.

B. On-Premises Signs (freestanding pole or ground mounted on-premises signs unless otherwise specified)

1. Permissible Zoning Districts: O&I, B-2, B-3, HM and LM districts. Permissible in B-1 districts only if off-street parking is available on-site.
2. Maximum height:
 - (a) In B-1 and O&I zoning districts: 12 feet.
 - (b) In B-3 zoning districts: 20 feet.
 - (c) In B-2, HM, and LM zoning districts: 35 feet except that within 400 feet of the right-of-way of interstate highways and interchanges, the maximum height shall be 60 feet.
3. Maximum sign area:
 - (a) In B-1 zoning districts: 48 square feet.
 - (b) In B-3 zoning districts: 60 square feet.
 - (c) In O& I, B-2, HM, and LM zoning districts: 200 square feet except that within 400 feet of the right-of-way of interstate highways and interchanges, the maximum sign area shall be 300 square feet
4. Maximum number of freestanding or ground mounted on-premises signs per parcel: one sign per adjoining public street frontage for each zone lot.
5. Freestanding signs are not permitted on the same street frontage of a building along which there is a projecting sign.
6. Minimum separation from rights-of-way, property lines and structures: 10 feet.
7. Minimum separation from utility lines shall be in compliance with the requirements of the utility having jurisdiction.
8. No unfinished surfaces or structures shall be exposed on on-premises signs.
9. The zone lot on which a freestanding sign is located shall be accessible by automobile and contain off-street parking for the principal uses(s).
10. Freestanding signs shall clear driveway and parking areas by a height of at least 14 feet and shall clear sidewalks and pedestrian paths by a height of at least 9 feet.

C. Wall Signs

1. Permissible Zoning Districts: B-1, B-2, B-3, HM, and LM districts. Permissible in O&I districts only on the front wall of buildings.

2. Maximum sign area: One square foot of sign area per linear foot of building per building side or a maximum of 160 square feet per building wall. Sign footage permitted per building side may not be used on other than that building side (no transfers or cumulative totals). The minimum guaranteed wall signage area at any individual premises is 32 square feet.
3. No wall sign shall protrude more than 12 inches from the wall to which it is attached.
4. No wall sign shall extend above the soffit, parapet, or eave line, as appropriate of the building to which it is attached. If the building consists of more than two stories, wall signs shall not extend above the second story.
5. Wall signs, or portions thereof, placed between window spandrels shall not exceed in height two-thirds ($2/3$) of the height of the spandrels.
6. Wall signs shall not cover or interrupt major architectural features.
7. In industrial zoning districts, wall signs on the side of buildings adjacent to lots zoned residential are permitted only when the building is at least 50 feet from the side lot line of the residential lot.
8. Wall signs on the side of buildings in O & I zoning districts are not permitted.

D. Projecting Signs

1. Permissible Zoning Districts: O&I, B-1, B-2, B-3, HM, and LM districts.
2. Maximum sign area: 16 square feet.
3. Projecting signs shall be limited to one sign per street frontage, and shall not be located closer than 50 feet to any other projecting sign.
4. Projecting signs shall clear sidewalks and pedestrian paths by a height of at least 9 feet and shall project no more than 5 feet from the building to which they are attached, and shall not extend beyond the inner edge of the curb line.
5. The building to which a projecting sign is attached shall be 20 feet or more in width.
6. No projecting sign shall be permitted on the same street frontage along which there is a freestanding sign.
7. No projecting sign shall extend above the soffit, parapet, or eave line, as appropriate, of the building to which it is attached.
8. Projecting signs shall not be located at the intersection of building corners except at right angles to a building façade.

9. The message of projecting signs shall be limited to the name(s) of the establishment(s) located on the zone lot and/or the name of a multi-use development located thereon.

E. Suspended Signs

1. Permissible Zoning Districts: O&I, B-1, B-2, B-3, HM, and LM districts.
2. Suspended signs shall conform in size and appearance to existing signs under the same marquee or awning. Where there are none, new suspended signs shall be no more than 10 inches high and 3 feet long.
3. Maximum number of signs: one sign for a single-occupancy building. For a multiple occupancy building, one sign for each occupant entrance.
4. Suspended signs shall clear the ground or sidewalk by at least nine feet.
5. Suspended signs shall not be illuminated.

F. Identification Signs

1. Permissible Zoning Districts: All residential zoning districts.
2. Maximum sign area: 32 square feet.
3. Maximum height: 8 feet.
4. Minimum setback: 10 feet from all property lines, except as authorized in subsection 5 below.
5. Ground mounted signs with the name of the residential or nonresidential subdivision or development may be located within a public road right-of-way on one side of the roadway entrance or in the roadway median provided that an encroachment agreement is obtained from the City or the North Carolina Department of Transportation and the sign does not exceed 42 inches in height.
6. Maximum number of signs: 1 per premises except that subdivisions may have one sign per vehicular entrance to the subdivision.
7. An identification sign may be mounted on a fence or wall that does not exceed 6 feet in height provided that the sign itself may not exceed the maximum sign area specified in subsection 2 above and the sign must be only an incidental part of the fence or wall.
8. Identification signs for residential subdivision and residential developments, if illuminated, shall be externally illuminated.

G. Menu Signs

1. Permissible Zoning Districts: O&I, B-1, B-2, B-3, HM, and LM districts.
2. Maximum sign area: 32 square feet.
3. Maximum height if ground mounted: 6 feet.
4. Minimum setback from all property lines: 10 feet.
5. Maximum number of signs per business establishment: 2.
6. Menu signs shall be located so as not to be legible from a public street right-of-way or adjacent property.

H. Awning and Canopy Signs

1. Permissible Zoning Districts: O&I, B-1, B-2, B-3, HM and LM districts.
2. Maximum sign area: 9 square feet.
3. Maximum sign height: 12 inches.
4. Maximum number of signs: one sign for a single-occupancy building. For a multiple occupancy building, one sign for each occupant entrance.
5. A sign attached to the underside of an awning or canopy is a suspended and subject to the requirements of subsection E above.

I. Marquee Signs

1. Permissible Zoning Districts: O&I, B-1, B-2, B-3, HM and LM districts.
2. Maximum sign area: one square foot of sign area per linear foot of building frontage or a maximum of 160 square feet.
3. Maximum number of signs: one marquee sign per premises. A marquee sign may be substituted for a standard wall sign but in no case shall there be both a marquee and wall sign on the same building wall.
4. The height of a marquee sign shall not exceed the height of the marquee.

J. Mobile or Portable Signs

1. Mobile or portable signs (including A- and T-shaped signs) are prohibited except for the following:

- (a) Public event announcement signs in accordance with the requirements of Section 6-7.5, J.
 - (b) Temporary signs announcing the grand opening of a new business and that comply with the requirements of Section 6-7.5, V.
 - (c) In the B-1, Central Business District a mobile or portable A-shaped signs such as 'sandwich boards'/'A-frame' shall be permitted, provided such signs shall not:
 - (1) exceed 8 square feet (4 square feet per side) in total area per display surface with a maximum height of 48 inches,
 - (2) exceed one sign per street frontage per business, displayed during normal business hours, and shall not impede vehicular view or pedestrian circulation along public streets or sidewalks.
2. The Zoning Administrator shall require the removal of mobile or portable signs found to be in violation.

K. Professional or Occupational Signs or Name Plates; Incidental Signs

- 1. Permissible Zoning Districts: All zoning districts.
- 2. Maximum sign area: 3 square feet.
- 3. Maximum height: 30 inches if ground mounted, signs in this category may also be mounted flush against the structure.
- 4. Minimum setback: No sign shall be located within a street right-of-way. However, in any area in which a curb or the edge of the street pavement lies less than 5 feet from a street right-of-way, no on-premises sign shall be located closer than 5 feet to such right-of-way.
- 5. Maximum number of signs per establishment: 1

6-7.8 Nonconforming Signs

It is the intent of this Ordinance to permit signs that were lawful before the effective date of this Ordinance to remain in service. Specific provisions regarding nonconforming signs are delineated in Section 10-7, Nonconforming Signs.

Table 6-7.1 Summary Table of Sign Requirements by Type of Sign
(amended July 7, 2019)

Sign Type	Permissible Zoning Districts	Maximum Number of Signs	Maximum Sign Area	Maximum Sign Height
Outdoor Advertising (Billboards)*	HM, LM, within 400' of an interstate	1,000 ft. minimum separation required	400 sq. ft.	60 ft.
On-premises	O&I, B-2, B-3, HM, & LM B-1 only if off-street parking is available on-site	1 per street frontage	B-1: 48 sq. ft. B-3: 60 sq. ft. O&I, B-2, HM, & LM: 200 sq. ft. or 300 sq. ft. if within 400 ft. of interstate	B-1 & O&I: 12 ft. B-3: 20 ft. B-2, HM, & LM: 35 ft. or 60 ft. if within 400 ft. of interstate
Wall	O&I, B-1, B-2, B-3, HM, & LM	1 per building wall O&I: only on the front wall	1 sq. ft. of sign area per linear ft. of building wall or a maximum of 160 sq. ft.	May not exceed the building height
Projecting	O&I, B-1, B-2, B-3, HM, & LM	1 per street frontage	16 sq. ft.	n/a
Suspended	O&I, B-1, B-2, B-3, HM, & LM	1 per occupant entrance	2.5 sq. ft.	10 inches
Identification	All residential zoning districts	1 per premises or 1 per subdivision entrance	32 sq. ft.	8 ft.
Menu	O&I, B-1, B-2, B-3, HM, & LM	2 per business establishment	32 sq. ft.	6 ft.
Awning or canopy	O&I, B-1, B-2, B-3, HM, & LM	1 per occupant entrance	9 sq. ft.	12 inches
Marquee	O&I, B-1, B-2, B-3, HM, & LM	1 per premises; may be substituted for a wall sign	1 sq. ft. of sign area per linear ft. of building frontage or a maximum of 160 sq. ft.	May not exceed the building height
Mobile or portable	O&I, B-1, B-2, B-3, HM, & LM	1 per premises	12 sq. ft.	4 ft.
Professional or Occupational Signs and Nameplates; Incidental Signs	All zoning districts	1 per establishment	3 sq. ft.	30 inches

* Advertising signs shall also comply with the permit procedures and standards contained in Section 6-7.7, A and the current edition of the North Carolina Department of Transportation outdoor advertising manual.

6-8 Recreation and Open Space Requirements

All residential major subdivisions shall be required to dedicate recreation and open space. All residential developments that include the construction of dwelling units not intended for sale to individual owners shall be required to reserve a portion of land for open space and private recreational development to serve the needs of the residents of the development. The City Council declares the purposes and intent of the recreational and open space regulations adopted and prescribed in this Section to be as follows:

- To provide adequate active recreational areas and passive open space;
- To encourage the preservation of existing trees and vegetation;
- To encourage the retention of environmentally fragile areas;
- To encourage the protection of air and water quality;
- To enhance flood control; and
- To provide higher quality development.

Amended June 6, 2022

6-8.1 Minimum Public Recreational Space Requirements

The developer of land for residential purposes shall be required to dedicate a portion of land or pay a fee *in lieu* thereof for public recreational development to serve the needs of the residents of the subdivision or development. The decision to accept a land dedication or an *in lieu* of fee rests solely with the City Council.

- A. All dedications of recreational land and related infrastructure and amenities shall be reviewed as part of the preliminary plat review process. The subdivider shall designate on the preliminary subdivision plat the area or areas of land and/or recreation infrastructure and amenities proposed to be dedicated.

Amended June 6, 2022

- B. All major residential subdivisions shall provide, through reservation or dedication, recreational space as required in subsection C or pay a fee *in lieu* thereof in accordance with the provisions of subsection H. The requirements of Section 6-8.1 shall be applicable to each of the following types of residential development:
1. Traditional detached single-family, attached single-family, two-family, and manufactured home subdivisions;
 2. Residential cluster developments;
 3. Townhouse developments;
 4. Patio home developments;
 5. Condominium developments;
 6. Individual residential components of a Planned Unit Development or a Traditional Neighborhood Development that include the subdivision of property for sale to individual owners, including multifamily units; and

7. Subdivided developments that include live/work combination dwellings for sale; and
8. Multifamily or single-family development providing units for rent.

Amended June 6, 2022

- C. At least 1,250 square feet shall be dedicated or reserved for each dwelling unit proposed in the subdivision plat or development plan. Flood Hazard Areas, stream buffers, wetlands, or that has slopes greater than 15 percent shall be dedicated at a rate of at least 2,500 square feet per dwelling unit.

Amended June 6, 2022

- D. All major residential subdivisions shall provide, through reservation or dedication, recreational space as required in subsection C or pay a fee *in lieu* thereof in accordance with the provisions of subsection H.

Amended June 6, 2022

- G. The dedication of public recreational land shall be reviewed as part of the preliminary plat review process. The subdivider shall designate on the preliminary subdivision plat the area or areas of land proposed to be publicly dedicated. Upon receipt of the preliminary plat, the Director of the Mebane Recreation and Parks Department shall review the proposed dedication and shall forward a recommendation as to the acceptance or rejection of the proposed dedication to the City Council using the following criteria.

1. Unity.

The dedicated land shall be a single parcel except where it is determined that two or more parcels would be in the public interest. It shall be contiguous with recreation areas and open space on adjacent properties to the maximum extent practicable. The City Council may require that the parcels be connected and may also require a path at least thirty feet in width that creates access to bicycles and pedestrians in addition to the land requirement.

2. Location.

The dedicated land shall be located so as to serve the recreation needs of the immediate neighborhood within the subdivision.

3. Physical Characteristics.

The shape, topography and subsoils of the dedicated land shall be such as to be suitable for the intended use.

4. Accessibility.

Public access to the dedicated land shall be provided either by an abutting street or public easement. Such public easement shall be at least thirty feet in width. Parking for all public dedications shall be provided as required by Section 6-5.

Amended June 6, 2022

- H. The City Council shall have the authority to accept or reject offers for land and related infrastructure or amenities dedications made as a requirement of this Section. Land proposed by the developer as public recreational space on a subdivision plat shall be considered to be offered for dedication until such offer is officially accepted by the City Council. The offer may be accepted by the City through:
1. Written acceptance by the City Council; or
 2. Written acceptance by an administrative officer designated by the City Council.
- I. Fees *in lieu* of dedication.
At the subdivider's request, the City Council may accept a land dedication located elsewhere in the town's jurisdiction *in lieu* of a land dedication at the site of the proposed development.

Amended June 6, 2022

1. *In lieu* of the dedication of land as required in subsection B above, a developer may provide funds in the amount of the assessed value of the land required to be dedicated to the City of Mebane. The assessed value shall be the current value of the land as assessed for property tax purposes. The City may use the funds to purchase recreational land or areas to serve the subdivision or development in the immediate area. This may be done *in lieu* of providing the land required in subsection B above if so approved by the City Council. If the City Council determines that a combination dedication and partial payment *in lieu* of dedication is in the best interest of the citizens of the area to be served, such an arrangement is authorized.
2. Fees *in lieu* of dedication shall be paid by the subdivider prior to final plat approval or as otherwise approved by the City Council.
3. The City of Mebane planning and zoning jurisdictional area shall be divided into recreational districts for the purpose of distributing funds that are collected from the cash-in-lieu-of-land payments. These funds shall be spent only on capital improvements to city-owned recreational facilities. The expenditure of recreation funds paid by the subdivider to the City *in lieu* of the dedication of land shall be determined by the City Council
4. The City Council may, in cases of an unusual or exceptional nature, allow adjustments in the dedication requirements established in this Section. Such adjustments shall be reviewed by the Director of the Mebane Recreation and Parks Department and the City Council. An unusual or exceptional nature may include, but not be limited to, land within the development set aside for private recreation or proposed expenditures for recreational facilities or equipment.

- J. If the land required for donation in a particular section of a subdivision exceeds the requirement in subsections B and/or C above, the difference may be applied to future sections or to any private open space requirements as delineated in Section 6-8.2.

Amended June 6, 2022

- K. At the subdivider's request, the City Council may accept a land dedication of equal or greater assessed value located elsewhere in the town's jurisdiction *in lieu* of a land dedication at the site of the proposed development.

Amended June 6, 2022

- L. After offered land dedications are officially accepted by the City Council, an executed general warranty deed conveying the dedicated land to the City of Mebane and a reproducible and electronic copy of a boundary survey shall be submitted to the City Manager no later than two years after the approval of the preliminary subdivision plat or by the time that 50 percent of the certificates of occupancy have been issued, whichever is earlier. The City Council may grant an extension of time after the initial two years following subdivision plat approval has elapsed.

- M. Recreational space that is accepted by the City Council for public dedication shall be identified on the recorded subdivision plat.

6-8.2 Minimum Private Recreational Space Requirements

- A. The following are illustrative of the types of facilities that shall be deemed to serve active recreational needs and therefore count toward compliance with the private recreational space requirements of this Section: tennis courts, racquetball courts, swimming pools, sauna and exercise rooms, meeting or activity rooms with clubhouses, swings, slides, and play apparatus. Each development shall install the types of recreational facilities and equipment that are most likely to be suited to and used by the age bracket of persons likely to reside in the development. Facilities and equipment for active recreation shall be indicated on the site plan provided by the developer and shall be reviewed by the Director of the Mebane Recreation and Parks Department. The Recreation Director shall forward a recommendation as to the adequacy of the proposed recreational facilities and equipment to the City Council.
- B. The developer of residential developments with dwelling units not constructed for the purpose of sale to individual owners shall provide private recreation area as indicated in the following table:

Development Type	Minimum Amount of Required Recreation Space
Live/Work	100 square feet per du; No dedication required in B-1, B-2, B-3 districts
Multifamily/Apartment in B-1 District	50 square feet per du
Multifamily/Apartment	750 square feet per du
Townhome in B-1 District	100 square feet per du
Townhome	1,000 square feet per du
Patio Home	1,000 square feet per du
Manufactured Home Park	1,000 square feet per du

- D. The owner of the development shall be responsible for the continuing upkeep and proper maintenance of the private, active recreational space required by this Section.
- E. Exemption
These private recreation criteria shall not be applied to developments providing five units or less.

Amended June 6, 2022

6-8.3 Private Common Open Space Requirements for Residential Developments

- A. Private, common open space shall be required for all residential developments, excepting those that realize five or less dwelling units. Private, common open space shall be provided in addition to any public or private recreational space requirements required by Sections 6-8.1 and 6-8.2.

Amended June 6, 2022

- B. Common open space may be passive or active and shall be owned and maintained by the property owner, a property owners association, or approved private, non-profit organization as authorized in Section 6-8.4, A.

Amended June 6, 2022

- C. Non-Single Family Development
The developer of residential development featuring dwelling units of the following descriptions shall reserve the amount of open space as indicated:

Development Type	Minimum Amount of Required Open Space
Multifamily/Apartment in B-1 District	50 square feet per du
Townhome or Condominium in B-1 District	100 square feet per du
Multifamily/Apartment Not For Sale	1,000 square feet per du
Manufactured Home Park	1,500 square feet per du
Live/Work	100 square feet per du; No dedication required in B-1, B-2, B-3 Districts
Townhome or Condominium	500 square feet per du
Patio Home	500 square feet per du

Amended June 6, 2022

- D. **Residential cluster development.** The developer of each residential cluster development shall reserve open space as follows:

The minimum amount of open space shall equal the amount of lot area by which all dwelling unit lots are reduced below the base zoning for single-family detached residential units for the zoning district in which located.

- E. **PUD and TND development.** The developer of each residential component (i.e., multifamily, condominiums, patio homes, etc.) of a planned unit development or traditional neighborhood development shall reserve open space as required above for that specific type of residential development. Single-family residential components of a PUD or TND shall reserve open space as required for residential cluster development.

The nonresidential components of each planned unit development or traditional neighborhood development shall reserve open space equal to a minimum of 15 percent of the gross land area of the nonresidential portion of the development (see also Section 4-7.3, N & P).

(Amended August 13, 2018; June 6, 2022)

- F. For purposes of Section 6-8.3, open space means an area that:
1. Is not encumbered with any structure unless such structure is intended for recreational purposes and is accessible to all residents of the development or general public;
 2. Is not contained within a street right-of-way or otherwise devoted to use as a roadway or parking area not associated with the use of the open space;

3. If wooded, is left in its natural or undisturbed state (as of the date development began), except for the cutting of trails for bicycling, walking, or jogging or

If not wooded at the time of development, is dedicated for

- a. picnic areas, play areas, or similar passive recreational facilities, or

- b. is properly vegetated and landscaped with the objective of creating a wooded area or other area that is consistent with the objective set forth in subsection 4 below;

Amended June 6, 2022

4. Is capable of being used and enjoyed for purposes of informal and unstructured recreation and relaxation;
5. Is legally and practicably accessible to the residents of the development out of which the required open space is taken, or to the public if dedication of the open space is proposed pursuant to Section 6-8.3, C; and
6. Is not encumbered by underground private septic lines, any part of a private sewage disposal system, or any above-ground or below-ground structure.

- G. All floodplains, wetlands, streams, riparian buffers, ponds, lakes, and other water bodies shall be contained in or contiguous with common open space, whether or not they receive credit as common open space.

Amended June 6, 2022

- H. Open space shall be shown on the site plan with a notation to indicate that the open space shall not be used for future structures except as allowed per subsection F, 1 above.

- I. The following shall not be counted towards open space areas:

1. Total area used for wet ponds used for stormwater management control to comply with requirements of Article 5. Crediting of other stormwater management controls (SMC) that do not have a standing pond depth (e.g. bioretention cells) as open space shall be allowed at half the credit of unmanaged open space. Should the SMC be integrated as a central feature into a recreational amenity, staff may consider that in its calculations of recreation area.

Amended June 6, 2022

2. Private yards and building setback areas;
3. Public or private streets or street rights-of-way;
4. Parking areas and driveways for dwellings; and

5. Land covered by structures except as allowed per subsection K, 1 above.

- J. Buffer areas required by Section 6-4 shall only receive half the credit for dedication towards private open space areas.

Amended June 6, 2022

- K. Slopes >15%, floodzones, floodways, stream buffers, and wetlands are not considered developable area and shall only receive half the credit for dedication as open space.

Amended June 6, 2022

- L. Spaces that have been delineated as Conservation Areas or otherwise prioritized for protection in the City's adopted plans shall be preferentially preserved as open space and/or buffers with neighboring properties to preserve contiguous forest canopies and natural habitat in order to meet the City's open space, recreation area, and/or buffer requirements.

Amended June 6, 2022

6-8.4 Ownership and Maintenance of Required Private Open Space

- A. Common open space required by Section 6-8.3 shall not be dedicated to the public except upon the written acceptance of the City of Mebane pursuant to subsection C below but shall remain under the ownership and control of the developer (or successor in title) or a Property Owners' Association or similar organization established pursuant to Section 7-7. As an alternative to a Property Owners' Association, a private non-profit organization, such as a private land trust, whose primary purpose is the preservation or conservation of open space may own and manage the proposed open space.
- B. The person or entity identified in subsection A above as having the right of ownership and control over such open space shall be responsible for the continuing upkeep and maintenance of the same.
- C. The City Council shall have the authority to accept or reject offers for land dedications made as a requirement of Section 6-8.3. Land proposed by the developer as public open space on a site plan shall be considered to be offered for dedication until such offer is officially accepted by the City Council. The offer may be accepted by the City through:
1. Written acceptance by the City Council; or
 2. Written acceptance by an administrative officer designated by the City Council.

Until such dedication has been accepted, land so offered may be used for open space purposes by the property owner or by a property owners' association. Land so offered for dedication shall not be used for any purpose inconsistent with the proposed public use. The property owner shall be responsible for the maintenance

of all facilities and improvements until an offer of dedication is accepted by the City of Mebane.

Amended June 6, 2022