

ORDINANCE NO. 2021-41

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT
ORDINANCE CHAPTER 10 – PARKING STANDARDS**

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

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the following sections of the City of Brevard Comprehensive Plan;

- OBJECTIVE 3.1: Preservation of surrounding natural assets of mountains, farmlands, woods, and water for future generations.
- OBJECTIVE 4.1: Increased efficiency of land uses to help stabilize and grow the City's tax base.
 - POLICY 4.1.A: Evaluate and amend development ordinances to facilitate infill development on vacant and under-developed parcels, as well as revitalization of developed parcels.
 - POLICY 4.1.G: Modify development ordinances and regulations to incorporate design standards and guidelines that respect existing community character while allowing greater residential density and intensity of nonresidential development within mixed use zoning areas.
 - POLICY 4.1.I: Evaluate the City of Brevard's current design review process to streamline procedures; clarify roles, responsibilities, and authorities of the various review boards; and improve the overall quality of new development.

and,

WHEREAS, a public hearing was conducted on Monday, September 20, 2021, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance be amended as outlined below.

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

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

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

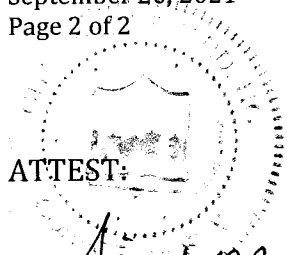
SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions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

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


Adopted and approved this the 20th day of September 2021.



Mac Morrow
Mayor Pro Tem

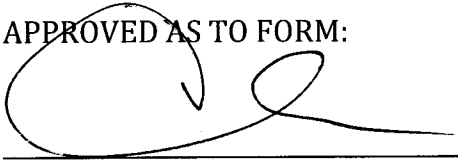


ATTEST:



Jill Murray, CMC
City Clerk

APPROVED AS TO FORM:



Mack McKeller
City Attorney

10.5 – General off-street parking area design standards

G. Location of off-street parking:

1. Off-street parking shall not be permitted within any public right-of-way.
2. Off-street parking shall not be permitted within any front yard setback area and shall not be permitted between any principal structure and the street upon which such structure fronts. Where a structure fronts upon two or more streets, parking may be permitted between the principal structure and the adjacent street of lesser classification when parking cannot reasonably be placed in another location.
3. The following uses and parking types shall be exempt from Section 10.5(G.2) above:
 - a. Single-family and duplex residential structures in GR, RMX and NMX districts, except those which are subject to Chapter 2, Section 2.3(E.2).
 - b. Handicapped parking spaces as required by the North Carolina Accessibility Code or other federal, state, or local regulations.
 - c. Bicycle parking spaces required by this ordinance.
 - d. Existing non-residential and multi-family development undergoing significant or substantial improvement or change of use as defined in Chapter 19 of this ordinance, provided that all newly created parking spaces associated with such redevelopment shall conform with Section 10.5(G.2) unless the approving authority deems that compliance would be impractical due to existing site constraints.