

## Section 111. Multi-Family and Commercial Development Standards

*(Adopted 12-16-08)*

Review of Multi-Family and Commercial developments shall be the responsibility of the Town Planner. The Town Planner at his/her discretion may ask the Planning Board to participate in the review process and render any decision in regards to the standards listed from section 111.01 through 111.06. At no time may the Town Planner or Planning Board lessen the requirements of this Section.

### 111.01 Access Management and Pedestrian Facilities:

#### Access Management

- a. All new driveway access shall be permitted in accordance with the current NCDOT "Policy on Street and Driveway Access to North Carolina Highways". Additional restrictions will apply as follows:
- b. The minimum distance between the centerlines of driveways into commercial developments shall be at least 600 feet.
- c. On lots that are developed for commercial and/or industrial use, stub outs will be required for interconnectivity to abutting lots or for future development of the remainder of the parcel.
- d. No property shall have more than two (2) driveway access points. In situations where public safety may be affected, additional driveway access points may be permitted only after a Traffic Impact Analysis has been completed at the responsibility of the developer. NCDOT and/or the Town of Hudson may request that the study be completed. A certified professional engineer shall prepare the Traffic Impact Analysis. NCDOT and/or the Town Engineer shall make the final decision in regards to location and number of driveway access points.

#### Pedestrian Facilities:

- a. Sidewalks are required along all major thoroughfares in multi-family and commercial developments within the Town of Hudson and its ETJ. Sidewalks may also be required along minor thoroughfares and collector streets if deemed necessary (connectivity to existing sidewalk system) by the Town Planner.
- b. Connectivity with the Town's greenway/trail system should be considered (where feasible) if the development is within 100 feet of the existing system.

### Section 111.02 Landscaping of Parking Area

The landscaping requirements of this section shall apply to land, public and private, designated as multi-family, recreational, institutional, industrial and commercial land uses which are required to have twenty (20) or more parking spaces. All those multi-family, recreational, institutional, industrial and commercial land uses which are required to have ten (10) to nineteen (19) spaces must comply with the street yard requirements only.

111.03 Parking area landscaping requirements of this section are as follows:

- a. Credit for using existing trees on site greater than or equal to those required by standards shall be two (2) trees for every one tree retained ( in accordance with Section 111.06 a)
- b. When using an existing tree, the area under the dripline (maximum extension of branches) of the tree must remain undisturbed. This includes grading, fill, paving, etc.
- c. If an existing tree dies, it must be replaced with two (2) trees during the next planting season.(in accordance with Section 111.06 c)
- d. If any tree/shrub dies, replacement is required within the next planting season.
- e. Landscaping shall be placed in a manner, which meets the intent of this Ordinance, and shall be maintained.
- f. Any fraction of requirements shall be rounded to the next whole number. (eg; in a street yard, if lot width is 149 feet or less then the number of required trees shall be 1. If the lot is 150 then the number of required trees shall be 2 (rounded up to 200 feet)).
- g. Landscaping shall not obstruct the view of motorists using any street, private driveway, parking aisles or the approach to any street intersection so as to constitute a traffic hazard.

111.04 Landscaping requirements for interior areas of parking areas:

(Interior areas are defined as the area within the property used for vehicular storage, parking and movement).

- a. Landscaped planting areas are to be located within or adjacent to the parking area as tree islands, at the end or parking bays, inside medians, or between rows or cars.
- b. There shall be one (1) tree for every twenty (20) parking spaces.
- c. There shall be one (1) shrub for every ten (10) parking spaces. Shrubs must be eighteen (18) inches tall at planting and reach a minimum height of thirty (30) inches in three (3) years.
- d. All trees and shrubs are to be planted within a landscaped planting area not less than one hundred sixty-two (162) square feet in area.
- e. No vehicular parking space shall be farther than one hundred (100) feet from a planting area.

111.05 Landscaping requirements for street yards of parking areas:

(Street yards are defined as the area between the public right-of-way and interior area)

- a. Street yards are required to be a minimum of fifteen (15) feet in width.
- b. One (1) tree is required every one-hundred (100) feet along the street frontage.
- c. Shrub beds (fifty (50) square feet minimum and a minimum of ten (10) shrubs per shrub bed) are required every fifty (50) feet along the street frontage. Berms may be used instead of shrubs with the following stipulations: 1) berms must be the required height of shrubs with no more than a 3:1 slope; 2) shorter shrubs may be used in combination with berms as long as the required total height is met; 3) berms must be capped or topped with groundcover vegetation; 4) berms shall be grassed; 5) berms must occupy sixty (60%) percent of the frontage area; 6) fences may be used in combination with berms as long as the fence is compatible in materials and color to the building and is not more than forty (40%) percent of the required height.

111.06 Tree and shrub specifications:

- a. "Tree" as used herein means any tree, evergreen or deciduous, whose mature height of its species can be expected to exceed fifteen (15) feet for a small tree and thirty-five (35) feet for a large tree (except in cases where this would require the planting of incompatible species with the surrounding environment, such as overhead utility lines, then acceptable species may be used). The tree, existing or planted, shall be at least eight (8) feet in height and six and one-quarter (6 1/4") inches in circumference (two (2) inches in diameter) measured at one-half (1/2') foot above grade for newly planted trees and measured at four (4) feet above grade for existing trees.
- b. "Shrub" shall attain a minimum of thirty (30") inches in height with three (3) years of planting. All shrubs shall be a minimum of eighteen (18") inches tall when planted. All shrubs planted on berms may have lesser height provided the combined height of the berm and plantings after three (3) years is at least thirty (30") inches in height.
- c. Tree Replacement Standards: Any tree that dies or is damaged due to weather or other factors must be replaced within the next planting season. Trees must be replaced at a 2 to 1 ratio if the existing damaged/dead tree exceeds a height of twelve (12) feet and is more than six and one-quarter (6 1/4") inches in circumference (two (2) inches in diameter) measured at four (4) feet above grade. Existing damaged/dead trees that are less than the above listed requirements may be replaced at a 1 to 1 ratio.

ARTICLE XII

ADMINISTRATION AND ENFORCEMENT

Section 120. Zoning Enforcement Officer. It shall be the duty of the Zoning Enforcement Officer to enforce and administer the provisions of this Ordinance.

If the Zoning Enforcement Officer finds that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of the illegal use of land, buildings or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take