

ARTICLE XII

OFF-STREET LOADING AND/OR UNLOADING REGULATIONS

For all buildings and structures erected, altered, or extended, and all uses of land established as specified herein, after the effective date of this ordinance, off-street loading and/or unloading facilities shall be provided as required by the regulations herein. However, where a building permit has been issued prior to the date of the adoption of this ordinance, and provided that construction has not begun within ninety (90) days of such effective date, off-street loading and/or unloading facilities in the amounts required by this ordinance, shall prevail.

SECTION 12.0 GENERAL REQUIREMENTS—

A. Spaces Required-

1. Every building or part thereof, erected and occupied for uses permitted in commercial and industrial zones, including “conditional uses” permitted in residential zones, involving the receipt or distribution of vehicles, materials, or merchandise and having up to 5,000 square feet of gross floor area shall be provided with at least one loading and/or unloading space. A study shall be prepared by the company or operator to determine the additional loading and/or unloading space needs over and above the first space required for the specific use proposed. In determining the number of spaces needed, the study shall take into consideration the following:
 - a. estimated and projected arrival and departure rates for scheduled and unscheduled (random) trucks;
 - b. estimated and projected length of truck stop duration for loading and/or unloading of each truck;
 - c. Estimated number of trips by vehicle type (i.e., two axle vehicles, semi-tractor trailers, etc.) and size

The zoning administrator shall review the study of estimated and projected loading and/or unloading needs and make a determination if the number of spaces provided are adequate for the use proposed.

2. If it is determined by the zoning administrator, based on existing conditions of the proposed site, the design of the building, and the completed needs study, that additional loading and/or unloading spaces are needed to accommodate the facilities than could be reasonably provided, the zoning administrator shall require that additional parking areas, properly designed, to handle the parking of necessary trucks including the maneuvering of the trucks to and from the space, be provided for the storage of trucks waiting to be loading and/or unloading.
3. If after approval by the zoning administrator of the number of spaces and any storage of truck parking needed to accommodate the loading and/or unloading of trucks for a specific use, a need exists, based on operation of the specific use, to provide additional

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off-street loading and/or unloading spaces or storage of trucks than was previously determined, the zoning administrator may require that corrective action be taken to eliminate any deficiencies as follows:

- a. limit the time and interval of arrival and departure of trucks, commensurate with the need; or
 - b. require necessary additional loading and/or unloading spaces, or require that adequate parking areas are provided for the storage of trucks waiting to be loaded and/or unloaded.
- B. Additional Loading and/or Unloading Spaces to be provided – Whenever the intensity of any use of a building or premises is increased through addition of gross floor area, change of use or increased activity, additional loading and/or unloading spaces shall be provided in accordance with the requirements of Section 12.0, A, above, if it is determined by the zoning administrator that the existing spaces are not adequate to serve such increase in intensity.
- C. Location of Off-street Loading and/or Unloading Area – All loading and/or unloading Spaces shall be located on the same lot as the use served. However, permitted uses located in industrial zones may provide parking areas for the storage of trucks waiting to be loaded and/or unloaded within three hundred (300) feet from each lot served, upon the approval of the zoning administrator, providing that said off-street storage of trucks are unable to be provided on the same lot or contiguous to the same lot as the use being served and further provided that said storage of trucks are located in the same zone as the use being served. Loading and/or unloading areas may be located in the side and minimum required rear yards, provided that all loading and/or unloading facilities shall be set back a minimum of ten (10) feet from the rear lot line and minimum side yard clearance are maintained.
- D. Driveways not Computed as Part of Required Loading and/or Unloading Area – Entrances, exits, or driveways shall not be computed as any part of a required loading and/or unloading space.
- E. Off-Street Loading and/or Unloading Space to be Used for Loading and/or Unloading Only Any loading and/or unloading space shall be used for loading and/or unloading only. Any other use of such space, including repair work or servicing of any kind other than in an emergency, or the requirement of any payment for the use of such space, shall be in violation of the provisions of this ordinance.
- F. No Building to be Erected in Off-Street Loading and/or Unloading Space – No building or any kind shall be erected in any off-street loading and/or unloading space.

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- G. Off-Street Loading and/or Unloading Space Shall not be Reduced – The required parking spaces as set forth and designated in this ordinance, shall not be reduced, except as provided for in this ordinance.

- H. Loading and/or Unloading Plan Approval Required – Plans for all loading and/or unloading facilities shall be submitted to the zoning administrator for review and for compliance with the provisions of this ordinance and such other pertinent ordinances of the legislative body. Such plans shall show the number and location of loading and/or unloading spaces, including necessary maneuvering of trucks and dock and apron approach, and arrangements of access aisles, location of access points onto adjacent streets, provisions for truck circulation, location of curbs on or adjacent to the property, utilities, location of signs, typical cross-sections of pavement, including base and subbase, proposed grade of lot, storm drainage facilities, location and type of lighting facilities and such other information or plans as the circumstances may warrant. Where such loading and/or unloading plans include provisions for access points to adjacent streets, then said plans shall also be prepared in accordance with the requirements of Section 11.3