

SECTION 22-2 - DEFINITIONS

Lot coverage - That portion of the lot area, expressed as a percentage, that is occupied and obstructed by an improvement or a structure above the ground, including but not limited to buildings, **non-slatted** decks, paved parking areas as defined in Section 22-56, private sidewalks of impervious surfaces, paved driveways and roadways as defined in Section 22-56 and any accessory use or structure requiring location on or above the ground. The following exemptions shall be allowed for ~~residential~~ lot coverage calculations:

(1) The "wet" or water area of a swimming pool shall be exempt from the lot coverage calculations.; ~~however, this exemption for the "wet" or water area of the pool shall not exceed 500 square feet of area.~~ Pool aprons and **non-slatted** decking shall be counted as lot coverage.

(2) Wooden walkways to ocean or estuarine areas, 6 feet or less in width shall be exempt from the lot coverage calculations. (Adopted by the DCBC on 4/7/03)

(3) **Slatted deck(s).**

(4) **A surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric.**

(5) **A trail as defined in G.S. 113A-85 that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour).**

(6) **Landscaping material, including, but not limited to, gravel, mulch, sand, and vegetation, placed on areas that receive pedestrian or bicycle traffic or on portions of driveways and parking areas that will not be compacted by the weight of a vehicle, such as the area between sections of pavement that support the weight of a vehicle.**

(7) **Artificial turf, manufactured to allow water to drain through the backing of the turf, and installed according to the manufacturer's specifications over a pervious surface.**

(Amended by the DCBC on 08/04/2025)

SECTION 22-23.5 - EAST LAKE VILLAGE COMMERCIAL DISTRICT (ELVC) (Adopted 4-15-2013)

(3) Restaurants and food stands as defined in Section 22-2 of the Dare County Zoning Ordinance subject to the following provisions:

b. A minimum of ten parking spaces (40' 9' x 20' each) shall be provided at all food stands. Such parking shall be of a dust-free service and each space individual designated.

(Amended by the DCBC on 08/04/2025)

SECTION 22-26.2 - EAST LAKE COMMERCIAL SERVICES DISTRICT (ELCS) (Adopted 4-15-2013)

(9) Restaurants and food stands as defined in Section 22-2 of the Dare County Zoning Ordinance subject to the following provisions:

a. The restaurant or food stand shall not feature a drive-thru window whereby patrons are served while seated in a motor vehicle.

b. A minimum of ten parking spaces (40' 9' x 20' each) shall be provided at all food stands. Such parking shall be of a dust-free service and each space individual designated.

(Amended by the DCBC on 08/04/2025)

SECTION 22-27.10 - RESIDENTIAL BUSINESS ZONING DISTRICT 1 (RB)

(6) Marinas, boat dockage, and boat rentals for up to 10 boats provided the following minimum conditions are met:

d. One 40' 9' x 20' parking space shall be provided for each wet boat slip.

(7) Restaurants provided the minimum following conditions are met:

d. On-site parking shall be according to Section 22-56 – one 40' 9' x 20' parking space for every 3 customer seats plus one 40' 9' x 20' space for every 3 employees and loading space.

(Amended by the DCBC on 08/04/2025)

SECTION 22-27.11 - NEIGHBORHOOD COMMERCIAL ZONING DISTRICT 1 (NC)

(7) Restaurants, food services, cafes provided the minimum following conditions are met:

d. On-site parking shall be according to Section 22-56 – one 40' 9' x 20' parking space for every 3 customer seats plus one 40' 9' x 20' space for every 3 employees and loading space.

(Amended by the DCBC on 08/04/2025)

SECTION 22-27.12 - HISTORIC MILL LANDING MARINE DISTRICT (HML)

(8) Marinas, boat dockage, village marina store with fuel pumps, boat rentals for fishing excursions, and other non-motorized boat rentals provided the following minimum conditions are met:

a. Lot size shall be sufficient to meet requirements of the Dare County Health Department and to provide adequate siting for structures, parking, loading and maneuvering space as provided in Section 22-56.

b. Food and beverage service and/or a restaurant may be associated with the marina.

c. All boat rentals, except for fishing excursion rentals, shall be limited to non-motorized vessels and shall be limited to a total of 10 vessels offered for rent.

d. Fuel pumps shall not be located within 50 feet of a residential zoning district or residential use and that such fuel pumps shall be setback a minimum of 25 feet from all rights-of-way.

e. One 40' 9' x 20' parking space shall be provided for each wet boat slip.

(11) Restaurants on individual parcels or as an accessory use and designed as part of a marina project provided the minimum following conditions are met:

d. On-site parking shall be according to Section 22-56 – one 40' 9' x 20' parking space for every 3 customer seats plus one 40' 9' x 20' space for every 3 employees and loading space.

(14) Village center complex: a mixed use development situated on single parcel of land under single ownership whereby an existing commercial building, or new structure, may be developed and limited to retail sales units on the lower level of the structure with residential units on upper level. Additional residential units may be situated on the site. The following minimum requirements shall be met:

a. Village center complex site must contain a minimum of 3 acres.

b. Approval of all supplementary local, state and federal permits. Site must be adequate for siting commercial structure, parking, loading and maneuvering space as required by Article VII. Two 40' 9'

x 20' parking spaces per residential use shall be provided. Overflow parking, if applicable, shall be directed to off peak use of commercial spaces

(Amended by the DCBC on 08/04/2025)

SECTION 22-27.13 - WANCHESE VILLAGE COMMERCIAL ZONING (WVC)

(8) Fuel pumps in conjunction with a food market having 8,000 square feet or more under subsection (b)(2) of this section provided that no principal or accessory building shall be located within 500 feet of any residential use or residential zoning district and that any such fuel pumps shall be setback a minimum of 25 feet from all rights-of-way.

b. Parking spaces located directly beneath the canopy shall be in accord with the parking standards (40' 9' x 20').

(11) Private meeting and recreational facilities such as an event center for weddings and group parties, including private boat launching areas, tennis courts, picnic areas, private swimming pools and beaches, whereby catering is an integral part thereto. The following minimum requirements shall be met:

a. Parking for the event center and associated uses shall be based on the maximum occupancy of the proposed structure. Maximum occupancy shall be determined according to the standards of the North Carolina state building code. One 40' 9' x 20' space for every 4 persons or a minimum of 30 spaces which ever is greater shall be provided.

(14) Restaurants, food service, café provided the minimum following conditions are met:

d. On-site parking shall be according to Section [22-56](#) – one 40' 9' x 20' parking space for every 3 customer seats plus one 40' 9' x 20' space for every 3 employees and loading space.

(Amended by the DCBC on 08/04/2025)

SECTION 22-27.14 - HARBOR ROAD MARINE COMMERCIAL (MC-2)

(8) Marinas, boat dockage, village marina store with fuel pumps, boat rentals for fishing excursions, and other non- motorized boat rentals provided the following minimum conditions are met:

e. One 40' 9' x 20' parking space shall be provided for each wet boat slip.

(12) Restaurants on individual parcels or as an accessory use and designed as part of a marina project provided the minimum following conditions are met:

d. On-site parking shall be according to Section 22-56 – one 40' 9' x 20' parking space for every 3 customer seats plus one 40' 9' x 20' space for every 3 employees and loading space.

(Amended by the DCBC on 08/04/2025)

SECTION 22-27.15 - WANCHESE WHARF MARINE COMMERCIAL ZONING DISTRICT (MC-1)

(8) Marinas, boat dockage, village marina store with fuel pumps, boat rentals for fishing excursions, and other non-motorized boat rentals provided the following minimum conditions are met:

e. One 40' 9' x 20' parking space shall be provided for each wet boat slip.

(11) Restaurants on individual parcels or as an accessory use and designed as part of a marina project provided the minimum following conditions are met:

d. On-site parking shall be according to Section 22-56 – one 40' 9' x 20' parking space for every 3 customer seats plus one 40' 9' x 20' space for every 3 employees and loading space.

(Amended by the DCBC on 08/04/2025)

SECTION 22-27.16 - HIGHWAY 345 BUSINESS DISTRICT (HWY 345)

(9) Marinas, boat dockage, village marina store with fuel pumps, boat rentals for fishing excursions, and other non-motorized boat rentals provided the following minimum conditions are met:

e. One 40' 9' x 20' parking space shall be provided for each wet boat slip.

(11) Private meeting and recreational facilities such as an event center for weddings and group parties, including private boat launching areas, tennis courts, picnic areas, private swimming pools and beaches, whereby catering is an integral part thereto. The following minimum requirements shall be met:

a. Parking for the event center and associated uses shall be based on the maximum occupancy of the proposed structure. Maximum occupancy shall be determined according to the North Carolina state building codes. One 40' 9' x 20' space for every 4 persons or a minimum of 30 spaces whichever is greater.

(13) Restaurants, food service, café provided the minimum following conditions are met:

d. On-site parking shall be according to Section [22-56](#) – one 40' 9' x 20' parking space for every 3 customer seats plus one 40' 9' x 20' space for every 3 employees and loading space.

(17) Village general store with fuel pumps provided that no principal or accessory building shall be located within 50 feet of a residential use, accessory dwelling unit, or residential district and that such fuel pumps shall be set back at least 25 feet from all rights-of-way. The following minimum requirements shall be met for open canopy lighting to preserve the night time environment:

b. Parking spaces provided under a canopy shall be 40' 9' x 20' in area.

(Amended by the DCBC on 08/04/2025)

SECTION 22-54 - SAME - GENERAL STANDARDS AND REQUIREMENTS

(a) Each off-street parking space required by this article shall have a minimum length of 20 feet and a minimum width of 40' 9 feet. It shall have vehicular access to a publicly dedicated street or alley, except as authorized in this chapter as group development or otherwise approved by Dare County.

(Amended by the DCBC on 08/04/2025)

SECTION 22-55 - SAME - STANDARDS AND REQUIREMENTS FOR PARKING LOTS

Where parking space for five or more cars is permitted or required, the following provisions shall be complied with:

(d) Surfacing. All parking lots shall be provided with a dust proof surface with adequate drainage facilities. Concrete, asphalt, asphalt millings, and gravel areas which will be compacted by the weight of a vehicle shall be considered impervious surfaces. Paving block and turf stone installed over a clay sub-base shall also be considered impervious surfaces. Number 57 stone, turf-stone and/or paving block, installed over a sand sub-base shall be considered as pervious surfaces.

(Amended by the DCBC on 08/04/2025)

SECTION 22-56 - SAME - NUMBER OF SPACES REQUIRED

The number of off-street parking spaces required by this section shall be provided on the same lot with the principal use, except as provided in subsection (j) of section 22-54, and the required number of off-street spaces specified for each use shall be considered as the absolute minimum. Where a fraction of a space is required by this section, the next whole number shall be provided. In addition, a developer shall evaluate his/her needs to determine if they are greater than the minimum specified by this section. The required number of spaces shall be as follows:

Use	Required Parking
<p>For Single-family detached residential structures</p>	<p>Permanent parking spaces shall be provided on the same lot as the principal use structure and shall not be located on or within any right-of-way, street, easement or road area.</p> <p>1. For structures with 5 or less bedrooms or bedroom equivalents as established on the Dare County wastewater improvement permit or other wastewater permitting agency, the following standards shall apply: (Amended on 6-20- 16)</p> <p>a. One parking space for each authorized bedroom or bedroom equivalent shall be provided with 50% of the required parking spaces of an impervious surface. The remainder may be of a pervious surface as described in Section 22-56, "Construction Standards", however sand shall not be considered an acceptable pervious surface. Minimum dimensions of individual parking spaces: 40 9' x 20'. Parking spaces may be provided under the structure. Parking spaces may be allowed in the front yard setback area but cannot be located closer than 2' from side property lines. Parking spaces shall comply with all applicable setback regulations for wastewater improvements. Parking spaces shall be located on the cite in a manner that allows access by all vehicles.</p> <p>b. Final approval of layout subject to review by Dare County Planning Department based on consultation with Fire Marshal/EMS. Installation of the parking improvements shall be verified by Dare County before the release of the certificate of occupancy and shall be depicted on an as-built survey.</p> <p>c. No parking area shall be altered to preclude its use for parking subsequent to the issuance of an occupancy permit.</p> <p>2. For structures with 6 or more authorized bedrooms or bedroom equivalents as established on the Dare County wastewater improvement permit or other wastewater permitting agency, the following standards shall apply: (Amended on 6-20-16)</p> <p>a. One parking space for each authorized bedroom or bedroom equivalent shall be provided with 50% of the required parking spaces of an impervious surface. The remainder may be of a pervious surface as described in Section 22-56, "Construction Standards", however sand shall not be considered an acceptable pervious surface. Minimum dimensions of individual spaces: 40 9' x 20'. Parking spaces may be allowed in the front yard setback area but cannot be located closer than 2' from side property lines. Parking spaces shall comply with all applicable setback regulations for wastewater improvements.</p>

<p>Multi-family residences, group housing projects, townhouses and condominiums</p>	<p>1 parking space for each authorized bedroom proposed in a multi-family structure with 50% of the required parking spaces of an impervious surface as described in Section 22-56, "Construction Standards", Concrete, asphalt, turf-stone and/or paving block installed over a clay sub-base are considered impervious surfaces. For those properties located in a CAMA area of environmental concern that restricts the use of impervious surfaces, the Dare County requirement for impervious parking may be waived. However, this area shall still be designated as lot coverage-Number 57 stone, turf-stone and/or paving block, installed over a sand sub-base shall be considered as pervious surfaces and will not be designated as lot coverage. (Amended on 2-1-16)</p>
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(11-20-75, art. 6, 6.01; 9-7-76, 1; 2-6-78, 1)

The following restrictions shall apply to all residential property:

Construction Standards: Concrete, asphalt, **asphalt millings, and gravel areas which will be compacted by the weight of a vehicle shall be considered impervious surfaces.** Paving block and turf stone installed over a clay sub-base **shall also be considered impervious surfaces.** **A surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric,** grassed or sodded areas, or turf-stone and/or paving block, installed over a sand sub-base shall be considered **as pervious surfaces.**

Road Frontage: For lots with direct frontage on NC 12, SR 1217 (Colington Road), NC 345 or US 64, sufficient maneuvering area of not less than 10' x 10' shall be provided on site to avoid vehicles backing into the public right-of-way of these roadways. This area shall be depicted on the survey submitted to secure the building permit. For structures with five (5) or less authorized bedrooms or bedroom equivalents, this maneuvering area may be of a pervious surface. For structures with 6 or more authorized bedroom or bedroom equivalents, this maneuvering area shall be of an impervious surface. Acceptable pervious surfaces include ~~gravel, grass,~~ **a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric.** Turf-stone and/or paving block installed over a sand sub-base, or similar surfaces shall be considered **as pervious surfaces** ~~similar surfaces,~~ that allow for safe vehicular movement.

CAMA Exemption: For those properties located within a CAMA ocean hazard AEC that restricts the use of impervious surfaces, the Dare County requirement for impervious parking and/or drive aisles may be waived **by using a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric.** Turf-stone and/or paving block, installed over a sand sub-base shall be considered **as pervious surfaces and will not be designated as lot coverage.** However, this area shall still be designated as lot coverage. (Adopted by the DCBC on April 7, 2003)

(Amended by the DCBC on 08/04/2025)

SECTION 22-58.4 - SPECIAL REGULATIONS FOR ELECTRONIC GAMING OPERATIONS (Adopted 8-20-2012)

(7) Off-street parking shall be provided at a ratio of one ~~40'~~ **9' x 20'** space for each electronic gaming machine/device in addition to the other required parking spaces for the principal use. An up-to-date copy of a site plan prepared by a North Carolina licensed surveyor or engineer shall be submitted to the Planning Director for approval.

(Amended by the DCBC on 08/04/2025)

SECTION 22-58.6 - ACCESSORY DWELLING UNITS (Adopted 10-15-2018)

4. Two ~~40'~~ 9' x 20' parking spaces shall be provided on the residential lot outside of any dedicated right-of-way or access easement. Parking shall be of permeable surfaces as allowed for single family dwellings in Section [22-56](#) of the Dare County Zoning Ordinance. The location of the ADU parking shall be approved by the Dare County Planning Department during the permit review process. Existing parking may be used if excess parking for the primary dwelling unit is available.

(Amended by the DCBC on 08/04/2025)

SECTION 22-58.9 - SPECIAL USE SUBDIVISIONS

(g) Parking. One 40' 9' x 20' parking space for each bedroom shall be provided on site. 50% of the required parking shall be of an impervious surface such as concrete or asphalt. Permeable or pervious concrete does not qualify as an impervious surface. Asphalt millings or "crush and run" shall not be used for residential parking.

(Amended by the DCBC on 08/04/2025)

§ 160.28 CONFIGURATION OF CAMPING SPACES.

Camping spaces may be constructed with a fixed site layout with individual camping spaces configured in a linear layout based on a minimum camping space area or camping spaces may be constructed with a freeform layout with camping spaces configured in a non-linear layout whereby camping spaces are separated by a minimum distance. A combination of the 2 formats may be used within the park boundaries.

(2) No more than 1 travel trailer, camping cabin or alternative camping unit may be parked or placed on any 1 camping space. A minimum of one 40' 9 foot by 20 foot parking space for a motor vehicle shall be located and identified within each camping space Internal access roads shall not be blocked by motor vehicles or travel trailers.

(B) *Free form configuration.*

(3) A minimum of one 40' 9 foot by 20 foot parking space for a motor vehicle shall be located and identified for each freeform camping space. Internal access roads shall not be blocked by motor vehicles or travel trailers.

(Amended by the DCBC on 08/04/2025)

§ 160.31 ROADS AND ACCESS.

(D) Internal access roads shall be improved with a minimum of 8 inches of ABC or STBC type 3 base course materials. All road surface materials shall include, but are not limited to, R recycled asphalt, ~~or~~ asphalt millings, asphalt, crush and run, concrete, and gravel. These areas shall be considered impervious surfaces and will be counted as lot coverage.

(Amended by the DCBC on 08/04/2025)

(Ord. passed 3-18-1985; Am. Ord. passed 7-20-1992; Am. Ord. passed 10-19-2020; Am. Ord. passed 2-16-2021)