

TEXT AMENDMENT STAFF REPORT



Hearing Date: NA

Case File #: TA-16-16

General Description: Amend Article 6.06 (D) to provide dimensional standards for residential development in the MB-1 zoning district.

Town Initiated

Citizen Initiated

Applicant(s): Town of Sunset Beach

APPLICATION OVERVIEW:

The Sunset Beach Planning & Inspections Department has initiated an application, at the direction of the Planning Board, to revise the dimensional standards and density for residential development in the MB-1 Zoning District.

STAFF COMMENTARY

Currently, the dimensional standards and density for single-family and multi-family residential development in the MB-1 Zoning District are based upon standards outlined in the MR-1 Zoning District. This is problematic for several reasons. First, residential density and dimensional standards should be established within each zoning district. The ordinance language should not make reference from one zoning district to another to establish standards. Second, prior to adoption of the UDO, multi-family development was regulated with dimensional standards as provided in the MR-3 zoning district. The change from MR-3 to MR-1 multi-family development dimensional standards is perhaps an error that occurred in drafting the UDO. Existing multi-family development in the MB-1 district appears to comply with MR-3 standards (See Figure 1 contained herein). Third, the dimensional standards of the MR-1 zoning district are established for low-density single-family residential development requiring a minimum of 15,000 square feet per dwelling, substantial front yard setbacks, and a minimum building footprint of 1,800 square feet per dwelling. In effect, these standards mandate that only low density suburban residential development may occur in the MB-1 zoning district. This type of residential development is generally in conflict with those identified in the draft land

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use plan. Furthermore, in commercial districts where residential is also permitted, such development should ideally be regulated to encourage a walkable mixed use development pattern that allows for more dense residential development and smaller dwelling units. Walkability and smaller dwelling units support senior and retiree housing needs.

Currently, there is approximately 53 acres of land zoned for MB-1 in the Town's planning jurisdiction, the majority of which has already been developed. According to the draft land use plan, there are 18 vacant parcels totaling 18.15 acres. As such, the provisions contained within the text amendment are drafted to accommodate redevelopment where feasible.



Figure 1:
Existing Multi-family
Development in
the MB-1
Zoning District
located on the
corner of
Shoreline Drive
and Beach
Drive.

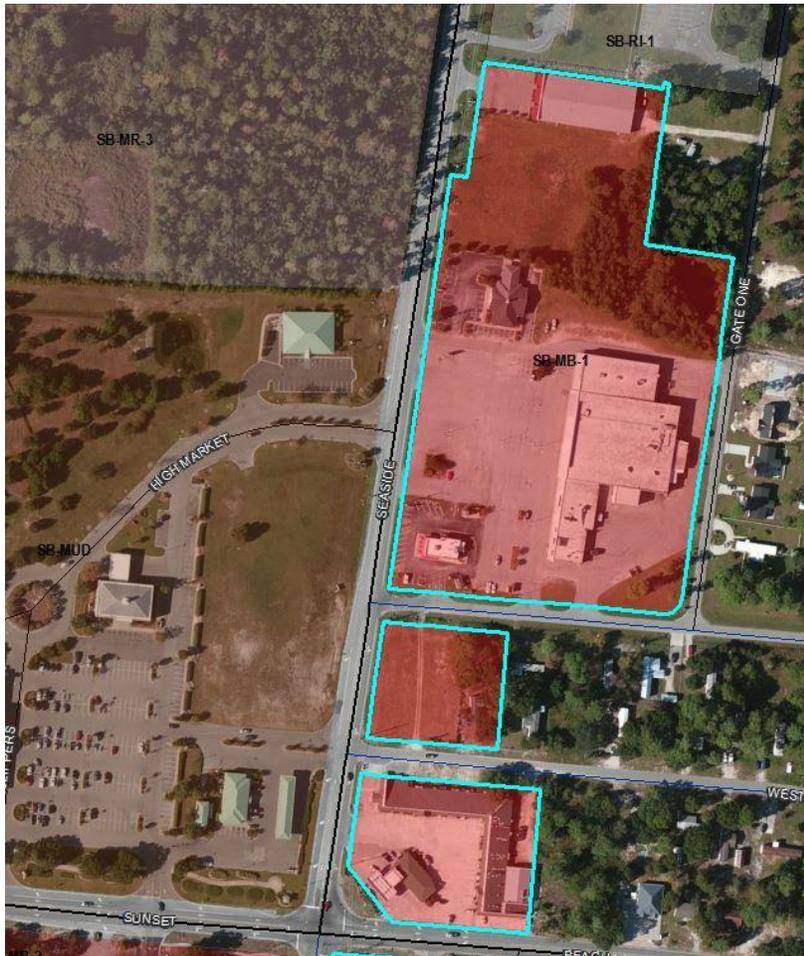


Figure 2: Existing Development in the MB-1 Zoning District located on the corner of Shoreline Drive and Sunset Boulevard.

PROPOSAL

The proposed amendment establishes density and dimensional standards that are in keeping with the goals of the draft land use plan and reflect, to some extent, the existing development pattern. Though not adopted as of yet, and with recognition that the plan has not yet been approved by Town Council, staff recommends use of the draft land use plan standards when providing guidance for this proposed amendment. The draft plan reflects the most recent desires of the Town’s citizens and Planning Board.

The draft future land use map identifies the area contained within the MB-1 zoning district as “Mixed Use.” Narrative language within the Mixed Use future land use classification specifies that standalone residential development should be discouraged unless it is part of a Planned Unit Development. However, staff would recommend that standalone residential should continue to be allowed in this zoning district provided it is not located on the frontage of a primary roadway (NC 179/Seaside Road/Sunset Boulevard). In doing so, the roadway frontage will be reserved for commercial development or mixed use structures with upper story residential. From a

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redevelopment standpoint, projects that mix housing with commercial uses are in greater demand for buyers and developers.

In addition, within the proposed future land use category it is stated that *“the intent of this future land use category is to encourage a walkable mixture of uses that support permanent and seasonal populations while reducing vehicular travel.”*

The desired density within the Mixed Use future land use category is as follows:

- Non-residential uses/Mixed use: 6,000 square feet minimum lot size
- Upper story residential uses: 21.7 dwelling units per acre (du/a)
- Planned Unit Developments may have a density above 21.7 du/a contingent upon appropriate supplementation standards and conditions

In the proposal contained herein, the density standards – 21.7 units an acre/2,000 sf minimum lot size – are established to be consistent with the MR-3 district and draft future land use narrative. Density standards are not increased as part of this text amendment.

It is important to note that provisions for common open space (35%) are still applicable to all multi-family development. Furthermore, the maximum impervious coverage limits (30%) and parking requirements (2 spaces per dwelling unit) serve to reduce the intensity of proposed development within the district. Lastly, the setbacks have been modified to reflect the landscape/buffering requirements (15') of the UDO rather than by determining such based upon adjacent uses.

PROPOSED TEXT AMENDMENT

Stricken text is to be removed and underlined text is proposed.

SECTION 6.06 (D) MB-1 Mainland Business District

(D) MB-1 Mainland Business District.

A. ~~Commercial~~ Non-residential Uses:

1. Required Yards. No building shall be less than ~~5~~ 15 feet from the property line abutting any street right-of-way. No other yards are required. ~~except where a business use abuts an existing residential dwelling use or any area zoned residential; it shall provide, along the abutting property lines, a side yard of at least 8 feet and a rear yard equal to at least 20 feet. In all cases where a side yard is provided it shall be at least 4 feet in width.~~
2. Required Building Lot Area. The required building lot area for any non-residential use business shall be a minimum of 6,000 square feet. The building lot area shall have a minimum average lot width of 50 feet.

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- ~~2. No building shall exceed 35 feet in height unless the depth of the front and total width of side yards required herein shall be increased one foot for every two feet, or fraction thereof, of building height in excess of 35 feet. However, under no circumstance shall the building height exceed 50 feet as measured pursuant to Appendix A.~~
- ~~3. Required Building Lot Area. The required building lot area for any business shall be a minimum of 6,000 square feet. The building lot area shall have a minimum average lot width of 50 feet.~~
- ~~4. Where through lots occur, the required front yard setback shall be provided on both streets.~~
- ~~5. Not more than 30% of total lot area may be covered by the main building, accessory structures, and impervious surfaces. This percentage may be exceeded with a solution approved by the Inspection Department. No landscaping using impervious materials such as solid plastic and vinyl will be permitted.~~

B. Residential Uses:

- ~~1. Residential: Same as required in the MR-1 District.~~
- ~~2. Multi-Family: Same as required in the MR-1 District.~~
 - ~~1. Required Yards. No building shall be less than 15 feet from the property line abutting any street right-of-way provided that no standalone residential development shall be closer than 150 feet from the property line abutting the street right-of-way of NC 179.~~
 - ~~2. Minimum Required Side Yard:
 - ~~a. Between buildings in a multi-family project: 20 feet~~
 - ~~b. Between the building and lot line in a multi-family use: 20 feet~~
 - ~~c. Single-family residential uses: 5 feet~~
 - ~~d. Zero lot lines may be utilized along a common wall.~~~~
 - ~~3. Minimum Required Rear Yard: 15 feet~~
 - ~~4. Density: Up to 21.7 dwelling units per acre.~~
 - ~~5. Minimum lot size: 2,000 square feet.~~
 - ~~6. Minimum Required Floor Space:
 - ~~a. For single-family residential dwellings, the building footprint of the structure, exclusive of carports, garages, decks, porches, utility rooms or attendant buildings: 1,000 square feet.~~
 - ~~b. Any dwelling unit in a multi-family building: 750 square feet.~~~~

C. Accessory Structures:

- ~~1. No accessory structure shall be erected in any front yard, required side yard, within 15 feet of any street line or within 5 feet of any rear yard lot line not a street line. On reverse corner lots, no accessory building or accessory structure shall extend beyond the front yard line of the lot to its rear.~~
- ~~2. Any structure that is attached to the principal building by a conventionally framed and covered roof system, with a minimum width of 5 feet, may be considered part of the~~

principal building and shall be required to comply with the minimal front yard setback requirements.

a. The height may be no greater than 16 feet.

D. Building Height. No building shall exceed 35 feet in height unless the depth of the front and total width of side yards required herein shall be increased one foot for every two feet, or fraction thereof, of building height in excess of 35 feet. However, under no circumstance shall the building height exceed 50 feet as measured pursuant to Appendix A.

E. Not more than 30% of total lot area may be covered by the main building, accessory structures, and impervious surfaces. This percentage may be exceeded with a solution approved by the Inspection Department. No landscaping using impervious materials such as solid plastic and vinyl will be permitted.

PLANNING BOARD SUMMARY

Action:

(A) _____ The Planning Board hereby recommends approval of the proposed amendment to the Unified Development Ordinance and finds that it is (i) consisted the Town’s comprehensive plan (2010 Town of Sunset Beach CAMA Land Use Plan), Policy 21 (A) stating that “Redevelopment may be permitted as long as the activity complies with the spirit and intent of existing regulatory requirements, meaning proposed redevelopment activities which would require substantial changes to existing regulations shall be discouraged,” and finds that it is in the public interest because current residential dimensional standards are inadequate for the orderly growth and development of the Town’s mainland business district.

(B) _____ The Planning Board hereby recommends denial of the proposed amendment to the Unified Development Ordinance and finds that (i) it is not consistent with the Town’s comprehensive plan (2010 Town of Sunset Beach CAMA Land Use Plan) and/or (ii) it is not in the public interests for the following reasons: _____.

Recommend Approval (A)_____ Recommend Denial (B)_____

(For _____ Against _____ Abstained _____)

Commentary: