



STAFF REPORT

Case File #: TA-17-08

General Description: Amend Section 6.07 of the Town of Sunset Beach UDO to provide clarity on several requirements.

Town Council Initiated Planning Board Initiated Staff Initiated Citizen Initiated

Applicant(s): Town of Sunset Beach, Planning Board

APPLICATION OVERVIEW:

The Planning Board is initiating a text amendment for Section 6.07 Overlay Zoning District Development Standards to alter the text to add clarification on the following: (1) when the overlay conditions must be met by existing development; (2) bicycle parking requirements; (3) lighting requirements; and (4) shared dumpster/refuse enclosures. This is a Planning Board initiated request.

Over the course of several previous Planning Board meetings, the Board had Staff research possible language and examples to achieve the above goal of clarification. Over these meetings, the Board came to consensus on the desired changes.

PROPOSED TEXT AMENDMENT

The following changes are proposed to these subsections of Article 6 Section 6.07 Overlay Zoning District Development Standards:

Section 6.07 (A)3 Exemptions:

The Gateway Corridor Overlay District design standards shall not apply to:

- a. Single-family and duplex dwellings;
- b. Development within the Mixed-Use District (MUD);
- c. Churches or other places of religious assembly as a principle use on their own lot; and
- d. Golf courses and golf driving ranges.
- e. Those buildings existing on the effective date of the establishment of this overlay whose **exterior** improvements do not exceed 50% of the structure’s tax value of a 5,000 sf or less structure or do not exceed 25% of the structure’s tax value of a structure greater than 5,000 sf. Tax values shall be based upon those provided by the Brunswick County Assessor’s office. **Internal renovations of existing buildings will not count towards these improvement costs.**
- f. Those projects that have an approved Site Specific Development Plan in compliance with the Unified Development Ordinance.

Section 6.07 (A)4 Expansion of Existing Uses:

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Those buildings whose **exterior** improvements exceed 50% of the structure's tax value of a 5,000 sf or less structure or exceed 25% of the structure's tax value of a structure greater than 5,000 sf (tax values shall be based upon those provided by the Brunswick County Assessor's office) after the effective date of this overlay, the following requirements shall be met:

- a. Required street planting yards shall be provided. In locations where the entire width of the required planting yard cannot be provided due to existing development, planting yards shall be provided to the extent possible, with no reduction in the size or numbers of required plantings.
- b. The expanded portion only of any new parking lot or vehicular storage area shall meet the full landscaping and screening requirements for parking and vehicular surface areas.
- c. Nonconforming signage shall comply with the Unified Development Ordinance.
- d. A pedestrian path shall be required to be constructed in accordance with Section 6.07 (5)(C)(3) of this ordinance.

e. Exception: The costs of any internal renovations of existing buildings will not count towards the percent value of the structure's tax value when determining if the expansion of existing uses must execute items a-d of this section.

Section 6.07(A)5(B) Parking and Loading Areas:

(1) Parking in the front of the building shall be limited to no more than 2 rows of parking parallel to the front façade of the principle building.

(2) Bicycle racks shall be required.

a. A minimum of 3 bicycle parking spaces shall be provided. ~~In addition to the required number bicycle rack spaces, spaces shall be provided at a rate of 1 bicycle space for every 20 required parking spaces; up to a maximum of 6 bicycle spaces. In the instance of a resulting fraction in calculation, the number shall be rounded up to the next applicable number.~~

b. Additionally, bicycle spaces shall be provided at a rate of 1 bicycle space for every 20 required parking spaces (round up fractions) up to a maximum of 6 bicycle spaces.

c. Below are examples of small-scale bicycle racks.





Section 6.07(A)5(C) Access Management:

(1) Driveway access for individual lots shall be limited to shared driveways at a minimum rate of one (1) driveway per two (2) lots to avoid multiple driveway cuts. Individual driveway accesses may be allowed at the discretion of the Planning Board when site conditions relative to topography, avoiding utility infrastructure, or other clearly identifiable safety conditions are present.

(2) Cross access lanes shall be provided to neighboring properties to ensure access without the need to re-enter the road system. The Planning Board may waive or modify this requirement when site conditions relative to topography, avoiding utility infrastructure, or other clearly identifiable safety conditions are present.

(3) A pedestrian path shall be required to be constructed along the entire frontage of the subject property where the development is occurring. The path shall be constructed to a minimum width of 5 ft. and to the specifications established for sidewalk construction found in Chapter 98 of the Town Code.

(4) Dumpster/refuse enclosures for individual lots shall be designed to be shared with a neighboring lot. Individual dumpster/refuse enclosures may be allowed at the discretion of the Planning Board when site conditions relative to topography, avoiding utility infrastructure, or other clearly identifiable safety conditions are present.

Section 6.07(A)5(D) Lighting:

(1) For all lots with an existing or proposed cumulative building square footage of less than 25,000 sq. ft., all parking lot lighting shall be limited to a maximum height of 25 ft. Where possible, light poles shall be selected so they are consistent with existing lighting fixtures within the overlay district. Such lighting should be selected as a Brunswick Electric Membership Corporation (BEMC) specialty fixture comparable with the ~~image~~ **images** contained within this section. The Planning Board may apply discretion in selection of any lighting fixtures.

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~~(2) Decorative pathway lighting shall be provided for all pedestrian paths required by this overlay. Such lighting may include landscaping or bollard lighting to allow for adequate illumination of the path during night hours.~~

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) consistent with Policy 18 of the Town’s comprehensive plan stating that “The appearance of commercial development will be enhanced by the enforcement of stricter sign and landscaping regulations,” (ii) it will support official Town policy/agreements to “maintain small town charm, appearance, and atmosphere,” (iii) provides for additional development standards to enhance the primary corridor through Town, (iv) works to help alleviate potential traffic congestion by addressing site connectivity, driveway placement, and spacing, and (v) works to enhance and protect the public health safety and general welfare of the community.
- (B) ____ The Planning Board hereby recommends denial of the proposed amendment to the Unified Development Ordinance and finds that (i) it is not addressed in 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: