

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: March 16, 2009

Agenda Item:	Prepared By: Dan Hatley
Agenda Section: Old Business: Ordinance/Second Reading	Date: March 6, 2009
Subject: Land Development Regulations Text Amendment – An amendment to the Land Development Regulations text, Article II Site-Specific Development Plan Review [STX-09-01]	Division: Planning & Development

Background:

Recent ordinance amendment initiatives have involved site plan requirements, including access issues. Staff revisited parking requirements, and instituted shared parking into the Zoning Ordinance. As well, staff researched and prepared “complete street” design amendments to that were added to the subdivision section of the Land Development Regulations. During recent project reviews, Planning Commission members have requested that staff address access management issues.

The attached set of amendments take on the issue of access management and cross-access between development sites, which may or may not involve a subdivision of parcels. In addition, staff has been working closely with the consultants preparing the Horry County – North Myrtle Beach “Northeast Area Transportation Plan” in recent months, and tapped into their knowledge regarding access management techniques to help with safety and congestion issues.

The proposal attached adds number 8 - “Access, Connectivity, and Congestion Management Plan” to requirements in section 20-7 of Article II, Site Specific Development Plan Requirements in the City’s Land Development Regulations. Three major topics are addressed:

- Cross access to and from adjacent properties, as a congestion management tool.
- Vehicular access (motorized and non-motorized) to and from sites for safety and congestion management purposes.
- Pedestrian access to and through sites has also been addressed, to provide a safe walking environment for short trips.

The Planning Commission held a public hearing on this proposed text amendment on February 17, 2009 at which time they voted (5-0) to recommend approval to City Council.

City Council Action:

On March 2nd, 2009, City Council voted 7-0 to adopt the attached Ordinance on First Reading.

The Ordinance is attached for your review and consideration.

Recommended Action:

Adoption or denial of the ordinance on Second Reading.

Reviewed by Division Head

Reviewed by City Manager

Reviewed by City Attorney

Council Action:

Motion By _____ 2nd By _____ To _____

6. D. LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT STX-09-01:

An amendment to the Land Development Regulations text, Article II Site-Specific Development Plan Review, section 20-7 Site Specific Development Plan Requirements.

Recommendations

Recent ordinance amendment initiatives have involved site plan requirements, including access issues. Staff revisited parking requirements, and instituted shared parking into the Zoning Ordinance. As well, staff researched and prepared “complete street” design amendments to that were added to the subdivision section of the Land Development Regulations. During recent project reviews, Planning Commission members have requested that staff address access management issues.

The attached set of amendments take on the issue of access management and cross-access between development sites, which may or may not involve a subdivision of parcels. In addition, staff has been working closely with the consultants preparing the Joint City/County Transportation Plan in recent months, and tapped into their knowledge regarding access management techniques to help with safety and congestion issues.

The proposal attached adds number 8 - “Access, Connectivity, and Congestion Management Plan” to requirements in section 20-7 of Article II, Site Specific Development Plan Requirements in the City’s Land Development Regulations. Three major topics are addressed:

- Cross access to and from adjacent properties, as a congestion-management tool.
- Vehicular access (motorized and non-motorized) to and from sites has also been addressed in several ways for safety and congestion management purposes.
- Pedestrian access to and through the site has also been addressed, to provide a safe walking environment for short trips.

The proposed amendments to the Land Development Regulations regarding access management are attached in ordinance form for your review.

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH PROVIDING THAT THE CODE OF ORDINANCES, CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA, BE AMENDED BY REVISING ARTICLE II, SECTIONS 20-6 AND 20-7 OF SAID CODE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA, IN COUNCIL DULY ASSEMBLED, THAT:

Section 1:

That Section 20-6, Process, be amended to read as follows (new matter underlined, deleted matter struck-through):

Sec. 20-6. Process.

- (a) Applicant shall submit five (5) sets of complete site-specific development plan packets, a complete land development review application and any other required documentation to ~~the city planner~~ Planning Staff. All plans for anything other than single-family and duplex preferably should be on twenty-four-inch by thirty-six-inch size paper or larger and a one (1) to twenty (20) scale unless otherwise authorized. The application must be signed by the current owner(s) of all of the property petitioned for development. (Incomplete application and plans may not be approved) On the application, an individual or contact is identified as the applicant. The applicant, on behalf of the owner, assumes the role of authorized agent during plan review.
- (b) ~~The city planner~~ Planning Staff will circulate the land development plans to the various city departments charged with review of the site. The departments will return comments to ~~the city planner~~ Planning Staff.
- (c) ~~The city planner~~ Planning Staff will assemble the comments and give written notification to the applicant in the form of a letter detailing the departmental comments.
- (d) The applicant shall revise the plans answering all of the departmental comments. The applicant may contact the plan reviewer for any department if necessary to clarify any comment.
- (e) When the application and plans are complete and revised as required the revised site-specific development plans shall be circulated to the reviewing city departments for final sign off. Once the final sign off has occurred by all departments, the plans shall be deemed approved.

(Ord. No. 05-31, § 1, 6-20-05)

Section 2:

That Section 20-7, Site specific development requirements, be amended to read as follows (new matter underlined, deleted matter struck-through):

Sec. 20-7. Site specific development plan requirements.

To initiate the site-specific development plan review process, five (5) sets of the site plan packets along with a land development plan review application are submitted to the city's ~~planner~~ Planning Staff. Plans must meet requirements of all applicable codes regulating land development in the City of North Myrtle Beach. Plan elements and information may include but may not be limited to the following:

- (1) A dimensioned site plan (Re: Section 20-6(a)) showing all proposed improvements to the site including:
 - a. Structures.
 - b. List land use(s) for the building or all buildings shown on the site plan.
 - c. Parking spaces, handicap spaces and access ramps including an accessible route from a parking lot to a building, wheelstops and curbing.
 - d. Total impervious surface area.
 - e. Dumpster or compactor location(s) and screening.
 - f. Proposed fences or walls.
 - g. Roadway and driveway/aisle widths.
 - h. Curb radius.
 - i. Perimeter and interior landscaped areas.
 - j. Lighting plan.
 - k. Public access ways if applicable for all modes of transportation (motorized vehicle, bicycle, pedestrian, and transit) adjacent to and through the development site. [See section 20-7(8) Access, Connectivity, and Congestion Management]
 - l. Dune cross-overs, if applicable.
 - m. Notations indicating total land area, total heated space in the building(s), number of residential units and bedroom counts, restaurant seats, number of required parking spaces and the number of parking spaces provided, the number of handicap and compact parking spaces.
 - n. Flood zone information including the flood zone line if the property is not located in a single zone.

- (2) A current survey of the property signed and sealed by a licensed surveyor. All wetland areas shall be designated on the survey. If the site contains more than one (1) lot, a recombination plat shall be recorded prior to site plan approval.

Note 1: If proposed new construction is within the CPO (Coastal Protection Overlay) zone, the survey and proposed site plan shall indicate the OCRM (Ocean and Coastal Resource Management) base line and building control line. These documents must be stamped approved by the OCRM or a letter stating approval prior to submittal to the City of North Myrtle Beach for site plan review.

- (3) Landscape plan, when required, showing:
- a. Perimeter landscape areas and plantings.
 - b. Interior landscape areas within parking lot, total square footage of landscape areas and percentage ratio of landscape area to pavement area.
 - c. Irrigation system (if proposed).
 - d. Proposed planting plan showing location and type of proposed trees and shrubs per landscape requirements.
 - e. Tree survey showing all trees existing on the property over eight (8) caliper inches and a replacement schedule for all trees measuring ten (10) caliper inches and larger to be removed.
 - f. For all existing trees to be saved the plan shall show the tree protection zone.
 - g. Existing landscaping clearance.

Note 2: On smaller projects when applicable, rather than preparing a separate document, the landscape plan information may be included on the site plan.

- (4) Drainage plan including:
- a. Proposed new contours and/or ground elevations.
 - b. Direction of surface flow.
 - c. Subsurface ~~Substance~~ piping and structures, including discharge locations.
 - d. Stormwater runoff and retention calculations, meeting Public Works design standards.

Note 3: Commercial developments and residential developments with four (4) or more units must have a drainage plan and calculations signed and sealed by a state licensed engineer.

- (5) Utilities (water and sewer) and fire plan including:

- a. Location of water and sewer connections for each structure including domestic supply lines, fire lines, and irrigation lines, if applicable.
 - b. Proposed on-site utilities and/or possible extensions.
 - c. Proposed water line layout.
 - d. Proposed sewer line layout.
 - e. Location of proposed and existing fire hydrants. Fire hydrants located within one thousand (1,000) feet of a site shall be listed along with their distances to an indicated reference point
 - f. Proposed location of building fire department connections, if applicable (reference the International Fire Code).
 - g. Fire protection systems, underground valve pipes, supply piping, and the riser locations in the structure.
 - h. Square footage of structures, including square footage of ground floors, each additional typical floor, and square footage of non-typical floors (these can be on a separate plan).
 - i. Building elevations and views, when required.
 - j. Copies of all applicable permits required (DOT, DHEC, OCRM, etc.).
 - k. Locations of grease traps, if applicable.
 - l. Location of backflow prevention devices, if applicable.
 - m. Existing water and sewer lines.
 - n. Available capacity of water and sewer system along with any needed improvements to the existing system.
 - o. Detail sheets and specs of materials to be used for water/sewer work.
 - p. All easements designed to serve the property, both on and off-site.
 - q. copies of signed easement agreements for those located off-site.
- (6) A nuisance abatement plan detailing the following:
- a. Staging plan for materials and concrete trucks.
 - b. Laydown and storage area for construction material.
 - c. Location of construction trailer/s.

- d. Radius of the swing area for the construction crane.
 - e. Parking area for employees.
 - f. Security fencing.
 - g. Protective coverings for nearby pedestrian sidewalks and beach access.
 - h. Public areas that have been approved by city council for closure.
 - i. Litter control plan.
 - j. Contact person for plan enforcement (daytime and nighttime telephone numbers).
- (7) Demolition plan (when necessary) [including:]
- a. Existing conditions.
 - b. Buildings to be removed along with the use of the building(s), number of units and/or bedrooms should be identified.
 - c. Existing pools.
 - d. Existing irrigation systems present before redevelopment

(8) Access, Connectivity, and Congestion Management Plan

An access plan addressing the relationship of the development site to adjacent properties and public rights of way, including the following:

- a. Cross Access: All nonresidential site development shall be designed to allow for vehicular cross access to adjacent non residential properties. These cross access points must be a minimum of 100 feet from “curb cut” access to public rights of way. (see figure 1, Cross Access) If adjacent nonresidential property is undeveloped, at least one (1) “stub out” ending at the property line shall be provided for future connectivity, per adjacent property. If any adjacent nonresidential property is developed, and the owner of the adjacent site chooses not to connect, a “stub out” may still be required for the proposed development site for future redevelopment purposes. Where there are existing stub outs on adjoining properties, the site under review shall complete the connection. The cross access must be designed to the same standards as internal circulation within the parking and circulation area.
 - i. If providing cross access to adjacent properties results in an unavoidable reduction in required parking, the Zoning Administrator may waive the parking required, up to three stalls for each cross access approved. See section 23-43(4) “Off-street parking requirements” of the City Zoning Ordinance.

- ii. If cross access is deemed impractical due to topography, natural features (including trees), or safety factors; the Director of Planning and Development may waive the cross access requirement in whole or in part.
- b. Vehicular Access to and from Public Right of Way Corridors / Streets: All development sites shall be designed to help mitigate potential negative impacts to traffic flow on adjacent streets by addressing the following:
 - i. Minimize proposed curb cuts/ vehicular access points to/from public rights of way.
 - ii. In the case of two or more adjacent parcels being developed at the same time, by the same applicant, sites must share an access point to the roadway at the property line dividing the sites. The City Engineer may waive this requirement where practical difficulties and /or safety concerns would reasonably preclude such driveway location.
 - iii. On non-corner sites with more than one frontage adjacent to public rights of way, access must be provided to all existing or planned streets, alleys, sidewalks and recreational trails, with the following two (2) possible exceptions:
 - The City Engineer determines that any such access will constitute a safety hazard.
 - The development across any given adjoining street is predominantly residential in character, with homes fronting on said street. Negative traffic impacts to the safety, convenience, and quality of life of those residents shall be weighed before making the decision to require access on that street.
 - iv. Corner lots having less than 150 feet of frontage on the more heavily traveled of the two adjacent streets must provide all vehicular access for the site from the secondary or side street.
 - v. In cases where adjacent street rights of way are maintained by SCDOT, the applicant must provide evidence of SCDOT approval of any access points and/or right of way improvements of any kind. However, it should be noted that City site plan requirements regarding access may be more restrictive than SCDOT requirements.
- c. Walkway and Pedestrian Access: All development proposals shall include walkable design for the development site and adjacent rights of way, by addressing the following:

- i. Pedestrian walkways shall form an on-site circulation system that minimizes conflict between pedestrians and vehicular traffic. On-site pedestrian walkways shall connect the public sidewalk to building entrances, and if applicable, between buildings.
- ii. Where pedestrian walkways cross primary automobile circulation aisles, traffic calming techniques favoring pedestrian safety, such as speed tables and elevated crossings, may be required.
- iii. Pedestrian cross access to adjacent properties may be required, even if vehicular cross access is not provided.
- iv. Where public sidewalks exist along the street frontage of adjoining properties, such sidewalks shall be extended across the full length of the street rights-of-way abutting the proposed development site.

Figure 1, Cross Access

