

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: February 18, 2008

Agenda Item:	Prepared By: Jennifer Kiper
Agenda Section: Business: Ordinance/Second Reading	Date: February 12, 2008
Subject: Zoning Text Amendment – TND (Traditional Neighborhood Development) District Overlay for Single-Family Residential Uses Only [ZTX-08-01]	Division: Planning & Development

Background:

At the meeting of February 4, 2008, City Council with minor comments adopted on First Reading an ordinance to amend the Zoning Ordinance text to allow a TND (Traditional Neighborhood Development) District overlay within the overlay section of the Zoning Ordinance. The TND overlay would be for Single-Family Residential Use only.

Staff received some comments from Councilman Duckworth that were very helpful and we have made the recommended changes. Those comments did not change the substance of the district. They included increasing the side yard setback for accessory buildings from zero to three feet to match the setback requirement for the primary residence, increasing the allowable fence height in the front yard from three feet to four feet and removing some language that was contradictory.

Recommended Action:

Adoption of the ordinance on Second Reading considering the minor changes mentioned above.

Reviewed by Division Head	Reviewed by City Manager	Reviewed by City Attorney
Council Action: Motion By _____ 2 nd By _____ To _____		

6.B. ZONING TEXT AMENDMENT ZTX-08-01:

Staff has initiated an amendment to the Zoning Ordinance text to allow a TND (Traditional Neighborhood Development) District overlay within the overlay section of the Zoning Ordinance. The TND overlay would be for Single-Family Residential Use only.

Last year Council asked staff as part of their work program to bring forward changes to the Zoning Code to utilize Smart Growth principles. The proposed district incorporates the ideas from the workshop that was held on Smart Growth to encourage and provide incentives to help create a walkable neighborhood, rather than just allowing conventional development. Setbacks, substantial front porches, open space, primary access off of alleys will be the issues for this overlay.

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 SECTION 23-31 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:

That Section 23-31(6) be add to allow for TND (Traditional Neighborhood Development) District overlay for Single-Family Residential Use Only:

(6) TND (Traditional Neighborhood Development) District Overlay for Single-Family Residential Uses Only

(a) Purpose:

The purpose of the Traditional Neighborhood Development Zoning District Overlay “TND District Overlay” is to encourage traditional neighborhood development and to provide incentives to help create a walkable neighborhood, rather than just allowing conventional development.

(b) Application:

The TND Overlay provides an increased range of options over conventional zoning including but not limited to reduced setbacks, smaller lots sizes, rear loaded garages, reduced widths of roadway pavement and alley access. All lots shall be developed as per Section 23-31 of the City of North Myrtle Beach Municipal Code.

(c) General Requirements:

1. Setbacks:

Front (Maximum): 3-25 feet

Side (Maximum): 3-15 feet

Rear Setback: 15 feet

Maximum Height: 45 feet

2. Accessory uses, including garages, may encroach into the rear setback but must be a minimum of 5 feet from the rear property line and a minimum of zero feet from the side property line.

3. Single-family homes shall have a substantial front porch at least six (6) feet in depth, and extending across a minimum of fifty (50) percent of the primary front façade of the house. This requirement may be waived in situations where a Charleston style side-porch house is constructed (“false” front door accessing the side porch, with home’s actual entry door located on the side of

the house, accessed from the side porch). In such cases, the side porch shall be not less than six (6) feet deep, and shall extend at least fifty (50) percent of the depth of the house. Front porches shall not be enclosed or screened.



Examples of sidewalks and front porches



Examples of fencing

4. Fences shall be no greater than three (3) feet in height and walls no greater than three (3) feet in height in the front or side yard setback. Fences or walls shall be no greater than six (6) feet in height in the rear yard and shall provide a minimum of a five (5) feet setback from the rear lot line. No rear yard fence setback is required for interior lots w/no alley access.
 5. Vehicular Access to Lot: Primary access shall be from alley. Garage doors are not permitted on the front of any detached home. (1)
 6. To provide privacy, all front entrances to single-family homes shall be raised from the finished grade a minimum of eighteen (18) inches
 7. A minimum of twenty percent (20%) of any projects developable/net land area shall be permanently dedicated to spaces defined as Public Use Lots. Public Use Lots are reserved for open space throughout the TND and will not be occupied by buildings, parking lots, private residential yards, easements, setbacks, and streets except as recreational support facilities.
- (1) For interior parcels (those with only one abutting street) that do not have alley access, any garage or carport, whether attached or detached shall be recessed a minimum of twelve feet back from the average setback of the front façade of the principal dwelling. For example, if the average setback

of the front façade of the principal dwelling is ten feet, no portion of any garage or carport shall be closer than twenty-two feet to the front property line. Further, two-garage carriage style garages shall be required to have separate doors for each bay, divided and separated by a portion of the front wall, rather than a single-monolithic door. Should the garage door face a street (as opposed to an alley or side property line) it shall have glass panes in it that equal or exceed ten percent of the door area.



Examples of garage doors facing the street



Example of alley paving



That the North Myrtle Beach Planning Commission has provided the required public notice of this request and has held the necessary public hearings in accordance with applicable State Statutes and City Ordinances.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2008.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: _____

SECOND READING: _____

REVIEWED:
