

## REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: March 2, 2009

Agenda Item:	Prepared By: Dan Hatley
Agenda Section: Old Business: Ordinance/Second Reading	Date: February 24, 2009
Subject: Zoning Text Amendment – An amendment to the Zoning Ordinance text to Article IV Parking Requirements.	Division: Planning & Development

### **Background:**

In the process of reviewing the recent shared parking amendments to the Zoning Ordinance, staff reviewed and compared the existing parking requirements in our Zoning Ordinance with surrounding communities and similar resort communities. In addition, parking requirement issues have seemed to come up in several recent site plan reviews. A series of minor amendments may be in order to bring our code into better consistency with currently accepted thinking in the areas of Smart Growth and Sustainable Development.

Not only have some uses evolved in the way they do business, the general trend around the nation seems to be for jurisdictions to reduce parking requirements for commercial uses. Excessive stormwater runoff has been the primary motivator for reducing parking requirements. More impervious surface on a site generally leads to negative water quality impacts, as well as a higher cost of managing stormwater runoff.

Recent studies have cited that excessive parking requirements can be a barrier to economic development. A UCLA study in 1999 reviewed local parking and zoning requirements, and estimated that a typical parking space costs \$10,000 when factoring in the cost of land, stormwater management measures, paving and delineating parking, curb and gutter, and required landscaping. In many cases, some required parking spaces are only used a few peak days a year.

Staff has prepared some proposed zoning amendments for your consideration. Strategies addressed include:

- Establishing a requirement that all parking spaces voluntarily provided in excess of the minimum requirement be constructed of a pervious surface.
- Distinguishing (by definition and parking required) public buildings and public parks from their private equivalents. Currently, public office space requires more parking than private offices, so the ordinance rectifies that situation, along with reducing parking requirements for non-customer-oriented components of a public office, such as warehousing, operations, etc. With respect to public parks, the justification for reducing the requirement relates to the unique ability of a public agency to appropriately schedule and ‘time’ events so that they are not all occurring at once. Most parking standards are written to assume the worst case scenario, that

being – every possible facility at full usage, at the same time.

- Allowing for a commercial use to count immediately adjacent public street parking toward their requirement, while at the same time safeguarding against any attempt to privately ‘control’ those spaces.
- Parking maximums are created, according to a sliding scale of project size.
- Cross access between adjacent parking lots is encouraged by permitting the Zoning Administrator to waive required parking spaces where cross-access drives are approved on a site.
- The parking requirement for banks has been revisited. This is an excellent example of how parking needs should be reviewed periodically due to technology, and the evolution of customer banking habits.
- A reduction of parking required for groupings of commercial structures in shopping centers, including Big Box retail. A new scale for calculating parking requirements for large retail sites has been included.
- Updating our handicapped parking signage requirements to reflect current codes.

The Planning Commission held a public hearing on this proposed text amendment on February 3, 2009 at which time they voted (6-0) to recommend approval to City Council.

The staff report to the Commission accompanies this issue paper along with an ordinance should Council decide to adopt on first reading.

Council approved this proposal on 1<sup>st</sup> Reading of Ordinance during a special City Council meeting held on Monday, February 23, 2009.

**Recommended Action:**

Adoption of the ordinance on Second Reading.

Reviewed by Division Head

Reviewed by City Manager

Reviewed by City Attorney

Council Action:

Motion By \_\_\_\_\_ 2<sup>nd</sup> By \_\_\_\_\_ To \_\_\_\_\_

**6. A. ZONING TEXT AMENDMENT ZTX-09-01:** An amendment to the Zoning Ordinance text to Article IV Parking Requirements.

*Recommendations*

In the process of reviewing the recent shared parking amendments to the Zoning Ordinance, staff reviewed and compared the existing parking requirements in our Zoning Ordinance with surrounding communities and similar resort communities. In addition, parking requirement issues have seemed to come up in recent site plan reviews. A series of minor amendments may be in order to bring our code into better consistency with currently accepted thinking in the areas of Smart Growth and Sustainable Development.

Not only have some uses evolved in the way they do in business, the general trend around the nation seems to be for jurisdictions to reduce parking requirements for commercial uses. Excessive stormwater runoff, poor water quality, the discouraging of pedestrian activity, and aesthetic concerns have been the primary motivators for reducing parking requirements. More impervious surface on a site drives up the cost of managing stormwater runoff. Recent studies have estimated that a typical parking space costs \$10,000 when the cost of land, stormwater management measures, curb and gutter, and landscaping, are taken into account. In many cases, these extra parking spaces are only used a few peak days a year, which leads one to question whether they are truly needed.

Some communities have turned the entire parking management issue on its head by only specifying a *maximum* number of spaces allowed, leaving it to the private sector to determine what constitutes an acceptable minimum. These tend to be more walkable and transit-oriented communities. While that strategy may seem too experimental for our community at this point, staff has prepared some proposed zoning amendments for your consideration that would reduce excessive parking requirements. One strategy successfully used - especially by many coastal communities - has been to require a portion of each parking lot to be constructed of a pervious surface.

See the attached proposed amendments to the parking requirements for your review and consideration.

## ORDINANCE

**AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH PROVIDING THAT THE CODE OF ORDINANCES, CHAPTER 23, ZONING ORDINANCE, BE AMENDED BY REVISING ARTICLE IV, OFF-STREET PARKING AND LOADING, SECTIONS 23-2, 23-41, 23-42 AND 23-43, 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 Article IV, Off-Street Parking and Loading, Section 23-2, Definitions, be amended by adding new definitions in alphabetical order (new matter underlined, deleted matter struck-through):*

*Public Buildings:* Any non-recreational State, County, or Municipal building used for public purposes.

*Public Park and recreation facilities:* Any non-commercial park, playground, or other recreation facility, and/or open space officially designated as a public park or recreation facility including community centers, passive and active outdoor uses and indoor uses, and all structures associated with such uses.

### **Section 2:**

*That Article IV, Off-Street Parking and Loading, Section 23-41, Parking regulations, be amended by adding new language (new matter underlined, deleted matter struck-through):*

6) *Contiguous on-street parking:* In town centers within PUDs (planned unit developments) ~~on-street~~ on-street parking shall be permitted to count toward the total number of parking spaces required ~~per land use~~ when the street is an integral component of the design of the town center.

For individual sites not in a PUD, non-residential uses may be permitted to count on-street parking spaces immediately contiguous to the site toward the total spaces required, if the Zoning Administrator and City Engineer confirms one of the following:

1. The on-street parking exists at the time of site plan review; or
2. On-street parking has been scheduled as part of street improvements by SCDOT or the City; (a Certificate of Occupancy for the use proposing to count the parking shall not be issued until such parking is completed); or

3. The proposed site design provides an opportunity for adding on-street parking, with approval of the City Engineer.

Additionally:

1. Existing on-street parking stalls shall be delineated in a manner deemed acceptable by the City Engineer.
2. Proposed new on-street parking stalls shall be illustrated on a site plan and approved by the City Engineer, and
3. On-street parking stalls shall not be guaranteed for use solely by the adjacent property owner and/or their patrons. Attempts to sign, control, or limit the usage of any on-street parking space shall be prohibited, and
4. Any new on-street parking to be installed as a result of an applicant request shall be at the property owners' expense.

**Section 3:**

*That Article IV, Off-Street Parking and Loading, Section 23-42(9) (a), Parking Design Criteria, be amended by modifying the existing language and sign detail (new matter underlined, deleted matter struck-through):*

(9) ~~Handicapped~~ Accessible parking signage:

(a) Sign dimensions:

*Illustration example (refer to the ICC/ANSI A117.1 1998 Version, Section 502.6)*

1. ~~4'0"~~ 5'0"

2. ~~1/4"~~

3. ~~3/4"~~

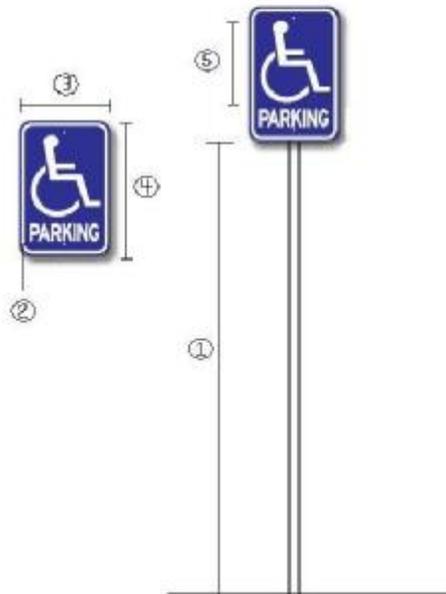
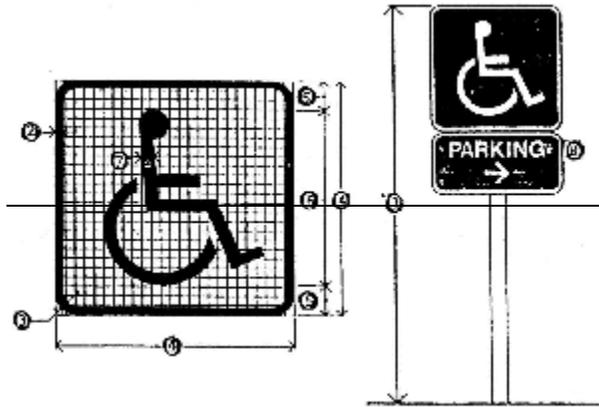
3. ~~8"~~ 12"

4. ~~4"~~ 18"

5. ~~6"~~

6. ~~3/8"~~

7. ~~3" centered~~



b) Color: White (reflective) on blue background, or without border, blue on white background.

(c) Location: ~~Handicapped~~ Accessible parking signs shall be located four (4) feet on center from the wheelstop. ~~Handicapped~~ Accessible parking signs shall be located vertically in such a manner as not to be obscured by a vehicle parked in the space.

**Section 4:**

*That Article IV, Off-Street Parking and Loading, Section 23-43, Off-street parking requirements per land use, be amended by modifying the existing language (new matter underlined, deleted matter struck-through):*

**Sec. 23-43. Off-street parking requirements per land use.**

(1) No use shall be established or enlarged, or changed, except in conformance with the parking requirements of this section.

(2) Under no circumstances shall the number of parking spaces provided on any site exceed the following:

- (a) For uses requiring fewer than one hundred (100) parking stalls, a maximum of one hundred twenty (120) percent of the required minimum parking may be provided. Single and two-family residential dwelling units shall be exempt from this limitation.
- (b) For uses requiring one hundred (100) to two hundred (200) parking stalls, a maximum of one hundred fifteen (115) percent of the required minimum parking, plus four (4) additional stalls, may be provided.
- (c) For uses requiring more than two hundred (200) parking stalls, a maximum of one hundred ten (110) percent of the required minimum parking, plus nine (9) additional stalls, may be provided.

(3) All additional parking stalls exceeding the minimum number required herein shall be constructed as pervious parking, using pavers, porous asphalt or porous concrete, or any other technique approved by the Zoning Administrator and City Engineer. However, driveways and circulation aisles shall be constructed with hard surface impervious materials, unless the City Engineer approves an alternate design.

(4) Up to three parking stalls may be waived by the Zoning Administrator for each approved driveway connection, or stub-out for future driveway connection between adjoining parking lots provided on the site.

(5) Table of parking requirements:

Land Use	Parking Requirements
Apartments, condominiums, duplexes,	One (1) space per unit

hotels/motels, townhouses, efficiencies and one-bedroom units	
Two-bedroom units	One and one-half (1.5) spaces per unit
Three-bedroom units	Two (2) spaces per unit
Additional bedrooms	One-half (0.5) space per bedroom
Additional sleeping areas	One-half (0.5) space per sleeping area
Banks	<del>One (1) space for each one hundred fifty (150) square feet of gross floor space</del> One (1) space for each three hundred (300) square feet of gross floor space.
Barber and shoe shops and similar service outlets	One (1) space for each two hundred (200) square feet of gross floor space
Boarding house	One (1) space per bedroom
Car sales, house and truck trailer sales, outdoor equipment machinery sales, and commercial	Four (4) spaces for each sales person, plus one (1) space for each two (2) other employees
Churches, spiritual institutions, and places of public assembly	One (1) space for each four (4) seats in the principal assembly room. One (1) seat equals twenty-eight (28) inches of a pew
Commercial craft and gaming/gambling boats	One (1) space for each three (3) seats plus one (1) space for each two (2) employees or one (1) space for each three (3) persons of maximum allowed capacity, whichever is greater
Dry stack marina	One-fourth (0.25) space per boat slip in addition to parking requirements for accessory uses
Fishing pier	One (1) space for each two hundred seventy-five (275) square feet of pier area
Funeral parlors	One (1) space for each four (4) seats in chapel or parlor
Hospitals and clinics	One (1) space for each two (2) beds plus one (1) space for each staff or visiting doctor, plus one (1) space for each four (4) employees, including nurses
Marinas	Six-tenths (0.6) space per boat slip in addition to parking requirements for accessory uses
Medical and dental offices	Five (5) spaces per doctor or dentist
Mini-warehouse	One (1) space for each eight (8) storage units
Mini-warehouse, climate controlled	One (1) space for each eight (8) storage units, plus (1) space for each three hundred (300) square feet of gross floor space for the office
Miniature golf	Two (2) spaces for each hole for the first eighteen (18) holes plus three (3) spaces for employees and one (1) additional space for each hole in excess of eighteen (18) holes
Mobile home parks	Two (2) spaces for each mobile home space
Movie <del>cinema</del> theater	One (1) space for each four (4) seats except when the cinema is in a shopping center with at least two times the square footage of the cinema the requirement is one (1) space for

	each six (6) seats
Places of assembly or recreation without fixed seats	One (1) space for each two hundred (200) square feet of gross floor space directed to patron use
Professional and business offices	One (1) space for each three hundred (300) square feet of gross floor space
Public buildings ( <u>State, County or Municipal uses other than facilities dedicated to warehousing, storage, maintenance, and operations</u> )	One (1) space for each <del>two</del> <u>three</u> hundred ( <del>200</del> ) (300) square feet of gross floor space. <u>Facilities dedicated to warehousing, storage, maintenance, and operations shall provide parking at a ratio of one (1) space for each fifteen hundred (1,500) square feet of gross floor space</u>
Recreation:	
<u>Public park and recreation facilities (non-commercial parks, playgrounds, or other recreation facilities, and/or open space officially designated as a public park or recreation facility, including community centers, passive and active outdoor uses and indoor uses)</u> <sup>1</sup>	
<u>Passive outdoor uses (examples include parks, walking/hiking trails, and ponds/wetlands)</u>	<u>One (1) space for each twenty thousand (20,000) square feet of land area</u>
<u>Active outdoor uses (examples include softball, baseball, and soccer fields, tennis and basketball courts)</u>	<u>One (1) space for each ten thousand (10,000) square feet of land area</u>
<u>Indoor uses</u>	<u>One (1) space for each three hundred (300) square feet of gross floor space</u>
Active outdoor recreational facilities (excluding miniature golf and golf courses) including water slides, skateboard parks and similar uses not specifically mentioned	One (1) space for three hundred (300) square feet of area plus one (1) space per two hundred (200) square feet of building floor area
Bowling alleys	Five (5) spaces for each bowling lane
General outdoor recreational areas, parks, etc.	One (1) space for each five thousand (5,000) square feet of land area
Golf course	Four (4) spaces for each hole, plus requirements for any other associated use
Indoor or outdoor swimming pools (except when built as accessory to a residential use)	One (1) space for one hundred (100) square feet of water area or one (1) space per four (4) spectator seats, whichever is greater
Softball, baseball, or football fields	One (1) space per three thousand (3,000) square feet of field

<sup>1</sup> Up to thirty (30) percent of the required parking for public park and recreation facilities may be constructed as informal and unpaved naturalized surfaces. The stalls shall be delineated using mounted wheelstops.

	area or one (1) space per six (6) spectator seats, whichever is greater
Tennis courts--indoor or outdoor (except when built as an accessory to a residential use)	Four (4) spaces per court or one (1) space per four (4) spectator seats, whichever is greater
Restaurants and lounges	One (1) space for each three (3) seating accommodations, plus one (1) space for each two (2) employees on the shift of greatest employment or one (1) space per one hundred (100) square feet of gross floor area, whichever requires the greater number of parking spaces
Retail stores and shops of all kinds including shopping centers and "retail big box" as defined herein	<u>(see below)</u>
Up to <del>200,000</del> <u>100,000</u> square feet of gross floor area	One (1) space for each three hundred (300) square feet of gross floor area
<del>200,000 up to 300,000 square feet of gross floor area</del> <u>100,001 up to 200,000 square feet of gross floor area</u>	<u>333 spaces, plus one (1) space for each four hundred (400) square feet of gross floor area for the increment between 100,000 and 200,000 square feet of gross floor area</u>
More than <del>300,000</del> <u>200,000</u> square feet of gross floor area	<u>One (1) space for each two hundred (200) square feet of gross floor area—583 spaces, plus one (1) space for each five hundred (500) square feet of gross floor area for the increment exceeding 200,000 square feet</u>
Schools, including elementary and junior high	One (1) space for each classroom and administrative office. When accessory to a church and provided that it can be demonstrated that functions do not overlap in hours of operation as guaranteed by the relevant parties, shared parking will be permitted; either the church parking requirement or the schools requirement will apply, whichever is greater
Schools, senior high	One (1) space for each classroom and administrative office, plus one (1) space for each four hundred (400) square feet of area used for public assembly. When accessory to a church and provided that it can be demonstrated that functions do not overlap in hours of operation as guaranteed by relevant parties, shared parking will be permitted; either the church parking requirement or the schools requirement will apply, whichever is greater
Service stations	Five (5) spaces for each grease rack and five (5) spaces for each wash rack

Single-family residential	
One (1) to five (5) bedrooms	Two (2) spaces per unit
Six (6) bedrooms and more	One (1) space for the first bedroom plus one-half ( 1/2) space for each additional bedroom
Warehousing and distribution operations	One (1) space per five hundred (500) square feet of gross floor area
Wet slip marina	Six-tenths (0.6) space per boat slip in addition to parking requirements for accessory uses
Wholesaling and industrial uses	One (1) space for each two (2) employees at maximum employment on a single shift, plus one (1) space for each company vehicle operating from the premises

The minimum number of parking spaces required for a use not specifically mentioned in this section shall be as required for the most similar use listed herein as determined by the ~~zoning administrator~~ Zoning Administrator.

(Ord. No. 88-35, 11-1-88; Ord. No. 89-44, § 1, 9-5-89; Ord. No. 90-32, § 1, 8-28-90; Ord. No. 92-46, § 1, 10-5-92; Ord. No. 92-50, § 1, 10-19-92; Ord. No. 92-51, § 1, 10-19-92; Ord. No. 94-04, § 1, 2-21-94; Ord. No. 95-12, § 1, 3-20-95; Ord. No. 96-23, § 3, 6-3-96; Ord. No. 96-32, § 1, 8-19-96; Ord. No. 01-12, § 3, 2-19-01; Ord. No. 01-51, § 4, 11-19-01; Ord. No. 03-04, § 2, 2-3-03; Ord. No. 03-13, § 5, 4-21-03; Ord. No. 04-40, § 1, 9-20-04)

**Section 5:**

*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 \_\_\_\_\_, 2009.

ATTEST:

\_\_\_\_\_  
Mayor Marilyn Hatley

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

FIRST READING: \_\_\_\_\_  
SECOND READING: \_\_\_\_\_

REVIEWED:

\_\_\_\_\_  
City Manager