



TOWN OF SOUTHERN SHORES

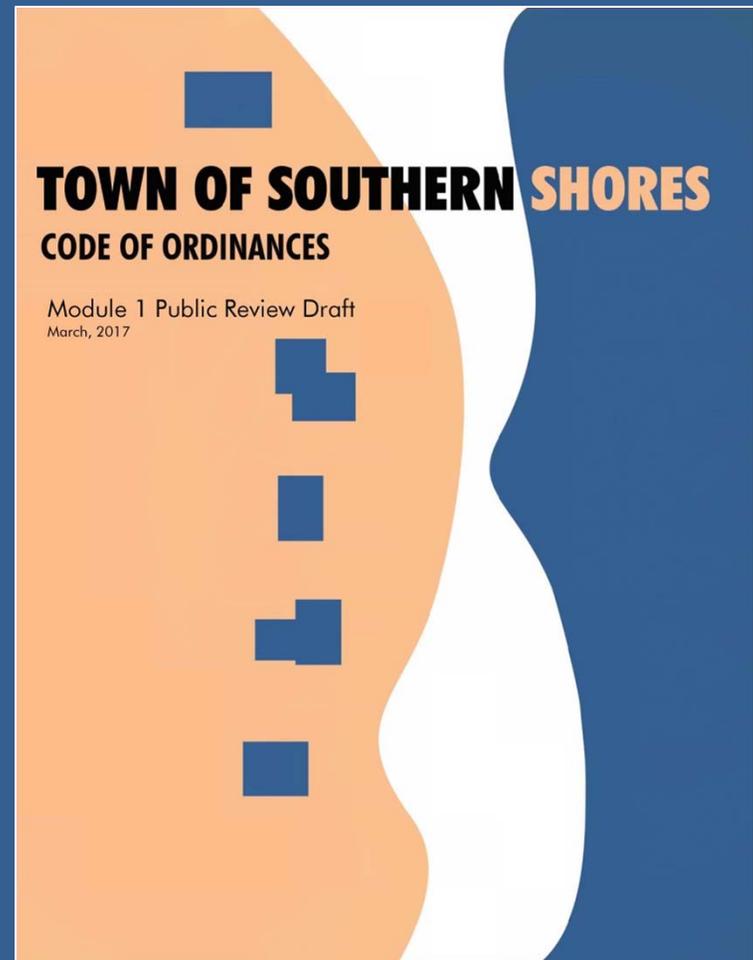
Town Code of Ordinances Update

Module 1 Overview

3.20.17

OVERVIEW

- Project Status
- Project Goals
- Today's Objective
- Document Review
- Discussion
- Next Steps



PROJECT STATUS

PROJECT ELEMENT	TIMING
Project Initiation	Completed 11/15
Citizen Survey	Completed 3/16
Code Assessment	Completed 9/16
Module 1 Review	Current Task
Module 2 Review	Early Summer 2017
Module 3 Review	Mid Summer 2017
Document Consolidation	Late Summer 2017
Adoption	10/16/17 PB?; 12/5/17 TC?
Delivery	1 week after adoption

TODAY'S OBJECTIVE

- Overview Draft Code Concepts
- General Discussion of Module 1
- Discuss Town Council Issues
- Module 1 Next Step - Planning Board Discussion

PROJECT GOALS

- Increase User-Friendliness
- Remove Policy Statements from Regulations
- Maintain Current Development Potential
- Comply with Changing State Law
- Address Issues Identified by Town Council

DOCUMENT REVIEW – Page Layout

Chapter 22 Zoning

22.5 Development Standards 22.5.3 Landscaping Standards

TABLE <>, MINIMUM PARKING REQUIREMENTS

USE TYPE	OFF-STREET PARKING SPACES REQUIRED	NOTES
Theatres	1 space for every three seats	
Veterinary clinic	5 spaces per veterinarian + 1 per employee	Use must maintain at least 16 spaces

2. **SHARED PARKING**¹⁴²
 - a. Shared parking spaces are not required to be on the same lot as the principal use they serve.
 - b. Shared parking spaces serving separate uses may be combined on one lot.
 - c. Nothing shall limit the assignment of shared parking for one use to another use sharing the same spaces, provided the peak attendance or peak usage times between the two or more uses occur at different times or on different days of the week.
3. **REDUCTION FOR PROVISION OF BICYCLE PARKING**¹⁴³
Commercial or institutional development providing more than 50 spaces may reduce the total off-street parking requirement by one parking space for every bicycle rack holding at least four bicycles provided. In no instance shall the total reduction in the number of parking spaces exceed three spaces.

E. OFF-STREET LOADING SPACE REQUIREMENTS¹⁴⁴

1. **NUMBER OF SPACES PROVIDED**
One or more loading spaces shall be provided for standing, loading and unloading operations, either inside or outside a building in accordance with the requirements of [Table <>, Off-Street Loading Space Requirements](#).

TABLE <>: OFF-STREET LOADING SPACE REQUIREMENTS

USE TYPE	REQUIRED LOADING SPACE(S)
Retail operations, and all first floor non-residential uses, with a gross floor area of less than 20,000 square feet	A loading space (not necessarily a full berth) configured in accordance with this section
Retail operations, including restaurant and office buildings with a gross floor area of 20,000 square feet or more	One loading berth for every 20,000 square feet, or fraction thereof, of floor area
Office building with a gross floor area of 100,000 square feet or more	One loading berth for every 100,000 square feet of floor area

2. **LOADING BERTH AND LOADING SPACE CONFIGURATION**
 - a. A loading berth shall have minimum plan dimensions of 12 feet by 60 feet and a 14-foot overhead clearance.
 - b. A loading space need not be a full berth but shall be of sufficient size to allow normal loading and unloading operations of a kind and magnitude appropriate to the property served thereby.
 - c. The Town Manager (or a designee) shall determine if a proposed loading space is sufficient in terms of its size or capacity.
 - d. In no instance shall the use of a loading space hinder the free movement of vehicles and pedestrians over a street, sidewalk, parking lot, or alley.
 - e. Loading spaces shall be located at least 50 feet from any street right-of-way and shall be paved with asphalt, concrete, porous paving, or an open-face paving block over sand and filter-cloth base, provided

¹⁴² Carries forward the standards in Section 36-163(1)(i) with no substantive changes.

¹⁴³ This standard is carried forward from Section 36-163(3)(e) of the current standards. We have removed the reference to the term "group development" since any use providing more than 50 spaces should be able to take advantage of this provision regardless of whether it is configured as a group development or not.

¹⁴⁴ This section carries forward the standards in Section 36-163(2)(g) with no substantive changes.

- Dynamic Headers
- Styled Text
- Simple Numbering
- Cross References
- Tables
- Footnotes

DOCUMENT REVIEW – Key Concepts

- Re-organize chapters to locate similar provisions together (definitions, enforcement, authorities, etc.)
- Simplify and clarify wording
- Supplement with illustrations, where appropriate

DOCUMENT REVIEW – Code Chapters

ORANGE TEXT = MODULE 1

Chapter 1: General Provisions

Chapter 2: Administration

Chapter 4: Definitions

Chapter 6: Fire Prevention & Protection

Chapter 8: Motor Vehicles & Traffic

Chapter 10: Emergency Management

Chapter 12: Solid Waste

Chapter 14: Wastewater

Chapter 16: Cable Television

Chapter 18: Streets, Sidewalks, & Other
Public Property

Chapter 20: Buildings & Building Regulations

Chapter 22: Zoning

Chapter 24: Businesses & Business
Regulations

Chapter 26: Subdivisions

Chapter 28: Flood Damage Prevention

Chapter 30: Waterways and Beaches

Chapter 32: Cemeteries

Chapter 34: Animals

Chapter 36: Offenses & Enforcement

CHAPTER 1: GENERAL PROVISIONS

- Purpose: Introductory provisions, language construction, amendment, & applicability
- Key Changes:
 - Relocated definitions and violations to new consolidated chapters
 - Incorporated ETJ boundary language

CHAPTER 4: DEFINITIONS

- Purpose: Sets out the definitions and abbreviations used in the Town Code
- Key Changes:
 - Definitions consolidated here
 - Standards removed from definitions
 - Chapter will evolve with each module

CHAPTER 20: BUILDINGS & BUILDING REGULATIONS

- Purpose: Sets out the ability to inspect construction and the property numbering standards
- Key Changes: Relocation of the various provisions establishing the Planning Department and adopting the building code to other relevant chapters

CHAPTER 22: ZONING

- Purpose: Sets out the standards controlling development
- Key Changes:
 - Reduced from 16 articles to 6
 - Definitions relocated to Code Chapter 4
 - Enforcement provisions relocated to Chapter 36
 - General language clarifications

CHAPTER 22: ZONING

- Key Changes:
 - Added transitional provisions
 - Added rules of measurement
 - Added standard review procedures
 - Standardized procedural section structure
 - Graphically-drive district language
 - Proposed additional clarity on encroachments
 - Added new summary use table
 - New procedure for classifying unlisted uses

CHAPTER 22: ZONING

- Key Changes:
 - Accessory uses distinguished from principal uses
 - Added accessory dwelling unit standards
 - Added new temporary uses
 - Updated parking standards
 - Revised the landscaping standards
 - Updated the signage standards
 - New commercial design standards

CHAPTER 26: SUBDIVISIONS

- Purpose: Sets out the standards for subdivision of land and installation of public utilities
- Key Changes:
 - Establishes a new minor subdivision procedure
 - Adds final plat certificates
 - Improvements to performance guarantees

CHAPTER 28: FLOOD DAMAGE PREVENTION

- Purpose: Sets out the standards and procedures for development located with the special flood hazard area
- Key Changes:
 - Carries forward current language with no changes
 - Definitions relocated to Chapter 4

CHAPTER 36: OFFENSES & ENFORCEMENT

- Purpose: Identifies the violations, nuisance provisions, enforcement procedure, and remedies
- Key Changes:
 - Consolidates all enforcement-related provisions
 - New summary of violations by civil/criminal nature
 - New noise standards
 - Clarifies available remedies

DISCUSSION

- Lot Coverage Determination
- Maximum Height Determination
- Tree Removal on Lots
- Obstacles to Moving Oceanfront Homes Landward
- Stormwater Runoff (onto streets & adjacent lots)

DISCUSSION: Lot Coverage (p. 22-9)

- Direction:
 - Explore how lot coverage is measured
- Issues:
 - How do we determine ground area occupied by buildings?
 - No allowance for green roofs or pervious materials

DISCUSSION: Lot Coverage (p. 22-9)

- Options:
 - A: No changes to current approach
 - B: Measure outer footprint of all buildings (excluding eaves)
 - C: Credit 75% of green roof as pervious
 - D: Credit portion of land served by rainwater harvesting system as pervious
 - E: Exclude gravel parking and walkways
 - F: Allow up to 50% credit toward lot cover for pervious pavers

DISCUSSION: Height Determination (p. 22-11)

- Direction:
 - Explore how building height is measured
- Issues:
 - Distinctions between wall plate height and overall building height measurement origin point
 - Unclear which building corner controls ground elevation
 - Standards make no allowance for freeboard requirements

DISCUSSION: Height Determination (p. 22-11)

- Options:
 - A: No changes to current approach
 - B: Consolidate the differing definitions for clarity
 - C: Clarify which building controls when determining height
 - D: Simplify by dropping wall plate height
 - E: Consider measuring max. height to midpoint of pitched roof
 - F: Consider measuring height from BFE
 - G: Allow an extra 2' to max. height when BFE is 4'+ over grade
 - H: Broaden current height increase procedure to cover residential when BFE is 4'+ over grade

DISCUSSION: Tree Removal (p. 22-88)

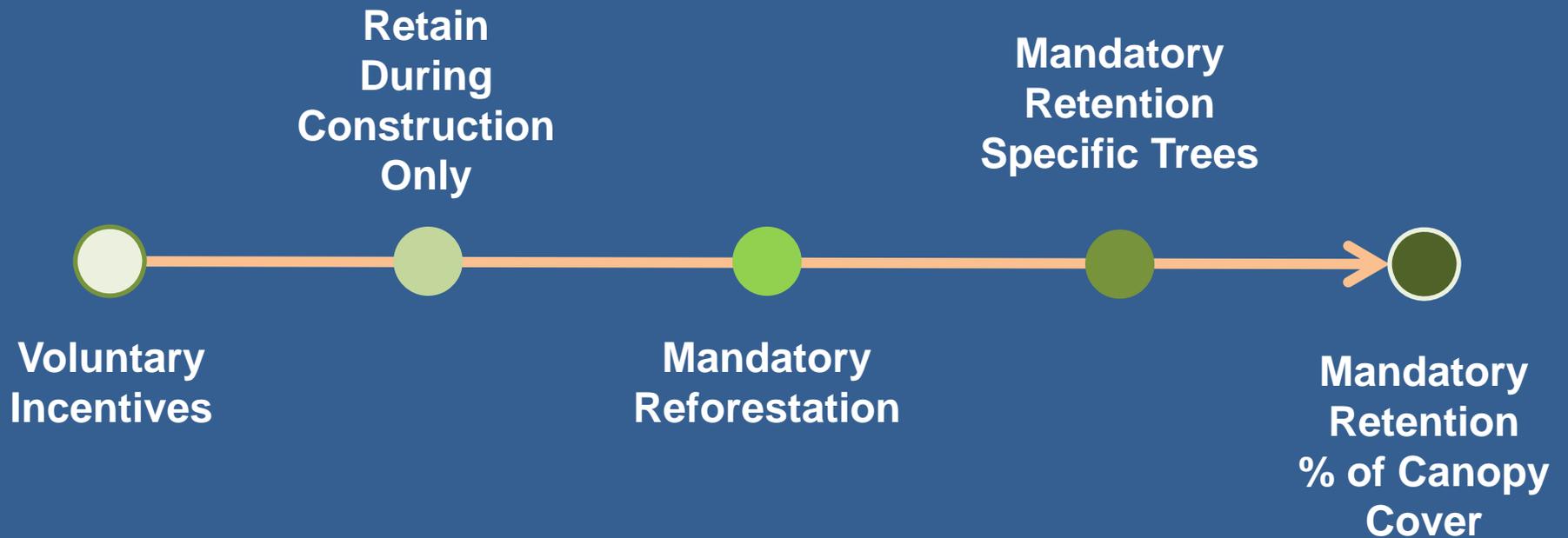
- Direction:
 - Explore standards to control tree removal on residential lots
- Issues:
 - Current standards include no provisions
 - Can be difficult to enforce
 - Tough to apply retroactively

DISCUSSION: Tree Removal (p. 22-88)

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DISCUSSION: Tree Removal (p 22-88)

- Continuum of approaches:



DISCUSSION: Tree Removal (p. 22-88)

- Options:
 - A: No provisions for tree retention
 - B: Voluntary incentives for retention
 - C: Mandatory retention during construction only
 - D: Mandatory reforestation (after construction)
 - E: Mandatory retention of specific trees (size, species, location)
 - F: Mandatory retention of % of total canopy cover

DISCUSSION: Oceanfront Homes

- Direction:
 - Explore easing the ability to move homes on oceanfront lots landward
- Issues:
 - Most oceanfront lots tend to be rather deep
 - Not sure the current regulations are an obstacle

DISCUSSION: Stormwater Runoff (p. 22-101)

- **Direction:**
 - Explore standards to limit runoff from lots onto streets or adjacent lots
- **Issues:**
 - Current standards require control of first 1.5” of rainfall on site
 - On-site wastewater systems often require fill to achieve separation from water table
 - No current standards regarding fill placement

DISCUSSION: Stormwater Runoff (p. 22-101)

- Options:
- A: No changes to current standards
- B: Add “expectation” language regarding proper drainage
- C: Clarify development must not impede surface flow
- D: Limit land disturbance within 10’ of lot lines
- F: Limit placement of fill within 10’ of lot lines
- G: Limit fill to that mandated by Health Dept.
- I: Establish fill slope standards

NEXT STEPS

- Suggest Planning Board Discuss Module 1 during Module 2 Preparation

PROJECT ELEMENT	PRESENTATION TIMING
Module 2 Review	Early Summer 2017
Module 3 Review	Mid Summer 2017
Document Consolidation	Late Summer 2017
Adoption	10/16/17 PB?; 12/5/17 TC?
Delivery	1 week after adoption

NEXT STEPS – Module 2

ORANGE TEXT = MODULE 2

Chapter 1: General Provisions

Chapter 2: Administration

Chapter 4: Definitions

Chapter 6: Fire Prevention & Protection

Chapter 8: Motor Vehicles & Traffic

Chapter 10: Emergency Management

Chapter 12: Solid Waste

Chapter 14: Wastewater

Chapter 16: Cable Television

Chapter 18: Streets, Sidewalks, & Other Public Property

Chapter 20: Buildings & Building Regulations

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