

Town of Spring Lake

PENDING SUBDIVISION ORDINANCE TEXT AMENDMENT

P09-41

"Group Development Provisions"

CASE HEADING:

REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE CODE OF ORDINANCES, CHAPTER 155: SUBDIVISION REGULATIONS, § 155.53 GROUP DEVELOPMENTS; SPECIFICATIONS, BY AMENDING THE ENTIRE SECTION AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

CURRENT MEETING INFORMATION:

Joint Planning Board Public Hearing, August 18, 2009, 6:55 pm, 2nd floor Hearing Room, Historic Courthouse, 130 Gillespie Street, Fayetteville

ADDITIONAL INFORMATION:

This text amendment is proposed to ensure consistency between the provisions of the recently adopted Appendix D, North Carolina Fire Code by the Town of Spring Lake and the Town's group development standards.

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COUNTY of CUMBERLAND

Planning & Inspections Department

August 11, 2009

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: County Planning Staff

SUBJECT: Staff Recommendation for the August 18, 2009 Board Meeting

P09-41. REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE CODE OF ORDINANCES, CHAPTER 155: SUBDIVISION REGULATIONS, § 155.53 GROUP DEVELOPMENTS; SPECIFICATIONS, BY AMENDING THE ENTIRE SECTION AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

The County Planning Staff recommends approval of the amendment to the Spring Lake Subdivision Regulations as proposed, based on the following:

1. The amendment updates the Spring Lake provisions regulating group developments ensuring they are more consistent with the recently adopted Town fire code regulations (*Appendix D, 2009 North Carolina Fire Code*) and with the County standards; and
2. The amendment was requested by the Town of Spring Lake.

Attachment:

- Proposed Amendment, § 155.53 Spring Lake Subdivision Regulations

P09-41

Spring Lake Subdivision Ordinance Text Amendment

REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE CODE OF ORDINANCES, CHAPTER 155: SUBDIVISION REGULATIONS, § 155.53 GROUP DEVELOPMENTS; SPECIFICATIONS, BY AMENDING THE ENTIRE SECTION AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

AMEND Spring Lake Code of Ordinances, Chapter 155: Subdivision Regulations, § 155.53 in its entirety as follows:

§ 155.53 GROUP DEVELOPMENTS; SPECIFICATIONS.

The site plan for group developments ~~shall be submitted as required in 155.21 (A).~~ ~~Site plans~~ shall show the locations and sites of buildings, streets, drives, alleys, parking, recreation areas, signs, loading berths, yards and other open spaces, and shall be in accordance with the following specifications:—

(A) Lot area. The plot area per dwelling unit, excluding the area of publicly dedicated rights-of-way within the development, shall be as permitted by the Town Zoning Ordinance ~~Chapter 156~~.

(B) Yard setbacks. Each building on the periphery of a group development shall observe the minimum yard setback requirements ~~of Chapter 156~~ for the district in which the development ~~it~~ occurs. The judgment of the Board of Aldermen as to what constitutes the front, rear, and side yards of each building in the group development shall be final.

(C) Building separation. Buildings within group developments under single ownership shall be separated by a minimum distance of 20 feet plus ten feet for each story above two stories. ~~In residential group developments additional yard requirements shall be observed as follows:~~

~~(1) — Each façade of every building shall have a yard space of an isosceles triangle whose base shall be a line connecting the extreme ends of the façade and whose altitude shall be the length of the base line multiplied by a building height factor from the table below. In no case shall the triangle altitude be less than 15 feet.~~

~~(2) — Each projection from a main façade and new triangles will constitute a new façade and, new triangles will be constructed in the same manner as above using base line connecting the extreme ends of the projections and the extreme ends of the~~

~~main façade. The yard thus established for each building may not overlap the yard space for any other building.~~

<u>Height of Building in Stories</u> <u>Triangle Base to Obtain Altitude</u>	<u>Factor to apply to</u>
1	0.4
2	0.5
3	0.6
4 and 5	0.7
6 and 7	0.8
8 and 9	0.9
10 and over	1.0

~~(D)~~ In no case shall any part of a principal ~~residential~~ building be located closer than 20 feet to any part of another principal building.

~~(D)~~ (E) Street access. The property to be developed must have a boundary line or lines contiguous with and giving direct vehicular access to and from one or more public streets, ~~or private streets with public access.~~ Group developments in the form of apartment complexes, or unit ownership (i.e., condominium or townhouse) developments with owners' associations legally obligated to maintain vehicular access and circulation drives, shall not be subject to the private street standards specified in this chapter. ~~Each access point to a public street must be at least 40 feet in width. All portions of every building shall be located within 500 feet of some portion of one or more said access points.~~

~~(E)~~ (F) Dedication/Reservation of right-of-way. Where official plans show future streets or thoroughfares, or where reasonable access to adjoining property is required, the development will be designed so as to provide right-of-way for such future streets or thoroughfares and to give access to such properties by means of a public street dedication, if the development is such that requires a final plat to be prepared and recorded, or where no final plat is required, the land area within the right-of-way shall be reserved. No portion of the land area contained within the reserved or dedicated right-of-way may be used to satisfy calculation for density.

~~(F)~~ (G) Off-street parking. ~~One vehicular access to a public street shall be provided to each 60 parking spaces, or fraction thereof, within a residential group development and shall directly serve said spaces.~~ (H) Parking shall be provided in accordance with the applicable zoning regulations. ~~(I) At least three-fourths $\frac{3}{4}$ of the required parking spaces shall be located on the development in off-street parking lots, no part of which shall be located closer than five 15-feet to any existing or proposed street right-of-way lines in accordance with the adopted Highway Plan or locally adopted Collector/ Feeder Street Plan.~~ Each space shall be not less than nine feet by 20 feet in area. Compact car spaces may be utilized within a development in accordance with the provisions of the Town Zoning Ordinance. Isles adjacent to the compact car spaces shall be

standard width, and all compact car spaces shall be clearly marked. One-fourth of the required parking spaces may be in parking bays on minor public streets which are entirely within the development, provided that no space ~~none~~ shall be in the turn-around portion of culs-de-sacs. Bays shall not be longer than 80 feet along such street lines and each bay shall be separated from any other bay by a distance of not less than one-half ~~1/2~~ the combined width of both bays. No more than one-third ~~1/3~~ of the total frontage of any such street shall be devoted to parking bays. ~~(J)~~ Each off-street parking space for any ~~each~~ residential building shall be located within 200 feet of said building.

(G K.) Swimming pools. Swimming pools which are constructed within a multi-family group development shall be located not less than 50 ~~100~~ feet from any boundary of the project, including a ~~and not less than 50 feet from any~~ public street ~~and conform to the following:~~

~~1. Have a fence at least three feet high completely enclosing the portion of the yard containing the pool with a gate that can be securely fastened.~~

~~2. Cause all flood lights to be shielded in such a manner that no offensive glare will be visible from adjoining streets or properties.~~

~~3. Have, for each pool with a capacity of 2000 gallons or more, filtering and purification equipment or automatic water exchange capable of changing all the water every 24 hours.~~ All swimming pools shall comply with the provisions of the Town Zoning Ordinance.

(H L.) Recreation/Open space areas. In residential group developments, designated recreation/open space areas and facilities shall be provided on-site in accordance with the provisions of §155.67(H) unless the developer can show, and the Parks and Recreation Director agrees, that the surrounding community has adequate public recreation area available ~~and shall consist of at least 500 square feet of area for each dwelling unit in the development, located and designed with a reasonable relationship to building locations and the particular recreation requirements of the occupants.~~ In the event that adequate public recreation is existing within the surrounding community, the developer shall pay a fee in lieu of providing on-site recreation as allowed in §155.67(H). Areas within the required yard setbacks can be counted as part of the required recreation area provided they are developed, which would include tennis and basketball courts, jogging trails, etc. These facilities shall not consist of over ten percent of the required recreation/open space area. On-site amenities outside the setback area such as indoor recreation centers and clubhouses may be counted to satisfy the provisions of this sub-section. Recreation/open space areas dedicated to the public sector shall be subject to all the requirements in §155.67(H).

(I) Screening. All dumpster and utility areas shall be located on concrete slabs and at a minimum, fenced around three fenced sides. Chain link fencing may be utilized,

but it must be accompanied with vegetative plantings planted in such a manner as to effectively screen the dumpster and utility areas from public view.

(J) *Zoning Ordinance compliance.* All applicable provisions of the County Zoning Ordinance, to include buffers, signage, etc. is to be complied with and evidenced on the site plan.