



Town of Sullivan's Island

PLANNING COMMISSION

STAFF REPORT

To: Planning Commission

From: Planning and Zoning Department Staff

Meeting Date: April 14, 2021

Topic: Short-term Auto Parking Lot, Zoning Ordinance Section §21-50 C. (4)

REQUESTED ACTION:

Hold a public hearing for text amendments to Section §21-50 C. (4), establishing short-term auto parking lots as conditional uses with associated text changes.

ENCLOSURES:

- ZO: Section §21-50 C (4). Short-term Auto Parking Lot
- ZO: Section §21-143 D. Parking requirements on split zoned lots within the CC-District, CCOD-1 and CCOD-2
- Draft text amendments

BACKGROUND

Council's *Land Use and Natural Resources Committee of Town Council (LUNR)* of February 2nd recommended the Planning Commission proceed with consideration of changing short-term auto parking lots to conditional uses, from their current review status of "special exception."

As a "conditional use," a staff level review would ensure all zoning conditions are met before granting building permits for the short-term auto parking lot. Conditional uses do not require Board of Zoning Appeals or Design Review Board review.

STAFF RECOMMENDATION:

Consider the updated text amendments for §21-50 C (4) and the section relocation to §21-50 B (3). This change includes removal of the "video sales / rental" use, and striking language requiring a written agreement between the owner of the parking lot and commercial business.

Public Hearing Draft Text Amendments:

B. Conditional uses in the CC-District.

- (1) Bakeries and Delicatessens as defined in Section 21-203. (8-19-14)
- (2) Specialty grocery store limited to five thousand (5000) square feet.
- (3) ~~Video sales/rental: limited to hours between 8:00 a.m. and 11:00 p.m.~~

Short-Term Auto Parking Lot.

- (a) Short-Term Auto Parking Lot shall be limited to short-term parking for patrons of commercial or office uses on the commercial lots and portions of lots located within the CC, CCOD 1 and CCOD 2 areas; (3/20/12) “Short-term auto parking lot” shall be defined as parking for commercial patrons during daytime and nighttime hours of operation. Overnight parking shall be prohibited and monitored by the property owners.
- ~~(b) A written agreement setting out the terms of the parking lot use shall exist between the owner of the parking lot and one or more commercial or office uses reserving the parking lot for clients and patrons;—~~
- ~~(e)~~(b) There shall be no long-term parking or storage of vehicles, boats, trailers or other recreational vehicles; and,
- ~~(d)~~(c) Short-term auto parking lots may be approved by the Zoning Administrator, or designee, provided the parking design requirements of ARTICLE XV Sec. 21-143 D are met.

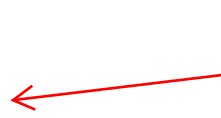
- (i) Shoe repair; and
- (j) Liquor store.

(3) Offices for government, business, professional or general purposes.

Relocate here as
conditional use.
Remove "video rental"

B. Conditional uses in the CC-District.

- (1) Bakeries and Delicatessens as defined in Section 21-203. (8-19-14)
- (2) Specialty grocery store limited to five thousand (5000) square feet.
- (3) ~~Video sales/rental: limited to hours between 8:00 a.m. and 11:00 p.m.~~



C. Special Exceptions in the CC-District.

- (1) Restaurants as defined in Section 21-203 (8-19-14)
 - (a) The use as a restaurant shall only be permitted on existing lots zoned CC-Community Commercial in the block of Middle Street between Station 22-1/2 and Station 22; provided, however, that no new bars or restaurants may be established within three hundred (300) feet of any existing bar or restaurant. The distance of separation between the two uses shall be measured in a straight line between the front doors of each use without regard to intervening structures or objects. (12/16/08) (8-19-14)
 - (b) Outdoor patios, porches and decks are permitted only on the front facing main floor of the Principal Building; (3/20/12)
 - (c) The hours of operation shall be limited to 6:00 a.m. to 2:00 a.m.; and, (8-19-14)
 - (d) No outdoor entertainment or speaker system is permitted, but this shall not prevent the service of food and drinks on porches, decks and patios.

- (2) Coffee Shop as defined in Section 21-203. (8-19-14)
 - (a) Coffee shops shall only be permitted on existing lots zoned CC-Community Commercial provided, however, that no new coffee shop may be established within 300 feet of any existing coffee shop. The distance of separation between the two uses shall be measured in a straight line between the front doors of each use without regard to intervening structures or objects. (8-19-14)
 - (b) Contains no more than twenty-five (25) seats with no more than seven hundred (700) square feet of interior floor area devoted to patron seating. (8-19-14)
 - (c) In addition, outdoor patios, porches and decks are permitted provided such outdoor space does not exceed twenty-five (25) percent of the coffee shop's available floor area devoted to patron seating. The total number of patron seats inclusive of outdoor patios, porches and decks, shall not exceed twenty-five (25). (8-19-14)
 - (d) The hours of operation shall be limited to 6:00 a.m. to 10:00 p.m.; and (8-19-14)
 - (e) No outdoor entertainment or speaker system is permitted, but this shall not prevent the service of food and beverages on porches, decks and patios. (8-19-14)
 - (f) Coffee shop uses shall be limited to preparing light meals with appliances which do not require Type 1 or Type II kitchen exhaust hood system inspections per SCDHEC Section 6-8-20; Subsection 8-400. (8-19-14)

- (3) Upper Story Residential.
 - (a) Upper Story Residential shall only be permitted on the commercial portion of lots designated CC, CCOD 1 and CCOD 2; and (3/20/12)
 - (b) Parking provided for Upper Story Residential shall be in addition to the required parking of the ground floor use unless a shared parking plan is approved; and,
 - (c) No Upper Story Residential shall be used as a Vacation Rental; and,
 - (d) No more than two (2) dwelling units per lot shall be permitted as Upper Story Residential uses; (3/20/12)

- (e) The total square footage devoted to Upper Story Residential shall not exceed two (2) times the amount of ground floor principal square footage devoted to commercial use. (3/20/12)
- (f) No residential uses are permitted above restaurants or bars and;
- (g) The proposed uses must be consistent with Sec. 21-48. (3/20/12)

(4) Short-Term Auto Parking Lot.

- (a) Short-Term Auto Parking Lot shall be limited to short-term parking for patrons of commercial or office uses on the commercial lots and portions of lots located within the CC, CCOD 1 and CCOD 2 areas; (3/20/12)
- (b) A written agreement setting out the terms of the parking lot use shall exist between the owner of the parking lot and the commercial or office use reserving the parking lot for clients and patrons;
- (c) There shall be no long-term parking; and,
- (d) Adequate parking spaces, driving aisles and buffers shall be provided in accordance with ARTICLE XV.Sec. 21-143.

D. Prohibited uses in the CC-District.

- (1) Bars as defined in Section 21-203 or any business that serves alcoholic beverages for on premise consumption, which generates greater than fifty (50) percent of total revenue from alcohol sales. (8-19-14)
- (2) Formula restaurants as defined in Section 21-203. (8-19-14)
- (3) Businesses selling gasoline or any other businesses handling hazardous chemical wastes;
- (4) Automated teller machine, drive-through or walk up windows, drive-in or drop-off, or night drop windows;
- (5) Outdoor storage of vehicles, supplies, or equipment associated with a commercial or office enterprise.
- (6) Vacation Rentals.
- (7) On the commercial portion of a CC lot or a commercial lot within the CCOD 1 and 2 areas, structures principally dedicated to, or designed for, first floor residential use (i.e. single family residential structures, first floor apartments, or first floor condominiums.) (3/20/12)
- (8) No uses shall be allowed in the CC-District unless specifically provided in Section 21-50 (A) – (C) herein.

E. Parking and sign requirements.

Parking requirements for uses within the CC, CCOD 1 and CCOD 2 Districts shall be in accordance with Accessory Uses and Structure – Parking, ARTICLE XV.Sec. 21-143. Sign requirements within the CC-Community Commercial District shall be in accordance with Sign Regulations, ARTICLE XIV. (3/20/12)

Sec. 21-51. Electrical and water meters and associated easements. (3/20/12)

A. Additional Meters.

Nothing contained in this Zoning Ordinance shall prohibit the lawful existence or installation of additional meters on CC-District land (including land within the CCOD 1 and 2 Overlay Districts), provided such meter or meters are duly authorized by the Town of Sullivan’s Island. Additional water and sewer capacity from the Town’s water and sewer systems is necessary and therefore must comply with all State and Federal Regulations as well as Chapters 18 and 20 of the Town’s Ordinances. Specifically Sections 18-6, 18-7 and 18-10, there is only one sewer tap per single lot allowed and in accordance with Section 18-6, every property must have a sewer tap into the system. (3-20-12)

B. CCOD 1 and 2: Easements and Line Installations Required Prior to Subdivision (3/20/12)

The owner of a split zone lot shall, prior to subdividing the lot or prior to obtaining a building permit to construct a building on the lot shall;

- (1) Obtain a water and sewer tap for the portion of the lot zoned commercial (if it does not already have one that is operable) and a water and sewer tap for the portion of the lot zoned residential (if it does not already have one that is operable); The cost of the sewer and water taps shall be paid by the Owner of said lot in an amount to be determined by the Town’s Water and Sewer Department; and (3/20/12)

- (4) Elevated decks shall only be permitted if constructed as an integral part of the Principal Building.
- (5) Mesh fencing around recreational courts shall be permitted to exceed the height standards of the fence regulations but shall be substantially transparent.
- (6) No accessory recreational use or structure shall be lit for night play.

Sec. 21-143. Parking and outdoor storage.

A. Intent.

Parking is an accessory use to both residential and business land uses. This section sets forth the standards for parking and storage of personal vehicles, customer vehicles, commercial vehicles, non-operative vehicles, and recreational vehicles.

B. Definitions.

- (1) Outdoor Storage: The keeping within an unroofed and unenclosed area any goods, materials, merchandise or vehicles in the same place for more than thirty (30) days.
- (2) Parking: The placement of a vehicle or equipment at a location for thirty (30) or fewer days.
- (3) Parking Lot: Any area used for the express purposes of parking automotive vehicles, but not including a single family dwelling’s parking area incidental to the principal use.

C. Parking requirements in the RS-Residential District, and Residential parcels within the CCOD 1 and CCOD 2 Districts. (3-20-12)

- (1) Parking lots are not permitted in the RS-District or residential portions of CCOD 1 and 2 Districts. (3-20-12)
- (2) To the extent possible, parking areas should be twenty (20) feet to the rear of the Principal Building’s front façade.
- (3) In the residential portion of CCOD 1 and 2 districts, designated off-street parking area of at least 324 sq. ft. shall be required. Such area may be left in a pervious state. (3-20-12)
- (4) Outdoor Storage of vehicles and equipment:
 - (a) Storage of personal recreation vehicles, cars, boats, campers, and trailers shall be permitted in the RS-District and residentially zoned lots within the CCOD 1 and CCOD 2 Districts; (3-20-12)
 - (b) Storage shall be limited to a total of six hundred (600) square feet;
 - (c) Storage areas shall be located a minimum of twenty (20) feet to the rear of the Principal Building’s front façade;
 - (d) Recreation vehicles may be parked anywhere on residential premises for a period not to exceed seven (7) days during loading and unloading. After seven (7) days they must be parked to the rear of the front facade;
 - (e) All setbacks shall be met as required by the zoning district;
 - (f) Neither vehicles nor equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot.

D. Parking requirements on Split zoned lots within the CC-Community Commercial District and on commercial lots within the CCOD 1 and CCOD 2 Districts. (3-20-12)

- (1) Areas suitable for parking automobiles in on-street and off-street locations shall be required in the CC-Community Commercial District. A parking plan shall be required
 - (a) At the time of the initial construction of any Principal Building;
 - (b) When a structural alteration or other change in a Principal Building produces an increase in floor area; or
 - (c) If there is a change in use that increases the demand for parking.
- (2) A parking plan shall be submitted to the Design Review Board for approval and required parking shall be within the CC-Community Commercial District or area otherwise designated by Town Council. The plan must:

- (a) Demonstrate how parking demand shall be accommodated;
- (b) Provide information as to how the existing lot will accommodate the proposed use,
- (c) Provide information as to plans to utilize on-street parking, valet parking or shared parking between businesses that may have different operating hours;
- (d) Identify available on-street parking area;
- (e) Provide a scaled drawing or layout of all parking areas showing the location, size, and arrangement of the individual parking spaces, loading spaces, and landscaped areas; and,
- (f) Be prepared by a professional who shall be knowledgeable about commercial parking demand.

(3) Parking design requirements:

- (a) Direct access provided from parking lot to a public street;
- (b) Parking space: 18 feet x 9 feet; on-street parallel parking space a minimum of twenty (20) feet in length;
- (c) Wheel stops shall be required for all parking area without raised curbing; the vehicle side of the wheel stop shall be no less than eighteen (18) inches from the end of the parking space; where sidewalks or other walkways occur, parked vehicles shall not overhang or extend over the sidewalk. In these parking facilities, wheel stops shall be provided even if the parking facility has curbing;
- (d) Parking driveway aisle for off-street parking: minimum width of eighteen (18) feet for sixty (60) degree angle parking; minimum width of twenty four (24) feet for ninety (90) degree parking;
- (e) Permeable materials shall be used for on-site parking and drives;
- (f) Access to parking areas shall not be permitted to cross residentially-zoned portions of lot;
- (g) Access driveways shall not exceed fourteen (14) feet in width; and,
- (h) Driveways shall be sited to minimize interruption of the continuity of the public sidewalk.

(4) Buffer and landscape plan for parking lot.

The applicant shall submit a proposed buffer and landscape plan to the Design Review Board for their approval. At a minimum, each parking newly developed or redeveloped commercial lot area shall have a six (6) to eight (8) foot fence high solid fence or wall abutting the residential zoning district boundary; lot area adjacent to the right-of-way lines shall be planted borders not less than five (5) feet in width parallel to the right-of-way (except where egress to the street is needed). The planted border areas shall have at least one (1) tree (having a minimum clear trunk of five (5) feet and a minimum height of eight (8) feet for each thirty (30) linear feet of the border area). The remainder of the required landscape buffer area shall be landscaped with shrubs, lawn, ground cover, or other approved materials.

(5) Joint use of off-street parking areas.

Two or more principal uses may utilize a common area in order to comply with the parking requirements, provided that a covenant agreement with the Town shall be signed that relinquishes the development rights over the property that is being utilized for off-site parking until such time as the lot is no longer required to comply with the parking requirement of the permitted business.

(6) Overnight parking.

Parking lots for the daily use of customers in the CC-Community Commercial District shall not be used for the overnight parking of vehicles, unless the vehicles are commercial vehicles used in the conduct of the commercial activity; if such vehicle is parked overnight, it shall be located a minimum of twenty (20) feet to the rear of the Principal Building's front façade.

(7) Outdoor Storage.

No Outdoor Storage shall be permitted in the CC-District.

Sec. 21-144. Temporary uses.

A. The Zoning Administrator shall be authorized to issue a Certificate of Zoning Compliance for the following temporary accessory uses subject to the approval of the Town Council:

- (1) Carnival or circus for a period not to exceed twenty-one (21) days;