



Agenda Briefing

Date of Meeting: April 2, 2019

Submitting Department: Planning and Permits

Date Submitted: March 22, 2019

Prepared By: Sean Landis

Presenter: Sean Landis

Will there be a guest/visitor presenter who is not an employee?: Yes No

What is this person's first and last name and affiliation to this item?: N/A

Subject: Consideration of an amendment to the Code of the City of Seabrook, Appendix A, Comprehensive Zoning, Article 3. Establishment of Zoning Districts and Associated Regulations, Section 3.12 OS Old Seabrook District, by amending Subsection 3.12.02 B. 2. Area Regulations, by creating a minimum building front yard setback of twenty (20) feet.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Discussion & Direction

Executive Summary: AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 3. ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS, SECTION 3.12 OS OLD SEABROOK DISTRICT, BY AMENDING SUBSECTION 3.12.02 B. 2. AREA REGULATIONS, BY CREATING A MINIMUM BUILDING FRONT SETBACK OF TWENTY (20) FEET; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR NOTICE AND SEVERABILITY

Background/Issue (What prompted this need?): The Planning and Zoning Commission is recommending that the "Front Yard Setback" regulation for the (OS) Old Seabrook Zoning District be modified as follows:

Recommended Changes:

B. Other Uses. All other listed uses (by right and conditional uses) allowed in this zone per Section 3.15. Please see the comprehensive land use regulation matrix at the end of this article of the ordinance. Mixed use projects shall be allowed. All building, fire, electrical, and other health and safety codes pertaining to commercial development and as stipulated by Seabrook codes and ordinances shall be met.

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1. Density: Two primary buildings per lot; but not to exceed two (2) dwelling units per lot.
2. Area regulations:
 - A. Front yard: [None required.] All buildings must be set back from the street right-of-way lines a minimum depth of 20 feet. (Proposed Change) See Attachment.
 - B. Rear yard: A lot with a primary building located on it shall have a rear yard of not less than ten feet.
 - C. Water-abutting yard: All structures shall be set back from any water-abutting yard a distance of not less than 25 feet.
 1. If there are two adjoining structures, the minimum waterfront setback shall be the greater of the average of the setbacks of the adjoining main structures within 100 feet of the proposed structure or the minimum water-abutting yard setback of 25 feet.
 2. If there is only one adjoining structure within 100 feet of the proposed structure, the minimum water-abutting yard setback shall be the greater of two-thirds of the adjoining property setback or 25 feet.
 3. If there are no adjoining structures within 100 feet of the proposed structure, the minimum water-abutting yard setback requirement of 25 feet shall be met.
 4. Impervious fences are not permitted in any required waterfront setback.
 - D. Side: Not less than five feet on each side.
 - E. Lot size: A minimum site of 6,000 feet shall be required.
 - F. Lot width: Each lot shall have a minimum width of not less than 50 feet at the front building line.
 - G. Lot depth: Each lot shall have a minimum depth of not less than 100 feet.
 - H. Height: No building or structure may exceed 40 feet in height. The height limitations specified in this subsection do not apply to church steeples, spires, belfries, cupolas or other normal appurtenances usually required to be placed above the roof level and not intended for human occupancy.

Budget Analysis/Funding Comments: N/A

All requests must be submitted to the City Secretary's Office no later than 12:00 p.m. on the Monday, one week prior to the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

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Expenditure Required: \$N/A

Budgeted Amount: \$N/A **Source of Funds/Funding Account:** N/A

Not Budgeted: If approved, the following will be included in the next Budget Amendment and \$N/A will be added to Revenue Account: N/A and \$N/A added to Expenditure Account: N/A

1295 Form Required? Yes No

Name of Applicant (if applicable) : N/A

Legal Description/Location (if applicable): N/A

Supporting Materials Attached:

1. Copy of Recommended Changes
2. Ordinance #2019-12
3. Planning and Zoning Commission Official Report
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

Recommended Placement on Agenda: Specific Public Hearing/New Business

Recommended Action: The Planning and Zoning Commission at their meeting held on February 21st, 2019 recommended approval with an unanimous vote to require a minimum front setback within the (OS) Old Seabrook Zoning District of 20'.

All requests must be submitted to the City Secretary's Office no later than 12:00 p.m. on the Monday, one week prior to the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

REVIEWED AND APPROVED BY:
(as appropriate)

Department Director

Date

Finance Director

Date

City Attorney

Date

DocuSigned by:
Sean Landis
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3/28/2019

Deputy City Manager

Date

DocuSigned by:
Joseph Cook
B8CE768D777F40E...

3/28/2019

City Manager

Date