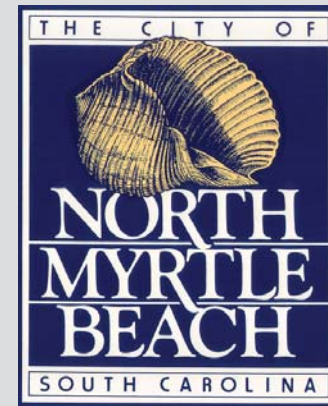


## MINOR AMENDMENT PROCESS:



## MAJOR AMENDMENT PROCESS:



1018 Second Avenue South  
North Myrtle Beach, SC 29582  
(843) 280-5555

PLANNING & DEVELOPMENT  
DEPARTMENT POLICY STATEMENT

# MINOR/ MAJOR PDD AMENDMENT PROCESS

## PRIMARY PLANNING STAFF CONTACT:

Aaron Rucker  
843.280.5670  
acrucker@nmb.us



REVISED 12.20.16

**WHEN IS A MINOR OR MAJOR PDD AMENDMENT REQUIRED?** Requests to change approved Planned Development District (PDD) site plans or development provisions are determined to be minor or major by the Zoning Administrator.

- Examples of minor amendments may include, but are not limited to, changes in layout or building materials or requests that do not alter street networks, uses or density.
- Examples of major amendments may include, but are not limited to, changes in building footprints or elevations, principal uses of existing or proposed buildings, street networks, density and signage.

**HOW DO I START A MINOR OR MAJOR PDD AMENDMENT REVIEW, AND WHAT MUST BE SUBMITTED?** To initiate the PDD amendment review process, **you must submit all required information to the Planning & Development Department as per § 23-29 of the city's zoning ordinance by the deadline for an upcoming regularly scheduled Planning Commission meeting** according to the meetings and workshops schedule. To proceed with the review process, the following information may be included in order to be considered a complete submittal:

- Completed PDD amendment application**
- Completed letter of agency**, if applicable
- Completed Development Approval**

**Application (Permit): Recorded Covenant Affidavit.** This form complies with a state law that took effect on July 1, 2007, that requires all planning agencies to inquire in an application for permit if the parcel of land is restricted by a recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity (S.C. Code § 6-29-1145). If such a covenant exists, the agency shall not issue the permit until written confirmation of its release is received.

The release must be through the action of an appropriate legal authority.

- PDD proposal\***
  - Initially, the **proposal shall be provided electronically** in PDF format
  - Following this initial review, provide **ten (10) copies** for Planning Commission, and
  - Fourteen (14) additional copies** for City Council after Planning Commission consideration

\*PDD Proposal should contain the following items detailed per § 23-29(3) of the city's zoning ordinance:

- Master site plan**, per § 23-29(3)(a)
- Written PDD description**, per § 23-29(3)(b)
- Statement defining the manner in which the city is to be assured that all improvements and protective devices are to be installed and maintained, per § 23-29(3)(c)(1)
- Statement assuring the city that all off-premise signage will be removed from the site prior to the issuance of any permits, per § 23-29(3)(c)(2)

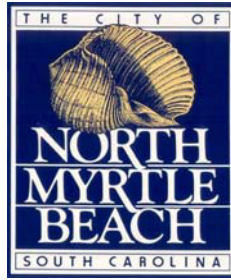
## WHO REVIEWS THE MINOR/MAJOR PDD AMENDMENT?

**Planning Division:** Staff will review the proposal and schedule the item for Planning Commission to consider. For major amendments, placement on the agenda is subject to a minimum fifteen (15) day public notice period. Other divisions and departments involved in review are Zoning, Public Safety, Public Works and Parks & Recreation.

**Planning Commission:** The Planning Commission (PC) is composed of seven (7) members who live in the city and are appointed by City Council for four (4) year terms, not to exceed eight (8) consecutive years. PC typically meets every other Tuesday at 9:15 a.m. (workshop) and 5:00 p.m. (meeting). PC determines approval of minor PDD amendments; however, PC forwards a recommendation of approval or disapproval of major PDD amendments to City Council.

**City Council:** City Council is composed of seven (7) members who live in the city and were elected to their positions by city residents. City Council typically meets every other Monday at 7:00 p.m. City Council determines approval or disapproval of major PDD amendments. City Council may also consider minor PDD amendments on appeal from Planning Commission decisions of denial.

<input type="checkbox"/> <b>Major Amendment</b> <input type="checkbox"/> <b>Minor Amendment</b>	
Fee Due for Major Amendments	\$500
Fee Due for Minor Amendments	No Fee



FOR OFFICE USE ONLY	
PDD Amendment Finance Acct Code	3.22
FEE PAID (Payable to the "CITY OF NORTH MYRTLE BEACH"):	
File Number:	M PDD- -
Submittal Date:	
Notice Published:	
Planning Commission:	
First Reading:	
Second Reading:	

Revision Date 12.20.16

## CITY OF NORTH MYRTLE BEACH PDD ZONING AMENDMENT APPLICATION

Today's Date: \_\_\_\_\_ (Please Print or Type)

### APPLICANT INFORMATION

Applicant's Last Name:	First:	Middle:	<input type="checkbox"/> Mr.	<input type="checkbox"/> Miss	<input type="checkbox"/> Property Owner	<input type="checkbox"/> Authorized Agent
			<input type="checkbox"/> Mrs.	<input type="checkbox"/> Ms.	<input type="checkbox"/> Contract Purchaser	<input type="checkbox"/> Other: _____
Street Address:					Telephone:	
					( )	
Post Office Box:	City:	State:	ZIP:	Email:		

### SUBJECT PROPERTY INFORMATION

Provide below the exact street address (name, number) and plat map reference for which you propose a zoning change  
**PLEASE ATTACH AN ACCURATE TAX MAP(S) AND/OR RECENT SURVEY PLAT DELINEATING THE SUBJECT PROPERTY**

Street Address (if applicable):	Beach Section:	Plat Reference:	Tax Map Number(s):
Name:	<input type="checkbox"/> NA	Subdivision:	Block:
Number(s):		Lot #(s):	Section:
Total Area of Subject Property: _____ (check one) <input type="checkbox"/> Square Feet or <input type="checkbox"/> Acres			Date PDD Ordinance Adopted:
What is the (project) title for the existing development?			Date PDD Ordinance Amended:

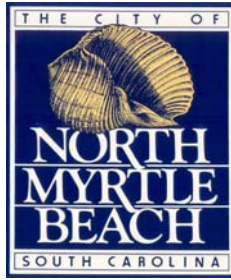
### CERTIFICATION & SIGNATURE OF APPLICANT(S) OR AUTHORIZED AGENT(S)

Does the applicant own all of the property proposed for amendment?	<input type="checkbox"/> Yes <input type="checkbox"/> No	IF NO, SUBMIT THE PERCENTAGE OF OWNERSHIP:
--	--	--

\*If application is being submitted by the Authorized Agent or Contract Purchaser, provide a letter of agency from the property owner.

The undersigned hereby respectfully requests that the City of North Myrtle Beach Zoning Ordinance be amended by changing the existing PDD Ordinance. While it is understood by the undersigned that this application will be carefully reviewed and considered by public officials, the burden of proving the need and rational basis for the proposed PDD amendment rests with the applicant.

Signature of Applicant or Authorized Agent	Date
_____	_____
Co-signature (if applicable)	Date
_____	_____



**CITY OF NORTH MYRTLE BEACH**  
**DEVELOPMENT APPROVAL APPLICATION (PERMIT):**  
**RECORDED COVENANT FORM**

*Revision Date 06.28.17*

This form complies with a state law that took effect on July 1, 2007 (S.C. Code § 6-29-1145) that requires all planning agencies to inquire in an application for a permit if the parcel of land is restricted by a recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity. If such a covenant exists, the agency shall not issue the permit until written confirmation of its release is received. The release must be through the action of an appropriate legal authority. Please read § 6-29-1145, provided in its entirety below, and complete the following.

Nature of Approval Requested:

Parcel Identification Number:

Property Address:

I, \_\_\_\_\_, hereby certify that the tract(s) or parcel(s) of land to  
(Print Name)  
which this approval request pertains is **not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity for which approval is sought**, as provided in South Carolina Code of Laws (§ 6-29-1145).

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

**SECTION 6-29-1145.** Determining existence of restrictive covenant; effect.

(A) In an application for a permit, the local planning agency must inquire in the application or by written instructions to an applicant whether the tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity.

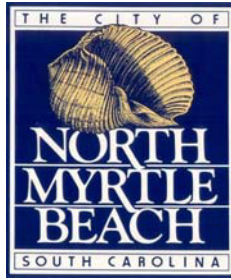
(B) If a local planning agency has actual notice of a restrictive covenant on a tract or parcel of land that is contrary to, conflicts with, or prohibits the permitted activity:

- (1) in the application for the permit;
- (2) from materials or information submitted by the person or persons requesting the permit; or
- (3) from any other source including, but not limited to, other property holders, the local planning agency must not issue the permit unless the local planning agency receives confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order.

(C) As used in this section:

- (1) "actual notice" is not constructive notice of documents filed in local offices concerning the property, and does not require the local planning agency to conduct searches in any records offices for filed restrictive covenants;
- (2) "permit" does not mean an authorization to build or place a structure on a tract or parcel of land; and
- (3) "restrictive covenant" does not mean a restriction concerning a type of structure that may be built or placed on a tract or parcel of land.

HISTORY: 2007 Act No. 45, Section 3, eff June 4, 2007, applicable to applications for permits filed on and after July 1, 2007; 2007 Act No. 113, Section 2, eff June 27, 2007.



**CITY OF NORTH MYRTLE BEACH**  
**LETTER OF AGENCY**

*Revision Date 12.20.16*

Today's Date:

Nature of Approval Requested:

Property PIN and Tax Map Number, if applicable:

Property Location:

I, \_\_\_\_\_, hereby authorize \_\_\_\_\_  
to act as agent for \_\_\_\_\_ for the purposes of the above referenced  
approval.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title