REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: August 19, 2024

Agenda Item: 6B	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: Unfinished Business: Ordinance. Second Reading	Date: August 7, 2024
Subject: Petition for Annexation and Zoning Designation for ±1.25 acres on Cenith Drive [Z-24-21]	Division: Planning and Development

Background:
David O'Connell, agent for the owners, has petitioned the City of North Myrtle Beach to annex ±1.25 acres off Cenith Drive identified by PIN 357-02-04-0001. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Low-Medium Density (R-1B) and will be heard concurrently.

Existing Conditions:
The subject property area is contiguous to the corporate boundary of the City of North Myrtle Beach and is zoned Commercial Forest Agriculture (CFA) under Horry County jurisdiction. Located on Cenith Drive, the parcel is vacant and undeveloped. Surrounding parcels within City limits are zoned R-1B and Single-Family Residential Low-Density (R-1). Upon annexation, the parcel would be designated R-1B as per Exhibit A: Zoning Map Z-24-21, prepared by the City of North Myrtle Beach Planning and Development Department depicting the annexation boundary. A proposed ordinance has been attached for Council's review.

Proposed R-1B Zoning:

		Single-family Dwelling	Churches	Other Permitted Uses
Minimum Site Area		6,000 SF	1 Acre	7,000 SF
Minimum Lot Width		50 feet	NA	NA
Minimum Yards:	Front	25 feet	25 feet	25 feet
	Side	5 feet	25 feet	10 feet
	Rear	20 feet	25 feet	25 feet
Maximum Impervious Surface Ratio		50%	60%	50%
Maximum Building Height		35 feet	45 feet	25 feet
Notes: A dwelling unit shall not contain more than five bedrooms/sleeping areas of not more than 300 SF each.				

R-1B District Permitted Uses:
Single-Family detached dwellings (excluding mobile homes); Neighborhood and community parks and centers, golf courses and similar outdoor uses, but not lighted for night use; Publicly owned recreational facilities; Churches, places of worship, religious institutions including accredited educational facilities when accessory thereto; Accessory uses; Home occupations; and Signs permitted by and in accord with all applicable provisions of Article III.

Planning Commission Action:
The Planning Commission conducted a public hearing on June 18, 2024, and voted to recommend approval of the annexation and zoning designation, citing "A", where necessary to implement the Comprehensive Plan. There was no public comment.

Recommended Action:
Approve or deny the proposed ordinance on second reading

Reviewed by Department Head	Reviewed by City Manager	Reviewed by City Attorney

Council Action:
Motion By_____ 2nd By_____ To_____

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH ANNEXING ±1.25 ACRES IDENTIFIED BY PIN 357-02-04-0001.

WHEREAS, David O'Connell, agent for the owners, has petitioned the City of North Myrtle Beach for annexation of ±1.25 acres consisting of the following parcel PIN 357-02-04-0001 as referenced on Exhibit A: Zoning Map Z-24-21, prepared by the City of North Myrtle Beach Planning and Development Department depicting the annexation boundary, which is attached hereto and incorporated herein by reference; and

WHEREAS, the North Myrtle Beach Planning Commission has provided the required public notice of this request and has held all necessary public hearings in accordance with applicable State Statutes and City Ordinances; and

WHEREAS, the City Council has received a report from the Planning Commission recommending the subject property be zoned Single-Family Low-Medium Density (R-1B) upon annexation.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of North Myrtle Beach, South Carolina, in Council duly assembled:

Section 1. Annexation. That property identified by PIN 357-02-04-0001 (the "Annexed Property"), consisting of approximately ±1.25 acres and depicted on Exhibit A, and all contiguous portions of all public rights-of-way, streets, and highways are hereby annexed pursuant to Sections 5-3-150 and 5-3-240 of the Code of Laws of South Carolina, 1976, as amended.

Section 2. Zoning Designation. The Annexed Parcel is hereby designated and zoned as Single-Family Low-Medium Density (R-1B).

DONE, RATIFIED AND PASSED, THIS _____ DAY OF_____, 2024.

_____
Mayor Marilyn Hatley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

FIRST READING: 7.15.2024
SECOND READING: 8.19.2024

REVIEWED:

_____
City Manager

ORDINANCE: 29-32

THE CITY OF NORTH MYRTLE BEACH SOUTH CAROLINA

Legend

North Myrtle Beach City Limit

Subject Area

Zoning District

PDD

R-1

R-1B

R-4

Exhibit A: Zoning Map Z-24-21

0 150 300 Feet

User: arelmadolar

Path: \\nmbplan\PDGIS\2024\2024-019 Z-24-21 Cenith Dr\Z-24-21 Cenith Dr.aprx

6E. ANNEXATION & ZONING DESIGNATION Z-24-21: City staff received a petition to annex ±1.25 on Cenith Drive identified by PIN 357-02-04-0001. The lot is currently unincorporated and zoned Commercial Forest Agriculture (CFA) by Horry County. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Low-Medium Density (R-1B) and will be heard concurrently.

History:
On May 7, 2024, Planning Commission recommended approval for a petition for annexation and zoning of a larger parcel adjacent to this property. City Council passed the petition for annexation and zoning on first reading on May 20, and the second reading of ordinance will occur on June 17.

Existing Conditions and Surrounding Land Uses:
The subject property area is contiguous to the corporate boundary of the City of North Myrtle Beach and is zoned CFA under Horry County jurisdiction. Located on Cenith Drive, the parcel is vacant and undeveloped. Surrounding parcels within City limits are zoned Single-Family Residential Low-Density (R-1).

Proposed R-1B Zoning

		Single-family Dwelling	Churches	Other Permitted Uses
Minimum Site Area		6,000 SF	1 Acre	7,000 SF
Minimum Lot Width		50 feet	NA	NA
Minimum Yards:	Front	25 feet	25 feet	25 feet
	Side	5 feet	25 feet	10 feet
	Rear	20 feet	25 feet	25 feet
Maximum Impervious Surface Ratio		50%	60%	50%
Maximum Building Height		35 feet	45 feet	25 feet
Notes: A dwelling unit shall not contain more than five bedrooms/sleeping areas of not more than 300 SF each.				

Planning Commission Action:
As per the Zoning Ordinance Section 23-4, *Amendments*, the Planning Commission shall prepare a report and make recommendations on any proposed amendment to the North Myrtle Beach Zoning Ordinance, including the Zoning Map, stating its findings and its evaluation of the request. In making its report, the Commission shall consider the following factors:

a) The relationship of the request to the Comprehensive Plan:

The Future Land Use map contained in the 2018 Comprehensive Plan *recommends Residential Suburban as a land use class for the subject area. The principal permitted uses noted in the compliance index include primarily single-family lots, small farms and farm related uses such as produce stands, and mobile homes on individual lots. The recommended primary zoning district is R-1; R-1A and R-1B are the secondary zoning district alternatives.*

The proposed zoning designation, R-1B (Single-Family Low-Medium Density), is a recommended zoning district within the Compliance Index for the subject property.

b) Whether the request violates or supports the Plan:

Chapter 5, "The Way We Grow," of the 2018 Comprehensive Plan *identifies the Residential Suburban future land use classification as follows: The purpose of this classification is to define, protect, and provide low density, single-family detached housing areas where designated, and to prohibit any development that would compromise existing residential characteristics. In addition, these areas are intended to provide for in-fill and expansion of existing neighborhoods and subdivisions. Standards and densities for these areas are designated to reflect existing conditions. This area is also intended to allow incorporation of property west of the waterway at densities typical of inland development. Primarily single-family lots, small farms and farm-related uses such as produce stands, and mobile homes on individual lots, excluding large mobile home parks, are compatible uses here. This category allows up to five dwelling units per acre (du/acre).*

The proposed R-1B zoning is consistent with the Residential Suburban land use classification found in the *2018 Comprehensive Plan*.

c) Whether the uses permitted by the proposed change would be appropriate in the area concerned:

The purpose of the R-1B zoning district is, "To preserve and protect the character of existing neighborhoods and subdivisions, and to prohibit any uses which would compromise or alter existing conditions and uses. Also, these districts are intended to encourage residential infilling and expansion of existing neighborhoods and subdivisions. Development land uses permitted in each are designed to reflect existing conditions and enhance the prospects of 'lie development.'"

The uses permitted in the R-1B district would be appropriate in the area.

d) Whether adequate public-school facilities, roads and other public services exist or can be provided to serve the needs of the development likely to take place because of such change, and the consequence of such change:

Access is subject to road extension by developer per city standards and Horry County encroachment permit approval for any driveways on Cenith Dr.

e) Whether the proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewer to the area:

Public water and sewer are available to the parcel with extension provided by the developer.

As a matter of policy, no request to change the text of the ordinance or the map shall be acted upon favorably, except:

(a) Where necessary to implement the comprehensive plan, or
(b) To correct an original mistake or manifest error in the regulations or map, or
(c) To recognize substantial change or changing conditions or circumstances in a particular locality, or
(d) To recognize changes in technology, the style of living, or manner of doing business.

This petition for annexation and zoning designation is presented to the Planning Commission for a recommendation that will be forwarded to the City Council at their next meeting tentatively scheduled for July 15, 2024. Should the Planning Commission desire to forward a positive recommendation to the City Council, one of the reasons should be included in the report.

Staff Review:

Planning and Development, Planning Division
The Planning Division has no issue with the proposed petition for annexation and zoning.

Planning and Development, Zoning Division
The Zoning Administrator has no issue with the proposed petition for annexation and zoning.

Public Works
The City Engineer has no issue with the proposed petition for annexation and zoning.

Public Safety
The Fire Marshall has no issue with the proposed petition for annexation and zoning.

Planning Commission Action:
The Planning Commission may recommend approval, recommend approval with modifications and/or conditions; or recommend denial of the proposal, as submitted.

Alternative Motions

1) I move that the Planning Commission recommend approval of the annexation and zoning petition [Z-24-21] as submitted.

   OR

2) I move that the Planning Commission recommend denial of the annexation and zoning petition [Z-24-21] as submitted.

   OR

3) I move (an alternate motion).

FILE NUMBER:	Z-24-21
Complete Submittal Date:	May 22, 2024

Notice Published:	May 30, 2024
Planning Commission:	June 18, 2024
First Reading:	July 16, 2024
Second Reading:	August 19, 2024

City of North Myrtle Beach, SC

Petition for Annexation & Zoning

GENERAL INFORMATION	
Date of Request: May 22, 2024	**Property PIN(S): 35702040001**
Property Owner(s): WHELESS ARTHUR W ETAL	**Type of Zoning Map Amendment: Petition for Annexation and Zoning**
Address or Location: 1797 Cenith Dr	**Project Contact: David O'Connell**
Contact Phone Number: 8434555500	**Contact Email Address: mroceanfront@yahoo.com**
Current County Zoning: CFA (Horry County)	**Proposed Zoning: R-1B**
Total Area of Property: 2.3 Acres	**Approximate Population of Area to be Annexed:**

RECORDED COVENANT INFORMATION

I hereby certify that the tract(s) or parcel(s) of land to 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).
Applicant's E-signature: David O'Connell

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.

1018 2nd Avenue South · North Myrtle Beach, SC 29582 · Telephone: (843) 280-5566 · Facsimile: (843) 280-5581

CITY OF NORTH MYRTLE BEACH

LETTER OF AGENCY

Revision Date 05.24.19

Today's Date: 05/6/24

Nature of Approval Requested: Petition for Annexation and Zoning

Property PIN(s): 35702040001

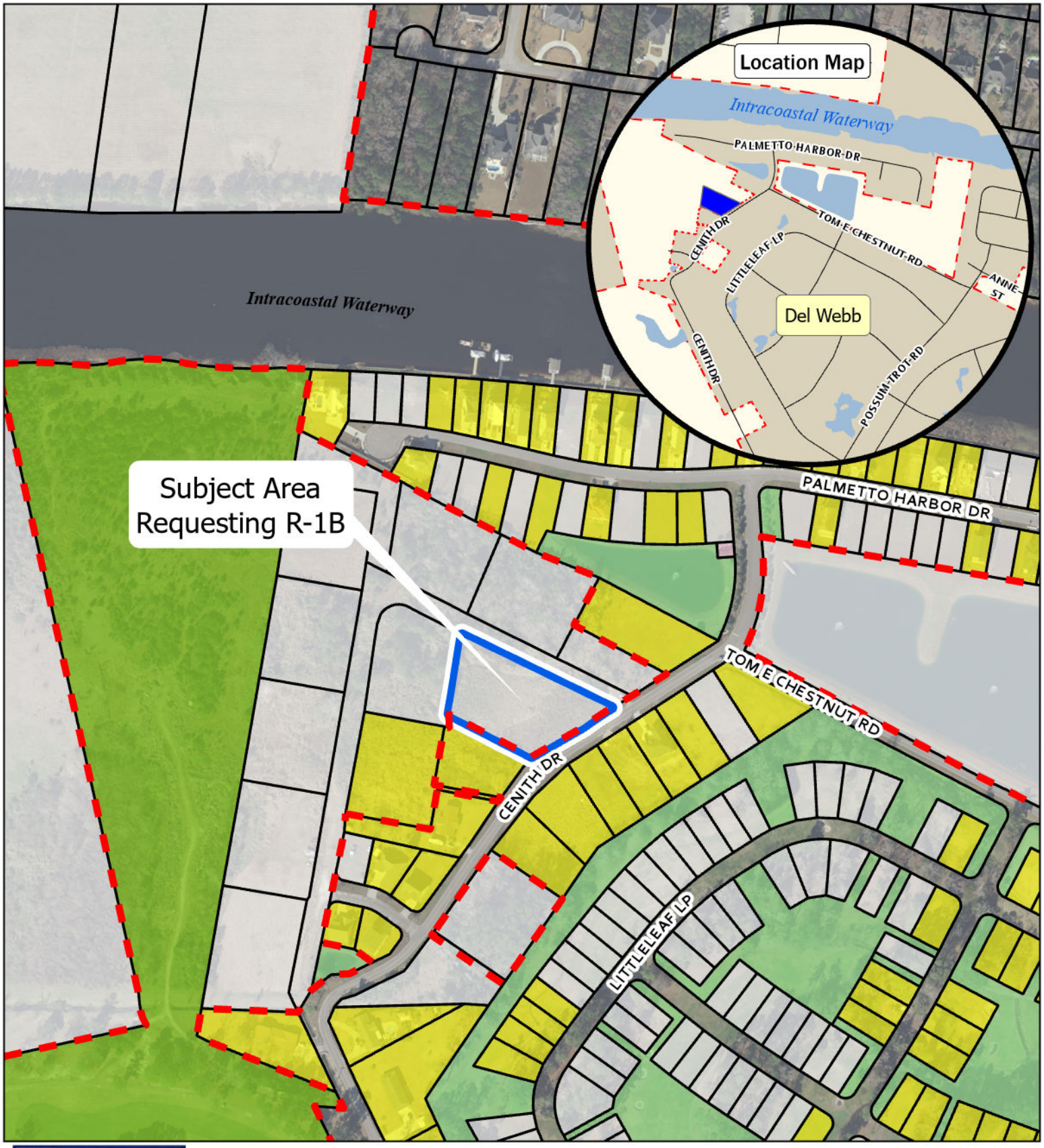
Property Address/Location: 1797 Cenith Dr

I, Wheless Arthur W Etal, hereby authorize David OConnell

to act as my agent for for the purposes of the above referenced approval.

Signature	Signature
Title	Title
Signature	Signature
Title	Title
Signature	Signature
Title	Title

Please have all property owners sign application; disregard additional spaces if not needed. If additional signature lines are required, please duplicate this sheet and bind all sheets together into one document.



THE CITY OF NORTH MYRTLE BEACH SOUTH CAROLINA

Legend

- North Myrtle Beach City Limit
- Subject Area

Existing Land Use

- Common Open Space
- Golf Course
- Private Common Open Space
- Single-Family
- Vacant

Existing Land Use

0 150 300 Feet

User: arelmadolar

Path: \\nmbplan\PDGIS\2024\2024-019 Z-24-21 Cenith Dr\Z-24-21 Cenith Dr.aprx

THE CITY OF NORTH MYRTLE BEACH SOUTH CAROLINA

Legend

- North Myrtle Beach City Limit
- Subject Area

Future Land Use

- MU
- NMU
- RPC
- RS
- SP

0 150 300 Feet

User: arelmadolar
Path: \\nmbplan\PDGIS\2024\2024-019 Z-24-21 Cenith Dr\Z-24-21 Cenith Dr.aprx

Future Land Use