

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: May 19, 2025

Agenda Item: 7	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: New Business: Ordinance. First Reading	Date: May 14, 2025
Subject: Amendments to Chapter 20, Land Development Regulations, of the Code of Ordinances of North Myrtle Beach, South Carolina, addressing street and rights-of-way standards in Planned Development Districts [STX-25-1]	Division: Planning and Development

Background:

Planned Development Districts (PDDs) offer flexibility from traditional zoning in exchange for higher-quality design and increased oversight and input from the community. However, recent PDD proposals have pushed the limits of this flexibility, particularly regarding street design. For example, the most recent amendments to The Preserve proposed a 25-foot right-of-way that was inconsistent with the City’s adopted Street Planning Manual and raised concerns from Public Works regarding long-term maintenance, safety, and infrastructure standards. To preserve the integrity of the City’s transportation network while still allowing innovative design, this text amendment clarifies that any alternative street section proposed through a PDD must be reviewed and approved during the entitlement process and adopted into the Street Planning Manual. This ensures consistency, transparency, and applicability for future use elsewhere in the community. Moving forward, developers should anticipate that non-standard street designs will require broader justification and separate approval for inclusion in the City’s adopted standards.

Proposal:

Staff is proposing a text amendment to the Land Development Regulations to clarify that alternative street designs proposed in Planned Development Districts must be approved and adopted into the City’s Street Planning Manual prior to approval.

Planning Commission Action:

The Planning Commission conducted a public hearing on May 6, 2025, and voted unanimously to recommend approval of the land development regulations amendment. There was no public comment.

Recommended Action:

Approve or deny the proposed ordinance on first reading

Reviewed by Department Head	Reviewed by Interim City Manager	Reviewed by City Attorney
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Council Action:
Motion By _____ 2nd By _____ To _____

ORDINANCE

**AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH
PROVIDING THAT THE CODE OF ORDINANCES,
CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA,
BE AMENDED BY REVISING CHAPTER 20,
LAND DEVELOPMENT REGULATIONS, ARTICLE III,
SUBDIVISION REGULATIONS, §20-40(D) OF SAID CODE.**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA, IN
COUNCIL DULY ASSEMBLED, THAT:**

Section 1. That *Sec. 20-40. Complete streets*, subsection (d) *Public and private streets*, be revised to read as follows (*new matter underlined*).

Sec. 20-40. (d) *Public and private streets*. Except as otherwise provided in this section, all lots created after the effective date of this section shall abut a public street.

(1) Developments as allowed in the zoning ordinance may utilize private streets that meet the design standards in the Street Planning Manual, and are not intended for dedication to the public, provided:

- a. The proposed development will have direct access and at least one (1) connection onto a public street;
- b. Proposed streets connecting two (2) or more public streets or serving as the sole access to adjacent properties may be required to be public by the planning commission, with recommendations from the Director of Public Works and Director of Planning and Development. If such streets are approved to be private, they shall not be gated, obstructed, or access-controlled in any manner;
- c. Continuation of the adjoining street system will not be obstructed;
- d. Street access to adjoining properties will not be obstructed;
- e. The subdivider's maintenance plan, as required by subsection 20-32(b)(14), demonstrates that the private streets will be properly maintained.
- f. A private street shall not be the sole connection between two (2) public streets;
- g. The words "private street" shall be incorporated into all private street sign blades, small enough to avoid competing with the roadway name, but large enough to easily read.

(2) Lots intended solely for the location of public or private utility infrastructure, such as (but not limited to) water, sewer or storm water pump stations, electric, gas or other energy production and distribution substations, or communications infrastructure, may be accessed by easements and shall be exempt from the requirement to abut a public or private street. When platted, such lots shall be clearly labeled as a "utility/infrastructure parcel not intended for habitable structures."

(3) In Planned Development Districts (PDDs), alternative street sections may be proposed that deviate from the established design standards in the Street Planning Manual. Such deviations must be specifically identified in the PDD application and are subject to review and recommendations by staff. Approval of an alternative street section is a separate action and shall not be presumed or guaranteed. Any proposed section must be formally approved and incorporated into the City's Street Planning Manual prior to final approval of the PDD. Only approved street sections shall become adopted standards eligible for use within the community.

Section 2. That the North Myrtle Beach Planning Commission has provided the required public notice of this request and has held the necessary public hearings in accordance with applicable State Statutes and City Ordinances.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2025.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: 5.19.2025
SECOND READING: _____

REVIEWED:

Interim City Manager

ORDINANCE: _____

5A. LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT STX-25-1: City staff has initiated an amendment to the land development regulations addressing street and rights-of-way standards in planned development districts.

Background:

Planned Development Districts (PDDs) offer flexibility from traditional zoning in exchange for higher-quality design and increased oversight and input from the community. However, recent PDD proposals have pushed the limits of this flexibility, particularly regarding street design. For example, the most recent amendments to The Preserve proposed a 25-foot right-of-way that was inconsistent with the City’s adopted Street Planning Manual and raised concerns from Public Works regarding long-term maintenance, safety, and infrastructure standards. To preserve the integrity of the City’s transportation network while still allowing innovative design, this text amendment clarifies that any alternative street section proposed through a PDD must be reviewed and approved during the entitlement process and adopted into the Street Planning Manual. This ensures consistency, transparency, and applicability for future use elsewhere in the community. Moving forward, developers should anticipate that non-standard street designs will require broader justification and separate approval for inclusion in the City’s adopted standards.

Proposed Changes

Staff is proposing a text amendment to the Land Development Regulations to clarify that alternative street designs proposed in Planned Development Districts must be approved and adopted into the City’s Street Planning Manual prior to approval.

The proposed amendment addresses **Sec. 20-40. Complete streets**, subsection **(d) Public and private streets**, of *Chapter 20, Land Development Regulations* and would appear in the Ordinance as follows (new matter underlined):

Sec. 20-40. (d) *Public and private streets.* Except as otherwise provided in this section, all lots created after the effective date of this section shall abut a public street.

- (1) Developments as allowed in the zoning ordinance may utilize private streets that meet the design standards in the street planning manual, and are not intended for dedication to the public, provided:
 - a. The proposed development will have direct access and at least one (1) connection onto a public street;
 - b. Proposed streets connecting two (2) or more public streets or serving as the sole access to adjacent properties may be required to be public by the planning commission, with recommendations from the director of public works and director of planning and development. If such streets are approved to be private, they shall not be gated, obstructed, or access-controlled in any manner;
 - c. Continuation of the adjoining street system will not be obstructed;
 - d. Street access to adjoining properties will not be obstructed;
 - e. The subdivider's maintenance plan, as required by subsection 20-32(b)(14), demonstrates that the private streets will be properly maintained.
 - f. A private street shall not be the sole connection between two (2) public streets;

g. The words "private street" shall be incorporated into all private street sign blades, small enough to avoid competing with the roadway name, but large enough to easily read.

(2) Lots intended solely for the location of public or private utility infrastructure, such as (but not limited to) water, sewer or storm water pump stations, electric, gas or other energy production and distribution substations, or communications infrastructure, may be accessed by easements and shall be exempt from the requirement to abut a public or private street. When platted, such lots shall be clearly labeled as a “utility/infrastructure parcel not intended for habitable structures.”

(3) In Planned Development Districts (PDDs), alternative street sections may be proposed that deviate from the established design standards in the Street Planning Manual. Such deviations must be specifically identified in the PDD application and are subject to review and recommendations by staff. Any alternative street section shall be approved and added to the City’s Street Planning Manual prior to PDD approval and shall become an adopted standard eligible for use throughout the community.

According to § 20-25, *Amendments*, of the Zoning Ordinance, the advertisement requirement for Land Development Regulation amendments is 30 days, and that advertisement notice has been met. The amendment is presented to the Planning Commission for a recommendation that will be forwarded to the City Council at their next meeting anticipated to occur on May 19, 2025.

Planning Commission Action

The Planning Commission may approve, approve with modifications and/or conditions; or disapprove the proposal, as submitted.

Alternative Motions

- 1) I move that the Planning Commission recommend approval of the Land Development Regulations text amendment [STX-25-1] as submitted.
OR
- 2) I move that the Planning Commission recommend denial of the Land Development Regulations text amendment [STX-25-1] as submitted.
OR
- 3) I move (an alternate motion).