

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: February 7, 2022

Agenda Item: 5I	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: Consent: Ordinance. Second Reading	Date: January 25, 2022
Subject: Petition for annexation and zoning designation for 0.6 Acres on Old Crane Road [Z-21-32]	Division: Planning and Development

Background:

Wall Engineering, agent for the owner, has petitioned the City of North Myrtle Beach to annex ±0.6 acres of property located on Little River Neck Road and identified by PIN 350-06-01-0139. The petition also reflects the requested City of North Myrtle Beach zoning district of Planned Development District (PDD) in the Bahama Island PDD. The subject area is identified as Residential Suburban on the Future Land Use Map, and the request is not consistent with the comprehensive plan, but instead reflects changing conditions in the area.

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. The parcel is currently vacant and undeveloped. Surrounding parcels within City limits are Planned Development District (PDD) within the Bahama Island PDD and R-1B (pending second reading on January 3); adjacent unincorporated county parcels are zoned General Residential (GR-14) and Commercial Forest Agriculture (CFA). Upon annexation, the parcel would be designated PDD per Exhibit A: Zoning Map (Z-21-32), prepared by the City of North Myrtle Beach Planning & Development Department depicting the annexation boundary. A proposed ordinance has been attached for Council’s review.

Planning Commission Action:

The Planning Commission conducted a public hearing on December 21, 2021 and voted to recommend approval of the annexation and zoning designation, citing “C”, to recognize substantial change or changing conditions or circumstances in a particular locality.

Recommended Action:

Approve the proposed ordinance on second reading

Reviewed by Division 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 0.6 ACRES IDENTIFIED AS PIN 350-06-01-0139.**

WHEREAS, Wall Engineering, agent for the owner, has petitioned the City of North Myrtle Beach for annexation of 0.6 acres consisting of the following parcel PIN 350-06-01-0139 as referenced on Exhibit A: Zoning Map (Z-21-32), 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 Planned Development District (PDD) in the Bahama Island PDD upon annexation; and

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 parcel identified by PIN 350-06-01-0139 (the “Annexed Parcel”), consisting of approximately 0.6 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 Parcels are hereby designated and zoned as Planned Development District (PDD).

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2022.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

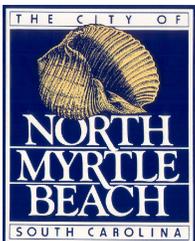
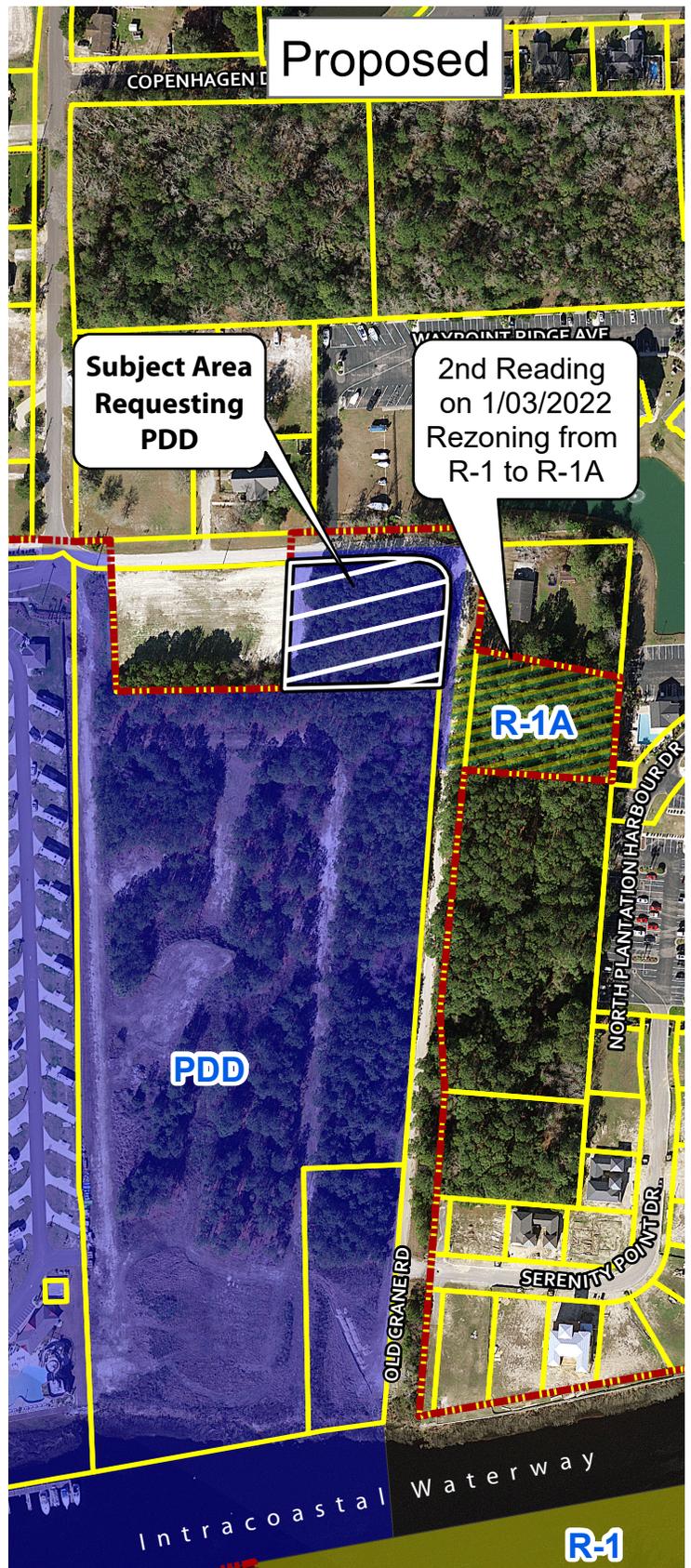
City Attorney

REVIEWED:

City Manager

FIRST READING: 1.3.2022
SECOND READING: 2.7.2022

ORDINANCE: 22-03



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Legend

-  Subject Area
-  North Myrtle Beach City Limit
- ZONING

 PDD
-  R-1
-  R-1A



Exhibit A: Zoning Map (Z-21-32)

Date: 12/14/2021
Author: Dawn E. Snider

5A. ANNEXATION & ZONING DESIGNATION Z-21-32: City staff received a petition to annex lands on Old Crane Road totaling ±0.6 acres and identified by PIN 350-06-01-0139. 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 Planned Development District (PDD) and will be heard concurrently.

Applicant:

Wall Engineering, authorized agent for the owner, has petitioned the City of North Myrtle Beach for annexation of ±0.6 acres of property. The petition also reflects the requested City of North Myrtle Beach zoning district of Planned Development District (PDD) into the Bahama Island PDD. The parcel would be added as Phase 1C of the NMB RV Resort and Dry Dock, a continuation of the RV and campground uses operating in Phase 1 and 1B.

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 Commercial Forest Agriculture (CFA) under Horry County jurisdiction. Located on Old Crane Road, the parcel is vacant and undeveloped. Surrounding parcels within City limits are Planned Development District (PDD) within the Bahama Island PDD and R-1B (pending second reading on January 3); adjacent unincorporated county parcels are zoned General Residential (GR-14) and Commercial Forest Agriculture (CFA).

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, PDD, is not a recommended zoning district within the Compliance Index for any future land use. However, it is noted that the development of the NMB RV Resort has brought changing conditions to the area.

- 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 PDD zoning is not consistent with the Residential Suburban land use classification found in the *2018 Comprehensive Plan*. However, the PDD zoning is consistent with the immediately adjacent Bahama Island PDD.

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

The purpose of the PDD zoning district is, “To encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the provision of livable streets and utilities, to preserve the natural and scenic features of open areas, and to provide a flexible zoning management tool that meets the needs of integrated mixed-use developments in creative arrangements. This district is best suited to areas where “Planned Development District” is a superior response to less coordinated development, as permitted elsewhere by this chapter. It is also an appropriate response in relatively large areas undergoing redevelopment.”

The uses permitted in the PDD district would be appropriate in the area given the immediately adjacent Bahama Island PDD.

- 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:

Current public rights-of-way serve this area, though access to the parcel would need to come from within the existing NMB RV Resort.

- 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:

Water and sewer services are available to the parcel.

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 City Council at their next meeting scheduled for January 3, 2022. Should the Planning Commission desire to forward a positive recommendation to 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-21-32] as submitted.

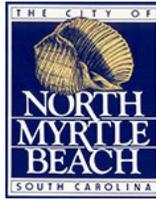
OR

- 2) I move that the Planning Commission recommend denial of the annexation and zoning petition [Z-21-32] as submitted.

OR

- 3) I move (an alternate motion).

FILE NUMBER:	Z-21-32
Complete Submittal Date:	October 26, 2021



Notice Published:	November 18, 2021
Planning Commission:	December 21, 2021
First Reading:	January 3, 2022
Second Reading:	February 7, 2022

City of North Myrtle Beach, SC

**Petition for Annexation &
Zoning**

GENERAL INFORMATION

Date of Request: October 26, 2021	Property PIN(S): 35006010139
Property Owner(s): Myrtle Beach Power Sports Inc	Type of Zoning Map Amendment: Petition for Annexation and Zoning
Address or Location: Old Crane Road	Project Contact: Amanda Elliott
Contact Phone Number: 843-488-4180	Contact Email Address: amanda@walleng.com
Current County Zoning: CFA	Proposed Zoning: PDD
Total Area of Property: 0.6 Acres	Approximate Population of Area to be Annexed: 0

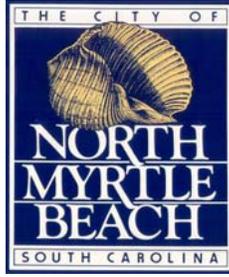
RECORDED COVENANT INFORMATION

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: Amanda Elliott

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.



CITY OF NORTH MYRTLE BEACH
LETTER OF AGENCY

Revision Date 05.24.19

Today's Date: 10/26/20

Nature of Approval Requested: Petition for Annexation and Zoning

Property PIN(s): 356006010139

Property Address/Location: Old Crane Road

I, **Kirk Hanna**, hereby authorize Wall Engineering (Amanda Elliott or Amber Wall)

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



Signature

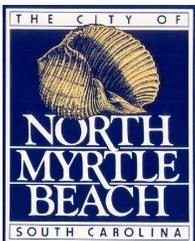
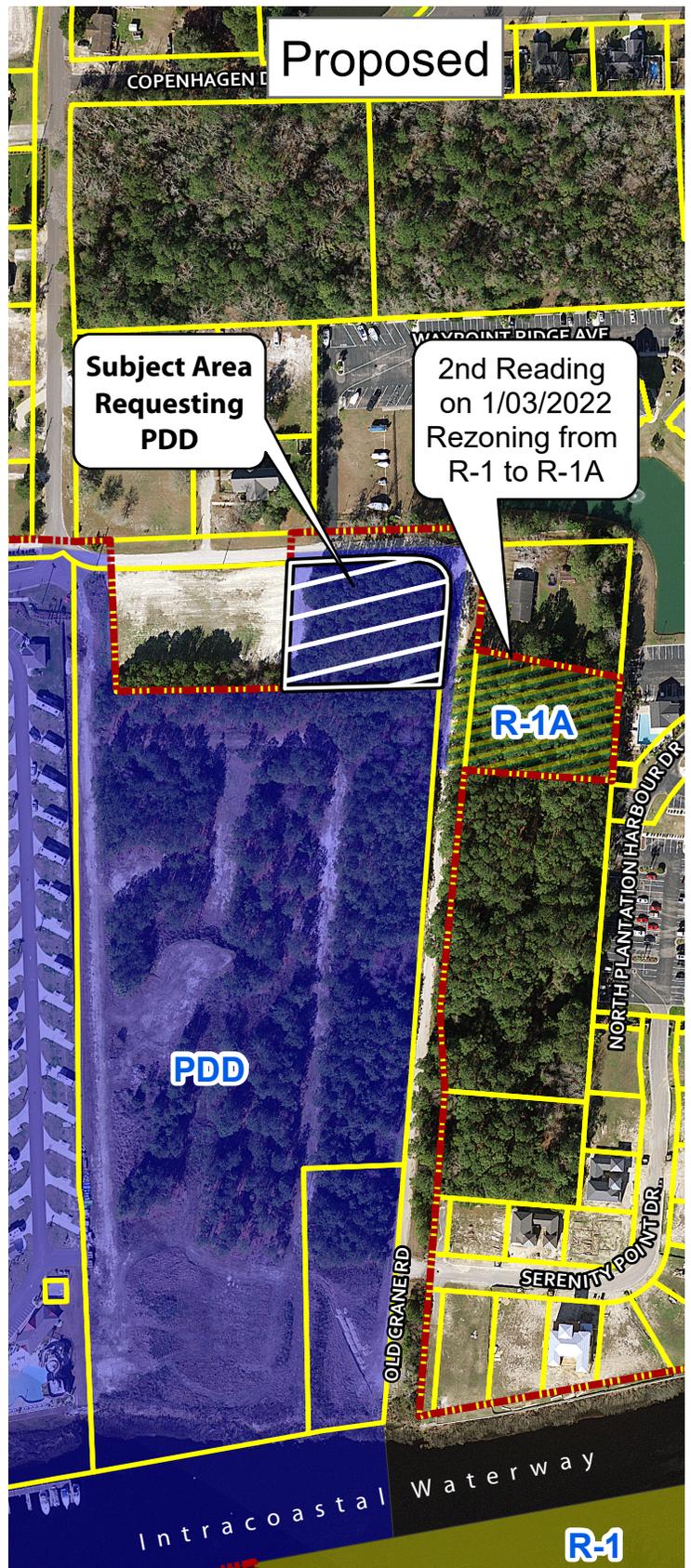
President

Title

Signature

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.



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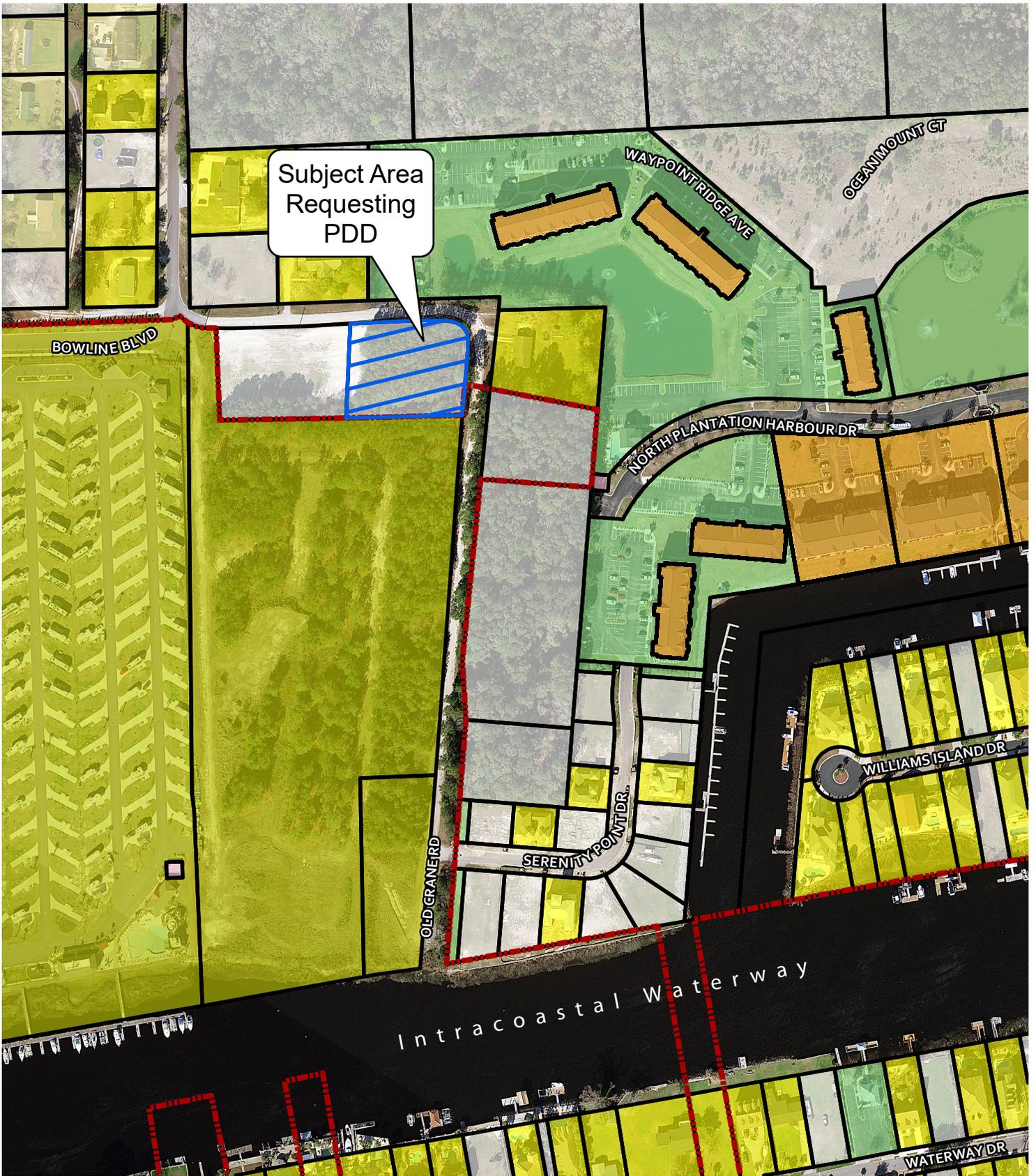
Legend

-  Subject Area
-  North Myrtle Beach City Limit
- ZONING**
-  PDD
-  R-1
-  R-1A



Exhibit A: Zoning Map (Z-21-32)

Date: 12/14/2021
Author: Dawn E. Snider



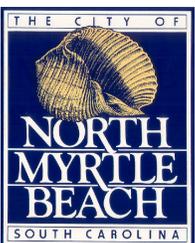
Subject Area
Requesting
PDD

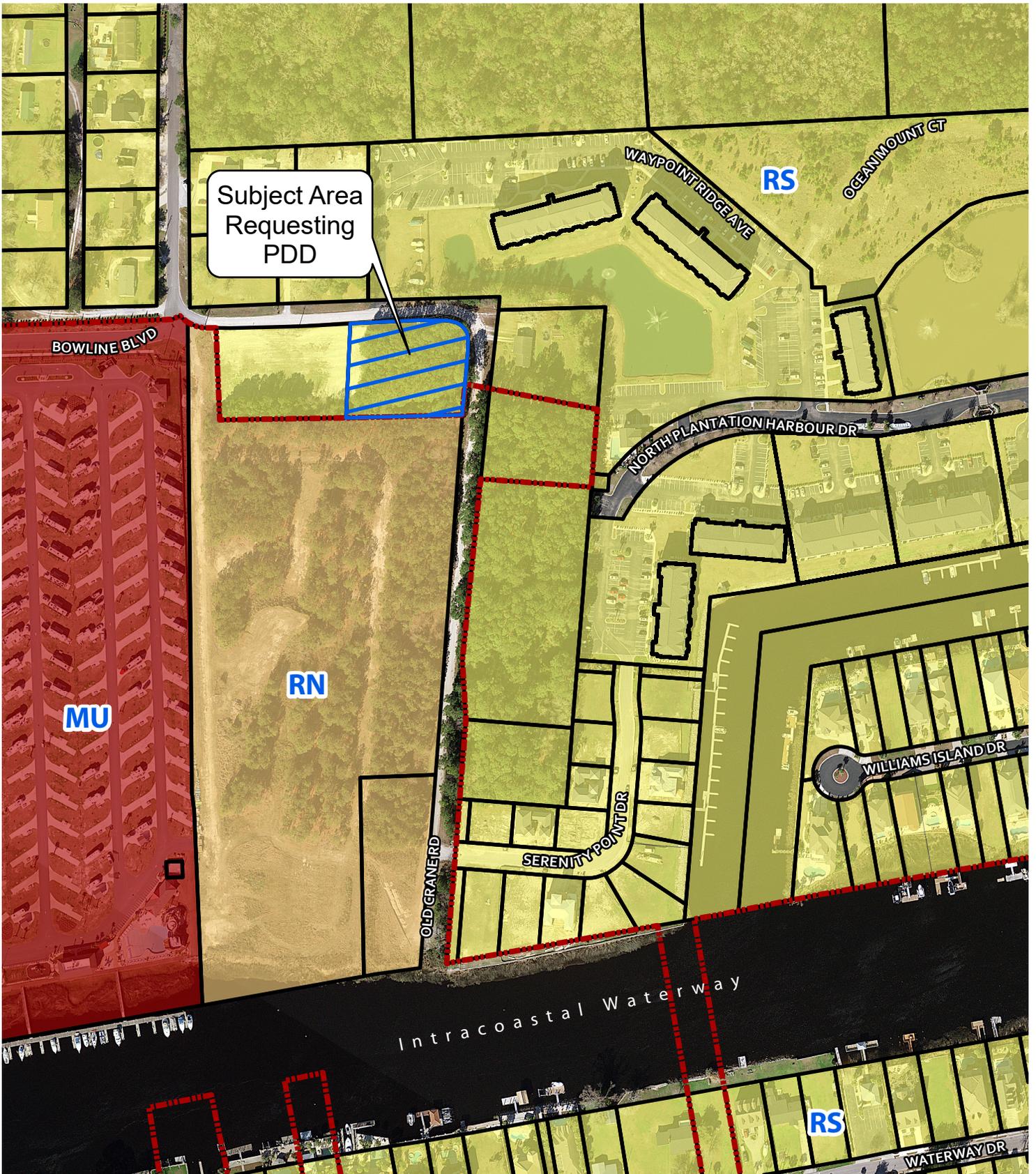
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-  Subject Area
-  North Myrtle City Limits
-  Existing Land Use: Multi-Family
-  Common Open Space
-  Public, Social, Cultural
-  Single-Family
-  Mobile Home
-  RV / Campground
-  Vacant



Existing Land Use Map (Z-21-32)





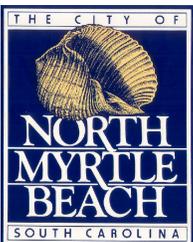
Subject Area
Requesting
PDD

Legend

-  Subject Area
-  North Myrtle City Limits

- Recommended Future Land Use Categories**
-  MU - Mixed Use

-  RS - Residential Suburban
-  RN - Residential Neighborhood



Future Land Use Map (Z-21-32)