

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: February 7, 2022

Agenda Item: 7C	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: New Business: Ordinance. First Reading	Date: February 2, 2022
Subject: Petition for annexation and zoning designation for 1.58 Acres on Champions Boulevard [Z-21-37]	Division: Planning and Development

Background:

The City of North Myrtle Beach has petitioned to annex approximately 1.58 acres of property located on Champions boulevard and identified by PIN 349-09-04-0002. The petition also reflects the requested City of North Myrtle Beach zoning district of General Commercial (GC). The subject area is identified as Conservation Community on the Future Land Use Map, and the request is not consistent with the comprehensive plan.

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 Champions Boulevard, the parcel is vacant and undeveloped. Surrounding parcels within City limits are Mid-Rise Multifamily Residential (R-2A), Single-Family Residential Low-Density (R-1), and GC; adjacent unincorporated county parcels are zoned CFA. Upon annexation, the parcel would be designated GC as per Exhibit A: Zoning Map (Z-21-37), 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.

Planning Commission Action:

The Planning Commission conducted a public hearing on January 4, 2022 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. There was no public comment.

Recommended Action:

Approve the proposed ordinance on first reading

Reviewed by Division Head	Reviewed by 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
ANNEXING 1.58 ACRES IDENTIFIED AS PIN 349-09-04-0002.**

WHEREAS, the City of North Myrtle Beach, owner, has petitioned the City of North Myrtle Beach for annexation of 1.58 acres consisting of the following parcel PIN 349-09-04-0002 as referenced on Exhibit A: Zoning Map (Z-21-37), 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 General Commercial (GC) 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 parcel identified by PIN 349-09-04-0002 (the “Annexed Parcel”), consisting of approximately 1.58 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 General Commercial (GC).

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

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

FIRST READING: 2.7.2022

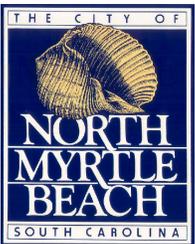
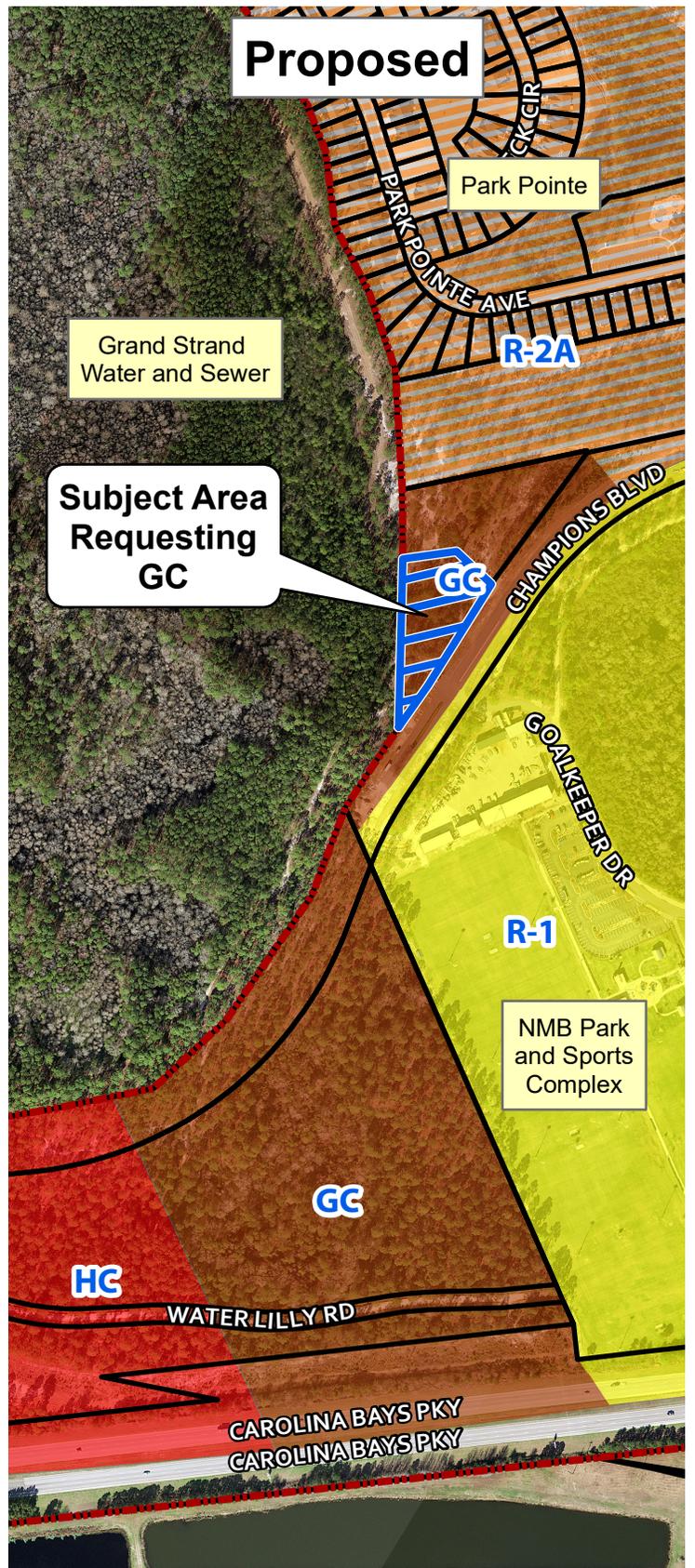
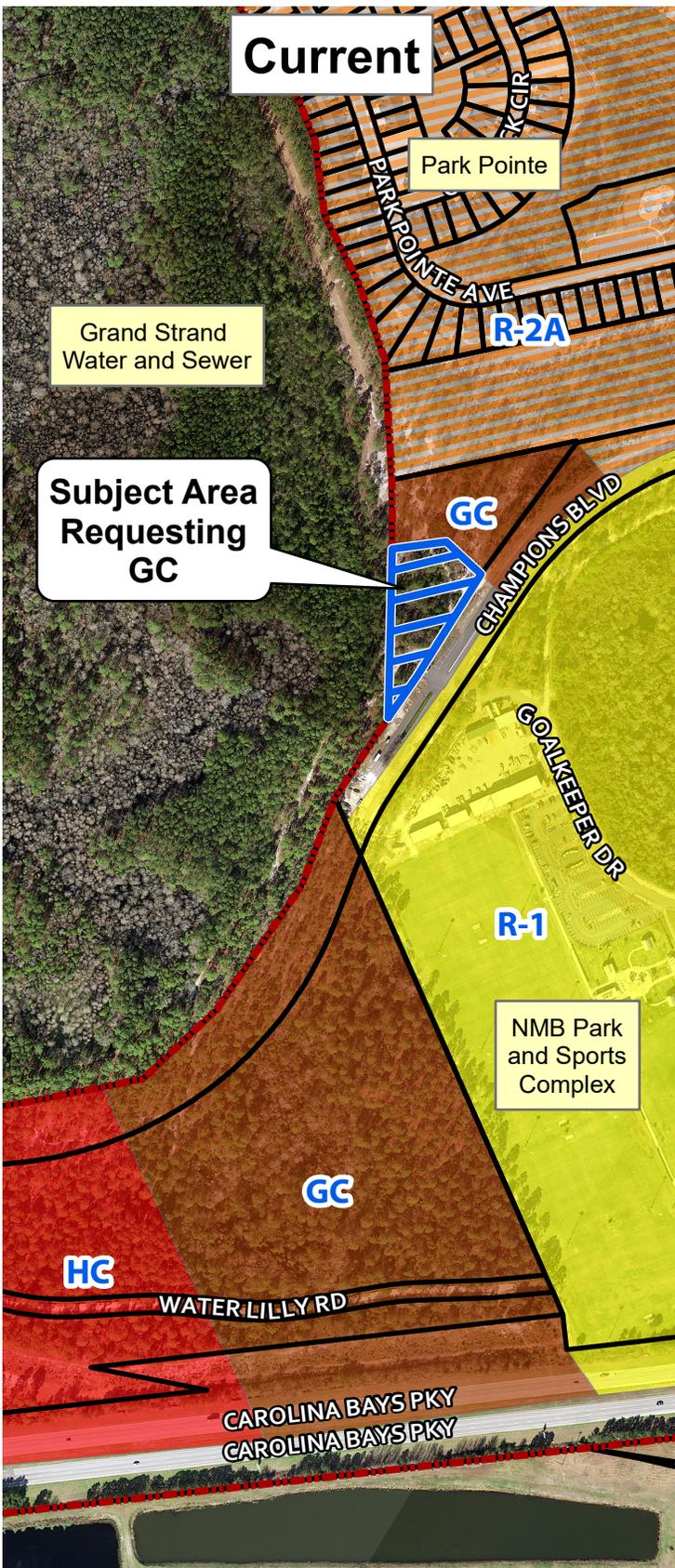
SECOND READING: _____

City Attorney

REVIEWED:

ORDINANCE: _____

City Manager



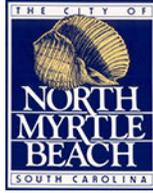
- Subject Area
- North Myrtle City Limits

Legend

- | | | |
|--------|----|------|
| ZONING | HC | R-2A |
| | GC | R-1 |



Exhibit A: Zoning Map (Z-21-35)



PLANNING COMMISSION MEETING AGENDA
Tuesday, January 4, 2022 – 5:00 P.M.
Morning Workshop 9:15 A.M.
1018 Second Avenue South - North Myrtle Beach, SC

1. CALL TO ORDER
2. ROLL CALL
3. COMMUNICATIONS
4. APPROVAL OF MEETING MINUTES: December 21
5. OLD BUSINESS
6. NEW BUSINESS
 - A. **REZONING REQUEST Z-21-36:** The Planning & Development Department received an application requesting a rezoning of one (1) lot containing ±8.9 acres and identified by PIN 350-16-02-0001 located off Westport Drive from Highway Commercial (HC) and Mobile/Manufactured Home Residential (R-3) to Mid-Rise Multifamily Residential (R-2A).
 - B. **ANNEXATION & ZONING DESIGNATION Z-21-37:** City staff received a petition to annex lands on Champions Boulevard totaling ±1.58 acres and identified by PIN 349-09-04-0002. 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 General Commercial (GC) and will be heard concurrently.
7. ADJOURNMENT

Respectfully submitted,

Aaron C. Rucker, AICP
Principal Planner

Notice to the Public of Rights under Title VI

- The City of North Myrtle Beach operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of North Myrtle Beach. Complaints must be filed within 180 days of the alleged discriminatory act.
- If information is needed in another language, contact (843)280-5555.
- ~Si se necesita *información en otro idioma llame al (843)280-5555.*

ANYONE WHO REQUIRES AN AUXILIARY AID OR SERVICE FOR EFFECTIVE COMMUNICATION OR PARTICIPATION SHOULD CONTACT 843-280-5555 AS SOON AS POSSIBLE, BUT NO LATER THAN 48 HOURS BEFORE THE SCHEDULED EVENT.

6B. ANNEXATION & ZONING DESIGNATION Z-21-37: City staff received a petition to annex lands on Champions Boulevard totaling ±1.58 acres and identified by PIN 349-09-04-0002. 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 General Commercial (GC) and will be heard concurrently.

Applicant:

The City of North Myrtle Beach recently acquired and has applied for the annexation of ±1.58 acres of property. The petition also reflects the requested City of North Myrtle Beach zoning district of General Commercial (GC). After annexation, the parcel would be combined into the adjacent city-owned parcel serving as the future site of the Emergency Operation Center (EOC) and Fire Station 6.

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 Champions Boulevard, the parcel is vacant and undeveloped. Surrounding parcels within City limits are Mid-Rise Multifamily Residential (R-2A), Single-Family Residential Low-Density (R-1), and GC; adjacent unincorporated county parcels are zoned CFA.

Proposed GC Zoning:

	Hotels, Motels, Resort Accommodations	All other uses ¹
Minimum Site Area (square feet)	40,000	20,000
Minimum Lot Width	200 feet	100 feet
Minimum Yards:	Front	50 feet
	Side	20 feet
	Rear	20 feet
Maximum Impervious Surface Ratio	80%	90%
Maximum Height of Structures	50 feet	50 feet

Notes: ¹Reference Article VII. General Supplemental, Developments of Regional Significance, for guideline and standards affecting gross retail square footage of seventy-five thousand (75,000) square feet or greater.

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 Conservation Community as the land use class for the subject area. There are no permitted or explicitly defined land uses for this land use class. There are no recommended primary or secondary zoning districts for this land use class; the plan refers to a future zoning district that has not yet been created.

The proposed zoning designation, GC, is not a recommended zoning district within the Compliance Index for the Conservation Community land use classification. However, it is noted that the future planned EOC/Fire Station #6 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 Conservation Community future land use classification as follows: This classification is intended to provide an alternative type of development that preserves undisturbed natural areas, creates common open spaces, and has a light impact on the environment. It is ideally applied to undeveloped greenfield land that may be adjacent to sensitive environmental areas like wetlands and waterways.

The proposed GC zoning is not consistent with the Conservation Community 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 GC zoning district is, “To allow a variety of commercial uses attractive to the traveling public in close proximity to the Main Street Connector. Access and other area suitable for less intense commercial to properties should be from major thoroughfares with little impact on residentially zoned properties.”

The uses permitted in the GC district would be appropriate in the area given the proximity to the Main Street Connector and the immediately adjacent Sports Park and planned EOC/Fire Station #6.

- 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.

- 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 February 7, 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-21-37] as submitted.

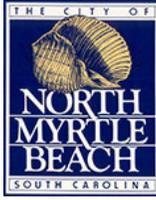
OR

- 2) I move that the Planning Commission recommend denial of the annexation and zoning petition [Z-21-37] as submitted.

OR

- 3) I move (an alternate motion).

FILE NUMBER:	Z-21-37
Complete Submittal Date:	December 9, 2021



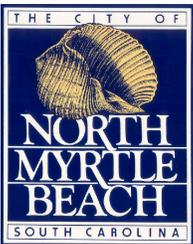
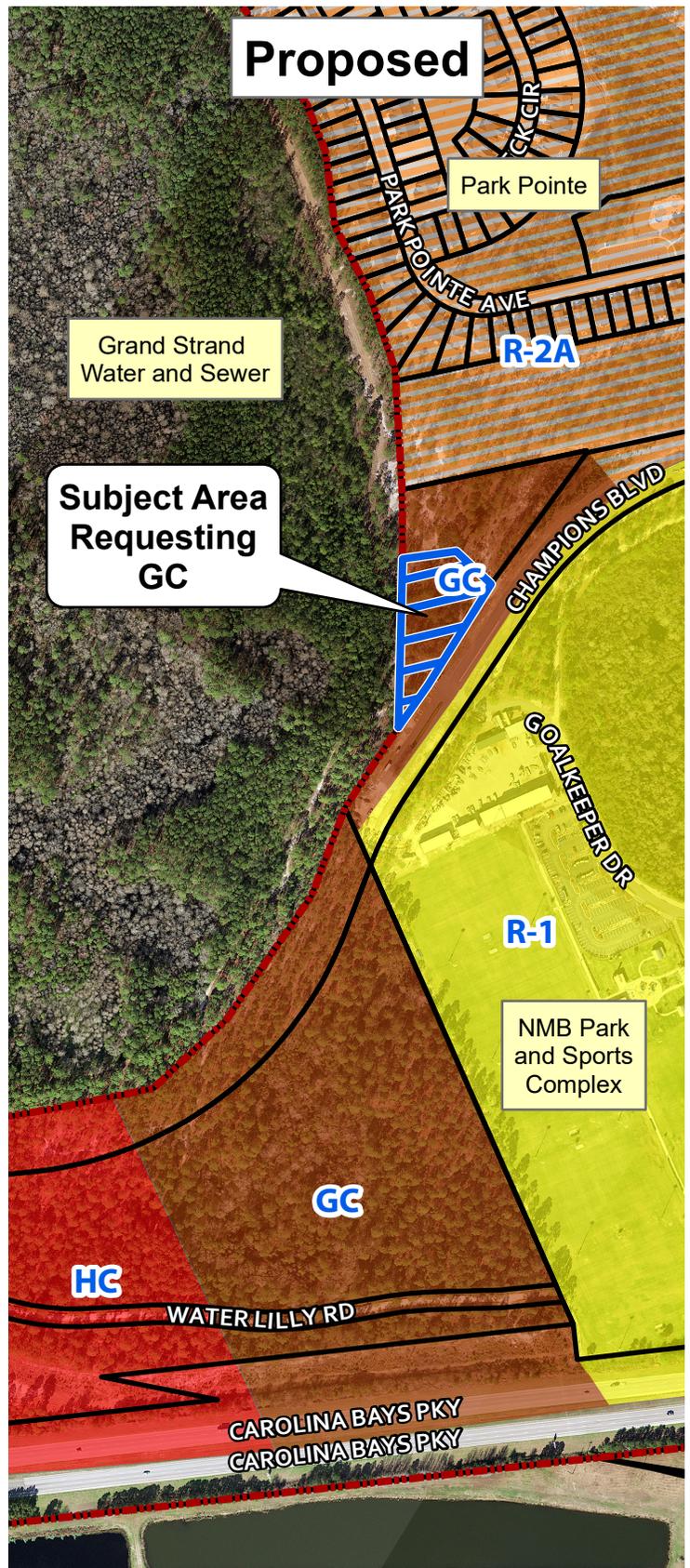
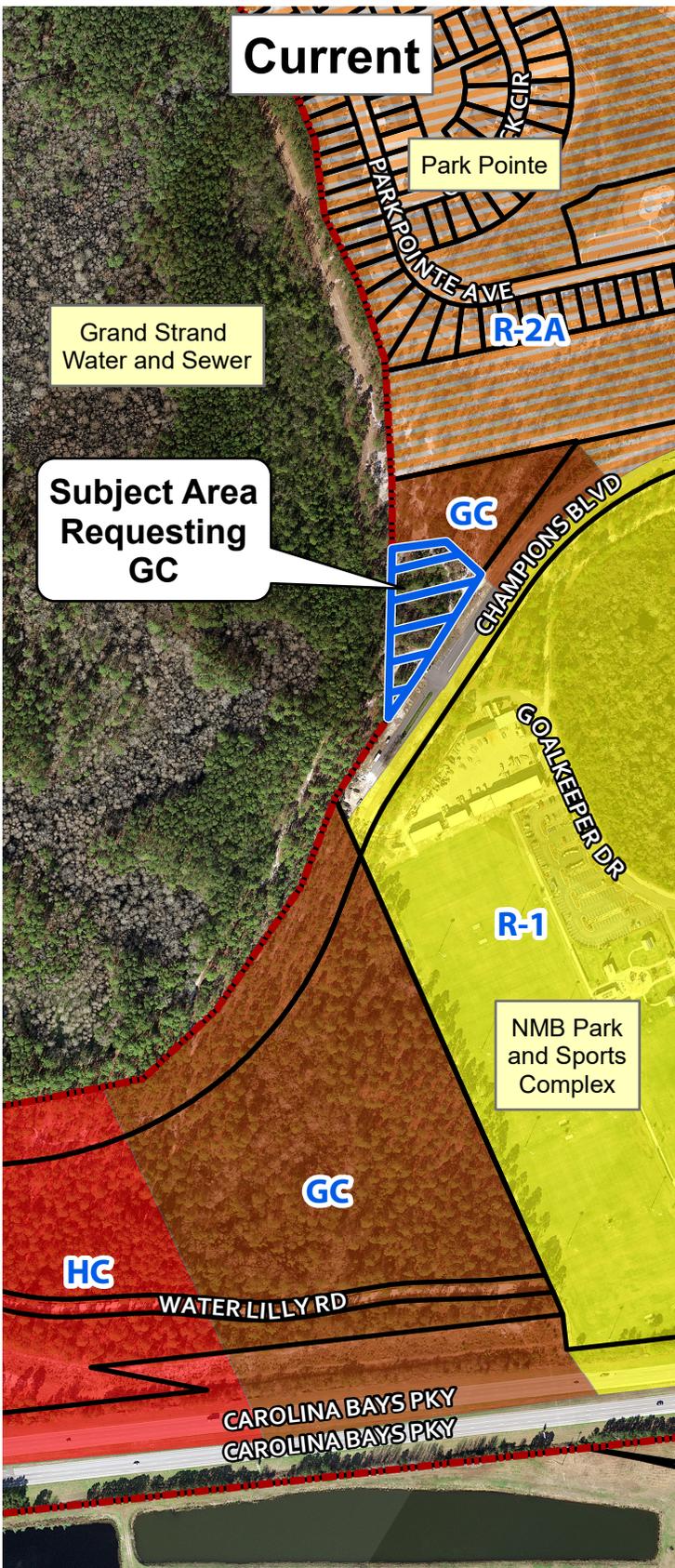
Notice Published:	December 16, 2021
Planning Commission:	January 4, 2022
First Reading:	February 7, 2022
Second Reading:	February 21, 2022

City of North Myrtle Beach, SC

Petition for Annexation & Zoning

GENERAL INFORMATION	
Date of Request: December 9, 2021	Property PIN(S): 34909040002
Property Owner(s): CITY OF NORTH MYRTLE BEACH	Type of Zoning Map Amendment: Petition for Annexation and Zoning
Address or Location: Champions Blvd	Project Contact: Suzanne Pritchard
Contact Phone Number: 8432805572	Contact Email Address: lspritchard@nmb.us
Current County Zoning: CFA	Proposed Zoning: GC
Total Area of Property: 1.58 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). <i>Applicant's E-signature: <u>Suzanne Pritchard</u></i>	
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

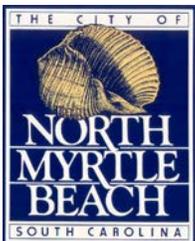
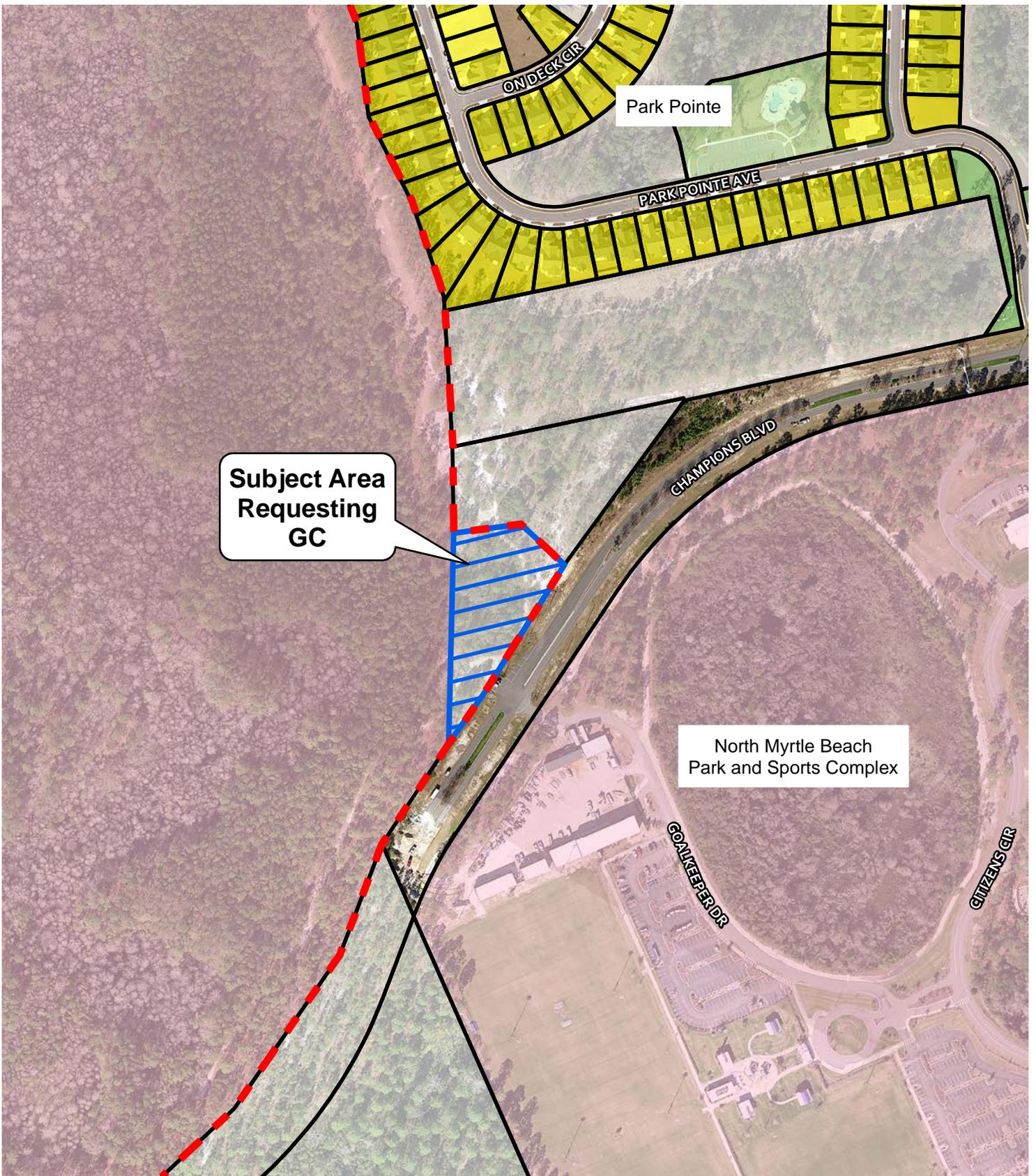


Legend

- Subject Area
- ZONING HC
- North Myrtle City Limits
- GC
- R-2A
- R-1



Exhibit A: Zoning Map (Z-21-35)



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Legend

-  North Myrtle City Limits
-  Subject Area

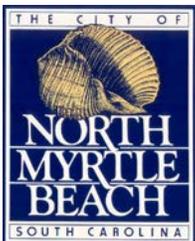
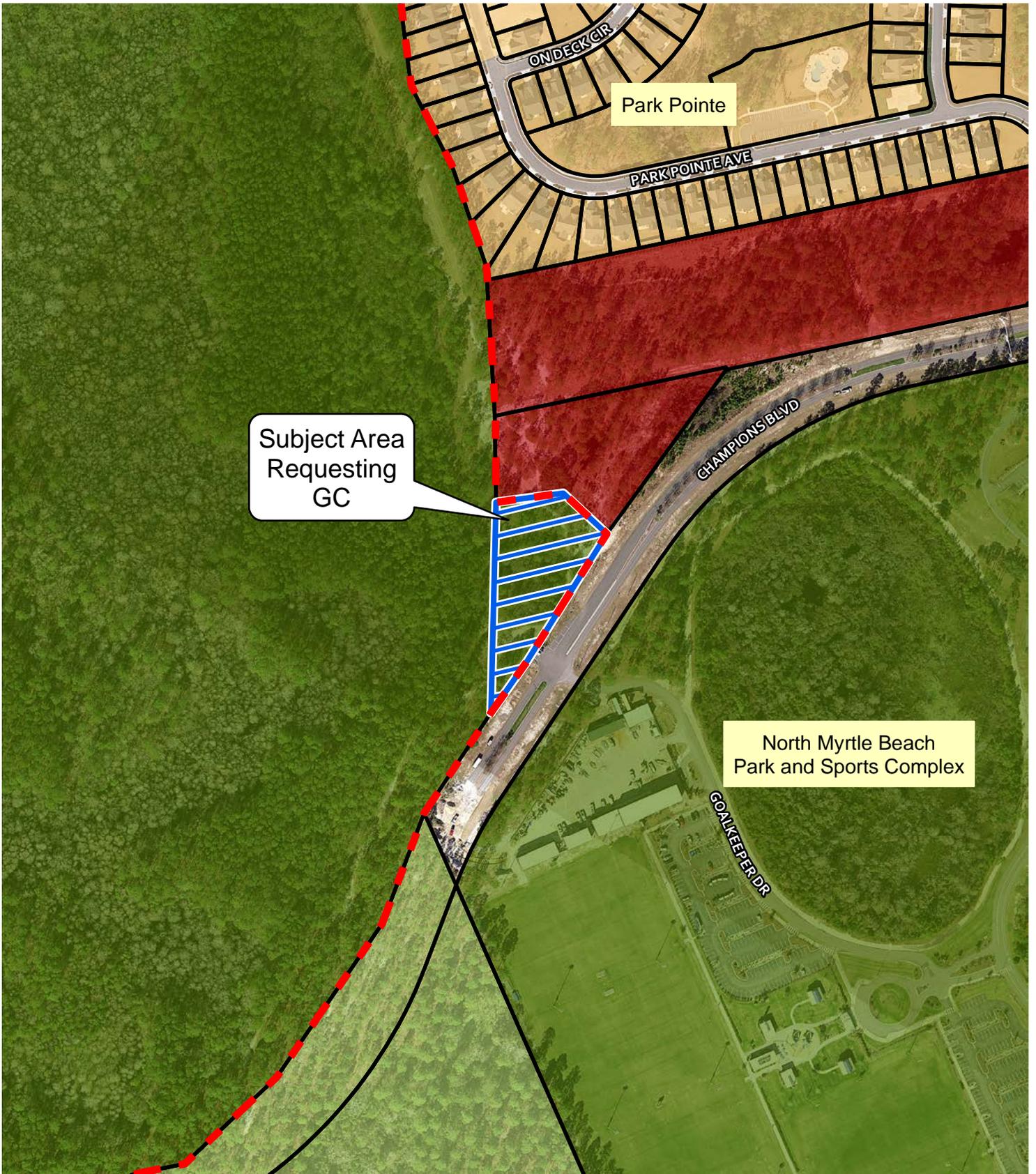
- Existing Land Use**
-  Amenity Area
 -  Common Open Space

-  Public, Social, Cultural
-  Single-Family
-  Vacant



Existing Land Use Map (Z-21-37)

Date: 12/29/2021
Author: Dawn E. Snider



Path: M:\2021\2021-65 Z-21-37\2021-65 Z-21-37 FLU.mxd

Legend

-  North Myrtle City Limits
-  Subject Area

Recommended Future Land Use Categories

 CC - Conservation Community

 RPC - Resource, Protection, Conservation

 MU - Mixed Use

 RN - Residential Neighborhood



Future Land Use Map (Z-21-37)

Date: 12/29/2021
Author: Dawn E. Snider