

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: December 5, 2022

Agenda Item: 7L	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: New Business: Ordinance. First Reading	Date: November 30, 2022
Subject: Amendments to Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina regarding minimum site dimensions mobile/manufactured homes [ZTX-22-6]	Division: Planning and Development

Background:

All residential zoning districts propose minimum standards and dimensions. The Mobile/Manufactured Home Residential District (R-3) is the only district that strictly states the dimensions for site width and depth. Local mobile home park operators have expressed that these minimum dimensions do not allow flexibility in site layout when dealing with strangely shaped sites or areas of sites.

Proposal:

Staff is proposing a text amendment to the Zoning Ordinance removing the minimum site width and depth for mobile home sites but maintaining the minimum site size. A proposed ordinance has been attached for Council's review.

Planning Commission Action:

The Planning Commission conducted a public hearing on November 15, 2022 and voted unanimously to recommend approval to City Council as submitted. There was no public comment.

Action:

Approve or deny 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
PROVIDING THAT THE CODE OF ORDINANCES,
CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA,
BE AMENDED BY REVISING CHAPTER 23, ZONING, ARTICLE
II. – ZONING DISTRICTS AND DEVELOPMENT
REGULATIONS, § 23-21. – R-3 MOBILE/MANUFACTURED
HOME RESIDENTIAL DISTRICT 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 *Section 23-21. - R-3 Mobile/Manufactured Home Residential District*, be amended to read as follows (*new matter underlined, deleted matter struck-through*):

Sec. 23-21. - R-3 Mobile/Manufactured Home Residential District.

(1) *Purpose*: The purpose of this district is to provide for areas within the city where mobile/manufactured homes may be located in harmony with other single-and two-family dwellings—to provide for a full range of housing alternatives to meet buyer demands. Also, this district is designed to separate incompatible uses and eliminate the blighting effect of incompatibility.

(2) *Permitted uses*: Within the R-3 District, a building or lot shall be used only for the following purposes:

(a) Dwellings: single-family detached, semidetached, and duplex dwellings.

(b) Mobile/manufactured homes on individual lots, provided:

1. Such uses shall be used only for residential purposes; and
2. No more than one (1) mobile/manufactured home shall occupy a lot; and
3. The wheels and tongue for transporting such uses shall be removed; and
4. Such uses shall be placed on a permanent brick, permanent block or other concrete reinforced foundations, and shall be underpinned with brick, concrete block, or continuous aluminum or fiberglass skirting extending to the ground around the perimeter of the dwelling and shall be anchored.

(c) Mobile/manufactured home parks, provided:

1. That the application for amendment or permit shall be made by the park owner or manager and shall be accompanied by a site plan showing the proposed project. The site plan shall be presented in accord with applicable site plan exhibit requirements for a PUD.
2. The minimum park size shall be five (5) acres.
3. The maximum number of mobile/manufactured homes per acre shall not exceed ten (10).

4. Standards of mobile home sites: Within mobile/manufactured home parks individual mobile/manufactured home sites shall meet the following minimum requirements:

a. Each site shall have minimum size of four thousand (4,000) square feet;

~~b. Minimum site width shall be forty (40) feet;~~

~~c. Minimum site depth shall be sixty (60) feet;~~

~~d. b.~~ In addition, twelve and five-tenths (12.5) percent of the park area shall be reserved as open space and developed in accordance with the requirements of section 23-109.

~~e. c.~~ Sites shall be occupied only by mobile/manufactured homes. Recreational vehicles are not a permitted use in mobile home parks.

5. Separation requirements:

a. The placement of mobile/manufactured homes on a site within a park shall allow at least fifteen (15) feet of unobstructed open space between mobile/manufactured homes. Such open space shall not be occupied by any accessory structures such as carports or porches attached to the unit. One (1) set of unenclosed stairs, not exceeding three (3) feet in width; and/or one HVAC unit may be located within the required separation between units. If the construction of additional rooms or covered areas is allowed, the mobile/manufactured home site shall be made wider to accommodate such construction and maintain the required fifteen-foot separation. Such changes shall be noted on the site plan of the mobile/manufactured home park.

b. Accessory structures may be permitted if they are at least five (5) feet from any mobile home and twenty (20) feet from any common building within the park. These structures are subject to the standards for accessory structures in section 23-107.

c. Twenty-foot setback required between any mobile/manufactured home and any park property line.

d. Mobile/manufactured homes shall be at least forty (40) feet from the center line of roadways within the park; at least thirty-five (35) feet from the right-of-way line for any streets adjacent to the park boundary.

6. Buffer strip: An evergreen buffer strip, not less than ten (10) feet in width, shall be planted along the perimeter of any mobile/manufactured home park. Planting required within this buffer strip shall be the same as required for rear yards with street frontage (section 23-58(2)(d), (e)).

7. Parking spaces shall be paved, properly marked and lighted; and shall comply with requirements of sections 23-41 through 23-43.

8. Concrete curbs or other appropriate car stops shall be installed at the end of all "head-in" parking bays which are not "drive-through" type.

9. Roadways, which are not to be dedicated as public streets, shall be allowed subject to section 23-116.

10. All roadways shall be constructed in accordance with the design standards in Appendix A of the Land Development Regulations.

11. No access roadway to a mobile/manufactured home park shall be located closer than two hundred (200) feet to any public street intersection.

12. All roadway intersections shall be provided with a ~~street light~~ streetlight and shall not be less than two hundred (200) feet apart.

13. A valid permit from SC D.H.E.C. for proposed park.

14. Compliance with all other applicable city codes.

15. A preexisting mobile/manufactured home park which does not comply with these requirements shall be considered nonconforming. Future expansion or alteration is subject to Article VIII of the Zoning Ordinance.

(d) Neighborhood and community parks and centers, golf courses and similar outdoor uses, but not lighted for night use.

(e) Publicly owned recreational facilities.

(f) Churches or similar places of worship, including parish houses, parsonages, and ~~child-care~~ childcare centers when accessory thereto.

(g) Recreational vehicle parks and campgrounds, provided they meet the site plan requirements for mobile home parks (subsections (c)1, ~~(c)4b, c and d,~~ (c)9, (c)10, (c)11 and (c)13). Recreational vehicles are allowed only in recreational vehicle parks or campgrounds. Each site shall have minimum size of 2,400 square feet.

(h) Accessory uses.

(i) Home occupations.

(j) Family day care homes.

(k) Signs permitted by and in accord with all applicable provisions of Article III.

(3) *Development standards:*

		Single-family Detached Residence	Mobile Homes on Individual Lots	Duplexes	Semi-detached Dwelling	Other Permitted Uses
Minimum lot area per project (square feet)		5,000	5,000	7,000	7,000	5,000
Minimum lot area per DU (square feet)		5,000	5,000	3,500	3,500	NA
Minimum lot width		50 feet	50 feet	55 feet	35 feet	NA
Minimum yards:	Front	20 feet	20 feet	20 feet	20 feet	20 feet
	Side	7.5 feet	7.5 feet	7.5 feet	7.5 feet ¹	20 feet

	Rear	10 feet	10 feet	10 feet	10 feet	30 feet
Maximum impervious surface ratio		50%	50%	60%	60%	60%
Maximum height:	35 feet for residential uses, 5 feet for accessory uses and, 45 feet for all other uses.					

A dwelling unit shall not contain more than five (5) bedrooms or sleeping areas of not more than three hundred (300) square feet each.

Notes:

¹ A seven-and-one-half-foot setback shall be applied to the ends of the structure and the exterior property lines, and zero (0) setback shall be allowed for the common interior property line.

(4) *Special exceptions:* Owing to their potential negative impact, noncommercial marinas may be approved as special exceptions by the board of zoning appeals, subject to the siting standards of section 23-120.

(5) *Off-street parking:* Off-street parking [requirements] for the various uses permitted herein are set forth in article IV of this chapter.

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 _____, 2022.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: 12.5.2022

SECOND READING: _____

REVIEWED:

City Manager

ORDINANCE: _____

6F. ZONING ORDINANCE TEXT AMENDMENT ZTX-22-6: City staff has initiated an amendment to the zoning ordinance revising the required site dimensions for mobile/manufactured homes.

Background:

All residential zoning districts propose minimum standards and dimensions. The Mobile/Manufactured Home Residential District (R-3) is the only district that strictly states the dimensions for site width and depth. Local mobile home park operators have expressed that these minimum dimensions do not allow flexibility in site layout when dealing with strangely shaped sites or areas of sites. Staff is proposing a text amendment to the Zoning Ordinance removing the minimum site width and depth for mobile home sites but maintaining the minimum site size.

Proposed Changes:

The proposed amendment addresses a section in *Chapter 23, Zoning, Article II. – Zoning Districts and Development Regulations, Sec. 23-21. - R-3 Mobile/Manufactured Home Residential District*, and would appear in the Ordinance as follows (new matter underlined, deleted matter struck):

Sec. 23-21. R-3 Mobile/Manufactured Home Residential District.

(1) *Purpose:* The purpose of this district is to provide for areas within the city where mobile/manufactured homes may be located in harmony with other single-and two-family dwellings—to provide for a full range of housing alternatives to meet buyer demands. Also, this district is designed to separate incompatible uses and eliminate the blighting effect of incompatibility.

(2) *Permitted uses:* Within the R-3 District, a building or lot shall be used only for the following purposes:

(a) Dwellings: single-family detached, semidetached, and duplex dwellings.

(b) Mobile/manufactured homes on individual lots, provided:

1. Such uses shall be used only for residential purposes; and
2. No more than one (1) mobile/manufactured home shall occupy a lot; and
3. The wheels and tongue for transporting such uses shall be removed; and
4. Such uses shall be placed on a permanent brick, permanent block, or other concrete reinforced foundations, and shall be underpinned with brick, concrete block, or continuous aluminum or fiberglass skirting extending to the ground around the perimeter of the dwelling, and shall be anchored.

(c) Mobile/manufactured home parks, provided:

1. That the application for amendment or permit shall be made by the park owner or manager and shall be accompanied by a site plan showing the proposed project. The site plan shall be presented in accord with applicable site plan exhibit requirements for a PUD.
2. The minimum park size shall be five (5) acres.
3. The maximum number of mobile/manufactured homes per acre shall not exceed ten (10).
4. Standards of mobile home sites: Within mobile/manufactured home parks individual mobile/manufactured home sites shall meet the following minimum requirements:
 - a. Each site shall have minimum size of four thousand (4,000) square feet;
 - ~~b. Minimum site width shall be forty (40) feet;~~

~~c.~~ Minimum site depth shall be sixty (60) feet;

~~d.~~ b. In addition, twelve and five-tenths (12.5) percent of the park area shall be reserved as open space and developed in accordance with the requirements of section 23-109.

~~e.~~ c. Sites shall be occupied only by mobile/manufactured homes. Recreational vehicles are not a permitted use in mobile home parks.

5. Separation requirements:

a. The placement of mobile/manufactured homes on a site within a park shall allow at least fifteen (15) feet of unobstructed open space between mobile/manufactured homes. Such open space shall not be occupied by any accessory structures such as carports or porches attached to the unit. One (1) set of unenclosed stairs, not exceeding three (3) feet in width; and/or one HVAC unit may be located within the required separation between units. If the construction of additional rooms or covered areas is allowed, the mobile/manufactured home site shall be made wider to accommodate such construction and maintain the required fifteen-foot separation. Such changes shall be noted on the site plan of the mobile/manufactured home park.

b. Accessory structures may be permitted if they are at least five (5) feet from any mobile home and twenty (20) feet from any common building within the park. These structures are subject to the standards for accessory structures in section 23-107.

c. Twenty-foot setback required between any mobile/manufactured home and any park property line.

d. Mobile/manufactured homes shall be at least forty (40) feet from the center line of roadways within the park; at least thirty-five (35) feet from the right-of-way line for any streets adjacent to the park boundary.

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10. All roadways shall be constructed in accordance with the design standards in Appendix A of the Land Development Regulations.

11. No access roadway to a mobile/manufactured home park shall be located closer than two hundred (200) feet to any public street intersection.

12. All roadway intersections shall be provided with a ~~street light~~ streetlight and shall not be less than two hundred (200) feet apart.

13. A valid permit from SC D.H.E.C. for proposed park.

14. Compliance with all other applicable city codes.

15. A preexisting mobile/manufactured home park which does not comply with these requirements shall be considered nonconforming. Future expansion or alteration is subject to Article VIII of the Zoning Ordinance.

(d) Neighborhood and community parks and centers, golf courses and similar outdoor uses, but not lighted for night use.

(e) Publicly owned recreational facilities.

(f) Churches or similar places of worship, including parish houses, parsonages, and child care centers when accessory thereto.

(g) Recreational vehicle parks and campgrounds, provided they meet the site plan requirements for mobile home parks (subsections (c)1, ~~4a and 4b, c and d~~, (c)9, (c)10, (c)11 and (c)13). Recreational vehicles are allowed only in recreational vehicle parks or campgrounds.

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Minimum lot width	50 feet	50 feet	55 feet	35 feet	NA
Minimum yards:	Front	20 feet	20 feet	20 feet	20 feet
	Side	7.5 feet	7.5 feet	7.5 feet ¹	20 feet
	Rear	10 feet	10 feet	10 feet	30 feet
Maximum impervious surface ratio	50%	50%	60%	60%	60%
Maximum height:	35 feet for residential uses, 5 feet for accessory uses and 45 feet for all other uses.				

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(5) Off-street parking: Off-street parking [requirements] for the various uses permitted herein are set forth in article IV of this chapter.

According to § 23-4, *Amendments*, of the Zoning Ordinance, the advertisement requirement for Zoning Ordinance amendments is 15 days, and that advertisement notice has been met. The amendment is presented to the Planning Commission for a recommendation that will be forwarded to City Council at their next meeting scheduled for December 5, 2022.

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 forward the Zoning Ordinance Text Amendment [ZTX-22-6] to the Mayor and City Council with a recommendation of approval.
OR
- 2) I move that the Planning Commission forward the Zoning Ordinance Text Amendment [ZTX-22-6] to the Mayor and City Council with a recommendation of denial.
OR
- 3) I move (an alternate motion).