

CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
MONDAY, October 5, 2015
A G E N D A

1. CALL TO ORDER: 7:00 p.m.

A. ROLL CALL

2. B. INVOCATION

C. PLEDGE OF ALLEGIANCE

3. MINUTES:

A. City Council Meeting of September 21, 2015.

4. COMMUNICATIONS:

A. Kitty D'Angelo, Coast RTA Board- Introduction of Brian Piascik

B. Monthly Reports are posted online at NMB.us

5. ANNOUNCEMENTS BY MAYOR AND CITY COUNCIL

6. CONSENT AGENDA:

A. ORDINANCE/SECOND READING: Ordinance to approve the sale of property to Santee Cooper and to authorize the City Manager to sign the documents necessary for the transaction

7. OLD BUSINESS:

A. ORDINANCE/ SECOND READING: A request to amend the Surf Estates Planned Development District

8. NEW BUSINESS:

A. ORDINANCE/ FIRST READING: An amendment to Chapter 20, Land Development Regulations to clarify when a financial guarantee may apply for final subdivision plats

B. ORDINANCE/ FIRST READING: An amendment to Chapter 20, Land Development Regulations to change the availability of the local street, 40 foot right-of-way (2 travel lanes, sidewalk, and landscaping) cross-section.

C. ORDINANCE/FIRST READING: An Amendment to the Land Development Regulations text to change the definition of a minor subdivision by including properties located in a flood zone.

D. RESOLUTION: Adoption of the North Myrtle Beach Hazard Mitigation Plan

9. PUBLIC COMMENT:

Please observe the rules. Public Comment is limited to 3 minutes and will be timed. A warning light for 30 seconds will appear.

10. ADJOURNMENT:

Prepared by: Mike Mahaney, City Manager

CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
Monday, September 21, 2015
Minutes

CALL TO ORDER 6:30 p.m.

Roll Call: The clerk called the roll

Marilyn Hatley, Mayor
Terry White
Bob Cavanaugh
Nicole Fontana
Fred Coyne
Hank Thomas
J.O. Baldwin

City Manager	Mike Mahaney
City Attorney	Chris Noury
City Clerk	Merideth Smith

Mayor Hatley called for a motion to go into Executive Session
Legal briefing regarding November 3, 2015 City Council Elections
Discussion concerning appointment to North Myrtle Beach Election Commission (Resignation of Susan Trexler)
Legal briefing regarding Pier View Motel
Motion made by Councilman White and seconded by Councilman Cavanaugh. Motion passed 7-0.
Council returned from Executive Session at 7:15p.m. Motion to adjourn Executive Session made by Councilman Cavanaugh and seconded by Councilman White. Motion passed 7-0. No votes were taken at Executive Session.

7:00 p.m.

The invocation was delivered by Dr. Jim Mezick

The Mayor led the Pledge of Allegiance

The Mayor called for a motion to approve the minutes of August 17, 2015 meeting. Councilman Cavanaugh requested a change to the minutes to reflect that he called for the Off Shore Drilling Resolution to be removed from the Consent Agenda because he felt the public in attendance could be informed about the Resolution. He felt that the minutes reflected his opposition to the Resolution which was not the case.

Motion to approve the minutes as corrected was made by Councilman Cavanaugh and seconded by Councilman Baldwin. Motion to approve passed 7-0.

COMMUNICATIONS:

- A. LONGEVITY AWARDS were presented to Sean Hoelscher-5 years, Joshua Kinney-5 years, Victoria Downey- 10 years, George Willard -15 years, and Brendon Bellamy- 20 years by the City Manager.
- B. Mayor Hatley read a Proclamation designating October 12-16, 2015 as First Book Week of Horry County. The Proclamation was accepted by Members of the Horry County Schools.
- C. Monthly Reports are posted online at NMB.us. There were no questions by Council on reports.

ANNOUNCEMENTS: Mayor Hatley welcomed Emma Scarborough a student attending the meeting for her civic class assignment to observe local government in action. Councilman Cavanaugh stated that an event held at the Sports Park for the American Legion was a good soft opening for the new Veteran's Memorial and was well attended.

CONSENT AGENDA:

Mayor Hatley called for a motion to remove Item D from Consent and place on new Business. The motion was made by Councilman Cavanaugh and seconded by Councilman Baldwin. Motion passed 7-0.

- A. ORDINANCE/ SECOND READING: An Ordinance to rezone two properties off Little River Neck Road near the City of North Myrtle Beach Water Tower from HC (Highway Commercial) to R-3 (Mobile Manufactured Home Residential)**
- B. ORDINANCE/ SECOND READING: An Ordinance to amend the Zoning Ordinance text to change the development standards for mixed use within the Highway commercial zoning district.**
- C. MOTION: Motion to appoint Mike Eddings to the North Myrtle Beach Election Commission**
- E. MOTION: Motion to approve the 2015 Endless Summer Festival**

OLD BUSINESS:

- A. ORDINANCE/ SECOND READING: An Ordinance to lease a portion of the Lake located at the Park and Sports Complex to Apex Wake Parks, LLC for the operation of a cable wake park amenity.**

The City Manager read the Ordinance by title.

Mayor Hatley called for a motion. The motion to approve was made by Councilman White and seconded by Councilman Thomas.

There was no public comment and the Mayor called for the vote. The motion passed 7-0.

8. NEW BUSINESS

A. PUBLIC HEARING: City of North Myrtle Beach Hazard Mitigation Plan

The Mayor opened the Public hearing.

Mr. Barry Williams consultant for the review was in attendance to answer questions concerning the plan. He stated that the review and meeting the standards will reduce the amount of insurance required by residents. The new FEMA maps have been done. The Committee will have final recommendations to present to the City Council.

There was no public comment and the Mayor closed the public Hearing.

B. ORDINANCE/ FIRST READING: A request to amend the North Beach Plantation Planned Development District Phase III Tower (Oceanfront Villas) within the "Oceanfront Towers (Applicant requests this be withdrawn from agenda)

Mayor Hatley called for a motion to remove from the agenda. The motion was made by Councilman White and seconded by Councilwoman Fontana. Motion passed 7-0.

C. ORDINANCE/ FIRST READING: A request to amend the Surf Estates Planned Development District

The City Manager read the Ordinance by title.

The Mayor called for a motion to approve. Motion made by Councilman Thomas and seconded by Councilwoman Fontana.

The Mayor opened the floor for discussion by Council.

Councilman Cavanaugh asked how many buildings can be done on this property or if this is the only one.

Director Wood stated that this was previously approved in the PDD original plan. The design has changed. The architecture was changed to reflect the PDD.

Council discussed the entrance shown on the renderings in front of the gas station. Council questioned the safety of this and asked why they could not use the existing entrances on each side of the property.

Director Wood explained that these are right in and right out only. Traffic flow around the building for the drive through would not work without these exits.

Director Blayton stated that these distances between the existing entrances and this planned entrance and exit are more than required by SCDOT.

Mayor Hatley stated that even though this is more than DOT requires it can be restructured because it is PDD.

Director Blayton stated that the existing roads in the PDD would have to be widened and another lane added to accommodate the traffic from this building.

The Mayor asked if any public attended the Planning Commission meeting.

Director Wood stated that no one attended and they have not gotten any objections from residents.

Council commented that they did not like the design of the building. The applicant was in attendance and he stated that another design could be submitted. He was trying to meet the request of the staff.

Council agreed to pass this on first reading and the applicant is to submit a new rendering of the architecture for second reading

The motion to approve on first reading passed 7-0.

D. ORDINANCE/FIRST READING: Ordinance to approve the sale of property to Santee Cooper and to authorize the City Manager to sign the documents necessary for the transaction.

The City Manager read the Ordinance by title.

There was no discussion and the Mayor called for a motion. The motion to approve was made by Councilman Cavanaugh and seconded by Councilwoman Fontana. The motion to approve passed 7-0.

E. MOTION: Motion to appoint Woody Caine to the North Myrtle Beach Election Commission.

The Mayor called for a motion to approve the appointment. Motion made by Councilman White and seconded by Councilman Thomas. Motion passed 7-0.

9. Public Comment: Elizabeth Strillacci representing the NMB Times stated that she was pleased that the Mayor was recovering from her illness and was back on the podium. There was no further public comment.

10. Adjournment:

The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Merideth J. Smith, City Clerk

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 5 day of October, 2015

SUMMARY MINUTES OF CITY COUNCIL MEETING. Audiotapes of the meeting are on file and are included by reference as part of this meeting. An agenda of this meeting has been either mailed or made available to persons, organizations, and local news media as per their request. The agenda gives the date, time, and place of the meeting as well as the order of business. This disclosure is in compliance with the South Carolina Code of Laws of 1976, Section 30-4

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: October 5, 2015

Agenda Item: 6A	Prepared By: KEVIN D. BLAYTON, P.E. CITY ENGINEER
Agenda Section: Consent. Ordinance. Second Reading	Date: October 1, 2015
Subject: Property Sale – Santee Cooper Horry County Airport Substation	Division: PUBLIC WORKS DIVISION

Background

The City purchased property from Horry County in 2012, for future expansion of City utility facilities and the Santee Cooper power sub-station. At that time we agreed to acquire property for future sale to Santee Cooper and they are now ready to proceed with the land transaction.


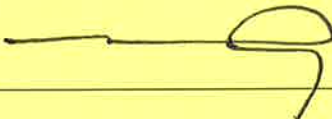
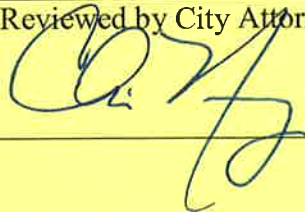
Parcel B was acquired by the City for \$79,000, which is the same amount proposed for sale to Santee Cooper. Appraisal and plats are attached detailing the property description.

We are requesting City Council authorization for the sale of property.

City Council approved Ordinance First Reading on September 21, 2015.

Recommendation

Ordinance to authorize City Manager to execute the documents necessary to complete the property transaction.

Reviewed by Department Head 	Reviewed by City Manager 	Reviewed by City Attorney 
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AN ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH SOUTH CAROLINA TO CONVEY A PARCEL OF LAND COMPRISED OF APPROXIMATELY 0.82 ACRES WHICH IS LOCATED IN THE VICINITY OF WINDY HILL ROAD AND BAREFOOT RESORT BRIDGE ROAD TO SANTEE COOPER FOR SEVENTY NINE THOUSAND (\$79,000.00) DOLLARS AND TO AUTHORIZE THE CITY MANAGER TO SIGN THE DOCUMENTS NECESSARY FOR THE TRANSACTION

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE CITY OF NORTH MYRTLE BEACH SOUTH CAROLINA:

SECTION 1: City Council hereby approves of the sale of a parcel of property containing approximately 0.82 acres to Santee Cooper for seventy nine thousand (\$79,000.00) Dollars.

SECTION 2: The City Manager is authorized to sign the documents necessary to complete the transaction.

SECTION 3: The ordinance shall be effective upon the date of passage.

Done, ratified and passed this _____ day of _____, 2015.

Mayor Hatley

Approved as to Form:

City Attorney

First Reading: _____

Second Reading: _____

ATTEST:

City Clerk

Reviewed:

City Manager

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: July 2, 2012

Agenda Item:	Prepared By: KEVIN D. BLAYTON, P.E. CITY ENGINEER
Agenda Section: New Business	Date: June 28, 2012
Subject: Property Acquisition and Lease – Horry County Airport Authority	Division: PUBLIC WORKS DIVISION

Background

The City operates public utility infrastructure on and adjacent to the Horry County, NMB Airport. Specifically, Public Works staff operates a water storage and pumping facility, a wastewater pumping station, and a wastewater treatment facility. We have identified and discussed property needs with Horry County for utility expansion. In addition, we have identified the need to renew an existing lease governing our use of the wastewater treatment facility.

Horry County is prepared to sell acreage to the City, based on the attached appraisal, at a cost and use shown below.

- Parcel A, \$111,000 – Future Water tank site
- Parcel B, \$79,000 – Future Electric Sub-station site*
- Parcel C, \$25,500 – Wastewater Pump Station site

*The City would sell this site to Santee Cooper at a later date. Acquisition at this time is expedient due to the Airport Authority and Federal Aviation Authority approval process.

Horry County is prepared to renew the current lease (expiring October 31, 2015) with the City for the Wastewater Treatment Facility site. A copy of the proposed lease is attached.

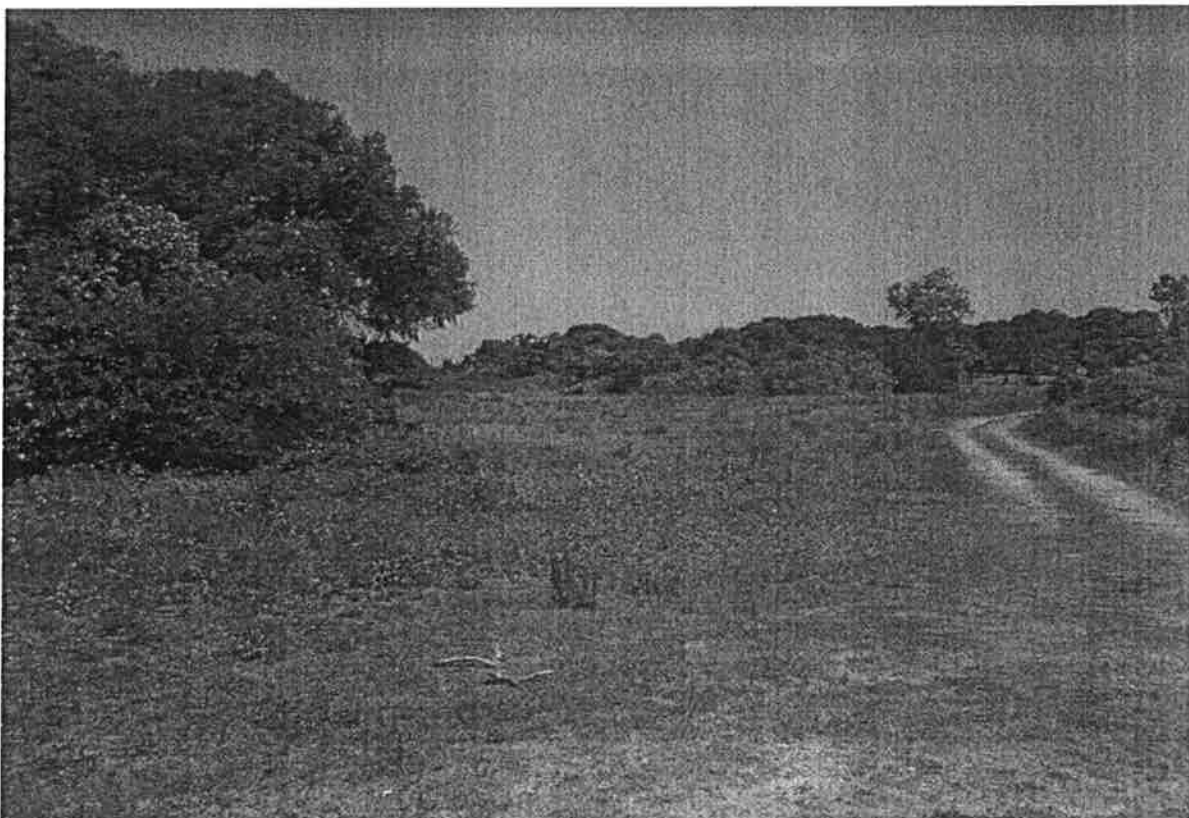
Funding is available in the water and sewer utility fund.

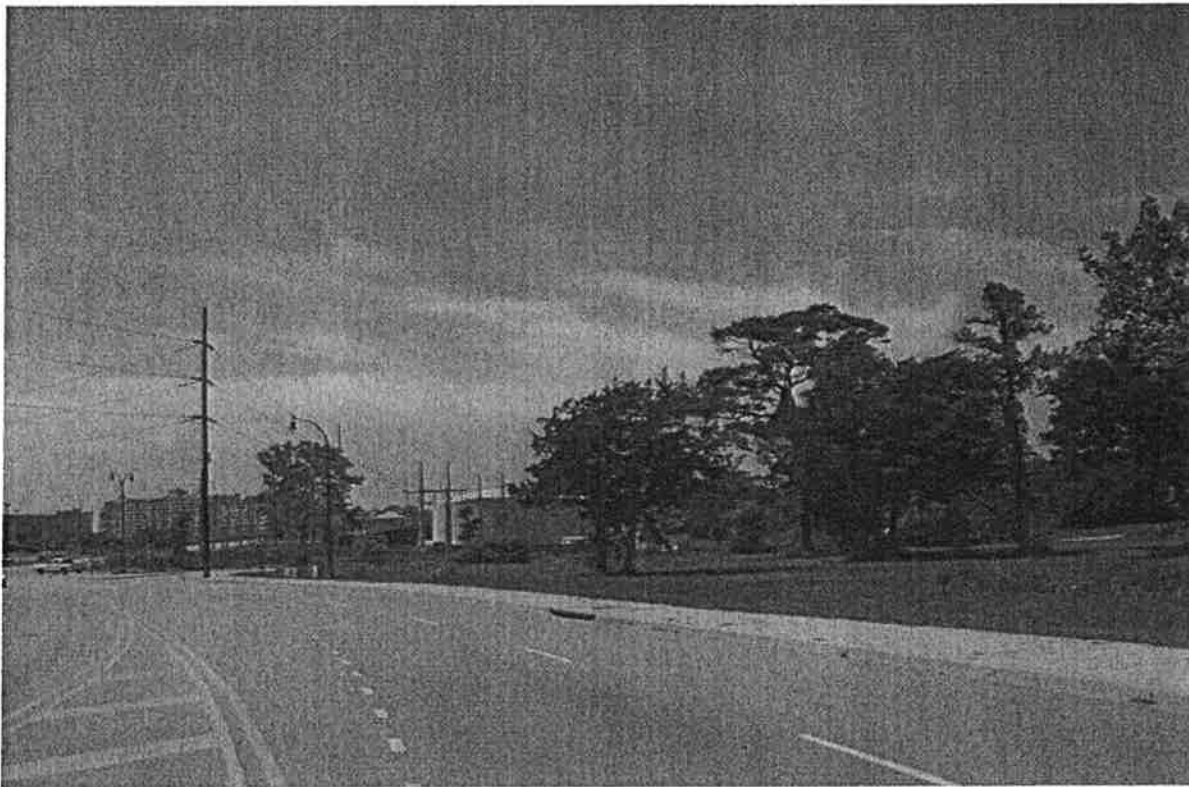
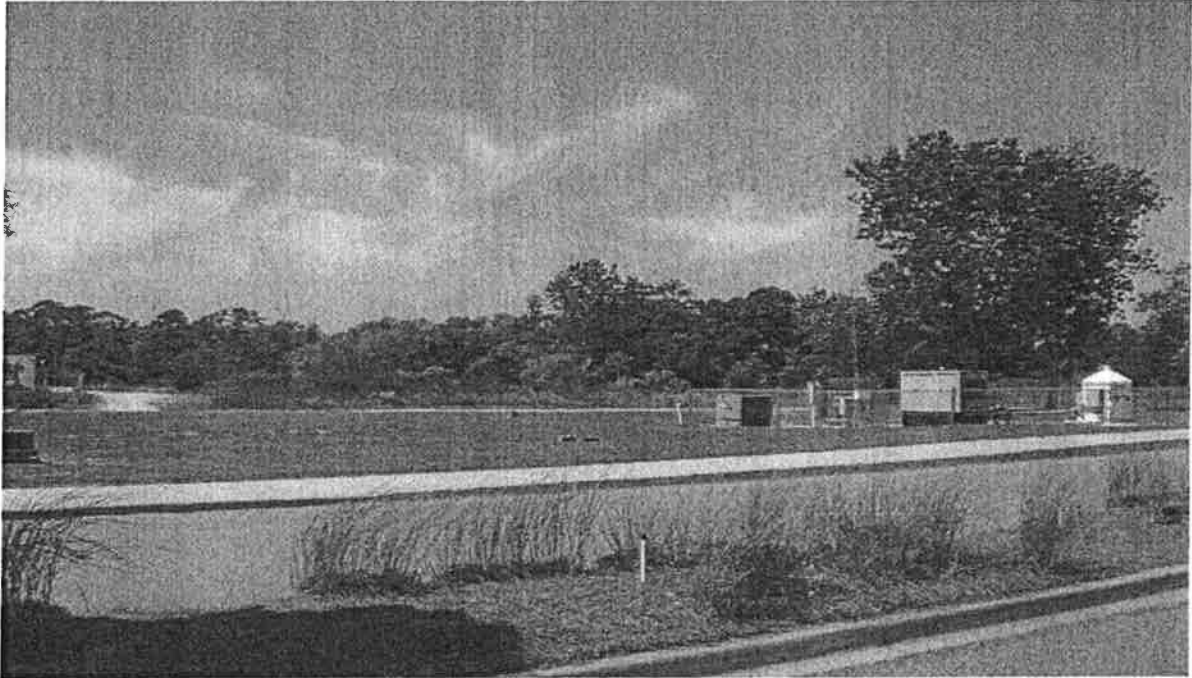
We are requesting City Council authorization for the acquisition and lease of property from Horry County.

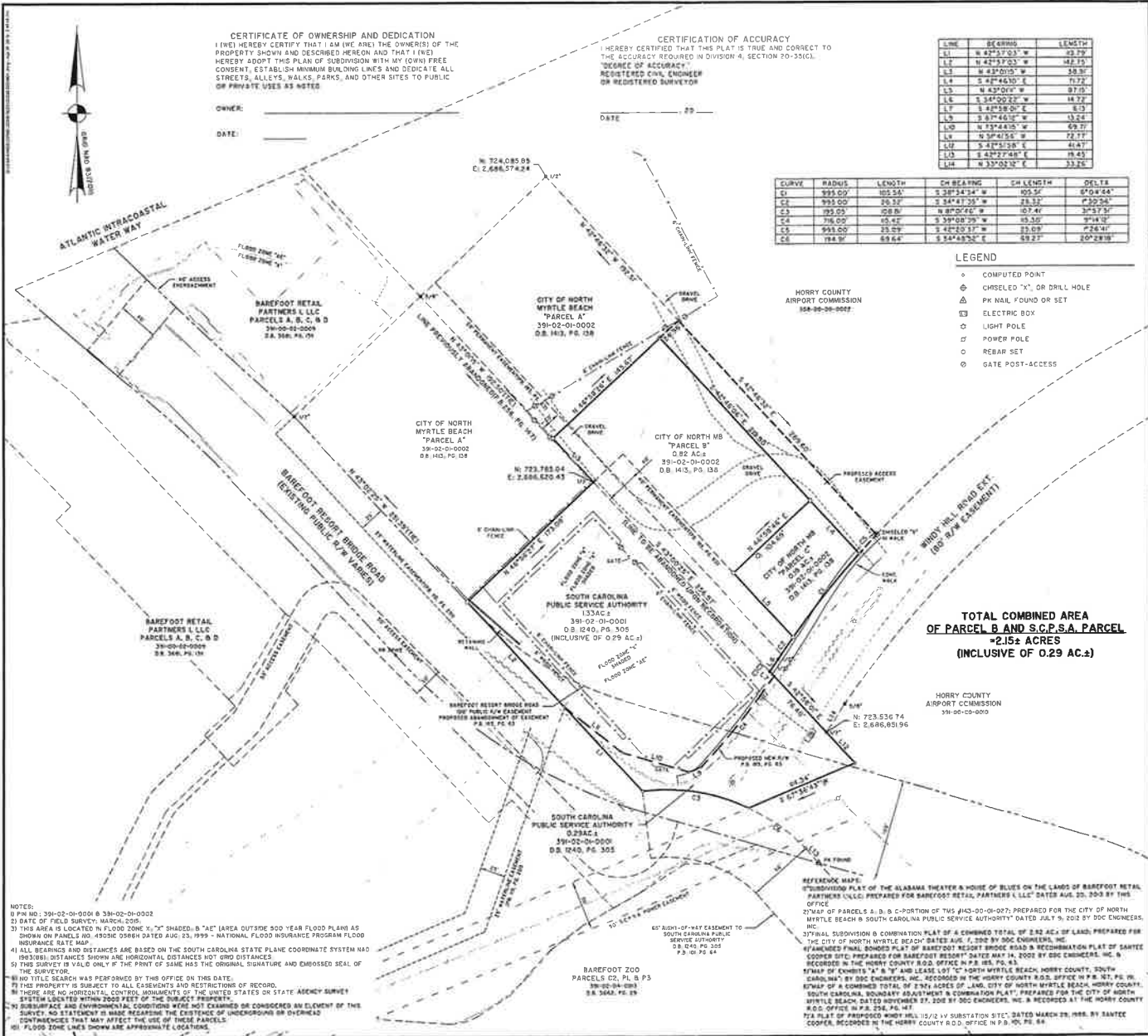
Recommendation

Resolution to authorize City Manager to execute the documents necessary to complete the property acquisition and lease.

Reviewed by Division Head	Reviewed by City Manager	Reviewed by City Attorney







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I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

MATTHEW D. SVEKOVSKY
 SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR
 LICENSE NO. 2033

SUBDIVISION AND RECOMBINATION PLAT OF A PORTION OF THE LANDS OF THE CITY OF NORTH MYRTLE BEACH AND SOUTH CAROLINA PUBLIC SERVICE AUTHORITY FOR THE WINDY HILL SUBSTATION

CITY OF NORTH MYRTLE BEACH
 HORRY COUNTY, SOUTH CAROLINA

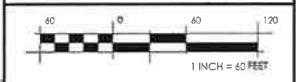
prepared for
SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

No.	Revised	By	Date

THOMAS & HUTTON
 Engineering | Surveying | Planning | GIS | Consulting

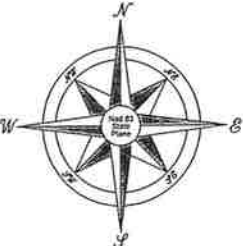
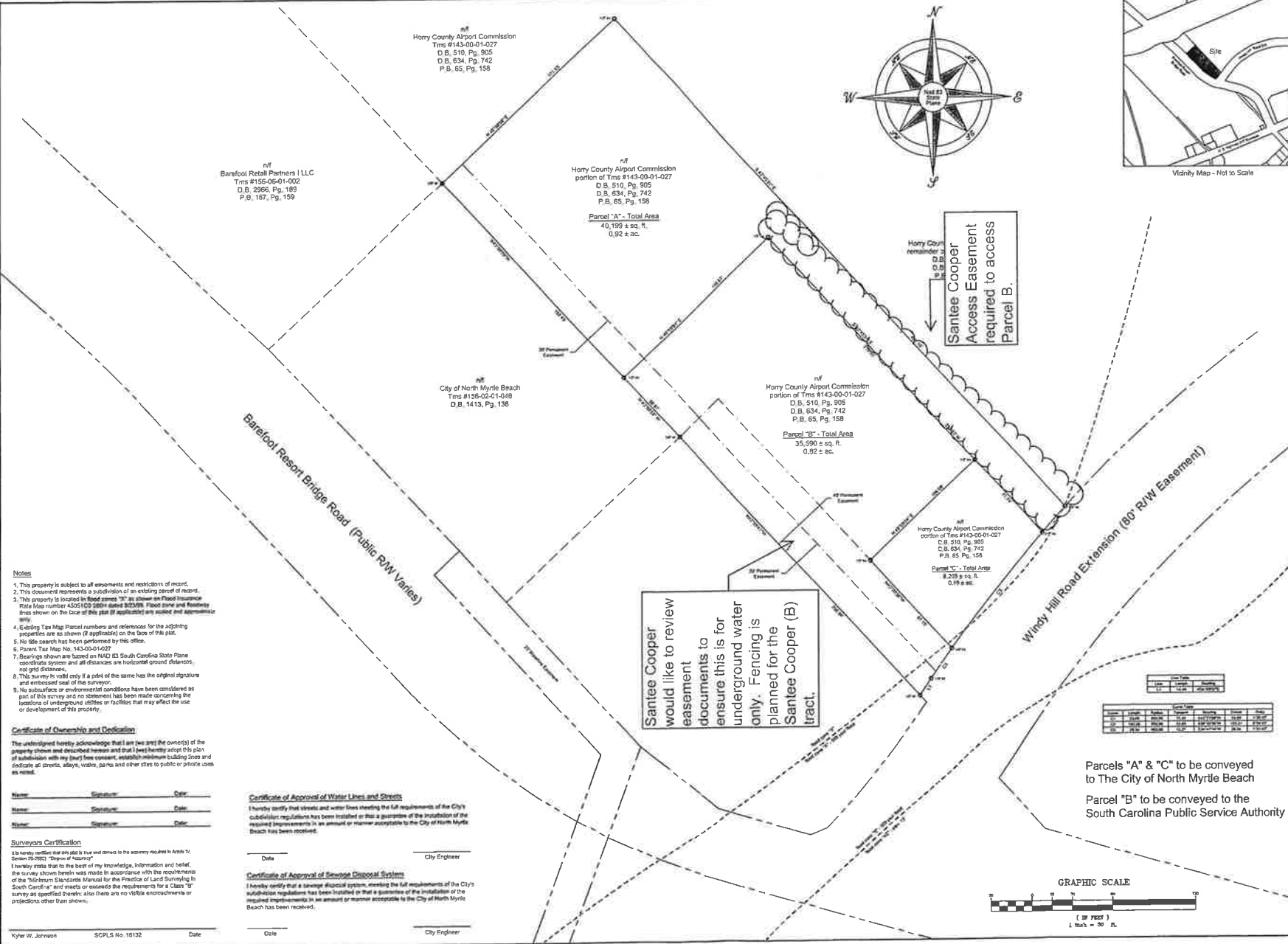
611 Burroughs & Chapin Boulevard
 Suite 202
 Myrtle Beach, SC 29577
 p 843.839.3545 f 843.839.3565

www.thomasonhutton.com



plot 4/29/15
 drawn MDS/JED
 reviewed MDS
 field 3/11/15
 crew CDH

job 22350.0023 SHEET 1 OF 1



- Notes**
- This property is subject to all easements and restrictions of record.
 - This document represents a subdivision of an existing parcel of record.
 - This property is located in Flood Zone "X" as shown on Flood Insurance Rate Map number 45051 CO 2804 dated 3/23/09. Flood zone and floodway limits shown on the face of this plan (if applicable) are noted and approximate only.
 - Existing Tax Map Parcel numbers and references for the adjoining properties are as shown (if applicable) on the face of this plan.
 - No title search has been performed by this office.
 - Parent Tax Map No. "A3-00-01-027"
 - Bearings shown are based on NAD 83 South Carolina State Plane coordinate system and all distances are horizontal ground distances, not grid distances.
 - This survey is valid only if a part of the same has the original signature and embossed seal of this surveyor.
 - No subsurface or environmental conditions have been considered as part of this survey and no statement has been made concerning the locations of underground utilities or facilities that may affect the use or development of this property.

Certificate of Ownership and Dedication:
The undersigned hereby acknowledge that I am (we are) the owner(s) of the property shown and described herein and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish minimum building lines and dedicate all streets, alleys, roads, paths and other sites to public or private use as noted.

Name: _____ Signature: _____ Date: _____
Name: _____ Signature: _____ Date: _____
Name: _____ Signature: _____ Date: _____

Surveyors Certification
I, the undersigned, certify that this plan is true and correct to the accuracy required in Article IV, Section 20-202, "Degree of Accuracy". I hereby state that to the best of my knowledge, information and belief, the survey shown herein was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina and meets or exceeds the requirements for a Class "B" survey as specified therein; also there are no visible encroachments or projections other than shown.

Kyle W. Johnson SCPLS No. 16132 Date _____

Certificate of Approval of Water Lines and Streets
I hereby certify that streets and water lines meeting the full requirements of the City's subdivision regulations has been installed or that a guarantee of the installation of the required improvements in an amount or manner acceptable to the City of North Myrtle Beach has been received.

Date _____ City Engineer _____

Certificate of Approval of Sewage Disposal System
I hereby certify that a sewage disposal system, meeting the full requirements of the City's subdivision regulations has been installed or that a guarantee of the installation of the required improvements in an amount or manner acceptable to the City of North Myrtle Beach has been received.

Date _____ City Engineer _____

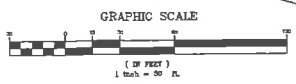
Santee Cooper would like to review easements to documents to ensure this is for underground water only. Fencing is planned for the Santee Cooper (B) tract.

Horry County remainder of Parcel "A" Santee Cooper Access Easement required to access Parcel "B".

Area Table

Parcel	Area (sq. ft.)	Area (ac.)
Parcel "A"	40,199 ±	0.92 ±
Parcel "B"	35,990 ±	0.82 ±
Parcel "C"	8,209 ±	0.19 ±

Parcels "A" & "C" to be conveyed to The City of North Myrtle Beach
Parcel "B" to be conveyed to the South Carolina Public Service Authority



NO.	DATE	REVISION	DESCRIPTION	BY
1	11/13/23		DATE: 11/13/23	P: 37
2			DRAWN: [Blank]	CHECK: [Blank]
3			DATE: [Blank]	BY: [Blank]

Map of Parcels "A", "B" & "C" - Portion of Tms #143-00-01-027
City of North Myrtle Beach, Horry County, South Carolina
Final Subdivision Plat
Prepared For: The City of North Myrtle Beach & South Carolina Public Service Authority
Drawing Number: 11.1.15745

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: Monday, October 5, 2015

Agenda Item: 7A	Prepared By: Aaron Rucker, AICP
Agenda Section: Old Business: Ordinance: 2 nd Reading	Date: October 5, 2015
Subject: A request to amend the Surf Estates Planned Development District [MJPDD-15-08].	Division: Planning & Development

Executive Summary:

Council gave First Reading of Ordinance on this item at their September 21, 2015 meeting at which time a motion to approve passed 7-0. A discussion occurred regarding whether the Mediterranean/Spanish style of architecture was still appropriate within Surf Estates. Council expressed a desire to see the original elevations provided by the architect to facilitate discussion of other styles that may be considered.

Proposal:

Nick Nye, authorized agent for Cherry, LLC, has requested an amendment to the Surf Estates Planned Development District to allow changes to the previously approved Commercial "B" portion of the project. Specifically, the owner wishes to change the following:

- Single use gas station to a 3-unit commercial use including a gas station,
- Parking and rear connector adjustments,
- Adding a drive up window with two order lanes,
- New connecting center lane providing access to Sea Mountain Highway.

The proposed commercial building would be split into three separate tenants, with one unit to be used as a gas station/convenience store, one unit to be used as a restaurant, and one unit to be used as a retail shop. The gas station/convenience store would be 1,800 sf, the restaurant 2,000 sf, and the shop 1,600 sf, totaling 5,400 sf. Additionally, six gas pumps are proposed, consistent with the approved plans.

Conceptual architectural renderings and building elevations of all four sides of the building have been submitted. The building would use a Mediterranean/Spanish tile style roof reminiscent of the originally approved PDD architecture. Dark and light tan stucco would be used as a building material, with brackets at the overhangs, aluminum storefront glazed entrances, a 24" tall sandstone ledge base, and a faux chimney at the drive thru window. The revised architecture adds quoins to the corners of buildings and removes the third row of windows following staff input. There would also be a separate canopy over the gas pumps not attached to the building as the approved version illustrated.

No free-standing sign would be allowed, only building-mounted signage as proposed. The signage is clearly labeled not to exceed 2' high by 18' wide for the main shopping center sign and 18" high by 15' wide (and a maximum of 12' - 14' high above the sidewalk) for each of the three future tenants. A maximum 6' by 18' lettered can sign in a dashed rectangle is also shown on the center building;

however, would require a separate amendment to be approved. Furthermore, a note is present indicating all signage not contained within this PDD Amendment shall require approval from either the Planning Commission or City Council or both via a future amendment.

The parking lot would change to provide an additional fourteen (14) automobile parking spaces (35 versus 21). Additionally, a connecting center lane (right-in/right-out) providing access to Sea Mountain Highway and the adjacent parcels has been illustrated.

The drive up window illustrates two menu-board signs. This should help to alleviate concerns about cars stacking into any drive aisle.

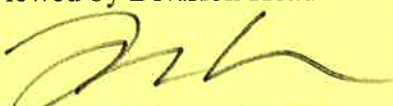
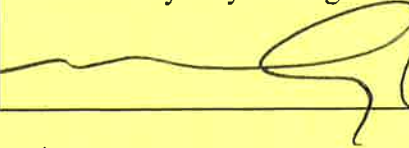

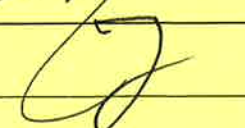
Planning Commission Action:

The Planning Commission conducted the first public hearing on June 16th where the item was tabled until Commission voted 6-0 to recommend approval to City Council at a special called meeting on September 8th. There was no public comment.

Note: to break up the front façade of the building, the gas station/convenience store protrudes forward about a foot. This allows the sides to be decorated with quoins as shown. Commission questioned if the building could be built without that protrusion. The Zoning Administrator has determined that at least a minor amendment would be required if this adjustment were requested.

Action:

Determine an agreeable architectural design and adopt or deny the proposal on 2nd Reading of Ordinance. Exhibits and an ordinance are attached for review.

Reviewed by Division Head 	Reviewed by City Manager 	Reviewed by City Attorney 
Council Action: Motion By _____ 2 nd 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 THE SURF ESTATES PDD (PLANNED DEVELOPMENT DISTRICT).

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 the Surf Estates Planned Development District, originally approved in October 2005 be amended to include an updated site plan and building elevations for the commercial portion, Parcel B, of Surf Estates in order to provide a gas station/convenience store, restaurant, and a retail shop totaling 5,400 sf as depicted in Exhibits A-H attached and included in this ordinance.

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 _____, 2015.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

FIRST READING: _____

City Attorney

SECOND READING: _____

REVIEWED:

City Manager

5.A. MAJOR PLANNED DEVELOPMENT DISTRICT AMENDMENT

MJPDD-15-08: A Major Amendment to the Surf Estates Planned Development District to allow changes to the previously approved Commercial "B" portion of the project.

Background:

Surf Estates was originally approved in October 2005. The master site plan includes 76 single family detached lots, 65 single family in-common lots, and 3 highway commercial outparcels. Approximately 41 single family detached, all 65 single family in-common, and 1 highway commercial outparcel (Eagles Resort Wear) have been built since inception.

The item has been tabled since the June 16, 2015 meeting to allow time for the applicant to make revisions to the site plan. Those revisions have been made and are as follows:

- Added quoins to the corners of the buildings,
- Removed the third row of windows,
- Provided the proposed height of the principal building (34' 3½") and gas canopy (21'),
- Organized and provided internally consistent exhibits.

Proposal:

Nick Nye, authorized agent for Cherry, LLC, has requested an amendment to the Surf Estates Planned Development District to allow changes to the previously approved Commercial "B" portion of the project. Since the meeting on August 18th, Mr. Nye has organized the exhibits to clear articulate the proposal being considered.

Specifically, the owner wishes to change the following:

- Single use gas station to a 3-unit commercial use including a gas station,
- Parking and rear connector adjustments,
- Adding a drive up window,
- New connecting center lane providing access to Sea Mountain Highway.

The proposed commercial building would be split into three separate tenants, with one unit to be used as a gas station, one unit to be used as a restaurant, and one unit to be used as a retail shop. The gas station would be 1,800 sf, the restaurant 2,000 sf, and the shop 1,600 sf, totaling 5,400 sf. Additionally, six gas pumps are proposed, consistent with the approved plans.

Conceptual architectural renderings and building elevations of all four sides of the building have been resubmitted. The external building would use a Mediterranean/Spanish tile style roof reminiscent of the originally approved PDD architecture with dark and light tan stucco as a building material, brackets at the overhangs, aluminum storefront glazed entrances, a 24" tall

sandstone ledge base and a faux chimney at the drive thru window. The revised architecture adds quoins to the corners of buildings and removes the third row of windows following staff input.

No free-standing sign has been specifically proposed, only building-mounted signage. That signage is clearly labeled not to exceed 2' high by 18' wide for the main shopping center sign and 18" high by 15' wide (and a maximum of between 12' and 14' high above the sidewalk) for each of the three future tenants. A maximum 6' by 18' lettered can sign in a dashed rectangle is also shown on the center building; however, would require a separate amendment to be approved. Furthermore, a note is present indicating all signage not contained within this PDD Amendment shall require approval from either the Planning Commission or City Council or both via a future amendment.

The parking lot would change to provide an additional fourteen (14) automobile parking spaces (35 versus 21). Landscaping is now illustrated along Surf Pointe Drive where parking was once indicated. Additionally, a connecting center lane (right-in/right-out) providing access to Sea Mountain Highway and the adjacent parcels has been illustrated.

The drive up window still illustrates two menu-board signs as shown in the previous submittal. This should help to alleviate concerns about cars stacking into any drive aisle.

Comments/Issues:

Planning & Development

Planning Division

The Planning Division offers the following comments:

- In January 2009, parcel C (Eagles Resort Wear) was approved for right-in/right-out access to Sea Mountain Highway in exchange for removing the access between parcels A and B (MNPDD-08-06). **Allowing the access to be reinstated would deviate from the previous amendment; however, the proposed access as illustrated does meet the approval of the Director of Public Works. Since the access would serve more than one lot, a right-of-way would need to be created (public or private) built to city standards, including sidewalks and street trees, prior to issuing a building permit. This could be handled as a platting exercise at a later date and does not prevent Planning Commission from acting on the proposal.**

Zoning Division

The Zoning Division has commented that the drive up window does not meet the standards of the Zoning Ordinance; however, has no issue with the arrangement.

Public Works

The City Engineer has no issues with the proposal, but wants the applicant to understand the preference is for the underground storage tanks to be located a minimum 50' from water lines. This will be considered during site plan review.

Planning Commission Action:

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

Alternative Motions

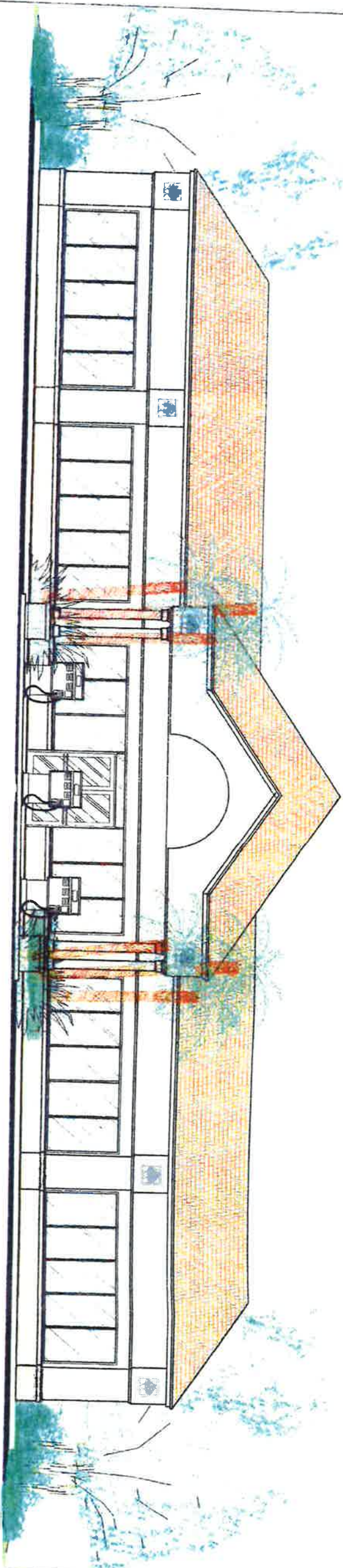
- 1) I move that the Planning Commission recommend approval of the Major Planned Development District Amendment to the Surf Estates Planned Development District [MJPDD-15-08] as submitted.

OR

- 2) I move that the Planning Commission recommend denial of the Major Planned Development District Amendment to the Surf Estates Planned Development District [MJPDD-15-08] as submitted.

OR

- 3) I move (an alternate motion).



CC approved 2005

Z:\B-Active\B1-Active-In-Progress\SURFE-Surf Estates SUB-61Active\new\SURFE-NEW-FINAL-5-21-12-Conv Store Elev-SURFE.dwg, 10/18/2005 5:25:30 PM, DesignJet 500 (C77698

DATE	
BY	
CHECKED	
SCALE	
PROJECT	

SEA MOUNTAIN HIGHWAY
NORTH MYRTLE BEACH, SC

ASSOCIATES
SITE DEVELOPMENT
PLANNING & DESIGN

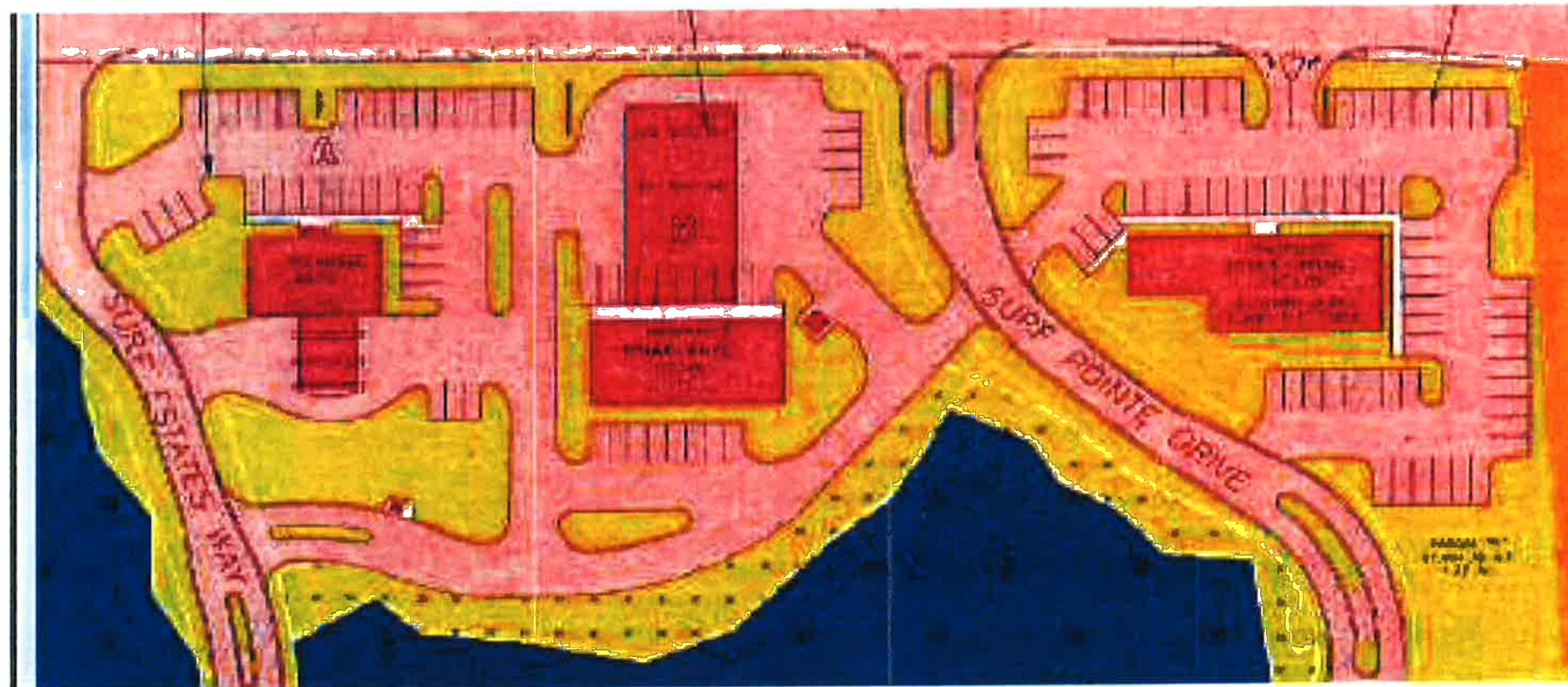
SURF ESTATES PUD ADMENDMANT FOR CHERRY,LLC

PUD AMENDMENT -ALTERATIONS REQUESTED

CHANGE FROM SINGLE GAS STATION- TO TRIPLEX WITH GAS STATION

PARKING + DRIVE THRU AND REAR CONNECTOR ADJUSTMENTS

NEW CONNECTING CENTER LANE TO SEA MOUNTAIN HWY



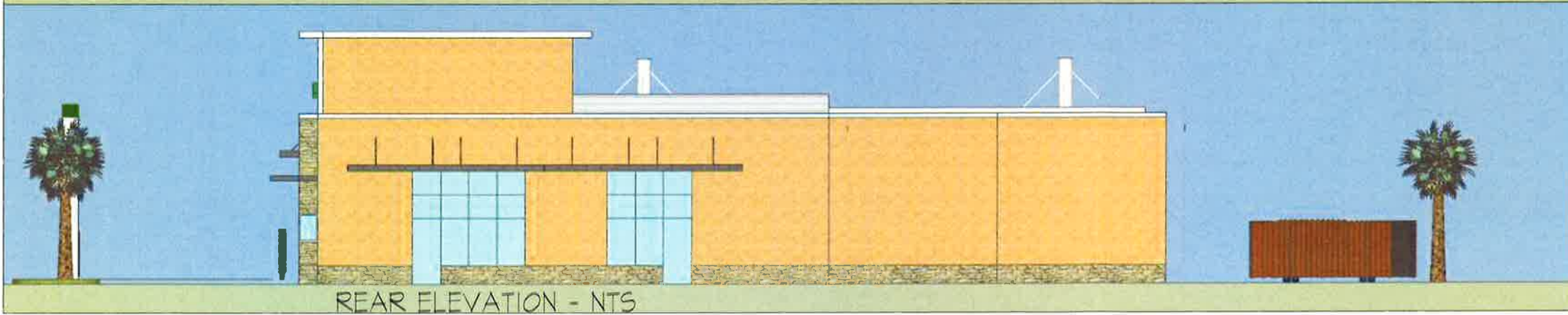
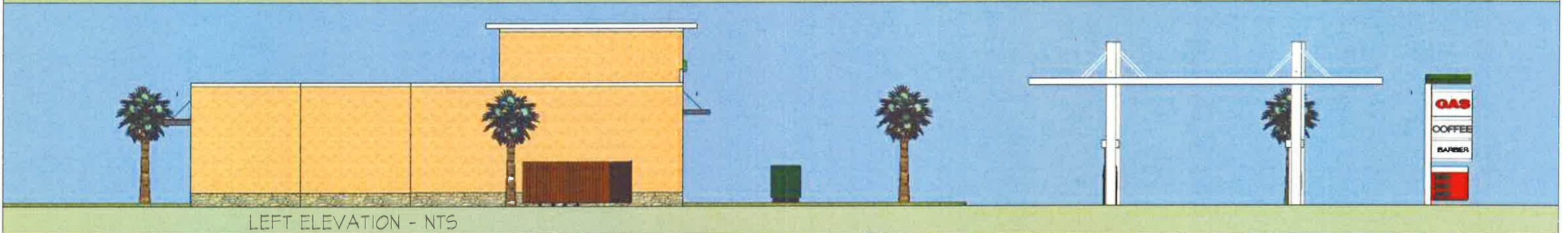
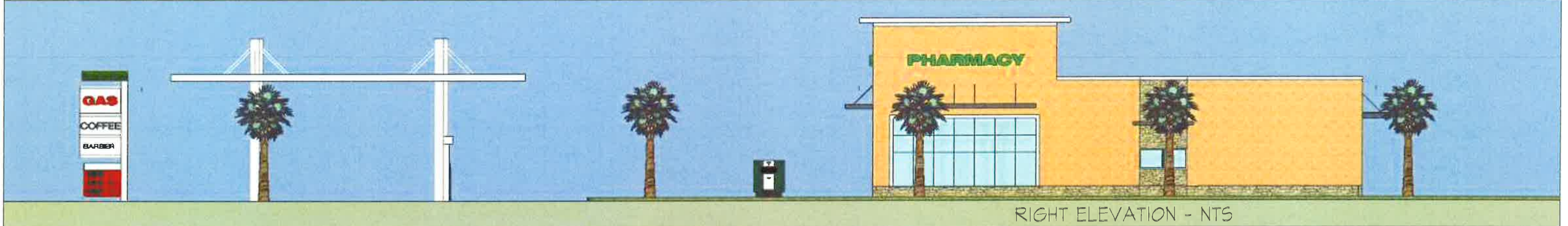
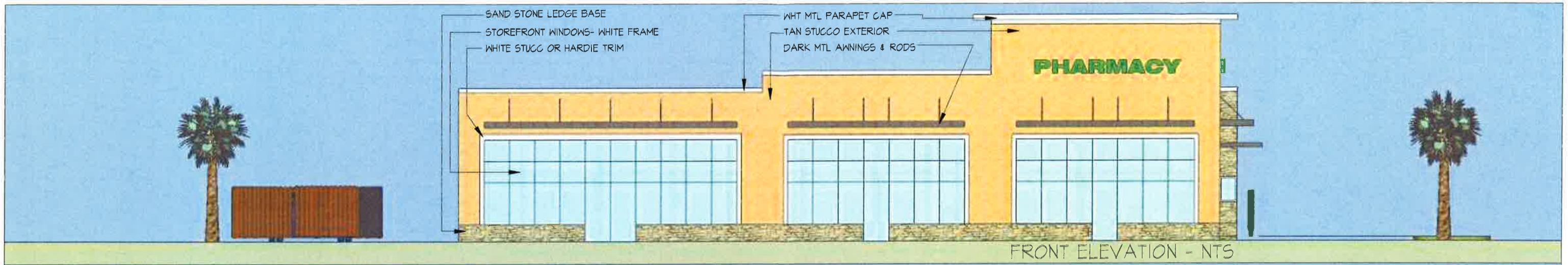
CC approved 2005

PUD APPROVED SITE PLAN- NTS

A2

August 26, 2015
PDD AMENDMENT DOCS - NICK NYE-ARCHITECT
SURFPOINTE CORNER - SITE





Developer's
Original Proposal

JUNE 15, 2015
SD-1.1-NICK NYE-ARCHITECT
SURFPOINTE CORNER-ELEVATIONS





CONCEPTUAL ILLUSTRATION

TYPICAL BUILDING EXTERIORS- TAN STUCCO WITH STONE WATER TABLE
ALL SIGNAGE PER ELEVATIONS SHEETS A5

INDEX OF SHEETS

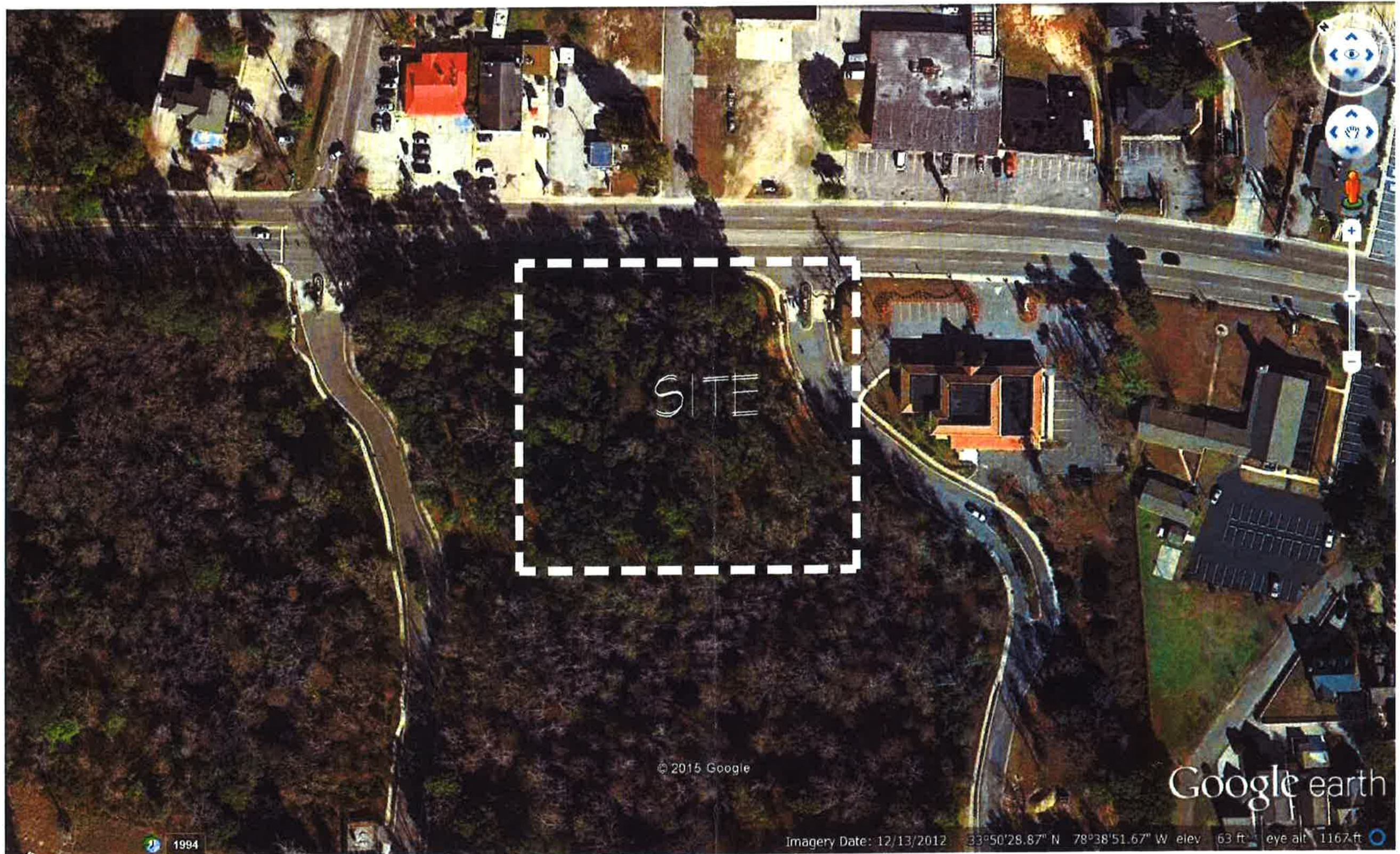
- A1 - COVER AND INDEX
- A2 - PDD APPROVED SITE PLAN
- A3 - AERIAL PHOTO OF SITE
- A4 - PROPOSED SITE PLAN
- A5 - BUILDING ELEVATIONS + SIGNAGE NOTES
- A6 - BUILDING ELEVATIONS
- A7 - COLORED ELEVATIONS

A1

PC approved

August 26, 2015
PDD AMENDMENT DOCS - NICK NYE-ARCHITECT
SURFPOINTE CORNER- SEAMTN HWY - VIEW TOWARD SOUTH EAST





AERIAL VIEW- EXISTING SITE CONDITIONS- WOODED LAND

PC approved

A3

August 26, 2015
PDD AMENDMENT DOCS - NICK NYE-ARCHITECT
SURFPOINTE CORNER -AERIAL



DESIGN INTENT

PLACEMAKING THRU CONTEXTURAL DESIGN

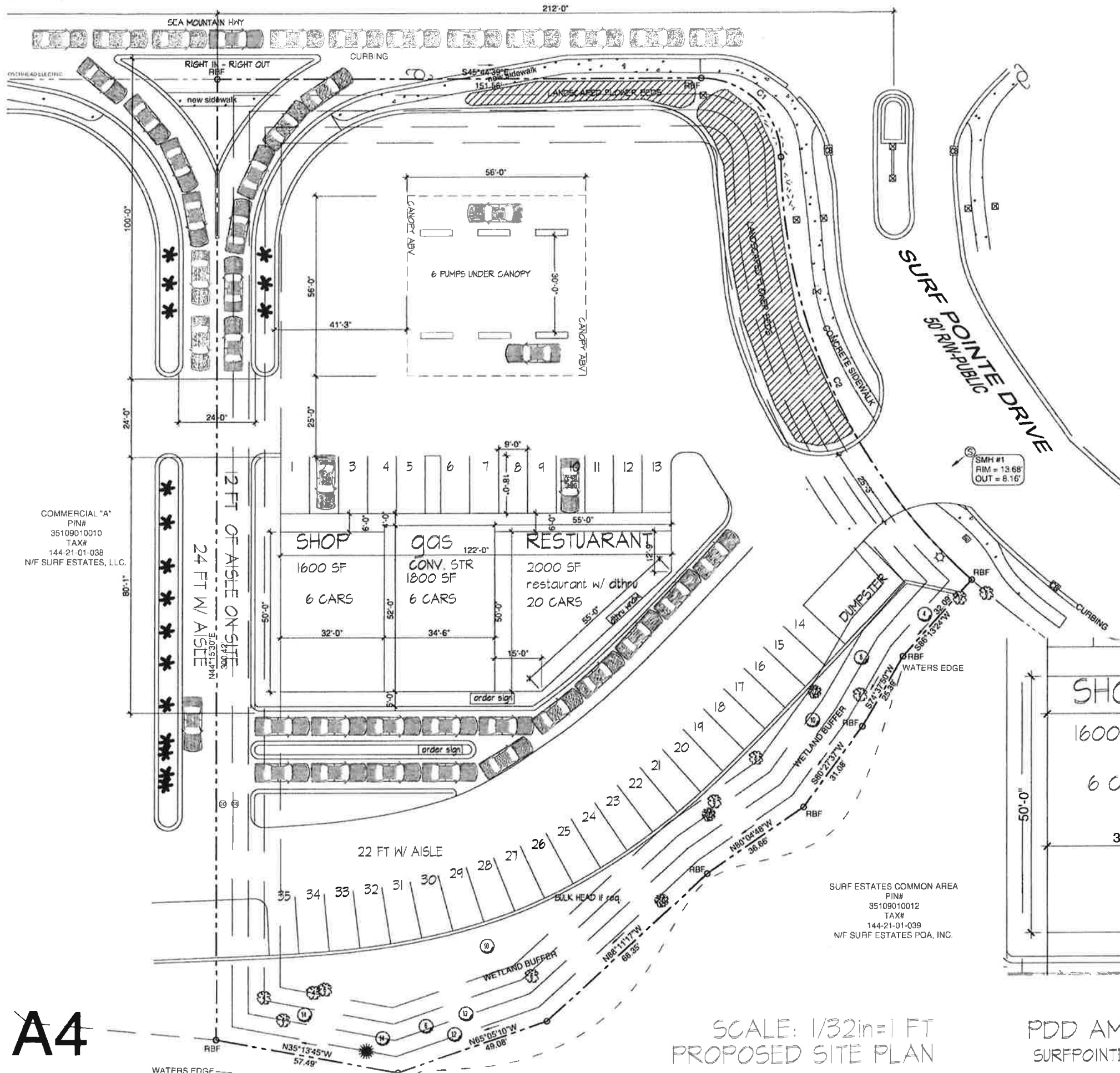
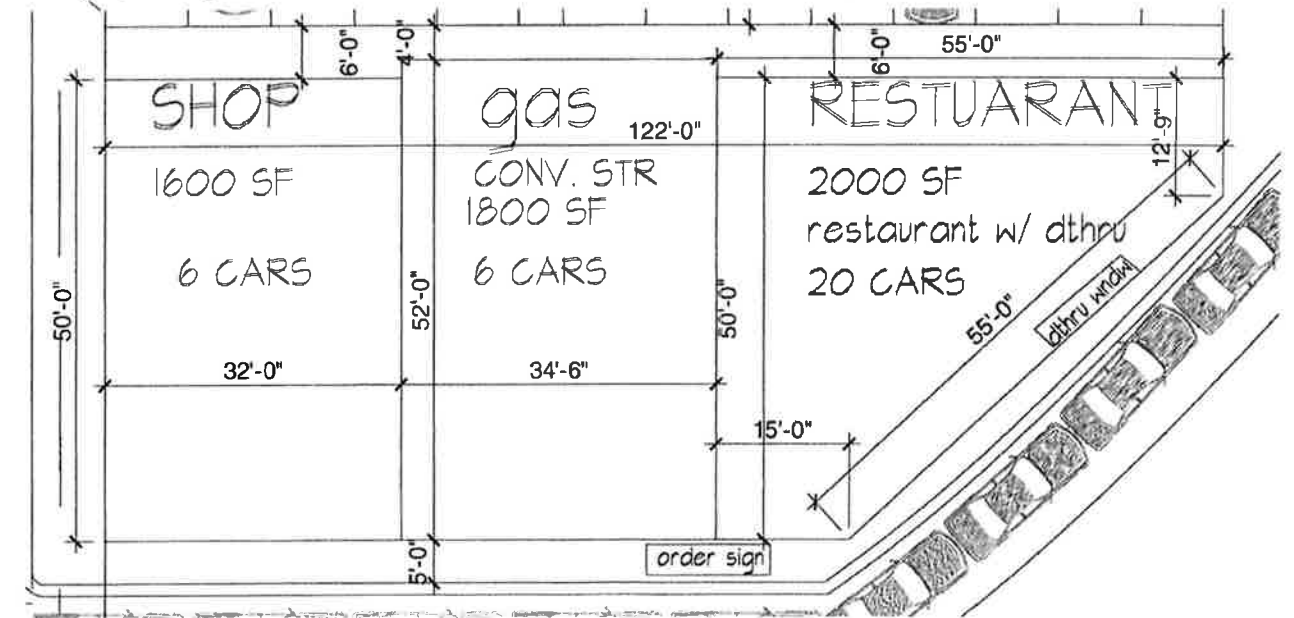
THE PDD DESIGN AS APPROVED IS SUITED BETTER FOR A THROUGHFARE PROPOSED AS SINGLE STORE-CONNECTED AWNING TRANSIT ORIENTED FUELING STATION IS NOT A PEDESTRIAN ORIENTED FACILITY THIS BUILDING FORM MAKES THE ENTRANCES TO SURF ESTATES INTO HIDDEN ALLEYS BEHIND HIGHWAY BUSINESSES

CHERRY, LLC PROPOSES REVISING THE BUILDING TYPE INTO A TRIPLEX OR A SMALL COMMERCIAL CENTER WITH A DETACHED PUMP CANOPY & DRIVE THRU COMMERCE ENTERED THRU A FORMAL COMMERCIAL ENTRY

BY FOCUSING THE ENTRANCE & ACCESS FOR THE COMMERCIAL PARCELS WITH THEIR OWN AVENUE THESE TWO PARCELS THEN CAN FORM A TOWN SCALE LOCALS COMMERCIAL CENTER EXPRESSED AS MEDITERRANEAN STUCCO STYLED BUILDINGS TO MATCH SURFPOINTE PDD

PC approved

BLDG DIMESIONS- lin=20ft



SCALE: 1/32in=1 FT
PROPOSED SITE PLAN

August 26, 2015
PDD AMENDMENT DOCS - NICK NYE-ARCHITECT
SURFPOINTE CORNER -PROPOSED SITE PLAN WITH NEW ACCESS DRIVE



A4

COMMERCIAL "A"
PIN# 35109010010
TAX# 144-21-01-038
N/F SURF ESTATES, LLC.

SURF ESTATES COMMON AREA
PIN# 35109010012
TAX# 144-21-01-039
N/F SURF ESTATES POA, INC.



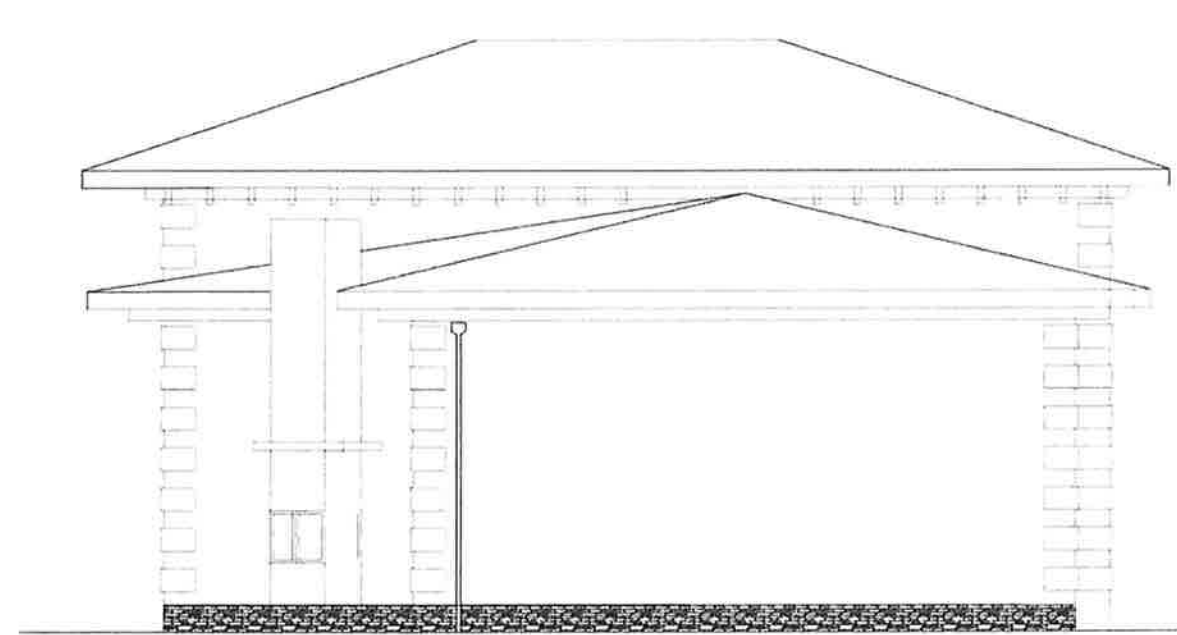
MAIN BLDG SIGN SIGN
2ft x 18ft MAX - LETTERED CAN SIGN

FUTURE- PENDING APPROVAL OF FINAL SIGN
LOGO SIGN MAX SIZE OUTLINE
6ft x 18ft MAX - LETTERED CAN SIGN
PEZ APPROVAL and/or PDD ADJENMANT REQUIRED

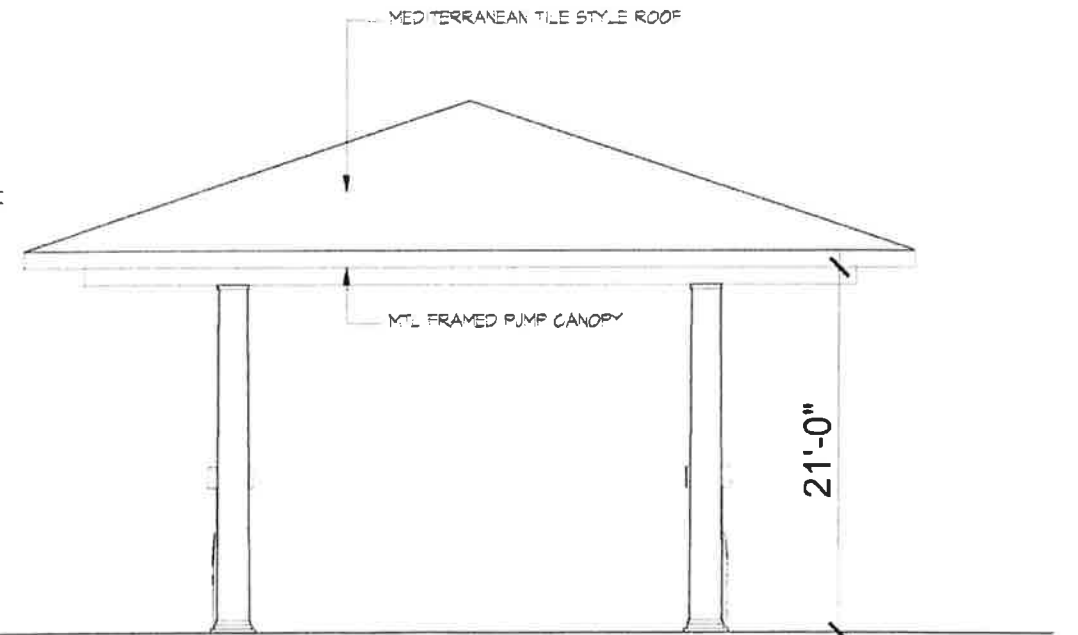
INDIVIDUAL UNIT LETTERS
18in x 15ft MAX - LETTERED CAN SIGN
between 12ft and 14ft abv sidewalk max

FRONT ELEVATION - 1/8" = 1ft (FACING SEA MTN HWY)

NOTE: ALL SIGNAGE- NOT CONTAINED WITHIN THIS
PDD ADJENMANT SHALL REQUIRE APPROVAL FROM EITHER
NORTH MYRTLE BEACH PLANNING COMMISSION
OR NORTH MYRTLE BEACH CITY COUNCIL
OR BOTH- V A A FUTURE PDD ADJENMANT



LEFT SIDE ELEVATION - 3/32" = 1ft



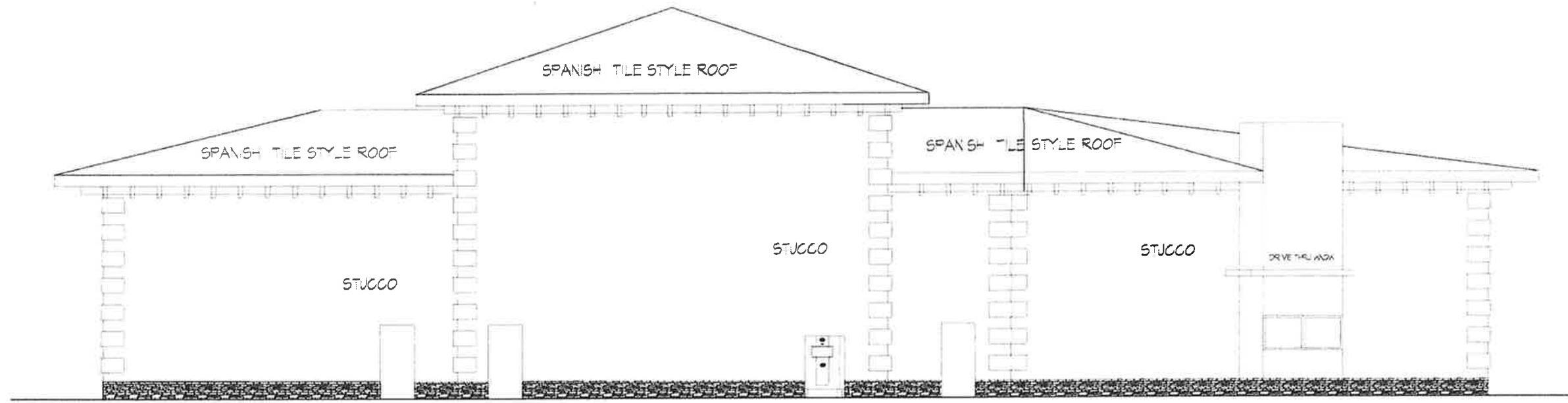
PC approved

A5

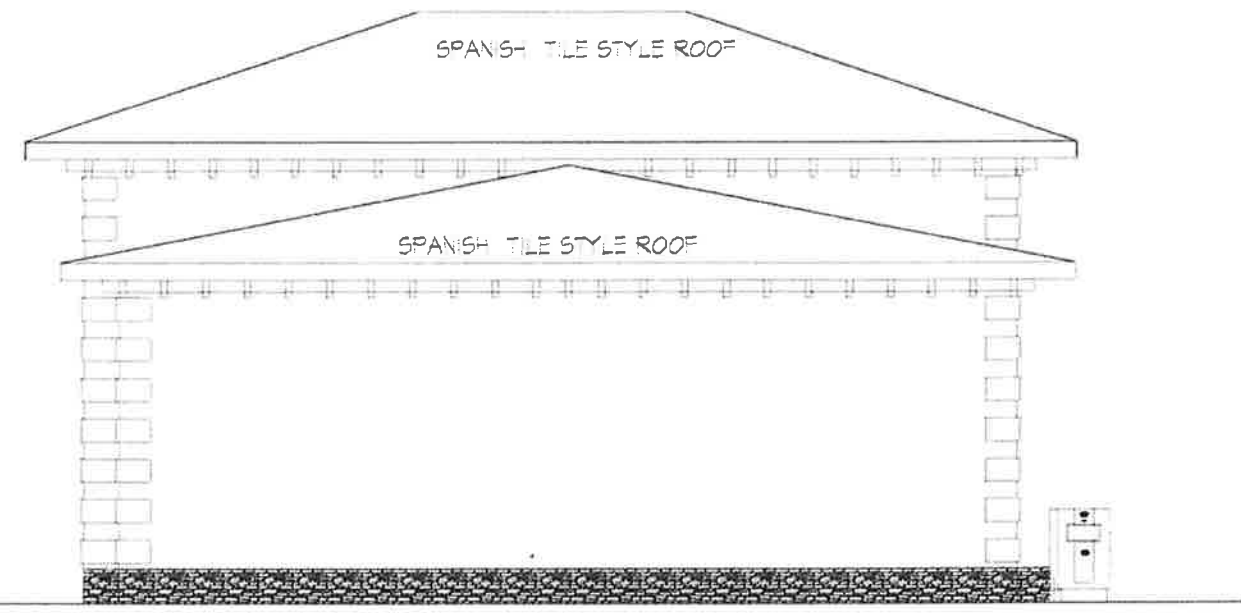
TYPICAL BUILDING EXTERIORS- TAN STUCCO WITH STONE WATER TABLE

August 26, 2015
PDD AMENDMENT DOCS - NICK NYE-ARCHITECT
SURFPOINTE CORNER-ELEVATIONS

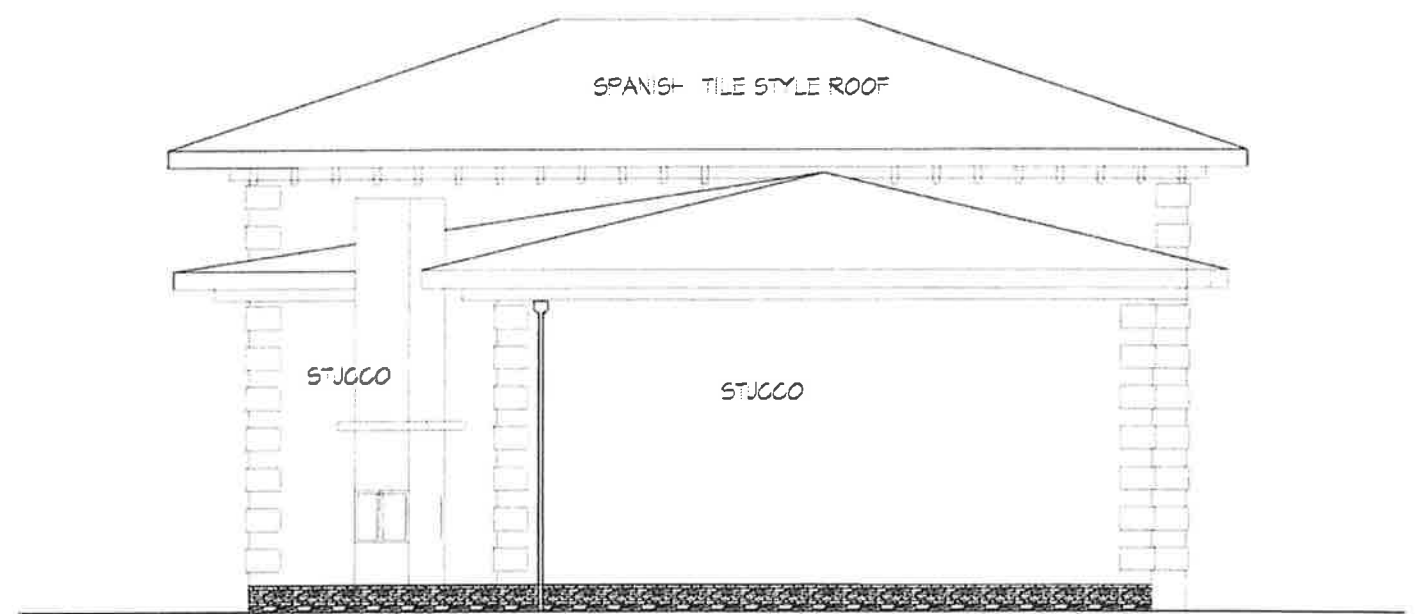




REAR ELEVATION - 3/32" = 1ft



RIGHT SIDE ELEVATION - 3/32" = 1ft



LEFT SIDE ELEVATION - 3/32" = 1ft

A6

TYPICAL BUILDING EXTERIORS- TAN STUCCO WITH STONE WATER TABLE

PC approved

August 26, 2015

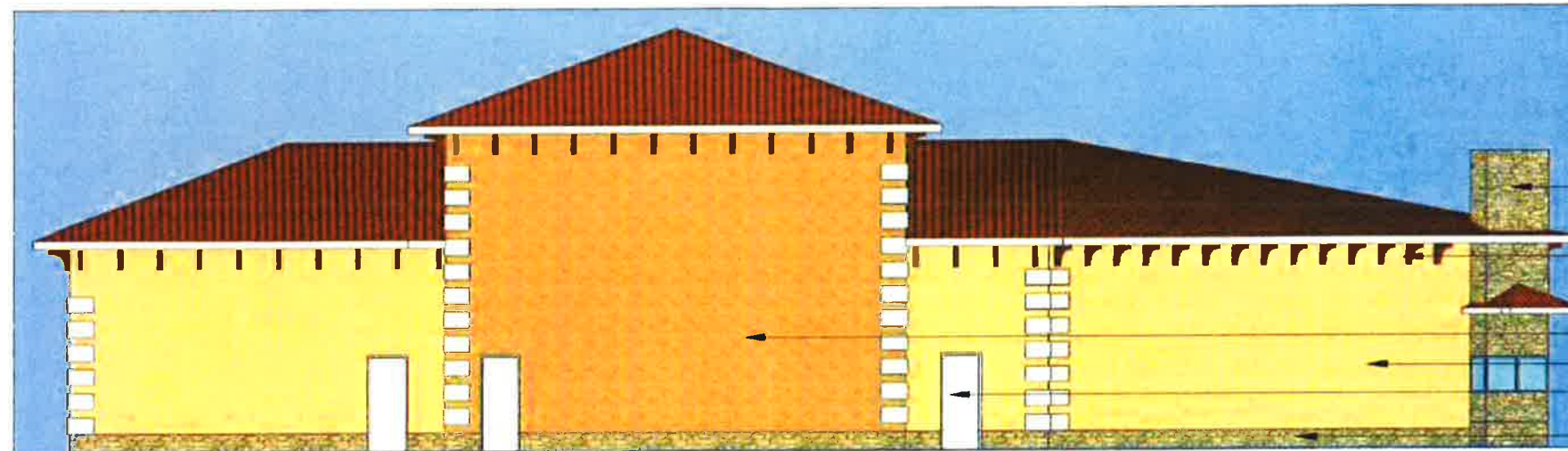
PDD AMENDMENT DOCS - NICK NYE-ARCHITECT
SURFPOINTE CORNER-REAR VIEW





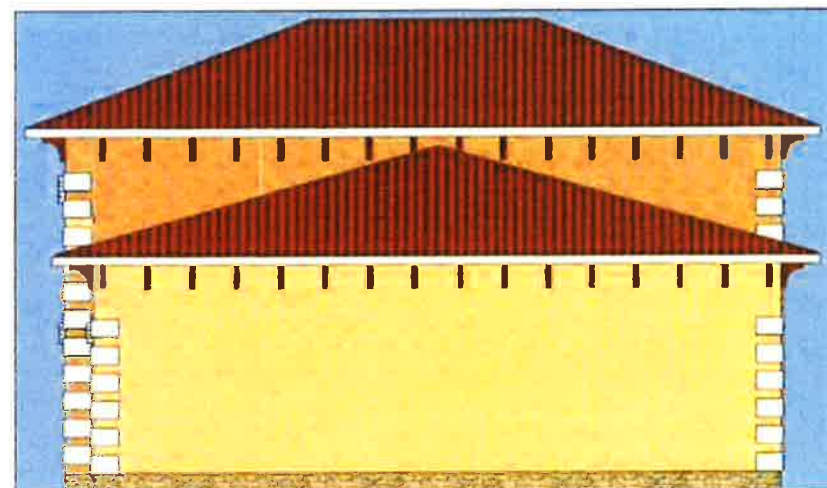
FRONT ELEVATION - NTS (FACING SEA MTN HWY)

- SPANISH TILE STYLE ROOF
- 24in TALL CHANNEL BUILDING SIGN
- BRACKETS AT OVER HANGS
- 18in TALL CHANNEL UNIT SIGNS
- LIGHT TAN STUCCO AT END UNITS
- DARK TAN STUCCO - CENTER UNIT
- ALUM STOREFRONT GLAZED ENTRANCES
- 24in TALL - SANDSTONE LEDGE BASE

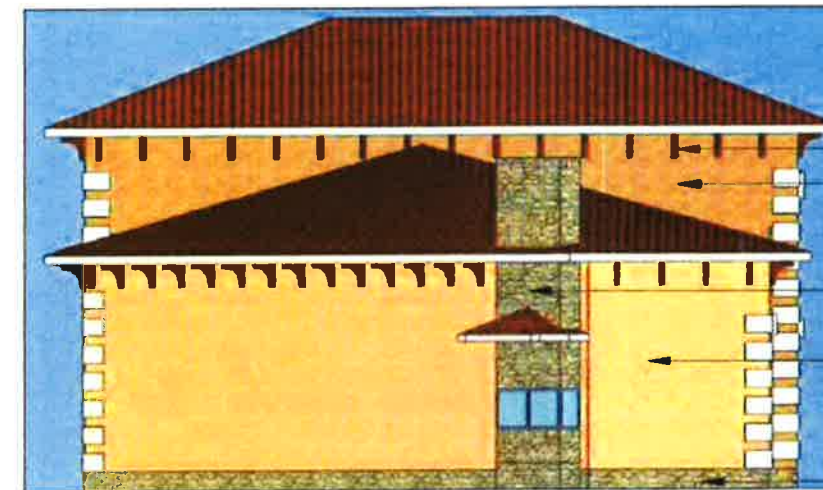


REAR ELEVATION - NTS (FACING SURF ESTATES)

- SANDSTONE LEDGE BASE
- FAUX CHIMNEY @ DRIVE THRU
- BRACKETS AT OVER HANGS
- DARK TAN STUCCO - CENTER UNIT
- LIGHT TAN STUCCO AT END UNITS
- UNIT EXIT DOORS
- 24in TALL - SANDSTONE LEDGE BASE



RIGHT SIDE ELEVATION -NTS



LEFT SIDE ELEVATION -NTS

- BRACKETS AT OVER HANGS
- DARK TAN STUCCO - CENTER UNIT
- FAUX CHIMNEY @ DRIVE THRU
- BRACKETS AT OVER HANGS
- LIGHT TAN STUCCO AT END UNITS
- 24in TALL - SANDSTONE LEDGE BASE

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: Monday, October 5, 2015

Agenda Item: 8A	Prepared By: Aaron Rucker, AICP
Agenda Section: New Business: Ordinance: 1 st Reading	Date: October 1, 2015
Subject: Proposed Amendments to Chapter 20, Land Development Regulations, of the Code of Ordinances of North Myrtle Beach, South Carolina. [STX-15-01].	Division: Planning & Development

Proposal:

Staff has initiated a text amendment to the Land Development Regulations to clarify when a financial guarantee may apply for final subdivision plats if the final inspection and acceptance list has not been completed to the satisfaction of the city. The request is more of a “housekeeping” item, but approving the revision would ensure that the Public Works Department would be covered should a developer fail to comply with the necessary protocols when seeking final plat review and approval.

Therefore, staff is proposing an amendment to the Land Development Regulations to address the following items:

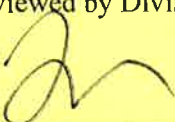
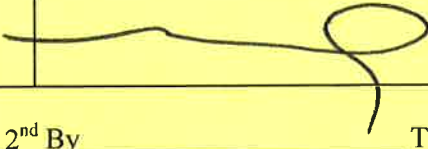
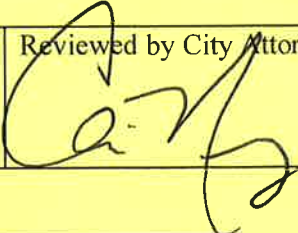
- Recommendation to allow the final inspection and acceptance list to be part of financial guarantee (if required) for final subdivision plats without having to burden the Planning Commission with a condition of approval during review.

Planning Commission Action:

The Planning Commission conducted a public hearing on September 22nd and voted 6-0 to recommend approval to City Council as submitted.

Action:

Approve the proposed Ordinance on 1st Reading. A proposed Ordinance has been attached for Council’s review.

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

7.C. LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT STX-15-01: City staff has initiated an amendment to the Land Development Regulations text to clarify when a financial guarantee may apply for final subdivision plats.

Proposal:

Staff has initiated a text amendment to the Land Development Regulations to clarify when a financial guarantee may apply for final subdivision plats if the final inspection and acceptance list has not been completed to the satisfaction of the city. The request is more of a "housekeeping" item, but approving the revision would ensure that the Public Works Department would be covered should a developer fail to comply with the necessary protocols when finishing out their projects.

For example, the current regulation clearly states that installation of required improvements; i.e., street improvements, streetscape improvements, drainage, public water and sewer systems, and other required improvements included as a condition for preliminary plat approval by the Planning Commission, must occur. If those improvements have not been completed by the time of final plat, a financial guarantee may be presented to the city to cover the estimated costs, plus 25%. Allowing the proposed text amendment would satisfy the Public Works Department without having to burden the Planning Commission with conditions of approval during preliminary plat review.

The proposed amendment addresses items in **Article III, Subdivision Regulations**, and would appear in the Land Development Regulations as follows (*new matter underlined, deleted matter struck-through*):

Sec. 20-36. - Required improvements.

Approval of the final plat shall be subject to the subdivider's having installed the improvements hereinafter designated or having guaranteed, to the satisfaction of the city, the installation of such improvements. See section 20-32, plat submission for major subdivision final review for details.

- (1) *Installation of required improvements.* The following improvements shall be satisfactorily installed in accordance with city standard specifications or guaranteed prior to final plat approval:
 - a. *Street improvements.* Land designated for streets and roads shall be constructed in accordance with these regulations and the specifications set forth in the state highway department's "Standard Specifications for Highway Construction" and shall be approved by the city engineer. Street name signs and regulatory signs required by the "Manual or Uniform Traffic

Control Devices" shall be installed on public or private streets. All street design and installation shall conform to the "Complete Streets" design standards in section 20-40 and Appendix A of this article.

- b. *Streetscape improvements.* Pedestrian (sidewalk) and bicycle facilities, street trees and transit facilities shall conform to section 20-40 and Appendix A of this article, and be included as required physical improvements.
- c. *Drainage.* Storm sewers, including open ditches and rights-of-way, shall be provided for the proper drainage of all surface water and shall be approved by the city engineer.
- d. *Public water and sewer systems.* All extensions of public water and sanitary sewer systems shall have the approval of the appropriate city departments involved and shall be constructed according to standards under the supervision of the city engineer.
- e. *Other required improvements.* Any other physical improvements included as a condition for preliminary subdivision plat approval by the planning commission, (and noted on that approved plan or in meeting minutes), shall be considered a "required improvement" for final subdivision plat approval.
- f. Final inspection and acceptance list if not completed to the satisfaction of the city.

According to *Section 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.

Planning Commission Action

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

Alternative Motions

- 1) I move that the Planning Commission approve the Land Development Regulations text amendment [STX-15-01] as submitted;

OR

- 2) I move that the Planning Commission deny the Land Development Regulations text amendment [STX-15-01] as submitted;

OR

- 3) I move (an alternate motion).

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 ARTICLE III, SUBDIVISION REGULATIONS, SECTION 20-36 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 20-36. - Required improvements.*, be amended to read as follows (*new matter underlined, deleted matter struck-through*):

Sec. 20-36. - Required improvements.

Approval of the final plat shall be subject to the subdivider's having installed the improvements hereinafter designated or having guaranteed, to the satisfaction of the city, the installation of such improvements. See section 20-32, plat submission for major subdivision final review for details.

(1) *Installation of required improvements.* The following improvements shall be satisfactorily installed in accordance with city standard specifications or guaranteed prior to final plat approval:

a. *Street improvements.* Land designated for streets and roads shall be constructed in accordance with these regulations and the specifications set forth in the state highway department's "Standard Specifications for Highway Construction" and shall be approved by the city engineer. Street name signs and regulatory signs required by the "Manual or Uniform Traffic Control Devices" shall be installed on public or private streets. All street design and installation shall conform to the "Complete Streets" design standards in section 20-40 and Appendix A of this article.

b. *Streetscape improvements.* Pedestrian (sidewalk) and bicycle facilities, street trees and transit facilities shall conform to section 20-40 and Appendix A of this article, and be included as required physical improvements.

c. *Drainage.* Storm sewers, including open ditches and rights-of-way, shall be provided for the proper drainage of all surface water and shall be approved by the city engineer.

d. *Public water and sewer systems.* All extensions of public water and sanitary sewer systems shall have the approval of the appropriate city departments involved and shall be constructed according to standards under the supervision of the city engineer.

e. *Other required improvements.* Any other physical improvements included as a condition for preliminary subdivision plat approval by the planning commission, (and noted on that approved plan or in meeting minutes), shall be considered a "required improvement" for final subdivision plat approval.

Final inspection and acceptance list if not completed to the satisfaction of the city.

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 _____, 2015.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: _____
SECOND READING: _____

REVIEWED:

City Manager

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: Monday, October 5, 2015

Agenda Item: 8 B	Prepared By: Aaron Rucker, AICP
Agenda Section: New Business: Ordinance: 1 st Reading	Date: October 1, 2015
Subject: Proposed Amendments to Chapter 20, Land Development Regulations, of the Code of Ordinances of North Myrtle Beach, South Carolina. [STX-15-02].	Division: Planning & Development

Proposal:

Staff has initiated a text amendment to the Land Development Regulations to change when the 40' right-of-way may be utilized. As a reminder, within the 40' cross-section there is 20' of travel lane, 3' of curb and gutter, 9' feet of tree lawn and 8' of sidewalk. A consistent issue is occurring when the Public Works Department must respond to damaged water meters that have been placed with the public right-of-way, but are located immediately adjacent to that property owners property, and the yard must be disturbed in order to fix the meter. That has been causing extra work for the city in order to respond to property owner requests and complaints.

Therefore, staff is proposing an amendment to the Land Development Regulations to address the following item:

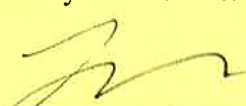
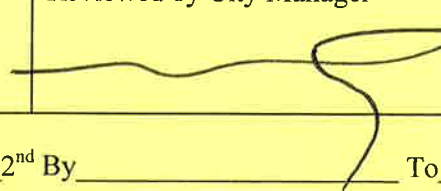
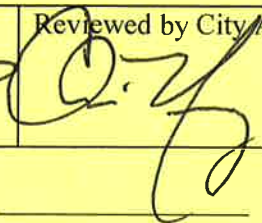
- No longer permit the 40' public right-of-way in residential settings; however, still allow in non-residential, i.e. commercial. Residential development would use the next available minimum width of right-of-way width of 50' (22' travel lane, 4' of curb and gutter, 16' of tree lawn and 8' of sidewalk).

Planning Commission Action:

The Planning Commission conducted a public hearing on September 22nd and voted 6-0 to recommend approval to City Council as submitted.

Action:

Approve the proposed Ordinance on 1st Reading. A proposed Ordinance has been attached for Council's review.

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

7.D. LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT STX-15-02: City staff has initiated an amendment to the Land Development Regulations text to change the availability of the local street, 40 foot right-of-way (2 travel lanes, sidewalk, and landscaping) cross-section.

Proposal:

Staff has initiated a text amendment to the Land Development Regulations to change when the 40' right-of-way may be utilized. As a reminder, within the 40' cross-section there is 20' of travel lane, 3' of curb and gutter, 9' feet of tree lawn and 8' of sidewalk. A consistent issue is occurring when the Public Works Department must respond to damaged water meters that have been placed with the public right-of-way, but are located immediately adjacent to that property owners property and the yard must be disturbed in order to fix the meter. That has been causing extra work for the city in order to respond to property owner requests and complaints.

Approving the revision would no longer permit the 40' public right-of-way in residential settings; however, it would still be allowed in non-residential, i.e. commercial. Residential development would use the next available minimum width of right-of-way width of 50' (22' travel lane, 4' of curb and gutter, 16' of tree lawn and 8' of sidewalk).

The proposed amendment addresses **Article III, Subdivision Regulations**, and would appear in the Land Development Regulations as follows (*new matter underlined, deleted matter struck-through*):

APPENDIX A ⁽⁴⁾

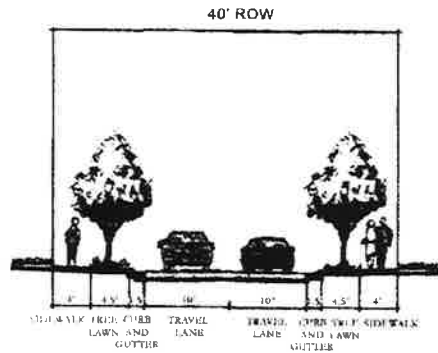
Complete Street Design Guidelines

SEE GRAPHIC NEXT PAGE SHOWING PROPOSED TEXT AS UNDERLINED.

Local Street: 2-Lane

(2-Lane, Sidewalks, Landscaping)

For Non-Residential Use Only

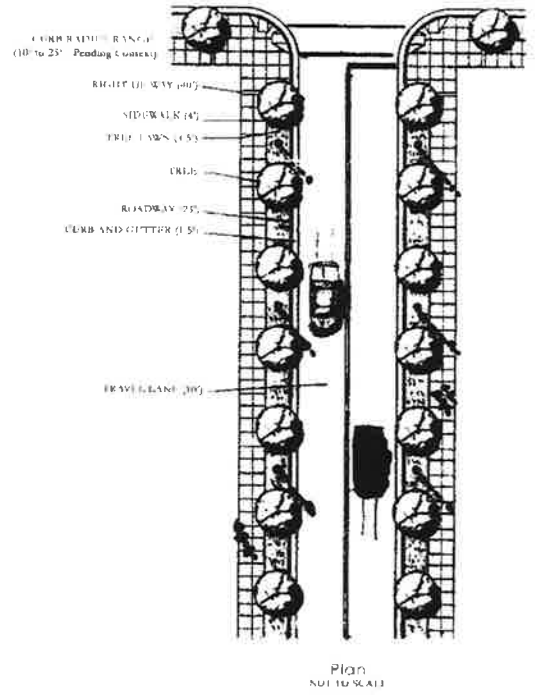
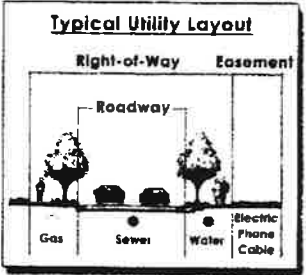


<u>Design Features</u>	
Roadway Width 23' including 2 travel lanes and curb and gutter	Pedestrian Facilities 4' sidewalks, both sides
On-Street Parking None	Bicycle Facilities None
Tree Lawn 4.5'	Golf Cart Usage May cross roadway May share lane with other vehicles
Median None	

<u>Roadway Capacity</u>
7,000 to 9,000 vehicles per day

Notes

- An alternative cross section could include two 14' travel lanes with a 5' sidewalk on one side.



According to *Section 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.

Planning Commission Action

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

Alternative Motions

- 1) I move that the Planning Commission approve the Land Development Regulations text amendment [STX-15-02] as submitted;

OR
- 2) I move that the Planning Commission deny the Land Development Regulations text amendment [STX-15-02] as submitted;

OR
- 3) I move (an alternate motion).

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 ARTICLE III, SUBDIVISION REGULATIONS, APPENDIX A, 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:

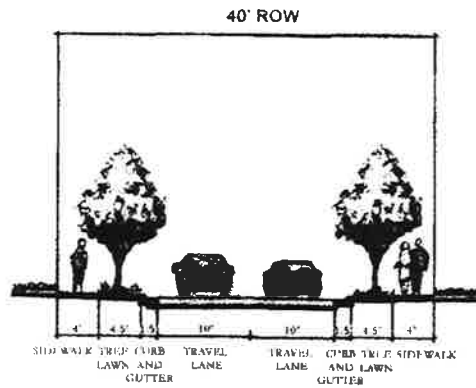
That *Appendix A. – Complete street guidelines.*, be amended to read as follows (*new matter underlined, deleted matter struck-through*):

See graphic next page...

Local Street: 2-Lane

(2-Lane, Sidewalks, Landscaping)

For Non-Residential Use Only



Design Features

Roadway Width
23' including 2 travel lanes and curb and gutter

On-Street Parking
None

Tree Lawn
4.5'

Median
None

Pedestrian Facilities
4' sidewalks, both sides

Bicycle Facilities
None

Golf Cart Usage
May cross roadway
May share lane with other vehicles

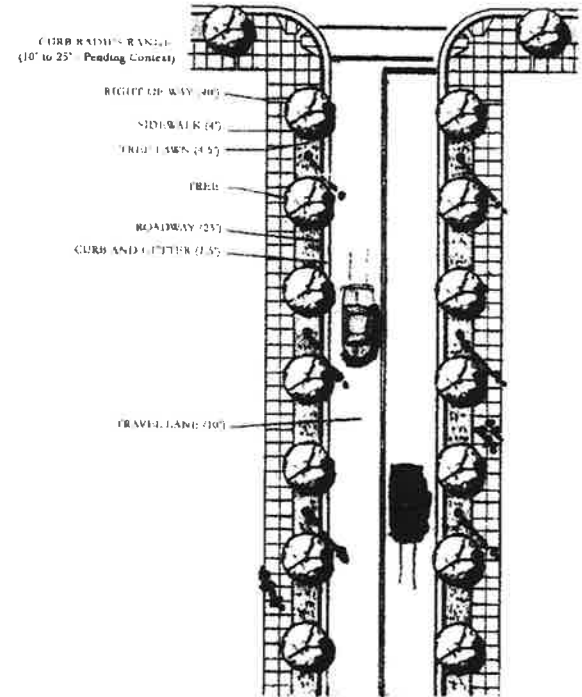
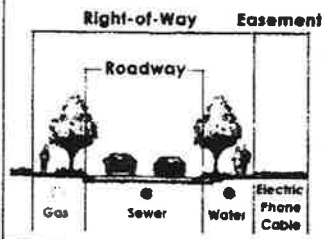
Roadway Capacity

7,000 to 9,000 vehicles per day

Notes

› An alternative cross section could include two 14' travel lanes with a 5' sidewalk on one side.

Typical Utility Layout



Plan
NOT TO SCALE

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 _____, 2015.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: _____
SECOND READING: _____

REVIEWED:

City Manager

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: Monday, October 5, 2015

Agenda Item: 8C	Prepared By: Aaron Rucker, AICP
Agenda Section: New Business: Ordinance: 1 st Reading	Date: October 1, 2015
Subject: Proposed Amendments to Chapter 20, Land Development Regulations, of the Code of Ordinances of North Myrtle Beach, South Carolina. [STX-15-03].	Division: Planning & Development

Proposal:
 Staff has initiated a text amendment to the Land Development Regulations to allow properties located in a flood zone to be considered minor subdivisions and reviewed at the administrative level if the subdivision otherwise meets the criteria for administrative review. In 2014, the regulations were revised to exempt properties possessing flood zones outside of the building envelope to be considered minor subdivisions, but kept those with flood zones in the building envelope as major.


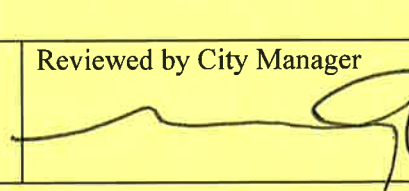
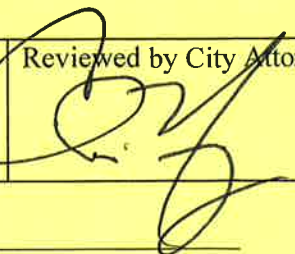
Therefore, staff is proposing an amendment to the Land Development Regulations to address the following item:

- Alleviate the burden of Planning Commission review, when the plat would otherwise be classified as minor, and instead allow city departments to determine whether the property meets subdivision regulations.

Staff notes that these cases usually involve small-lot subdivision requests, and Planning Commission review adds additional burden on the applicant.

Planning Commission Action:
 The Planning Commission conducted a public hearing on September 22nd and voted 6-0 to recommend approval to City Council as submitted.

Action:
 Approve the proposed Ordinance on 1st Reading. A proposed Ordinance has been attached for Council's review.

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

7.E. LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT STX-15-03: City staff has initiated an amendment to the Land Development Regulations text to change the definition of a minor subdivision by including properties located in a flood zone.

Proposal:

Staff has initiated a text amendment to the Land Development Regulations to allow properties located in a flood zone to be considered as a minor subdivision, reviewed at the administrative level if the subdivision otherwise meets the criteria for administrative review. In 2014, the regulations were revised to exempt properties possessing flood zones outside of the building envelope to be considered minor subdivisions. Allowing the proposed text amendment would alleviate the burden of Planning Commission consideration, when the plat would otherwise be classified as minor, and instead allow city departments to determine whether the property meets subdivision, and ultimately building, standards. Staff notes that these cases usually involve small lot subdivision requests and just adds an additional layer of review and time.

The proposed amendment addresses items in **Section 20-14, Definitions**, and would appear in the Land Development Regulations as follows (*new matter underlined, deleted matter struck-through*):

Minor subdivision: Any subdivision not containing more than three (3) lots fronting on an existing street, ~~not located in a flood zone within the building envelope~~ and not involving any new street, the extension of public utilities, the need for zoning variances as a precondition for lot creation, and not adversely affecting the remainder of the parcel or adjoining property.

According to *Section 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.

Planning Commission Action

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

Alternative Motions

- 1) I move that the Planning Commission approve the Land Development Regulations text amendment [STX-15-03] as submitted;

OR

- 2) I move that the Planning Commission deny the Land Development Regulations text amendment [STX-15-03] as submitted;

OR

- 3) I move (an alternate motion).

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 ARTICLE III, SUBDIVISION REGULATIONS, SECTION 20-14 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 20-14. - Definitions.*, be amended to read as follows (*new matter underlined, deleted matter struck-through*):

Sec. 20-14. - Definition.

Minor subdivision: Any subdivision not containing more than three (3) lots fronting on an existing street; ~~not located in a flood zone within the building envelope~~ and not involving any new street, the extension of public utilities, the need for zoning variances as a precondition for lot creation, and not adversely affecting the remainder of the parcel or adjoining property.

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 _____, 2015.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: _____
SECOND READING: _____

REVIEWED:

City Manager

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: October 5, 2015

Agenda Item: 8 D	Prepared By: Delane Stevens, Building Official
Agenda Section: New Business: Resolution	Date: September 29, 2015
Subject: Adoption of the North Myrtle Beach Hazard Mitigation Plan	Division: Planning & Development

Background:

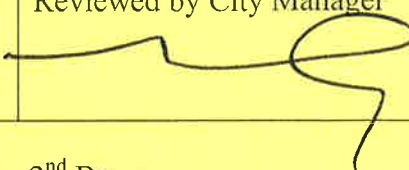
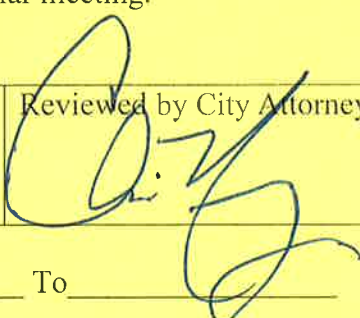
For local governments to remain eligible for FEMA future grants and funding the city is required to prepare and adopt a Hazard Mitigation Plan. The Mitigation Plan is also a requirement of the Community Rating System (CRS) program in which the City participates. The Mitigation Planning Committee along with a consultant hired by the City has been holding meetings since February of 2015 to prepare the plan.

On September 21, 2015, City Council held a public hearing on the Hazard Mitigation Plan prepared by the North Myrtle Beach Mitigation Planning Committee. Berry Williams, the consultant, gave a presentation along with some recommendations for the upcoming 5 years that will improve the city's preparedness for flood and other hazards. There were no comments from the public at the hearing.

Attached is a draft resolution adopting the North Myrtle Beach Hazard Mitigation Plan for consideration by City Council.

Recommended Action:

Staff recommends that Council adopt this item on the October 5th regular meeting.

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

Resolution



STATE OF SOUTH CAROLINA
COUNTY OF Horry
CITY OF NORTH MYRTLE BEACH

A RESOLUTION ADOPTING THE NORTH MYRTLE BEACH HAZARD MITIGATION PLAN UPDATE AS RECOMMENDED BY THE NORTH MYRTLE BEACH HAZARD MITIGATION COMMITTEE.

WHEREAS, the City of North Myrtle Beach, has experienced coastal flooding and drainage conditions over the years that have damaged buildings, closed businesses, disrupted traffic, and presented a general public health and safety hazard; and

WHEREAS, the updated Plan that evaluates the City's options to reduce damage from flooding, drainage conditions, and other hazards; and is a FEMA requirement to remain eligible for future local government grants, as well as a requirement of the Community Rating System program in which the City participates; and

WHEREAS, a public hearing was held by City Council on September 21, 2015 regarding the Mitigation Planning Committee recommendation;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of North Myrtle Beach, that:

The Hazard Mitigation Plan Update of 2015 is hereby adopted as an official plan of the City of North Myrtle Beach.

RESOLVED THIS _____ day of _____, 2015.

ATTEST:

Mayor Hatley

City Clerk

Terry White

Hank Thomas

Bob Cavanaugh

Nicole Fontana

J.O. Baldwin

Fred Coyne