

**2022-026 (1<sup>ST</sup> READING): TO REZONE ~0.54 ACRES ON GREY STREET (PIN 42513030034) FROM R5 (SINGLE FAMILY) TO RMM (MULTIFAMILY MEDIUM DENSITY) TO MATCH THE ZONING OF THE ADJACENT PARCEL TO ALLOW FOR THE DEVELOPMENT OF MULTIFAMILY UNITS.**

**Applicant/Purpose:** Diamond Shores, LLC (David Schwerd) / to rezone approximately 0.54 acres on Grey Street from R5 (Single Family) to RMM (Multifamily Medium Density).

**Brief:**

- The subject property fronts on both Grey St and White St in the Carrie May Johnson Neighborhood.
- Adjacent property to the north is zoned RMM, and adjacent properties on the other three sides are zoned R5.
- R5 is a Single Family District with a minimum lot size of 5,000 sqft. RMM is a Multifamily District that allows up to 12 units per acre.
- R5 allows manufactured homes on individual lots (no manufactured home parks), while RMM does not allow manufactured homes.
- District comparison tables are in the supporting materials are attached.
- Planning Commission (5.3.22): recommends approval (6/0).

**Issues:**

- The R5 zoning district was created in 2008 by Ordinance 2008-003 in order to strengthen the traditionally single family neighborhood while allowing for the traditionally small lots. See supporting materials for the stated purpose of the R5 District.
- If approved, the rezoning could result in a slight density increase.
  - In R5 the property is currently nonconforming with two residential units.
  - However, the property is currently eligible for subdivision into 4 single-family lots.
  - Rezoning to RMM *could* result in as many as 6 units total, depending upon design.
- The City has a documented shortage of workforce housing.

**Public Notification:** 29 letters sent to owners of property within 300'. One sign placed on the property. Legal ad ran.

- One neighborhood resident came to the Planning Department for information ahead of the Public Hearing,
- 2 neighborhood residents spoke positively about the request during the Public Hearing.
- No negative input has been received to date.

**Alternatives:**

- Amend the rezoning. Deny the request.

**Financial Impact:**

- With development/redevelopment, the property the City would realize an increase in commercial property taxes, permit fees, and business licenses.
- These revenue increases will be offset by nominal service demands (police, fire, public works, etc) as required.

**Manager's Recommendation:**

- I recommend 1<sup>st</sup> reading (5.10.22).

**Attachment(s):** Proposed ordinance, supporting materials

CITY OF MYRTLE BEACH  
COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

TO REZONE ~0.54 ACRES ON GREY STREET (PIN 42513030034) FROM R5 (SINGLE FAMILY) TO RMM (MULTIFAMILY MEDIUM DENSITY) TO MATCH THE ZONING OF THE ADJACENT PARCEL TO ALLOW FOR THE DEVELOPMENT OF MULTIFAMILY UNITS.

**PIN # 42513030034**

**IT IS HEREBY ORDAINED** that the official zoning map of the City of Myrtle Beach is amended by rezoning ~0.54 acres located on Grey Street, that represented by Horry County PIN # 42513030034 (as shown on "Exhibit A" attached hereto), from zone R5 (Single Family) to RMM (Residential Multifamily Medium Density).

This ordinance shall become effective upon adoption.

ATTEST:

BRENDA BETHUNE, MAYOR

JENNIFER ADKINS, CITY CLERK

1<sup>st</sup> Reading:

2<sup>nd</sup> Reading:

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EXHIBIT A  
ORDINANCE 2022-XX



REZONE ~0.54 ACRES ON GREY STREET  
(PIN 42513030034) FROM R5 (SINGLE  
FAMILY) TO RMM (MULTIFAMILY MEDIUM  
DENSITY).

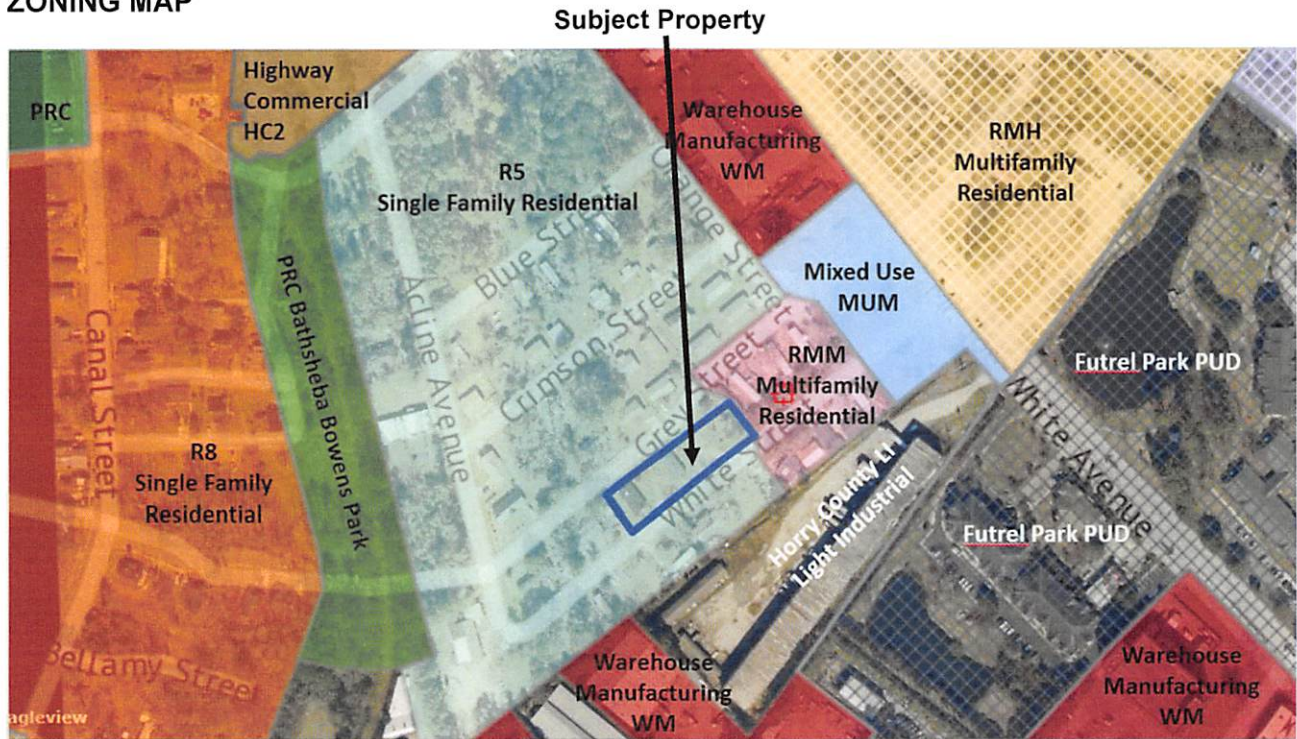
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## SUPPORTING MATERIALS

### ZONING MAP



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From Ordinance 2008-03 An Ordinance to Amend Article XII of Appendix A-Zoning in the Code of Ordinances of the City of Myrtle Beach to Add New Section 1249 R-5 One-Family Zoning District:

#### Section 1249. R-5 One-family residential district.

1249.1 *Purpose of district.* The purposes of the R-5 one-family residential district are as follows:

- a. To provide for quiet, livable low density residential neighborhoods intended for permanent residential occupancy as opposed to low density areas for transient occupancy and to encourage the formation and continuance of a stable, healthy, residential environment for low-density one-family dwellings situated on lots having an area of 5,000 square feet or more.
- b. To discourage unwarranted and blighting encroachments by prohibiting the commercial and industrial use of the land and to disallow any other use which would substantially interfere with the development or continuation of single-family dwellings in the district.
- c. To prohibit any use which would substantially interfere with the development or the continuation of residential development.
- d. To discourage any use which would generate traffic on minor streets other than that required to serve residences on those streets.

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1 **Permitted/Conditional Use Comparison**  
 2 P-permitted use C-conditional use S-special exception  
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Use Category and Type	R5	RMM	Additional Regulations
<b>Residential Uses</b>			
Horse farms	C	C	1501.DD
Licensed group residential (caregiving)		P	
Manufactured homes for single-family permanent residence	C		1501.N
Permanent residence, single-family dwellings	P	P	
Permanent residence, two-family dwellings		P	
Permanent residence, multi-family dwellings		P	
Residential care facilities of nine or less persons with mental or physical handicaps	P	P	
<b>Commercial and Office Uses</b>			
Adult day care		C	1501.A
Assisted living facilities		C	1501.EE
Child care center for 13 or more children (CCC)		C	1501.D
Child care home, family, for up to 6 children (FCCH)		C	1501.D
Child care home, group, for 7-12 children (GCCH)		C	1501.D

Use Category and Type	R5	RMM	Additional Regulations
Congregate housing, older adult		C	1501.F
Continuing care retirement community		C	1501.F
Facilities for active recreation not otherwise listed	C	C	1501.I
Facilities for passive recreation	C	C	1501.I
Golf courses	C	C	1501.I
Home occupations	C	C	1501.L
Independent living, older adult	C	C	1501.E
Nursing home facilities		S	1501.F
Religious establishments providing for religious service and development	S	S	1503.D
Rooftop gardens		P	
Schools, elementary and secondary, including school stadiums	C	C	1501.S
Swimming pools, indoor or outdoor	C	C	1501.I
Tennis facilities, indoor or outdoor	C	C	1501.I

Use Category and Type	R5	RMM	Additional Regulations
	<b>Public Services</b>		
Buildings and uses of utilities holding a franchise from the city	S	S	
Parks, recreation areas, recreation facilities or recreation buildings owned by the City of Myrtle Beach	P	P	
Public parking	P	P	
Public regional stormwater facilities	P	P	
Public safety stations including fire, police and rescue services	P	P	
Public utilities installations and substations	P	P	
Water tanks, public	S	S	

**Additional Regulations Referenced In The Table Above:**

- 1501.A. Adult Day Care Facilities. The facility and its operator shall hold all licenses required by the State of South Carolina.
- 1501.D. Child Care Centers (CCC); Child Care Homes, Family (FCCH); and Child Care Homes, Group (GCCH) provided the facility and its operator holds all licenses required by the State of South Carolina and that in all zoning districts except C6 (Urban Village) the center is located only on the ground floor of the structure.
- 1501.E. Independent Living, Older Adult:
  1. The facility and its operator shall hold all licenses required by the State of South Carolina.
  2. No facility listed in this section shall be located on any lot or parcel within 1200 feet of any other facility listed in this section.
  3. *Recreation areas/open space:* In all permitted zoning districts except multifamily (RM) districts, there shall be provided 200 square feet of usable open space for each resident, within which required landscaping may be included. All open space area shall be suitably landscaped with at least one shade tree for each 1,000 square feet of yard area or part thereof.

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- 2 1501.F. Congregate Housing, Older Adult; Continuing Care Retirement Community; Nursing
- 3 Home Facilities:
- 4 1. The facility and its operator shall hold all licenses required by the State of South
- 5 Carolina.
- 6 2. Except in the Medical/Professional (MP) district which has no maximum, the
- 7 number of dwelling units must be included in the computation of allowable density
- 8 for the zoning district in which the facility is located and shall not exceed the
- 9 maximum number of residential units allowed within the zoning district. For the
- 10 purposes of density calculations, a rooming unit shall be counted as ½ a dwelling
- 11 unit.
- 12 3. *Bathroom facilities:* A minimum of one full bathroom with toilet, sink and tub or
- 13 shower per five residents plus an additional toilet and sink shall be provided for
- 14 each additional group of three persons or less.
- 15 4. *Recreation areas/open space:* There shall be provided 200 square feet of usable
- 16 open space for each resident, within which required landscaping may be included.
- 17 All open space area shall be suitably landscaped with at least one shade tree for
- 18 each 1,000 square feet of yard area or part thereof.
- 19
- 20 1501.I. Facilities for Active or Passive Recreation, including playgrounds, parks, tennis courts,
- 21 ball fields, swimming pools and golf courses:
- 22 1. No recreational facility may be lit for night play or uses unless located upon the
- 23 same parcel or tract as a K-12 school and meets lighting requirements as provided
- 24 in Article 12 – *Lighting and Glare*.
- 25 2. Required yards shall not be used for parking or accessory buildings.
- 26
- 27 1501.L. Home Occupations:
- 28 1. Such occupation is conducted by no other persons than members of the family
- 29 residing on the premises.
- 30 2. Such occupation is conducted within the dwelling, is clearly incidental and
- 31 secondary to the use of the structure for dwelling purposes, and does not detract
- 32 from the residential character of the immediate area.
- 33 3. No stock in trade is kept or commodities sold or leased on the premises.
- 34 4. No mechanical equipment is used except such that is normally used for family,
- 35 domestic, or household purposes.
- 36 5. Such occupation(s) utilizes no more than 25 percent of the total floor area of the
- 37 principal building.
- 38 6. Such occupation creates no offensive noise, vibrations, smoke, dust, odors, heat,
- 39 or glare noticeable at or beyond the property line.
- 40 7. Such occupation is not evident from outside the dwelling and there is no exterior
- 41 indication that the building is being used for any purpose other than a dwelling.
- 42 8. Musical instruction is limited to a maximum of two (2) pupils at a time.
- 43 9. Child care is limited to a maximum of six (6) children.
- 44 10. Under no circumstances shall any of the following be considered a home
- 45 occupation: adult oriented businesses, aerobic exercise studio, ambulance service,
- 46 auto repair service, barber shop, beauty parlor, body piercing establishment, child
- 47 care center, chiropractor, dentist, doctor, drug/alcohol counseling services, escort
- 48 services, firearms manufacturing, group day care home, gym, health salon, kennel,
- 49 mortuary, musical or dancing instruction involving more than two pupils at one
- 50 time, nightclub, nursing home, psychiatrist or psychologist office, restaurant,



1 substance abuse clinics, swimming pool companies, tattoo parlor, trucking  
2 company, welding service, wig styling clinic, veterinarian's clinic.

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4 **1501.N. Manufactured Homes.**

- 5 1. The home shall:
  - 6 a. be built after June 15, 1976;
  - 7 b. meet Department of Housing and Urban Development standards pursuant to  
8 the National Manufactured Housing Construction and Safety Standards Act of  
9 1974 (commonly referred to as "HUD Code") for single family manufactured  
10 homes; and
  - 11 c. be inspected and "sealed" in accordance with HUD regulations.
- 12 2. All homes relocated within the City shall meet the minimum standards of S.C. Reg.  
13 79-43 Used Manufactured Home Minimum Habitability Requirements.
- 14 3. All homes brought into the City or relocated within the City shall meet the minimum  
15 specifications for South Carolina Wind Zone 2 (model year starting July 1, 1995)  
16 and be labeled as such.
- 17 4. The home shall be designed for long-term occupancy, containing sleeping  
18 accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with  
19 plumbing and electrical connections provided for attachment to outside systems.
- 20 5. The home shall be designed to be transported in one or more sections after  
21 fabrication on its own wheels, or on a flatbed or other trailers or detachable wheels.
- 22 6. The home shall arrive at the site where it is to be occupied as a dwelling complete,  
23 often including major appliances and furniture, and ready for occupancy except for  
24 minor incidental unpacking and assembly operation, location on foundation  
25 supports, connections to utilities and the like.
- 26 7. The home shall be placed by an installer licensed to do so by SCLLR according to  
27 manufacturer instructions on a site-built concrete or masonry foundation capable of  
28 transferring design dead loads and live loads and other design loads unique to the  
29 site due to wind, seismic and water conditions that are imposed by or upon the  
30 structure into the underlying soil or bedrock without failure.
- 31 8. All tie-down devices shall be in accordance with the manufacturer's  
32 recommendations or an engineered design approved by the City Construction  
33 Services Department.
- 34 9. The home must be approved for and permanently connected to all required utilities.
- 35 10. Parking standards shall be determined by the zoning district in which the  
36 manufactured home is placed.
- 37 11. In addition to the regulations listed in 1-10 above, single-family manufactured  
38 homes on individual lots shall adhere to the following:
  - 39 a. The home shall have a minimum floor area on the main floor (exclusive of  
40 garage) of 1,000 square feet.
  - 41 b. The home shall be placed so that the main entrance or front of the home faces  
42 or parallels the principle street frontage.
  - 43 c. All axle and hitch assemblies shall be removed at the time of placement on the  
44 foundation.
  - 45 d. The space beneath the home shall be enclosed at the perimeter of the home in  
46 accordance with the manufacturer's recommendations, shall have ventilation as  
47 required by the City, and shall be constructed of materials consisting of wood,  
48 brick, concrete, stucco stone, vinyl, or fiber cement siding, and shall be pest  
49 and weather resistant.
  - 50 e. The roof shall have a surface of asphalt or composition shingles, or fiberglass,  
51 clay or slate tiles, or standing-seam metal roofing.

- f. Homes shall have exterior siding materials consisting of wood, hardy board, brick, concrete, stucco, glass, vinyl, tile or stone.
  - g. Additions and modifications to the home shall be manufacturer produced specifically for the manufactured home model and shall be attached or modified by an installer licensed to do so by SCLLR.
12. In addition to the regulations listed in 1-11 above, manufactured homes in the R5 and R8 districts shall adhere to the following:
- a. The roof shall have a pitch of not less than five (5) feet of rise for each 12 feet of horizontal run, with interior attic access.
  - b. There shall be a roof overhang at the eaves and gable ends of not less than twelve (12) inches, excluding rain gutters, measured from the vertical side of the dwelling. The roof overhang requirement shall not apply to areas above porches, alcoves, and other appendages that together do not exceed 25% of the length of the dwelling.
  - c. Homes shall have a covered porch extending from the main entrance. The porch shall be a minimum of 8' deep and 8' long.
  - d. In order to add architectural interest and variety, and to relieve the visual affect of a plain long wall, front facades shall include wall offsets, including projections and recesses, a minimum of six inches in depth. These may include the porch required in section 1501.N.12.c. - *Homes Shall Have A Covered Porch*. No uninterrupted length of the face shall exceed 30 horizontal feet.

1501.S. Schools, Elementary and Secondary, including school stadiums:

1. The lot or lots for the school is at least 5 acres in size.
2. No structure or parking area shall be placed within 50 feet of any property line.

1501.DD. Horse farms subject to the following:

1. Horse farms shall have a minimum contiguous area of 6 acres.
2. There shall be no other livestock kept except horses. For the purpose of this ordinance, "horse" does not include donkey, burro or mule.
3. Barns and stables shall set back a minimum of 50' from the rear or side property line and a minim of 300' from the nearest adjacent primary residence, and a minimum of 50' from any swimming pool. The size of the barn or stable shall be determined by the size regulations for accessory structures in the zoning district in which it is located.
4. Manure piles shall be located a minimum of 200' from any dwelling, pool, patio, water body or property line and shall meet all SCDHEC requirements.
5. There shall be no more than 1 residential unit per acre.
6. There shall be no more than 1 horse per 1 acre.
7. Fencing shall be sufficient to restrain horses. No wire fencing shall be visible from any public right-of-way.
8. No barbed-wire fencing shall be allowed. If electric fencing is used it shall be installed so as not to be visible from off premise and shall include a warning sign that meets the provisions of Article 8 - *Sign Regulations*.

1501.EE. Assisted living facilities subject to the following:

1. The facility must be licensed as such by the State of South Carolina.
2. The number of dwelling units must be included in the computation of allowable density for the zoning district in which the facility is located. For the purposes of density calculations, a rooming unit (see definition in Article 2) shall be counted as ½ a

- 1 dwelling unit. In no instance shall the number of dwelling units exceed the maximum  
 2 number of residential units allowed within the zoning district.  
 3 3. The facility shall have 24-hour on-site management.  
 4

5 1503.D. Religious Establishments providing for religious service and development, including  
 6 churches, temples, synagogues, educational buildings, and rectories subject to the  
 7 following:

- 8 1. The parcels constituting the religious establishment total at least 2 acres in size  
 9 and are no further apart than 300 feet, airline measurement, as measured from any  
 10 property line to any property line.  
 11 2. Required yards shall not be used for parking or accessory buildings.  
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14 **Area, Height and Dimensional Requirements**  
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District	Dwelling Unit*	Min. Lot Area (sq. ft.)	Min. Lot Width	Min. Lot Depth	Max. Height	Max. Horizontal Dimensions	Max. Building Coverage	**Min. Front Yard Setback	Min. Side Yard Setback	**Min. Rear Lot Setback	Min. Per-vious Surface
R-5	SF	5,000	60'	---	35'	---	40%	D	10'	20'	50%
RMM	SF, 2F	5,000	50'	---	35' A	200'	42%	25' B	10'	15' C	25%
	MF, TH	14,520	80'	---	35' A	200'	42%	25' B	10'	15' C	25%

16 \* SF: Single-family, MF: Multi-family, 2F: Two-family, TH: Townhouse  
 17

- 18 (A) 1' of additional building height is permitted for each 1-1/2' of additional side yard setback per  
 19 side if the setback is increased in excess of the minimum. All portions of the structure not  
 20 exceeding 35' in height are permitted between the height bonus setback and the minimum side  
 21 yard setback line in the Multifamily (RM) districts. However, in no instance is the maximum  
 22 height to exceed 50'.  
 23  
 24 (B) Provided, however, that accessory buildings shall be set back a minimum of 40'.  
 25  
 26 (C) Provided, however, that hot tubs, swimming pools or enclosures shall be set back a minimum  
 27 of 10'.  
 28  
 29 (D) 10' for residential uses, 30' for other uses.  
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31 **\*\*Setback Exceptions:** Double Frontage: On lots having frontage on more than one street but not  
 32 located on a corner, the minimum front yard requirements for the district within which the lot is  
 33 located shall be applicable for each street on which the lot fronts.  
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1 **STAFF COMMENTS**

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3 *Fire:* No concerns.

4 *Public Works:* No concerns.

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6 **Section 403. Findings of Fact Required**

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9 In reviewing any petition for a zoning amendment, the Planning Commission shall identify and  
10 evaluate all factors relevant to the petition, and shall report its findings in full, along with its  
11 recommendations for disposition of the petition, to the City Council. Factors shall include, but shall  
12 not be limited to, the following:

- 13
- 14 403.A. Whether or not the requested zoning change is consistent with the Comprehensive Plan  
15 or is justified by an error in the original ordinance.
- 16
- 17 403.B. The precedents and the possible effects of such precedents, which might result from  
18 approval or denial of the petition.
- 19
- 20 403.C. The capability of the City or other government agencies to provide any services,  
21 facilities, or programs that might be required if the petition were approved.
- 22
- 23 403.D. Effect of approval of the petition on the condition or value of property in the City.
- 24
- 25 403.E. Effect of approval of the petition on adopted development plans and policies of the City.