

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

AN ORDINANCE TO CREATE A
PLANNED UNIT DEVELOPMENT
KNOWN AS 82 DUNES PLANNED
UNIT DEVELOPMENT

Section 1 – Purpose of Planned Unit

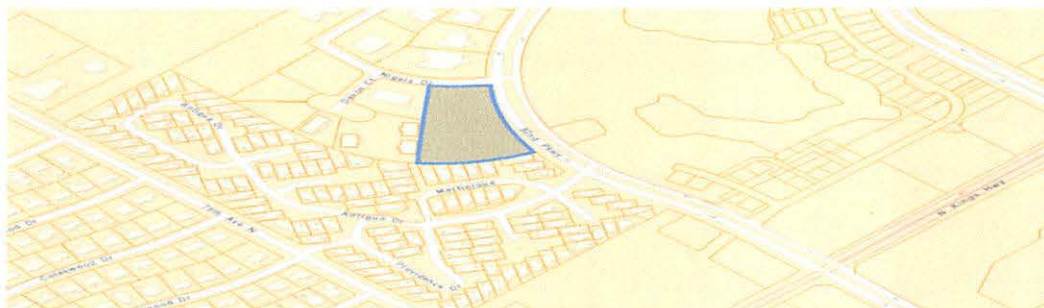
It is hereby ordained that the 82 Dunes Planned Unit Development is created pursuant to the terms and conditions of this ordinance. The development authorized and approved by this ordinance shall be located on those pieces, parcels or lots of land designated as Lots 1, 2 and 3 (identified as TMS/PIN No.: 165-12-03-093/394-16-01-0009, as shown on that certain plat entitled “FINAL SUBDIVISION PLAT OF 3 LOTS CUTS FROM TAX PARCEL 165-00-01-026 LOCATED AT THE INTERSECTION OF 82ND PARKWAY AND NIGEL DRIVE, MYRTLE BEACH, HORRY COUNTY, SOUTH CAROLINA” prepared for Eighty-Second Square, LLC, dated April 22, 2006 and recorded May 17, 2006, in Plat Book 214 at Page 22, in the Office of the Register of Deeds for Horry County, South Carolina, and attached hereto as Exhibit #1. The PUD will consist of 29 single family homes, with drainage and common areas located on 3.22 acres of property.

The PUD will provide a private, quiet, livable, medium density residential neighborhood intended for permanent residential occupancy, as opposed to the current MP zoning district, and to encourage the formation and continuance of stable, healthy, residential environments, in an architecturally distinct neighborhood of medium-density single family homes of 1,550 square feet or more, similar to zoning district IN (Institutional) within the City.

Section 2 – Location of Planned Unit Development

The subject property is located off of 82nd Parkway and Nigels Drive, near U. S. Highway 17 Business, with multiple points of access.

See Location Map Below



Section 3 – Permitted Uses

- 1
2 3.1 Detached single-family dwelling for permanent residence and long-
3 term rentals of not less than Ninety (90) days. A timesharing use is
4 not permitted, nor shall any dwelling be used for transient occupancy.
5

6 **Section 4 – Conditional Uses**
7

- 8 4.1 Conditional uses are not allowed.
9

10 **Section 5 – Accessory Uses**
11

- 12 5.1 Private garage or parking areas for use by the occupant of principal
13 buildings and their non-commercial guests.
14
15 5.2 Shed or tool room, for the storage of equipment used in grounds,
16 pool or building maintenance.
17
18 5.3 Children’s playhouse and play equipment.
19
20 5.4 Private kennel for not more than three (3) dogs which are four months
21 of age or older. Dogs which are less than four months of age are not
22 included in this requirement.
23
24 5.5 Private recreational facilities including swimming pools, cabanas,
25 etc., owned, used and maintained by the occupant of principal
26 building.
27
28 5.6 Privacy fencing not to exceed eight (8) feet in height (height limit of
29 fourteen (14) feet for architectural wall features at walls adjacent to
30 public park along 82nd parkway) and safety fencing in accordance with
31 required regulations for pools, etc.
32
33 5.7 Structures designed and used for purposes of shelter in the event of a
34 man-made or natural catastrophe.
35
36 5.8 Non-commercial flower, ornamental shrub or vegetable garden,
37 greenhouse or slat house not over eight (8) feet in height.
38

39 **Section 6 – Dimensional Requirements (lot, yard, height & coverage**
40 **requirements)**
41

- 42 6.1 Minimum Lot Requirements
43 A) Lot area per dwelling unit _____ 3,500 3,300 sq. ft.
44 B) Lot area _____ 3,500 3,300 sq. ft.
45 C) Lot Width _____ 38 25 ft.*
46 D) Lot depth _____ 70 ft.

1 *Lot number 18 has a front footage width of 26 ft.; number 29 has a front
2 footage width of 32 ft. These lots have 'notches' along the street property line
3 to allow for right-of-way improvements. Notches are 13.5 ft. maximum depth
4 from front property line; afterward lots are 40 ft. average width. Lot numbers
5 10 through 17 have a minimum front width of 37 ft. These are wedge-shaped
6 lots. All other lots have frontage widths of 40 ft. or more.
7

8 6.2 Minimum Yard Requirements

- 9 A) *Front yard _____ ~~15~~ 13.5 ft.
10 B) ~~**Side yard combined width Lots 2-9, 20-28~~ 10 ft.
11 **Side yard combined width, Lots 2 - 9, 20,
12 21 and 23 - 28 9.5 ft.
13 Side yard combined width Lots 11 - 17 _____ 8.5 ft.
14 Side yard combined width Lot 22 only 5 ft.
15 ~~***Side yard width Lots 1, 10, 18, 19 & 29~~ See Below
16 C) Side yard minimum _____ ~~1~~ 0.5 ft.
17 D) Rear yard minimum _____ 3 ft.

18
19 *Minimum distance from garage to front property line: 19 ft

20
21 **The pie-shape of certain lots represent minimum 8.5 ft. Side yard combined
22 setback, which widens to 12 ft. Exterior wall construction shall be IRC fire
23 resistance standards for building separation.

24
25 ***Corner Lots having a side yard abutting the boundary of the PUD, shall
26 have the following combined side yard setbacks: Lot 1 – street side 8 ft.,
27 internal side 10 ft., Lot 10 – PUD Boundary side 3 ft., internal side 8.5 ft., Lot
28 18 – street side 10 ft., internal side ~~8.5~~ 0.5ft., Lot 19 – street side 10 ft., internal
29 side 10 ft., Lot 29 – street side 8 ft., internal side ~~10~~ 0.5 ft.

30
31 6.3 Maximum Height Permitted. The mean roof height of any building
32 shall not exceed Thirty-Five (35) feet, provided that HVAC units, chimneys,
33 ventilators and other building equipment, building code required components
34 or components installed purely for architectural and aesthetic purposes may
35 exceed this limitation.

36
37 6.4 Building Coverage. No more than 60 percent of the lot may be
38 covered by principal and accessory buildings.

39
40 6.5 A roof overhang and/or wall water table base may extend into a sideyard
41 setback no more than 12 inches, measured from the exterior vertical wall up to
42 the adjacent property line only where the property line is located within 12
43 inches of an exterior wall. Roof overhang, trellis, balcony or other architectural
44 features may extend into a front or rear depth setback no more than 48 inches,
45 measured from the exterior vertical wall, excluding areas where building

1 setbacks are less than 4 feet. Features may extend at these areas to within one
2 foot of property line. maximum.
3
4

5 **Section 7 – Parking Standards**
6

7 7.1 Off-Street Parking Requirements.

- 8 A) Minimum of two (2) parking spaces per dwelling unit.
9 B) An off-street parking space, including aisles, shall meet the
10 following minimal dimensional requirements:
11 1. Parking stalls shall not be less than nine (9) feet by
12 nineteen (19) feet. Stalls measuring nine (9) feet by
13 sixteen and one-half (16.5) feet are permitted as long as
14 clear space of 30” is maintained over the curb for vehicle
15 overhang space. This provision is for the preservation of
16 root space for existing tree(s).
17 2. Parallel parking stalls shall not be less than nine (9)
18 feet by twenty-four (24) feet.
19 C) Minimum of 4 off-street parking spaces, and 2 golf cart
20 parking spaces shall be provided for the common use of
21 residents of the neighborhood, to accommodate special
22 occasions and gathering of guests at an individual residence.
23

24 **Section 8 – Tree Protection/Landscape Buffering/Open Space Requirement**
25

26 8.1 Tree Protection Requirement standards and requirements provided in
27 Article 9 Section 903 of the City Zoning Ordinance shall apply to the
28 PUD.

29 8.2 Landscape & Buffering:

30
31 1) A Twenty (20) foot wide drainage easement along the boundary
32 with Antigua Subdivision is presently vegetated. As a part of
33 the development of the PUD, the Developer has agreed to install
34 improvements in order to ~~resolve~~ improve the existing storm
35 drainage issues within Antigua Subdivision. Removal of the
36 existing vegetation within the drainage easement ~~will be limited~~
37 ~~to that required~~ shall be allowed for installation of the drainage
38 improvements for the benefit of the Antigua Subdivision. See
39 Exhibit #2.
40

41 a) ~~Trees Buffer—the existing vegetated buffers along~~
42 ~~the boundary with the Antigua Subdivision shall remain~~
43 ~~except to the extent the same are removed for purposes~~
44 ~~of resolving the existing drainage issues at that location.~~

45 ba) Conformance – this landscape buffer shall not conflict
46 with the current City Zoning Ordinance Article 9

1 Section 902, or sight distance standards for
2 intersections.

- 3 e-b) Trees along Private ROW – One (1) canopy tree installed
4 for every other lot, along each side of the Private ROW,
5 just outside of the Private ROW, such that adequate
6 spacing remains for street lights and utilities, which
7 ~~alternate with the canopy trees installed for every other~~
8 ~~lot.~~ Trees shall be planted of existing varieties approved
9 by the City. Existing trees able to be preserved along
10 private rights-of-way shall provide credits toward
11 required tree totals.
12

13 8.3 Open Space Requirements:

- 14
15 1) A minimum of 5,000 square feet of open space in the
16 PUD must be devoted to passive open space. See Exhibit #3.
17
18

19 **Section 9 – Lighting Standards**
20

- 21 9.1 Lighting standards and requirements provided in Article 12 Section
22 1205 of the City Zoning Ordinance shall apply to the PUD.
23

24 **Section 10 – Signage Requirements**
25

- 26 10.1 Signage standards and requirements for residential districts in
27 Article 8 Section 805.A.
28

29 **Section 11 – Special Requirements**
30

- 31 11.1 Accessory structures may be located in required side and rear yards
32 provided said structures ~~shall be located no closer than five (5) feet from~~
33 ~~the property line, and~~ shall not exceed one story or 15 feet in height nor
34 125 square feet in gross floor space; further provided that accessory
35 structures shall be located no closer than ten (10) feet from any principal
36 or accessory structure and shall not cover more than 35 percent of the
37 area of the required rear yard or required side yard, whichever is larger.
38

- 39 11.2 Swimming pools have the following requirements:

- 40 A) Swimming pools conditionally permitted as follows:
41 1. Pools are set back at least ~~three (3)~~ two (2) feet to inside
42 pool wall face at waterline from all side lot lines.
43 2. Swimming pools and hot tubs are permitted in side and
44 rear yards. ~~but must be set back at least three (3) two~~
45 ~~(2) feet from all side and rear lot lines.~~
46 3. Hot tubs must meet the minimum standards of the State

1 and have a deck around them of at least two (2) feet in
2 width, or a deck of at least four (4) feet in width around
3 at least fifty (50%) percent of the facility.

4 4. Pools are not permitted in front yards.
5
6
7

8 **Section 12 – Technical Design Criteria (water/sewer, curb & gutter, stormwater**
9 **and the like)**

10
11 12.1 Water and sanitary sewer systems connected to City lines will include
12 design, sizing and calculations or domestic water and wastewater
13 pipes, water meters, manholes, grinder stations and other water/sewer
14 appurtenances required to serve and accommodate the development's
15 needs. Easements for either or both systems will be deeded to the City
16 as required during the development. All design, sizing and
17 calculations will be subject to review and approval by the City Public
18 Works Department.
19

20 12.2 The City's Public Works Department shall approve storm system plans
21 that provide on-site stormwater management for the PUD. The PUD
22 must comply with Chapter 18 of the City Code of Ordinances.
23

24 12.3 Utility systems service plans shall be developed for the PUD by the
25 developer and submitted to the City for review and approval. All
26 utilities shall be provided underground except for necessary boxes,
27 transformers, light fixtures, clean-outs and other appurtenances. All
28 utility plans and construction methods shall comply with City
29 requirements.
30

31 12.4 Access by emergency vehicles to all buildings shall be provided in
32 accordance with the City's Standard Fire Prevention Code.
33

34 12.5 Solid Waste Management Requirements – The standards and
35 requirements for the management of solid waste provided in the City
36 Code of Ordinances, Chapter 17 shall apply to the PUD.
37

38 12.6 For new construction, roads shall be private and shall be exempt from
39 the Requirements of Sections 20-41, roads shall be constructed within a
40 ~~27~~ 27.5-foot private street ROW and have a 20 foot paved section.
41

42 12.7 For new construction, soil erosion control measures will be designed
43 and installed per the requirements of the City and DHEC-OCRM.
44

1 12.8 For new construction, curb and gutter will be rolled ~~concrete~~ and/or
2 stand-up type concrete curbing, 12" 18" in width. In order to maintain
3 proper surface drainage, curb &
4 gutter will be installed around entire paved asphalt areas within the
5 PUD.
6

7 12.9 The Developer shall be required to install a ~~Five (5)~~ minimum 4.5-foot
8 wide side-walk along the top back of curb on one side of the Private
9 ROW within the PUD. Handicap curbs shall be installed at road
10 crossings within the PUD. The PUD sidewalk improvement shall be
11 provided and installed by the developer.
12

13 **Section 13 – Public Improvements**
14

15 13.1 Storm drainage improvements along and within the boundary with
16 Antigua Subdivision, to ~~resolve~~ improve current drainage issues within
17 Antigua Subdivision.
18

19 13.2 Five (5) foot wide sidewalk improvements at entrances inclusive of
20 ADA access upgrades within the public right-of-way.
21

22 13.3 Fire hydrant within public right-of-way at Nigels Drive.
23

24 13.4 5,000 square foot of open area inclusive of a passive “pocket park”
25 along the boundary of the ROW of 82nd Parkway.
26

27 13.5 Landscaping, irrigation, power, lighting and public art installment
28 within “pocket park” and public right of way at 82nd Parkway and Nigels
29 Dr.
30

31 ~~*The above described Public Improvements shall not be deemed a Public Benefit.~~
32 ~~unless set forth in Section 14 below.~~
33

34 **Section 14 – Public Benefits**
35

36 14.1 The following public benefit improvements shall count toward the
37 calculated PUD fee total required for the project. Some or all of the
38 improvements shall be applicable as determined by the City to meet the
39 required PUD contribution value.
40

41 14.2 Developer will install, at Developer’s costs, the Storm drainage
42 improvements along the boundary ~~with~~ and within the Antigua
43 Subdivision, to ~~resolve~~ improve current drainage issues within Antigua
44 Subdivision. The Engineer’s estimated costs of which are \$61,000.00
45 \$81,000, of which \$58,950.00 is an upgrade to support the Antigua
46 Subdivision.

1
2 14.2 Five (5) foot wide sidewalk improvements at entrances inclusive of
3 ADA access upgrades within the public right-of-way, at the Engineer’s
4 estimated cost of \$3,850.00.
5

6 14.3 Fire hydrant within public right-of-way at Nigels Drive, at the
7 Engineer’s estimated cost of \$4,950.00.
8

9 14.4 Passive “pocket park” within the PUD along the boundary of the ROW
10 of 82nd Parkway; costs to be determined.
11

12 14.5 Landscaping, irrigation, power, lighting and public art installment
13 within “pocket park” and public right of way at 82nd Parkway and Nigels
14 Drive; costs to be determined.
15

16
17
18 **Section 15 – Revision Clause, Phasing Plan & Construction Schedule**
19

20 15.1 Revision Clause
21

22 A) If no land disturbance permit is issued within 180 days of second
23 reading approval of this ordinance, the land use zoning
24 designation shall revert back to Medical Professional (MP).
25

26 ~~15.1~~ 15.2 Phase Plan:
27

- 28 A) The PUD is anticipated to be developed as one distinct
29 and architecturally significant neighborhood, consisting of
30 approximately 29 single family homes.
31 B) The PUD infrastructure (roads, drainage, water/sewer, utilities)
32 shall be constructed in a single phase, to provide service to
33 each single family lot within 3 years of adoption of this
34 Ordinance.
35

36 ~~15.1~~ 15.3 Any extension to the proposed schedule of development must be
37 approved by City Council, and must be supported by facts and
38 circumstances warranting an extension.
39

40 ~~15.3~~ 15.4 Projected Completed Home Density. The Developer, as a projection
41 only, and not as a binding density plan, or a cap or other threshold for
42 development, projects the annual sales of homes to third party
43 occupants within the PUD to be as follows:
44

- 45 (a) ~~Calendar year 2018:~~ 1 Home
46 (b)(a) Calendar year 2019: 12 Homes

(e)(b) Calendar year 2020: 12 Homes
 (e)(c) Calendar year 2021: 4 5 Homes

Section 16 – Summary of variations between existing zoning district and PUD provisions

16.1 The property comprising the PUD is currently zoned MP. The primary differences between the requirements of the PUD and the MP zoning district is that the MP zoning district, in addition to single family residential uses, allows for the approved medical and professional uses such as clinics, doctors offices, hospitals, general offices and laboratories, and the PUD is a residential PUD, most similar to the IN zoning district.

16.2 Lot Setback Differences:


Setback Yard	IN	PUD	Difference
Front	3'	15' 13.5'	12' 10.5'
Side	5'	1' 0.5'	4' -4.5'
Rear	3'	3'	0'
Side Combined	10'	8.5'	-1.5'

16.3 Minimum lot size in the IN zoning district is 2,500 square feet, minimum lot size in the PUD is ~~3,500~~ 3,300 square feet.

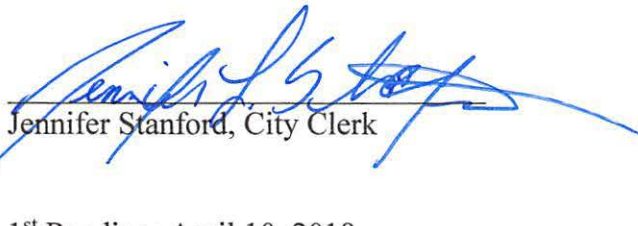
16.4 Maximum building coverage in the IN zoning district is 75%, maximum building coverage in the PUD is 60%.

[Signatures appear on the following page]

1 **017Section 17 – Enactment Provision and Signature Lines**
2
3

4 
5 _____
6 Brenda Bethune, Mayor

7 ATTEST:

8 
9 _____
10 Jennifer Stanford, City Clerk
11
12

13 1st Reading: April 10, 2018
14

15
16 2nd Reading: November 13, 2018
17

18 **Section 18 – Summary Data Sheet Outlining Existing and Proposed Elements**
19

20 18.1 Existing Elements:

21 The subject property is an undeveloped wooded tract, with the
22 following features:
23

- 24 A) 20 foot wide stormwater easement along the boundary with
25 Antigua Subdivision.
26 B) Parcel is currently zoned MP.
27 C) Adjacent property zoning:
28 i) Northern boundary (Nigels Drive)
29 ii) Eastern Boundary (82nd Parkway)
30 iii) South Boundary – Antigua Subdivision
31 iv) Western Boundary – Providence Park Subdivision
32

33 18.2 Proposed Elements
34

- 35 A) Parcel rezoned from MP to PUD.
36 B) PUD name “82 Dunes”.
37 C) 29 single family lots. See Exhibit #4 (Site Plan).
38 D) Private ROW.
39 E) Private/Public Pocket Park
40 F) Private stormwater system.
41 G) Public utilities within PUD include water supply, gravity sewer
42 and any required pump station.
43 H) Two (2) parking spaces per dwelling unit (29 x 2 parks = 58).
44 I) In-kind and Monetary contribution for public improvements as
45 selected from proposed public benefits listed under Section 14-
46 Public Benefits.

EXHIBIT #1

Plat of PUD Property

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