

April 10, 2018- 1st Reading.

April 24, 2018 - presented for 2nd reading

2018-28 (2ND READING): AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF MYRTLE BEACH BY REZONING 0.4 ACRES LOCATED AT 404 70TH AVE N (TMS 165-15-10-007) FROM RMH (RESIDENTIAL MULTIFAMILY HIGH DENSITY) TO MU-M (MIXED USE MEDIUM DENSITY).

Applicant/Purpose: Hazel Richardson/to construct a mixed-use building across 2 lots which are in 2 different land use zones.

Brief:

- Applicant owns property at 404 70th N (zoned RMH) & 406 70th N (zoned MU-M).
- Properties face the side of a strip center, zoned HC, at the corner of 70th & Kings.
- Applicant would like to construct a mixed-use building across their lots w/ apartments above offices.
- The MU-M zone on 406 70th N would accommodate this plan, but the RMH zoning on 404 70th Ave N does not allow commercial uses.
- Applicant requests rezoning 404 70th to conform the zoning on both properties.
- 3/20/18: Planning Commission motion to approve failed (4-4). Those voting for the proposal felt the applicant's idea was a good fit in the area, considering the commercial presence already there. Those voting against the proposal expressed support for the idea & the applicant, but were uncomfortable w/ the list of uses allowed in MU-M should someone other than the applicant develop the property.
- No changes since 1st reading.

Issues:

- Property proposed for rezoning abuts commercial or mixed-use zones (HC, MU-M) on 2 of the 4 sides. The other 2 sides abut RMH-zoned properties.
- 2 of the 3 single story residential lots left on this block are owned by the applicant. These lots are surrounded by 2-story townhome/condos or commercial units
- Re-zoning this lot to MU-M would likely increase the property value of the property.

Public Notification:

- 87 letters sent; 1 sign posted; legal ad ran.
- No letters received; no one spoke at the public hearing.

Alternatives: Deny the proposal.

Financial Impact: Increase in property tax & business license revenue upon construction of the proposed mixed use structures.

Manager's Recommendation:

- I recommend 1st reading (4/10/18).
- I recommend 2nd reading & approval (4/24/18).

Attachments: Ordinance, map, staff report, comparison chart of permitted uses, density allowances for zones.

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

AN ORDINANCE TO AMEND THE ZONING
MAP OF THE CITY OF MYRTLE BEACH BE
REZONING 0.4 ACRES LOCATED AT 404
70TH AVE N (TMS 165-15-10-007) FROM
RMH (RESIDENTIAL MULTIFAMILY HIGH
DENSITY) TO MU-M (MIXED USE MEDIUM
DENSITY)

TMS # 165-15-10-007

WHEREAS, the owner of the property listed above has petitioned to rezone their property; and,
WHEREAS, it appears to Council that rezoning would be in the best interest of the city;
NOW, THEREFORE, IT IS HEREBY ORDAINED that the zoning map for the City of Myrtle Beach is
amended for property shown in Exhibit A, attached hereto, changing the zoning designation
from RMH (Residential Multifamily High Density) to MU-M (Mixed Use Medium Density).

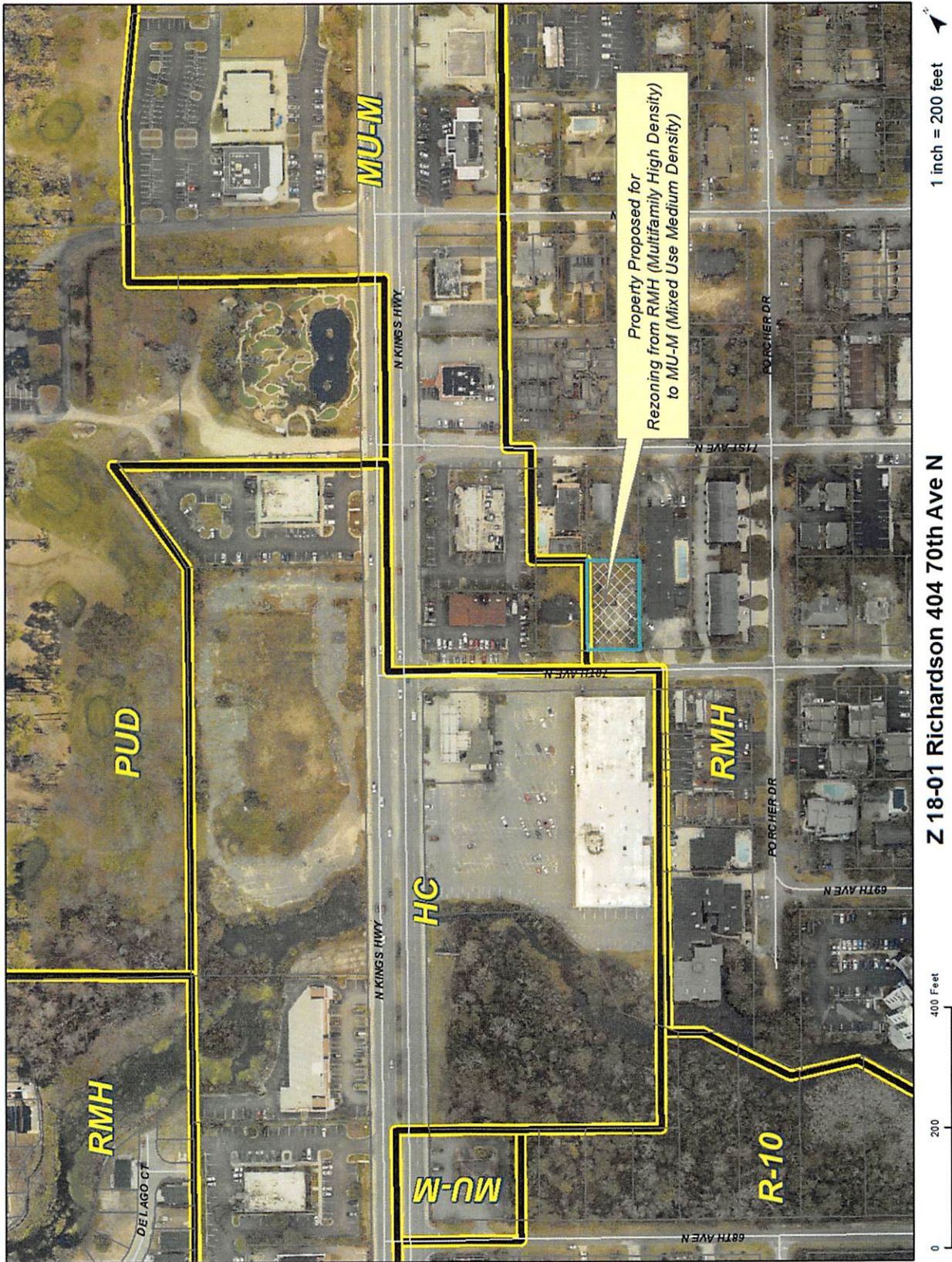
ATTEST:

BRENDA BETHUNE
MAYOR

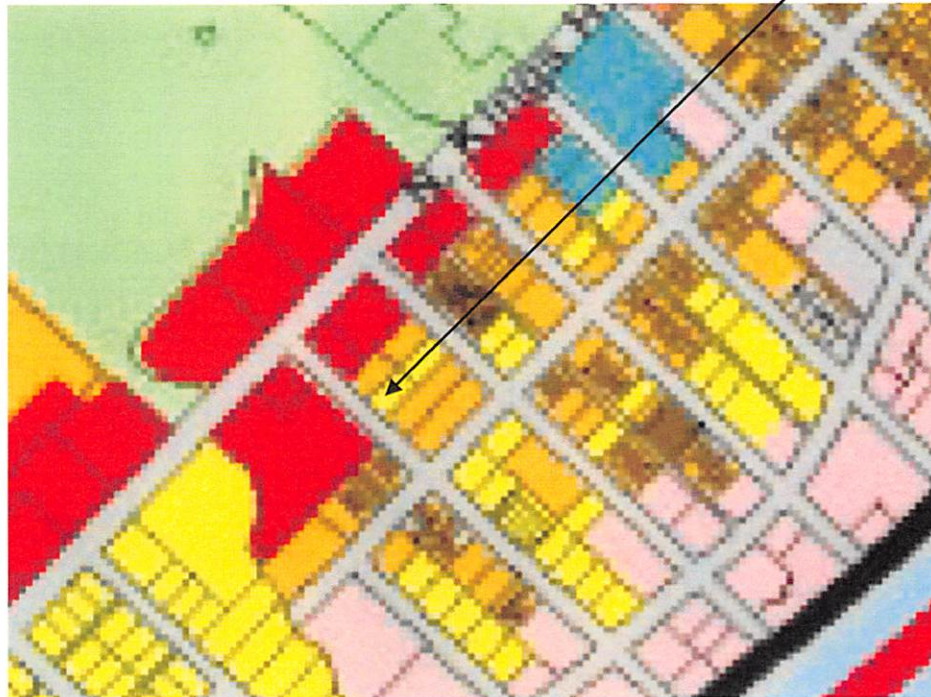
JOAN GROVE, CITY CLERK

1st Reading:
2nd Reading:

EXHIBIT A



APPLICANT	Hazel Richardson, owner
REQUESTED ACTION	Rezone 0.4 acres located at 404 70 th Ave N from RMH (Residential Multifamily High Density) to MU-M (Mixed Use Medium Density)
EXPLANATION FOR ZONING	Wants to construct mixed-use apartments/office space building
EXISTING ZONING	RMH
SITE LOCATION	404 70 th Ave N
SIZE	Approximately 0.4 acres
EXISTING LAND USE	Residential
COMPREHENSIVE PLAN	Identifies the property as low density residential (yellow)



PUBLIC NOTICE

Letters sent to property owners within 300 feet of the proposal: 87

Signs posted for ten (10) days prior to public hearing:

1

Legal ad ran in the Sun News:

Yes

Calls for information received:

2

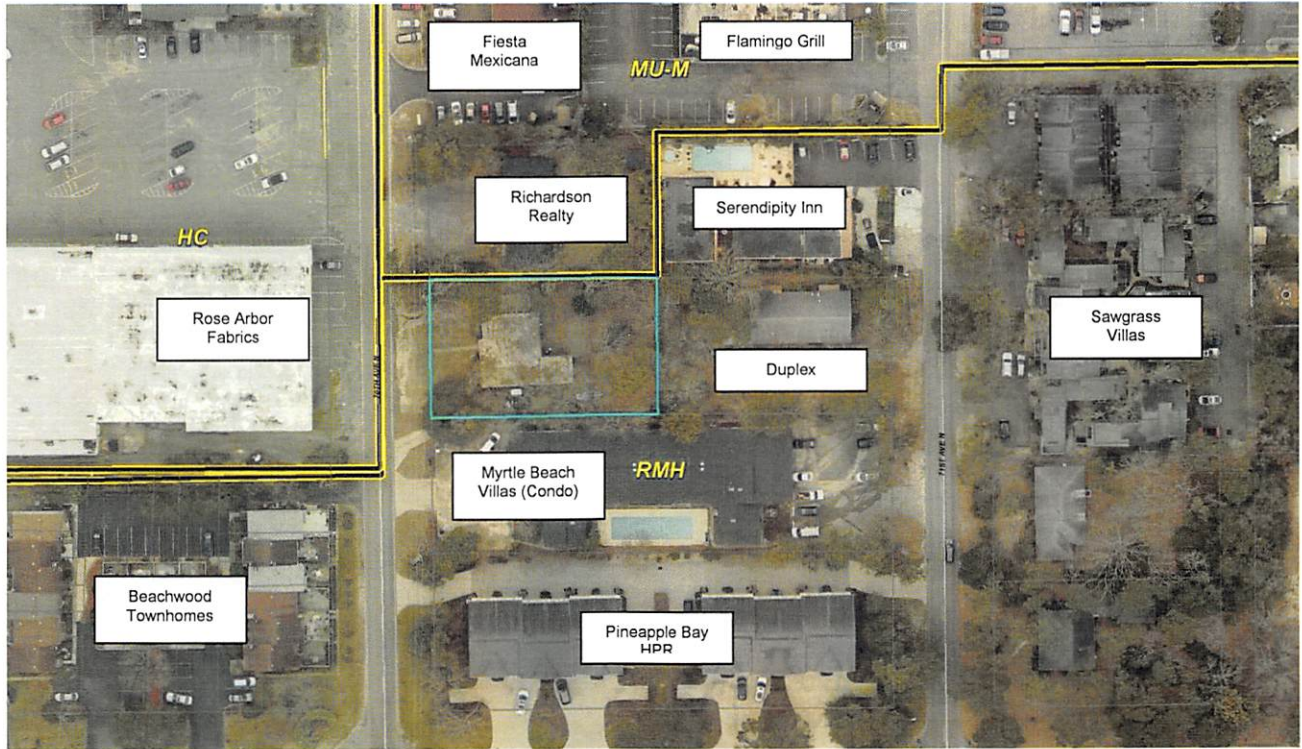
Letters received:

0

STAFF COMMENTS –

No Concerns.

SURROUNDING LAND USES:



ANALYSIS OF REQUEST

Section 403 of the Zoning Ordinance lists the following factors, which should be part of the information considered when evaluating requests to change the Zoning Ordinance Text or Map.

Section 403 .A. Whether or not the requested zoning change is [1] consistent with the Comprehensive Plan or [2] is justified by an error in the original ordinance.

[1] The property is located in Planning Area I. The 2011 Comprehensive Plan Future Land Use map shows this property as low density residential, as it held a single family residential unit when the Comprehensive Plan was approved. The Comprehensive Planning process did not anticipate a change of use for this property.

[2] There are no known errors in the ordinance. It could be argued that the Comprehensive Plan did not address the future growth potential of the lots at 404 70th Ave N and 405 71st Ave N adequately, considering the more dense uses around these properties.

Section 403 .B. – The precedents, and the possible effects of such precedents, which might result from approval or denial of the petition.

There is a grandfathered nonconforming bed & breakfast inn that shares the rear left corner with the property proposed for rezoning. The properties at 406 and 404 70th Ave N, and 405 71st Ave N, are the only residential lots left on their block that are single story. They are surrounded by either two-story townhome/condo buildings or commercial units.

Section 403 .C. – The capability of the city or other government agencies to provide any services, facilities or programs that might be required if the petition were approved.

Water: Currently available to this site.

Sewer: Currently available to this site.

Streets: Access via 70th Ave N.

Sidewalks: There are no sidewalks on either side of 70th Ave N.

Section 403 .D. Effect of approval of the petition on the condition or value of property in the city.

Zoning this parcel to MU-M would allow for the construction described by the applicant. It would likely increase the value of the property. The MU-M district is a transitional district between commercial and residential uses, and would bridge the uses between the townhomes to the east (Myrtle Beach Villas) and the commercial to the west (Fiesta Mexicana) and south (Rose Arbor and other stores).

Section 403 .E. Effect of approval of the petition on adopted development plans and policies of the City of Myrtle Beach.

This rezoning petition does not match the Comprehensive Plan future land use designation. As noted in the reply for Section 403.A, it could be argued that the Comprehensive Plan did not address the future growth potential of the lots at 404 70th Ave N and 405 71st Ave N adequately, considering the more dense uses around these properties.

Comprehensive Plan Citations:

Neighborhoods

Continue to enhance neighborhoods by appropriate expansion and intensification.

Action: The Planning Commission, with assistance from Planning and other appropriate City Departments including the Zoning Administrator, works with neighborhood organizations, property owners, and developers to review regulations. The Planning Commission recommends the plans to City Council for adoption.

Time frame: Immediate.

Potential funding source: No funding needed.

Continue to support neighborhoods with appropriate facilities and connections.

Action: The Planning Commission, with assistance from Planning and other appropriate City Departments including the Zoning Administrator, works with neighborhood organizations, property owners, and developers to review regulations. The Planning Commission recommends any necessary revisions to City Council for adoption.

Time frame: Ongoing.

Potential funding source: No funding needed.

Land Use

Ensure new non-residential development is compatible adjacent to or near neighborhoods.

Action: The Planning Commission, with assistance from Planning and other appropriate departments and the Zoning Administrator, works with neighborhood organizations to develop plans. The Planning Commission recommends the plans to City Council for adoption.

Time frame: Short term.

Potential funding source: No funding needed.

1 Facilitate appropriate non-residential development accommodating the further evolution of tourism
2 and the expansion of business and employment opportunities in other sectors of the economy and
3 providing for institutional uses.

- 4 • Accommodate an expanded year-round tourism industry that taps new markets.

5 *Action: The Planning Commission, with assistance from Planning and other appropriate*
6 *departments, works with the hospitality industry to develop programs; the Planning*
7 *Commission recommends any necessary city activities to City Council for approval.*

8 *Time frame: Immediate.*

9 *Potential funding source: Capital improvements program.*

10
11
12

1407.C. Permitted Use Chart

P-permitted use	C-conditional use	S-special exception	Blank Cell-use type not allowed
Use Category and Type			Additional Regulations
	RMH	MU-M	
Residential Uses			
Cabana			1501.Z
Horse farms	C		1501.DD
Licensed group residential (caregiving)	P	P	
Rooming or Boarding House		P	
Manufactured homes for single-family permanent residence			1501.N
Manufactured homes, multifamily (more than 1 unit per lot)			1501.O
Permanent residence, single-family dwellings	P	P	1501.JJ
Permanent residence, two-family dwellings	P	P	1501.JJ
Permanent residence, multi-family dwellings	P	P	1503.A
Residential care facilities of nine or less persons with mental or physical handicaps	P	P	
Travel trailers or recreational vehicles			1308 1501.BB
Commercial and Office Uses			
Accounting office		P	1503.A
Adult day care	C	C	1501.A
Advertising agency		P	1503.A
Administrative service establishments of a business character which supply general needs of an intangible nature to the public including establishments performing management duties in the conduct of government, business, utilities, or industry		P	1503.A

Use Category and Type	RMH	MU-M	Additional Regulations
Advisory service establishments engaged in providing monetary and specialized professional knowledge to the community, including offices of paralegals, lobbyists, and designers.		P	1503.A
Airport, freight			
Airport, passenger			
Amusements, open or unenclosed over 80' in height.			1501.B 1603.C.(B) 1603.C.(V)
Amusements, open or unenclosed under 80' in height.			
Aquariums			
Architects office		P	1503.A
Arts and crafts studio		P	
Assembly of electronic instruments and devices such as computer hardware and software, audio and video equipment, business machines, and small appliances.			
Assisted living facilities	C	C	1501.EE
Auction houses			
Automated teller machines, free standing		P	
Automobile rental			
Bakeries, retail		P	
Bakeries, wholesale			
Banks		P	1503.A
Bar		P	
Barbershops, beauty salons, and cosmetologists		P	1503.A
Bed & breakfast establishments			1503.A
Bingo parlors			
Blueprinting services		P	

Use Category and Type	RMH	MU-M	Additional Regulations
Boating (non-motorized) and water-related activities		P	
Body piercing establishment			1501.C
Booksellers / book stores		P	
Bowling alleys		P	
Broadcast studios, radio and television			
Brokers		P	1503.A
Business consultants, offices of		P	1503.A
Cabins			1501.BB
Campgrounds/mobile visitor accommodations			1501.BB
Car wash			
Cemetery			1502.E
Chambers of commerce		P	
Child care center for 13 or more children (CCC)	C	C	1501.D 1503.A
Child care home, family, for up to 6 children (FCCH)	C	C	1501.D
Child care home, group, for 7-12 children (GCCH)	C	C	1501.D
Chiropractic care establishments		P	1503.A
Clothing stores		P	
Comedy Clubs		P	
Commercial center		P	
Commercial group residential		S	1501.E
Communication establishments-carrying or conveying written, oral or visual information to the general public			1503.A
Confectionaries		P	
Congregate housing, older adult	C	C	1501.F
Construction establishments			
Construction vehicle and heavy machinery sales, repair, leasing maintenance, and storage			
Continuing care retirement community	C	C	1501.F

Use Category and Type	RMH	MU-M	Additional Regulations
Convention services		P	
Copy shops and business service centers		P	
Cosmetology establishments		P	
Credit office		P	
Crematorium			1502.F
Customer service/reception centers for interval ownership operations			1501.G
Dance Halls		P	
Drapery shops, custom		P	
Dressmaker		P	
Dry cleaning establishments		C	1501.H
Engineering office		P	1503.A
Eyeglass sales		P	
Facilities for active recreation not otherwise listed	C	P	1501.I
Facilities for passive recreation	C	P	1501.I
Farm stands		C	1501.NN
Financial office		P	1503.A
Florists and flower shops		P	
Forests and botanical gardens (research)			
Funeral homes		P	
Galleries		P	
Game arcades			1501.J 1503.A
Gasoline station			1501.Y
Genetic research institutions			
Gift shops		P	
Go carts, electric, indoor or outdoor			
Golf courses	C	P	1501.I
Golf courses, miniature		C	1501.K
Golf driving ranges			
Grocery and food stores		P	
Hardware stores		P	

Use Category and Type	RMH	MU-M	Additional Regulations
Health care establishments engaged in the science and art of preventing, curing, recovering from, or alleviating injury or disease, and associated offices, including medical, surgical, psychiatric, osteopathic, and dental, including medical, surgical, psychiatric, osteopathic, and dental, but not primarily for recovery from substance abuse		P	1503.A
Health clubs, gymnasiums, exercise and workout areas		P	
Heavy durable goods sales			1501.KK
Heavy machinery sales, repair, leasing, maintenance or storage sales			
Home decorating accessory shops sales		P	
Home occupations	C	C	1501.L
Horse carriage terminals and stables			
Horticultural nursery			
Hospital			
Independent living, older adult	C	C	1501.E
Industrial service establishments sales that supply other businesses, industries or individuals			
Jewelry sales and repair		P	
Kennels and animal boarding facilities, indoor			
Kennels and animal boarding facilities, outdoor			
Laboratory (analytical, experimental testing, research and development)			
Laundromats and service		P	1503.A
Laundry and linen supply service			
Law office		P	1503.A

Use Category and Type	RMH	MU-M	Additional Regulations
Liquor package stores		P	
Mailing/addressing services		P	
Manufacturing, processing, packaging, and distribution of measuring, analyzing and controlling instruments; medical and optical instruments, photographic equipment (excluding film and chemicals); ceramic instruments and components; magnetic media; and small electronic components.			
Manufacturing, processing, assembling, packaging and distribution establishments sales			
Marinas		C	1501.AA
Massage establishment, therapeutic		C	1501.X
Mausoleums and memorial gardens			1502.E
Metal/cabinet shops			
Moped rental and sales establishment			1501.FF
Motor vehicle detailing			
Motor vehicle paint or body shop			
Motor vehicle parts store			
Motor vehicle repair and maintenance			1501.P
Motor vehicle sales			
Motor vehicle rental and leasing			
Museums		P	
Music sales		P	
News and magazine stands		P	
Newspaper offices and plants			
Nightclubs			
Nursing home facilities	S	C	1501.F
Outdoor display and merchandise area		C	1501.R
Outdoor vending and concession stands			1501.M

Use Category and Type	RMH	MU-M	Additional Regulations
Outpatient clinic treating substance abuse			1501.MM
Parking facilities		P	1503.A
Parking lots, accessory	C		1501.LL
Parolee-probationer home			1503.G
Pharmacies		P	
Photography developing establishments		P	
Photography studios		P	
Pool halls/billiard parlors		P	
Professional organizations, offices of		P	1503.A
Prosthetic facilities		P	
Radio or television station and related transmitting tower			
Real estate offices		P	1503.A
Religious establishments providing for religious service and development	S	P	1503.A 1503.D
Restaurant, with drive-through service			1503.A
Restaurant, without drive-through service		P	1501.HH 1503.A
Restaurant with outdoor dining		C	1501.Q
Retail, big box			
Retail establishments providing convenience items and services		P	1503.A
Rock climbing walls			
Rooftop gardens	P	P	
Ropes course		P	
Schools, elementary and secondary, including school stadiums	C	P	1501.S
Schools, colleges or universities		P	
Schools, trade or vocational		P	
Schools, artistic training		P	
Schools, athletic training		P	

Use Category and Type	RMH	MU-M	Additional Regulations
Service establishments of a business character providing maintenance, installation, and repair for specialized service needs to individuals or other businesses, including sales and service operations, and stenographic and letter writing services		P	
Shoe repair		P	
Skating rinks and parks, indoor			
Skating rinks and parks, outdoor			
Small engine repair			
Social welfare organizations		P	1503.A
Sport facilities not otherwise listed		P	
Storage tanks for liquid substances, above ground			1503.E
Storage yards, vehicles			1501.CC
Storage yards not otherwise listed			1501.CC
Studios (art, dance, or music)		P	
Studios (martial arts, athletic)		P	
Swimming pools, indoor or outdoor	C	P	1501.I
Tattoo parlor			1501.C
Tavern		P	
Taxi business			
Telephone switching facilities			
Tennis facilities, indoor or outdoor	C	P	1501.I
Theater, indoor		P	
Theater, outdoor		P	
Tire sales and service			
Transmission or distribution lines for petroleum, gasoline, natural gas or liquefied petroleum gas			
Transmitting towers other than cell towers			

Use Category and Type	RMH	MU-M	Additional Regulations
Transportation terminals and establishments providing for the interchange of passengers		C	1501.W
Transportation terminals and establishments providing for the interchange of freight			
Travel agencies		P	
Truck terminals			
Unlicensed group residential (caregiving)		S	1501.E
Veterinary offices, clinics, and hospitals			1501.GG
Video and other media productions			
Visitor accommodations not otherwise listed			1503.A
Visitor information reception center			
Warehouse storage			
Welding shops			
Wholesale business establishments for selling bulk goods or commodities, but not toxic chemicals			
Wholesales business establishments for selling bulk gasoline, kerosene or any other fuel oil			
Wholesale business establishments for selling bulk bottled gas			
Public Services			
Administrative offices of federal, state and local governments		P	
Buildings and uses of utilities holding a franchise from the city	S	S	
Correctional facilities			1503.F
Library, public		P	

Use Category and Type	RMH	MU-M	Additional Regulations
Parks, recreation areas, recreation facilities or recreation buildings owned by the City of Myrtle Beach	P	P	
Post office		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	
Public works facility/public utilities		P	
Social welfare offices		P	
Water tanks, public	S	S	

Article 16. AREA, HEIGHT AND DIMENSIONAL REQUIREMENTS

City of Myrtle Beach, SC

ZONING ORDINANCE

1603.B. Requirements for Residential Zoning Districts

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	Min, District Land Area
R-5	SF	5,000	60' L	---	35'	---	40%	D J	10' J	20' J	50%	---
R-7	SF	7,500	60' L	90'	35'	---	40%	30'	E F J	H J	50%	---
R-8	SF	8,000	60' L	---	35'	---	40%	D J	10' J	20' J	50%	---
R-10	SF	10,000	75' L	100'	35' A	---	40%	40'	E F J	30'	50%	---
R-15	SF	15,000	80' L	120'	35' A	---	35%	40'	F G J	30'	50%	---
RMM	SF, 2F	5,000	50' L	---	35' A	200'	42%	25' B J	10' J	15' C J	25%	---
	MF, TH	14,520	80' L	---	35' A	200'	42%	25' B J	10' J	15' C J	25%	---
RMH, and RMH-MH	SF, 2F	5,000	50' L	50'	35' A	200'	42%	25' B J	10' J	15' C J	25%	4 acres
	MF, TH	14,520	80' L	50'	35' A	200'	42%	25' B J	10' J	15' C J	25%	4 acres
RMV	SF, 2F	5,000	50' L	---	55'	200'	50%	Q	N	N	25%	---
	MF	10,000 K	100' M	---	120'	200'	50%	Q	N	N	25%	---
	TH	10,000 K	100' M	---	55'	200'	50%	Q	N	N	25%	---
IR	SF	30,000	160' I	120'	35' A	---	35%	40'	F G J	30'	---	4.5 acres P

* (SF) Single-family, (MF) Multi-family, (2F) Two-family, (TH) Townhouse

(A) 1' of additional building height is permitted for each 1-1/2' of additional side yard setback per side if the setback is increased in excess of the minimum. All portions of the structure not exceeding 35' in height are permitted between the height bonus

Article 16. AREA, HEIGHT AND DIMENSIONAL REQUIREMENTS

City of Myrtle Beach, SC

ZONING ORDINANCE

setback and the minimum side yard setback line in the Multifamily (RM) districts. However, in no instance is the maximum height to exceed 50'.

- (B) Provided, however, that accessory buildings shall be set back a minimum of 40'.
- (C) Provided, however, that hot tubs, swimming pools or enclosures shall be set back a minimum of 10'.
- (D) 10' for residential uses, 30' for other uses.
- (E) Minimum side yard combined: 20' for residential uses, 50' for other uses.
- (F) Minimum width on one side: 10' for residential uses, 20' for other uses.
- (G) Minimum side yard combined: 22.5' for residential uses, 50' for other uses.
- (H) 20' for residential uses, 30' for other uses.
- (I) *Unused to avoid confusion with the number one.*
- (J) Provided, however, that all lots contiguous to or fronting on the King's Highway shall observe a 30-foot minimum building line setback from King's Highway.
- (K) Except that lots bound on all 4 sides by dedicated public rights-of-way or on 3 sides by dedicated public rights-of-way and 1 side by public beach shall have a minimum lot area of 6,000 square feet.
- (L) Provided, however, that the minimum lot width along Kings Highway is 100'.
- (M) Except that lots bound on all 4 sides by dedicated public rights-of-way or on 3 sides by dedicated public rights-of-way and 1 side by public beach shall have a minimum lot width of 60'.

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- (N) Structures of 20 feet in height or less shall require a minimum of five feet setback. Structures greater than 20 feet in height, setback shall be five feet plus one foot for each 20 feet of total structure height. However, for lots of 60 feet in width or less and bordered on both sides by a street right-of-way or public alley of at least 20 feet, the minimum side structure setback requirement shall not exceed five feet in width. Exceptions (in no instance shall these exceptions supersede the minimum setback required in the Coastal Protection Zone):
1. If 20 percent or more of the minimum off-street parking requirement is met by parking provided within the permitted structure, the side and rear setback requirements of the structure shall each be reduced by ten percent. This exception does not apply when the side yard is determined to be no more than five feet for lots of 60 feet or less in width and that are adjacent to an alley, according to section 1603.B.(M)
 2. If the property abuts either on the side or rear with permanent public open space (excluding streets and public alleys) which has a minimum uniform width of at least 40 feet then the property side or rear building setback requirement abutting the permanent open space shall be reduced by 50 percent.
 3. No structure that abuts any Single-family (R), Multifamily – Medium Density (RMM), Multifamily – High Density (RMH), or residential Planned Unit Development (PUD) shall be erected any closer than 12 feet from an abutting Single-family (R), Multifamily (RM), or residential Planned Unit Development (PUD) property line. For structures over 20 feet in height the setback shall be 12 feet plus two feet for every 20 feet of structure height.
- (O) *Unused to avoid confusion with the number zero.*
- (P) Provided, however, that publicly owned properties have no minimum district land area.
- (Q) 20 feet from front street property line and ten feet from side street property line. In addition, structures which exceed 80 feet in height shall set back from a front and side street 20 feet plus one additional foot for each four feet of total structure height or part thereof over the initial 80 feet of structure height.

Article 16. AREA, HEIGHT AND DIMENSIONAL REQUIREMENTS

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ZONING ORDINANCE

1603.C. Requirements for Commercial and Other Zoning Districts

District	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Max. Height	Max. Building Coverage	Min. Front Setback	Min. Side Street Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Min. Ocean Yard Setback	Min. Railroad R-O-W Setback	Min. District Land Area	Min. Open Space	Max. Gross FAR
MU-M	---	--- R	---	C	---	B	B	B	B	20' A	----	---	L	---
MU-H	6,000 sq.ft.	60' R	---	240'	U	B	M	S	S	20' A	----	---	T	---
A	6,000 sq.ft.	50' R	90'	240'	---	B	B	B	B	20' A	----	---	L	---
C6	---	---	---	66'	ee	---	---	---	---	---	---	50 acres		ff
C7	---	---	---	80'	---	B	B	B	B	Per CPZ	---	---	---	---
C8	---	---	---	80'	---	B	B	B	B	Per CPZ	---	---	---	---
E	21,780 sq.ft.	50' R	---	180' V	40% gg	D	D	aa	aa	Per CPZ	----	10 acres	25%	---
HC1	10,000 sq.ft.	--- R	---	60'	50%	30'	30'	B	B	Per CPZ	----	---	0% hh	---
HC2	10,000 sq.ft.	--- R	---	60'	50%	30'	30'	B	B	Per CPZ	----	---	0% hh	---
MP	10,000 sq.ft.	--- R	---	120'	50%	B	B	B	B	20' A	----	---	15%	---
IN	2.5 acres dd	200' dd	---	65' dd	42% dd	40' dd	40' dd	20' dd	25' dd	Per CPZ	---	5 acres	30% cc dd	---
AP	21,780 sq.ft.	--- R	---	--- X	---	40' E N	40' E N	F G N	F K N	20' A	----	---	L	---
BP	5 acres	300'	---	45'	25%	100' Y	100' Y	75' Y	50' Y	20' A	---	---	40% Z	---
LM	10,000 sq.ft.	--- R	---	--- X	50%	40' A	40' A	F H J	F H J	Per CPZ	----	---	---	---

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City of Myrtle Beach, SC

ZONING ORDINANCE

WM	10,000 sq.ft.	--- R	---	---	50%	40'	25'	F G	F K	20' A	---	---	---	---
CS	---	40'	---	bb	---	40' A	40' A	P	30' A	40' A	---	---	L	---
PRC	1 acre	--- R	---	35'	---	B	B	B	B	20' A	---	---	---	---
CG	Q	Q R	Q	Q	Q	Q	Q	Q	Q	20' A	---	Q	Q	---

(A) Or per the Coastal Protection Zone (CPZ), whichever is greater.

(B) Except as stated in (A) above, setbacks are zero except that the provisions of Chapter 6 – *Buildings and Building Regulations* and Chapter 9 – *Fire Prevention & Protection* of the Code of Ordinances apply. However, sight triangles and sight lines shall be maintained, requirements in section 902 – *Landscaping Regulations* shall be met; and in the Mixed Use (MU) districts, the sidewalk and buffer requirements of section 1705.1 – *When A Property Is Developed* shall be met.

(C) Equal to the width of the widest right-of-way upon which it fronts.

(D) For all structures and open or unenclosed amusements from roads that extend beyond the boundaries of the district (external streets): buildings: 100', surface parking facilities along Grissom Parkway between 21st Avenue North and 29th Avenue North: 24'; other surface parking facilities 30'; otherwise 15' from any public right-of-way.

Minimum setback from internal streets: all structures and open or unenclosed amusements: 30'; surface parking facilities: 5'.

(E) Exception: Subdivisions of property containing buildings existing on 8/9/94 are allowed lesser setback requirements (up to zero feet) for those existing buildings along no more than two street frontages.

(F) 50' when adjacent to a residential district.

(G) When adjacent to a non-residential district: 20' of setback on each side; or 30' setback on the side of a building with a vehicular access door; or if designed as zero lot line, the side yard opposite the zero lot line shall be a minimum of 50'.

(H) When adjacent to nonresidential districts, 20' except that no less than 30' shall be provided at the side or rear of the building with a vehicular access door.

(I) *Unused to avoid confusion with the number one.*

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- (J) For subdivisions only of property containing buildings existing on 3/26/96 lesser setback requirements (up to zero feet) are allowed for those buildings side and rear lot lines adjacent to nonresidential districts where the building does not have a vehicular access door.
- (K) When adjacent to a non-residential district: 15' if no vehicular use area is provided to the rear of the structure; or 25' if vehicular use area is provided in the rear yard; or 30' if a vehicular access door is provided on the rear of a building.
- (L) Per the landscaping regulations.
- (M) 10' up to 20' in height, 20' between 20' and 120' in height, 30' for structure taller than 120'; except that in the DRC Area (16th Ave. N – 6th Ave. S. between Kings Hwy and the Atlantic Ocean, up to 35' in height refer to subsection (B) above, 20' between 35' and 120' in height, 30' for structures taller than 120'.
- (N) No structure setback is required adjacent to a railroad right-of-way where property lines abut a railroad right-of-way.
- (O) *Unused to avoid confusion with the number zero.*
- (P) 20% of lot width on each side
- (Q) Refer to sections 1308 - *Standards for Extended Stay Recreational Parks with Rental Periods in Excess of 30 days* and 1501.BB - *Campgrounds* for campground requirements.
- (R) Provided, however, that the minimum lot width along Kings Highway is 100'.
- (S) 10' up to 20' in height, 20' between 20' and 120' in height, 30' for structure taller than 120'; except that in the DRC Area (16th Ave. N – 6th Ave. S. between Kings Hwy and the Atlantic Ocean:
1. Minimum side yard setback up to 35' in height refer to subsection (B) above, 10' for structures taller than 35'.
 2. Minimum rear yard setback is 10' up to 35' in height, 20' between 35' and 120' in height, 30' for structure taller than 120'
- (T) 20% if all structures are 20' or less in height, 25% if any structure exceeds 20' in height.

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- (U) 50% if the site contains structures taller than 120'.
- (V) Provided, however, that open or unenclosed amusements shall have a maximum height of 240' if located at least 700 feet from the district boundary, and 180' if otherwise located; and that the maximum height for subdivided out parcels is 100'.
- (W) *Reserved*
- (X) Provided, however, that the height restricts within section 1803 - *Airport Hazard Overlay Zone* shall be met.
- (Y) Vehicular use area setback: 30' from the front or side street, 20' from the side or rear.
- (Z) 50% of the open space shall remain as undisturbed natural area measuring at least 4,000 square feet. Upon written approval of the zoning administrator, the undisturbed natural areas may be cleared of underbrush to make a more presentable appearance; however, no protected trees or any other vegetation greater than 2" in caliper shall be removed.
- (aa) Minimum setback for all structures and open or unenclosed amusements from the bounding exterior property lines of an identified development: 30'. Except as stated in (A) above, Minimum setback for all other internal property lines of an identified development are zero except that the provisions of Chapter 6 – *Buildings and Building Regulations*, Chapter 9 – *Fire Prevention & Protection* of the Code of Ordinances apply, sight triangles and sight lines shall be maintained, and requirements in section 902 – *Landscaping Regulations* shall be met.
- (bb) Refer to section 1501.Z.2. – *Cabanas*.
- (cc) Minimum common areas for congregate care and nursing home facilities shall comply with South Carolina law.
- (dd) Except as regulated by section 1711 *Design Standards for the Institutional (IN) district*.
- (ee) Excepting Phase 1 of the approved Market Common Master Plan, the total coverage of all buildings and other structures on a lot shall not exceed 97 percent. A minimum accessible open space shall be provided at grade, equal to three percent of the total lot area, or as much as necessary to provide adequate space for the following: Refuse containers, service and utility fixtures such as: pad-mounted electric transformers, gas and light meters, gas and fuel oil tanks, air conditioners and heat pump units, and all

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other such items. When included in Phase 1 of the approved Market Common Master Plan, and consideration has been made and approved for such items discussed above, the total coverage of all buildings and other structures may be up to 100 percent.

(ff) *Gross floor area ratio (FAR) requirements.* FAR = Floor area of buildings and other structures divided by lot area.

1. *Minimum FAR:* 0.35 with surface parking.
2. *Maximum FAR:* 0.60 with surface parking.
3. *Minimum FAR:* 0.50 with a parking structure.
4. *Maximum FAR:* 5.00 with a parking structure.

(gg) This calculation shall consider the entire development as defined on a site plan filed with the zoning administrator.

(hh) 20% minimum open space on properties of 3 acres or more.

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- 1 1603.D. Minimum Lot Area Per Dwelling Unit:
2

District	1 st Unit (sq.ft.)	2 nd Unit (sq.ft.)	3 rd Unit (sq.ft.)	4 th or Greater Units
R-5	5,000			
R-7	7,500			
R-8	8,000			
R-10	10,000			
R-15	15,000			
RMM	4,500	2,000	2,000	A
RMH and RMH-MH	4,500	2,000	2,000	B
RMV	---	---	---	---
MU-M	C	C	C	C
MU-H	---	---	---	---
HC-2	4,500	2,000	2,000	B
A, MP, C7, C8	---	---	---	---
IN	D	D	D	D
LM	B	B	B	B
IR	30,000			

- 3 (A) For lots or parcels larger than 8,500 square feet use the formula below to compute allowable density. In the formula, N equals maximum
4 number of units permitted.

- 5
$$(\text{Total Square Feet in Parcel} / 43,560 \text{ sq. ft}) \times 12 = N$$

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1 When N is computed to be less than three, it shall be rounded up to three. When N is computed to be greater than three, it is
2 always rounded down to a whole number.

3 (B) For lots or parcels larger than 8,500 square feet use the formula below to compute allowable density. In the formula, N equals maximum
4 number of units permitted.

5 $(\text{Total Square Feet in Parcel} / 43,560 \text{ sq. ft}) \times 20 = N$
6

7 When N is computed to be less than three, it shall be rounded up to three. When N is computed to be greater than three, it is
8 always rounded down to a whole number.

9 (C) There shall be no minimum lot area per dwelling unit for mixed-use developments. Use the formula below to compute allowable density for
10 residential developments. In the formula, N equals maximum number of units permitted.

11 $(\text{Total Square Feet in Parcel} / 43,560 \text{ sq. ft} \times 20) + 1 \text{ unit per acre for each } 2.5\% \text{ of usable open space} = N$
12

13 When N is computed to be less than three, it shall be rounded up to three. When N is computed to be greater than three, it is
14 always rounded down to a whole number.

15
16 (D) Maximum density of multifamily use is limited to 16 units per acre. Maximum density for congregate care, elderly; assisted living;
17 independent living, elderly; continuing care retirement community; and nursing home is limited to 28 units per acre. For the purposes of
18 determining maximum density, permitted units are regulated by following conversion factors:
19

20 One Congregate unit, elderly = one multifamily unit = three nursing home beds = one assisted living unit.