
1 **2018-62 (2ND READING): AN ORDINANCE TO AMEND THE ZONING ORDINANCE FOR THE**
2 **CITY OF MYRTLE BEACH TO ALLOW BREWPUBS AS A USE IN THE LM, WM, AND C7, C8**
3 **ZONES.**

4 **Applicant/Purpose:** Michael Grossman (applicant) / to amend the Zoning Ordinance & allow brewpubs
5 as a permitted use in the LM, WM, C7, & C8 Zones.
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7 **Brief:**

- 8 • The applicant wishes to open a brewpub on property zoned LM to serve beer & limited food
9 offerings on premise.
- 10 • A valid State issued brewpub permit authorizes the holder to:
 - 11 1. Produce a max of 2,000 barrels of beer/year for sale on draft for on premise
12 consumption, in a container brought by the buyer & filled by the permittee at sale and/or
13 in bottles for off-premise consumption by the purchaser.
 - 14 2. Sell the beer of a producer which has been purchased from a wholesaler thru the
15 distribution chain set out in State Code.
 - 16 3. Be qualified as a public eating establishment (State Law requires that food to be served
17 in order get a license for on premise consumption of alcoholic liquors.
- 18 • The applicant also wishes to sell the beer brewed on site to wholesalers &/or retailers.
- 19 • Zoning Administrator has ruled brewpubs are not covered in the Zoning Ordinance.
- 20 • Staff feels brewpubs would be an asset in others areas as well, including the downtown districts.
21 Hence the recommendation of including brewpubs in additional zoning districts.
- 22 • Staff also recommends eliminating parking requirements in order to open up more possible
23 locations in the C7 & C8 districts.
- 24 • P. Commission - recommends approval (5-0-1 recusal) covering the LM & WM Zones only.
- 25 • 11/6/18: PC voted 4-2 (Boyce, Shanks) for staff's recommendations w/ parking changes. PC
26 recommends further study on adding the use to additional zones & parking requirements.
- 27 • Changes from 1st reading include adding parking requirements (1 space/350 sf of serving area)
28 for the LM & WM Zones only.
- 29 • After further analysis staff is recommending C7 & C8 be removed from the ordinance because
30 they are in conflict w/ the current moratorium on drinking establishments.
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32 **Issues:**

- 33 • Brewpubs are very popular, & often anchor neighborhoods in other communities.
- 34 • By including additional zones, the City is encouraging brewpubs in other areas of the City.
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36 **Public Notification:**

- 37 • Normal Planning Commission meeting notice.
- 38 • Typical City Council Meeting Notice.
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40 **Alternatives:**

- 41 • Modify the request.
- 42 • Deny the proposed ordinance.
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44 **Financial Impact:** Increases in hospitality fees, business licenses, & building permits & property taxes.
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46 **Manager's Recommendation:**

- 47 • I recommend 1st reading (10/23/18).
- 48 • I recommend 2nd reading & approval of the original ordinance. I think these businesses can be
49 major contributors to our downtown revitalization plans, so I also recommend that we revisit the
50 C-7 moratorium to narrow the focus of that action and to further consider other zones in which
51 these facilities may be located. (11/13/18).
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53 **Attachment(s):** Proposed ordinance, staff report, & application.

CITY OF MYRTLE BEACH
COUNTY OF Horry
STATE OF SOUTH CAROLINA

AN ORDINANCE TO AMEND THE ZONING
ORDINANCE FOR THE CITY OF MYRTLE
BEACH TO ALLOW BREWPUBS AS A USE
IN THE LM (LIGHT MANUFACTURING),
AND WM (WAREHOUSE
MANUFACTURING), AND C7 & C8
(DOWNTOWN COMMERCIAL) ZONES

IT IS HEREBY ORDAINED that the City of Myrtle Beach Code of Ordinances, Amendment A, Zoning, Article 2 (Definitions), Section 203 is amended to include a new definition, brewpub, as follows:

Section 203. Definitions

Brewpub: means a tavern, public house, restaurant, or hotel, which produces on the permitted premises a maximum of two thousand barrels a year of beer for sale on the premises. ~~a facility with on-site food service (not more than 50% of total sales), tap room and retail operations that brews or produces alcoholic and non-alcoholic beverages for sale and consumption on-site as well as wholesale or off-site sales, consistent with state law (including operations, and separation from school, church, and playground uses).~~ For zoning purposes, a brewpub may be licensed under state law as a brewpub or brewery.

IT IS FURTHER ORDAINED: a valid State issued brewpub permit authorizes the holder to:

- (1) produce on the permitted premises a maximum of two thousand barrels a year of beer for sale:
 - (a) on draft for consumption on the premises;
 - (b) in a sanitary container brought to the premises by the purchaser and filled at the tap by the permittee at the time of sale; and
 - (c) in bottles for consumption by the purchaser off the premises;
- (2) sell the beer of a producer which has been purchased from a wholesaler through the normal three-tier distribution chain set forth in the State Code of Laws Section 61-4-940;
- (3) serve food or otherwise be qualified as a public eating establishment. This provision may not be construed to exempt a permittee or licensee from the requirement that food must be served in order for a license for the consumption of alcoholic liquors on the premises to be issued.

~~IT IS FURTHER ORDAINED: that the City of Myrtle Beach Code of Ordinances, Amendment A, Zoning, Article 10 (Parking and Loading) Section 1006.D. (Minimum Off-street Parking Requirements for Permitted Uses), is amended to include a new entry, Brewpub, as follows:~~

<u>Permitted Uses</u>	<u>Minimum Required Parking Spaces</u> <u>(DU=dwelling unit; SF=square feet; fractional calculations shall be rounded up)</u>

<u>Brewpub</u>	<u>1 space per 350 SF of gross serving area only in the LM and WM zones.</u>
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IT IS FURTHER ORDAINED that that the City of Myrtle Beach Code of Ordinances, Amendment A, Zoning, Article 14 (Zoning Districts), Section 1407.C (Permitted Uses) is amended to include a new use, Brewpubs, as follows:

Use Category and Type	MU-M	MU-H	C6	C7	C8	A	CG	E	HC1	HC2	MP	IN	AP	BP	LM	WM	CS	IR	PRC
Commercial and Office Uses																			
Brewpubs				P	P										P	P			

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Signature page follows.

This ordinance shall become effective upon adoption.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER STANFORD, CITY CLERK

1st Reading:
2nd Reading: