
1 **2019-40 (1ST READING):** TO REZONE APPROXIMATELY 12 ACRES, THAT BEING
2 THE REMAINDER OF PIN# 4460000009 LOCATED ALONG KINGS HIGHWAY
3 ROUGHLY BETWEEN 29TH AVE S AND OCEAN BOULEVARD FROM HC-2 (HIGHWAY
4 COMMERCIAL) TO MU-H (MIXED-USE- HIGH DENSITY) IN ORDER TO UNIFY THE
5 ENTIRE PROPERTY INTO ONE ZONE AND REZONE THE ADJACENT PORTION OF
6 KINGS HIGHWAY ACCORDINGLY.

7 **Applicant/Purpose:** Myrtle Beach Farms Co (applicant)/ to unify the property under a single
8 Zoning District.

9
10 **Brief:**

- 11 • The property is currently split-zoned, w/ ~300' in depth along Kings Hwy zoned HC2 &
12 the remainder zoned MUH.
- 13 • Differences b/w the HC-2 & MUH Zones include:
 - 14 ○ Minimum lot size is smaller in MUH.
 - 15 ○ Maximum building coverage is reduced from 50% in HC2 to 0% in MUH.
 - 16 ○ HC2 allows parking in front, typically in the required 30' setback. MUH has zero
17 front setback w/ no parking allowed in front.
 - 18 ○ For most uses, MUH required parking is 50% of what is required in HC2.
- 19 • The property is in the MYR flight line. FAA will dictate building height more so than
20 zoning code.
- 21 • (8/6/19): Planning Commission recommends approval (8-0)

22
23 **Issues:**

- 24 • The applicant wishes to unify the zoning of the property.
- 25 • The change allows 5 uses allowed under MU-H, but not allowed under HC-2: Licensed
26 Group Homes, Rooming or Boarding Houses, Residential Care Facilities, Comedy Clubs,
27 & Marinas.
- 28 • The change prohibits 30+ uses allowed under HC-2, but not under MU-H including: Moped
29 Rentals, Nightclubs, Big Box Retail, Vehicle Sales, & Vehicle Repair.

30
31 **Public Notification:**

- 32 • Normal notification for PC's public hearing - 11 letters sent. 1 sign placed. Legal ad.
- 33 • Normal public notification for City Council meeting.

34
35 **Alternatives:**

- 36 • Modify the ordinance.
- 37 • Deny the ordinance.

38
39 **Financial Impact:**

- 40 • No immediate impact.
- 41 • Future potential for increased tourist based revenues, business license fees, & building
42 permits w/ development.

43
44 **Attachment(s):** Proposed ordinance, Planning staff report

ORDINANCE 2019-40

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

TO REZONE APPROXIMATELY 12 ACRES, THAT BEING THE REMAINDER OF PIN#4460000009 LOCATED ALONG KINGS HIGHWAY ROUGHLY BETWEEN 29TH AVE S AND OCEAN BOULEVARD FROM HC-2 (HIGHWAY COMMERCIAL) TO MU-H (MIXED USE – HIGH DENSITY) IN ORDER TO UNIFY THE ENTIRE PROPERTY INTO ONE ZONE AND TO REZONE THE ADJACENT PORTION OF KINGS HWY ACCORDINGLY.

PIN # 4460000009

IT IS HEREBY ORDAINED that the official zoning map of the City of Myrtle Beach is amended by rezoning approximately 12 acres, that being a portion of Horry County PIN # 4460000009, and the adjacent portion of Kings Highway (as shown on "Exhibit A" attached hereto) from zone HC-2 (Highway Commercial) to MU-H (Mixed-Use High Density).

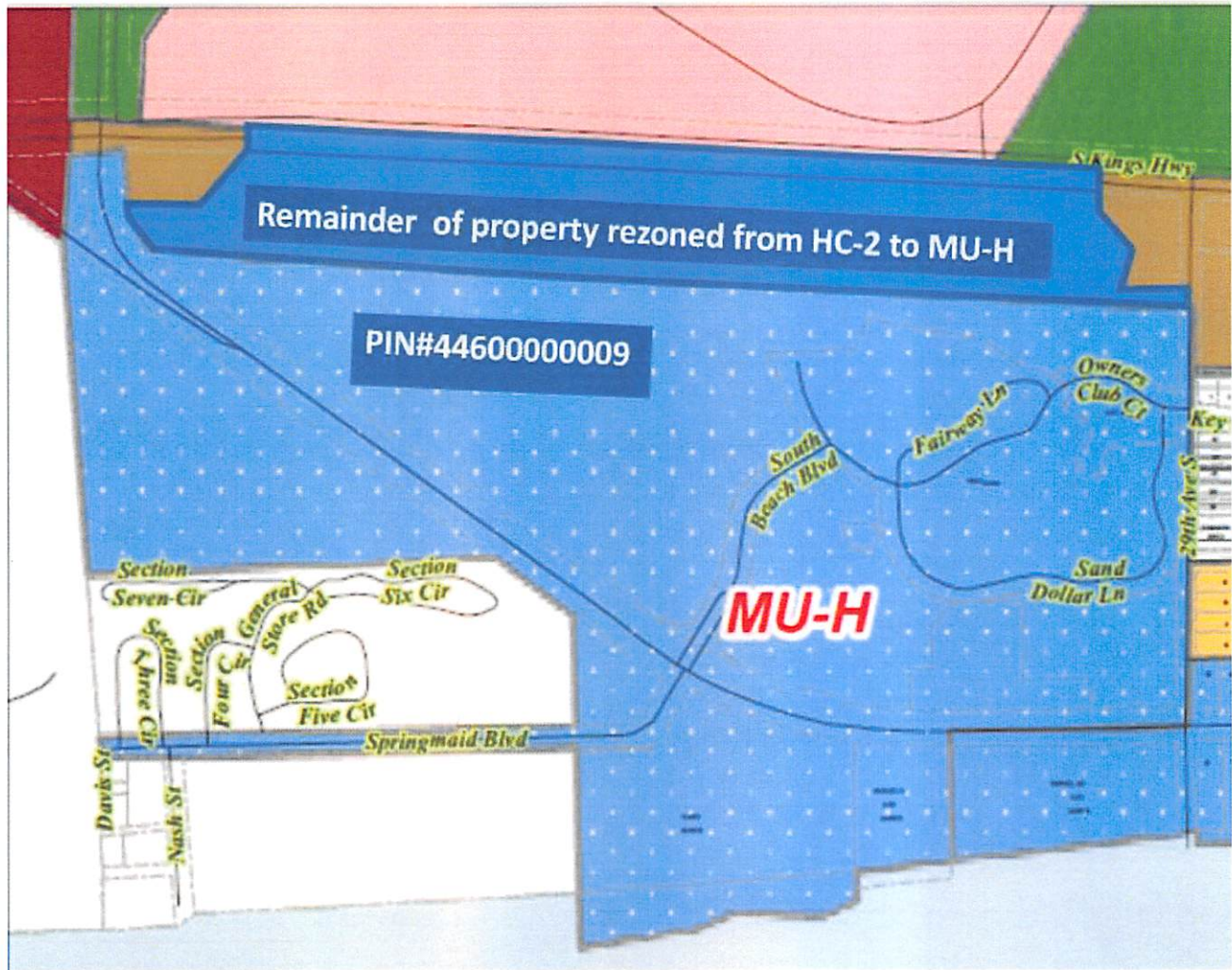
This ordinance shall become effective upon adoption.

ATTEST:

BRENDA BETHUNE, MAYOR

JENNIFER STANFORD, CITY CLERK

1ST Reading: 8-27-19
2nd Reading:



1
2

2
3 **STAFF COMMENTS**

4 Planning, Fire, Police, Construction Services, Public Works: No Concerns

5
6 **PUBLIC INTEREST:** Several calls for information, no concerns voiced.

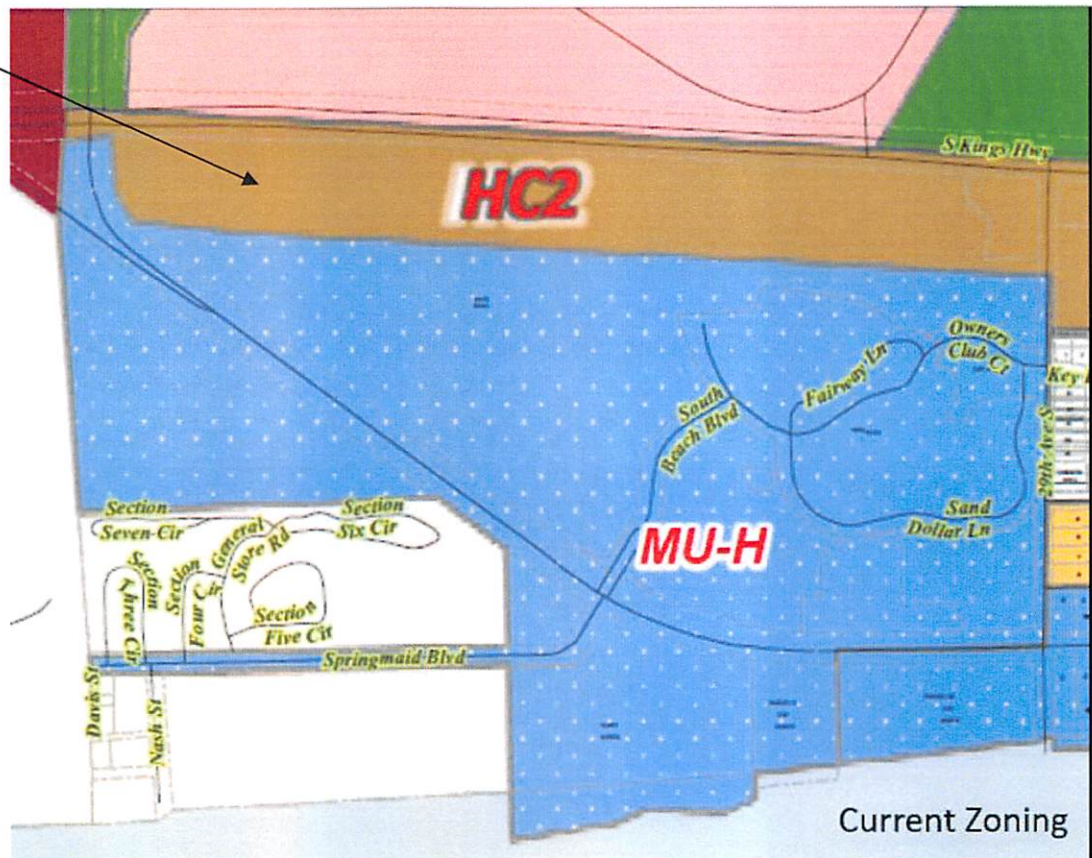
7
8
9 **Section 403. Findings of Fact Required**

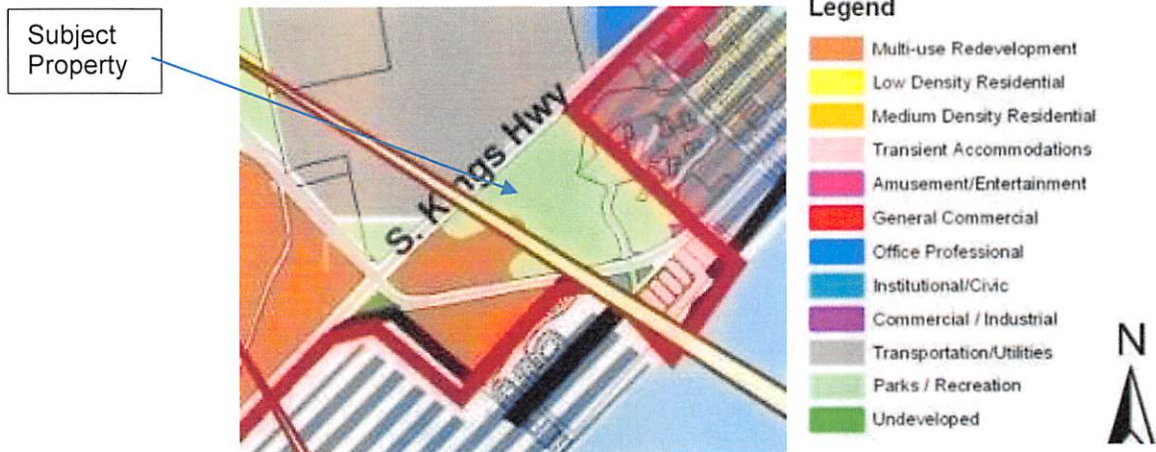
10 In reviewing any petition for a zoning amendment, the Planning Commission shall identify and
11 evaluate all factors relevant to the petition, and shall report its findings in full, along with its
12 recommendations for disposition of the petition, to the City Council. Factors shall include, but shall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

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

23
24 **ZONING MAP**

25
Subject property. Request excludes the gas station on the south end and the mini golf on the north end (separate parcels)





3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

ZONING DISTRICTS COMPARED

Parking:

Highway Commercial (HC) Districts: As delineated in section 1006.D - *Minimum Off-street Parking Requirements For Permitted Uses.*

Mixed Use (MU) Districts: Because of its pedestrian-oriented design standards, minimum parking requirements for all uses except residential and visitor accommodations within any Mixed Use (MU) district shall be ½ those delineated in section 1006.D - *Minimum Off-street Parking Requirements For Permitted Uses.*

Signs: Regulations are the same for HC-2 and MU-H.

Area & Dimensional Requirements:

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. Open Space
MU-H	6,000 sq.ft.	60' R	---	240'	U	B	M	S	S	T
HC2	10,000 sq.ft.	--- R	---	60'	50%	30'	30'	B	B	0% hh

19 (B) Setbacks are zero except that the provisions of Chapter 6 – *Buildings and Building Regulations*
 20 and Chapter 9 – *Fire Prevention & Protection* of the Code of Ordinances apply. However, sight
 21 triangles and sight lines shall be maintained, requirements in section 902 – *Landscaping*
 22 *Regulations* shall be met; and in the Mixed Use (MU) districts, the sidewalk and buffer
 23 requirements of section 1705.I – *When A Property Is Developed* shall be met.

24 (M) 10' up to 20' in height, 20' between 20' and 120' in height, 30' for structure taller than 120';
 25 except that in the DRC Area (16th Ave. N – 6th Ave. S. between Kings Hwy and the Atlantic
 26 Ocean, up to 35' in height refer to subsection (B) above, 20' between 35' and 120' in height, 30'
 27 for structures taller than 120'.

28 (R) Provided, however, that the minimum lot width along Kings Highway is 100'.

- 1 (S) 10' up to 20' in height, 20' between 20' and 120' in height, 30' for structure taller than 120';
 2 except that in the DRC Area (16th Ave. N – 6th Ave. S. between Kings Hwy and the Atlantic
 3 Ocean:
 4 1. Minimum side yard setback up to 35' in height refer to subsection (B) above, 10' for
 5 structures taller than 35'.
 6 2. Minimum rear yard setback is 10' up to 35' in height, 20' between 35' and 120' in height, 30'
 7 for structure taller than 120'
 8 (T) 20% if all structures are 20' or less in height, 25% if any structure exceeds 20' in height.
 9 (U) 50% if the site contains structures taller than 120'.
 10 (hh) 20% minimum open space on properties of 3 acres or more.

11
 12 **Maximum Density:**

13 Highway Commercial (HC-2) District: 20 units per acre

14 Mixed Use-High Density (MU-H) District: None

15
 16 **Permitted Uses:** In the table below, a “P” indicates a use that is permitted by right in the respective
 17 zoning district. Permitted uses are also subject to other applicable regulations in this Ordinance. A
 18 “C” indicates a use that is allowed conditionally, provided that it meets the additional listed
 19 regulations. Conditional uses are also subject to other applicable regulations in the Zoning
 20 Ordinance.

Use Category and Type	MU-H	HC 2	Additional Regulations
Residential Uses			
Licensed group residential (caregiving)	P		
Rooming or Boarding House	P		
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		

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
Commercial and Office Uses			
Accounting office	P	P	1503.A
Adult day care	C	C	1501.A
Advertising agency	P	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	P	1503.A
Advisory service establishments engaged in providing monetary and specialized professional knowledge to the community, including offices of paralegals, lobbyists, and designers.	P	P	1503.A
Aquariums		P	
Architects office	P	P	1503.A
Arts and crafts studio	P	P	
Assisted living facilities	C	C	1501.EE
Automated teller machines, free standing	P	P	
Automobile rental		P	

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
Bakeries, retail	P	P	
Banks	P	P	1503.A
Bar	P	P	1312
Barbershops, beauty salons, and cosmetologists	P	P	1503.A
Bed & breakfast establishments	P	P	1503.A
Bingo parlors		P	
Blueprinting services	P	P	
Boating (non-motorized) and water-related activities	P		
Booksellers / book stores	P	P	
Bowling alleys		P	
Broadcast studios, radio and television		P	
Brokers	P	P	1503.A
Business consultants, offices of	P	P	1503.A
Car wash		P	

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
Chambers of commerce	P	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	P	1503.A
Clothing stores	P	P	
Comedy Clubs	P		
Commercial center	P	P	
Commercial group residential	S	S	1501.E
Confectionaries	P	P	
Congregate housing, older adult	C	C	1501.F
Continuing care retirement community	C	C	1501.F
Convention services	P		
Copy shops and business service centers	P	P	

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
Cosmetology establishments	P	P	
Credit office	P	P	
Customer service/reception centers for interval ownership operations	C	C	1501.G
Dance Halls	P	P	
Drapery shops, custom	P	P	
Dressmaker	P	P	
Dry cleaning establishments	C	C	1501.H
Engineering office	P	P	1503.A
Eyeglass sales	P	P	
Facilities for active recreation not otherwise listed	P	P	1501.I
Facilities for passive recreation	P	P	1501.I
Farm stands		C	1501.NN
Financial office	P	P	1503.A
Florists and flower shops	P	P	

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
Funeral homes		P	
Galleries	P	P	
Game arcades		C	1501.J 1503.A
Gasoline station		C	1501.Y
Gift shops	P	P	
Go carts, electric, indoor or outdoor		P	
Golf courses	P	C	1501.I
Golf courses, miniature	C	C	1501.K
Golf driving ranges		P	
Grocery and food stores	P	P	
Hardware stores	P	P	
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	P	1503.A

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
Health clubs, gymnasiums, exercise and workout areas	P	P	
Heavy durable goods sales not otherwise listed		P	1710.C 1715.C
Home decorating accessory shops sales	P	P	
Home occupations	C	C	1501.L
Horticultural nursery		P	
Hospital		P	
Independent living, older adult	C	P	1501.E
Indoor Passive Recreation	P	P	
Indoor Storage Facility		C	1501.OO
Jewelry sales and repair	P	P	
Kennels and animal boarding facilities, indoor		P	
Laundromats and service	P	P	1503.A

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
Law office	P	P	1503.A
Liquor package stores	P	P	
Mailing/addressing services	P	P	
Marinas	C		1501.AA
Massage establishment, therapeutic	C	C	1501.X
Moped rental and sales establishment		C	1501.FF
Motor vehicle detailing		P	
Motor vehicle paint or body shop		P	
Motor vehicle parts store		P	
Motor vehicle repair and maintenance		C	1501.P
Motor vehicle sales		P	
Motor vehicle rental and leasing		P	
Museums	P	P	
Music sales	P	P	

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
News and magazine stands	P	P	
Nightclubs		P	1312
Nursing home facilities	C	C	1501.F
Outdoor display and merchandise area	C	C	1501.R
Parking facilities	P	P	1503.A
Parolee-probationer home		S	1503.G
Pharmacies	P	P	
Photography developing establishments	P	P	
Photography studios	P	P	
Pool halls/billiard parlors	P	P	
Professional organizations, offices of	P	P	1503.A
Prosthetic facilities	P	P	
Radio or television station and related transmitting tower		P	
Real estate offices	P	P	1503.A

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
Religious establishments providing for religious service and development	P	P	1503.A 1503.D
Restaurant, with drive-through service		P	1312 1501.RR 1503.A
Restaurant, without drive-through service	P	P	1312 1501.HH 1503.A
Restaurant with outdoor dining	C	C	1312 1501.Q
Retail, big box		P	
Retail establishments providing convenience items and services	P	P	1503.A
Rock climbing walls		P	
Rooftop gardens	P	P	
Schools, elementary and secondary, including school stadiums	P	P	1501.S
Schools, colleges or universities	P	P	
Schools, trade or vocational	P	P	
Schools, artistic training	P	P	
Schools, athletic training	P	P	
Service establishments of a business character providing maintenance, installation, and repair for specialized service needs	P	P	

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
to individuals or other businesses, including sales and service operations, and stenographic and letter writing services			
Shoe repair	P	P	
Skating rinks and parks, indoor		P	
Skating rinks and parks, outdoor		P	
Small engine repair		P	
Social welfare organizations	P	P	1503.A
Solar farms	C	C	1501.QQ
Sport facilities not otherwise listed	P	P	
Studios (art, dance, or music)	P	P	
Studios (martial arts, athletic)	P	P	
Swimming pools, indoor or outdoor	P	P	1501.I
Tavern	P	P	1312
Tennis facilities, indoor or outdoor	P	P	1501.I
Theater, indoor	P	P	

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
Theater, outdoor	P	P	
Tire sales and service		P	
Transportation terminals and establishments providing for the interchange of passengers	C	P	1501.W
Transportation terminals and establishments providing for the interchange of freight		P	
Travel agencies	P	P	
Unlicensed group residential (caregiving)	S	S	1501.E
Veterinary offices, clinics, and hospitals		P	1501.GG
Visitor accommodations not otherwise listed	P	P	1503.A
Visitor information reception center	P	P	
Public Services			
Administrative offices of federal, state and local governments	P	P	
Buildings and uses of utilities holding a franchise from the city	P	P	
Library, public	P	P	
Parks, recreation areas, recreation facilities or recreation buildings owned by the City of Myrtle Beach	P	P	

Use Category and Type	MU-	HC	Additional Regulations
	H	2	
Post office	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	
Public works facility/public utilities	P	P	
Social welfare offices	P	P	
Water tanks, public	S	P	