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1 **2018-37 (1<sup>ST</sup> READING): AN ORDINANCE TO ENACT IN APPENDIX A, ZONING,**  
2 **IN ARTICLE 9, LANDSCAPING AND TREE PROTECTION, SECTION 903.P**  
3 **EXEMPTION TO PROVIDE FOR MANAGERIAL ADMINISTRATION WAIVER OF ONE**  
4 **OR MORE REQUIREMENTS WHEN IN CONFLICT WITH THE UNDERGROUND**  
5 **PLACEMENT OF OVERHEAD WIRING.**

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6 **Applicant/Purpose:** Staff / to add Section 903.P to the landscaping & tree protection  
7 ordinance in Appendix A, Article 9 of the Code of Ordinances.  
8

9 **Brief:**

- 10 • The landscaping & tree protection requirements provide greater landscaping  
11 amenities & tree protection, which result in a more attractive community.
- 12 • The City is embarking on the next phase of undergrounding utilities along King's  
13 Highway.
- 14 • Current rules & regs require a 5' landscape buffer b/w the sidewalk & the road.
- 15 • The 5' buffer requirement will result in many businesses, particularly, along S. King's  
16 Highway losing commercial parking spaces.
- 17 • As such, these businesses will not sign an easement w/ the City to do the  
18 undergrounding project w/out this waiver.  
19

20 **Issues:**

- 21 • This ordinance allows the Manager to waive landscape & tree requirements when  
22 they conflict w/ undergrounding utilities or w/ a new or expanded sidewalk project.
- 23 • Some trees & landscaping could be disturbed or removed due to the undergrounding  
24 of utilities &/or the construction/expansion of sidewalks.  
25

26 **Public Notification:** Normal meeting notification.  
27

28 **Alternatives:**

- 29 • Deny the ordinance.
- 30 • To modify the ordinance.  
31

32 **Financial Impact:** None.  
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34 **Manager's Recommendation:**

- 35 • I recommend 1<sup>st</sup> reading (5/22/18)  
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37 **Attachments:** Proposed ordinance.

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**CITY OF MYRTLE BEACH  
COUNTY OF HORRY  
STATE OF SOUTH CAROLINA**

**AN ORDINANCE TO ENACT IN APPENDIX A,  
ZONING, IN ARTICLE 9, LANDSCAPING AND  
TREE PROTECTION, SECTION 903.P  
EXEMPTION TO PROVIDE FOR MANAGERIAL  
ADMINISTRATIVE WAIVER OF ONE OR MORE  
REQUIREMENTS WHEN IN CONFLICT WITH  
THE UNDERGROUND PLACEMENT OF  
OVERHEAD WIRING.**

**IT IS HEREBY ORDAINED Appendix A, Zoning, Article 9, Section 903.P is enacted.**

**Appendix A. Zoning  
Article 9. Landscaping and Tree Protection.**

**Sec. 903.P Exemption  
The Manager may administratively exempt one or more of the requirements of this  
Article when in conflict with the underground placement of overhead wiring.**

**This ordinance shall become effective upon adoption.**

\_\_\_\_\_  
**BRENDA BETHUNE, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK  
1<sup>st</sup> Reading:  
2<sup>nd</sup> Reading:**

Jennifer Stanford

2018-37

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**From:** Fox Simons  
**Sent:** Friday, May 11, 2018 4:04 PM  
**To:** Jennifer Stanford  
**Subject:** FW: waiver of landscaping, 5-24-2018  
**Attachments:** waiver of landscaping, 5-24-2018.doc

Consent agenda

Jonathan 'Fox' Simons, Jr.  
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**From:** Tom Ellenburg  
**Sent:** Wednesday, May 9, 2018 9:33 AM  
**To:** John Pedersen <[JPedersen@cityofmyrtlebeach.com](mailto:JPedersen@cityofmyrtlebeach.com)>; Bruce Boulineau <[BBoulineau@cityofmyrtlebeach.com](mailto:BBoulineau@cityofmyrtlebeach.com)>; Fox Simons <[fsimons@cityofmyrtlebeach.com](mailto:fsimons@cityofmyrtlebeach.com)>; Mike Shelton <[MShelton@cityofmyrtlebeach.com](mailto:MShelton@cityofmyrtlebeach.com)>; Kenneth May <[kmay@cityofmyrtlebeach.com](mailto:kmay@cityofmyrtlebeach.com)>; Carol Coleman <[ccoleman@cityofmyrtlebeach.com](mailto:ccoleman@cityofmyrtlebeach.com)>  
**Subject:** waiver of landscaping, 5-24-2018

Read and comment.