
1 **2018-2 (2ND READING): ORDINANCE TO AMEND SECTION 1306.G OF**
2 **APPENDIX A, ZONING TO REMOVE LOCATION-BASED RESTRICTIONS ON**
3 **MOBILE DIAGNOSTIC UNITS.**

4 **Applicant/Purpose:** Tidelands Health/ to amend the Zoning Code to allow on-site mobile
5 diagnostic units for up to 3 months

6
7 **Brief:**

- 8 • Mobile diagnostic services are those services provided via a mobile platform (e.g.
9 dialysis, mammograms, emergency medicine, & x-rays, etc.).
- 10 • These units allow medical providers to share expensive equipment thereby allowing
11 them to expand services & reduce expenses.
- 12 • Mobile diagnostic services also allow medical providers to expand their services
13 w/out having to expand their building.
- 14 • Mobile imaging &/or diagnostic units are currently permitted in the code for up to 6
15 months, provided the unit is not visible.
- 16 • Applicant's property is not designed to meet current screening requirements.
- 17 • The proposed ordinance amends the zoning code to allow mobile units w/ conditions:
 - 18 ○ The unit is not on site for more than 3 consecutive months, or more than 220
19 days in a 12-month period.
 - 20 ○ The applicant must submit a site plan to CAB for approval showing
21 appropriate screening.
 - 22 ○ Any unit abutting residential shall sit at least 50' from the property line.
 - 23 ○ Operating hours are 7 am - 7 pm.
 - 24 ○ Except in times of disasters & disaster recovery periods units cannot be
25 powered by gas, diesel, or other liquid-fuel powered generators.
- 26 • 12/6/17: Planning Commission recommended approval of amended ordinance;
27 applicant supported the amendments (7-0-1, Commissioner Thomas recused).
- 28 • Changes since 1st reading: language was clarified to help w/ confusion regarding
29 the length of time a unit can be present on site.

30
31 **Issues:**

- 32 • Tidelands Health abuts the Cresswind neighborhood in Market Common
- 33 • This zoning change is applicable Citywide & could impact other neighborhoods.
- 34 • The request would allow the Zoning Code keep up w/ progress in medical service
35 delivery options while taking steps to protect the neighborhood.

36
37 **Public Notification:** Legal ad ran.

38
39 **Alternatives:**

- 40 • Modify the request.
- 41 • Deny the proposed ordinance.

42
43 **Financial Impact:** The City could see an increase in business licenses fees.

44
45 **Manager's Recommendation:**

- 46 • This action is consistent w/ our economic development focus on medical providers
47 (1/23/18).
- 48 • I recommend approval (2/13/18).

49
50 **Attachment(s):** Proposed ordinance, staff report, & application.

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

ORDINANCE TO AMEND SECTION
1306.G OF APPENDIX A, ZONING
TO REMOVE LOCATION-BASED
RESTRICTIONS ON MOBILE
DIAGNOSTIC UNITS

IT IS HEREBY ORDAINED that Appendix A, Zoning, Article 13, Supplemental Provisions,
Section 1306.G is amended as follows:

1306.G. A hospital or medical facility may have a one mobile MRI imaging or other similar type of diagnostic unit for every two acres on site, so long as the following conditions are met:

1306.G.1.said unit is not present on site for more than three (3) consecutive for a maximum of 6 months in any given twelve (12) month period, or more than two hundred twenty (220) days in a given twelve (12) month period, provided that the unit is not visible from any public right-of-way or other property.

1306.G.2 Any site so used The primary facility shall submit a site plan for CAB review and approval that shall use landscaping screening as set forth in this Code of Ordinances for structures.

1306.G.3 Any site that abuts a residential use shall set the mobile unit no closer than 50 feet from the shared property line with the residential use.

1306.G.4 Operating hours will be limited to no earlier than 7:00 a.m. and no later than 7:00 p.m.

1306.G.5 Except in times of disaster response and recovery, any medical facility that abuts a residential property will be limited to mobile imaging and/or diagnostic units that do not use gasoline, diesel, or other liquid-fuel-powered generators for operation of the facility.

This ordinance will take effect upon second reading.

BRENDA BETHUNE, MAYOR

ATTEST:

JOAN GROVE, CITY CLERK

1st Reading:

2nd Reading:

1 **APPLICANT** Georgetown Memorial Hospital d/b/a Tidelands
2 Health
3
4 **REQUESTED ACTION** **To allow mobile diagnostic units for up to 3 months out**
5 **of 12 on-site.**
6
7 **REASON FOR REQUEST** "The nature of healthcare has shifted and in order to
8 provide community care to each of the communities
9 we serve, mobile imaging equipment is vital to
10 provide said care. It is economically impossible to
11 provide the depth and breadth of all imaging needs
12 via permanently installed equipment and the current
13 ordinance is outdated based on the state of
14 healthcare delivery."
15
16 **SITE LOCATION** Any zones allowing medical/clinical uses.
17
18 **PUBLIC NOTICE** **LEGAL AD RAN** Yes
19
20
21 **ALTERNATIVES TO APPROVAL** Recommend denial.
22 Recommend alternative amendments.
23
24 **FINANCIAL ANALYSIS:** Potential gain in business license fees and tax revenues.
25

26 **FINDINGS OF FACT**

27
28 **CURRENT CODE**

29
30 **Section 1306. Standards for Temporary Uses and Structures.**
31 All temporary manufactured structures shall be erected in compliance with all
32 building codes and standards adopted by the City. The zoning administrator is
33 authorized to approve the issuance of a permit of temporary use as follows:
34 ...
35 1306.G. A hospital or medical facility may have a mobile MRI or other similar
36 type of diagnostic unit for a maximum of 6 months, provided that the unit is
37 not visible from any public right-of-way or other property.
38

39 **PROPOSAL**

40
41 1306.G. A hospital or medical facility may have a mobile MRI imaging or
42 other similar type of diagnostic unit, so long as said unit is not present on
43 site for more than three (3) consecutive for a maximum of 6 months in any
44 given twelve (12) month period, or more than two hundred twenty (220)
45 days in a given twelve (12) month period, provided that the unit is not visible
46 from any public right of way or other property. Any site so used shall use
47 landscaping screening as set forth in this Code of Ordinances.
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1 **DISCUSSION**

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3 *Mobile diagnostic services* refers to any number of medical diagnostic services that are
4 provided via a mobile platform. The services (including dialysis, mammograms,
5 emergency medicine, and x-rays, among others) are generally ones that can't be provided
6 by the local medical clinic or hospital.

7
8 Reasons for having mobile diagnostic services include the need in rural areas for
9 alternative health care options, sharing expensive services and equipment with other
10 health care facilities to lower the cost of diagnosis, and providing emergency medical care
11 after a natural or man-made disaster. Mobile diagnostic services also allow medical
12 providers to expand their services to patients without having to expand their building.

13
14 Mobile diagnostic services provide service in rural areas by carrying power and supplies
15 in the mobile platform (bus, trailer, van, converted recreational vehicle, ambulance, etc).
16 There are also options for mobile diagnostics where the mobile platform connects to the
17 host structure for utilities.

18
19 Mobile diagnostic services are currently allowed in the city under restriction (see code
20 above).

21
22 **ANALYSIS**

23
24 *Section 403 of the Zoning Ordinance lists the following factors, which should be part of the*
25 *information considered when evaluating requests to change the Zoning Ordinance Text or Map.*

26
27 **Section 403.A.** Whether or not the requested zoning change is [1] consistent with the
28 Comprehensive Plan or [2] is justified by an error in the original ordinance.

- 29
- 30 • **[1] Neutral.** The Comprehensive Plan encourages infill development and the
31 promotion of smaller-scaled businesses in proximity to neighborhoods, but
32 does not specifically address mobile uses. Alternately, the Comprehensive
33 Plan discourages non-compatible commercial encroachment into established
34 residential neighborhoods. In past years, staff have received an occasional
35 complaint about mobile units and the noise that they make (either the
36 generators, fans, or typical motor noise used to operate the machinery inside
37 the mobile unit). For this application, there should be discussion with the
38 applicant regarding potential noise and sight impacts to surrounding properties.
 - 39 • **[2] No.** There are no known ordinance errors with regard to this application.

40
41 **Section 403.B.** – The precedents, and the possible effects of such precedents, which
42 might result from approval or denial of the petition.

- 43
- 44 • Changes to the zoning ordinances' Supplemental Provisions section (Chapter
45 13) would apply city-wide wherever the use mentioned is allowed. Currently,
46 medical clinics and hospitals are allowed in the MP, HC-1, HC-2, C-6, C-7, C-
47 8, and WM zones (hospitals are only allowed in MP, C-6 and the HCs).

48
49 **Section 403.C.** – The capability of the city or other government agencies to provide any
50 services, facilities or programs that might be required if the petition were approved.

- The City and other government agencies are able to provide services to the applicant including utilities, business licenses, and site plan review.

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

- Effect on property with medical/clinical uses: potential increase in services provided to clients.
- Effect on surrounding property: differ based on the type of power used to run the mobile diagnostic unit. Those run off of generators are slightly to much louder than those running off power supplied from an adjacent structure or power connection.

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

- Petition is in compliance with some sections of the comprehensive plan and may be considered out of line with other sections of the comprehensive plan. This is not a helpful statement, but it truly depends on your point of view.

Relevant Comp Plan Citations:

Neighborhoods

Continue to protect and preserve neighborhoods from disruptive intrusions so that they remain vital parts of the neighborhood planning area.

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 as zoning changes are proposed.*

Time frame: *Immediate.*

Potential funding source: *No funding needed.*

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.*

Continue to support and provide opportunities for the continuation of mixed-uses in the residential areas.

1 Action: *The Cultural and Leisure Services Department and the YMCA work together*
2 *to meet the recreation needs for residents. The Planning Commission will continue to*
3 *support opportunities for compatible mixed uses such as the new YMCA center, Grand*
4 *Strand Regional Medical Center, restaurants, small businesses, retirement and*
5 *congregate care centers in all neighborhood planning areas.*

6 Time frame: *Immediate and ongoing.*

7 Potential funding source: *No funding needed.*

8
9 Continue to encourage quality development that helps to increase the value of property in
10 the city.

11 Action: *The City establishes design guidelines and standards for new development*
12 *that are consistent with the goals of the Comprehensive Plan. The design guidelines*
13 *are specific to types of development and the location of development within street*
14 *corridors, districts, or centers. The guidelines will provide direction relative to site*
15 *planning, architectural character and treatment, landscaping, signs, on-site lighting,*
16 *and other related design and community appearance concerns. The new guidelines*
17 *are illustrated and establish a vocabulary to be used in both development and*
18 *redevelopment projects. The vocabulary ensures continuity*
19 *of character throughout the neighborhood planning area. The Planning Commission,*
20 *with assistance from the Community Appearance Board and the Planning*
21 *Department, develops design guidelines and standards and sends to City Council for*
22 *consideration.*

23 Time frame: *Immediate and ongoing.*

24 Potential funding source: *No funding needed.*

25 26 27 **Economic Development**

28
29 Create a sound business retention strategy.

30 Action: *Following models such as the Santa Clarita "Shop Local" program, the*
31 *technical committee with assistance from the Myrtle Beach Area Chamber of*
32 *Commerce prepares an assessment of local businesses which is instrumental in*
33 *identifying gaps in service and possible solutions to make our community more*
34 *competitive in economic development terms and creating an environment where*
35 *businesses can succeed even when times are tough.*

36 Time frame: *Immediate and ongoing.*

37 Potential funding source: *No funding needed.*

38
39 Continue to encourage businesses that reduce activities that encroach upon nature and
40 meet human needs fairly and efficiently.

41 Action: *The various City departments work with the economic development*
42 *corporations and new businesses to ensure that unsustainable environmental*
43 *impacts are minimized while sustainable social and economic impacts are*
44 *maximized.*

45 Time frame: *Immediate and ongoing.*

46 Potential funding source: *Private sector investment.*

47
48 Continue to require landscape plans and landscaping for all commercial properties (old
49 and new).

50 Action: *The Community Appearance Board, with the assistance of the Construction*
51 *Services Department's Landscape Code Enforcement Officer, will require*
52 *landscape plans and landscaping for all commercial properties. The Public Works*

1 Department will require litter and debris be cleaned up in parking areas and around
2 dumpsters. City Council will take action against violators.
3 Time frame: Immediate and ongoing.
4 Potential funding source: No funding needed.
5

6 **Land Use**

7
8 Ensure new non-residential development is compatible adjacent to or near
9 neighborhoods.

10 Action: The Planning Commission, with assistance from Planning and other
11 appropriate departments and the Zoning Administrator, works with neighborhood
12 organizations to develop plans. The Planning Commission recommends the plans
13 to City Council for adoption.
14 Time frame: Short term.
15 Potential funding source: No funding needed.
16

17 Encourage infill development within residential neighborhoods that is compatible relative
18 to density and unity type using design guidelines that address density, massing,
19 architecture, building materials, building setbacks, and screening.

20 Action: The Planning Commission, with assistance from the Planning and other
21 appropriate departments and the zoning administrator, works with neighborhood
22 organizations to develop plans. The Planning Commission
23 recommends the plans to City Council for adoption.
24 Time frame: Short term.
25 Potential funding source: No funding needed.
26

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

30 Reduce the city's carbon footprint.
31 Action: The Planning and other appropriate departments, working with
32 appropriate Federal, State, and local agencies will develop a climate action plan
33 including strategies such as solar power and wind energy that reduces electricity
34 demand, since virtually all of the city's electricity comes from coal, and most
35 experts believe coal must be phased out as a fuel source by 2030 or dangerous
36 climatic events, like rising sea level, droughts, fires, etc. may become unstoppable.
37 Time frame: Immediate and ongoing.
38
39

40 **Other Policies**

41 **City Manager's Strategic Objectives Citations – Economic Development:**

42
43 Strategy 1: Define an Economic Development Vision & Define Strategies to Achieve that
44 Vision.

- 45
46 • Proposed Vision – to foster an environment in which economic activity can be
47 expanded so that all our citizens have an opportunity to enjoy what the community
48 has to offer.
49 • Focus Sectors:
50 ○ Infill retail development.
51 ○ New technology & communications.
52 ○ Medical services.
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STAFF COMMENTS

DPW, Police, Fire, C&L Services, Addressing, Construction Services: No concerns.

Planning Staff: Staff acknowledges the change in health care delivery that the applicant describes, but does not believe that the screening provisions of the current code should be discarded wholesale. Staff recommends including provisions for screening and/or placement of mobile unit for properties that abut single family residential units and are run off of a generator, in order to help offset the noise and pollution created.

Example:

1306.G. A hospital or medical facility may have a mobile MRI imaging or other similar type of diagnostic unit, so long as said unit is not present on site for more than three (3) consecutive for a maximum of 6 months in any given twelve (12) month period, or more than two hundred twenty (220) days in a given twelve (12) month period, provided that the unit is not visible from any public right of way or other property. Any site so used shall use landscaping screening as set forth in this Code of Ordinances. Except in cases of disaster response and recovery, any medical facility that abuts a residential property will be limited to mobile imaging and/or diagnostic units that do not use gasoline-powered generators.