
1 **2019-28 (1ST READING): TO AMEND APPENDIX A, OF THE ZONING ORDINANCE TO**
2 **ALLOW INDOOR URBAN MICRO FARMS AS A PERMITTED USE IN THE LM (LIGHT**
3 **MANUFACTURING), WM (WHOLESALE MANUFACTURING) DISTRICTS, AND AS A**
4 **CONDITIONAL USE IN THE MU-M (MIXED USE, MEDIUM DENSITY) DISTRICT.**

5 **Applicant/Purpose:** Seaside Greens (Margot Tennat)/ amend the Zoning Ordinance to allow indoor
6 urban micro farms as a permitted use in LM & WM districts, & as a conditional use in MU-M districts.

7
8 **Brief:**

- 9 • Indoor farms is defined as: a roofed & enclosed building or structure used for the cultivation
10 of fruits, vegetables, plants, flowers, or herbs by an individual, organization, or business w/
11 the primary purpose of growing food for sale. Typical operations include greenhouses,
12 vertical farming, hydroponic systems & aquaponic systems.
- 13 • Currently there is no provision in the Zoning Ordinance to allow for indoor farming.
- 14 • Applicant has a home-based business growing herbs & microgreens sold to local restaurants
15 & has found a suitable commercial location in a live-work unit in St. James Square.
- 16 • 4/2/19: Planning Commission (7-0): recommends approval w/ the addition of a maximum
17 delivery truck size of 1 ton & a 2-year amortization in the MU-M zone if the pilot program
18 does not become permanent.

19
20 **Issues:**

- 21 • Conditions w/in the MU-M zone include:
 - 22 ○ All activities shall be conducted w/in completely enclosed buildings.
 - 23 ○ The indoor urban farming space shall be no more than 2,000 square feet.
 - 24 ○ The indoor urban farm shall have a retail component.
 - 25 ○ Delivery vehicles shall have a capacity no larger than 1 ton.
 - 26 ○ The facility & its operator shall hold all licenses required by the State.
 - 27 ○ Operating hours shall be consistent w/ those of surrounding businesses.
 - 28 ○ No use may generate any odor that reaches the odor threshold.
 - 29 ○ There shall be no exterior dumping or disposal of wastewater.
 - 30 ○ No use shall create any electrical disturbance adversely affecting operations or
31 equipment other than those of the creator of such disturbance.
 - 32 ○ No use may generate noise that is audible by a panel of healthy listeners.
 - 33 ○ No use may generate any ground-transmitted vibration that is perceptible to the
34 human sense of touch outside the walls.
- 35 • 2-yr. pilot program w/in the MU-M zone:
 - 36 ○ Maximum of 6 permits issued during pilot program
 - 37 ○ Should the ordinance be repealed during the pilot program all indoor urban farms
38 w/in the MU-M zone will become nonconforming, but shall be allowed to complete
39 their 2-yr. cycle from the date of nonconformity.

40
41 **Public Notification:**

- 42 • Legal ad ran. One sign posted.
- 43 • Normal Council meeting notice.

44
45 **Alternatives:** Modify or deny the proposed ordinance.

46
47 **Financial Impact:** A slight increase in business license revenue.

48
49 **Manager's Recommendation:** I recommend 1st reading w/ PC's suggestions incorporated (4/23/19).

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

ORDINANCE 2019-28

CITY OF MYRTLE BEACH
 COUNTY OF HORRY
 STATE OF SOUTH CAROLINA

AN ORDINANCE TO AMEND APPENDIX A, OF THE ZONING ORDINANCE TO ALLOW INDOOR URBAN MICRO FARMS AS A PERMITTED USE IN THE LM (LIMITED MANUFACTURING), WM (WAREHOUSE MANUFACTURING) DISTRICTS, AND AS A CONDITIONAL USE IN THE MU-M (MIXED USE MEDIUM DENSITY) DISTRICT.

IT IS HEREBY ORDAINED that Appendix A, Zoning of the Code of Ordinances is amended as follows:

Section 203. Definitions

Indoor Urban Farm: a roofed and enclosed building or structure used for the cultivation of fruits, vegetables, plants, flowers, or herbs by an individual, organization, or business with the primary purpose of growing food for sale. Typical operations include greenhouses, vertical farming, hydroponic systems and aquaponic systems.

Urban Farming: the practice of cultivating, processing and distributing food in or around urban areas.

1407.C. Permitted Uses.

Use Category and Type	P-permitted use C-conditional use S-special exception Blank Cell-use type not allowed																		Additional Regulations			
	Commercial																					
	MU-M	MU-H	C6	C7	C8	A	C	G	E	HC1	HC2	MP	IN	AP	BP	LM	WM	CS	IR	PRC		
<u>Indoor Urban Farm</u>	<u>C</u>															<u>P</u>	<u>P</u>					<u>1501.RR</u>

1501. RR. Indoor Urban Farm.

Intent: The purpose of this ordinance is to provide standards for indoor urban farms while balancing the interests of public health, safety, and overall community wellbeing.

- All activities, including but not limited to growing, production, storage and packaging, shall be conducted within completely enclosed buildings.
- The space in which indoor urban farming occurs shall be no more than 2,000 square feet in size.
- The Indoor Urban Farm shall have a retail component.

- 1 4. Vehicles used for product delivery shall have a capacity no larger than one
2 (1) ton.
- 3 5. The facility and its operator shall hold all licenses required by the State of
4 South Carolina.
- 5
- 6 6. Operating hours shall be consistent with those of surrounding businesses.
- 7
- 8 7. No use may generate any odor that reaches the odor threshold, measured
9 at the outside walls of the building or structure within which the urban farm
10 operates.
- 11
- 12 8. There shall be no exterior dumping or disposal of wastewater.
- 13 9. No use shall create any electrical disturbance that adversely affects any
14 operations or equipment other than those of the creator of such
15 disturbance.
- 16 10. No use may generate noise that is audible by a panel of healthy listeners
17 standing outside the walls of the building or structure within which the urban
18 farm operates.
- 19 11. No use may generate any ground-transmitted vibration that is perceptible
20 to the human sense of touch outside the walls of the building or structure
21 within which the urban farm operates.

22
23
24 This ordinance shall begin a pilot program, which will enable staff to examine impacts of
25 indoor urban farms on the City and report any negative issues back to City Council. If
26 necessary, one year after 2nd reading of this ordinance, City Council may extend the pilot
27 program, or remove it from pilot status. Council may also review this ordinance at any time
28 it deems necessary.

- 29 1. A maximum of six (6) permits will be issued during this pilot program.
- 30 2. Should the pilot program result in the revocation of this ordinance, all indoor urban
31 farms permitted during the pilot program shall become nonconforming as of the
32 date of revocation and shall be permitted to continue operations for a period not to
33 exceed two years from the date of nonconformity.

34
35 This ordinance will take effect upon second reading.

36
37
38
39 _____
BRENDA BETHUNE, MAYOR

40 ATTEST:

41
42
43 _____
44 JENNIFER STANFORD, CITY CLERK

45
46 1st Reading:
47 2nd Reading:

1	APPLICANT	Margot Tennant, Seaside Greens
2	REQUESTED ACTION	Amend articles 14 and 15 to allow an indoor urban microgreen farm in the MU-M and other appropriate districts.
3		
4		
5	REASON FOR REQUEST	The City of Myrtle Beach zoning districts do not have a specific use category and type that matches an indoor urban microgreen farm definition.
6		
7		
8	PUBLIC NOTICE	Legal ad ran. Although the amendment would effect all MU-M properties, a courtesy sign was posted at the entrance to St. James Square.
9		
10		
11	FINANCIAL ANALYSIS:	Potential gain in business license fees and tax revenues.
12		
13	STAFF COMMENTS	Fire, DPW, Police, Parks, Addressing, Planning: No concerns.
14		
15		

Section 403. Findings of Fact Required

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

- 22
- 23 403.A. Whether or not the requested zoning change is consistent with the
- 24 Comprehensive Plan or is justified by an error in the original ordinance.
- 25 403.B. The precedents and the possible effects of such precedents, which might
- 26 result from approval or denial of the petition.
- 27 403.C. The capability of the City or other government agencies to provide any
- 28 services, facilities, or programs that might be required if the petition were
- 29 approved.
- 30 403.D. Effect of approval of the petition on the condition or value of property in the
- 31 City.
- 32 403.E. Effect of approval of the petition on adopted development plans and policies
- 33 of the City.
- 34

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Application



TEXT AMENDMENT APPLICATION

This application is used to request a text amendment to the City of Myrtle Beach Zoning Ordinance or City Code. All information contained in this application is subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).

TYPE OR PRINT all answers on this application. Attach any additional information requested to complete this application. There is a **two hundred (\$200.00) dollar, non-refundable fee** for this application. Contact the Planning Department at (843) 918-1050 for payment options.

Name of Applicant: Margot Temant, Seaside Greens

Address: 1712 Landing Rd. Myrtle Beach, SC 29577

Phone Number: 843-516-5627 Fax Number: N/A

Email: support@seasidegreens.com

ACTION REQUESTED

Section of Ordinance / City Code to be amended: Use category and type / ---
District MU-M

Wording of proposed text amendment (attach additional sheets, if necessary): Amend articles 14 and 15 to allow an indoor urban microgreen farm in the MU-M and other appropriate districts.

Reason for this amendment: The City of Myrtle Beach zoning districts do not have a specific use category and type that matches an indoor urban microgreen farm definition