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**2020-20 (1<sup>ST</sup> READING): TO AMEND APPENDIX A ZONING OF THE CODE OF ORDINANCES SEC. 1407.C PERMITTED USES TO ALLOW MOTOR VEHICLE DETAILING IN THE C7 (DOWNTOWN COMMERCIAL) ZONING DISTRICT.**

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**Purpose:** Norberto Luna (applicant) / to amend the Zoning Code to allow motor vehicle detailing in the C7 zoning district (downtown).

**Brief:**

- There is only one C7 zoning district in the city, located roughly along Broadway Street b/w 6<sup>th</sup> N & Withers Swash.
- The only motor vehicle-related use currently allowed in the C7 is motor vehicle repair & maintenance.
- Motor Vehicle Detailing is currently allowed in 4 zoning districts: HC1 (Highway Commercial), HC2 (Highway Commercial), LM (Light Manufacturing), & WM (Wholesale/Manufacturing) Districts.
- Planning Commission recommends denial - 3/3/2020 (7-0).

**Issues:**

- Vehicle washing/detailing uses soaps & solvents in the process. These products are not allowed in the stormwater drainage system.
- C7 is adjacent to Withers Swash; it will be difficult to regulate water & chemical runoff.
- The business only has room to wash/detail 1 car at a time. There is not adequate room to accommodate any vehicle queues. Any stacking would have to utilize the street & could negatively impact on-street parking.
- If approved, this use would be allowed throughout the C7 district. Thereby increase the potential impact on the environment.
- In C7 there are no off-street parking requirements for structures less than 36' in height. Most buildings in the C7 are built to the property line & rely on public on-street parking.

**Public Notification:**

- Normal meeting notification.
- Legal ad ran.
- Two emails received.

**Alternatives:**

- Modify the proposed ordinance.
- Deny the proposed ordinance.

**Financial Impact:** Since this business was doing detailing (in violation of the zoning ordinance) there could be a slight decrease in business license revenue. If the applicant adjusts his business model to vehicle repair/maintenance, it could be revenue neutral.

**Manager's Recommendation:**

- I support PC's recommendation of denial.

**Attachment(s):** Proposed ordinance, staff report, public input emails.

ORDINANCE 2019-20

CITY OF MYRTLE BEACH  
COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

TO AMEND APPENDIX A ZONING OF  
THE CODE OF ORDINANCES SEC.  
1407.C PERMITTED USES TO ALLOW  
MOTOR VEHICLE DETAILING IN THE C7  
(DOWNTOWN COMMERCIAL) ZONING  
DISTRICT.

IT IS HEREBY ORDAINED that 1407.C Permitted Uses, Appendix A, Zoning of the Code of Ordinances is amended to add motor vehicle detailing as a permitted use in the C7 district as follows:

1407.C Permitted Uses

P-permitted use C-conditional use S-special exception Blank Cell-use type not allowed

Use Category and Type	Commercial																Additional Regulations
	MU-M	MU-H	C6	C7	C8	A	CG	E	HC1	HC2	MP	IN	AP	BP	LM	WM	
Automobile rental						P		P	P	P			P			P	
Moped rental and sales establishment						C		C	C	C							1501.FF
Motor vehicle detailing				P					P	P					P	P	
Motor vehicle paint or body shop									P	P					P	P	
Motor vehicle parts store									P	P					P	P	
Motor vehicle repair and maintenance				C	C				C	C					P	P	1501.P
Motor vehicle sales								P	P	P					P	P	
Motor vehicle rental and leasing								P	P	P			P		P	P	

This ordinance will take effect upon second reading.

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BRENDA BETHUNE, MAYOR

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ATTEST:

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JENNIFER STANFORD, CITY CLERK

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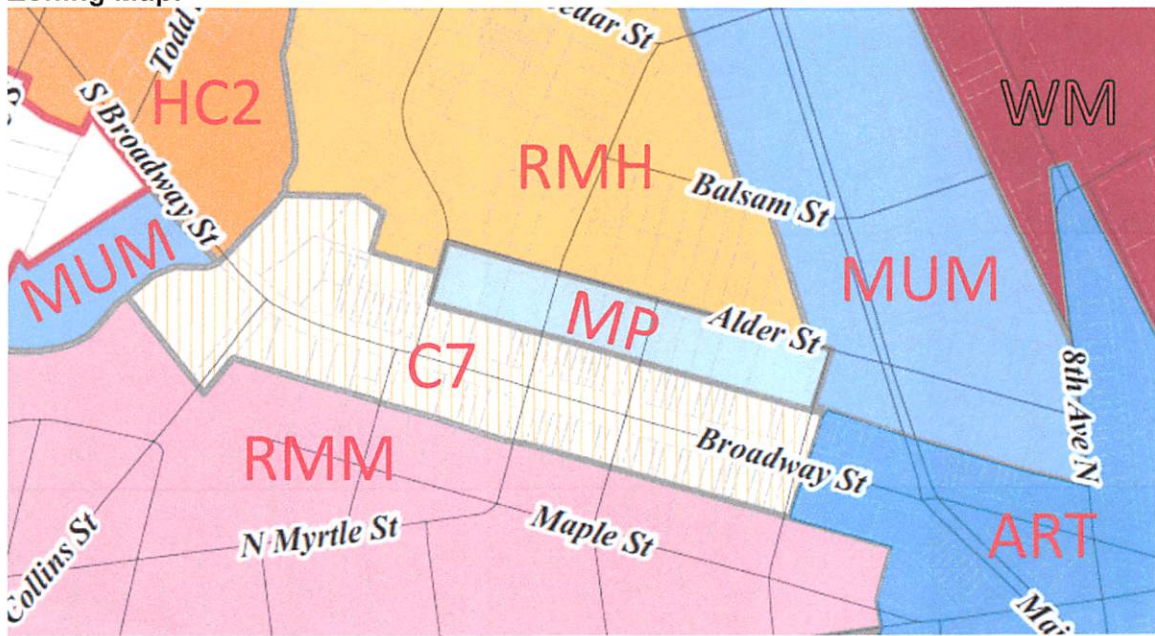
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1<sup>st</sup> Reading:

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2<sup>nd</sup> Reading:

1 Zoning Map:



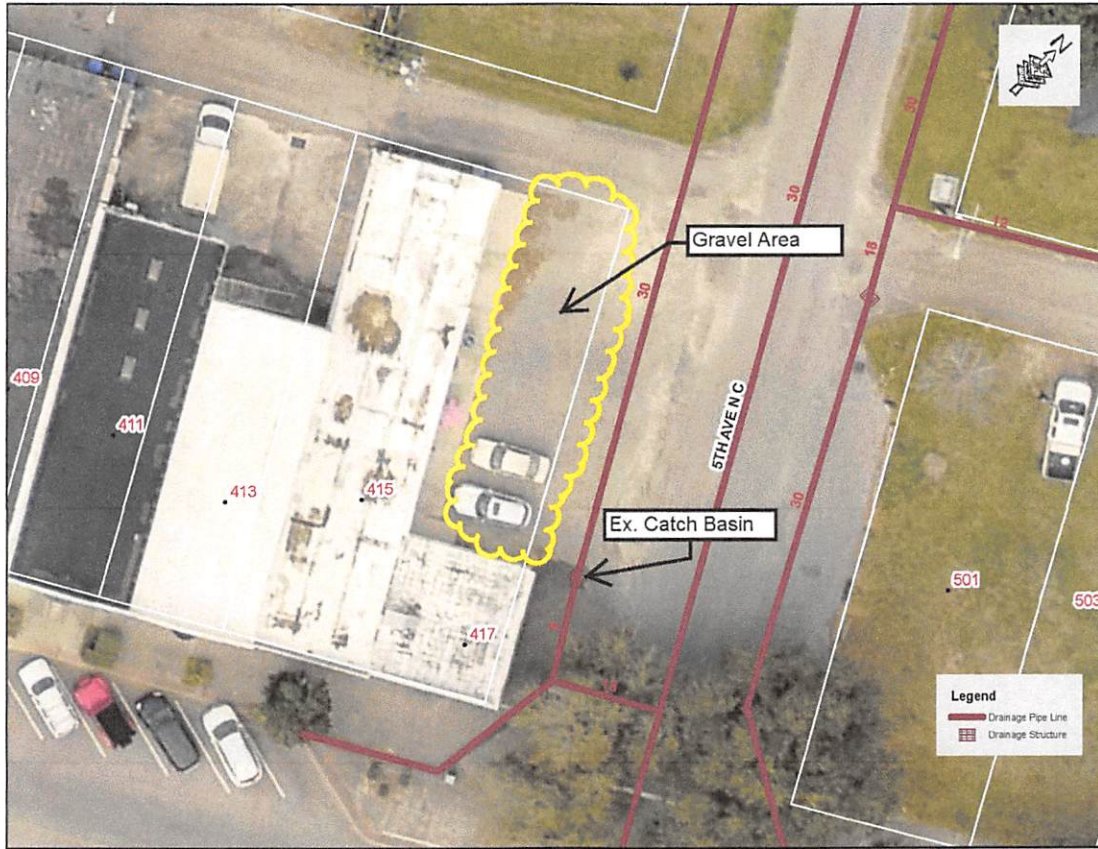
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Applicant's Property:



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## STAFF COMMENTS:

Fire: No Concerns

Zoning: The enforcement of biodegradable products as a conditional use would be out of our expertise. The regulation requirements for a carwash fall under Public Works. Zoning reviews uses. We do not have the means to verify a product's biodegradability. The best case and simplest way would be to treat all car washes in the same manner, which is our existing requirements.

### Public Works:

If the vehicles are washed over the gravel area on the property, this will allow for infiltration which would be fine.

There is a catch basin in the right-of-way adjacent to this property which no discharge of the vehicle wash water can enter. Even if biodegradable products are used, biodegradable products are not allowed into the drainage system. What biodegrades in soil may not degrade in water. Only stormwater is allowed into the drainage system.

SCDHEC has regulations in place for commercial outside vehicle wash water discharges under a NPDES General Permit for Vehicle Wash Water Discharges. It is the responsibility of the business owner to ensure compliance with Local, State and Federal requirements.

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In order to enforce this the City would have to monitor the adjacent catch basin and other sections of the drainage system to the Swash. The drainage system and swash would need to be monitored for illicit discharge. If found and determined where the discharge originated, the owner would need to cease all activities creating the illicit discharge and could face action by SCDHEC. The City would contact DHEC if the owner fails to cooperate with City policies if the City identifies issues.

As far as location of these type of businesses, as long as they comply with the NPDES Permit and produced no illicit discharges then they should be able to operate where the zoning allows.

**Section 403. Findings of Fact Required**

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

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

1 **Public Input**

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3 **From:** Don Adams <mbgerb@gmail.com>  
4 **Sent:** Tuesday, January 21, 2020 11:40 AM  
5 **To:** Kelly Mezzapelle, AICP <kmezzapelle@cityofmyrtlebeach.com>  
6 **Subject:** Wash and Show  
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8 I would like to address some concerns about the Business mentioned above. The business sets  
9 on the edge of commercial and residential area. On several occasions I have been disturbed by  
10 loud exhaust from vehicles located at this business even past normal business hours. This has  
11 also included some very aggressive driving down Broadway as well as Alder Street. I must say  
12 they have kept the area clean which we in the neighbor hood do appreciate.  
13

14 Don Adams  
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19 **From:** De Fryar <dmfryar@gmail.com>  
20 **Sent:** Tuesday, January 21, 2020 12:49 PM  
21 **To:** Kelly Mezzapelle, AICP <kmezzapelle@cityofmyrtlebeach.com>  
22 **Subject:** Wash & Show  
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24 Kelly,  
25 Thank you for the returned call and voice mail.  
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27 I'm emailing regarding the business Wash & Show located on Broadway. Everyone is friendly  
28 and I understand they are trying to establish a business in the area. It's a mixed area, both  
29 residential and commercial that are very close to each other.  
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31 I would like to make a statement and then ask for consideration regarding the noise.  
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33 The statement is in regards to storm water/drainage. Several residents, including myself have  
34 attended city meetings about storm water/drainage issues and I would be interested in the  
35 response to why so much time, energy and funds are spent on this issue, yet an area that  
36 already has water retention problems we are adding to it (car wash).  
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38 The concern is the noise and the daily revving of the engines (motorcycles) that are either being  
39 serviced; whether for engines or detailing. It's zero to a high rate of speed to the stop sign and  
40 down Alder Street.  
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42 I'm simply asking the city for consideration of the residents as we continue growth in the  
43 Broadway area. We shouldn't want to add to existing issues or keep others from the area due to  
44 excessive noise.  
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46 We need to find a way to work and live with growth and change as peacefully as possible.  
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48 Thank you.