
1 **2021-22 (1ST READING): TO REZONE ~21 ACRES LOCATED IN THE 2600 RANGE**
 2 **OF S KINGS HWY (A PORTION OF PIN # 4430000012) FROM PRC (PARKS**
 3 **RECREATION AND CONSERVATION) TO AP (AIRPORT) TO RESOLVE A SPLIT ZONE**

4 **Applicant/Purpose:** Horry County Airports / to rezone approximately 21 acres at MYR to AP (Airport)
 5 from PRC (Parks Recreation and Conservation) to resolve a split zoned parcel of property.

6
 7 **Brief:**

- 8 • A large majority of airport property is zoned AP in support of airport operations.
- 9 • This parcel is currently zoned both AP and PRC.
- 10 • Per FAA requirements, MYR had initiated an airport master plan prior to COVID-19.
- 11 • During the master plan process MYR discovered this split zoned parcel of property.
- 12 • Split zoned parcels are difficult to plan for because of the different uses. Ideally, entire
- 13 parcels should be zoned the same to make development more efficient.
- 14 • Because AP is the most dominate zone at the airport, it was recommended this parcel be
- 15 rezoned AP.
- 16 • The applicant originally requested the adjoining solar farm parcel also be included in the
- 17 rezoning request to AP, but withdrew the request at the Planning Commission meeting.
- 18 • 3/16/21 - PC Recommendation: (6-1 to deny until staff can work with MYR airport staff to work
- 19 on the possibility of buffering for Hwy 17 and the cemetery pertinent to the two properties
- 20 that are on the screen (the split-zoned property and the solar farm property) as well as the
- 21 rest of the perimeter of the cemetery.

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 23 **Issues:**

- 24 • Two Commissioners expressed concern for the potential effect of airport development on
- 25 nearby Ocean Woods Cemetery.
- 26 • One Commissioner expressed concern for potentially unsightly airport development fronting on
- 27 Kings Highway.
- 28 • When considering this request, please keep in mind:
 - 29 ○ Any development/re-development at the airport and on this parcel will be subject to
 - 30 CAB review.
 - 31 ○ In the near future the City will be replacing privacy fence at the cemetery. The fence
 - 32 will be 6’-8’ in height.
 - 33 ○ There is also a large patch of mature trees and shrubbery on the back portion of the
 - 34 cemetery, and is on cemetery property. This will act as a natural buffer between the
 - 35 airport property and the cemetery.
 - 36 ○ The AP zone already abuts the cemetery along the rear property line, and the HC-2
 - 37 (Highway Commercial) zone abuts the cemetery on the north and south side.

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 39 **Public Notification:** 15 letters sent to owners of property within 300’. One sign placed on the property.
 40 **Legal ad ran.**

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 42 **Alternatives:**

- 43 • Modify (change zoning) or deny the request.

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 45 **Financial Impact:**

- 46 • N/A for the City
- 47 • For the applicant: the ability to plan for potential future use of the property.

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 49 **Manager’s Recommendation:**

- 50 • I recommend re-zoning to AP (4.27.21).

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 52 **Attachment(s):** Proposed ordinance, staff report

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CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

TO REZONE 21 ACRES LOCATED IN THE 2600
RANGE OF S KINGS HWY (A PORTION OF PIN #
44300000012) FROM PRC (PARKS RECREATION AND
CONSERVATION) TO AP (AIRPORT) TO RESOLVE A
SPLIT ZONE

PIN # 44300000012

IT IS HEREBY ORDAINED that the official zoning map of the City of Myrtle Beach is amended by rezoning ~21 acres located in the 2600 range of S Kings Hwy, represented by a portion of Horry County PIN # 44300000012 (as shown on "Exhibit A" attached hereto), from zone PRC (Parks Recreation and Conservation) to AP (Airport).

This ordinance shall become effective upon adoption.

ATTEST:

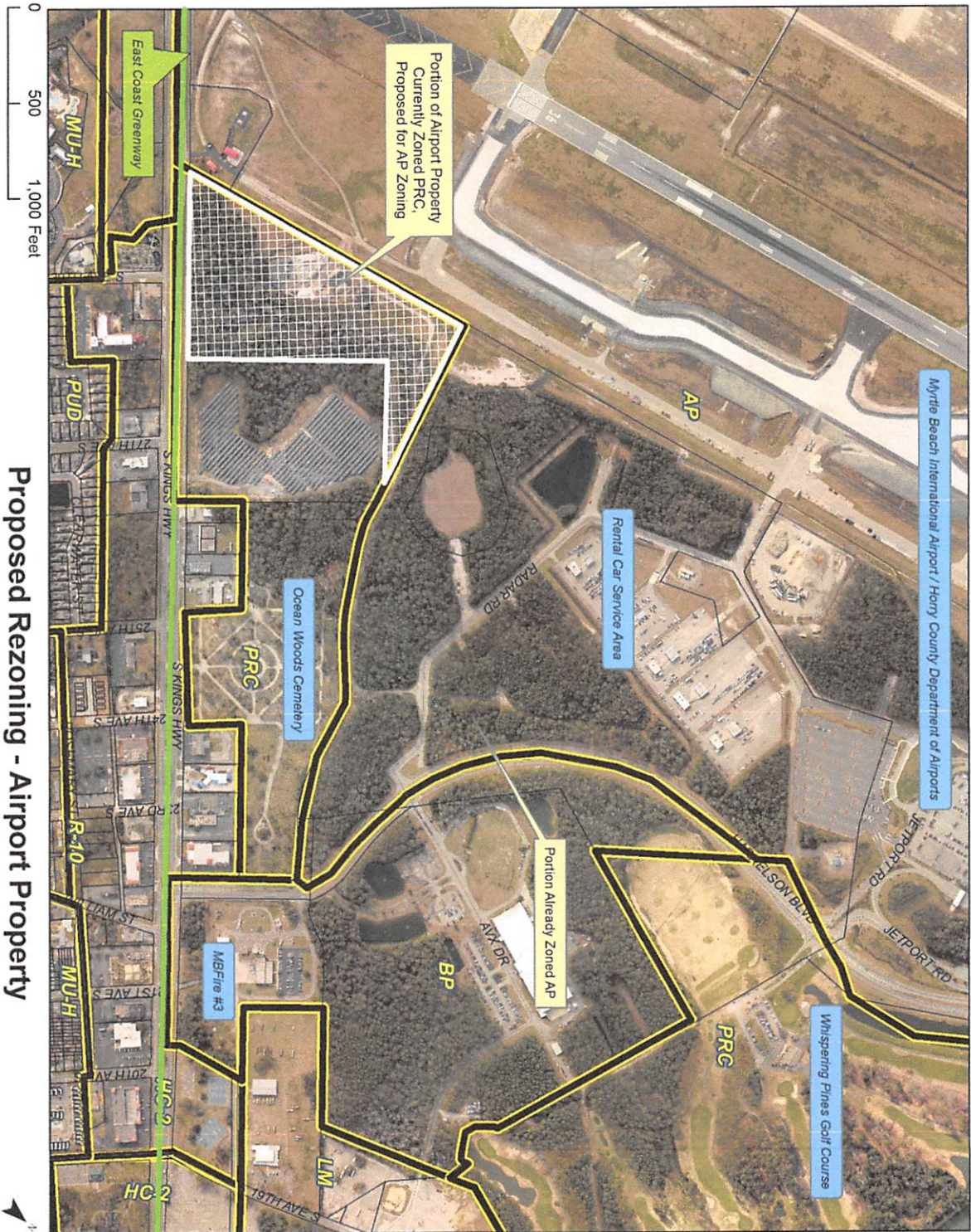
BRENDA BETHUNE, MAYOR

JENNIFER ADKINS, CITY CLERK

1st Reading: 4-27-2021

2nd Reading:

EXHIBIT A
ORDINANCE 2021-22



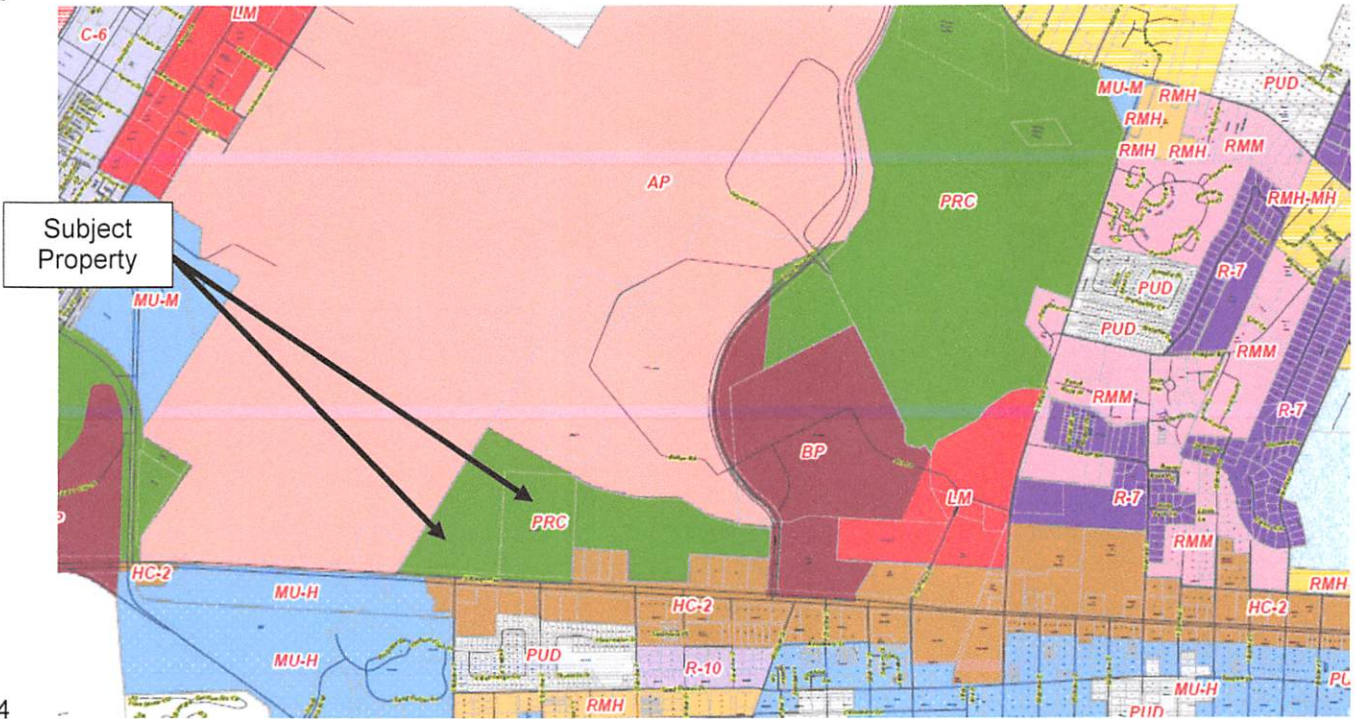
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SUPPORTING MATERIALS

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ZONING MAP



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PREVIOUS LAND USE MAP (1979)

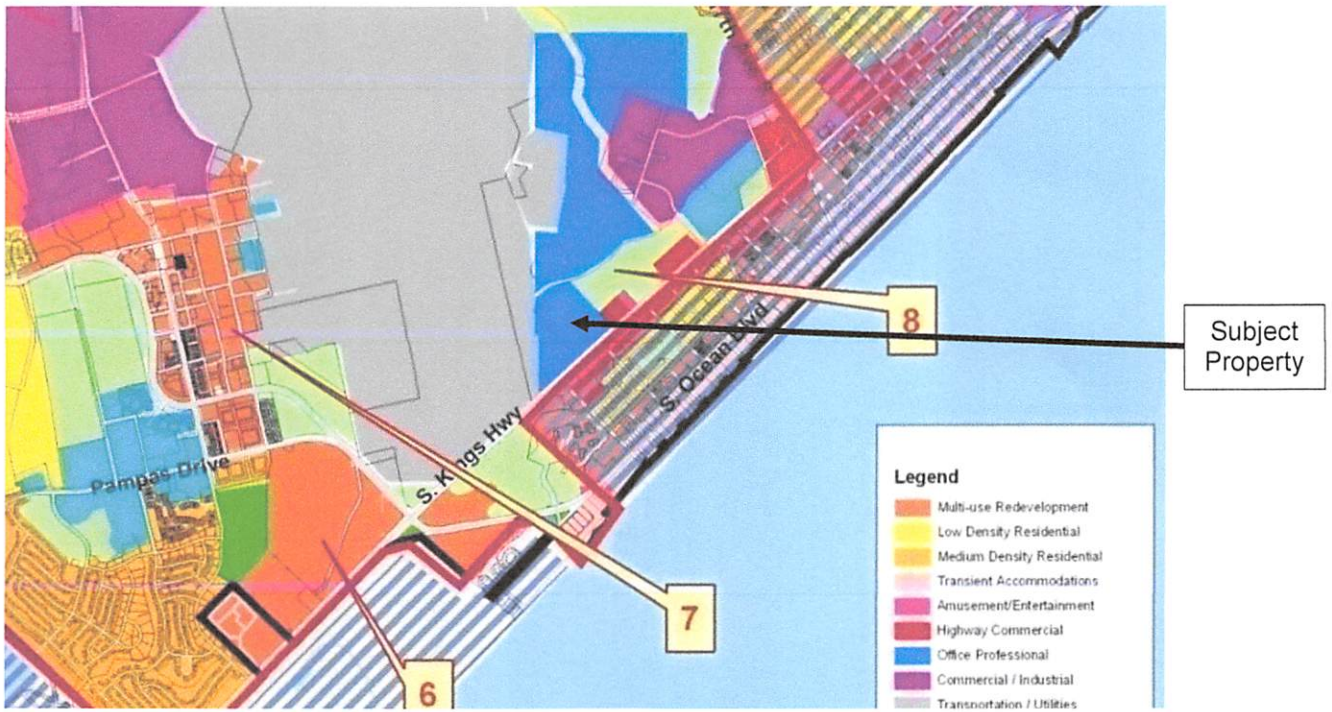


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1 **BASE CLOSURE PLAN (1993)**



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3 **FUTURE LAND USE MAP (COMPREHENSIVE PLAN)**



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7 **RELEVANT CODE CITATIONS/COMPARISONS**

1 **Permitted/Conditional Use Differences – see attached exhibit 1407.C.** Highway Commercial
 2 (HC2) added to the analysis at the request of the Planning Commission
 3

4 **Dimensional Requirement Differences – Article 16, Section 1603.C**

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. Ocean Yard Setback	Min. District Land Area	Min. Open Space
HC2	10,000 sq.ft.	--- R	---	60'	50%	30'	30'	B	B	Per CPZ	---	0% hh
AP	21,780 sq.ft.	--- R	---	--- X	---	40' E N	40' E N	F G N	F K N	20' A	---	L
PRC	1 acre	--- R	---	35'	---	B	B	B	B	20' A	---	---

- 5
- 6 (A) *Or per the Coastal Protection Zone (CPZ), whichever is greater.*
- 7
- 8 (B) *Except as stated in (A) above, setbacks are zero except that the provisions of Chapter 6 – Buildings and Building*
- 9 *Regulations and Chapter 9 – Fire Prevention & Protection of the Code of Ordinances apply. However, sight triangles*
- 10 *and sight lines shall be maintained, requirements in section 902 – Landscaping Regulations shall be met; and in the*
- 11 *Mixed Use (MU) districts, the sidewalk and buffer requirements of section 1705.1 – When A Property Is Developed*
- 12 *shall be met.*
- 13
- 14 (E) *Exception: Subdivisions of property containing buildings existing on 8/9/94 are allowed lesser setback requirements*
- 15 *(up to zero feet) for those existing buildings along no more than two street frontages.*
- 16
- 17 (F) *50' when adjacent to a residential district.*
- 18
- 19 (G) *When adjacent to a non-residential district: 20' of setback on each side; or 30' setback on the side of a building with*
- 20 *a vehicular access door; or if designed as zero lot line, the side yard opposite the zero lot line shall be a minimum of*
- 21 *50'.*
- 22
- 23 (K) *When adjacent to a non-residential district: 15' if no vehicular use area is provided to the rear of the structure; or 25'*
- 24 *if vehicular use area is provided in the rear yard; or 30' if a vehicular access door is provided on the rear of a building.*
- 25
- 26 (L) *Per the landscaping regulations.*
- 27
- 28 (N) *No structure setback is required adjacent to a railroad right-of-way where property lines abut a railroad right-of-way.*
- 29
- 30 (R) *Provided, however, that the minimum lot width along Kings Highway is 100'.*
- 31
- 32 (X) *Provided, however, that the height restricts within section 1803 - Airport Hazard Overlay Zone shall be met.*
- 33
- 34 (hh) *20% minimum open space on properties of 3 acres or more.*
- 35

STAFF COMMENTS

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37

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39 **Zoning, Police, Public Works:** No concerns

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41 **Fire:** The Myrtle Beach Fire Department has no issues with the proposed rezoning. For any future

42 development, emergency vehicle access, fire hydrant placement, and adequate road widths shall

43 be approved by the fire marshal.

44

45 **Planning:** Concerns about additional traffic crossing the East Coast Greenway.

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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.

Staff Comments on Findings of Fact:

- 403.A. **Comprehensive Plan**
 - The Comprehensive Plan identifies the area as “office professional.” The proposed zoning change would allow many potential commercial uses not currently allowed, some of which do not fit in with the future land use plan.
 - The proposed change is more in line with the Comprehensive Plan Future Land Use designation than the current zone.
 - There are no known errors in the Comprehensive Plan addressed by this request.
- 403.B. **Precedents**
 - Staff could not identify any precedents created by this application. The AP zone already abuts S Kings Hwy.
- 403.C. **Ability to Provide Services**
 - The ability of the City to provide water, sewer, stormwater, and public safety to the site is not impacted by this application. All utilities and safety operations are available to this site.
- 403.D. **Effect on the condition or value of property in the City.**
 - The rezoning would allow the airport to envision the property for use in the next 20-year planning window, as the current airport terminal and service areas are on track to be overwhelmed with business in a few years. (See attached report.)

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▪ 403.E. ***Effect on adopted development plans and policies of the City.***

- This request would bring the zoning more in line with the future land use map of the Comprehensive Plan. In addition, it would help support growth planning for our airport, which is outperforming most other passenger terminals in the US.

<i>P-permitted use C-conditional use S-special exception Blank Cell-use type not allowed</i>				
Article 14, Section 1407.C Land Use Category and Type				Additional Regulations
	HC2	AP	PRC	
Residential Uses				
Permanent residence, single-family dwellings	P			1501.JJ
Permanent residence, two-family dwellings	P			1501.JJ
Permanent residence, multi-family dwellings	P			1501.JJ 1503.A
Commercial and Office Uses				
Accounting office	P			1503.A
Adult day care	C			1501.A
Advertising agency	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			1503.A
Advisory service establishments engaged in providing monetary and specialized professional knowledge to the community, including offices of paralegals, lobbyists, and designers.	P			1503.A
Airport, freight		P		
Airport, passenger		P		
Aquariums	P			
Architects office	P			1503.A
Arts and crafts studio	P			
Assembly of electronic instruments and devices such as computer hardware and software, audio and video equipment, business machines, and small appliances.		P		
Assisted living facilities	C			1501.EE
<i>Use Category and Type</i>	<i>HC2</i>	<i>AP</i>	<i>PRC</i>	<i>Additional Regulations</i>
Automated teller machines, free standing	P	P		
Automobile rental	P	P		
Bakeries, retail	P			
Banks	P			1503.A
Bar, Tavern	P	P		
Barbershops, beauty salons, and cosmetologists	P			1503.A
Bed & breakfast establishments	P			1503.A
Bingo parlors	P			
Blueprinting services	P			
Boating (non-motorized) and water-related activities			P	
Booksellers / book stores	P			
Bowling alleys	P			

<i>Use Category and Type</i>	<i>HC2</i>	<i>AP</i>	<i>PRC</i>	<i>Additional Regulations</i>
Broadcast studios, radio and television	P	S		
Brokers	P			1503.A
Business consultants, offices of	P			1503.A
Car wash	P			
Chambers of commerce	P			
Child care center for 13 or more children (CCC)	C			1501.D 1503.A
Child care home, family, for up to 6 children (FCCH)	C			1501.D
Child care home, group, for 7-12 children (GCCH)	C			1501.D
Chiropractic care establishments	P			1503.A
Clothing stores	P			
Commercial center	P			
Commercial group residential	S			1501.E
Confectionaries	P			
Congregate housing, older adult	C			1501.F
<i>Use Category and Type</i>	<i>HC2</i>	<i>AP</i>	<i>PRC</i>	<i>Additional Regulations</i>
Construction vehicle and heavy machinery sales, repair, leasing maintenance, and storage	C			1501.F
Convention services	P			
Copy shops and business service centers	P			
Cosmetology establishments	P			
Crematorium	C			1501.G
Customer service/reception centers for interval ownership operations	P			
Dance Halls	P			
Drapery shops, custom	P			
Dressmaker	C			1501.H
Dry cleaning establishments	P			1503.A
Engineering office	P			
Eyeglass sales	P		P	1501.I
Facilities for active recreation not otherwise listed	P	P	P	1501.I
Facilities for passive recreation	C			1501.NN
Farm stands	P			1503.A
Financial office	P			
Florists and flower shops			P	
Forests and botanical gardens (research)	P			
Funeral homes	P			
Galleries	C			1501.J

<i>Use Category and Type</i>	<i>HC2</i>	<i>AP</i>	<i>PRC</i>	<i>Additional Regulations</i>
Gasoline station	C	P		1501.Y
Genetic research institutions	P			
Gift shops	P			
Go carts, electric, indoor or outdoor	C			1501.I
Golf courses	C			1501.K
Golf courses, miniature	P			
Golf driving ranges	P			
Grocery and food stores	P			
Hardware stores 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			1503.A
<i>Use Category and Type</i>	<i>HC2</i>	<i>AP</i>	<i>PRC</i>	<i>Additional Regulations</i>
Health clubs, gymnasiums, exercise and workout areas	P			
Heavy durable goods sales not otherwise listed	P			1710.C 1715.C
Home decorating accessory shops sales	P			
Home occupations	C			1501.L
Horticultural nursery	P			
Hospital	P			
Independent living, older adult	P			1501.E
Indoor Passive Recreation	P			
Indoor Storage Facility	C			1501.OO
Jewelry sales and repair	P			
Kennels and animal boarding facilities, indoor Kennels and animal boarding facilities, outdoor	P			
Laundromats and service	P			1503.A
Law office	P			1503.A
Liquor package stores	P			
Mailing/addressing services	P			
Manufacturing, processing, packaging, and distribution of measuring, analyzing and controlling instruments; medical and optical instruments, photographic equipment (excluding film and chemicals); ceramic instruments and components; magnetic media; and small electronic components.		P		
Manufacturing, processing, assembling, packaging and distribution establishments		P		

Marinas			C	1501.AA
<i>Use Category and Type</i>	<i>HC2</i>	<i>AP</i>	<i>PRC</i>	<i>Additional Regulations</i>
Massage establishment, therapeutic	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	P		
Museums	P	P		
Music sales	P			
News and magazine stands	P			
Nightclubs	P			
Nursing home facilities	C			1501.F
Outdoor display and merchandise area	C			1501.R
Parking facilities	P	P		1503.A
Parolee-probationer home	S			1503.G
Pharmacies	P			
Photography developing establishments	P			
Photography studios	P			
Pool halls/billiard parlors	P			
Professional organizations, offices of	P			1503.A
Prosthetic facilities	P			
Radio or television station and related transmitting tower	P	P		
Real estate offices	P			1503.A
Religious establishments providing for religious service and development	P			1503.A 1503.D
Restaurant, with drive-through service	P	P		1501.RR 1503.A
Restaurant, without drive-through service	P	P		1501.HH 1503.A
Restaurant with outdoor dining	C	C		1501.Q
<i>Use Category and Type</i>	<i>HC2</i>	<i>AP</i>	<i>PRC</i>	<i>Additional Regulations</i>
Restaurant with outdoor dining	C	C		1501.Q
Retail, big box	P			
Retail establishments providing convenience items and services	P			1503.A
Rock climbing walls	P			

<i>Use Category and Type</i>	<i>HC2</i>	<i>AP</i>	<i>PRC</i>	<i>Additional Regulations</i>
Rooftop gardens	P	P		
Schools, elementary and secondary, including school stadiums	P			1501.S
Schools, colleges or universities	P	P		
Schools, trade or vocational	P	P		
Schools, artistic training	P			
Schools, athletic training	P			
Service establishments of a business character providing maintenance, installation, and repair for specialized service needs to individuals or other businesses, including sales and service operations, and stenographic and letter writing services	P			
Shoe repair	P			
Skating rinks and parks, indoor	P			
Skating rinks and parks, outdoor	P			
Small engine repair	P			
Social welfare organizations	P			1503.A
Solar farms	C	C	C	1501.QQ
Sport facilities not otherwise listed	P			
Storage tanks for liquid substances, above ground		S		1503.E
Studios (art, dance, or music)	P			
Studios (martial arts, athletic)	P			
Swimming pools, indoor or outdoor	P			1501.I
Tennis facilities, indoor or outdoor	P			1501.I
Theater, indoor	P			
Theater, outdoor	P			
Tire sales and service	P			
Transmission or distribution lines for petroleum, gasoline, natural gas or liquefied petroleum gas		S		
Transmitting towers other than cell towers		S		
<i>Use Category and Type</i>	<i>HC2</i>	<i>AP</i>	<i>PRC</i>	<i>Additional Regulations</i>
Transportation terminals and establishments providing for the interchange of passengers	P	P		1501.W
Transportation terminals and establishments providing for the interchange of freight	P	P		
Travel agencies	P			
Truck terminals		P		
Unlicensed group residential (caregiving)	S			1501.E
Veterinary offices, clinics, and hospitals	P			1501.GG
Visitor accommodations not otherwise listed	P			1503.A
Visitor information reception center	P			

<i>Use Category and Type</i>	<i>HC2</i>	<i>AP</i>	<i>PRC</i>	<i>Additional Regulations</i>
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			
Parks, recreation areas, recreation facilities or recreation buildings owned by the City of Myrtle Beach	P	P	P	
Post office	P	P		
Public parking	P	P	P	
Public regional stormwater facilities	P	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	P	
Social welfare offices	P			
Water tanks, public	P	S	S	

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