

---

1 **2023-1 (2<sup>nd</sup> READING): TO AMEND THE PLANNED UNIT DEVELOPMENT KNOWN AS**  
2 **OSCEOLA STREET PUD PLANNED UNIT DEVELOPMENT**

---

3 **Applicant/Purpose:** Robert S. Guyton (agent) / to amend the Osceola PUD to better accommodate  
4 multifamily development.  
5

6 **Brief:**

- 7 • The Osceola Street PUD as adopted in 2017 included three development phases.
- 8 • Changes requested in this amendment include the following.
  - 9 ○ Current permitted uses, generally those of the Highway Commercial Zones, are
  - 10 reduced (Sec 3) to only multifamily residential and typical accessory uses and
  - 11 amenities (Sec 4).
  - 12 ○ Minimum lot size (Sec 6) is reduced from 10,000 to 5,000 sq. ft.
  - 13 ○ Maximum height (Sec 6) is reduced from 60' to 55'.
  - 14 ○ Minimum setback (Sec 6) from Mr. Joe White Ave is decreased from 25' to zero.
  - 15 ○ Minimum setback (Sec 6) from Osceola St is decreased from 15' to zero. Minimum
  - 16 setback from Cherokee St remains 15'.
- 17 • Parking requirements (Sec 6) are unchanged for the remaining permitted uses.
- 18 • Planning Commission (12.6.22) recommends approval (8/0).
- 19 • Changes since 1<sup>st</sup> reading include the incorporation of a children's playground area and
- 20 equipment into the project.  
21

22 **Issues:**

- 23 • The current narrative does not address an unimproved 60' City right-of-way running through  
24 the project. The applicant has added narrative regarding abandonment (Sec 10), which will  
25 be requested at a later date.
- 26 • Public Improvements listed in the current PUD include installation of a new basketball court  
27 at Lions Cove Park near the corner of Osceola St and Green's Blvd. Lions Cove Park is not  
28 included in the Osceola St PUD, and the City's PRST Department is fine with removing the  
29 basketball court from the public improvements list. The remaining public improvements  
30 remain unchanged:
  - 31 ○ A 5' sidewalk and street trees within the adjacent Mr. Joe White Ave ROW. (A
  - 32 sidewalk already exists along Osceola St.)
  - 33 ○ Installation of security cameras at the direction of MBPD, to be integrated into their
  - 34 city-wide camera system.
  - 35 ○ School bus stops along Osceola St at the direction of Horry County Schools.
- 36 • Staff recommends further amendments to Sections 13 & 15, respectively, to better refine  
37 phasing and construction schedules and incorporate a revocation provision consistent with  
38 the City's Zoning Ordinance.  
39

40 **Public Notification:** Ad in newspaper, agenda published and posted.  
41

42 **Alternatives:** Modify, or deny the request.  
43

44 **Financial Impact:** Increase in commercial property taxes, business licenses, and building permits.  
45 These revenues will be offset with added service demands.  
46

47 **Manager's Recommendation:**

- 48 • I recommend 1<sup>st</sup> reading with staff recommendations (1.10.23)
- 49 • I recommend approval with staff recommendations (1.24.23).  
50

51 **Attachment(s):** ordinance, staff report

CITY OF MYRTLE BEACH  
 STATE OF SOUTH CAROLINA  
 COUNTY OF Horry

TO AMEND THE PLANNED UNIT  
 DEVELOPMENT KNOWN AS OSCEOLA  
 STREET PUD PLANNED UNIT  
 DEVELOPMENT

IT IS HEREBY ORDAINED that the Osceola Street Planned Unit Development (hereinafter the "PUD") is amended pursuant to the terms and conditions of this Ordinance, as follows. The development authorized and approved by this Ordinance shall be located on those parcels of land identified with Horry County PINs as:

- Mr. Joe White Avenue: PIN 425-12-04-0003;
- PIN 425-12-04-0004;
- PIN 425-12-04-0005;
- PIN 425-12-04-0006;
- Osceola St.:
- PIN 425-12-04-0002;
- PIN 425-12-04-0001;
- PIN 425-12-01-0037;
- PIN 425-12-01-0036;
- PIN 425-12-01-0035;
- PIN 425-12-01-0034;
- PIN 425-12-01-0033;
- PIN 425-12-01-0032;
- PIN 425-12-01-0031;
- PIN 425-12-01-0030;
- PIN 425-12-01-0029;
- PIN 425-12-01-0028;
- PIN 425-12-04-0007;
- PIN 425-12-04-0008;
- PIN 425-12-04-0009;
- PIN 425-12-04-0010;
- PIN 425-12-04-0021; and
- PIN 425-12-04-0022

1  
2 As shown on the Boundary, Topographic & Tree Survey prepared by McKim & Creed, dated June  
3 10, 2022, included in a separate exhibit supplement to this Ordinance and incorporated herein  
4 by reference as **EXHIBIT 17.5**. The development authorized by this ordinance shall be generally  
5 as represented by that set of plans drawn and/or compiled by Development Resources Group  
6 dated November 28, 2022, titled Conceptual Site Plan, 10<sup>th</sup> Avenue Multifamily included in a  
7 separate exhibit supplement to this Ordinance and incorporated herein by reference as **EXHIBIT**  
8 **17.6**; that set of plans drawn by Development Resources Group dated November 28, 2022, titled  
9 Schematic Drainage Exhibit, 10<sup>th</sup> Avenue Multifamily included in a separate exhibit supplement  
10 to this Ordinance and incorporated herein by reference as **EXHIBIT 17.7**; that set of plans drawn  
11 by Development Resources Group dated November 28, 2022, titled Schematic Utility Exhibit, 10<sup>th</sup>  
12 Avenue Multifamily included in a separate exhibit supplement to this Ordinance and  
13 incorporated herein by reference as **EXHIBIT 17.8**; that set of plans drawn by Development  
14 Resource Group dated November 28, 2022, titled Conceptual Landscape Plan, 10<sup>th</sup> Avenue  
15 Multifamily included in a separate exhibit supplement to this Ordinance and incorporated herein  
16 by reference as **EXHIBIT 17.9**; that set of conceptual building elevations drawn by Studio A dated  
17 August 2, 2022 titled Design Services for Myrtle Beach Apartments, 10<sup>th</sup> Avenue, Myrtle Beach,  
18 South Carolina included in a separate exhibit supplement to this Ordinance and incorporated  
19 herein by reference as **EXHIBIT 17.10**; that summary of PUD Public Benefits attached hereto and  
20 incorporated herein by reference as **APPENDIX "A"**. These exhibits to this Ordinance shall  
21 generally represent the development authorized by this Ordinance, with the understanding that  
22 the Zoning Administrator or the Community Appearance Board of the City of Myrtle Beach may  
23 amend the plans to some degree. Pursuant to the Code of Ordinances of the City of Myrtle Beach,  
24 Appendix A, Zoning, Section 19.03.H, the plans included in the separate exhibit supplement to  
25 this Ordinance referenced herein are representative of the manner in which the PUD shall be  
26 developed and any such development shall be in strict compliance with the approved final plans  
27 for development and revisions thereto approved by City Staff.  
28

#### 29 Section 1 – Summary of the Planned Unit Development 30

31 The proposed amendment to the Osceola Street PUD fits within the context of the existing  
32 surrounding development. The site is currently vacant with some tree cover, consistent with the  
33 tree survey performed by McKim & Creed, dated June 10, 2022 and included in the PUD  
34 Amendment Application. The approximately 6.575 acre PUD currently provides for mixed uses  
35 that include climate controlled storage, offices or retail and multi-family residential. The  
36 amended plan includes multi-family residential (including common areas and open spaces) along  
37 Osceola Street, together with accessory offices related to the operation of the PUD, along Mr.  
38 Joe White Avenue as indicated on the Site Plan. The project includes interior drives, resident  
39 parking areas, a swimming pool and amenity area, childrens playground area, stormwater pond,  
40 and enclosed dumpsters, as shown on the Site Plan, as well as improvements to City stormwater  
41 drainage network, landscaping, and internal security cameras. The developer has proposed using  
42 funds generated by the public benefit of the project to install two three-camera units of the City  
43 of Myrtle Beach camera network as requested by the Myrtle Beach Police Department. These  
44 cameras would be maintained solely by the City of Myrtle Beach. Maintenance for all

1 improvements within the project, including the common areas, amenity and drainage, will be  
2 the responsibility of owner, its successors, and assigns, as will the exterior landscaping on private  
3 property and dumpster enclosures.

#### 4 5 Section 2 – Location of the Planned Unit Development 6

7 The PUD is bound by developed properties along and accessed primarily via Mr. Joe White  
8 Avenue to its south. To the north, the PUD is bound by an apartment complex (Monticello Park)  
9 which is zoned PUD. The PUD is bound to the west by Osceola Street and to the east by Cherokee  
10 Street. Across Osceola Street along Mr. Joe White Avenue are two properties zoned HC-1 (Dick's  
11 Pawn Shop and New Directions of HC, LLC). Adjacent to these properties along Osceola Street  
12 are two apartment complexes zoned RMH (Sandygate Village and Patriot's Way). The PUD  
13 encompasses seven (7) lots along Cherokee Street. The lot at the corner with Mr. Joe White is  
14 vacant. The remaining lots within the PUD are also vacant, except one (1) lot, which contains a  
15 vacant house that will be removed in conjunction with the PUD construction. Continuing along  
16 the west side of Cherokee Street, there are two residences and three apartment buildings. Across  
17 Cherokee Street from the PUD along Mr. Joe White Ave. is a professional office building zoned  
18 MU-M (Morris Chiropractic). Adjacent to this property are six lots zoned RMH. The first of these  
19 lots is a residence, while the remaining lots on the east side of Cherokee Street are either vacant  
20 or contain apartment buildings. .

#### 21 22 Section 3 – Permitted Uses 23

24 Multi-family residential dwellings, for long term lease.  
25

#### 26 Section 4 – Accessory Uses 27

28 Uses customarily accessory to Multi-Family Dwelling complexes. The customary accessory uses  
29 of multi-family dwelling complexes include, but are not limited to:  
30

- 31 1. Parking, provided such parking is designed and/or uses for the storage of motor driven  
32 vehicles, owned and used by the occupants of the dwellings to which it is accessory,  
33 together with employee parking and guest parking. Accessory parking shall not be used  
34 for (i) more than one commercial vehicle licensed as a commercial vehicle by the State  
35 of South Carolina per dwelling unit; or (ii) any vehicle of more than one ton in capacity.
- 36 2. Mailbox clusters.
- 37 3. Swimming pools and equipment
- 38 4. Childrens playground area and equipment.
- 39 5. Tennis Courts.
- 40 6. Fitness/Wellness Facilities.
- 41 7. Laundry Facilities.
- 42 8. Management/Maintenance/Custodial Offices and Storage.

43  
44 All such accessory uses shall be on the same lot as the permitted use they support.

1  
2 Section 5 – Dimensional Requirements  
3

- 4 5.1 Minimum lot area: 5,000 square feet  
5 5.2 Minimum lot width: None  
6 5.3 Minimum lot depth: None  
7 5.4 Maximum height: 55 feet  
8 5.5 Minimum front yard setback: 0 feet along Mr. Joe White Avenue  
9 5.6 Minimum rear yard setback: 20 feet  
10 5.7 Minimum side yard setback: 0 feet along Osceola Street, 15 feet along remaining side  
11 streets.  
12  
13 5.8 Minimum pervious surface: 25%  
14 5.9 Minimum Building Separation: 20 feet

15 Section 6 – Parking Standards  
16

17 The property will be developed as a multi-family residential community, including accessory uses  
18 for amenities, offices serving the residents of the community and related amenities. Parking  
19 spaces will be calculated based upon the number of bedrooms within each unit. One bedroom  
20 apartment unit spaces will be installed at a ratio of one space per unit; Two bedroom apartment  
21 unit spaces will be installed at a ratio of one-point-five spaces per unit; and, Three bedroom  
22 apartment unit space will be installed at a ratio of two spaces per unit.  
23

24 Section 7 – Landscaping/Buffering  
25

26 Landscaping will meet or exceed all landscape/buffering requirements as described in Article 9  
27 Landscaping and Tree Protection provisions applicable to the MU-M District, within the 2019 City  
28 of Myrtle Beach Zoning Ordinance, a copy of which is attached hereto as **APPENDIX “B”**.  
29

30 Section 8 – Lighting Standards  
31

32 The development will meet or exceed the lighting standards as described in Article 12, Lighting  
33 and Glare provisions applicable to the MU-M District, within the 2019 City of Myrtle Beach Zoning  
34 Ordinance, a copy of which is attached hereto as **APPENDIX “C”**.  
35

36 Section 9 – Signage Requirements  
37

38 The development will meet or exceed the signage requirements as described in Article 8 Sign  
39 Regulations applicable to the MU-M District, within the City of Myrtle Beach Zoning Ordinance,  
40 a copy of which is attached hereto as **APPENDIX “D”**.

1  
2 Section 10 – Special Requirements  
3

4 In order to assist the City of Myrtle Beach with its ongoing beautification efforts, the developer  
5 will install plant street trees along and within the right-of-way of Mr. Joe White Ave., consisting  
6 of existing varieties approved by City staff; and plant landscaping along the perimeter of the  
7 PUD.  
8

9 In addition, the developer proposes that the platted but unimproved street right-of-way,  
10 between Osceola Street and Cherokee Street, which bisects the PUD, be abandoned. To the  
11 extent the City has improvements located within such right-of-way (such as water lines or  
12 sanitary sewer lines), developer will grant to the City a perpetual easement, of ten (10') feet in  
13 width, within the current right-of-way, for the continued operation of such lines. The developer  
14 acknowledges the procedure for street closure is separate and apart from this zoning ordinance.  
15

16 Section 11 – Technical Design Criteria  
17

18 The developer's technical design for new construction, grading, excavation, backfilling,  
19 surcharging, and all site improvements will follow the Code of Laws for the City of Myrtle Beach  
20 as shown throughout the attachments to the PUD application.  
21

22 11.1 For new construction, soil erosion control measures for each Phase will be designed and  
23 installed per the requirements of the City and of DHEC.  
24

25 11.2 All redevelopment shall comply with the requirements of the City's Stormwater  
26 Management Ordinance (Chapter 18, Stormwater Management a copy of which is  
27 attached hereto as **APPENDIX "E"**) within the confines of the site plan referenced herein.  
28

29 11.3 Water and sanitary sewer systems connected to the City lines will include design, sizing,  
30 and calculations for domestic water and wastewater pipes, water meters, manholes, and  
31 other water/sewer appurtenances required to serve and accommodate the  
32 development's needs. Any easements needed for either or both systems will be deeded  
33 to the City as required during the development of each Phase. All design sizing, and  
34 calculations will be subject to review and approval by the City Engineering Department.  
35

36 11.4 For new construction, in order to maintain proper surface drainage, curb and gutter will  
37 be installed for all entrances, paved asphalt areas, and public or private street areas in  
38 the PUD per Public Works guidance.  
39

40 11.5 All utilities shall be provided underground except for necessary boxes, transformers, tight  
41 fixtures and other appurtenances. All utility plans and construction methods shall comply  
42 with City requirements.  
43

1 11.6 All Phases shall be constructed in general adherence with the Plans that are a part of this  
2 Ordinance.

3  
4 11.7 Internal streets will be paved with a minimum of 20 feet of asphalt pavement.  
5

6 Section 12 – Public Improvements  
7

8 Public improvements will consist of one or a combination of the following, as finances allow:  
9

10 12.1 Installing security cameras at key points (as requested by the Myrtle Beach Police  
11 Department)as part of the City of Myrtle Beach camera network. A third camera is to be  
12 installed at the corner of Greens Blvd. and Osceola Street.  
13

14 12.2 Sidewalks along Mr. Joe White Avenue 5 feet in width and 6 inches in depth, along with  
15 street trees.  
16

17 12.3 Any Public Benefit funds remaining after completion of the above-described  
18 improvements is to be used to implement the School Bus stops along Osceola Street. Each  
19 School Bus stop shall be a minimum of 10' x 15', with fencing installed on not less than  
20 75% of the pad perimeter, and bench seating for students.  
21

22 Payments for public improvements are due upon issuance of building permits.  
23

24 Section 13 – Phasing Plan and Construction Schedule  
25

26 The property will be developed in two phases, any of which may be developed simultaneously or  
27 in any order. Phase 1 of the construction is anticipated to be the 47,000 +/- square foot building  
28 fronting along Mr. Joe White Avenue. Design and permitting is anticipated to be complete by  
29 December of 2023, with construction of the first phase completed by December 2025. The final  
30 phase is expected to be completed by December 2027. However, in the event the PUD  
31 construction is not complete by December of 2028, any further extension of the construction  
32 schedule beyond such date must be approved by City Council, and must be supported by facts  
33 and circumstances warranting an extension. If, at any time, construction falls more than 2 years  
34 behind the schedule filed with the plans and this Ordinance, the Planning Commission may  
35 recommend that the City Council, after notice and public hearing thereon, repeal this Ordinance.  
36 The developer shall be notified at least 90 days prior to any revocation hearing.  
37

38 In the event this Ordinance is repealed and the PUD revoked, in whole or in part, the undeveloped  
39 real property that is the subject of this PUD Ordinance would thereafter be rezoned pursuant to  
40 the Zoning Ordinance of the City of Myrtle Beach.  
41

42 Section 14 – Exhibit Supplement  
43

44 In addition to the narrative, developer has simultaneously submitted the following Exhibits:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

- EXHIBIT 17.5            Boundary, Topographic and Tree Survey
  - EXHIBIT 17.6            Conceptual Site Plan
  - EXHIBIT 17.7            Schematic Drainage Plan
  - EXHIBIT 17.8            Schematic Utility Plan
  - EXHIBIT 17.9            Conceptual Landscape Plan
  - EXHIBIT 17.10          Conceptual Building Elevations
- Section 15 – Enactment Provision and Signature Lines

Enactment Provision – This ordinance is effective only upon presentment of ten (10) complete sets of the PUD Amendment Ordinance documents, including, but not limited to attachments, exhibits, and maps to the City Clerk within five (5) working days of the second reading. Failure to supply the required documents results in this ordinance having no force or effect, and the regulations in place prior to second reading shall be the assigned regulations.

---

BRENDA BETHUNE, MAYOR

ATTEST:

---

JENNIFER ADKINS, CITY CLERK

1<sup>st</sup> Reading: 1-10-2023  
2<sup>nd</sup> Reading: 1-24-2023



**APPENDIX "A"**

**Proposed Public Benefits**

Public improvements will consist of one or a combination of the following, based upon an amount equal to 1.5% of the stated value of improvements at the time of issuance of each building permit within the PUD:

- 1 Installing security cameras at key points (as requested by the Myrtle Beach Police Department) as part of the City of Myrtle Beach camera network. A third camera is to be installed at the corner of Greens Blvd. and Osceola Street.
- 2 Sidewalks within the right-of-way of Mr. Joe White Avenue 5 feet in width and 6 inches in depth, along with street trees.
- 3 Any Public Benefit funds remaining after completion of the above-described improvements is to be used to implement the School Bus stops along Osceola Street, consisting of Two (2) separate concrete pads, each not less than 10' x 15', not less than 75% of the pad perimeter being fenced, and benches installed for seating.

Payments for public improvements are due upon issuance of building permits.

**APPENDIX "B"**

**Article 9 Landscaping and Tree Protection**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

**APPENDIX "C"**

**Article 12 Lighting and Glare**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

**APPENDIX "D"**

**Article 8 Sign Regulations**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

**APPENDIX "E"**

**Chapter 18 Stormwater Management**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

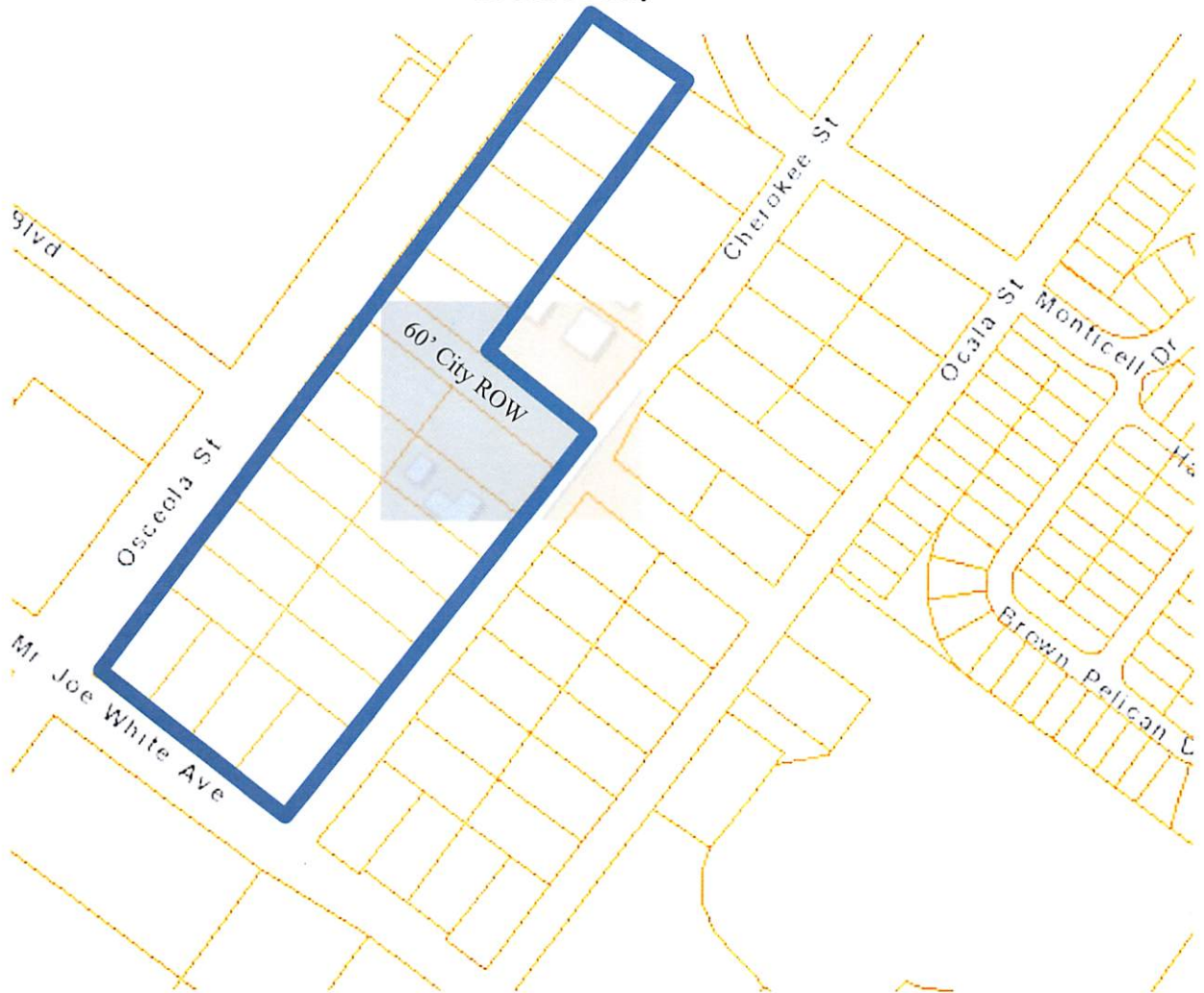
**Additional Information**

**Staff Input:**

Fire: Myrtle Beach Fire Department has no issues with the proposal; however future development emergency vehicle access, fire hydrant placement, and adequate road widths shall be approved by the fire marshal during permitting.

Zoning: No concerns.

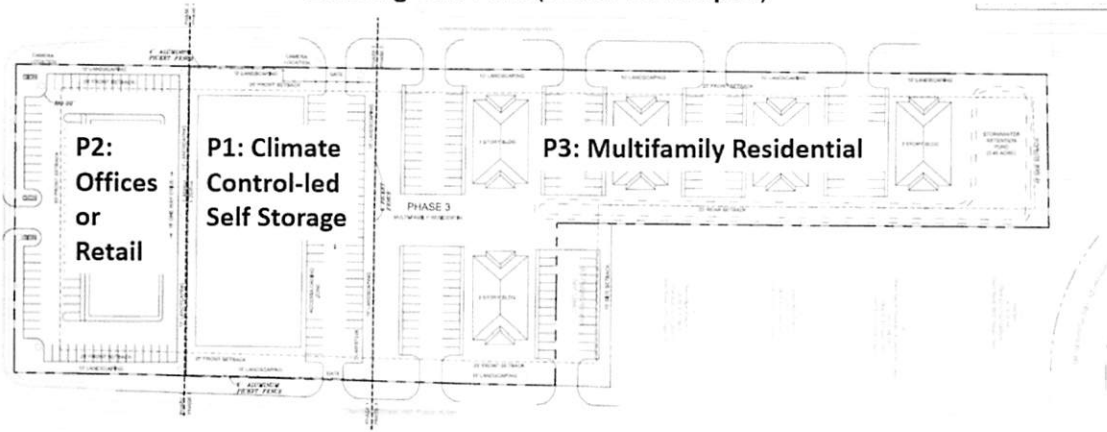
**Location Map**



11  
12  
13

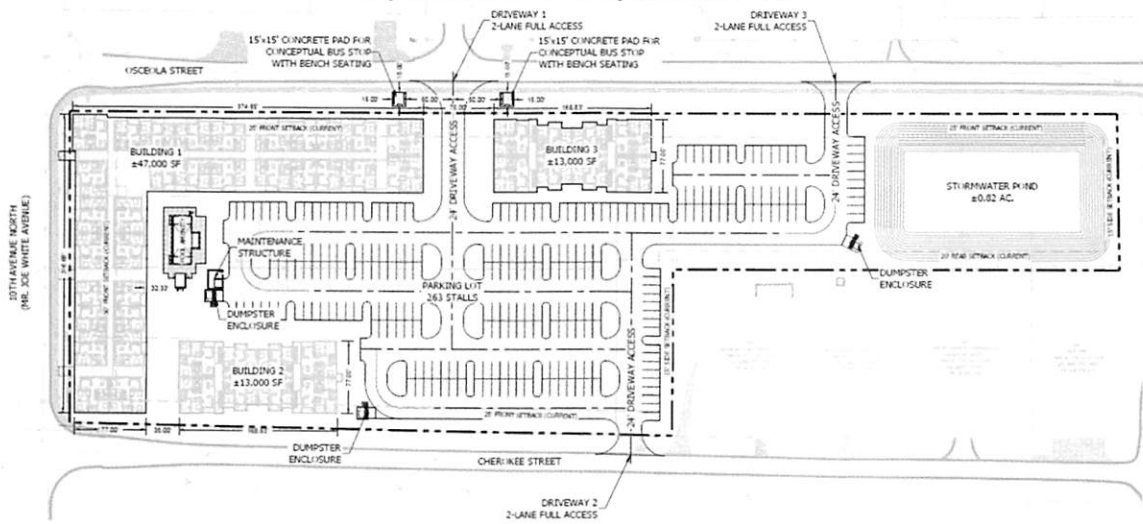
1

**Existing Site Plan (Never Developed)**



2  
3

**Proposed New Conceptual Site Plan**



4  
5  
6  
7  
8  
9

**Permitted Uses Comparison Table**

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

Use Category and Type	Proposed	Current
	<b>Residential Uses</b>	
Permanent residence, single-family dwellings		P Phase 3
Permanent residence, two-family dwellings		P Phase 3

Use Category and Type	Proposed	Current
	Permanent residence, multi-family dwellings	P
<b>Commercial and Office Uses</b>		
Accounting office		P Phases 1,2,3
Adult day care		C Phases 1,2,3
Advertising agency		P Phases 1,2,3
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 Phases 1,2,3
Advisory service establishments engaged in providing monetary and specialized professional knowledge to the community, including offices of paralegals, lobbyists, and designers.		P Phases 1,2,3
Aquariums		P Phases 1,2,3
Architects office		P Phases 1,2,3
Arts and crafts studio		P Phases 1,2,3
Assisted living facilities		C Phases 1,2,3
Automated teller machines, free standing		P Phases 1,2,3
Automobile rental		P Phases 1,2,3



Use Category and Type	Proposed	Current
	Bakeries, retail	
Banks		P Phases 1,2,3
Bar, Tavern		P Phases 1,2,3
Barbershops, beauty salons, and cosmetologists		P Phases 1,2,3
Bed & breakfast establishments		P Phases 1,2,3
Bingo parlors		P Phases 1,2,3
Blueprinting services		P Phases 1,2,3
Booksellers / book stores		P Phases 1,2,3
Bowling alleys		P Phases 1,2,3
Broadcast studios, radio and television		P Phases 1,2,3
Brokers		P Phases 1,2,3
Business consultants, offices of		P Phases 1,2,3
Car wash		P Phases 1,2,3
Chambers of commerce		P Phases 1,2,3
Child care center for 13 or more children (CCC)		P Phases 1&2 C

Use Category and Type	Proposed	Current
Child care home, family, for up to 6 children (FCCH)		P Phases 1&2 C Phase 3
Child care home, group, for 7-12 children (GCCH)		P Phases 1&2 C Phase 3
Chiropractic care establishments		P Phases 1,2,3
Clothing stores		P Phases 1,2,3
Commercial center		P Phases 1,2,3
Commercial group residential		S Phases 1,2,3
Confectionaries		P Phases 1,2,3
Congregate housing, older adult		C Phases 1,2,3
Continuing care retirement community		C Phases 1,2,3
Copy shops and business service centers		P Phases 1,2,3
Cosmetology establishments		P Phases 1,2,3
Credit office		P Phases 1,2,3
Customer service/reception centers for interval ownership operations		C Phases 1,2,3

Use Category and Type	Proposed	Current
	Dance Halls	
Drapery shops, custom		P Phases 1,2,3
Dressmaker		P Phases 1,2,3
Dry cleaning establishments		C Phases 1,2,3
Engineering office		P Phases 1,2,3
Eyeglass sales		P Phases 1,2,3
Facilities for active recreation not otherwise listed		P Phases 1,2,3
Facilities for passive recreation		P Phases 1,2,3
Financial office		P Phases 1,2,3
Florists and flower shops		P Phases 1,2,3
Funeral homes		P Phases 1,2,3
Galleries		P Phases 1,2,3
Game arcades		C Phases 1,2,3
Gasoline station		C Phases 1,2,3
Gift shops		P Phases 1,2,3

Use Category and Type	Proposed	Current
	Go carts, electric, indoor or outdoor	
Golf courses		C Phases 1,2,3
Golf courses, miniature		C Phases 1,2,3
Golf driving ranges		P Phases 1,2,3
Grocery and food stores		P Phases 1,2,3
Hardware stores		P Phases 1,2,3
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, but not primarily for recovery from substance abuse		P Phases 1,2,3
Health clubs, gymnasiums, exercise and workout areas		P Phases 1,2,3
Heavy durable goods sales not otherwise listed		C Phases 1,2,3
Home decorating accessory shops sales		P Phases 1,2,3
Home occupations		C Phase 3
Horticultural nursery		P Phases 1,2,3
Hospital		P Phases 1,2,3

Use Category and Type	Proposed	Current
	Independent living, older adult	
Indoor Storage Facility		C Phase 3
Jewelry sales and repair		P Phases 1,2,3
Kennels and animal boarding facilities, indoor		P Phases 1,2,3
Laundromats and service		P Phases 1,2,3
Law office		P Phases 1,2,3
Liquor package stores		P Phases 1,2,3
Mailing/addressing services		P Phases 1,2,3
Massage establishment, therapeutic		C Phases 1,2,3
Moped rental and sales establishment		C Phases 1,2,3
Motor vehicle detailing		P Phases 1,2,3
Motor vehicle paint or body shop		P Phases 1,2,3
Motor vehicle parts store		P Phases 1,2,3
Motor vehicle repair and maintenance		C Phases 1,2,3

Use Category and Type	Proposed	Current
	Motor vehicle sales	
Motor vehicle rental and leasing		P Phases 1,2,3
Museums		P Phases 1,2,3
Music sales		P Phases 1,2,3
News and magazine stands		P Phases 1,2,3
Nightclubs		P Phases 1,2,3
Nursing home facilities		C Phases 1,2,3
Outdoor display and merchandise area		C Phases 1,2,3
Parking facilities		P Phases 1,2,3
Parolee-probationer home		S Phases 1,2,3
Pharmacies		P Phases 1,2,3
Photography developing establishments		P Phases 1,2,3
Photography studios		P Phases 1,2,3
Pool halls/billiard parlors		P Phases 1,2,3
Professional organizations, offices of		P Phases 1,2,3

Use Category and Type	Proposed	Current
	Prosthetic facilities	
Radio or television station and related transmitting tower		P Phases 1,2,3
Real estate offices		P Phases 1,2,3
Religious establishments providing for religious service and development		P Phases 1,2,3
Restaurant, with drive-through service		P Phases 1,2,3
Restaurant, without drive-through service		P Phases 1,2,3
Restaurant with outdoor dining		C Phases 1,2,3
Retail, big box		P Phases 1,2,3
Retail establishments providing convenience items and services		P Phases 1,2,3
Rock climbing walls		P Phases 1,2,3
Rooftop gardens		P Phases 1,2,3
Schools, elementary and secondary, including school stadiums		P Phases 1,2,3
Schools, colleges or universities		P Phases 1,2,3
Schools, trade or vocational		P Phases 1,2,3
Schools, artistic training		P Phases 1,2,3

Use Category and Type	Proposed	Current
	Schools, athletic training	
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 Phases 1,2,3
Shoe repair		P Phases 1,2,3
Skating rinks and parks, indoor		P Phases 1,2,3
Skating rinks and parks, outdoor		P Phases 1,2,3
Small engine repair		P Phases 1,2,3
Social welfare organizations		P Phases 1,2,3
Sport facilities not otherwise listed		P Phases 1,2,3
Studios (art, dance, or music)		P Phases 1,2,3
Studios (martial arts, athletic)		P Phases 1,2,3
Swimming pools, indoor or outdoor		P Phases 1,2,3
Tennis facilities, indoor or outdoor		P Phases 1,2,3
Theater, indoor		P Phases 1,2,3



Use Category and Type	Proposed	Current
	Theater, outdoor	
Tire sales and service		P Phase 3
Transportation terminals and establishments providing for the interchange of passengers		P Phases 1,2,3
Transportation terminals and establishments providing for the interchange of freight		P Phases 1,2,3
Travel agencies		P Phases 1,2,3
Unlicensed group residential (caregiving)		S Phases 1,2,3
Veterinary offices, clinics, and hospitals		P Phases 1,2,3
Visitor accommodations not otherwise listed		P Phases 1,2,3
Visitor information reception center		P Phases 1,2,3
Warehouse storage		P Phases 1&2
Wholesale business establishments for selling bulk goods or commodities, but not toxic chemicals		P Phases 1&2

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

**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:

- 1 403.A. Whether or not the requested zoning change is consistent with the  
2 Comprehensive Plan or is justified by an error in the original ordinance.  
3
- 4 403.B. The precedents and the possible effects of such precedents, which might  
5 result from approval or denial of the petition.  
6
- 7 403.C. The capability of the City or other government agencies to provide any  
8 services, facilities, or programs that might be required if the petition were  
9 approved.  
10
- 11 403.D. Effect of approval of the petition on the condition or value of property in the  
12 City.  
13
- 14 403.E. Effect of approval of the petition on adopted development plans and policies  
15 of the City.