
1 **2022-2 (1ST READING): TO REZONE PROPERTY LOCATED AT 5817 HASKELL**
2 **CIR (PIN # 42111010084) FROM R-10 (SINGLE FAMILY RESIDENTIAL) TO MU-**
3 **M (MIXED USE MEDIUM DENSITY)**

4 **Applicant/Reason:** Kings Estates, LLC (Robert Guyton, agent)/ to rezone property from R-10
5 (Single Family Residential) to MU-M (Mixed Use – Medium Density)
6

7 **Brief:**

- 8 • Owner's property is adjacent to R-10 and across from an MU-M district. (Mixed-Use
9 Medium Density)
- 10 • Property was most recently used as a landscaping business, which was a
11 nonconforming-grandfathered use.
- 12 • The landscaping business closed in 2015. Therefore, the grandfather use is no longer
13 valid and no other commercial use is allowed to locate on the property in its current
14 zoning classification (R-10).
- 15 • Planning Commission Recommendation (7.13.21) – denial (7-1): per section 403.A, due
16 to incompatibility with the adjacent neighborhood and 403.B due to similar denial for the
17 former Roma restaurant across Kings Highway and underutilized commercial vacant
18 property along Kings Highway. Dissenting vote was not in agreeance with rezoning as
19 proposed, but had hoped for a compromise.
20

21 **Issues:**

- 22 • MU-M zoning would allow buildings up 100 feet in height at this location, based on the width of
23 Kings Highway.
- 24 • The mixed-use district allows a variety of commercial uses that may be undesirable for the area.
- 25 • The property as built is non-conforming to the MU-M zoning classification.
26

27 **Public Notification:** 1 sign posted. 36 letters mailed. Legal ad ran.

- 28 • One letter in opposition to the request was received.
29

30 **Alternatives:**

- 31 • Approve the re-zoning request
- 32 • Modify (change zoning) the request
33

34 **Financial Impact:** If re-zoned into commercial property the City could see marginal increases in
35 property taxes, and businesses licenses.
36

37 **Manager's Recommendation:**

- 38 • I support the Planning Commission's recommendation of denial (1.25.22).
39

40 **Attachment(s):** Proposed ordinance, supporting materials
41
42
43

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
45
46
47
48
49
50

**CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA**

**TO REZONE PROPERTY LOCATED AT 5817
HASKELL CIR (PIN # 42111010084) FROM R-10
(SINGLE FAMILY RESIDENTIAL) TO MU-M (MIXED
USE MEDIUM DENSITY)**

PIN # 42111010084

IT IS HEREBY ORDAINED that the official zoning map of the City of Myrtle Beach is amended by rezoning 0.35 acres, being Horry County PIN # 42111010084 (as shown on "Exhibit A" attached hereto) from zone R-10 (Single Family Residential) to MU-M (Mixed Use Medium Density).

This ordinance shall become effective upon adoption.

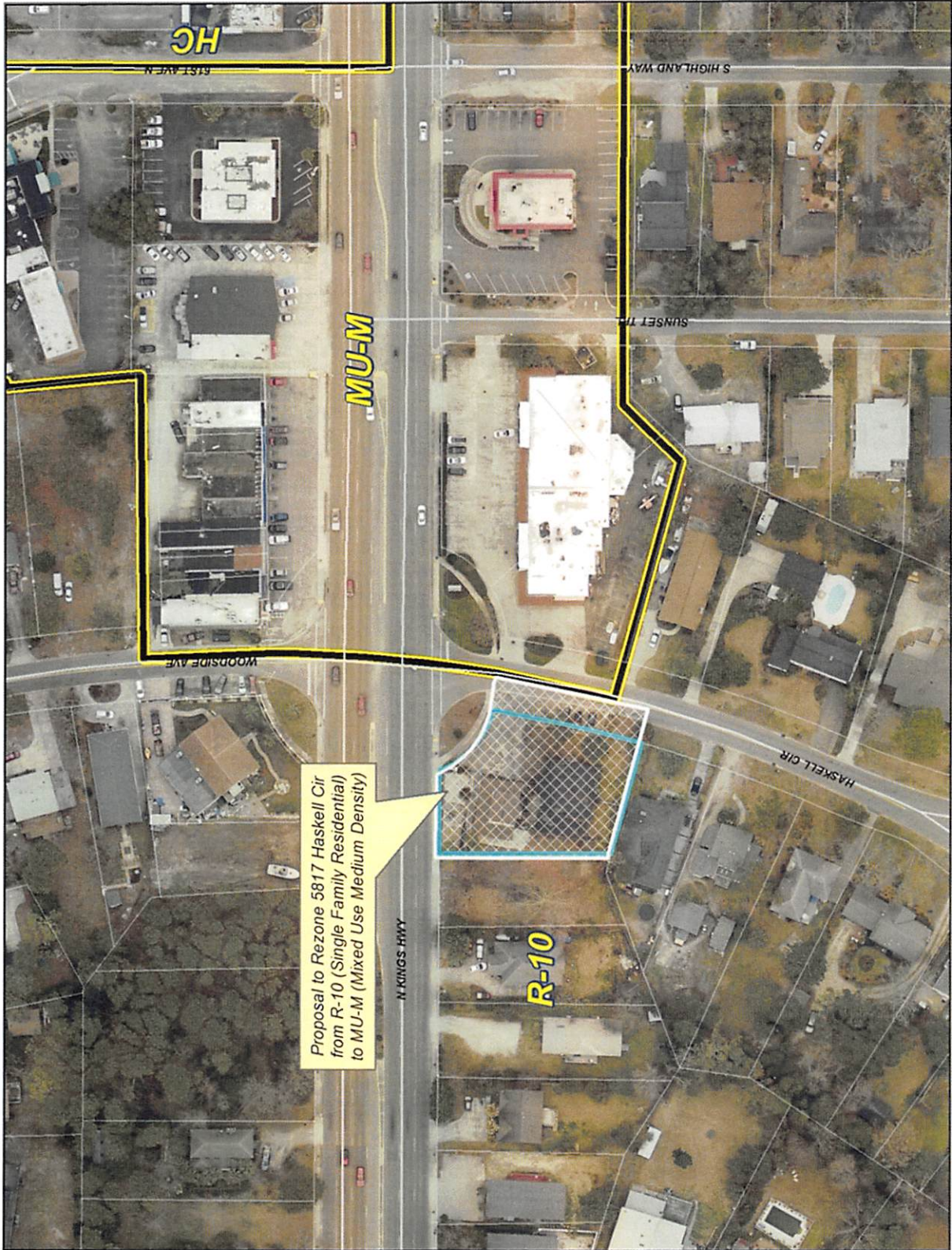
BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFFER ADKINS, CITY CLERK

1st Reading:
2nd Reading:

Exhibit A



MU-M = Mixed Use Medium Density
R-10 = Single Family Residential
HC = Highway Commercial

1 **STAFF COMMENTS**

2
3 **Zoning:** Use not currently allowed in R-10 zone.

4
5 **DPW, Police, Fire, C&L Services, Addressing:** No concerns.

6
7 **Planning:** See analysis.

8
9 **ANALYSIS**

10
11 **Section 403** of the Zoning Ordinance lists the following factors, which should be part of the
12 information considered when evaluating requests to change the Zoning Ordinance Text or Map.

13
14 **Section 403.A.** Whether or not the requested zoning change is [1] consistent with the
15 Comprehensive Plan or [2] is justified by an error in the original ordinance.

16
17 **Section 403.B.** – The precedents, and the possible effects of such precedents, which might result
18 from approval or denial of the petition.

19
20 **Section 403.C.** – The capability of the city or other government agencies to provide any services,
21 facilities or programs that might be required if the petition were approved.

22
23 **Section 403.D.** Effect of approval of the petition on the condition or value of property in the city.

24
25 **Section 403.E.** Effect of approval of the petition on adopted development plans and policies of the
26 city

27
28
29 **Zoning District Comparisons**

30
31 **Area & Dimensional Requirements**

32

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. Open Space	Min. Pervious Surface
R-10	10,000	75' L	100'	35' A	40%	40'	---	E F J	30'	---	50%
MU-M	---	--- R	---	C	---	B	B	B	B	L	---

33
34 **Residential density;** R-10 1 unit per lot

35 **MU-M;** 20 units per acre, +1 unit per acre for each 2.5% of usable open space

36
37
38 **1603.B. Requirements for Residential Zoning Districts**

39
40 (A) 1' of additional building height is permitted for each 1-1/2' of additional side yard setback per
41 side if the setback is increased in excess of the minimum. All portions of the structure not
42 exceeding 35' in height are permitted between the height bonus setback and the minimum

1 side yard setback line in the Multifamily (RM) districts. However, in no instance is the
2 maximum height to exceed 50'.
3

4 (E) Minimum side yard combined: 20' for residential uses, 50' for other uses.
5

6 (F) Minimum width on one side: 10' for residential uses, 20' for other uses.
7

8 (J) Provided, however, that all lots contiguous to or fronting on the King's Highway shall observe
9 a 30-foot minimum building line setback from King's Highway.
10

11 (L) Provided, however, that the minimum lot width along Kings Highway is 100'.
12

13 **1603.C. Requirements for MU-M**
14

15 (B) Except as stated in (A) above, setbacks are zero except that the provisions of Chapter 6 –
16 *Buildings and Building Regulations* and Chapter 9 – *Fire Prevention & Protection* of the
17 Code of Ordinances apply. However, sight triangles and sight lines shall be maintained,
18 requirements in section 902 – *Landscaping Regulations* shall be met; and in the Mixed Use
19 (MU) districts, the sidewalk and buffer requirements of section 1705.I – *When A Property Is*
20 *Developed* shall be met.
21

22 (C) Equal to the width of the widest right-of-way upon which it fronts.
23

24 (L) Per the landscaping regulations.
25

26 (R) Provided, however, that the minimum lot width along Kings Highway is 100'.
27
28
29
30
31
32

33 **Permitted Use Comparison**
34

35 **P-permitted use C-conditional use S-special exception**
36

Use Category and Type	R10	MU-M	Additional Regulations
Residential Uses			
Horse farms	C		1501.DD

Use Category and Type			
	R10	MU-M	Additional Regulations
Licensed group residential (caregiving)		P	
Rooming or Boarding House		P	
Permanent residence, single-family dwellings	P	P	
Permanent residence, two-family dwellings		P	
Permanent residence, multi-family dwellings		P	
Residential care facilities of nine or less persons with mental or physical handicaps	P	P	
Commercial and Office Uses			
Accounting office		P	
Adult day care		C	1501.A
Advertising agency		P	
Advisory service establishments engaged in providing monetary and specialized professional knowledge to the community, including offices of paralegals, lobbyists, and designers.		P	
Architects office		P	
Arts and crafts studio		P	

Use Category and Type			
	R10	MU-M	Additional Regulations
Assisted living facilities		C	1501.EE
Automated teller machines, free standing		P	
Bakeries, retail		P	
Banks		P	
Bar, Tavern		P	
Barbershops, beauty salons, and cosmetologists		P	
Blueprinting services		P	
Boating (non-motorized) and water-related activities		P	
Booksellers / book stores		P	
Bowling alleys		P	
Brokers		P	
Business consultants, offices of		P	
Chambers of commerce		P	
Child care center for 13 or more children (CCC)		C	1501.D

Use Category and Type			
	R10	MU-M	Additional Regulations
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	
Clothing stores		P	
Comedy Clubs		P	
Commercial center		P	
Commercial group residential		S	1501.E
Confectionaries		P	
Congregate housing, older adult		C	1501.F
Continuing care retirement community		C	1501.F
Convention services		P	
Copy shops and business service centers		P	
Cosmetology establishments		P	
Credit office		P	

Use Category and Type			
	R10	MU-M	Additional Regulations
Dance Halls		P	
Drapery shops, custom		P	
Dressmaker		P	
Dry cleaning establishments		C	1501.H
Engineering office		P	
Eyeglass sales		P	
Facilities for active recreation not otherwise listed	C	P	
Facilities for passive recreation	C	P	
Farm stands		C	1501.NN
Financial office		P	
Florists and flower shops		P	
Funeral homes		P	
Galleries		P	
Gift shops		P	

Use Category and Type			
	R10	MU-M	Additional Regulations
Golf courses	C	P	1501.I
Golf courses, miniature		C	1501.K
Grocery and food stores		P	
Hardware stores		P	
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	
Health clubs, gymnasiums, exercise and workout areas		P	
Home decorating accessory shops sales		P	
Home occupations	C	C	1501.L
Independent living, older adult	C	C	1501.E
Indoor Passive Recreation		P	

Use Category and Type			
	R10	MU-M	Additional Regulations
Indoor Urban Farm		C	1501.SS
Jewelry sales and repair		P	
Laundromats and service		P	
Laundry and linen supply service			
Law office		P	
Liquor package stores		P	
Mailing/addressing services		P	
Marinas		C	1501.AA
Massage establishment, therapeutic		C	1501.X
Museums		P	
Music sales		P	
News and magazine stands		P	
Nursing home facilities		C	1501.F

Use Category and Type	R10	MU-M	Additional Regulations
	Outdoor display and merchandise area		C
Parking facilities		P	
Pharmacies		P	
Photography developing establishments		P	
Photography studios		P	
Pool halls/billiard parlors		P	
Professional organizations, offices of		P	
Prosthetic facilities		P	
Real estate offices		P	
Religious establishments providing for religious service and development	S	P	1503.A 1503.D
Restaurant, with drive-through service		C	1501.RR
Restaurant, without drive-through service		P	
Restaurant with outdoor dining		C	1501.Q
Retail establishments providing convenience items and services		P	

Use Category and Type	R10	MU-M	Additional Regulations
	Rooftop gardens		P
Ropes course		P	
Schools, elementary and secondary, including school stadiums	C	P	1501.S
Schools, colleges or universities		P	
Schools, trade or vocational		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	
Social welfare organizations		P	
Solar farms		C	1501.QQ
Sport facilities not otherwise listed		P	

Use Category and Type			
	R10	MU-M	Additional Regulations
Studios (art, dance, or music)		P	
Studios (martial arts, athletic)		P	
Swimming pools, indoor or outdoor	C	P	1501.I
Tennis facilities, indoor or outdoor	C	P	1501.I
Theater, indoor		P	
Theater, outdoor		P	
Transportation terminals and establishments providing for the interchange of passengers		C	1501.W
Travel agencies		P	
Unlicensed group residential (caregiving)		S	1501.E
Public Services			
Administrative offices of federal, state and local governments		P	
Buildings and uses of utilities holding a franchise from the city	S	S	
Library, public		P	
Parks, recreation areas, recreation facilities or recreation buildings owned by the City of Myrtle Beach	P	P	

Use Category and Type	R10	MU-M	Additional Regulations
	Post office		P
Public parking	P	P	
Public regional stormwater facilities	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	
Social welfare offices		P	
Water tanks, public	S	S	

- 1
2 1501.A. Adult Day Care Facilities. The facility and its operator shall hold all licenses required
3 by the State of South Carolina.
4
5 1501.D. Child Care Centers (CCC); Child Care Homes, Family (FCCH); and Child Care
6 Homes, Group (GCCH) provided the facility and its operator holds all licenses required by the State
7 of South Carolina and that in all zoning districts except C6 (Urban Village) the center is located only
8 on the ground floor of the structure.
9 1. No recreational facility may be lit for night play or uses unless located upon the
10 same parcel or tract as a K-12 school and meets lighting requirements as provided
11 in Article 12 – *Lighting and Glare*.
12
13 2. Required yards shall not be used for parking or accessory buildings.
14
15 1501.E. Correctional Placement Residences; Independent Living, Older Adult; Unlicensed group
16 residential (caregiving), Commercial group residential:
17
18 1. The facility and its operator shall hold all licenses required by the State of South
19 Carolina.

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
45
46
47
48
49
50
51

- 2. No facility listed in this section shall be located on any lot or parcel within 1200 feet of any other facility listed in this section.
- 3. *Recreation areas/open space:* In all permitted zoning districts except multifamily (RM) districts, there shall be provided 200 square feet of usable open space for each resident, within which required landscaping may be included. All open space area shall be suitably landscaped with at least one shade tree for each 1,000 square feet of yard area or part thereof.

1501.F. Congregate Housing, Older Adult; Continuing Care Retirement Community; Nursing Home Facilities:

- 1. The facility and its operator shall hold all licenses required by the State of South Carolina.
- 2. Except in the Medical/Professional (MP) district which has no maximum, the number of dwelling units must be included in the computation of allowable density for the zoning district in which the facility is located and shall not exceed the maximum number of residential units allowed within the zoning district. For the purposes of density calculations, a rooming unit shall be counted as ½ a dwelling unit.
- 3. *Bathroom facilities:* A minimum of one full bathroom with toilet, sink and tub or shower per five residents plus an additional toilet and sink shall be provided for each additional group of three persons or less.
- 4. *Recreation areas/open space:* There shall be provided 200 square feet of usable open space for each resident, within which required landscaping may be included. All open space area shall be suitably landscaped with at least one shade tree for each 1,000 square feet of yard area or part thereof.

1501.H. Dry Cleaning Establishments:

- 1. Only non-combustible dry cleaning solvents (such as perchlorethlene) shall be used in the dry cleaning process.
- 2. The dry cleaning machines must be closed systems.

1501.I. Facilities for Active or Passive Recreation, including playgrounds, parks, tennis courts, ball fields, swimming pools and golf courses:

- 1. No recreational facility may be lit for night play or uses unless located upon the same parcel or tract as a K-12 school and meets lighting requirements as provided in Article 12 – *Lighting and Glare*.
- 2. Required yards shall not be used for parking or accessory buildings.

1501.K. Golf Courses, Miniature:

- 1. *Lighting.* No lighting shall be permitted to shine on any adjacent property or street. A lighting plan prepared by a lighting engineer must be submitted for review and

1 approval by the zoning administrator.

2
3 2. *Buffer.* A landscape buffer shall be provided on any side adjacent to any residential
4 district. Such buffer shall be as follows:

- 5
6 a. The buffer strip shall have a minimum width of eight feet.
7 b. Trees shall be planted the entire length of the buffer with a minimum spacing of
8 12 feet. Each tree shall be at least eight feet tall and 1 and 1/2 inches caliper.
9 c. Chain link fencing shall be:
10 i. Coated in black or green vinyl; and
11 ii. Screened by providing three-foot tall shrubs every three feet on the exterior
12 of the fence for the entire length of the fence.

13
14 3. *Loudspeakers.* If located within 100 feet of a residential district, loudspeakers must
15 be turned off after 10:00 p.m. Refer to sec. 14-62 - *Noise* of the code of ordinances
16 for additional noise regulations.

17
18 1501.L. Home Occupations:

- 19
20 1. Such occupation is conducted by no other persons than members of the family
21 residing on the premises.
22
23 2. Such occupation is conducted within the dwelling, is clearly incidental and
24 secondary to the use of the structure for dwelling purposes, and does not detract
25 from the residential character of the immediate area.
26
27 3. No stock in trade is kept or commodities sold or leased on the premises.
28
29 4. No mechanical equipment is used except such that is normally used for family,
30 domestic, or household purposes.
31 5. Such occupation(s) utilizes no more than 25 percent of the total floor area of the
32 principal building.
33
34 6. Such occupation creates no offensive noise, vibrations, smoke, dust, odors, heat,
35 or glare noticeable at or beyond the property line.
36
37 7. Such occupation is not evident from outside the dwelling and there is no exterior
38 indication that the building is being used for any purpose other than a dwelling.
39
40 8. Musical instruction is limited to a maximum of two (2) pupils at a time.
41
42 9. Child care is limited to a maximum of six (6) children.

43
44 10. Under no circumstances shall any of the following be considered a home occupation: adult
45 oriented businesses, aerobic exercise studio, ambulance service, auto repair service, barber shop,
46 beauty parlor, body piercing establishment, child care center, chiropractor, dentist, doctor,
47 drug/alcohol counseling services, escort services, firearms manufacturing, group day care home,
48 gym, health salon, kennel, mortuary, musical or dancing instruction involving more than two pupils
49 at one time, nightclub, nursing home, psychiatrist or psychologist office, restaurant, substance
50 abuse clinics, swimming pool companies, tattoo parlor, trucking company, welding service, wig
51 styling clinic, veterinarian's clinic.

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
45
46
47
48
49
50
51

1501.Q. Outdoor Dining: When the outdoor dining area is adjacent to the property line, a buffer shall be installed that provides a clear delineation between the properties, including any public right-of way.

1501.R. Outside Display and Merchandise Areas. Only the following merchandise shall be displayed or stored outside of a building (in this case only, building is defined as any structure having completely enclosed walls and a roof):

1. Heavy durable goods at establishments where the sale of same is the permitted principal use,
2. Live nursery products,
3. Fresh produce,
4. Cut flowers,
5. Prepackaged firewood,
6. Newspaper and magazine racks,
7. Christmas trees from November 1st to January 2nd of the next year, and
8. Vending machines where not otherwise prohibited, provided that the vending machines are screened from public view from off the property upon which they are located.
9. In addition to the above listed exceptions, the following items may be displayed in Highway Commercial (HC1 and HC2) and Wholesale/Manufacturing (WM) zoning districts provided the items are at least 150 feet from any property line:
 - a. Lawn mowers and gardening equipment.
 - b. Outdoor cooking grills.
 - c. Playground equipment.
 - d. Wheelbarrows.
 - e. Building material samples.
 - f. Lawn furniture.

1501.S. Schools, Elementary and Secondary, including school stadiums:

1. The lot or lots for the school is at least 5 acres in size.
2. No structure or parking area shall be placed within 50 feet of any property line.

1501.W. Transportation Facility for Urban Passengers of Conveyances Including Bus, Passenger Rail, Taxicab provided that such facility is designed to accommodate no more than one vehicle at a time.

1501.X. Therapeutic Massage Establishments:

1. All massage therapists shall be licensed by the State of South Carolina.

1
2 2. Hours of operation are limited to 7:00 a.m. to 10:00 p.m.
3

4 1501.AA. Marinas:
5

- 6 1. No net loss of protected wetlands and/or other unique wildlife habitat shall be
7 permitted.
8
9 2. Fueling facilities (including underground storage, pipelines and pumps) shall be
10 permitted only at commercial marinas, not at communal or individual docks.
11

12 1501.DD. Horse farms subject to the following:
13

- 14 1. Horse farms shall have a minimum contiguous area of 6 acres.
15
16 2. There shall be no other livestock kept except horses. For the purpose of this
17 ordinance, "horse" does not include donkey, burro or mule.
18
19 3. Barns and stables shall set back a minimum of 50' from the rear or side property
20 line and a minim of 300' from the nearest adjacent primary residence, and a
21 minimum of 50' from any swimming pool. The size of the barn or stable shall be
22 determined by the size regulations for accessory structures in the zoning district in
23 which it is located.
24
25 4. Manure piles shall be located a minimum of 200' from any dwelling, pool, patio,
26 water body or property line and shall meet all SCDHEC requirements.
27
28 5. There shall be no more than 1 residential unit per acre.
29
30 6. There shall be no more than 1 horse per 1 acre.
31
32 7. Fencing shall be sufficient to restrain horses. No wire fencing shall be visible from
33 any public right-of-way.
34
35 8. No barbed-wire fencing shall be allowed. If electric fencing is used it shall be
36 installed so as not to be visible from off premise and shall include a warning sign
37 that meets the provisions of Article 8 - *Sign Regulations*.
38
39

40
41 1501.FF. Moped rental and sales establishments subject to the following:
42

- 43 1. Moped leasing, maintenance and all related functions shall be conducted within a
44 building on site or offsite that meets all building code regulations as well as the area
45 dimension regulations of the district.
46
47 2. Display of units available for rental shall be permitted outside the building so long as
48 parking or pedestrian passage is not diminished as required.
49
50 3. The operators of such establishments shall provide one motorcycle safety helmet
51 per moped offered for lease or use while the moped is being rented.

- 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
 - 45
 - 46
 - 47
 - 48
 - 49
 - 50
4. Any signage shall be within the allowable signage for the property.
 5. Amortization of non-conformities. As to this specific zoning amendment pertaining to moped rental uses, those uses made non-conforming which were in existence legally as of May 1, 2010, that are also current with all taxes, fees and assessments with the City, shall have a period of one year from the date of May 1, 2010 for legal operation. On May 1, 2011, the non-conforming uses must end completely.

1501. NN. Farm Stands or shelter for the retail sales of seasonal agricultural produce, plants, seed, garden supplies, honey, prepared foods and beverages, dairy and dairy products, poultry, eggs, fish, shrimp and ice provided that:

1. All stands and shelters must meet applicable South Carolina DHEC and Department of Agriculture regulations and be appropriately licensed by all appropriate licensing organizations;
2. All stands and shelters must be on or adjacent to land occupied by a compliant farm use. For real property tax assessment purposes, where the farm is classified as agricultural, the adjacent land upon which such sales are conducted shall also be classified agricultural;
3. All stands and shelters must be on private property, limited to one such venue per parcel, and must meet the setbacks of the zoning district in which they are located;
4. No preparation of food on premises in conjunction with the farm stand operation;
5. Parking spaces equaling one space per 250 square feet of stand must be provided, at a minimum graded with gravel and suitably maintained;
6. The size of stands or shelters shall not exceed six hundred (600) square feet;
7. Ingress and egress of vehicular traffic shall not create a hazard for traffic on an adjacent street, as determined by city code enforcement and public works staff; and
8. Allowed signage meets the following criteria:
 - a. For fixed stands: one primary sign, affixed to the stand or shelter, either projected or parallel to the wall (flat).
 - i. If sign is projected, it shall not exceed 32 sq ft (64 sq ft aggregate).
 - ii. If sign is parallel (flat), it shall not exceed 32 sq ft.
 - b. For all uses: one menu board sign, listing the prices and varieties of products, not to exceed eight sq ft (16 sq ft aggregate).
 - c. For all uses: No signage will be allowed to encroach into the adjacent rights-of-way.

1501.QQ Solar Farms:

1. Intent. The intent of these standards is to provide for safe, attractive, orderly and functional sustainable energy options in furtherance of the goals of the comprehensive plan.
2. Application. These standards shall apply to the installation and/or placement of any solar farm within the City of Myrtle Beach.
3. Installation.
 - a. Solar farms shall be installed and maintained in compliance with the International Building Code. National Electric Code and all local regulations, directives and codes.

- b. Installation of any solar farm shall require the issuance of any applicable permits such as building and/or electrical.
- c. Solar farms may have transformers with substation capabilities in the design and installation.
- d. A building permit shall not be issued without Community Appearance Board approval.

4. Setbacks and buffers.

- a. Front street setbacks. Any solar farm installation will set back from the front street 30 feet or the front street setback of the underlying zoning, whichever is greater.
- b. Side/Rear setbacks. 10 feet.
- c. 15-foot minimum landscape buffers as required by CAB.

5. Structural Height Limit. 35 feet.

1501.RR Restaurant with Drive-Through Service in MU-M: Restaurants with drive-through service are prohibited in the MU-M district except for those structures that abut Kings Hwy, structures are less than 5,000 square feet in area, and had drive-through facilities in place prior to the adoption of Ordinance 2014-34 (June 10, 2014).

1501. SS. Indoor Urban Farm. 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.

- 1. All activities, including but not limited to growing, production, storage and packaging, shall be conducted within completely enclosed buildings.
- 2. The space in which indoor urban farming occurs shall be no more than 2,000 square feet in size.
- 3. The Indoor Urban Farm shall have a retail component.
- 4. Vehicles used for product delivery shall have a capacity no larger than one (1) ton.
- 5. The facility and its operator shall hold all licenses required by the State of South Carolina.
- 6. Operating hours shall be consistent with those of surrounding businesses.
- 7. No use may generate any odor that reaches the odor threshold, measured at the outside walls of the building or structure within which the urban farm operates.
- 8. There shall be no exterior dumping or disposal of wastewater.
- 9. No use shall create any electrical disturbance that adversely affects any operations or equipment other than those of the creator of such disturbance.
- 10. No use may generate noise that is audible by a panel of healthy listeners standing outside the walls of the building or structure within which the urban farm operates.
- 11. No use may generate any ground-transmitted vibration that is perceptible to the human sense of touch outside the walls of the building or structure within which the urban farm operates.