
1 **2021-49 (1ST READING): TO AMEND ARTICLE 1407.D TO CHANGE THE HOURS**
2 **OF OPERATION IN THE ARTS & INNOVATION DISTRICT FROM 6:00 AM–12:00**
3 **AM TO 6:00 AM-2:00 AM.**

4 **Applicant/Purpose:** Kathleen Daly (applicant) / to amend the hours of operation in the Arts &
5 Innovation District, to allow businesses to stay open until 2am.

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7 **Brief:**

- 8 • Current regulations require all businesses in the Arts & Innovation district to close at
9 midnight.
- 10 • The applicant wishes to keep her establishment, Gatortails, at 637 Broadway St, open
11 until 2am for billiards tournaments and musician appearances.
- 12 • Planning Commission (11.2.21): recommends denial 7/0:
 - 13 ○ The request is inconsistent with the goals and objectives of the Downtown Master
14 Plan.

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16 **Issues:**

- 17 • The Arts & Innovation District is located in the City's downtown revitalization area.
- 18 • When the new District was established in 2019 the Planning Commission, the Downtown
19 Redevelopment Corporation, property owners, and City Council agreed that the
20 businesses in the Arts & Innovation District should close at midnight.
- 21 • Competitive businesses in the surrounding C-7, C-8, MUM, HC2 and A districts may stay
22 open until 2 AM.

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24 **Public Notification:** Agenda published and posted. Legal ad ran in the Myrtle Beach Herald.

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26 **Alternatives:**

- 27 • Modify the proposed ordinance.
- 28 • Deny the proposed ordinance.

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30 **Financial Impact:** If allowed to stay open until 2:00 AM there would be a modest increase in
31 business license revenue. However, the amount the City would realize is very negligible.

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33 **Manager's Recommendation:**

- 34 • I support the Planning Commission's recommendation and recommend denial (12.14.21)

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36 **Attachment(s):** Ordinance, Staff Report
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38

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

TO AMEND ARTICLE 1407.D TO CHANGE
THE HOURS OF OPERATION IN THE ARTS
& INNOVAITON DISTRICT FROM 6:00 AM-
12:00 AM TO 6:00 AM-2:00 AM.

IT IS HEREBY ORDAINED that the City of Myrtle Beach Codes of Ordinances, Appendix A Zoning, Article 14 Zoning Districts and Map, is amended as follows:

1407.D Uses permitted in the Arts & Innovation (ART) District.
Purpose & Intent. The intent of the Arts and Innovation District is to create and sustain a walkable mixed-use urban environment that will serve as the hub of artistic, cultural and civic life in the traditional core of downtown Myrtle Beach. As a year-round destination for both residents and visitors, the district’s primary uses are supported by a wide range of businesses that help to maintain a vibrant atmosphere. This is further supported by the active use of outdoor spaces for dining and entertainment, and the development of upper-story residences in mixed-use buildings.

Unlike the other zoning districts listed in section 1407.C, uses are permitted in the ART District in the following categories. Examples are provided for explanatory purposes and are not intended as complete lists. A mix of categories and uses sharing spaces is permitted. Classification within the categories will be determined by the Zoning Administrator unless the use is explicitly listed. Innovation within the categories is encouraged.

In general:

1. All non-residential uses will be closed for business between the hours of 12 AM-2AM and 6AM.
2. No drive-through windows are permitted.

This ordinance will take effect upon second reading.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK

1st Reading: 12-14-2021

2nd Reading:

STAFF COMMENTS:

Downtown Development Office: Does not support extended hours.

PUBLIC COMMENTS:

There are currently only two establishments open until midnight in the Arts & Innovation District: Gatortails and Grand Strand Brewing Company (819 N Kings Hwy). During an interview with WBTW, the owner of Grand Strand Brewing Company expressed the opinion that late night venues would not be good for the area:

<https://www.wbtw.com/news/grand-strand/myrtle-beach-business-owner-asks-to-extend-business-hours-in-the-arts-and-innovation-district>

<p>Section 403. Findings of Fact Required</p>
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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.

Arts & Innovation (ART) District

