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**2022-35 (1<sup>st</sup> Reading): TO AMEND THE CODE OF ORDINANCES, CITY OF MYRTLE BEACH, APPENDIX A ZONING ARTICLE 14 ZONING DISTRICTS, TO ALLOW AUTO PARTS STORES IN THE MUM ZONING CLASSIFICATION.**

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**Applicant/Purpose:** Tradewinds Plaza, LLC (applicant) / to amend the zoning ordinance and allow Auto Parts Stores as a permitted use in the MUM zoning district.

**Brief:**

- Despite efforts by the property owner to entice them to stay, Food Lion vacated the Tradewinds Plaza (Hwy. 501).
- The applicant has a potential auto parts retail tenant willing to occupy a portion of the former Food Lion space.
- The applicant is hoping to fill the remainder space with a tenant that offers groceries for sale.
- Motor vehicle parts stores are permitted in the Highway Commercial (HC1, HC2), Light Manufacturing (LM) and Wholesale/Manufacturing (WM) zoning districts.
- MU-M is a form-based zoning district with a variety of permitted uses and strict design guidelines.
- Planning Commission (7.19.22): Voted to recommend approval (6-0).

**Issues:**

- Food Lion provided healthy grocery opportunities within walking distance of nearby neighborhoods. Now the closest opportunities consist of:
  - The Walmart Supercenter on Seaboard St.
  - Piggly Wiggly at 1700 N Kings Hwy, and
  - Several ethnic grocers along Broadway St.
- Motor Vehicle Parts Stores are regulated separately and differently than Motor Vehicle Repair and Maintenance.
- Approval of this request would not result in automobile repair shops in MU-M.

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

**Alternatives:** To deny the requested re-zoning.

**Financial Impact:** The City will see a modest increase in business license revenue and building permit fee revenue during the remodeling.

**Manager's Recommendation:**

- I recommend 1<sup>st</sup> reading (7.26.22)

**Attachment(s):** ordinance, supporting materials

CITY OF MYRTLE BEACH  
COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

TO AMEND THE CODE OF ORDINANCES,  
CITY OF MYRTLE BEACH, APPENDIX A  
ZONING ARTICLE 14 ZONING DISTRICTS,  
TO ALLOW AUTO PARTS STORES IN THE  
MUM ZONING CLASSIFICATION.

IT IS HEREBY ORDAINED that Appendix A Zoning, section 1407.C of the Code of Ordinances, City of Myrtle Beach, South Carolina, is hereby amended as follows:

### Section 1407. Table of Uses

1407.C. Permitted Uses.

Use Category and Type	P-permitted use C-conditional use S-special exception Blank Cell-use type not allowed																	
	MU-M	MU-H	C6	C7	C8	A	C	E	HC1	HC2	MP	IN	AP	BP	LM	WM	CS	IR
	PRC																	
Motor vehicle parts store	P								P	P					P	P		

This ordinance will take effect upon second reading.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK

1<sup>st</sup> Reading: 7-26-2022

2<sup>nd</sup> Reading

**Supporting Information**

**Staff Input:**

Fire: No Concerns

**Section 1705. Design Standards for all Mixed Use (MU) Zoning Districts**

1705.A. Shared driveways and driveways across property lines are permitted. The property owners for which a shared driveway aisle has been authorized shall reflect the cross easement agreement within a written agreement and on revised plats of affected properties showing the boundaries of the easement area. Plats will require stamped approval of the planning director and all documents shall be properly filed with the Register of Mesne Conveyance for Horry County, and may be released only by the written consent of the city. (Consent will be given by the city at such time as subject properties have submitted proposed plans no longer utilizing shared access for site modifications in compliance with current codes and ordinances.) Receipt of recorded copy of easement agreement and plats shall be required prior to the issuance of a building permit.

1705.B. All development sites shall front public streets.

1705.C. Except for the limited function of access, no loading area, storage area, or maintenance area shall be visible from the primary public right-of-way, provided, however, that corner lot access shall only be located on the right-of-way with the lowest traffic count.

Screening requirements for refuse/solid waste collection areas: all dumpsters, trash compactors, roll-outs, trash cans, or other refuse or recycling collection areas shall be screened from all abutting rights of way, and abutting properties, provided however,

1. A collection area completely screened from abutting rights-of-way and properties by intervening buildings shall not be required to have an additional enclosure, and
2. A collection area on a corner lot access shall only be located on the right-of-way with the lowest traffic count. Enclosures shall be closed on 3 sides with an operable gate on the 4<sup>th</sup> side as access, and shall be designed and installed to completely screen the collection area, and constructed of durable material. The enclosure detail shall be approved by the Community Appearance Board.

1705.D. Primary buildings shall have direct pedestrian access from at least one public sidewalk.

1705.E. Buildings shall have no more than 50' of wall space between windows and/or doors.

- 1 1705.F. Wall articulations, including any combination of the following, shall be  
2 designed into all buildings not less than every 100' or more than every 25'  
3 along the building façade.  
4 1. A minimum of 5 inch indentation or projection in plane,  
5  
6 2. Different materials,  
7  
8 3. Contrasting doorways, windows or other openings, including those  
9 required in section 1705.E above,  
10  
11 4. Projecting elements such as awnings and canopies to provide shade and  
12 shelter.  
13
- 14 1705.G. Windows on the first level shall not contain mirrored glass or shading film such  
15 to make the window opaque.  
16
- 17 1705.H. On-site surface parking shall be accessed from the front, side, or rear of the  
18 property. No on-site parking or drive aisles, except as regulated in 1705.K A  
19 *Drop-off Entry Canopy*, shall be located between the principle building and the  
20 front street. No on-site parking between the principle building and any side  
21 street shall be located forward of the building front facade. Drive aisles and  
22 vehicular accesses shall not disallow the continuation of the sidewalk required  
23 in section 1705.I – *When A Property Is Developed*.  
24
- 25 1705.I. When a property is redeveloped to such an extent that the current taxable  
26 value as determined by public record is increased by more than 50%, or when  
27 parking is decreased to meet the new parking requirements set forth in this  
28 ordinance, sidewalks and buffers shall be installed to city standards along all  
29 abutting public rights-of-way, excluding alleys, as follows. The sidewalk/buffer  
30 may contain landscaping outside the minimum required pavement width and  
31 shall include street trees at intervals allowing for the placement and shine of  
32 streetlights. The maximum tree spacing shall be the minimal spread of the  
33 specific tree species as described in the current *Supplement To The*  
34 *Community Tree Planting Plan For Myrtle Beach, South Carolina*. Street trees  
35 placed within a paved sidewalk shall be placed in tree grates. All or part of the  
36 required sidewalk and buffer may, upon agreement between the city and the  
37 property owner, be located within the public right-of-way.  
38
- 39 1. On roadways having 2 vehicular lanes or less: minimum 7 foot wide  
40 sidewalk and buffer with a minimum 6' being a continuous paved sidewalk.  
41
- 42 2. On roadways having more than 2 vehicular lanes: minimum 14 foot  
43 sidewalk and buffer with a minimum 10' being a continuous paved  
44 sidewalk.  
45
- 46 1705.J. When a property abuts more than one public right-of-way greater than 20'  
47 wide, vehicular access shall be from the right-of-way with the lowest traffic  
48 count, provided, however, that if the property frontage along the right-of-way  
49 with the highest traffic count exceeds 350' then one vehicular access may be  
50 from the right-of-way with the highest traffic count.  
51

1 1705.K. A drop-off entry canopy and drive aisle thereto, hot tub, swimming pool, or  
2 pool enclosure which does not exceed 20' in height may be constructed no  
3 closer than 10' from the rear, side or front property line subject to the  
4 provisions of the Coastal Protection Overlay Zone; provided, however, that  
5 they do not disallow the continuation of the sidewalk required in section  
6 1705.M – *When A Property Is Developed*.  
7  
8

### 9 **Section 403. Findings of Fact Required**

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11  
12 In reviewing any petition for a zoning amendment, the Planning Commission shall  
13 identify and evaluate all factors relevant to the petition, and shall report its findings in full,  
14 along with its recommendations for disposition of the petition, to the City Council.  
15 Factors shall include, but shall not be limited to, the following:  
16

17 403.A. Whether or not the requested zoning change is consistent with the  
18 Comprehensive Plan or is justified by an error in the original ordinance.  
19

20 403.B. The precedents and the possible effects of such precedents, which might  
21 result from approval or denial of the petition.  
22

23 403.C. The capability of the City or other government agencies to provide any  
24 services, facilities, or programs that might be required if the petition were  
25 approved.  
26

27 403.D. Effect of approval of the petition on the condition or value of property in the  
28 City.  
29

30 403.E. Effect of approval of the petition on adopted development plans and policies  
31 of the City.  
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