
1 **2018-45 (1st READING):** TO AMEND SECTION 1407.C OF THE ZONING ORDINANCE TO
2 ADD HATCHET AND AXE THROWING AS A CONDITIONAL USE IN THE A (AMUSEMENT)
3 ZONE, AND TO AMEND SECTION 1501.QQ WITH CONDITIONS FOR SAID GAMES.

4 **Applicant/Purpose:** Carolina Escape Games, LLC / to amend the zoning code & add hatchet & axe
5 throwing as a conditional use in the A Zone.
6

7 **Brief:**

- 8 • Axe throwing is now a popular recreational activity & some consider it a competitive sport.
- 9 • Myrtle Beach currently does not allow commercial axe throwing in any zoning district.
- 10 • Applicant wishes to open an outdoor axe throwing establishment @ 8th N & Chester St.
- 11 • If the use is allowed the following conditions must be met:
 - 12 ○ The throwing environment must be fully enclosed on all sides, including the top (roof),
 - 13 w/ cages able to stop all projectiles from traveling outside of the cage.
 - 14 ○ Cages must be at least 10' high & have a cover.
 - 15 ○ Waiting customers must have a separate waiting area from the throwing area.
 - 16 ○ No customers under 18 years of age may participate.
 - 17 ○ No alcohol may be sold or consumed on site.
 - 18 ○ The operator must have a safety plan, reviewed & approved by the Fire Marshal, that
 - 19 includes at a minimum the following:
 - 20 ▪ Customers must wear closed-toe shoes at all times.
 - 21 ▪ Insurance must be carried for landlord & operator.
 - 22 ▪ Operator must have liability waiver for participants.
 - 23 ▪ Customers & participants must be under the supervision of a trained professional
 - 24 at all times hatchets or axes are being thrown.
 - 25 ▪ At least 1 staff member certified in administering 1st aid shall be on site.
 - 26 ▪ Operators must refuse customers too impaired to participate safely.
- 27 • 6/19/18: Planning Commission recommend denial for the following reasons:
 - 28 ○ The City is working hard toward maintaining a reputation as a "family beach."
 - 29 ○ Axe or hatchet throwing is a misuse of the term "amusement."
 - 30 ○ Traditionally axes & hatchets are thrown as weapons. The downtown community, thru
 - 31 self-policing, has successfully removed weapons from window displays. An outdoor
 - 32 hatchet-throwing facility would set a contrary precedent.
 - 33 ○ Most of the conditions proposed are unenforceable. For example, our code enforcement
 - 34 officers are unlikely to check ID's or the contents of cups.

35 **Issues:**

- 36 • Unchartered territory in regards to safety & the perception of the open use of weaponry in an
- 37 area where open display of weapons has been an issue.
- 38 • Many of the conditions are unenforceable or place a heavy undue burden on the City.
- 39 • An attraction that caters to 18 & over does not meet our Family Friendly goals.
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41 **Public Notification:** Legal ad ran.
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43 **Alternatives:** Modify the request. Deny the proposed ordinance.
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45 **Financial Impact:** If permitted the city would see an increase in business license, permit fees,
46 amusement taxes, & property tax revenues.
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48 **Manager's Recommendation:**

- 49 • I admire the applicant's creativity, but I concur w/ PC's recommendation of denial (7/10/18).
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51 **Attachment(s):** Proposed ordinance, staff report.

CITY OF MYRTLE BEACH
 COUNTY OF HORRY
 STATE OF SOUTH CAROLINA

ORDINANCE TO AMEND SECTION 1407.C
 OF THE ZONING ORDINANCE TO ADD
 HATCHET AND AXE THROWING AS A
 CONDITIONAL USE IN THE A (AMUSEMENT)
 ZONE, AND TO AMEND SECTION 1501 TO
 CREATE A NEW SECTION 1501.QQ WITH
 CONDITIONS FOR SAID GAMES

IT IS HEREBY ORDAINED that Appendix A, Zoning, Article 14, Zoning Districts and Map, Section 1407.C, Table of Uses, is amended to add Hatchet and Axe Throwing (as shown below) as a conditional use in the A (Amusement) zone;

Use Category and Type	P-permitted use C-conditional use S-special exception Blank Cell-use type not allowed																			Additional Regulations
	MU-M	MU-H	C6	C7	C8	A	CG	E	HC1	HC2	MP	IN	AP	BP	LM	WM	CS	IR	PRC	
Hatchet and Axe Throwing						C														1501.QQ

AND IT IS FURTHER ORDAINED that Appendix A, Zoning, Article 15, Conditional and Accessory Uses and Special Exceptions is amended to include a new Section 1501.QQ, Hatchet and Axe Throwing as follows:

1501.QQ Hatchet and Axe Throwing, provided that the following conditions are met:

1. The throwing environment must be fully enclosed on all sides, including the top (roof), with cages able to stop all projectiles from traveling outside of the cage.
2. Cages must be at least 10 feet high and have a cover.
3. The customers waiting to participate must have a separate waiting area from the throwing area.
4. No customers under 18 years of age may participate.
5. No alcohol may be sold or consumed on site.
6. The game operator has a safety plan, reviewed and approved by the Myrtle Beach Fire Marshal, that includes at a minimum the following:
 - a. Customers must wear closed-toe shoes at all times.
 - b. Insurance must be carried for landlord and operator.
 - c. Operator must have liability waiver for participants.
 - d. Customers and participants must be under the supervision of a trained professional at all times hatchets or axes are being thrown.

1 e. At least one staff member certified in administering first aid shall be on site during all
2 hours of operation.

3 f. Operators must refuse customers deemed not able to participate due to impairment.

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5 This ordinance will take effect upon second reading.

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BRENDA BETHUNE, MAYOR

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11 ATTEST:

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14 _____
JENNIFER STANFORD, INTERIM CITY CLERK

15

16 1st Reading:

17 2nd Reading:

18

19

1	APPLICANT	Carolina Escape Games, LLC
2		
3	REQUESTED ACTION	To allow Axe Throwing in the A (Amusement) zone
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5	REASON FOR REQUEST	“Axe throwing games are the most popular new recreational activity. It will bring a new exciting, entertaining and competitive activity to the area. Great revenue potential for the city. It’s high popularity brings lots of people to the area. Brings people together for an unusual fun time.”
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12	SITE LOCATION	There are currently three A (Amusement) Districts:
13		Around Family Kingdom



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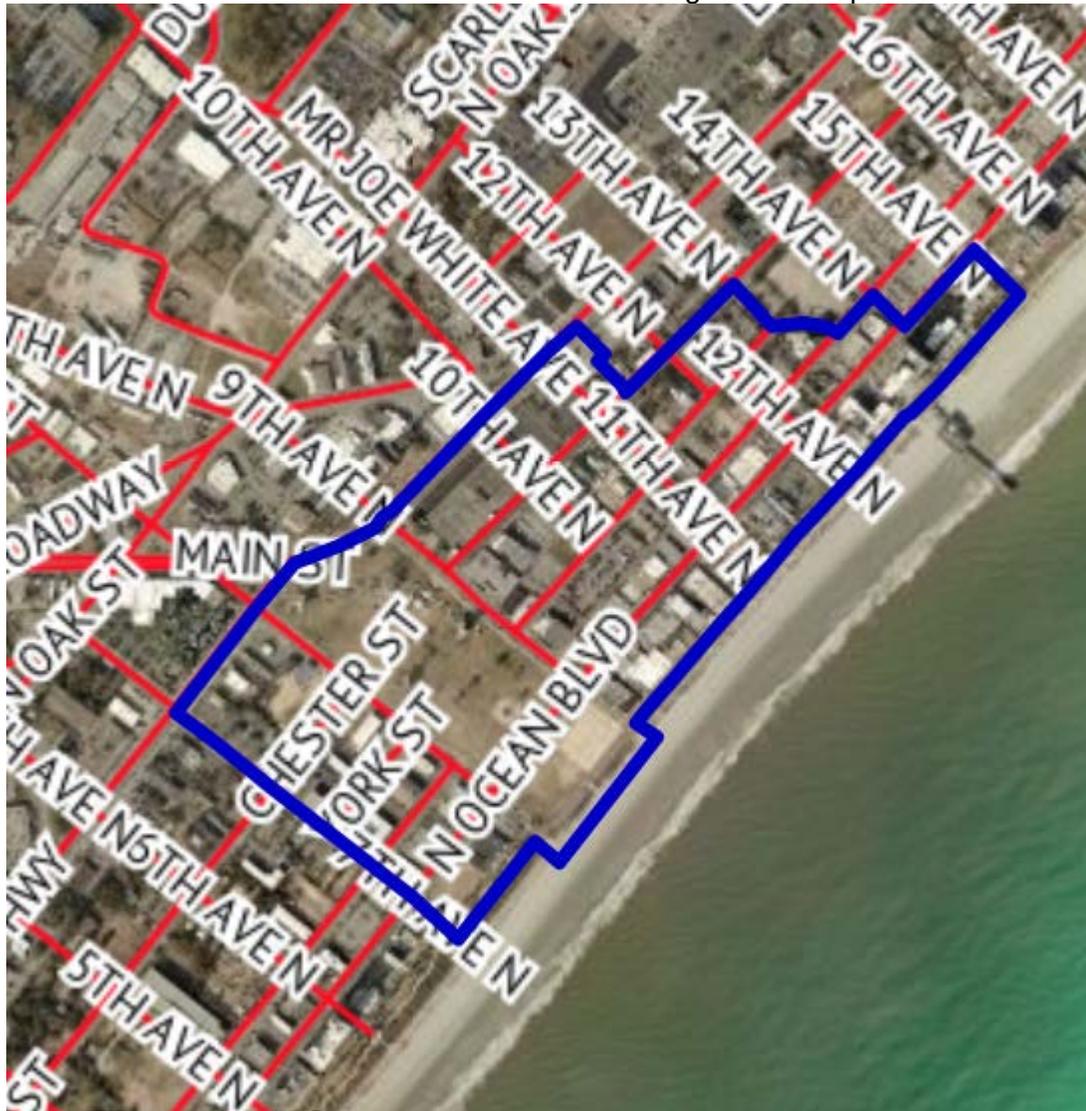
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Around Burroughs and Chapin Pavilion Place:



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PUBLIC NOTICE

LEGAL AD RAN

Yes

ALTERNATIVES TO APPROVAL

Recommend denial.

Recommend alternative amendments.

FINANCIAL ANALYSIS: Potential development and business license fees.

ANALYSIS

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

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

- **[1] Neutral.** The Comprehensive Plan does not specifically address uses relating to the A district. Its economic objectives include developing the travel and tourism industry by working with existing components of the travel and tourism industry that have helped to diversify the tourism market, and diversifying the travel and tourism industry by increasing the role of amateur and professional sporting events in Myrtle Beach. The public safety goal is for the public safety program to be responsive to the community's needs, committed to promoting a safe and secure community.
- **[2] No.** There is no discernable error in the original ordinance.

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

- Historically axes have been thrown as combat weapons. Allowing axe throwing in an open-air environment could make it difficult to implement future requests relating to weaponry window displays.

Section 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.

- The City and other government agencies are able to provide services to including utilities, business licenses, and site plan review to any potential axe throwing facility.

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

- As commercialization of this activity is fairly new nationwide, and unprecedented in this region of the state, property value effects are unknown.

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

- Petition is in compliance with some sections of the comprehensive plan.

Other Policies

City Manager's Strategic Objectives Citations – Economic Development:

Strategy 1: Define an Economic Development Vision & Define Strategies to Achieve that Vision.

- Proposed Vision – to foster an environment in which economic activity can be expanded so that all our citizens have an opportunity to enjoy what the community has to offer.
- Focus Sectors:
 - Infill retail development.
 - New technology & communications.
 - Medical services.

Strategy 4: Continue to Strengthen, Grow & Diversify Tourism.

Strategy 5: Continue Redevelopment of the Historic Boardwalk Area.

STAFF COMMENTS

Planning: See report.

DPW, Police, Fire, C&L Services, Addressing, Construction Services: No concerns.

TEXT 18-05



PLANNING DEPARTMENT | CITY HALL
937 Broadway St
Myrtle Beach, SC 29577

(843) 918 - 1050
www.cityofmyrtlebeach.com

File #

Date received

Fee Paid

Text Amendment Application

This application is used to request a text amendment to the City of Myrtle Beach Zoning Ordinance or City Code. All information contained in this application is subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).

Type or print all answers on this application. Attach any additional information requested to complete this application.

Attached is a non-refundable application fee of two-hundred dollars (\$200) (cash or check payable to "City of Myrtle Beach").

Name of Applicant: Carolina Escape Games, LLC.	Mailing Address: 541 Atlantic Ave Garden City, SC 29576
Phone: 843-808-0516	
Email: info@carolinaescapegames.com	

ACTION REQUESTED

Section of Ordinance / City Code To Be Amended: 1407.C and 1501

Wording of Proposed Text Amendment (attach additional pages as needed):
1407.C. Add Highland Games Axe Throwing in the Amusement (A) Zone
1501. Add Highland Games Axe Throwing as conditional use with the following conditions:
See Attachment.

Reason For This Amendment:

Axe throwing games are the most popular new recreational activity. It will bring a new exciting, entertaining and competitive activity to the area. Great revenue potential for the city. It's high popularity brings lots of people to the area. Brings people together for an unusual fun time.

PUBLIC HEARING AND WITHDRAWAL POLICIES

Regulations require that this application be given a public hearing. Notification of the public hearing will be in the form of advertisement in a local newspaper.

Complete applications will be processed by the Planning Department. At the written request of the applicant, prior to public notification, an application may be continued, tabled, or withdrawn. Once the public has been notified of the public hearing, the application request shall be placed on the agenda. During the public hearing, the applicant may request that the item be continued or tabled. Should the applicant wish to remove the request from the agenda after public notification but prior to the public hearing, the applicant must withdraw the application in writing. Once an application is withdrawn the file is closed. Another application, along with any applicable fees, may be submitted at a future date.

CERTIFICATION AND SIGNATURE

The undersigned hereby respectfully request that the above referenced ordinance(s) of the City of Myrtle Beach be amended and that this application be processed through the required procedures of the City. All of the above statements and information, whether written on this application or attached, are true and correct to the best of my knowledge and belief.

Signature of Applicant:	Date: 03.02.2018
Signature of Authorized Agent:	Date:

Attachment to zoning amendment application.

Highland Games Axe Throwing.

Location:

401 -403 8th Ave N.

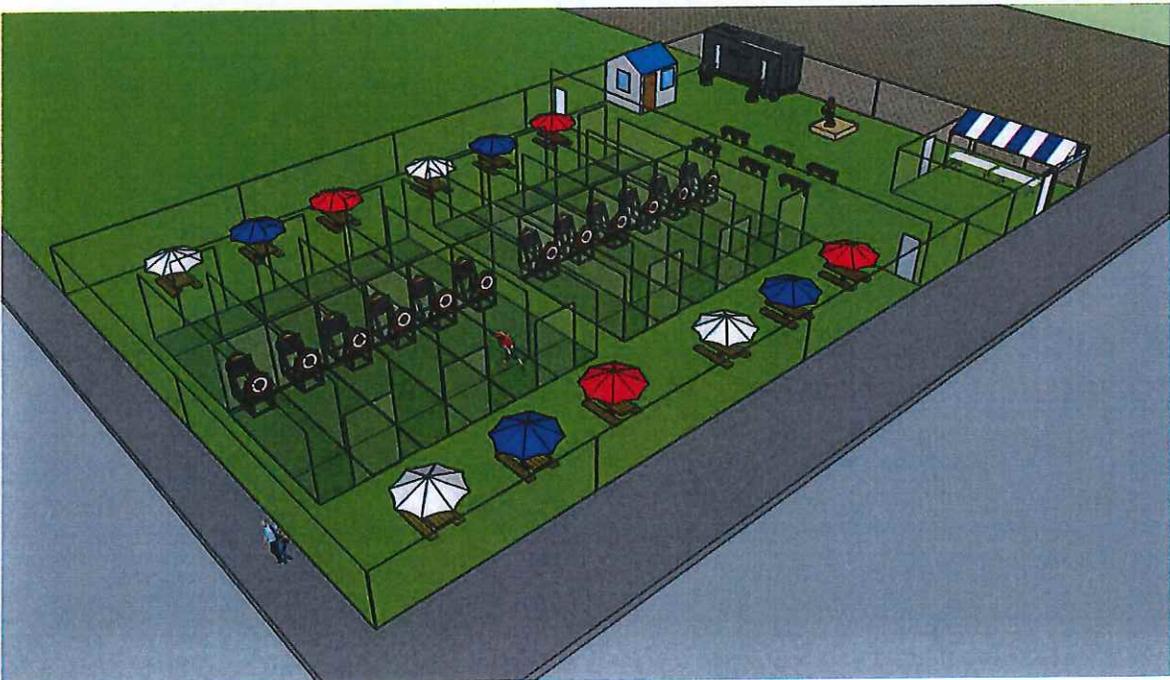
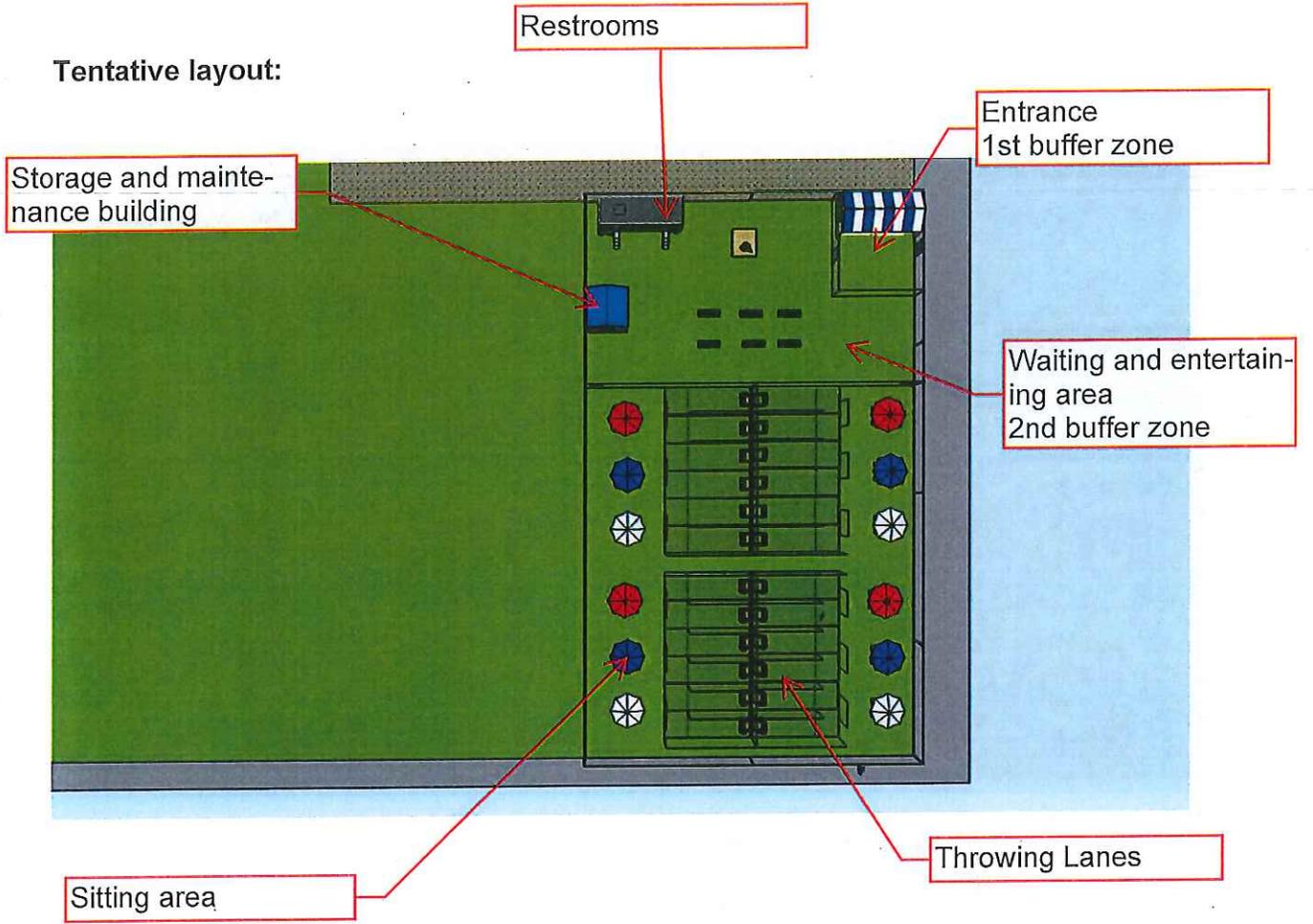
Myrtle Beach, SC 29577

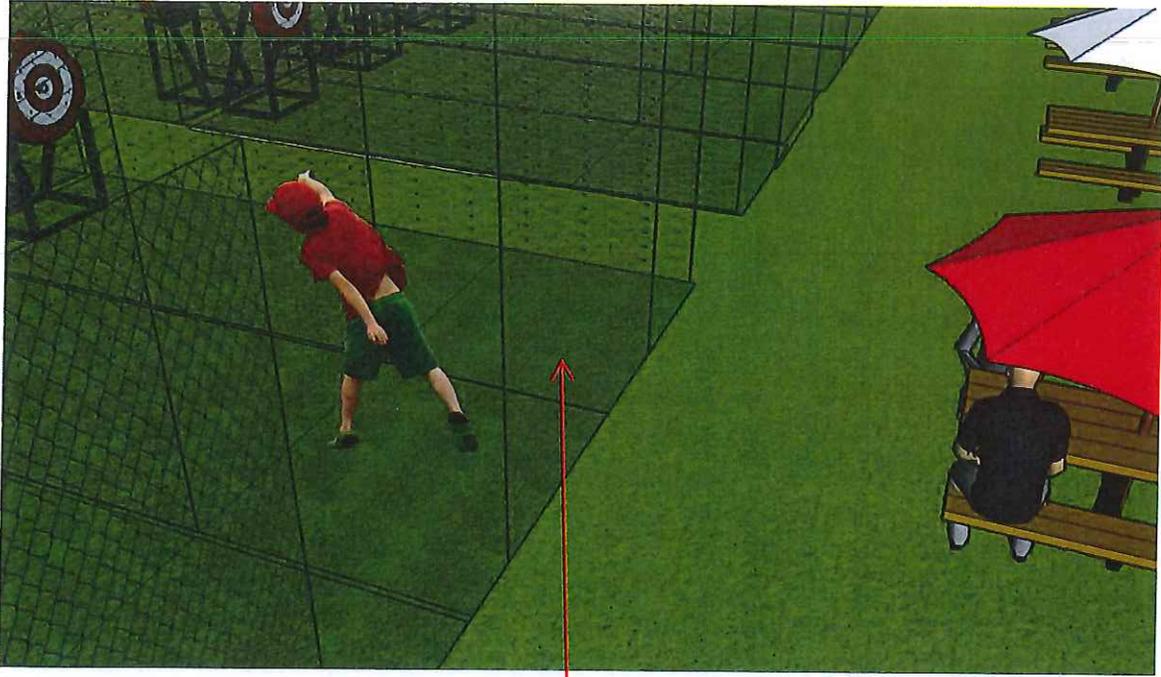
1. Protected cage like Lanes
2. 10 FT High Fences
3. Buffer Zones between activity area and non-participants
4. Mandatory closed shoe requirement
5. Insurance for landlord and operators
6. Age limit ~ 18
7. No alcohol on site
8. Trained personnel giving instructions and supervising
9. Reserving the rights to refuse anyone deemed not to be fit to participate.

10. Signed Waiver

11. min. acres

Tentative layout:





Protective fence behind players

