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**2022-37 (1<sup>st</sup> READING): TO AMEND THE CODE OF ORDINANCES, CITY OF MYRTLE BEACH, APPENDIX A ZONING ARTICLE 14 ZONING DISTRICTS AND 15 CONDITIONAL USES, TO ADD GOLF CART RENTALS AS A CONDITIONAL USE IN THE AMUSEMENT (A), ENTERTAINMENT (E), AND HIGHWAY COMMERCIAL (HC) ZONING DISTRICTS AND TO ALIGN THE CITY ZONING CODE WITH CHANGES IN STATE LAW REGARDING GOLF CART REGISTRATION REQUIREMENTS.**

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**Applicant/Purpose:** Staff/ to amend the Zoning Code to add golf cart rentals as a conditional use in the Amusement (A), Entertainment (E),and Highway Commercial Zoning Districts

**Brief:**

- Due to the popularity of moped rentals, the City put in place regulations regarding the location and operations of moped rental establishments.
- In recent years, the City has seen a similar trend in short-term golf cart rentals.
- The City Zoning Code currently does not specifically address golf cart rentals.
- Staff has been applying the moped rental regulations to golf cart rental establishments.
- Planning Commission (7.19.22): Voted to recommend approval (6-0).

**Issues:**

- The State has now instituted stricter regulations on the licensing and operations of golf carts on public streets.
- Since golf carts are no longer “the same animal” as mopeds staff suggests adding “golf cart rental and sales establishment” to the code as a Conditional Use with the same conditions as “moped rental and sales establishment” and to adjust those conditions accordingly.

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

**Financial Impact:** N/A

**Manager’s Recommendation:**

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

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

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# ORDINANCE 2022-37

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 AND 15 CONDITIONAL USES, TO ADD GOLF CART RENTALS AS A CONDITIONAL USE IN THE AMUSEMENT (A), ENTERTAINMENT (E), AND HIGHWAY COMMERCIAL (HC) ZONING DISTRICTS AND TO ALIGN THE CITY ZONING CODE WITH CHANGES IN STATE LAW REGARDING GOLF CART REGISTRATION REQUIREMENTS.

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:

## 1407.C. Permitted Uses.

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
Commercial and Office Uses																				
Moped <u>or Golf Cart</u> rental and sales establishment						C		C	C	C										1501.FF

IT IS HEREBY FURTHER ORDAINED that Appendix A Zoning, section 1501.FF of the Code of Ordinances, City of Myrtle Beach, South Carolina, is hereby amended as follows:

## 1501.FF. Moped and Golf Cart rental and sales establishments subject to the following:

- Moped leasing, maintenance and all related functions shall be conducted within a building on site or offsite that meets all building code regulations as well as the area dimension regulations of the district.
- Display of units available for rental shall be permitted outside the building so long as parking or pedestrian passage is not diminished as required, provided that Sections 1710.C and 1715.C regarding minimum lot sizes in the Highway Commercial (HC) districts apply.
- The operators of such establishments shall provide one motorcycle safety helmet per moped offered for lease or use while the moped is being rented.
- Any signage shall be within the allowable signage for the property.

- 1  
2 5. Amortization of non-conformities. As to this specific zoning amendment  
3 pertaining to moped rental uses, those uses made non-conforming which  
4 were in existence legally as of May 1, 2010, that are also current with all  
5 taxes, fees and assessments with the City, shall have a period of one  
6 year from the date of May 1, 2010 for legal operation. On May 1, 2011,  
7 the non-conforming uses must end completely.  
8  
9 6. For definitions and rental regulations refer to The Code of Ordinances,  
10 City of Myrtle Beach, Chapter 12 Motor Vehicles and Traffic, Article V All  
11 Terrain Vehicles, mopeds, Scooters, Low Speed Vehicles, and Golf  
12 Carts Rental and Operation.  
13

14 This ordinance will take effect upon second reading.  
15  
16  
17

18  
19 \_\_\_\_\_  
20 BRENDA BETHUNE, MAYOR

21 ATTEST:  
22

23 \_\_\_\_\_  
24 JENNIFER ADKINS, CITY CLERK

25 1<sup>st</sup> Reading: 7-26-2022

26 2<sup>nd</sup> Reading  
27

## **Supporting Materials**

### **Staff Input:**

Fire: No Concerns

## **Zoning Code**

### **Section 1405. Determination of Principal Use**

Principal use types are assigned by the zoning administrator to the use type that most closely describes the nature of the principal use.

### **Section 1710. Design Standards for the Highway Commercial (HC1) District.**

1710.C. Outdoor display of Heavy Durable Goods is not allowed on lots less than two (2) acres.

### **Section 1715. Design Standards for the Highway Commercial (HC2) District.**

1715.C. Outdoor display of Heavy Durable Goods is not allowed on lots less than five (5) acres.

## **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:

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.