



## Horry County Council

Johnny Gardner  
Chairman

Harold Worley  
District 1

Bill Howard  
District 2

Dennis DiSabato  
District 3

Gary Loftus  
District 4

Tyler Servant  
District 5

Cam Crawford  
District 6

Orton Bellamy  
District 7

Johnny Vaught  
District 8

W. Paul Prince  
District 9  
Vice Chairman

Danny Hardee  
District 10

Al Allen  
District 11

Patricia S. Hartley  
Clerk to Council

(843) 915-5120  
(843) 915-6120 Fax

The August 18th Council Meeting will take place in-person in Council Chambers. Social separation protocols will be enforced and seating will be very limited. Overflow space will be available to accommodate public viewing. Attendees are encouraged to wear a face-covering when entering the building and in Council Chambers. The meeting will be broadcast on the Horry County Government website as well as Spectrum/Time Warner channel 1301 or Horry Telephone Cooperative channel 14.

### **IMPORTANT NOTICE CONCERNING PUBLIC COMMENT**

**Public Comment will be taken ONLY on items scheduled for a public hearing. See list below.**

Members of the public will have an opportunity to provide public comment via telephone on the items having public hearing. **You must sign up in advance to speak on public hearing by 3:00 p.m. on Tuesday, August 18, 2020.** You will receive a call during the meeting and patched into the meeting when the item on which you wish to speak comes up on the agenda. You can sign up by calling Pat Hartley in the Council Office at (843) 915-5120, or by emailing [hartleyp@horrycounty.org](mailto:hartleyp@horrycounty.org). You can also provide written comments to be provided to each Council member at the same email, [hartleyp@horrycounty.org](mailto:hartleyp@horrycounty.org). The Public Input segment that is held at the beginning of each meeting remains suspended until further notice.

Public Hearings that are scheduled for August 18<sup>th</sup> include:

The following Ordinances to approve the request to amend the official zoning maps (rezonings):

**Ord 70-2020** Rowe Professional Services Co., agent for Burroughs Brothers Properties Inc.

**Ord 71-2020** Keane McLaughlin, agent for Shark Investments LLC

**Ord 72-2020** DDC Engineers, agent for Wake Stone Corporation

**Ord 73-2020** Robert Turner, agent for Hawksbill Lake LLC

**Ordinance 61-2020** to establish procedures for the Comprehensive Plan adoption & amendment process within Chapter 15 of the County Code.

**Ordinance 62-2020** to amend the County Code pertaining to zoning amendments.

**Ordinance 63-2020** to amend the County Code pertaining to campers and recreation vehicle used as temporary living accommodations.

**Ordinance 64-2020** to amend the County Code pertaining to High Bulk Retail and Open Yard Storage.

**Ordinance 65-2020** to amend the Commercial Forest/Agriculture District of the County Code pertaining to veterinary offices, animal hospitals and/or boarding facilities.

**Ordinance 66-2020** to amend various sections of the County Code pertaining to the Horry County Board of Architectural Review & Historical Preservation.

**Ordinance 67-2020** approving the abandonment, conveyance and removal from the county's drainage system of a portion of a ditch located adjacent Simpson Creek Drive, and authorizing the administrator to execute a quit-claim deed.

**Ordinance 69-2020** approving & authorizing the county administrator to execute Modification Number One to the lease agreement with Allen Aviation, Inc. for use of an aviation fuel storage tank at Conway-Horry County Airport.

**Ordinance 74-2020** amending the County Code so as to provide for standards for the infant cabana exception to the prohibition of tents along the beaches in unincorporated Horry County.

Regular Council Meeting  
August 18, 2020 – 6:00 p.m.  
Council Chambers, 1301 Second Ave., Conway, SC

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- A.** Call to Order Johnny Gardner, Chairman  
**B.** Invocation Mr. DiSabato  
**C.** Pledge of Allegiance Mr. Vaught  
**D.** Public Input (**Suspended until further notice**)  
**E.** Approval of Agenda Contents  
**F.** Approval of Minutes: Emergency Meeting July 3, Regular Meeting July 14, 2020, Emergency Meeting July 31, 2020,  
Special Meeting, August 12, 2020

**G. CONSENT AGENDA**

1. Third Reading on the following Ordinances to approve the request to amend the official zoning maps:
  - Ord 57-2020** Beach Flowers Inc (Mr. Crawford)
  - Ord 58-2020** Darrell & Sandra Avery (Mr. Bellamy)
  - Ord 59-2020** DDC Engineers, agent for D.J. Caravan (Mr. Hardee)
  - Ord 60-2020** Colby Jenerette, agent for Beth Clarke (Mr. Allen)
  
2. First Reading on the following Ordinances to approve the request to amend the official zoning maps:
  - Ord 78-2020** Sembler Florida Inc, agent for Landbank LLC (Mr. Howard)
  - Ord 79-2020** G3 Engineering, agent for Lynell Thompson Builders LLC (Mr. Prince)
  - Ord 80-2020** W. Paul Prince (Mr. Hardee)
  - Ord 81-2020** Impact Consulting/Lacy Cannon, agent for John Terry Hucks (Mr. Hardee)
  - Ord 82-2020** Venture Engineering, agent for Canebrake Plantation LLC (Mr. Hardee)
  - Ord 83-2020** Rosemary Chestnut & Linda Jackson (Mr. Hardee)
  - Ord 84-2020** Antiock Farms LLC, agent for McNabb Shortcut LLC (Mr. Hardee)
  
3. **Resolution R-76-2020** authorizing & directing the transfer of funds to increase the budget for historical document imaging, HVAC modifications, and online sale technology. (Favorable, Administration Comm)
  
4. **Resolution R-77-2020** approving the FY Ending June 30, 2022 budget calendar. (Favorable, Administration Comm)
  
5. **Resolution R-78-2020** appropriating monies from the Thompson Estate bequest. (Favorable, Administration Comm)
  
6. **Community Benefit Resolution 24-2020** allocating \$5,000 to Socastee Athletic Association for support of the public recreational facilities in the Socastee area. (Mr. Crawford) (Favorable, Administration Comm)
  
7. Resolutions accepting dedication of the roads & drainage into the county road system at the following locations: (not reviewed by I&R Comm)


<b><u>R-79-2020</u></b> Heather Glen Phase 1A	<b><u>R-84-2020</u></b> Hidden Brook Phase 2A1
<b><u>R-80-2020</u></b> Heather Glen Phase 1B	<b><u>R-85-2020</u></b> Hidden Brook Phase 2A2
<b><u>R-81-2020</u></b> Portside Village Phase 2	<b><u>R-86-2020</u></b> Shadowbay Village Phase 1
<b><u>R-82-2020</u></b> Beech Fork Drive Phase 2A	<b><u>R-87-2020</u></b> Berkshire Forest Block 5
<b><u>R-83-2020</u></b> Lakes at Plantation Pines Phase 5C	
  
8. **Resolution R-88-2020** approving a fire service agreement between the county and Fair Bluff, NC. (Favorable, Public Safety Comm)
  
9. **Resolution R-89-2020** approving a fire service agreement between the county and Tabor City, NC (Favorable, Public Safety Comm)
  
10. **Resolution R-90-2020** proclaiming September 17-23 as Constitution Week in Horry County.
  
11. **Resolution R-91-2020** approving the addition of roads to the Comprehensive Road Improvement Plan for District 9 for Year 23. (Mr. Prince) (Not reviewed by I&R Comm)
  
12. **Resolution R-92-2020** approving the removal and replacement of several roads to the Comprehensive Road Improvement Plan for District 9. (Mr. Prince) (Not reviewed by I&R Comm)
  
13. **Resolution R-93-2020** approving the addition of a road to the Comprehensive Road Improvement Plan for District 11 for Year 21. (Mr. Allen) (Not reviewed by I&R Comm)

14. **Resolution R-94-2020** ending the State of Emergency declared pursuant to Emergency Ordinance 75-2020.
15. **Resolution R-96-2020** authorizing & directing the transfer of funds to increase the budget for Police purchase of license plate recognition system. (Favorable, Public Safety Comm)
16. **Resolution R-97-2020** authorizing the Solicitor's Office to accept, if awarded, US Dept of Justice invited application for Special Assistant US Attorney to reduce violent crime in support of Project Guardian. (Favorable, Public Safety Comm)
17. Board Appointments: Brian Pugsley to the Stormwater Advisory Committee (Mr. Howard); Jesse Thomas to the Museum Board of Trustees (staff recommendation), reappointment of Todd Hill and Mickey Howell to the Board of Construction Adjustments & Appeals

## **H. PRESENTATIONS / RESOLUTIONS:**

18. **Resolution R-95-2020** recognizing the accomplishments of Ivory Wilson and memorializing his life as a contributor to the greater good of Horry County. (Mr. Bellamy)

## **I. READING OF ORDINANCES**

19. Second Reading and Public Hearing of the following Ordinances to approve the request to amend the official zoning maps:  
**Ord 70-2020** Rowe Professional Services Co., agent for Burroughs Brothers Properties Inc. (Mr. Loftus)  
**Ord 71-2020** Keane McLaughlin, agent for Shark Investments LLC (Mr. Vaught)  
**Ord 72-2020** DDC Engineers, agent for Wake Stone Corporation (Mr. Prince)  
**Ord 73-2020** Robert Turner, agent for Hawksbill Lake LLC (Mr. Prince)
20. Second Reading and Public Hearing – **Ordinance 61-2020** to establish procedures for the Comprehensive Plan adoption & amendment process within Chapter 15 of the County Code. (Favorable, I&R Comm)
21. Second Reading and Public Hearing – **Ordinance 62-2020** to amend the County Code pertaining to zoning amendments. (Favorable, I&R Comm)
22. Second Reading and Public Hearing – **Ordinance 63-2020** to amend the County Code pertaining to campers and recreation vehicle used as temporary living accommodations. (Favorable, I&R Comm)
23. Second Reading and Public Hearing – **Ordinance 64-2020** to amend the County Code pertaining to High Bulk Retail and Open Yard Storage. (Favorable, I&R Comm)
24. Second Reading and Public Hearing – **Ordinance 65-2020** to amend the Commercial Forest/Agriculture District of the County Code pertaining to veterinary offices, animal hospitals and/or boarding facilities. (Favorable, I&R Comm)
25. Second Reading and Public Hearing - **Ordinance 66-2020** to amend various sections of the County Code pertaining to the Horry County Board of Architectural Review & Historical Preservation. (Favorable, I&R Comm)
26. Second Reading and Public Hearing – **Ordinance 67-2020** approving the abandonment, conveyance and removal from the county's drainage system of a portion of a ditch located adjacent Simpson Creek Drive, and authorizing the administrator to execute a quit-claim deed. (Favorable, I&R Comm)
27. Second Reading and Public Hearing – **Ordinance 69-2020** approving & authorizing the county administrator to execute Modification Number One to the lease agreement with Allen Aviation, Inc. for use of an aviation fuel storage tank at Conway-Horry County Airport. (Favorable, Transportation Comm)
28. Second Reading and Public Hearing – **Ordinance 74-2020** amending the County Code so as to provide for standards for the infant cabana exception to the prohibition of tents along the beaches in unincorporated Horry County. (Favorable, Public Safety Comm)
29. First Reading on the following Ordinances to approve the request to amend the official zoning maps: **Planning Commission recommends disapproval.**  
**Ord 76-2020** Kevin Hackett (Mr. Loftus)  
**Ord 77-2020** Jerry Peirone (Mr. Vaught)

**J. MEMORIAL DEDICATIONS:**

**K. UPCOMING MEETINGS – Dates/times subject to change:**

<u>Council Meetings</u>	<u>I&amp;R Committee</u>	<u>Public Safety Committee</u>	<u>Administration Committee</u>	<u>Transportation/ EDC Committee</u>
Sept 1 & 15, 6pm	Aug 25, 9 am	Sept 8, 9am	Aug 25, 2pm	Sept 10, 2pm

**L. EXECUTIVE SESSION:** Receipt of legal advice relating to the pending "Hospitality Fee" litigation and recent settlement discussions.

**M.** Vote on matters discussed in Executive Session.

**ADJOURN**

**MINUTES**  
**HORRY COUNTY COUNCIL**  
**EMERGENCY VIRTUAL MEETING**  
**July 3, 2020**  
**6:00 p.m.**

**REMOTE PARTICIPANTS:** Johnny Gardner, Chairman; Bill Howard; Gary Loftus; Danny Hardee; Johnny Vaught; Harold Worley; Orton Bellamy; Cam Crawford; Al Allen; Tyler Servant; Dennis DiSabato; and Paul Prince.

**MEMBERS ABSENT:**

**OTHER REMOTE PARTICIPANTS:** Pat Hartley; Steve Gosnell; Randy Webster; Arrigo Carotti; Barry Spivey; David Gilreath; David Schwerd; and Kelly Moore.

In accordance with the FOIA, notices of the meeting were provided to the press stating the time, date, and place of the meeting.

**CALL TO ORDER:** Chairman Gardner called the meeting to order at approximately 6:00 p.m. Chairman Gardner called the roll and it was determined that all Council Members were remotely participating in the meeting.

**INVOCATION:** Mr. Bellamy gave the invocation.

**PLEDGE:** Mr. Vaught led in the pledge.

Chairman Gardner read an Emergency Ordinance Declaring that a Localized State of Emergency Exists within Horry County Authorizing Appropriate Action to be Taken in Connection Therewith and Requiring the Wearing of Appropriate Face Coverings by the Public under Certain Circumstances. **Mr. Hardee moved to approve, seconded by Mr. Bellamy.**

Mr. Vaught asked Chairman Gardner why they were going back into a State of Emergency. Did they have to do that to be able to enact an emergency ordinance?

Chairman Gardner said that was his understanding under the law for them to be able to do any powers that were non-normal or that would be in the normal course of the Council businesses. It would have to come under the umbrella of an emergency ordinance.

Mr. Vaught stated he had a problem with that because he didn't consider them to be within a State of Emergency. They got themselves out of a State of Emergency a while back and he hated to give the impression to their constituents that they considered themselves in a State of Emergency. Yes they were facing a pandemic and yes they were facing problems but he didn't see that this was a State of Emergency, but he would follow the law.

Chairman Gardner said he understood that and he appreciated that. The State of South Carolina was acting under and he believed all the local jurisdictions were acting under a State of Emergency. That was what had allowed the governor to do the executive orders that he had done. That was what allowed the local mayors to do the things that they had done. That would be part and parcel of what they were doing that night. They could discuss it as they would do any other potential ordinance and at the end of the night they would see what happened.

Mr. Vaught asked if they were considering a resolution instead of an ordinance would they be required to go into a localized State of Emergency.

Mr. Carotti said no but they could not take the action that they were contemplating taking under this ordinance which was requiring face masks.

Mr. Allen asked if they were to consider a resolution just to encourage the best practices without having to go into an emergency ordinance, why could that not be something that Council could do and what other actions did staff need this emergency ordinance passed for besides requiring a face mask. Because he didn't see anything whatsoever that was currently pending within the county that would require them to pass a State of Emergency for Horry County outside of mandating mask wearing. They did not have roads to clear. They didn't have riots to deal with. He really didn't see why Council had to hand over this authority to staff again for a State of Emergency if it was only going to be if some on Council wanted to mandate

wearing a mask when there was scientific sides on both sides of it. To wear a mask or not to wear a mask. If it helped or if it didn't. He didn't think that they needed to have the public perceive them as just going along to get along. They didn't need to handicap their citizens. He didn't smoke. He didn't drink, but he was not going to vote against it because that was taking a personal choice away from individual citizens. If a person chooses to wear their mask good, but don't criticize or mandate him if he chose not to. He really didn't see a need for them to pass an ordinance like this because it would throw Council out of the loop again. They had a really good staff but it was taking the power away from Council again underneath this emergency ordinance. How could Council continue to pass emergency ordinances and then one day when they really needed one and they had cried wolf so much, how could they expect the citizens to take them seriously when they were facing this Covid-19 that had a 98% survival rate. He understood and if it made a person feel good and feel more secure with the mask, fine, but that was a personal choice. That was something that they as a government did not need to get involved in. Outside of them mandating that mask, what other actions did staff need from Council under and why did they have to have an emergency ordinance.

Chairman Gardner said he believed that was the answer to it. That was the sole purpose of what they were having that day whether or not they were going to require some type of face mask to be worn by Horry County residents and visitors at the appropriate time. In order for them to do that they had to be acting under an emergency ordinance. That would be the sole purpose. That was part of what they were there for that day and he would like to continue the debate on it if anyone else would like to participate. He didn't necessarily think they needed to bifurcate what they were doing. He thought they stood together, but if one was to fail then they could take up a possible alternative approach with this.

Mr. Howard said it was obvious that the majority of Council did not own a business and operate a business dealing with tourism. It was an emergency to keep their businesses alive. Tourism was what built the county. If they didn't enact some kind of protection for their employees and force them to follow these rules to wear these masks and gloves, and if they didn't ask the public to try to do the same thing when they go into a business, hotels, retail stores, grocery stores, restaurants, anything that was going on in Horry County. Without this ordinance the people don't take it serious. They don't look at them trying to protect them as constituents. It was very important that everyone did the right thing. Some people... If they were not looking at an ordinance and a law that they needed to follow... They need that guidance and they needed to enact that guidance so they could continue to stay open. If they don't and this virus gets worse and they get to be an epidemic center like number one or something, the governor would shut them all down. That was worse than enacting an ordinance to ask everyone to wear these masks. He didn't see how Council didn't see that.

Mr. Vaught told Mr. Howard that he had no problem with all businesses requiring all their employees to wear a face mask when they served the public to protect themselves, but he didn't think the customers should be required to wear a face mask when they go in.

Mr. Howard told Mr. Vaught that the mask that the workers were wearing did not protect them. It protects the customer that does not have a mask on. So what do they do for the workers? They want the customer to wear it in a grocery store or in a parts department or clothing store to protect the workers. It was a two way street.

Mr. Vaught said the virus didn't pass just one way through the mask. If you wear a mask you were protecting yourself.

Mr. Howard said you were not protecting yourself.

Mr. Vaught said he was for that if they chose to do that.

Mr. Worley said one of the things that bothered him was their local hospital in Myrtle Beach was at capacity. They were having over 200 cases a day. He though this virus had created a crisis, especially in the Grand Strand area where they had so many tourists. He was going to support this. He didn't like doing it but he thought it was the right thing to do. His employees were in masks. He asked his customers to wear masks. If they don't, he wasn't calling the police on them. He had instructed his employees not to get in a debate with them about it. All they could do was let them know what the rules and regulations were and hopefully they would do the right thing. Having said that if they don't he was not going to be an enforcer. He was going to support this because at this time he thought it was the right thing to do and hopefully they would be able to reverse it very soon. In the meantime he thought it was the right thing to do.

Chairman Gardner asked Mr. Worley how the customers were. Were they okay with that by large or had he not had enough time to tell.

Mr. Worley said they had some that will not wear the mask but as a rule the majority was wearing a mask. Obviously when they go in to eat and sit down, they take their mask off. In the hotel, he was seeing that when they come in probably 50% were wearing a mask and half were not, but it was a mixed bag. Most of the ones, on the pool deck for instance, they were six foot apart and the North Myrtle Beach ordinance was working out well for them. Could they live with it, sure they could. What they couldn't live with as Mr. Howard said, they couldn't have this thing spreading out of control and the governor closing the beaches or closing the hotels, restaurants, and retail. They just didn't want to go there. He totally agreed with Mr. Howard on that. So if they could do a little bit on this end to help he thought it was the right thing to do. He didn't like passing this ordinance any more than the rest of them did, but again, he believed it was the right thing to do.

Mr. Allen stated that he would vote no on this because it was fine if the beaches wanted to have it but he was not going to vote that on the people of Horry County for people to be calling the police on people.

Mr. Vaught said he had no problem whatsoever with the ordinance except for (inaudible).

Chairman Gardner asked Mr. Vaught to hold on. They were trying to make sure everybody got heard and they were having some technical problems. He was going to go straight down the list. He knew Mr. Howard had already talked but he was up next.

Mr. Howard said they were there to protect the constituents and they needed to do the right thing. They needed to try the best they could. He didn't care who was telling who what not to do but he thought it was very important that they do the right thing and protect the people that live in Horry County. Let's protect them.

Mr. DiSabato said he had gotten maybe 30 – 40 emails in the last week and 5 or 6 telephone calls. All but one of them was in support of putting in place a mask ordinance. There was one person who was opposed to it. He thought that Mr. Allen was right. There was science on both sides of the equation but the areas that have enforced mask ordinances mandatory had shown the slowest spread of the virus. It was not just the hospital in North Myrtle Beach. All the hospitals were currently at capacity. They needed to do something to protect the citizens and they seemed to be supportive of a mask ordinance. They realized that they were in a State of Emergency. People were afraid. They were not happy with the lack of action so he thought they needed to do something to protect them. He understood the concerns of some of the folks that were in the less populated areas of the county. Could they localize this to the more densely populated areas by zip code or something?

Chairman Gardener said he didn't think they could do that. He thought that might be considered spot zoning but he could ask Mr. Carotti.

Mr. Worley said it was unconstitutional. They needed to move on.

Mr. Vaught said that was why the municipalities could go ahead and do it, correct Mr. Worley?

Mr. Worley said that was correct.

Mr. Loftus said it was something that had to be done. The people were asking for it. There were a few that didn't and they could understand that, but he thought if they failed to do it they were sending an absolutely wrong message to the people of Horry County and he didn't think they needed to be doing that at that time. In talking with some health professionals that day they were close to capacity and they were concerned about the next ten days to two weeks. If anything they could do that saved a bed here or there made them able to do their jobs better, they should do it. Was it enforceable, no? Practically it wasn't but it would give people the opportunity to feel good about obeying an ordinance and keep them out of the hospital and he thought it was what they should do and what he intended to vote for.

Mr. Servant said throughout the day he had talked with representatives from all the major hospitals in the area and really specifically a representative from Conway hospital. They were some of the most worried about what was going on and some of the test numbers. They were saying not just east of the waterway but west of the waterway and Conway Hospital was currently at capacity. Their testing numbers were high. There were still locals that were having mask gatherings with weddings and church events and he thought at the end of the day passing something like this was a last resort. He agreed with Mr. Worley that it was something that he didn't foresee himself being in favor of a couple of weeks ago but having said that they were currently in difficult times and difficult decisions had to be made. Like Mr. Loftus said, if they could save lives and open up hospital beds, especially hospitals that were at capacity like Conway Hospital... He had heard from officials that day that Grand Strand Hospital was not at capacity but Conway was and their testing numbers were a lot more

at Conway than they were at Grand Strand. So they had to do everything they could as a Council to make sure they were keeping their constituents safe and at the same time making sure they were protecting their residents.

Mr. Crawford said he saw both sides of the argument. He was concerned that our hospitals may reach full capacity in the next couple of weeks so that was concerning to him. He thought they needed to do something to curb that. With that said on the other side he was concerned about enforcement and the practicality of the ordinance itself. So one of the questions that he had was did they really need to impose a fine at that point. Could they maybe put that on the back burner and maybe leave that off. They could always revisit that later if the numbers spike but considering they were not going to be able to enforce this did they really need to impose a fine. Did they really need to send that message (inaudible)?

Chairman Gardner said before Mr. Carotti gave them the legal (inaudible) he thought the plan was if they did this and he was not saying they were going to do this, but if they did this they would do it like they did the social distancing on the beach at the very beginning. The police would go and break it up and not fine them or arrest them. They would just break it up, educate them, and move on down the beach. That was the plan. If they pass this it would be an education thing. Talk to them. Not trying to write a bunch of tickets or any of that mess.

Mr. Crawford said he just didn't want that going out that oh we will fine somebody \$25 if they don't wear a mask in a grocery store and \$50 for the second violation. Maybe they needed to look at lowering that amount or just taking it out. He would be interested to hear how they might be able to mitigate that.

Mr. Carotti said universally any governmental entity that had passed such laws and regulations impose some type of fine or fee. This was a civil infraction. It was the only thing under law that gets people's attention. Kind of like the part of the Bible that indicates that God's wrath may be served if people don't obey his will. That primarily would get people's attention. The repercussions and penalties for not abiding by the law or God's law.

Mr. Crawford said he was just thinking instead of... They were not going to be able to enforce it so he didn't think \$25 or \$50 gets anybody's attention. Why didn't they just make it \$1 for the first violation and \$2 for the second? People on the other side were going to complain about a fine. He just thought they needed to minimize that but whatever Council thought.

Mr. Worley said he disagreed with that. If there was not some type penalty on there, how would they get them in front of a judge? It was not the \$25 or whatever they decided. It was the fact that they had to go before a judge and be scolded. If they couldn't have some type penalty there they were wasting their time.

Chairman Gardner said he agreed with him and they would probably get into that later too.

Mr. Bellamy said they were in a (inaudible) situation due to the hospital capacity with safety science on both sides. He was in support of the ordinance and he thought it was important to encourage people to wear the masks. The fines were minimal and they did need to get their attention. He was in support of it.

Mr. Vaught said he thought they had a proposed ordinance in front of them and he wanted to attack a specific paragraph of it. The first paragraph under number 2 had several problems. First, it said anybody who enters any retail establishment where services are provided had to wear a mask. This was restaurants and everything else. That was the law that they were proposing to put down there. It also said that the restaurants and bars were not going to be enforcing that. So were they going to have one of their officers there to enforce it, and if they didn't have an officer there to enforce it, then they certainly were not going to get anybody in front of a judge. What would happen if they had 50,000 people with a \$25 fine in front of the court systems? That was a problem.

Chairman Gardner said paragraph 1 under paragraph 2, Face Coverings, read all persons entering any retail business. That was just retail business. The next paragraph dealt with restaurants. He didn't know if they combined them or were just talking ...

Mr. Vaught said a restaurant was also retail.

Chairman Gardner said okay. That was in any particular paragraph they were not including and that was in the follow-up paragraph where it starts out all restaurants and retail but he thought his point was well made that if this ordinance was passed there would be an enforcement issue. He thought that was what Mr. Worley was talking about earlier. His people were not police officers. They were doing the best they could. The police department that they had could do what they could do. They wouldn't be able to get everybody but...

Mr. Vaught asked didn't they realize that common people out there say okay there is not going to be an enforcement on this. Yes there was a \$25 fine and yes they had to go in front of a judge but who was going to do all that. It was a paper tiger. It was a ghost of a law. If they were not going to have an enforceable ordinance then they shouldn't have the ordinance. He agreed with having an ordinance but he didn't agree with making everybody who goes into a restaurant wear a mask. They were saying they had to do that if you go into any kind of a retail establishment. Probably going into a Belk's or something like that was less risk than going into a restaurant was but yet they were lumping those together. People were going to know that this was a paper tiger. Yes it was a \$25 fine but they were really not going to enforce it because they didn't have it there so he didn't understand why they would do it that way. He totally agreed with everything other than making the people wear a mask when they walk in. He totally agreed with Mr. Worley that all of his people wear masks and gloves. They were protecting the customers from his business employees and that was what his responsibility should be. It shouldn't go any further than that. He should have his signs up like they said saying Okay it was advisable that you wear a mask on this property and everywhere, but his people can't enforce it. They were saying they were not going to enforce it and they didn't have the people to enforce it. So why would they say they were going to be doing this.

Chairman Gardner asked how would he propose to change that or could it be changed where it would work.

Mr. Vaught said he would basically leave it at the fact that the retail establishment, restaurants, and so forth should require that their people wear protection or the public that was coming into their place of business. Because if somebody finds out that they were going to have masks enforced going into a restaurant or something they were just not going to go. That would kill that restaurants business, but it was the restaurants responsibility to protect the public that comes in there. He had no problem with the restaurants doing that.

Mr. Prince said Mr. Worley was in the city limits so this didn't apply to him.

Mr. Vaught said he understood that but Mr. Worley was doing the right thing up there. He had an ordinance that basically was like theirs that he was having to deal with. He was requiring his people to protect his customers and he was recommending that his customers wear masks and that was where his responsibility should end. It was where their responsibility should end.

Chairman Gardner told Mr. Prince that a lot of the stuff that he said earlier they were not able to hear because of technical difficulties.

Mr. Prince said his mike was going in and out. He was not sure that the people were not already being responsible. He had been around Little River, Loris, and places and people were being responsible. He saw a lot of people wearing masks and driving cars and by themselves wearing masks. He thought the people needed to be responsible themselves and Council didn't need to have to start writing laws and charging them because the County police would not have the manpower to enforce this anyway. So why did they have to have an ordinance that they were not going to enforce. Why didn't they let the people know everybody had to be responsible? That was what they were supposed to be there for and be responsible. He hated to have to slap laws every time they turned around on people that they couldn't enforce. They had too many laws on the books now that they could not enforce and that they didn't enforce. He didn't see why they needed it at that point. Hadn't the governor already done a state wide mandate, ordinance, or laws for the whole state of South Carolina? Hadn't he already done that and they were supposed to follow.

Chairman Gardner said he did not and that was why they were there. That was one of the reasons they were there. He had left it up to the local governments and that was an issue. He thought that you would have some that had one ordinance that said one thing and then a different ordinance that said something different. They would not have that uniformity.

Mr. Prince said about 75% of their areas didn't have many people and he didn't see why they should be under the same law as the other side of the Waccamaw River where the majority of the people and tourists were. It was sad that it was so versatile in the county that (inaudible). It would be hard to get a law that would fit everybody. So he couldn't support it the way it was written.

Mr. Hardee said he agreed with a lot of what had been said. He still thought it needed to be east of Highway 90 and not west of Highway 90. Some of them had been around long enough to know what it was like to come out of the field. You go to the local store there and want to get a drink and a honey bun but they tell you can't come in unless you had a mask because the county passed that ordinance. He wanted any of them to go explain it to them where they understand it. He would say if they could do this east of Highway 90 he was in. If it was going to be the whole entire county it would be hard to do.

Mr. Allen said he agreed with a lot of what had been said. He understood Messrs. Worley's and Hardee's plight but they were already inside a municipality that had these ordinances. If they would go onto the DHEC website, search the cases by the zip codes, really and truly Myrtle Beach and North Myrtle Beach were hot spots. Another hot spot that was growing was the City of Conway. Addressing this as far as the capacity of hospitals, a lot of the capacities were starting to fill up because a lot of people that had had cancer treatments or other elective surgeries and things that were originally put off were now starting to back fill into the hospitals. All of this was not Covid-19 related. As far as having an ordinance, and he heard a couple of things said that really troubled him about getting people before a judge to scold them or whatever. Did they really want their government to be like this? He agreed with what Mr. Crawford said because they did not have the law enforcement to enforce this. They didn't have enough officers to truly address what crime was here inside of the county. They didn't need them going to the beach and around. Should they have an ordinance to be able to enforce it on them? He could promise them that if this ordinance passes, and if he gets caught and anybody else that he knew of gets caught, there would be a lot of jury trials requested in Horry County. He could guarantee them that it would overload the magistrate's courts because people were not going to put up with such mandates. He agreed that if they could pass some sort of a supporting resolution... They could not legislate common sense. They could not legislate morality. A lot of governments try, but they couldn't do it. They were getting so close to infringing on the people's rights that it was crazy. He believed if they can't enforce it, why do they want to pass a paper tiger ordinance like this such as Mr. Vaught said. Just to have a feel good ordinance to make people think that Council was doing something. They were doing something. They could encourage people to use best health practices. He really didn't believe that they needed to pass an ordinance to mandate this because he would tell them what would happen. They didn't have the law enforcement now to handle this but mark his words, if this ordinance passed 911 was going to start getting calls and people would start tattling on each other and demanding an officer to come. It was going to impose an overload of needless calls to law enforcement and it would get to a point to where they would have not just verbal confrontations in the public over this, but it would turn physical. Somebody would get hurt because people don't like other people tending to their business. He didn't mind a bit anybody that makes a choice to wear that mask. He would never fault them. He would never point a finger at them, but don't ridicule him because he chose not to wear one because it was his right to choose. Mark his words. If Council passed this ordinance, they would open up a can of worms. They would open up Pandora's Box where some people inside of Horry County was not going to put up with this period. Like Mr. Hardee said. If you walk into a country store he wanted somebody to go out and explain this. They would get a whole lot more than just their feelings hurt. It was something they could not force their will as a government on the people continuously. People would not take it right on and right on. They had to use their common sense. Why not change this and make it a resolution that Horry County Council encourages best safety health practices and encourages you as an individual to make the best decisions for themselves, their family, and their business. If you are sick, stay home. If Al Allen was sick, he would stay home. He would not go out in the public but at the same time don't mandate to him at what he thought was a personal decision. If Council passed this, mark his words, there would be some trouble.

Chairman Gardner said that ever since he had gotten sworn in he had told them that he represented the minority. What he meant by that was he wanted to make sure that everybody was heard. He had received more phone calls, texts, and emails on this topic, on this issue than he had on any other topic all combined in the last two years. People would ask him why he wasn't doing something. How come he hadn't passed this? How come he hadn't done that? The answer to that was this was something that one person can't do. As of that day they had several members that wanted to be heard on this. It may be that they couldn't do anything. It may be that it was that they do something, but speaking to his philosophy and what he had said to them at the beginning that he would always represent the minority to let them be heard, they didn't have to be heard but if they had something to say, he wanted them to say it. He wanted rigorous and vigorous debate so they could get to the best result they could to protect the citizens, visitors, and employees of the county. Personally, his belief was less laws were best laws. He didn't ever want to pass another law unless they absolutely had to. He didn't know if this was the type of situation that warrants that they need to pass a law. He was at one of the local grocery stores that day and the majority of visitors, customers there had masks on. There were a bunch that didn't but the majority of them... This was out in the country in Conway where there was no ordinance and they were doing it on their own. That was where he was at because he thought Mr. Prince was right in that people needed to be responsible and do what they had to do. He also agreed with Mr. Hardee that Horry County was geographically diverse. Unfortunately Mr. Worley was right. They couldn't constitutionally pass zone ordinances. They couldn't do it that way. It might make sense in Horry County but the Supreme Court had said they couldn't do that so they had to look for a different option. All that being said, they had to look at the best safety practices also. If the hospitals were full and they could do something to help save a life, then they needed to look at doing it. He had heard that these masks won't do a thing. He had heard that these masks would slow things down. He was not a scientist. He didn't know the answer, but he heard from both sides on it. He also knew that the enforcement was going to be an issue, but the people that were not going to be responsible anyway were the ones that weren't responsible when it comes to other crimes, other violations of regulations and ordinances and laws. They were going to speed. They were not going to use their turn signal. They were not going to wear a mask. They were going to do the things that irritate everybody because they were not

responsible. With that being said, this was a tough, tough subject and he was glad he had eleven other people to help him decide what was best for the county. Did anybody else on Council have anything to say?

**Mr. Vaught proposed that they remove that first paragraph** and he would be happy with it.

Chairman Gardner asked if that was an amendment and Mr. Vaught said yes. Chairman Gardner said they had a motion to amend the ordinance to delete the complete first paragraph under Section 2, Face Coverings, starting with all and ending with Section 2. **Mr. Hardee seconded.**

Mr. Prince said he agreed with removing the paragraph and removing that the police would charge people. It was a hot time in Horry County (inaudible)

Mr. Bellamy said encourage to wear a mask instead of mandatory (inaudible). Encouragement. Encouraging individuals entering a business to wear a mask instead of having it mandatory and encouragement.

Mr. Vaught said he would have no problem with that. He could accept paragraph 2 if it was encouragement rather than mandatory.

Chairman Gardner asked Mr. Vaught to withdraw his motion to amend and let Mr. Bellamy do his adding that language. If they got a second they could discuss that further if needed.

**Mr. Vaught withdrew his motion.**

Chairman Gardner stated they had **a motion to amend the language where it was encouraged to, seconded by Mr. Vaught.** Chairman Gardner asked if there was any discussion on adding the language encouraged to instead of mandating. The intent of this amendment would be instead of mandate it would be an encouragement in the first paragraph under Face Coverings.

Mr. Vaught said the third line should be encouraged to wear a face covering instead of must wear a face covering. He asked Mr. Bellamy if that was correct and he said it was correct.

**Chairman Gardner called for a vote as to the amendment and asked if there was any nay votes.**

Mr. Worley asked if he was not going to allow discussion on the amendment.

Chairman Gardner stated he didn't hear Mr. Worley. He said the amendment had been seconded and asked if there was any discussion.

Mr. Worley said the reality of this amendment was it was a killer amendment. They might as well throw the ordinance in the garbage can. It was nothing with them taking that out. Absolutely nothing. The people out there were not going to like it. He requested they read it again. That was what this ordinance was all about. If they were not going to require them to have it they needed to go ahead and adjourn the meeting and move on.

Mr. DiSabato said he agreed with Mr. Worley.

Mr. Prince said he would move they adjourn if they wanted and Mr. Allen seconded the move to adjourn.

Chairman Gardner said he didn't know if that was a motion to adjourn. He would like to go ahead... Maybe that was the right answer at the right time but he would like to make sure everybody had a chance to discuss that. If this amendment fails that was fine.

Mr. Worley said he was not saying to adjourn. What he was saying was they might as well if they remove that paragraph from this ordinance if it's toothless. It was a kill pill. They need to see this for what it was. It was a killer amendment. That was what it was.

**Mr. DiSabato moved to call the question.**

Chairman Gardner said he wanted to make sure everyone had a chance to talk about it.

Mr. DiSabato said they had been talking about it for an hour and he thought they all knew where they stood.

**Mr. Worley said he was a no on the amendment.**

**Mr. Howard was a no on the amendment.**

**Mr. Bellamy said he would withdraw the amendment.**

Chairman Gardner stated the amendment was withdrawn. Back to the main motion. Was there any more discussion on the main motion?

**Mr. DiSabato called the question.**

Mr. Allen said he had a statement...

**Mr. DiSabato called a point of order.** There was a motion on the floor to call the question that was seconded.

Mr. Allen told Mr. DiSabato that he understood that but he threw his two cents in and he wanted to throw his in. He told Mr. Worley that what he was telling him was that he would rather pass an ordinance to fine people and threaten to put people in jail than pass a resolution to encourage people to do the right thing.

Chairman Gardner told Mr. Allen that was a civil deal and not a criminal deal.

Mr. Allen said he was addressing Mr. Worley. He asked him specifically because he said that this ordinance would not have any teeth and he was not for the amendment of encouragement. So, some on the Council said that if they (inaudible) ordinance and put people in jail or fine them or ticket them or enforce it somehow, mandate it, they were not willing to pass a resolution to encourage people to do the right thing. That was what he was saying.

Mr. Worley said this was a civil penalty not a criminal penalty.

Mr. Allen said it did not matter because he was still going after people. You would rather go after somebody, fine, than pass a resolution to encourage them to do the right thing. It was like in church. (Inaudible) pay your tithes, I ain't going to pray for you.

Mr. Worley said all he was saying was to get Mr. Carotti come to the lecturn and tell them that the difference between this and a resolution to encourage people to wear masks, it was not about the same thing if they take this paragraph out.

Mr. Carotti said he didn't understand the question.

Mr. Worley said he was calling this amendment a killer amendment. That was what it was. It was a killer amendment in his opinion. So his question was what was the difference between this ordinance if they passed it less that paragraph and a resolution encouraging people to wear masks?

Mr. Carotti said this ordinance, if you put encourage for the first paragraph, that would not mandate customers wearing face masks but the mandate on employees would still be in the ordinance wearing face masks.

Mr. Worley said the issue was for the people out there. They were trying to protect the people, not the politicians.

**Mr. DiSabato called a point of order.**

Chairman Gardner asked Mr. DiSabato to hold on for a minute and told Mr. Worley that killer amendment had been withdrawn and Mr. DiSabato had a motion to call the question. If there was no further discussion he called for a vote on the main motion. They would go straight down the districts starting with district one, Mr. Worley.

Mr. Worley asked as written and Chairman Gardner said yes.

**Chairman Gardner asked each Councilman their vote and the main motion was passed with Messrs. Vaught, Prince, Hardee, and Allen voting Nay.** Chairman Gardner said in all fairness his vote shouldn't change the outcome of this since the majority had spoken in favor of this.

Mr. DiSabato said the people would still like to know where Chairman Gardner stood and Mr. Allen said he agreed.

Chairman Gardner said he would vote and wanted to make sure everyone understood where they stand on this. Whatever his vote was... This was a tough one. He said his vote was yes.

**The vote was eight to four in favor of the ordinance.**

Mr. Prince asked if it had to be a two-thirds vote.

Chairman Gardner said it was.

Mr. Worley said he didn't hear him say...

Chairman Gardner stated the vote was eight to four. The ordinance passed as written.

Mr. Worley said he knew this was a hard thing for him to do and he was sure it was just as hard for the rest of them to do. They depend on the tourists for their living on the beach, but having said that, they still had a lot of locals that they had to protect as best as they could. The good thing about what they were doing was it was very consistent with what the other beaches were doing so they would all be together at least on the beach.

**ADJOURNMENT: With no further business, Mr. Bellamy moved to adjourn at approximately 6:57 p.m. and it was seconded. The motion was unanimously passed.**

**MINUTES  
HORRY COUNTY COUNCIL  
REGULAR MEETING  
County Council Chambers  
July 14, 2020  
6:00 p.m.**

**MEMBERS PRESENT:** Johnny Gardner, Chairman; Bill Howard; Gary Loftus; Tyler Servant; Johnny Vaught; Harold Worley; Orton Bellamy; Al Allen; Dennis DiSabato; Danny Hardee; and Paul Prince.

**MEMBERS ABSENT:** Cam Crawford.

**OTHERS PRESENT:** Pat Hartley; Steve Gosnell; Randy Webster; Arrigo Carotti; Barry Spivey; David Gilreath; David Schwerd; and Thomas Bell.

In accordance with the FOIA, notices of the meeting were provided to the press stating the time, date, and place of the meeting.

**CALL TO ORDER:** Chairman Gardner called the meeting to order at approximately 6:00 p.m.

**INVOCATION:** Mr. Howard gave the invocation.

**PLEDGE:** Mr. Prince led in the pledge.

**PUBLIC INPUT:** None.

**APPROVAL OF AGENDA CONTENTS:** Mr. Bellamy moved to approve agenda contents, seconded by Mr. Vaught. The motion was unanimously passed.

**APPROVAL OF MINUTES:** Regular Meeting, June 16, 2020: Mr. Prince moved to approve the Regular Meeting, June 16, 2020 meeting minutes, seconded by Mr. Bellamy. The motion was unanimously passed.

**APPROVAL OF CONSENT AGENDA:** Mr. Vaught moved to approve, seconded by Mr. Bellamy. The consent agenda was unanimously passed. The consent agenda consisted of the following:

Third Reading – Ordinance 54-2020 to amend the Horry County Code of Ordinances to provide under extraordinary circumstances for the conduct of public meetings by means of electronic equipment.

First Reading – Ordinance 61-2020 to establish procedures for the Comprehensive Plan adoption & amendment process within Chapter 15 of the County Code.

First Reading – Ordinance 62-2020 to amend the County Code pertaining to zoning amendments.

First Reading – Ordinance 63-2020 to amend the County Code pertaining to campers and recreation vehicle used as temporary living accommodations.

First Reading – Ordinance 64-2020 to amend the County Code pertaining to High Bulk Retail and Open Yard Storage.

First Reading – Ordinance 65-2020 to amend the Commercial Forest/Agriculture District of the County Code pertaining to veterinary offices, animal hospitals and/or boarding facilities.

First Reading - Ordinance 66-2020 to amend various sections of the County Code pertaining to the Horry County Board of Architectural Review & Historical Preservation.

First Reading – **Ordinance 67-2020** approving the abandonment, conveyance and removal from the county's drainage system of a portion of a ditch located adjacent Simpson Creek Drive, and authorizing the administrator to execute a quit-claim deed.

First Reading – **Ordinance 69-2020** approving & authorizing the county administrator to execute Modification Number One to the lease agreement with Allen Aviation, Inc. for use of an aviation fuel storage tank at Conway-Horry County Airport.

First Reading of the following Ordinances to approve the request to amend the official zoning maps:  
**Ord 70-2020** Rowe Professional Services Co., agent for Burroughs Brothers Properties Inc.; **Ord 71-2020** Keane McLaughlin, agent for Shark Investments LLC; **Ord 72-2020** DDC Engineers, agent for Wake Stone Corporation; and **Ord 73-2020** Robert Turner, agent for Hawksbill Lake LLC.

First Reading – **Ordinance 74-2020** amending the County Code so as to provide for standards for the infant cabana exception to the prohibition of tents along the beaches in unincorporated Horry County.

**Resolution R-60-2020** to appropriate up to \$200,000 from the Sunday liquor sales funds which are expended on tourism related recreation projects to fund a multipurpose pathway along Little River Neck Road.

**Resolution R-61-2020** granting historic designation to certain properties.

**Resolution R-72-2020** authorizing & approving State Accommodations Tax 30% Advertising & Promotion Fund Budget.

**Resolution R-73-2020** authorizing the consumption of alcohol in the common areas of the Myrtle Beach International Airport terminal building sterile area.

**Resolution R-74-2020** authorizing & directing the county administrator to execute a contract for sale between Horry County and Ascent Aviation Group, Inc. for general aviation fuel supplier services.

**Resolution R-75-2020** authorizing the 15<sup>th</sup> Circuit Solicitor to accept, if awarded, the SC Department of Public Safety Coronavirus Emergency Funding not to exceed \$91,325.

**Community Benefit Fund Resolution 23-2020** – to Freewoods Foundation/Freewoods Farms, \$2,000, for the establishment of a Living Farm Museum.

Resolutions accepting dedication of the roads & drainage into the county road systems at the following locations:

- |   |  |
|---|--|
| <b><u>R-62-2020</u></b> Bella Vita Phase 2A1)       | <b><u>R-67-2020</u></b> Riverhaven Phase 3B          |
| <b><u>R-63-2020</u></b> Clear Pond Tract G Phase 2A | <b><u>R-68-2020</u></b> Berkshire Village, Block 13A |
| <b><u>R-64-2020</u></b> Riverhaven Phases 1 & 2D    | <b><u>R-69-2020</u></b> Berkshire Village, Block 13B |
| <b><u>R-65-2020</u></b> Riverhaven Phase 2B         | <b><u>R-70-2020</u></b> Berkshire Village, Block 15A |
| <b><u>R-66-2020</u></b> Riverhaven Phase 3A         | <b><u>R-71-2020</u></b> Berkshire Village, Block 15B |

Board Appointments: Reappointment of Bill Strydesky, Brenda Long, Joel Carter, Sam Dusenbury, and Gerry Wallace to the Board of Architectural Review; appointment of Ronald Heidebrink to the Board of Construction Adjustments & Appeals (Mr. Hardee)

## PRESENTATIONS / RESOLUTIONS:

**Presentation - Hydroelectric Dam System on the Pee Dee River Basin.** Ms. Mindy Taylor stated that she handled government community relations for Duke Energy for this region of South Carolina. She had two colleagues with her that evening, Ms. Tami Styer and Mr. Jeff Lineberger.

Mr. Lineberger, director of water strategy and hydro licensing for Duke Energy, presented a PowerPoint presentation on the hydroelectric dam system on the Pee Dee River basin. He would be talking about storms, reservoirs and hydropower assets in North Carolina, the February and May storms, what Duke Energy's storm response looked like with their two hydropower reservoirs on the Yadkin Pee Dee, messages and conclusions from Duke Energy's perspective, and communications resources. The slides showed how the water was collected and handled as it was released from the dams. When you looked at some of the volumes of the storms that they saw in this big river basin and the usable storage that they had, the hydropower reservoirs, Duke plus Cube Hydro, were just not big enough to provide any kind of real flood control for these kinds of storm flows. Trying to manage storms as big as they had had in February and May with usable storage that relatively small was about like trying to regulate the flow out of the swimming pool that you were trying to drain with a five gallon bucket. A five gallon bucket fills up really, really fast and it doesn't do a whole lot for you. They were managing these flood flows but they were not flood control reservoirs, except for the Army Corps of Engineers reservoir upstream. Every time they have one of these big storms it was an absolute communications event 24 hours a day for the duration of the event. They know there were impacts of these high rain fall events not only on the lakes but downstream and in some cases many miles downstream. They try to communicate with everyone that really need to know and give them tools that they could find out what they were doing, particularly with the emergency directors in each county. Most of the rainfall from both of these events fell in areas below the hydro reservoirs. In other words, most of the rain did not get managed by Duke or Cube Hydro because it would not be managed by them. The 30% peak flow reduction that he talked about was good at having an impact but flows were still really high. Depending on the storm it takes 7 – 14 days for the full impacts of those storm events to actually move down to our area. After they have units back they would have a little bit better ability to shave some of that peak at Bullet Falls, but it would not be a game changer. The downstream flooding from all these reservoirs... They coordinated with Cube Hydro when it was going on and they were absolutely concerned. They have a built in company incentive to minimize their flood releases out of their hydro projects because as he told them Bullet Falls flooded out and it could flood out again. It was very expensive and it took a long time to recover a plant when it flooded out like that so they were absolutely watching their flow releases. It was not a matter of releasing it as fast as they could. It was a matter of releasing it as safe as they could. They had a lot of information on their Duke Energy website about lake levels and they could follow what was going on with them. They put special messages out on where they think a lake may be going during the middle of an event and particularly after it stops raining. They had a toll free phone in that where they could call for the same information. They also had developed a mobile phone app, Duke Energy Lake View, that could be downloaded for free. It would provide either a push notification or would send a text message whenever they change their special message relative to a lake of interest to them. They could sign up for whichever lake they were interested in. Considering where they were located here, perhaps the best quick communications tool was USGS alerts. The US Geological Survey had stream flow gages. The gage at Rockingham was really important and was downstream from Bullet Falls. They could set it up to give them an alert whenever flow at that gage gets above a certain level. They had a high water call tree and required them to notify the Horry County emergency management when they get at least a foot of water over Bullet Fall's dam. They would definitely be in a high water event then.

Mr. Servant said they currently had two crises in Horry County, the Covid-19 crisis and a flooding crisis. Year after year they had people losing their homes because of flooding. What brought this discussion up at one of their retreats and committee meetings was the fact that they had these historic events in Horry County and didn't have flooding immediately. The flooding came a week to three weeks afterwards. The

water was not coming out of the sky but was coming from somewhere. It was coming from the river systems up north. He referred back to a slide with the number of square feet coming out of the dam. If you look at the lowest dam system on the map, the Blewett Falls dam system, there was 149,000 cubic feet per second overflowing that dam at the peak amount in February 2020. To put that in context that was roughly 350 dump trucks of water every second. How long did that go on for?

Mr. Lineberger said that peak discharge was not for very long but high flows above 100,000 went on for a good while. That was because of all the water coming down that river to us.

Mr. Servant said at that time there was no way to adjust the levels of the lake in preparation for a storm, correct? At this dam.

Mr. Lineberger said there was no way at Blewett Falls. Once they had the hydro turbines back they would have some ability to start as they call it making a hole. The difficult thing was making a hole that was big enough.

Mr. Servant verified that the hydro turbines were down for these two storms.

Mr. Lineberger said yes, they were.

Mr. Servant said preventing even more water from being discharged prior to the storm coming.

Mr. Lineberger said yes, that was right.

Mr. Servant said increasing our flooding problems and concerns here locally.

Mr. Lineberger said the problem that they had was when they had these storms all that water was coming here. The only question was the timing of when it gets here. That was the only question because the amount of usable storage that was in those two reservoirs was so small compared to the amount of water that was coming to them. All that water less that little bit of storage was coming here.

Mr. Servant asked how many cubic feet was in the dam of water capacity total.

Mr. Lineberger said the total gross storage, the total storage of the lake, he was not sure what that total number was. It was obviously bigger. In all these lakes, as you start drawing the lake down the surface area gets smaller. The amount of extra storage you have gets smaller the deeper you go into the lake. It was kind of like an upside down pyramid shape.

Mr. Servant said from the residents perspective of Horry County any little bit of water that they could get sooner rather than later all at once was a big factor. Because they had people's houses that were flooding out by six inches. His question was they had Duke Energy which was a big powerful company. They knew they had a lot of money and you look at the Blewett Falls Dam and they know it was over 100 years old. Why had they not invested any money to be able to adjust the levels of that lake knowing that if the dam reservoirs or the hydroelectric plant does go down, the capacity to be able to draw that lake down even more decreases. Why had Duke Energy not stepped up to up fit that dam to be able to adjust the levels of that lake in preparation for the plant flooding out?

Mr. Lineberger said he was glad he brought that up because they were investing money in that. That dam has... The way it was designed it had concrete that obviously provides the structural strength for the dam but then the top four feet were wooden flash boards. The way those flash boards work was as water comes up on and starts to overtop them, some of the vertical supports break and it acts like a single use gate. In other words, the wood falls down into the river and then extra flow was provided. That was a protective

measure for that dam. It was extremely difficult to then go back on the front side of that dam and get the lake down far enough that you can safely replace those flashboards. It takes a long period of time and the lake has to be drawn down when they were doing that. What they were doing was instead of continuing to have to use those wood flashboards, they were going to replace them with something called an obermeyer gate which had an inflatable bladder behind a steel curtain. It will have different sections so that they could actually let air out of those individual sections and lower that steel curtain in sections across that way so that they could better manage some of these flood flows. Will it turn this project into a flood control reservoir? No, it won't, but it would give them greater ability to provide some flow releases sooner in these events that were controlled flow releases rather than just once the flash boards fail, they fail. That was a multi-million dollar effort and the construction was about to get started soon. Probably by 2022 they would have those obermeyer gates in place instead of the wood flashboards. They were making investments in these facilities but they were not going to be able to... Simply because of the size of the reservoir this thing could not be a flood control reservoir and still be a hydropower project. They couldn't do both because it was not designed for both.

Mr. Servant said he appreciated them making that investment. Unfortunately it sounded like it was about three or four years too late because they really could have used the help about 24 months ago.

Mr. Linberger said he understood. There would be more opportunities. The good Lord would provide more opportunities for them to manage flow there and he believed they would see future storm events where they had more tools than what they had for these two. It was unfortunate that they didn't have them for these two.

Mr. Servant said it was a tough sell to the residents that had homes flooded out.

Mr. Linberger said he understood.

Mr. Bellamy said he had Council District #7 and they had the four rivers that flow into his district. His question was how to minimize the downstream flooding. He understood that there were several other companies, corporations on the hydro dam. Was that correct?

Mr. Lineberger said there were two.

Mr. Bellamy asked what they were doing for their modifications to control the water flow into his two dams into South Carolina.

Mr. Lineberger said to his knowledge they were not making modifications at their facilities, but they did have flood gates on a couple of those and the one that was nearest to them was the Falls Dam. It really was like another set of units for the one that was immediately upstream which was the Nares Dam. They coordinated with them. When they saw these storms coming they were having regular phone calls with Cube Hydro and they communicated back and forth on their operational plans. They each make their own decisions but that information sharing shapes those decisions. When they get into the actual storm event itself and they start seeing the lake levels come up, one thing that they were always really intent on was knowing when they were going to start opening gates. Because it does not take long once they start opening gates at the Narrows Reservoir at Baden Lake for that water to start showing up at the dam at Lake Tillery. Once they had opened their gates, just about 100% of the time they very shortly after that having to open gates.

Mr. Bellamy said based on his expertise and lessons learned through years of experience and working in his capacity, what would be his recommendation to control downstream flooding?

Mr. Lineberger said this was not what he wanted to hear but he was not sure there was a way to control flooding down here in this river system. Some of them may have been on Council back in 2009 but he believed Council asked the Army Corps of Engineers to do a flood management study of how to get some of the Waccamaw River water away from here before it did damage. They looked at a number of options and one of those was building a canal that he thought would be about six miles long to bypass some of that higher end flood flow from the Waccamaw and get it to the ocean faster. He had just read the executive summary basically of that study because he got really curious about that very question. What were the options for flood control down here? The Army Corps of Engineers was in that business and their determination from that 2009 study was that that canal could not be economically justified. They basically, from his read, set aside the environmental considerations largely and just looked at the economics. Just from straight economics it couldn't be justified. Maybe things had changed. That was eleven years ago. Maybe there were some things that were different now that would make a revelation of that kind of flood study better. He always liked to come to things like this with a good idea that somebody had not thought of or looked at already. He racked his brain over this one. There was not a good solution that he saw. All of those seven river sub-basins come together basically in a fan. What all that does was it provides a funnel on top of a big sponge. He referred to a slide and referred to an area that he stated acted like a sponge that sucks up a lot of that water. There were all kinds of interconnecting capillaries there and as they knew it takes a long time to drain that water out when you get into years like they had had for the last two, 2018 and 2019, two of the wettest years in his memory. So far the first half of this year for their Duke Energy rain gage network was shaping up to be the wettest year since 1971 since they had had a rain gage network. So they were in a period of really repeated rain. Event after event. It didn't give that big sponge any time to dry out.

Mr. Bellamy asked him to his knowledge had there been a study conducted by the North Carolina Army Corps of Engineers out of the district office in Wilmington, NC from High Rock Lake to Bullet Falls into South Carolina. You also had the South Carolina Army Corps of Engineers out of Charleston, SC district. Had there been a joint study by North Carolina and South Carolina in regards to flood management flow from North Carolina.

Mr. Lineberger said he was not aware of a joint study. The study that he was referring to from 2009 he thought was done out of the Charleston district by itself. He didn't think that involved Wilmington, NC.

Mr. Bellamy said but not for North Carolina.

Mr. Lineberger said right.

Mr. Bellamy said so there was not a study.

Mr. Lineberger said right. That study was looking at the canal that he was talking about earlier. He was not aware of a joint study. There may have been one but he was not aware of one.

Mr. Bellamy asked wouldn't he think it would be a recommendation to have a study from North Carolina from High Rock Lake to the border of South Carolina.

Mr. Lineberger said when people are suffering he always believed there was opportunity for putting minds together to try and find out a good solution.

Mr. Bellamy asked if that would be one of his recommendations.

Mr. Lineberger said he believed it would be worthwhile to have the discussion with the two Army Corps of Engineers offices. They were the professionals in this and he was a hydropower professional. He

understood flood control but that was not his principal focus as a licensed engineer. They had people that focused on that. Their whole career was built around flood control.

Mr. Howard said all his questions were pretty well brought up and he had tried to answer them the best way he could. They did have a problem. In the next 50 years it was going to be a major problem. Studies, no studies. They all needed to get together and they needed to go to the federal government and get the funds to do whatever they needed to do. This was not going to go away when the sun comes out. They had to fix it and just like they dug the waterway they needed to dig something to get that water diverted from Horry County. It was just as much his problem as it was their problem as it was all the way up as far as you could go. They needed to get together and make this happen. Stop talking about it and let's get it fixed. It would take 30 years to fix it and billions of dollars so they needed to start. If he was a great leader in the industry with dams and water he would be a good chairman of that committee and he guaranteed him they would make some progress. He told him that he wanted his card before he left. They needed to fix it.

Mr. DiSabato said if he was correct in understanding the presentation there was no means by which to control the flow of water below the South Carolina border. Was that correct?

Mr. Lineberger said there was no means to stop flood flows in that river below the South Carolina border.

Mr. DiSabato said he thought he said 60% of the rainfall came below the Blewett Falls Dam.

Mr. Lineberger said yes. For the May event 61% did.

Mr. DiSabato asked if that meant that 40% of that water would be coming from up river into our river basin.

Mr. Lineberger said yes.

Mr. DiSabato said he had said that the Blewett Falls project cannot be both an electricity provider and a reservoir. It can't be both but could it be a reservoir?

Mr. Lineberger asked if by reservoir he meant a flood control reservoir.

Mr. DiSabato said yes.

Mr. Lineberger said he doubted it because of the size and the fact that a lot of its storage capacity below that normal operating range had silted in over the last 110 years.

Mr. DiSabato asked if it would need to be dredged.

Mr. Lineberger said yes.

Mr. DiSabato said the Army Corps of Engineers controls that large reservoir upstream. Was that correct?

Mr. Lineberger said the one at Carscott all the way up into the mountains, yes.

Mr. DiSabato asked would they be able to help them find a resolution to create some type of flow control means here for our river basins. Was that what he was telling him? Did they need to look at a reservoir of some sort instead of a drainage canal? He was just trying to figure it out. If the water was dumping into our system, and if there was nothing he was telling them he could do to help prevent that then they needed to figure out what needed to be done to prevent that because our citizens were suffering as a result.

Mr. Lineberger said sure. The reservoirs were a theoretical option. Canals were a theoretical option. He mentioned Carscott. That was managed by the Wilmington district of the Army Corps of Engineers so having the Wilmington district and the Charleston district talk about what kind of new evaluation and what options they consider would be an appropriate next step he thought. One other thing that he hadn't mentioned and probably should have was in South Carolina there was a river basin planning process that was just getting underway. It was coordinated by South Carolina DNR. The purpose was to wind up with, in each of the states eight major river basins, a long term water resource plan. Their primary focus initially was going to be on water supply, drinking water, but it would have all the same stakeholders in it. All the same federal agencies invited to participate. The first river basin to go through the process was going to be the Edisto. It had been funded and the Edisto stakeholder team had been established. Because of Covid-19 they had had one meeting so far that was a virtual meeting which was hard to get the team dynamics going that way. They were going to move ahead and do a water resources plan. The next basin was this one. It had already been identified as next. DNR already had a dollar amount that they need to get that stakeholder team in place and get it going. On the North Carolina side there was a group called the Yadkin Pee Dee Water Management Group. It was doing basically the same plan for the North Carolina part of the basin. Those two need to mesh and make sense at the state line. One thing that could be very helpful here was to get that Pee Dee stakeholder team established and get it started on the river basin plan for the South Carolina part of this river basin. DNR needed money to do that. They needed legislative approval to do that. He was making a strong case for that because he sits on the planning process advisory committee that came up with the framework to do all these things.

Mr. DiSabato asked if that was appointed by state legislature.

Mr. Lineberger said they needed money to do it.

Mr. DiSabato asked if it was appointed by the delegation or state delegation.

Mr. Lineberger said it was an application process. There was eight or nine different categories of stakeholders. You fill out an application and it gets evaluated by that planning process advisory committee. DNR makes the final decision, but recommendations from the delegation would certainly go a long way. They had to have some money. They can't do that with no money because it takes a model. It takes facilitation. It takes technical study. Once you have that in place you have that regular communications platform of the right people that can solve some of these issues.

Mr. DiSabato asked how the Edisto was funded.

Mr. Lineberger said it was funded by the legislature. They agreed to provide \$1.3 million to complete that plan and the one condition was Edisto had to be first. That was because of the sponsor of the bill. Edisto was first but this basin had already been talked about as it needed to be second, but you needed movement by the legislature to do it.

Mr. Allen said there had been a lot of good points and answers. He wished they had a clear map because he would like to be able to show the people at home that most of the flooding and damage of homes and others had occurred had been along the Waccamaw River. If they would look at the map, if they had a clearer one, the rivers that he had been referring to with the dam systems do not contribute to the Waccamaw River. Correct?

Mr. Lineberger said the water that flowed through those dams that he had been talking about did not flow into the Waccamaw River.

Mr. Allen repeated did not flow into the Waccamw River. That was extremely important for the citizens to understand because that was where most of the housing and most of the flood damage was occurring. The

Yadkin and the Pee Dee and the Lumber Rivers don't actually touch the Waccamaw until all the way down on the north end of Winyah Bay probably 40 miles south of Horry County. That was something that they needed to understand. Where we were having major flooding issues along the Waccamaw, Duke Power and their system did not even contribute to the Waccamaw River. It started at the headwaters at Lake Waccamaw just across the state line in North Carolina. They needed to understand that and also they needed to understand the slope within the county. Every slope in the eastern part of Horry County was actually less than .5% over an average of 8 – 20 miles. It was flat land and we live in the low country. There was not going to be a whole lot that could be done with the exception of the possibility of clearing flow debris out of the Waccamaw and the possibility of building some sort of diversion canal because all of that land is flat in Eastern Horry County. We had bad issues here but the Waccamaw was not directly contributed by the Yadkin or the Lumber River system where Duke Power has its dams at. It comes from the headwaters of Lake Waccamaw which was about 30 miles north of the state line and it comes down through eastern Horry County. No dams or anything. There were just swamps there, but yes we have flooding issues that will have to be addressed. They didn't need to place responsibility where it doesn't deserve to go. He encouraged them to get them a map and look at the Waccamaw River and where it starts at and how it comes through Horry County. It goes all the way down to the north end of Winyah Bay but the systems that they had been speaking about that night, the only area of flooding that it may contribute to in Horry County was along the Pee Dee from Nichols all the way down to Georgetown County in the far western part of the county.

Mr. Loftus said as the water comes down the Pee Dee or Little Pee Dee and getting out of Winyah Bay, according to the map that they had just presented, it showed the water backing up the Waccamaw. The water in the Waccamaw can't get out and starts building up because of the flow on the Pee Dee and the Little Pee Dee. Was he correct?

Mr. Lineberger said that was the backwater effect that they had when you had a larger tributary and a small one come together. The larger tributary will cause the flow to stop and in some cases reverse in the smaller tributary.

Mr. Loftus said both coming down from Winston Salem and so forth ends up there and backs up the Waccamaw and we have flooding.

Mr. Lineberger said that was correct. It was not the water that went through their dams that was flooding in the Waccamaw. It was the Waccamaw's water and that was the point Mr. Allen was making.

Mr. Servant said the water was going somewhere, and it was coming to our coast. It was not flowing uphill. There was no mistake about it and he didn't want anybody to be confused about it by some of the comments that were just made. The majority of our major flooding was happening a week plus after these rain events. So where was the water coming from Mr. Allen. It was coming out of the sky and landing on our ground.

Mr. Allen said sure it was because if he would look at the thunderstorm that they had just the day before. It was probably one of the most severe storms that they had had in a long time. It dumped a lot of water in this county. He saw it that morning while flying. The Red Bluff area was flooded everywhere. Yards. Everything. So it was not always coming from up north. We get the rain. We have flat land and it can't drain fast enough. Water will level itself but it could not level itself against king tides, etc., but if it can get to Winyah Bay, they had a big sponge down there. There were a lot of places for the water to go. An example was back in Florence when the DOT built the road dam across Hwy 17 at Georgetown. It never flooded across Hwy 17. Why? Because they have a lot more sponge area down there than we do here.

Mr. Worley referred to a study that Mr. Lineberger mentioned regarding the diversion channel at the state line, and asked in his professional opinion in reviewing that study, did he find that to be flawed.

Mr. Lineberger said he didn't find it to be flawed. He found it to be very challenging. Again, he just read the executive summary which was 10 – 12 pages long, but it basically set aside... It recognized there were lots of environmental considerations but it basically set those to the side. Having done hydropower relicensing and new licensing for a long time, the devil winds up being in those details, in the environmental analysis. They may have gone into more depth than they included in that executive summary but that was where a lot of times things that feel like good economic ideas wind up having impassable barriers. A lot of things have changed probably in that 11 years' time and there had been additional development so some of the impacts that got weighed against the cost were a lot higher than they would have been in 2009. There may be some environmental issues that were not considered either well enough or new environmental issues. Maybe there was a new endangered species in the impact area but those were the kinds of things that the Army Corps was set up to do for this country. Part of their mission was flood control and helping communities manage through some of these natural events that have such a devastating impact.

Mr. Worley asked in his opinion, Chairman Gardner had formed a flood committee to look at solutions, how would he go about moving that forward. He thought that most of Council believed that the conversion channel... They could think small. They could snag and drag the Waccamaw. At the end of the day they were going to send that water down here. There was nothing he could do about it. He had just told them that. So they had to figure out a way to try to get some of that water out of New Hanover County, Columbus County, Brunswick County, and he could go on up into Bladen County because it really starts up there. He understood that they were wanting to get the Pee Dee involved in this Waccamaw study that they were trying to get grant money to take a look at the engineering side of it. Did he see anything in the Waccamaw Basin, any way to get that water out because it was obvious as Mr. Loftus said the water was backing up? It was backing up all the way to Myrtle Beach and North Myrtle Beach up the waterway.

Mr. Linberger said he thought the approach that, and this was hard to do sometimes, but the approach that they had to take was one where they were looking not only at trying to reduce the amount of flood flow but you were also looking at making policy changes or structural changes that would minimize the impact going forward. Frankly, some of those deal with how development occurs and where it occurs. They were probably already dealing with a lot of those issues, but the interest was to have people in the set of rivers coexist in a less conflicting environment. That was the interest. There was a whole potential bunch of solutions. He would encourage them to take a fresh look and to not try as best as humanly possible... Don't go in with preconceived notions about what will and won't work. Start big and narrow it down to things that they could get a coalition of people behind to support. That way they would probably have a better chance of making real progress rather than feeling like they were beating their head against the table. It was a general suggestion but that would be his suggestion. A clean, fresh, look.

Mr. Worley asked how you would go about... Who would you bring on board in the beginning as they form this committee? They had formed a committee and the virus had kind of shut them down but who would he recommend professionally like him, an engineer?

Mr. Lineberger said he probably would have to stop short of recommending an individual. There were areas in the country that were doing some amazing things with managing flood flows. The Houston area was one place to go look and start asking people. New Orleans was another place to go look. A common denominator that was working with people in both those places was the Army Corps. The Army Corps, if they were going to look at physical changes that would impact flood control, they had to talk to the Army Corps. Whether they go off and do an independent study or they get somebody to do one that was then presented to the Army Corps. Maybe the bigger decision on which path was more likely to produce a positive result, but the Army Corps had to be involved in this because any physical change to rerouting of streams, diversion canals, reservoirs, all of those the Army Corps has a very strong say in that.

Mr. Worley said he absolutely agreed with that, but one of the things that they knew from past studies, experiences, and guys that had worked on this with one being Mr. C. B. Berry, a local historian land surveyor. The idea of this diversion channel was actually his idea that he worked on years and years ago. He calculated that there was 17 feet of fall from Caucau down to Mullet Creek so they felt like if they could come up with some ideas, get the Army Corps involved, and come up with some ideas they have a spillway there and not just a ditch where there is water all the time but they were thinking of something that was just grass most of the time. A recreation area really. The only time it would have water on it was when there was a flood and that would keep some of that water from going down, backing up, and flooding those people.

Chairman Gardner thanked Mr. Lineberger, Ms. Taylor, and Ms. Styer for coming to the meeting. They appreciated the update. Things had changed dramatically in the county since the old study by the Army Corps was done and he thought the economics would justify some further work on that. Mr. Worley was working really hard with everyone trying to get that done.

**Update on Hurricane Evacuation Shelters.** Mr. Webster wanted to make sure they were aware of their situation that they were in because of Covid-19 and how they had to manage and run a shelter during hurricanes. It was dramatically different this year because of Covid-19 as well as any pandemic so they had to come up with a pandemic sheltering plan for hurricanes. They had done a partnership with the school district, South Carolina Emergency Management Division, Red Cross, DSS, DHEC, Coast RTA, and a few other contractors from the state level to come up with a plan. This all had to start around March when Covid-19 kicked in and they were facing hurricane season within a few months.

The Red Cross was the organization that manages and operates hurricane evacuation shelters. They identify the shelters in a partnership with the school district to use the schools to do that. They followed the Red Cross doctrine for Covid-19 and the biggest change in that document was that typically an evacuee going to a hurricane shelter had about 20 square feet allotted so it gives you a capacity of whatever amount for that school that you can use. It varies by school because of the makeup of the school. In a pandemic that 20 square feet now had gone to 60 square feet to allow for social distancing in those shelters so that immediately decreased their total capacity by two-thirds. To address that problem they worked with the school district to add three additional shelters if they needed to try to make up the difference for their capacity. That was one piece of it. The other part was in that doctrine they had taken lessons learned from other events this spring and tried to figure best practices and how to manage sheltering in a pandemic environment or a Covid-19 environment. There was a process that they had taken in place to adjust that square footage, provide screening of anybody that walks in the door and provide PPE for them to be in that shelter. If someone comes in symptomatic they were actually quarantined in another area. DHEC gets involved and works with that issue but they were trying to figure out what was the best way to overcome this capacity problem if they need to but part of their doctrine was also to use the shelters as a true last resort. True last resort means if you can shelter in another area with friends, family, another place... They were talking about people that were in the mandatory evacuation zones A, B, or C. Those were the folks that if the governor orders it they had to leave. If there was a place that you could go, that was the recommended process now. They would provide the sheltering for those that do not have a place to go. Once again you were walking into a very unsterile environment so to speak and they were trying to make sure that was as safe as possible. Last year they had to make a change from where they could only operate the shelters in a Category 1 storm because of wind loads on the schools that they were using. Now, as of last year, with Category 2 and higher storms no shelters are open but they will provide a means by transportation through Coast RTA to get people to a transfer station which would be Ocean Bay Middle School. Then from there, with the state's help and it was actually using the state's plan, people will be put on motor coaches or some form of mass transportation. Once again Covid-19 comes into play. A typical motor coach may hold 45 – 60 people and this environment will hold two-thirds less in trying to keep that social distancing. They were faced with some huge challenges this year. The decision for the state to activate their transportation contract, in other words, get the motor coaches in place, had to be done about

4 days in advance of the evacuation because those buses were coming from all over the place. They bring them into Orangeburg and from there they are sent to whatever county needs them. In our case they would send a group here and stage here in Horry County. Then when the order is given for the evacuation to take place, they would have the pickup points along the coast as they always had. Coast RTA would take them to that transfer station. Once you get to that transfer station the next step is getting on a motor coach and leaving Horry County. The next question is where they are going. To be honest with them and the way it was currently working Red Cross manages all that and they won't have a place identified until they actually have that storm. So it could be anywhere else outside of Horry County. Once the storm is finished and it is safe to do so, they will be brought back in the reverse process.

He wanted them to understand two things. Covid-19 was creating a huge problem for everybody in trying to give them proper sheltering if they don't have a place to stay during a hurricane. Two, they would have to make decisions earlier in order to get everything running and in place to get it here on time to get people out of here before the storm ever reaches us. The biggest piece that he wanted everybody to understand was if you get on the bus and it is a Category 2 or higher storm, you are leaving Horry County. There were no other shelters that would be available so now was the time to start figuring out what to do, but they would have a means to help people if they need it but they won't be staying in Horry County when this happens. He wanted to share it with them that night because they were going to start putting that out for everybody to understand. They had the plan in place. It had taken a lot of work with a lot of agencies since March to put this together. It was coordinated state wide. It was coordinated between the county, emergency management in Columbia, and when the EOCs activate all of that starts flowing and coming together. At that point in time they would definitely push information hard for everyone to understand what to do but he wanted to give them as much heads up as they could now so people could start making decisions on how best to shelter this year. If they don't have a pandemic it was the way it was before. In a pandemic environment it was just totally different and he wanted to share that with them to understand that they would be pushing that information out as quick and hard as possible.

#### **READING OF ORDINANCES:**

Third Reading and Public Hearing – **Ordinance 28-2020** to approve the request of G3 Engineering, agent for Aldi NC, LLC, to amend the official zoning maps. **Mr. Loftus moved to approve, seconded by Mr. Howard. There was no public input. The motion was unanimously passed.**

Second Reading – **Ordinance 45-2020** to amend the Zoning Ordinance to establish the Mining Floating Zone and standards thereof. Chairman Gardner stated that this came from I&R and the objective was to pass this second reading with the understanding that this would be referred to a workshop between the second and third reading if Council voted on it that night. That was the understanding and he had read the ordinance into record. **Mr. DiSabato moved to refer it back to the I&R committee for the workshop prior to second reading, seconded by Mr. Howard.** Chairman Gardner stated he had to get it on the table before they could start amending things. If it was going to be addressed and it was on the agenda, and they wanted to address it, the proper motion would be the standard motion that they normally do and if they could get a second then they could have discussion about it. If somebody wanted to make a motion to amend... **Mr. Worley seconded.** Chairman Gardner stated they had a proper motion and a second for this ordinance as written and the next thing that he was going to ask for there was a... I & R had sent up an amendment and he was going to see if somebody wanted to move to have that amendment passed. That was in the materials.

**Mr. Vaught so moved.**

**Mr. DiSabato said he reaffirmed his motion to refer this back to committee for workshop prior to second reading, seconded by Mr. Howard.**

Chairman Gardner said instead of the motion that they were anticipating, they had a motion to defer to a workshop and they had a second. His understanding was to preserve a pending ordinance and it move forward this was the way this needed to be done. It was worked through I&R committee and it was forwarded for these purposes. That was part of his discussion and he asked if anybody else wanted to be heard on this.

Mr. DiSabato asked Mr. Carotti if referring this back to committee prior to reading of second ordinance hurt the pending ordinance doctrine in any way.

Mr. Carotti said the legal department had researched that matter thoroughly. Mr. David Jordan was prepared to give that opinion.

Mr. Jordan said currently on the agenda that night as well they had two rezonings that were anticipating rezoning to this new floating district for mining. Mines could slip through the cracks if they delay on this. If they did slip through the cracks that would mean no Council review and no public comment on that. So yes it could.

Mr. Vaught asked but not if they passed second reading on it, right.

Mr. Jordan said yes. He was correct.

Mr. DiSabato said he didn't have any further questions.

Chairman Gardner said this was worked through the I&R committee. It was a lengthy discussion. There was legal research done on it. For the purposes of pending ordinance it was briefed that this was the way to do it. Currently they had a motion with a second and they were in discussion to send this back prior to having second reading. He would put that to a vote if there was no further discussion. He voted no. **A vote was held to refer it back to the I&R committee.**

<u>Yea</u>	<u>Nay</u>
DiSabato	Servant
Howard	Gardner
Worley	Allen
	Hardee
	Prince
	Vaught
	Bellamy

**The motion failed seven to three.**

Chairman Gardner stated that Mr. Vaught had tried to make another motion to amend it as reflected in materials and asked Mr. Vaught if that was correct.

**Mr. Vaught said yes. Mr. Prince seconded.**

**There was no discussion and a vote was held.**

<u>Yea</u>		<u>Nay</u>
Loftus	Vaught	Servant
DiSabato	Bellamy	Howard
Gardner	Hardee	Worley
Allen	Prince	

**The motion to amend as reflected in materials passed eight to three.**

There was an interruption in the audio.

Mr. Schwerd said (inaudible) which was to make it clear that the spacing recommendation of 500 feet does not apply if it was a residential homeowner. The second amendment was to eliminate the term farm ponds and make it all ponds 5 acres and less. You do not have to have a farm number anymore. So those property owners that have large properties that do not have a farm number for whatever reason if they were farming timber or raising horses, now in those zoning districts, FA, CFA, LFA, the same districts they could currently mine in, they no longer have to have a farm number so it was just a pond 5 acres and less. The third amendment was to exempt Horry County infrastructure projects and make them have the same exemption that was currently allowed for SCDOT projects. Those were the three changes between first reading and the second reading amendment version.

Chairman Gardner said they had voted on that. It passed and was going back to a workshop anyway. It may completely change again.

There was a discussion on what they had passed. Chairman Gardner said back to the main amendment. The main motion as amended with an understanding that it would be referred back to a workshop. He thought they had a motion and a second on that. **A vote was held.**

<u>Yea</u>	<u>Nay</u>
Servant	
Loftus	
DiSabato	
Howard	
Worley	
Gardner	
Allen	
Hardee	
Prince	
Vaught	
Bellamy	

**The motion passed eleven to zero.**

Second Reading and Public Hearing on the following Ordinances to approve the request to amend the official zoning maps:

Chairman Gardner stated they had five ordinances for second reading. Only one had public input and that was Ord. 58-2020. He asked if there was anyone present that wanted to have public hearing on any of the five below ordinances. There was none. **Public hearing was closed on Ordinances 56-2020, 57-2020, 59-2020, and 60-2020. Mr. Howard moved to approve Ordinances 56-2020, 57-2020, 59-2020, and 60-2020, seconded by Mr. Vaught. The motion was passed with Mr. Worley voting nay on Ordinances 56-2020, 57-2020, 59-2020, and 60-2020.**

**Ord 56-2020** Robert Guyton, agent for International Drive Development Co., LLC.

**Ord 57-2020** Beach Flowers Inc

**Ord 58-2020** Darrell & Sandra Avery

**Ord 59-2020** DDC Engineers, agent for D.J. Caravan

**Ord 60-2020** Colby Jenerette, agent for Beth Clarke

**Mr. Vaught moved to approve Ord. 58-2020, seconded by Mr. Howard.**

Mr. Donnie Alston called in for public hearing. Mr. Ashley Webb, IT Department, stated that there was no audio coming from Mr. Alston's line.

Chairman Gardner said since they couldn't get Mr. Alston on the phone they would go out of order and move on.

#### **OLD / NEW BUSINESS:**

**Firearms Discharge Discussion.** Mr. Loftus said for the last year, that he was aware of and he thought it had been going on longer, there was one subdivision that borders on what is a shooting range. The range had a six foot berm that was supposed to stop the bullets but evidently there was some poor aims and the bullets go over the berms into people's houses, sidings, and windows. There had been several cases where they came very close to hitting people. They had been asked to turn 90 degrees and fire into a swamp but they didn't seem to be able to do that. So what he would like to do was and ... He didn't like getting into ordinances to handle one single situation but he understood that Mr. DiSabato had a similar case and Mr. Worley had too. He thought that some things needed to be taken seriously before they got somebody seriously injured. So he would like to either have a workshop or put this on public safety's next committee meeting to discuss and bring up an ordinance where they could get some teeth in it. The police had been out and they couldn't do anything for whatever reason. They had talked to the individual who owns the course and nobody had done anything. They had talked to the owner of the property and one day he is in agreement and then the next he is back doing what he had been doing. So the people were frustrated and some were very scared. They wouldn't let their kids go out into the yard. How would you like to have a home where your kid couldn't play in the yard because there was gunfire behind the house? He would like to either get this on a workshop or on the next public safety committee meeting for a serious discussion. He understood that there were several ways to go about this and he wasn't sure what they were.

Mr. Carotti said they had a variety of different options for Council that they were prepared to present in the fall of last year and were still prepared to do that in terms of designating certain areas as discharge free zones or prohibited zones at the suggestion of Mr. DiSabato and one or two other Council Members to establish zones. They tried to target since 2011, 2012 the most densely populated areas of the county but it didn't appear that one size fit all so they had now looked at urbanized areas and designated certain zones as the most densely populated areas of the county and attacking it in that fashion. They had those various options that they could present to Council to sort through.

Mr. Loftus said he was not taking away anybody's Second Amendment rights. Not by any stretch, but along with that comes a certain amount of responsibility. These people were just not exercising any responsibility or any intelligence at all. They feel they can do it because they can shoot guns. The sooner the better would be appreciated.

Mr. Allen asked Deputy Chief Winburn up and said he may have some new or pertinent information pertaining to this particular situation because it was serious. Yes, they needed to do something about it but hopefully he had some more news to share.

Deputy Winburn said that he had spoken with the property owner that day that owned this particular piece of property where this range was. He had assured them that this week he would change the orientation of where this range was to where if somebody overshoots that berm it would go into the swamp area. There is such a swamp in that direction if he will merely change the way people shoot into that berm. The berm is about 6 feet high so somebody who can shoot a weapon should be able to hit a 6 foot high mound of dirt, but apparently there were some people that were not that good a shot. The way it was oriented currently it was a safe orientation until the development took place behind it. This particular range had been there for 20 – 30 years with no houses behind it. The way it was oriented now, it's now developed. There was a community behind it but if he will orient the way he promised them he would do, it will take care of the problem in this particular situation.

Mr. Vaught asked if they could have somebody out there checking to make sure that he follows up on that.

Deputy Winburn said they would follow up with him that week. The property owner along with members of his business and family use this particular range whenever. They had also allowed a lot of other people over the years to shoot. He had agreed to allow them to put no trespassing signs there and enforce them on anybody who was not in his immediate family or works for his business. They would have those up that week as well.

Mr. Worley asked what about sound. The bullet may be going the other way but if the people in the development hear a gun pop, how do they know where that bullet was going. He said the mound was only 6 feet high. He was six feet and it might knock him in the head. They needed to do something. Did someone need to die before they did anything? He didn't think so. They were going to get something done this time.

Mr. DiSabato said it sounded like this only solved this particular issue and didn't address the overarching concern of some of the other areas in the county that were suffering from this problem. He understood there was not a one size fits all resolution to this thing so he would support having a workshop that involves all the stakeholders and their input and trying to find a resolution that appeases the people affected by this negatively and also appeases the people who were staunchly in favor of protecting their Second Amendment rights that he had no interest in trying to trample upon. He thought they needed to do something to try and solve this problem for the residents that they had that were in a danger zone because people don't know how to handle their firearms properly.

Mr. Loftus thanked Deputy Winburn for coming that evening. He knew that he and captain Freer had spent far too much time on this issue. Hadn't he promised to do this before?

Deputy Winburn said he was not aware of any promises that he had made to change the orientation of the berm but he did in fact do that earlier that day.

Mr. Loftus said he had been asked to turn...

Deputy Winburn said there was a large crescent shaped mound of dirt and the bench that they typically shoot off of was oriented back behind that.

Mr. Loftus asked if they had said they were going to change that orientation of the bench before to shoot into the swamp.

Deputy Winburn said he had no knowledge of that if he had.

Mr. Loftus said he thought they had. He was sure he had seen some of the damage in Harmony and there was damage which simply had to stop.

Mr. Vaught said they had started getting emails and calls and getting a lot of concern from out there. He was able to reach out to Deputy Chief Winburn as well as Captain Freer and they both jumped on the job. They went out there and immediately took action. They worked with the guy. They talked with the neighbors and he wanted the people to know that they were not powerless. Their people would respond. All they had to do was let them know when there was a problem. Mr. DiSabato was right. This was taking care of one specific incident and the problem with this whole deal was they had these isolated incidents that happen that make everybody who shoots in the county get covered by the same blanket. That was sad because that was causing hardship on everybody. They didn't like making laws that pick out one group and punish everybody else for that one group breaking the law. That was not the right kind of thing to do. He wanted to thank them for getting out there to make it happen and for letting Council know what was going on.

Mr. Howard asked if someone was somewhere where there was a crowd of people and they shoot into that crowd, they were going to be arrested for attempted murder because they were shooting a gun into a crowd. If you had a shooting range and you know there was house behind it and you shoot that gun and it goes

into that house knowing that the bullet would go into that house, and you don't hit anybody but you can retrieve the bullet. Can you not charge them for attempted murder because they shot the gun towards a crowd of houses?

Deputy Winburn said you would have to be able to show intent and with attempted murder there would have to be some malice in place.

Mr. Prince said you could make a charge of some sort?

Mr. Howard told them they appreciated all the work that they had done and the response they had.

**Mr. Allen moved to send to the public safety committee.**

Mr. DiSabato said he thought a motion to establish a workshop.

Chairman Gardner said they already had a motion to send it to public safety. The problem with a workshop was now they were limited to attendance. They had a motion and a second for public safety.

Mr. Vaught asked if public safety would have the authority or ability to call for a workshop on this.

Chairman Gardner said yes.

Mr. Carotti said under their rules only the chairman had that authority.

Chairman Gardner asked what they needed to do. What did the body want to do? Did the body want to send it back to public safety? It was a public safety issue and see what they could do. Staff had already done all the work. They were ready for the overlay. Or did they want to have a workshop. That was the current discussion before they vote on public safety.

Mr. Howard asked if that was the chairman of public safety or the Council.

Mr. Carotti said under Section 2-21 Subsection B - Briefing and work sessions the chairman may call a briefing, meeting, or work session or any such meeting may be scheduled at a regular Council meeting. That was the local rule by ordinance.

Mr. Allen said they had had these workshops and these committees before and under their rules of Council it does allow a sub-committee chairman to appoint a committee underneath that sub-committee.

Chairman Gardner said he was accused earlier that morning of not fixing this 10 years ago. He wasn't on Council 10 years ago but they did need to do something. Whatever they thought. If they thought public safety was the right answer then let's go ahead and...

Mr. Worley said public safety.

Mr. DiSabato said he didn't see the point of not establishing a workshop for this but that was fine. They could vote and then whatever the will of the Council was would be.

**Chairman Gardner called a vote to defer this back to public safety**

	<u>Yea</u>	<u>Nay</u>
Servant	Hardee	DiSabato
Loftus	Prince	
Howard	Vaught	
Worley	Bellamy	
Gardner	Allen	

**The motion to defer back to public safety passed ten to one.**

Chairman Gardner asked if they had Mr. Donnie Alston on the telephone for Ordinance 58-2020. They did not.

Mr. Gosnell suggested they have public hearing at third reading.

Chairman Gardner said they would refer the public hearing for Ordinance 58-2020 to third reading. Was there any discussion on the second reading and there was none. **The motion was unanimously passed.**

**ANNOUNCEMENTS:** None.

**MEMORIAL DEDICATION:** Ivory Wilson; Doris Baxley; Connie Patterson Crawford; James Prosser; Travis Johnson; John Clardy; George Boyd; Joseph Hardee; Marissa Jacobs; Charlie Benford; and Johnny Morant.

**UPCOMING MEETINGS:** Regular Council meetings –Aug 18 & Sept 1, 6:00 p.m.; I & R Committee – Cancelled; Public Safety Committee – Aug 11, 9:00 a.m.; Transportation/Econ Dev Committee – Aug 11, 2:00 p.m.; and Administration Committee – July 21, 2:00 p.m.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:** With no further business, Mr. Prince moved to adjourn at approximately 7:44 p.m. and it was seconded. The motion was unanimously passed. The meeting was adjourned in memoriam of Ivory Wilson, Doris Baxley, Connie Patterson Crawford, James Prosser, Travis Johnson, John Clardy, George Boyd, Joseph Hardee, Marissa Jacobs, Charlie Benford, and Johnny Morant.

**MINUTES**  
**HORRY COUNTY COUNCIL**  
**EMERGENCY VIRTUAL MEETING**  
**July 31, 2020**  
**3:30 p.m.**

**REMOTE PARTICIPANTS:** Johnny Gardner, Chairman; Gary Loftus; Johnny Vaught; Harold Worley; Al Allen; Tyler Servant; and Paul Prince.

**MEMBERS ABSENT:** Bill Howard; Dennis DiSabato; Cam Crawford; Orton Bellamy; and Danny Hardee.

**OTHER REMOTE PARTICIPANTS:** Pat Hartley; Steve Gosnell; Randy Webster; Arrigo Carotti; Barry Spivey; David Gilreath; David Schwerdt; and Kelly Moore.

In accordance with the FOIA, notices of the meeting were provided to the press stating the time, date, and place of the meeting.

**CALL TO ORDER:** Chairman Gardner called the meeting to order at approximately 3:30 p.m. Chairman Gardner called the roll and it was determined that Council Members Gary Loftus, Johnny Vaught, Harold Worley, Al Allen, Tyler Servant; and Paul Prince along with himself were remotely participating in the meeting.

Chairman Gardner presented and read Ordinance 75-2020, an emergency ordinance declaring that a weather related localized State of Emergency exists within Horry County, and authorizing the appropriate action to be taken in connection therewith. **Mr. Vaught moved to approve, seconded by Mr. Loftus.**

Mr. Webster stated that they had a situation with a hurricane that was approaching the State of South Carolina. The National Hurricane Center had been sending out advisories for the last couple of days. They were currently within the three day error cone for a potential hurricane to at least pass by the coast of South Carolina, Horry County, or potentially with a shift to the west by a few degrees to make an impact directly into Horry County as a landfall. They were being prudent ahead of time to make sure that they had everything in place to respond to this incident should it become more of a hurricane impact than currently forecast. They were putting out the forecasts with a lot of uncertainty. At the latest update it was showing it impacting Horry County with tropical storm force winds of 40 mph somewhere around Monday morning and move quickly through the area. That could all change at the 5:00 p.m. update. The other concerning piece was the track itself. It had been trending to the west and it wouldn't take much for it to make landfall in Horry County so they were getting ready for that. The purpose for going ahead and getting this Declaration of Emergency taken care of... They would have to do protective measures no matter if it stayed offshore or not. Hopefully it would not be a strong storm and he understood they would not have a lot of rain with it. They just needed to make sure they had everything in place so they could take care of it. He didn't know about evacuations yet. That was up to the governor and that had not been decided yet. They had a little more time to make that decision.

Mr. Worley asked when they would see the first bad weather from the storm.

Mr. Webster said based on the forecast that morning it would probably be some time Monday morning. That could change because there was still some uncertainty in the forecast.

Mr. Worley verified that at that time they were not looking at any type of evacuations.

Mr. Webster said no but that was up to the governor. There was still more time for him to decide but they were not recommending any at that time.

Mr. Loftus said it looked like they wouldn't get a lot of rain in North Carolina and hopefully that would mean that Horry County wouldn't get a lot of water the next week from it.

Mr. Webster said correct. The track of it did vary a lot and it was a fast moving storm.

**Chairman Gardner asked if anyone opposed the declaration and hearing none stated by acclamation this declaration, Ordinance 75-2020, was unanimously passed by the members present.**

**ADJOURNMENT:** With no further business, Mr. Vaught moved to adjourn at approximately 3:41 p.m. and it was seconded. The motion was unanimously passed.

**MINUTES**  
**HORRY COUNTY COUNCIL**  
**SPECIAL MEETING**  
**County Council Chambers**  
**August 12, 2020**  
**2:00 p.m.**

**MEMBERS PRESENT:** Johnny Gardner, Chairman; Bill Howard; Gary Loftus; Tyler Servant; Johnny Vaught; Harold Worley; Orton Bellamy; Cam Crawford; Al Allen; Dennis DiSabato; Danny Hardee; and Paul Prince.

**MEMBERS ABSENT:**

**OTHERS PRESENT:** Pat Hartley; Steve Gosnell; Arrigo Carotti; Barry Spivey; and Kelly Moore.

In accordance with the FOIA, notices of the meeting were provided to the press stating the time, date, and place of the meeting.

**CALL TO ORDER:** Chairman Gardner called the meeting to order at approximately 2:00 p.m.

**INVOCATION:** Chairman Gardner gave the invocation.

**PLEDGE OF ALLEGIANCE:** Chairman Gardner led in the pledge.

**EXECUTIVE SESSION:** Receipt of legal advice relating to the pending "Hospitality Fee" litigation and recent settlement discussions. **Mr. Vaught moved to enter into executive session, seconded by Mr. Loftus. The motion was unanimously passed. Mr. Vaught moved to exit executive session, seconded by Mr. Prince. The motion was unanimously passed.** Mr. Carotti said while in executive session Council received legal advice relating to the pending "Hospitality Fee" litigation and recent settlement discussions. While in executive session no decisions were made and no votes were taken.

**ADJOURNMENT:** With no further business, Mr. Prince moved to adjourn at approximately 3:02 p.m. and it was seconded. The motion was unanimously passed.

COUNTY OF HORRY

)

Ordinance 57-2020

STATE OF SOUTH CAROLINA

)

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 44912040068 FROM COMMERCIAL FOREST AGRICULTURE (CFA) TO RESIDENTIAL (SF6)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Commercial Forest Agriculture (CFA) to Residential (SF6) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 44912040068 and currently zoned Commercial Forest Agriculture (CFA) is herewith rezoned to Residential (SF6).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: June 16, 2020  
Second Reading: July 14, 2020  
Third Reading: August 18, 2020

Rezoning Review Sheet



PROPERTY INFORMATION			
Applicant	Derrick Blanton, VP of Beach Flowers (Energov # 049137)	Rezoning Request #	2020-05-004
PIN #	44912040068	County Council District #	6 - Crawford
Site Location	Off Hwy 707, on Fern Moss Rd in Myrtle Beach	Staff Recommendation	Approval
Property Owner Contact	Beach Flowers Inc	PC Recommendation	Unanimous Approval
		Size (in acres) of Request	7.84

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	CFA	Flood and Wetland Information (proposed FEMA maps)	X	MHP	MHP	MSF6
Proposed Zoning	SF6	Public Health & Safety (EMS/fire) in miles	3.34	CFA	Subject Property	MSF6
Proposed Use	Single Family Development	Utilities	Public	CFA	CFA	MSF6
		Character of the Area	Residential and Commercial			

COMMENTS

Comprehensive Plan District: Scenic & Conservation, Suburban, and Economic Activity Center	Overlay/Area Plan: Burgess Community Area Plan
<p>Discussion: The applicant is requesting the Residential (SF6) zoning district for a single family development. The property will be combined with the adjacent 5 acre parcel which is already zoned MSF6. The proposed development is designed to be 52 single family lots on a 13.07 acre parcel for a gross density of 3.98 du/ac.</p> <p>The length of the proposed road is longer than 1,800 lf (~1,925 lf) and will require a Design Modification. Desing modification was approved on 6/4/2020.</p> <p>This parcel is located just outside of the Hwy 707 Overlay.</p>	
Public Comment: There was no public input. Derrick Blanton explained the request.	

TRANSPORTATION INFORMATION

Daily Trips based on existing use / Max Daily Trips based on current zoning	0/200	Existing Road Conditions	Paved, Two-lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)	416/416	Rd, Station, Traffic AADT (2019) % Road Capacity	SC-707 Main Line, Station (247) 23,800 AADT 65-70%
Proposed Improvements			

DIMENSIONAL STANDARDS

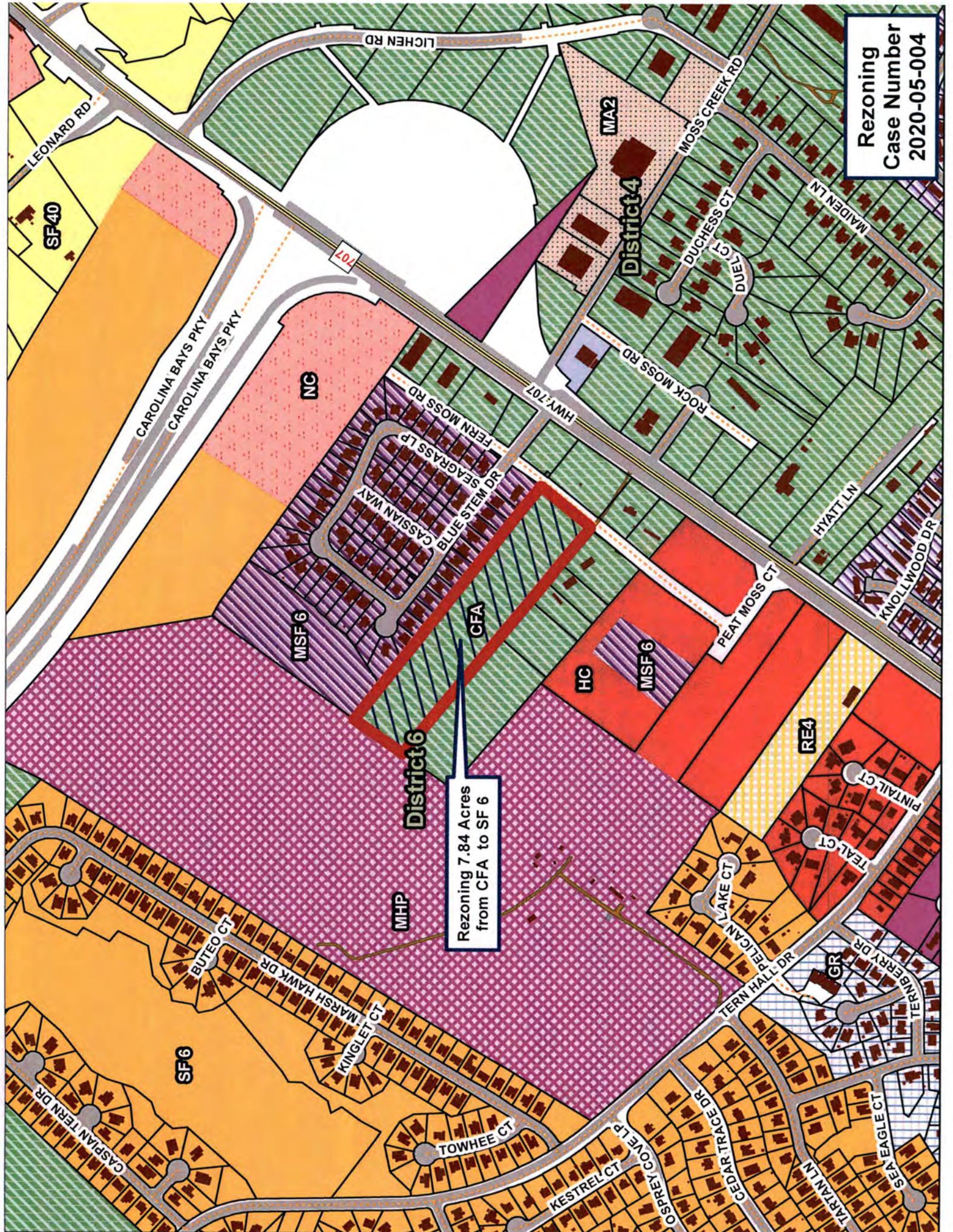
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	SF6	CFA res / comm	CFA res / comm	MSF6	MHP	
Min. Lot Size (in square feet)	6,000	21,780 / 43,560	21,780 / 43,560	6,000	5 acres	
Front Setback (in feet)	20	25 / 60	25 / 60	20	*	
Side Setback (in feet)	10	10 / 25	10 / 25	10	*	
Corner Side Setback (in feet)	15	15 / 37.5	15 / 37.5	15	-	
Rear Setback (in feet)	15	15 / 40	15 / 40	15	*	
Bldg. Height (in feet)	35	35	35	35	35	

Setback Comments: \* MHP Setbacks – External Park Setbacks - Front setback is 35' from any public roadway and 25' from any external park boundary. Internal Park Setbacks – All units must be separated at least 20' from any other unit or roadway within the MHP.

Date Advertised: 5/14/2020 Date Posted: 5/15/2020 # Property Owners Notified: 59 Date Notification Mailed: 5/14/2020 Report Date: 5/14/2020 BY: sm



Rezoning  
Case Number  
2020-05-004



Rezoning 7.84 Acres  
from CFA to SF 6

District 6

District 4

NC

MSF 6

CFA

HC

MSF 6

RE4

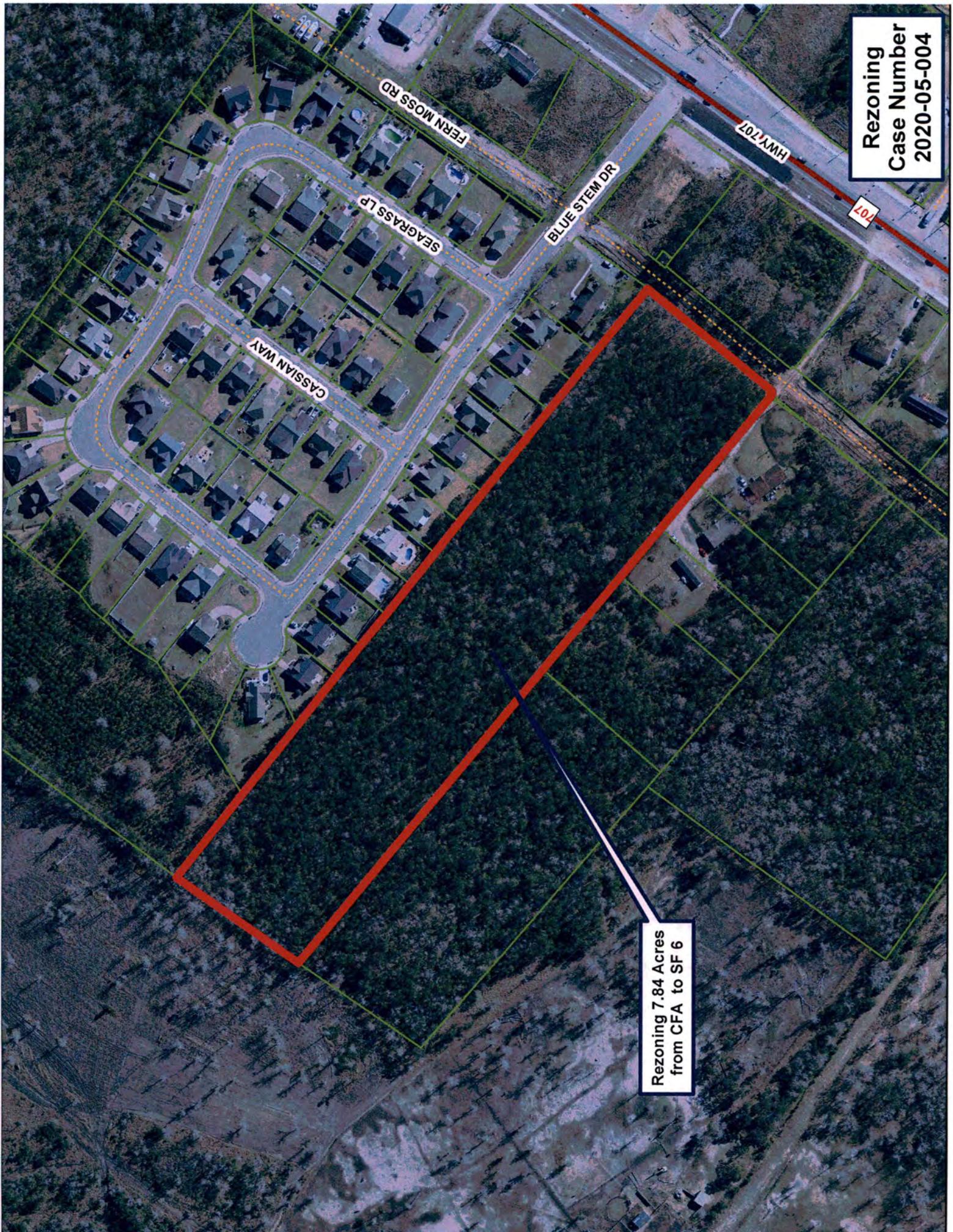
SF6

SF40

MA2

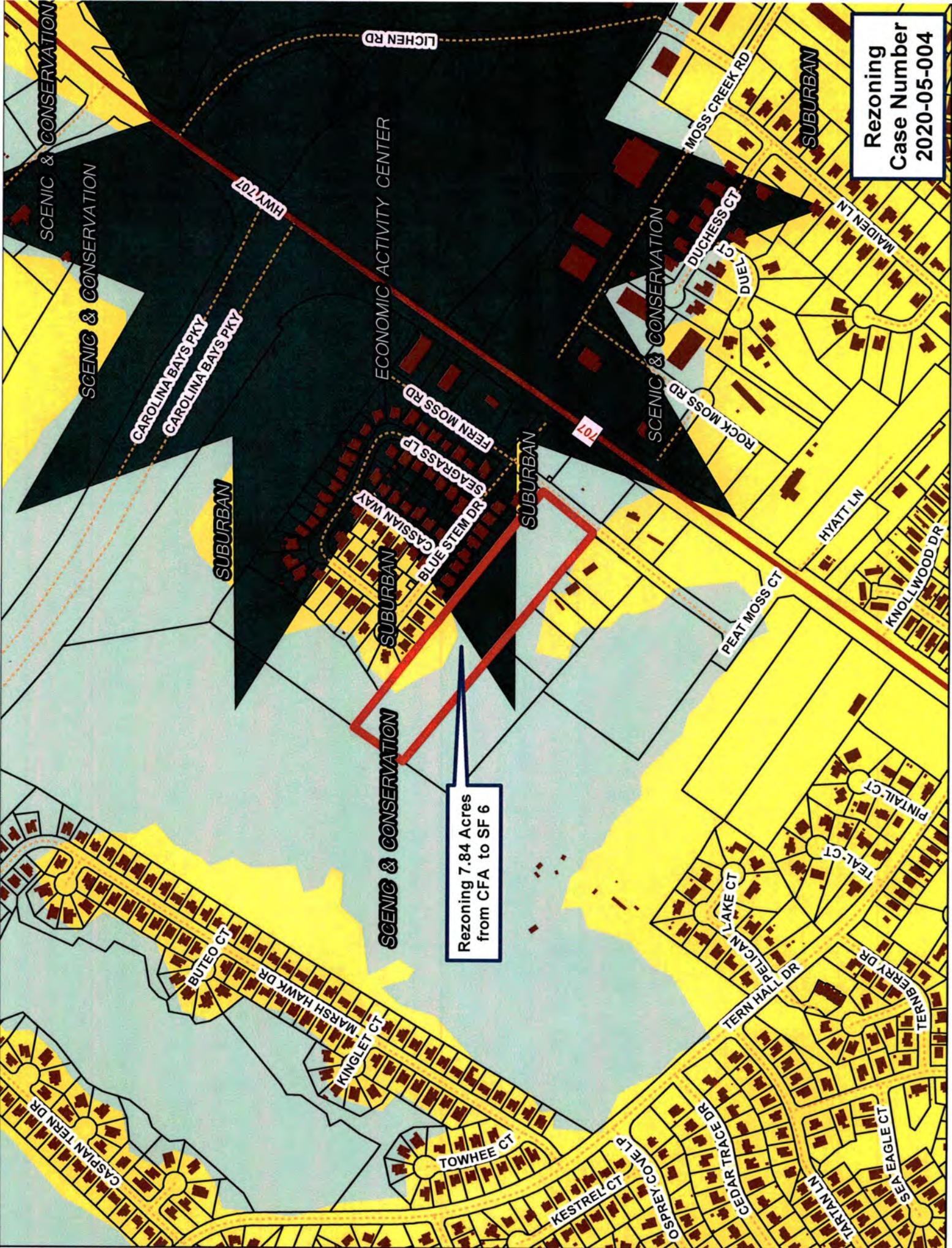
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Rezoning  
Case Number  
2020-05-004



Rezoning 7.84 Acres  
from CFA to SF 6

Rezoning  
Case Number  
2020-05-004



Rezoning 7.84 Acres  
from CFA to SF 6

COUNTY OF HORRY )

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Ordinance 58-2020

STATE OF SOUTH CAROLINA )

)

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 43701010013 FROM RESIDENTIAL (SF20) TO RESIDENTIAL (MSF20)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Residential (SF20) to Residential (MSF20) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:** Parcel(s) of land identified by PIN 43701010013 and currently zoned Residential (SF20) is herewith rezoned to Residential (MSF20).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
 Dennis DiSabato, District 3  
 Tyler Servant, District 5  
 Orton Bellamy, District 7  
 W. Paul Prince, District 9  
 Al Allen, District 11

Bill Howard, District 2  
 Gary Loftus, District 4  
 Cam Crawford, District 6  
 Johnny Vaught, District 8  
 Danny Hardee, District 10

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: June 16, 2020  
 Second Reading: July 14, 2020  
 Third Reading: August 18, 2020

Rezoning Review Sheet



**PROPERTY INFORMATION**

Applicant	Darrell W & Sandra A Avery (Energov # 049134)	Rezoning Request #	2020-05-001
PIN #	43701010013	County Council District #	7 - Bellamy
Site Location	Horseshoe Cir in Conway	Staff Recommendation	Approval
Property Owner Contact	Darrell W & Sandra A Avery	PC Recommendation	Unanimous Approval
		Size (in acres) of Request	0.77

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	SF20	Flood and Wetland Information (proposed FEMA maps)	X (0.2 pct Annual Chance Flood Hazard)	SF20	SF20	SF20
Proposed Zoning	MSF20	Public Health & Safety (EMS/fire) in miles	0.60 Miles Fire/EMS	FA	Subject Property	SF20
Proposed Use	Manufactured Home	Utilities	Public	FA	SF20	SF20
		Character of the Area	Residential			

**COMMENTS**

Comprehensive Plan District: Scenic & Conservation	Overlay/Area Plan:
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**Discussion:** The applicant is requesting to rezone the site for the placement of a manufactured home on the property. Much of the surrounding property is zoned SF20 and only allows for the placement of stick built residential. However, the adjacent FA, nearby MSF20 and CFA would allow manufactured homes. The property is located in the 500 year (.2%) flood zone on the preliminary flood maps.

**Public Comment:** There was no public input. Darrell Avery explained his request.

**TRANSPORTATION INFORMATION**

Daily Trips based on existing use / Max Daily Trips based on current zoning	0/8	Existing Road Conditions	County, Paved, Two-Lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning	8/8	Rd, Station, Traffic AADT (2019) % Road Capacity	US-701 Main Line, Station (178) 6,600 AADT 40-45%
Proposed Improvements			

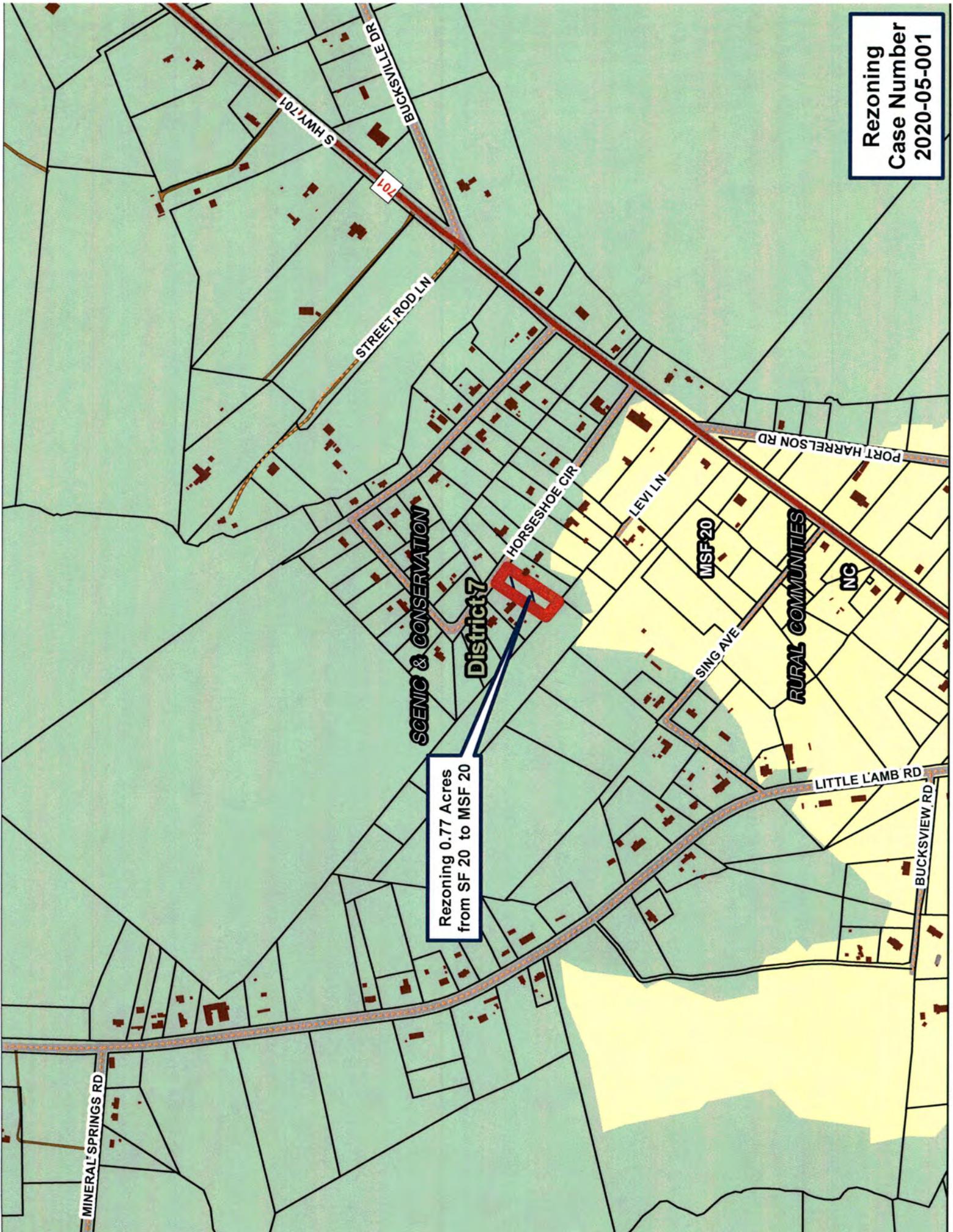
**DIMENSIONAL STANDARDS**

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MSF20	SF20	SF20	FA (Res/Comm)		
Min. Lot Size (in square feet)	20,000	20,000	20,000	21,780 / 43,560		
Front Setback (in feet)	40	40	40	25 / 60		
Side Setback (in feet)	15	15	15	10 / 25		
Corner Side Setback (in feet)	N/A	N/A	N/A	N/A		
Rear Setback (in feet)	25	25	25	15 / 40		
Bldg. Height (in feet)	35	35	35	35		

Setback Comments:

Date Advertised: 5/14/2020 Date Posted: 5/15/2020 # Property Owners Notified: 34 Date Notification Mailed: 5/14/2020 Report Date: 5/14/2020 BY: sm

Rezoning  
Case Number  
2020-05-001



Rezoning 0.77 Acres  
from SF 20 to MSF 20

SCENIC & CONSERVATION

District 7

MSF-20

RURAL COMMUNITIES

NC

MINERAL SPRINGS RD

STREET ROD LN

HORSESHOE CIR

LEVI LN

SING AVE

LITTLE LAMB RD

BUCKSVIEW RD

PORT HARRELSON RD

BUCKVILLE DR

701

S HWY 701

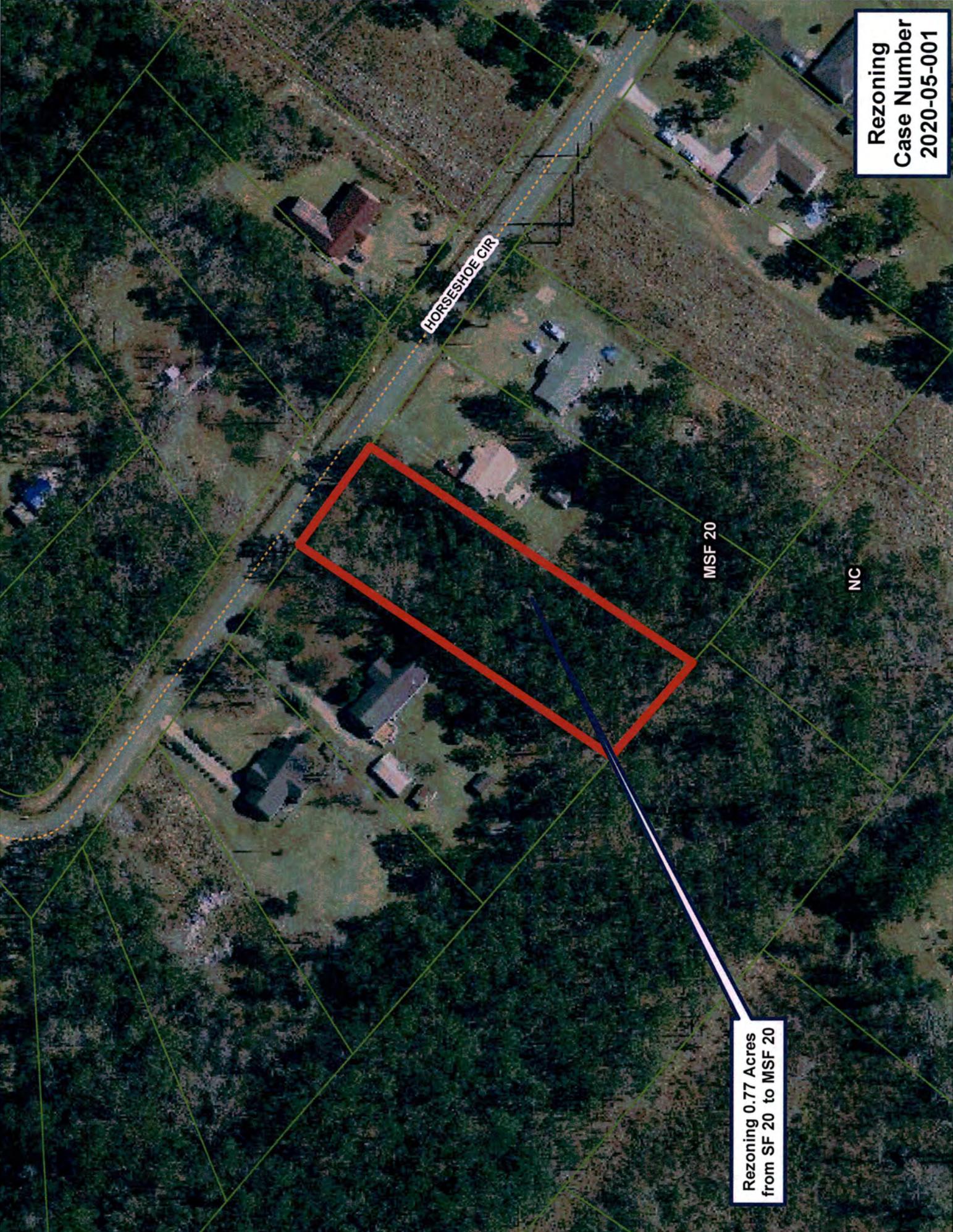
Rezoning  
Case Number  
2020-05-001

HORSESHOE CIR

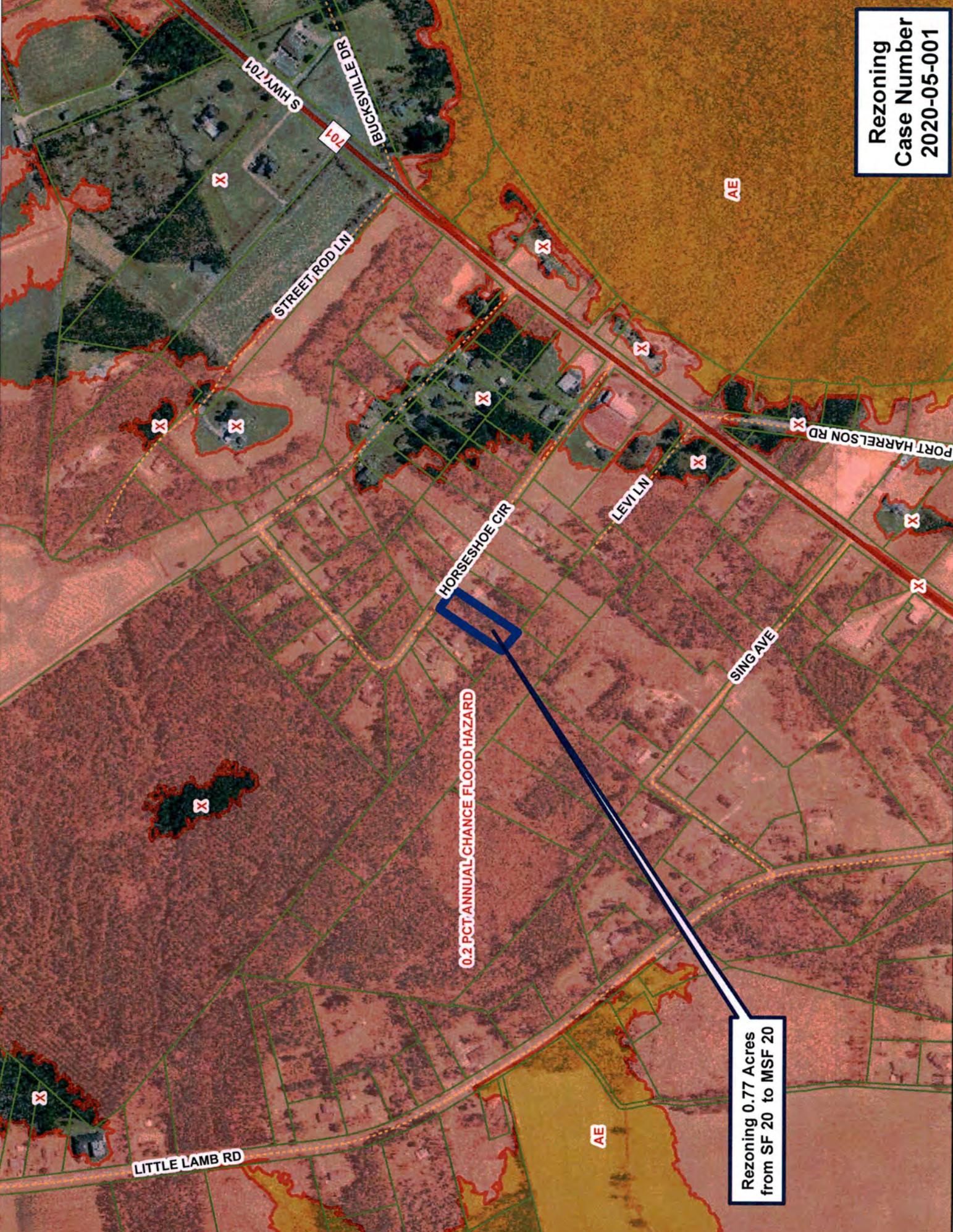
MSF 20

NC

Rezoning 0.77 Acres  
from SF 20 to MSF 20



Rezoning  
Case Number  
2020-05-001



HORSESHOE CIR

STREET ROD LN

S HWY 701

BUCKVILLE DR

LEVI LN

SING AVE

PORT HARRELSON RD

LITTLE LAMB RD

0.2 PCT ANNUAL CHANCE FLOOD HAZARD

Rezoning 0.77 Acres  
from SF 20 to MSF 20

AE

AE

COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

Ordinance 59-2020

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 34400000006 FROM COMMERCIAL FOREST AGRICULTURE (CFA) TO MULTI-RESIDENTIAL ONE (MRD1)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Commercial Forest Agriculture (CFA) to Multi-Residential One (MRD1) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:** Parcel(s) of land identified by PIN 34400000006 and currently zoned Commercial Forest Agriculture (CFA) is herewith rezoned to Multi-Residential One (MRD1).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1	Bill Howard, District 2
Dennis DiSabato, District 3	Gary Loftus, District 4
Tyler Servant, District 5	Cam Crawford, District 6
Orton Bellamy, District 7	Johnny Vaught, District 8
W. Paul Prince, District 9	Danny Hardee, District 10
Al Allen, District 11	

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: June 16, 2020  
Second Reading: July 14, 2020  
Third Reading: August 18, 2020

Rezoning Review Sheet



**PROPERTY INFORMATION**

Applicant	DDC Engineers Inc (Energov # 049136)	Rezoning Request #	2020-05-002
PIN #	34400000006	County Council District #	10 - Hardee
Site Location	Bear Bluff Rd in Conway	Staff Recommendation	Approval
Property Owner Contact	Equity Trust Company Custodian FBO Mark Karavan IRA	PC Recommendation	Unanimous Approval
		Size (in acres) of Request	51.1

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	CFA	Flood and Wetland Information (proposed FEMA maps)	X	CFA	CFA	CFA
Proposed Zoning	MRD1	Public Health & Safety (EMS/fire) in miles	1.37	CFA	Subject Property	CFA
Proposed Use	Single Family Development	Utilities	Public	CFA	CFA	CFA
		Character of the Area	Residential			

**COMMENTS**

Comprehensive Plan District: Rural Communities	Overlay/Area Plan:
<p><b>Discussion:</b> The applicant is requesting the Multi-Residential (MRD1) zoning district for a single family development. The proposed MRD is designed to be 91 lots for single family homes on a 51.1 acre parcel for a gross density of 1.78 du/ac.</p> <p>The development plan includes three sustainable development criteria: 100% increase in open space, community garden, and sidewalks as active open space. Minimum lot size is proposed at 10,000 sq ft with reduced setbacks and density of up to 4 du/ac (standard MRD1 is 3 du/ac, 14, 520 sq ft lots and 25/10/15 setbacks).</p> <p>Rural Communities in the future land use map has a desired development pattern of residential lots of 14,500 sq ft or greater with an allowance for 10,000 sq ft lots for projects which incorporate of sustainable development criteria. There is concern about development on Hwy 90 in regards to the future infrastructure capacity.</p> <p><b>Public Comment:</b> There was no public input. Mike Wooten explained the request. Andy Markunas addressed traffic concerns, and Thom Roth addressed stormwater concerns.</p>	

**TRANSPORTATION INFORMATION**

Daily Trips based on existing use / Max Daily Trips based on current zoning	0/500	Existing Road Conditions	State, Paved, Two-lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)	632/632	Rd, Station, Traffic AADT (2019) % Road Capacity	S-90, Station (224) 13,300 AADT 80-85%
Proposed Improvements			

**DIMENSIONAL STANDARDS**

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MRD1	CFA Res / Comm	CFA Res / Comm	Baron's Bluff (PDD)		
Min. Lot Size (in square feet)	10,000	21780 / 43560	21780 / 43560	8,125		
Front Setback (in feet)	15	25 / 60	25 / 60	20		
Side Setback (in feet)	5	10 / 25	10 / 25	7.5		
Corner Side Setback (in feet)	15	15 / 37.5	N/A	15		
Rear Setback (in feet)	10	15 / 40	15 / 40	15		
Bldg. Height (in feet)	40	35	35	35		

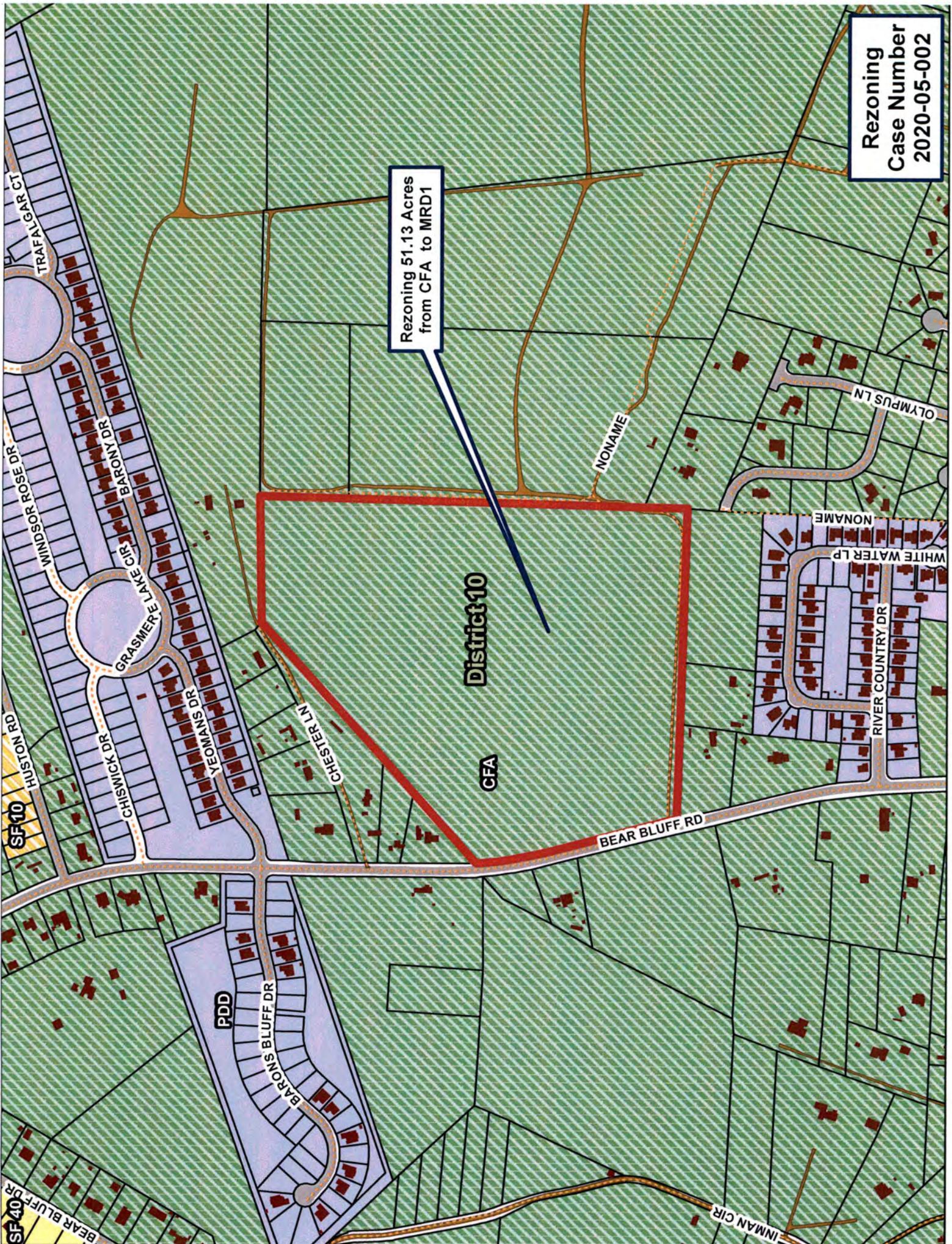
Setback Comments:

Date Advertised: 5/14/2020 Date Posted: 5/15/2020 # Property Owners Notified: 73 Date Notification Mailed: 5/14/2020 Report Date: 5/14/2020 BY: sm



Rezoning  
Case Number  
2020-05-002

Rezoning 51.13 Acres  
from CFA to MRD1



Rezoning  
Case Number  
2020-05-002

Rezoning 51.13 Acres  
from CFA to MRD1



NONAME

NONAME

YEMANS DR

CHESTER LN

BEAR BLUFF RD

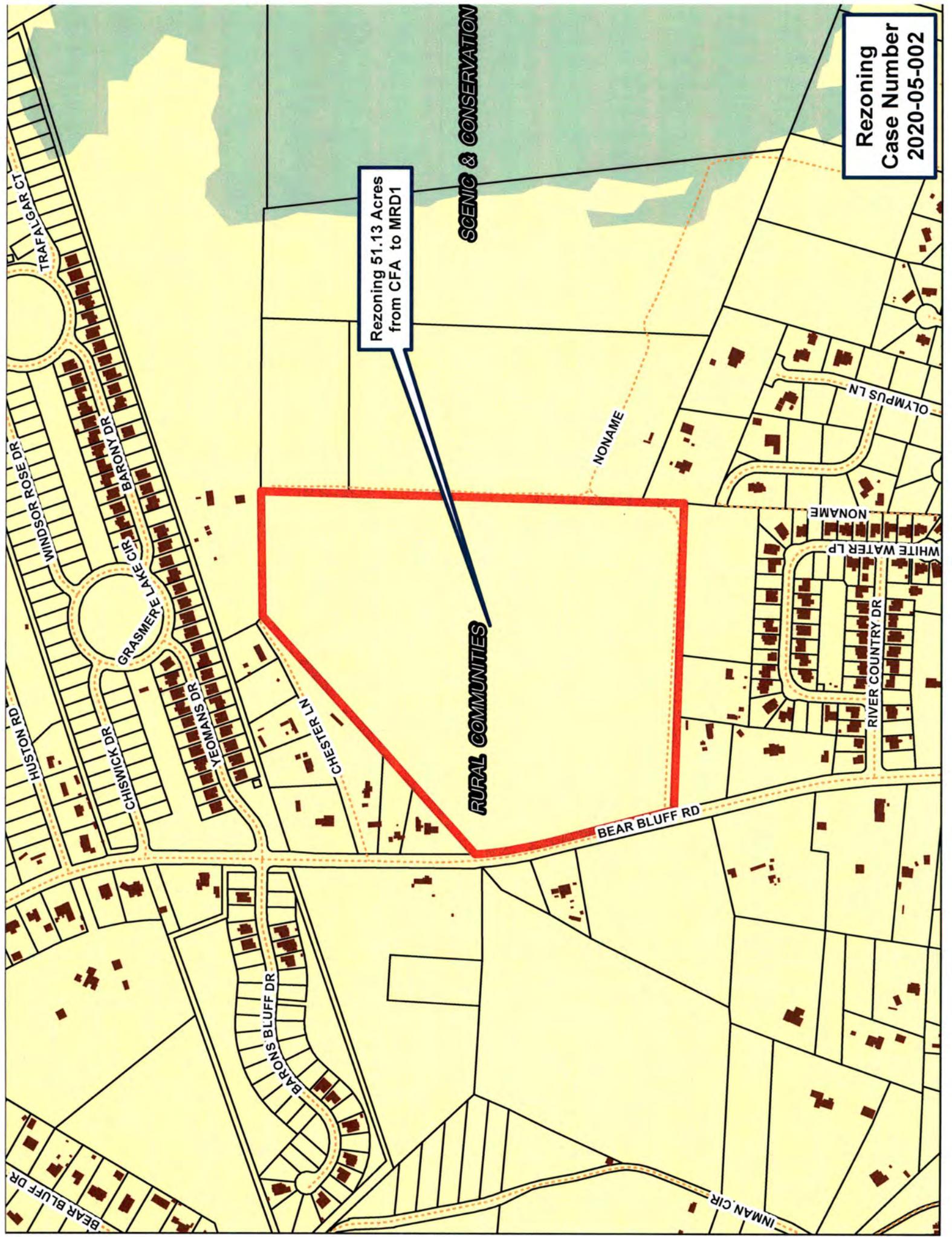
BARONS BLUFF DR

Rezoning  
Case Number  
2020-05-002

Rezoning 51.13 Acres  
from CFA to MRD1

SCENIC & CONSERVATION

RURAL COMMUNITIES



COUNTY OF HORRY

)

Ordinance 60-2020

STATE OF SOUTH CAROLINA

)

)

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 32910040007 FROM FOREST AGRICULTURE (FA) TO COMMERCIAL AGRICULTURE (AG2)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Forest Agriculture (FA) to Commercial Agriculture (AG2) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 32910040007 and currently zoned Forest Agriculture (FA) is herewith rezoned to Commercial Agriculture (AG2).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
 Dennis DiSabato, District 3  
 Tyler Servant, District 5  
 Orton Bellamy, District 7  
 W. Paul Prince, District 9  
 Al Allen, District 11

Bill Howard, District 2  
 Gary Loftus, District 4  
 Cam Crawford, District 6  
 Johnny Vaught, District 8  
 Danny Hardee, District 10

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: June 16, 2020  
 Second Reading: July 14, 2020  
 Third Reading: August 18, 2020

Rezoning Review Sheet



PROPERTY INFORMATION			
Applicant	Colby Jenerette (Energov # 048826)	Rezoning Request #	2020-04-008
PIN #	32910040007	County Council District #	11 - Allen
Site Location	6770 Ford Taylor Rd, Conway	Staff Recommendation	Approval
Property Owner Contact	Beth Clarke	PC Recommendation	Unanimous Approval
		Size (in acres) of Request	9.7

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	FA	Flood and Wetland Information	X	FA	FA	FA
Proposed Zoning	AG2	Public Health & Safety (EMS/fire) in miles	1.1	FA	Subject Property	FA
Proposed Use	Landscaping Business & Sod Farm	Utilities	Septic	FA	FA	FA
		Character of the Area	Residential			

COMMENTS	
Comprehensive Plan District: Rural	Overlay/Area Plan:
<p><b>Discussion:</b> The applicant is requesting to rezone to Commercial Agriculture District (AG2) to bring the current use of the property into compliance. A commercial landscaping business with outside storage of materials and equipment is not a permitted use in FA although farms and nurseries are allowed under the current zoning. No similar rezoning requests were approved in the immediate area and the predominate land uses are agriculture, timberland, and low-density residential. The closest identified Rural Activity Center is at Pee Dee Crossroads approximately 4.5 miles from the subject parcel.</p> <p>The current use will be required to complete a commercial review to ensure code compliance should the property be rezoned.</p>	
<p><b>Public Comment:</b> There was no public input. Colby Jenerette was available to address questions and concerns.</p>	

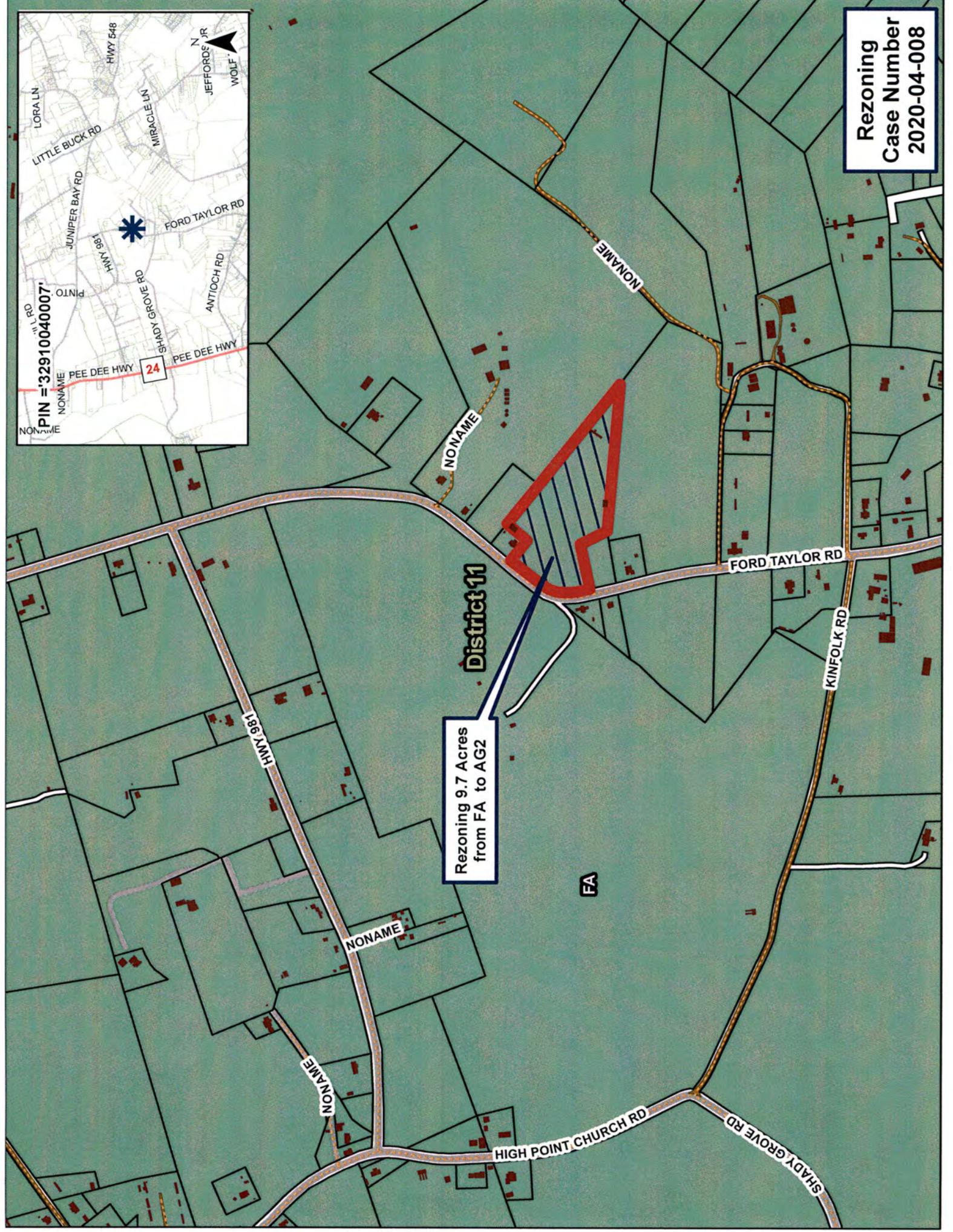
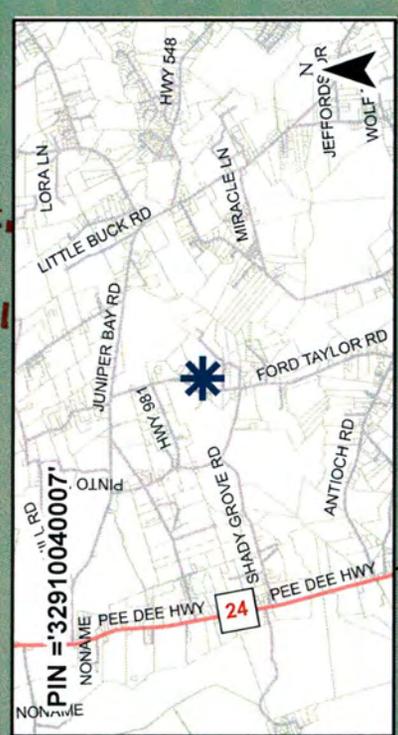
TRANSPORTATION INFORMATION			
Daily Trips based on existing use / Max Daily Trips based on current zoning	20/100	Existing Road Conditions	County, Paved, Two-lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)	30/100	Rd, Station, Traffic AADT (2019) % Road Capacity	US - 378, Station 142 8,800 AADT 50-55%
Proposed Improvements			

DIMENSIONAL STANDARDS						
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	AG2 (res/comm)	FA (res/comm)	FA (res/comm)			
Min. Lot Size (in square feet)	21780	21780 / 43560	21780 / 43560			
Front Setback	25 / 50	25 / 60	25 / 60			
Side Setback	10 / 10	10 / 25	10 / 25			
Corner Side Setback	N/A	N/A	N/A			
Rear Setback	15 / 15	15 / 40	15 / 40			
Bldg. Height	35 / 65	35	35			

Setback Comments:

Date Advertised: 5/14/2020    Date Posted: 5/15/2020    # Property Owners Notified: 11    Date Notification Mailed: 5/14/2020    Report Date: 5/14/2020    BY: sm

Rezoning  
Case Number  
2020-04-008

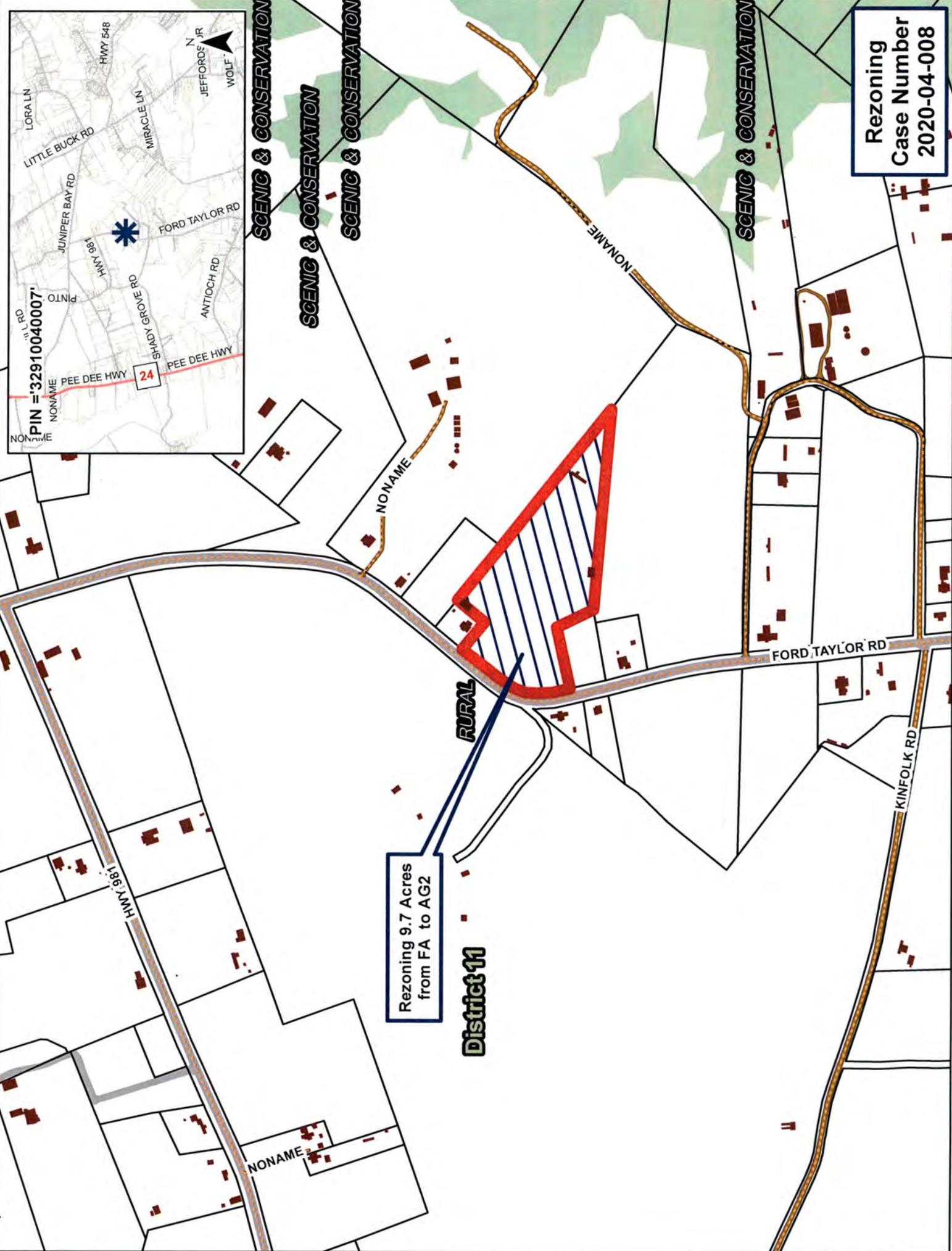


Rezoning 9.7 Acres  
from FA to AG2

District 11

FA

Rezoning  
Case Number  
2020-04-008



Rezoning 9.7 Acres  
from FA to AG2

District 11

RURAL

NONAME

NONAME

NONAME

SCENIC & CONSERVATION

SCENIC & CONSERVATION

SCENIC & CONSERVATION

SCENIC & CONSERVATION

HWY 91

FORD TAYLOR RD

KINFOLK RD

PIN = '32910040007'

FORD TAYLOR RD

ANTIOCH RD

SHADY GROVE RD

PEE DEE HWY

PEE DEE HWY

NONAME

LORA LN

LITTLE BUCK RD

JUNIPER BAY RD

MIRACLE LN

HWY 981

JEFFORDS, JR WOLF

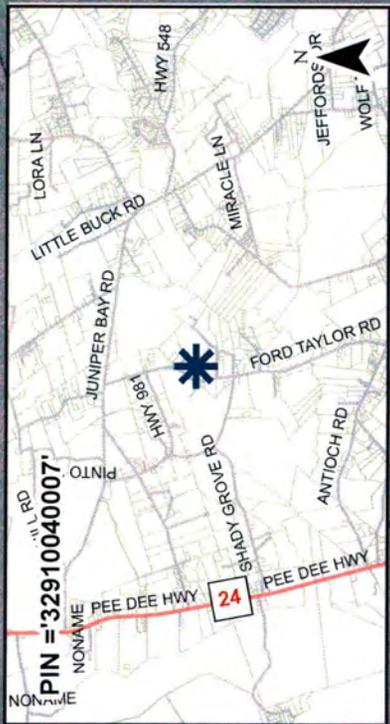
HWY 548

NONAME

Rezoning  
Case Number  
2020-04-008



Rezoning 9.7 Acres  
from FA to AG2



PIN = '32910040007'

COUNTY OF HORRY

)  
)  
)

Ordinance 78-2020

STATE OF SOUTH CAROLINA

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 3960000029 (PORTION) FROM COMMERCIAL FOREST AGRICULTURE (CFA) TO CONVENIENCE & AUTO-RELATED SERVICES (RE3)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Commercial Forest Agriculture (CFA) to Convenience & Auto-related Services (RE3) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 3960000029 (Portion) and currently zoned Commercial Forest Agriculture (CFA) is herewith rezoned to Convenience & Auto-related Services (RE3).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: August 18, 2020

Second Reading:

Third Reading:

# Rezoning Review Sheet



## PROPERTY INFORMATION

<b>Applicant</b>	Sembler Florida Inc (Energov # 049698)	<b>Rezoning Request #</b>	2020-07-007
<b>PIN #</b>	39600000029 (Portion)	<b>County Council District #</b>	2 - Howard
<b>Site Location</b>	Southwest corner of Carolina Forest Blvd & River Oaks Dr in Myrtle Beach	<b>Staff Recommendation</b>	Approval
<b>Property Owner Contact</b>	Landbank LLC	<b>PC Recommendation</b>	Unanimous Approval
		<b>Size (in acres) of Request</b>	25.68

## ZONING DISTRICTS

<b>Current Zoning</b>	CFA
<b>Proposed Zoning</b>	RE3
<b>Proposed Use</b>	Mixed use residential, commercial, office, mini storage, etc

## LOCATION INFORMATION

<b>Flood and Wetland Information</b> (proposed FEMA maps)	X
<b>Public Health &amp; Safety</b> (EMS/fire) in miles	1.24
<b>Utilities</b>	Public
<b>Character of the Area</b>	Residential/ Commercial

## ADJACENT PROPERTIES

MRD3	PDD	PDD
MRD3	Subject Property	HC
MRD3	PDD	HC

## COMMENTS

<b>Comprehensive Plan District:</b> Suburban	<b>Overlay/Area Plan:</b>
<p><b>Discussion:</b> The applicant has requested to rezone a portion of the parcel from CFA to RE3 to allow a mixture of residential, commercial, office and mini-storage uses. RE3 is intended to provide opportunities to locate and develop businesses that meet the convenience shopping and service needs of the community. Adjacent development consists of several residential subdivisions and Towne Centre Commons which is a mixture of commercial and residential uses. Phase 17 of the Parks at Carolina Forest is directly adjacent to the proposed rezoning which consists of the 276 multi-family units. This parcel is in close proximity to a designated Community Activity Center where future land use should promote development with internal connectivity between commercial, office and residential developments.</p>	
<p><b>Public Comment: 8/7/2020</b> There was no public input. Walter Warren was present to address questions and concerns.</p>	

## TRANSPORTATION INFORMATION

<b>Daily Trips based on existing use / Max Daily Trips based on current zoning</b>	0 / 4,500	<b>Existing Road Conditions</b>	County, paved, Two-lane
<b>Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning</b>	4,000 / 4,000	<b>Rd, Station, Traffic AADT (2019) % Road Capacity</b>	CF Blvd, Station (County Rd) 19,700 AADT 55-60%
<b>Proposed Improvements</b>			

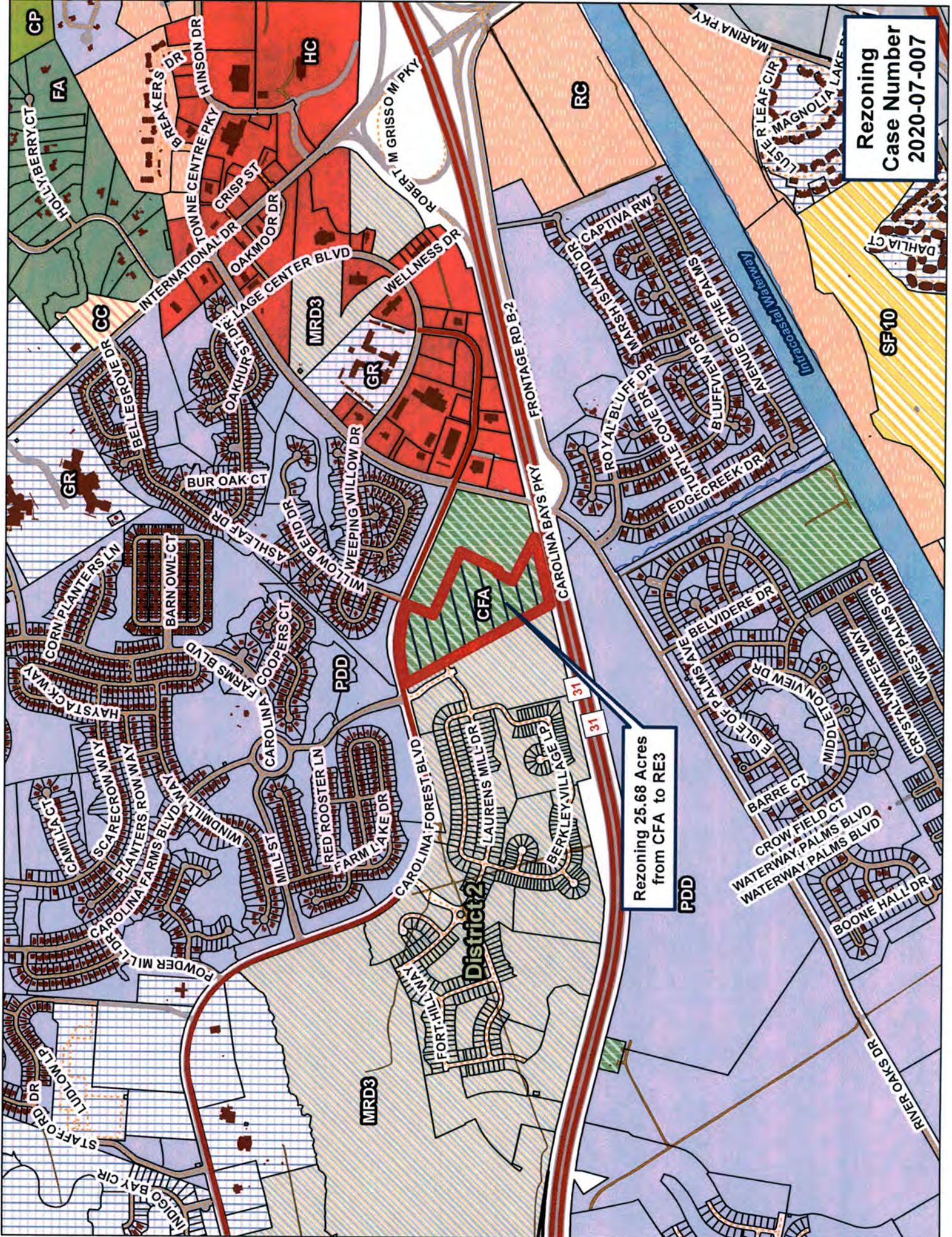
## DIMENSIONAL STANDARDS

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	RE3	CFA Res/Comm	MRD3 Phase 17, Parks @ CF	PDD Berkshire Village Multi-Family	PDD Willows @ Bellegrove	HC
<b>Min. Lot Size (in square feet)</b>	10,000	21,780 / 43,560	1 acre	N/A	5,000	10,000
<b>Front Setback (in feet)</b>	60	25 / 60	25	20	20	50
<b>Side Setback (in feet)</b>	10	10 / 25	15	7.5	5	10
<b>Corner Side Setback (in feet)</b>	50	15 / 37.5	15	11.25	7.5	50
<b>Rear Setback (in feet)</b>	15	15 / 40	20	10	10	15
<b>Bldg. Height (in feet)</b>	48	35	120	65	35	120

**Setback Comments:**

Date Advertised: 7/16/2020    Date Posted: 7/16/2020    # Property Owners Notified: 64    Date Notification Mailed: 7/16/2020    Report Date: 7/16/2020    BY: DJ

Rezoning  
Case Number  
2020-07-007

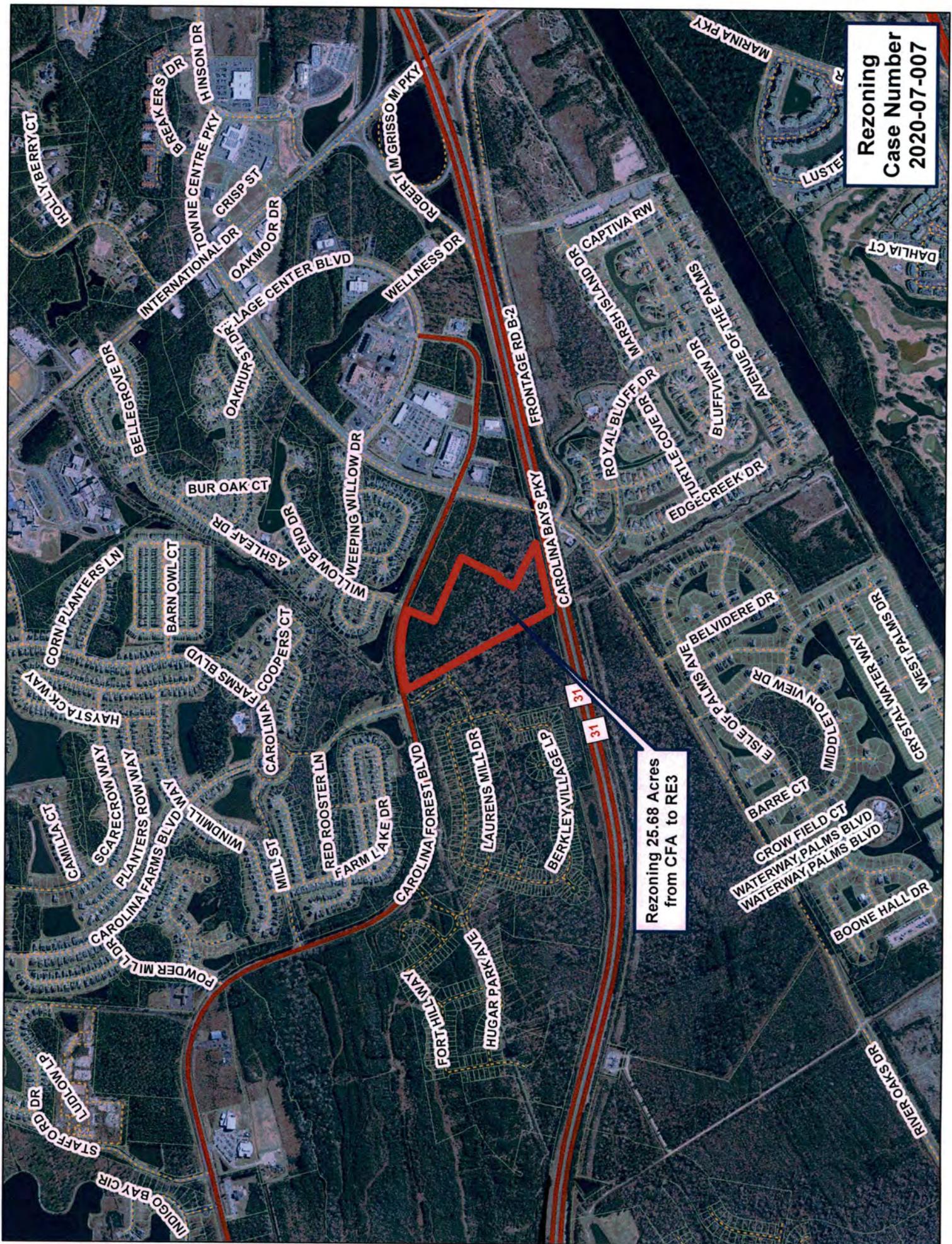


Rezoning 25.68 Acres  
from CFA to RE3

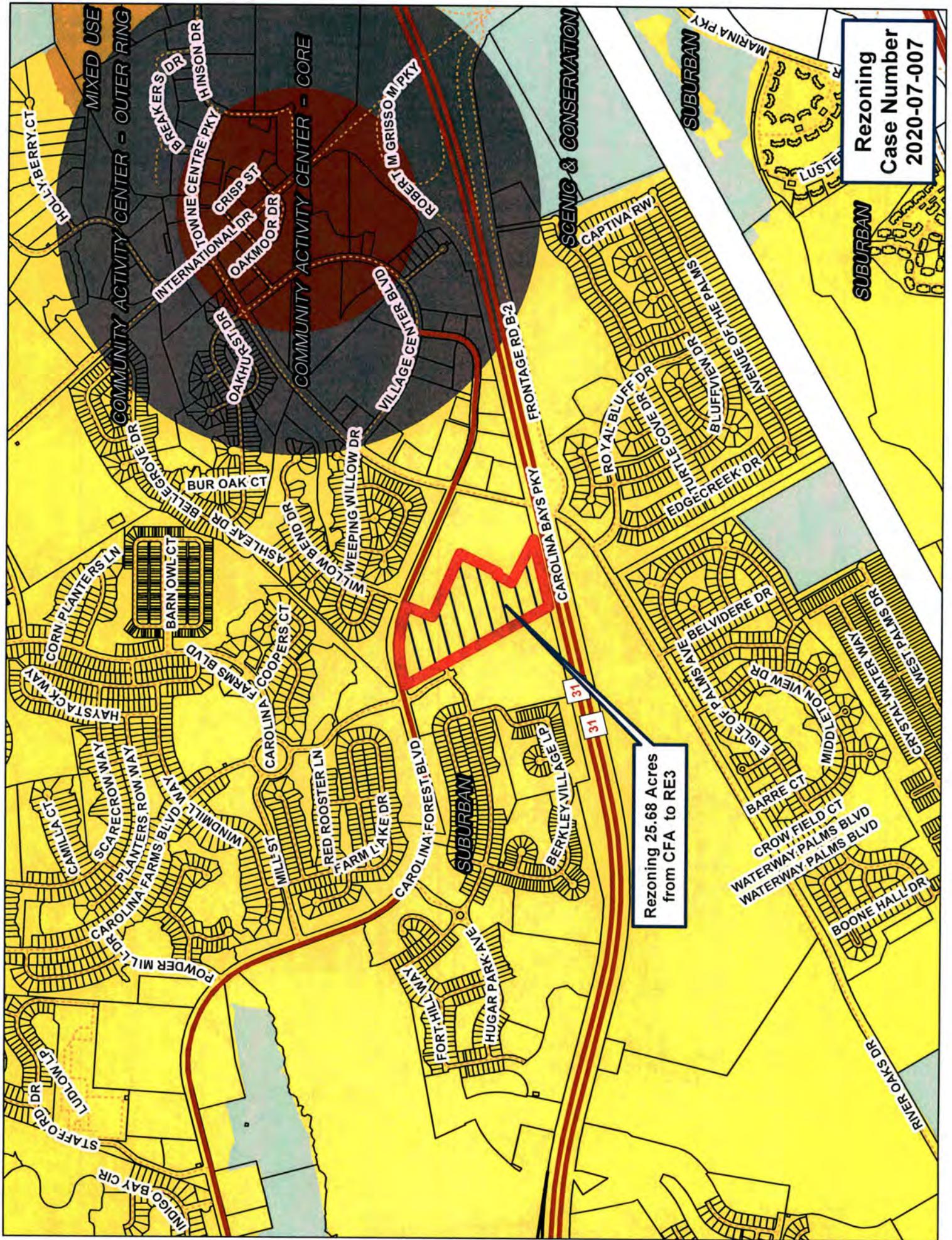
PDD

District 2

Rezoning  
Case Number  
2020-07-007



Rezoning 25.68 Acres  
from CFA to RE3



Rezoning  
Case Number  
2020-07-007

Rezoning 25.68 Acres  
from CFA to RE3

MIXED USE

COMMUNITY ACTIVITY CENTER - OUTER RING

COMMUNITY ACTIVITY CENTER - CORE

SCENIC & CONSERVATION

SUBURBAN

SUBURBAN

SUBURBAN

HOLLYBERRY CT

BREAKERS DR

HINSON DR

MOYNE CENTRE PKY

CRISP ST

INTERNATIONAL DR

OAKMOOR DR

OAKHURST DR

VILLAGE CENTER BLVD

ROBERT M GRISSOM PKY

BELLEGOVE DR

BUR OAK CT

ASHLEAF DR

WILLOW BEND DR

WEEPING WILLOW DR

CORN PLANTERS LN

BARN OWL CT

FARM LAKES BLVD

ASHLEAF DR

WILLOW BEND DR

WEEPING WILLOW DR

CORN PLANTERS LN

BARN OWL CT

FARM LAKES BLVD

ASHLEAF DR

WILLOW BEND DR

WEEPING WILLOW DR

CORN PLANTERS LN

BARN OWL CT

FARM LAKES BLVD

ASHLEAF DR

WILLOW BEND DR

WEEPING WILLOW DR

CORN PLANTERS LN

BARN OWL CT

FARM LAKES BLVD

ASHLEAF DR

WILLOW BEND DR

WEEPING WILLOW DR

HAYSTACK WAY

SCARECROW WAY

PLAYERS ROW WAY

WINDMILL WAY

MILL ST

RED ROOSTER LN

FARM LAKE DR

CAROLINA FOREST BLVD

WINDMILL WAY

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CAROLINA FOREST BLVD

WINDMILL WAY

MILL ST

RED ROOSTER LN

FARM LAKE DR

CAROLINA FOREST BLVD

WINDMILL WAY

MILL ST

COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

Ordinance 79-2020

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 34600000024 & 34600000025 FROM COMMERCIAL FOREST AGRICULTURE (CFA) TO MULTI-RESIDENTIAL TWO (MRD2)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Commercial Forest Agriculture (CFA) to Multi-Residential Two (MRD2) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 34600000024 & 34600000025 and currently zoned Commercial Forest Agriculture (CFA) is herewith rezoned to Multi-Residential Two (MRD2).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1	Bill Howard, District 2
Dennis DiSabato, District 3	Gary Loftus, District 4
Tyler Servant, District 5	Cam Crawford, District 6
Orton Bellamy, District 7	Johnny Vaught, District 8
W. Paul Prince, District 9	Danny Hardee, District 10
Al Allen, District 11	

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: August 18, 2020

Second Reading:

Third Reading:

Rezoning Review Sheet



**PROPERTY INFORMATION**

<b>Applicant</b>	G3 Engineering (Energov # 49697)	<b>Rezoning Request #</b>	2020-07-006
<b>PIN #</b>	34600000024 & 34600000025	<b>County Council District #</b>	9 - Prince
<b>Site Location</b>	Hwy 90 in Longs	<b>Staff Recommendation</b>	Approval
<b>Property Owner Contact</b>	Lynell Thompson Builders LLC	<b>PC Recommendation</b>	Unanimous Approval
		<b>Size (in acres) of Request</b>	46.9

**ZONING DISTRICTS**

<b>Current Zoning</b>	CFA
<b>Proposed Zoning</b>	MRD2
<b>Proposed Use</b>	Residential

**LOCATION INFORMATION**

<b>Flood and Wetland Information</b> (proposed FEMA maps)	A (AE flood zone)
<b>Public Health &amp; Safety</b> (EMS/fire) in miles	3.94
<b>Utilities</b>	Public
<b>Character of the Area</b>	Residential

**ADJACENT PROPERTIES**

HC	CFA	CFA
PDD	<b>Subject Property</b>	CFA
PDD	CFA	CFA

**COMMENTS**

<b>Comprehensive Plan District:</b>	<b>Overlay/Area Plan:</b>
-------------------------------------	---------------------------

**Discussion :** The applicant has requested to rezone a portion of the parcels to the MRD2 zoning district for a single family subdivision. The proposed MRD is designed to be 123 single family units on a 46.9 acre parcel for a gross density of 2.62 du/ac. The proposed minimum lot size is 7,000 sq. ft. The project proposes a single access onto SC-90 and two stub outs for internal connection of future development. The applicant has utilized community gardens, sidewalks, and increased open space as sustainable criteria. This request is bordered by 86.65 acres of jurisdictional wetlands, however only 1.74 acres of wetlands is included in the portion being rezoned. On the western side of this request a portion of the property is within the AE Flood Zone. The lots are proposed outside of the regulatory flood zone and outside of wetland buffers. The project will need a design modification for the number of units being served by single point of access. The design modification was approved with conditions on 8/6/2020.

**Public Comment: 8/6/2020** April O'Leary spoke in favor of the request regarding the incorporation of sustainable development criteria and no lots being proposed within the flood zone. Her only concern was the buffer between the commercial and residential. William Janssen, Wally Davidson, and Tammy Baker spoke in opposition to the request. Their concerns were flooding and traffic. Felix Pitts was present to address questions and concerns.

**TRANSPORTATION INFORMATION**

<b>Daily Trips based on existing use / Max Daily Trips based on current zoning</b>	0 / 750	<b>Existing Road Conditions</b>	State, Paved, Two-lane
<b>Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)</b>	984 / 984	<b>Rd, Station, Traffic AADT (2019) % Road Capacity</b>	SC 90, Station (225) 12,300 AADT 70-75%
<b>Proposed Improvements</b>			

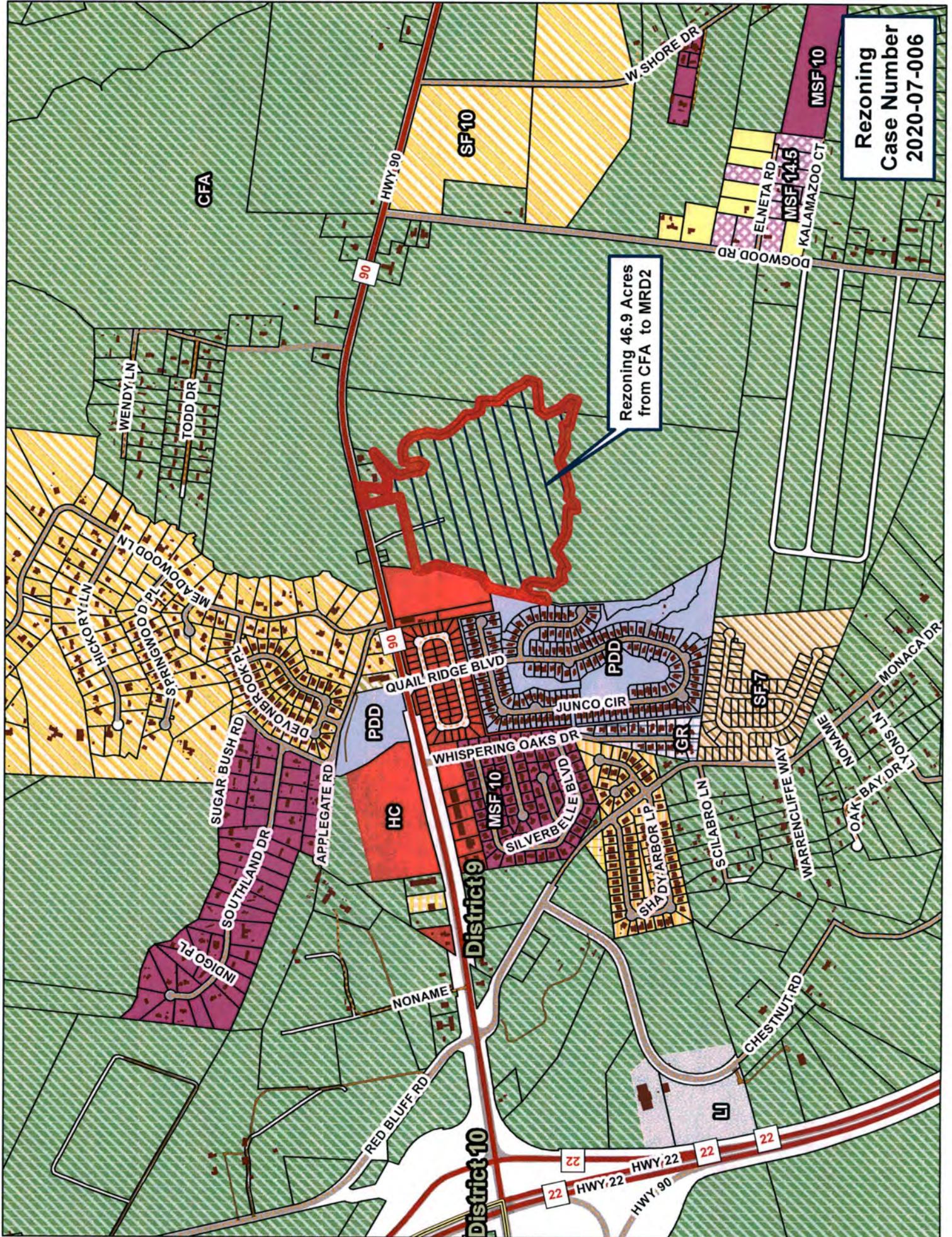
**DIMENSIONAL STANDARDS**

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MRD2	CFA Res/ Comm	PDD Wakefield	CFA Res/Comm	HC	
<b>Min. Lot Size (in square feet)</b>	5,000	21,780 / 43,560	6,000	21,780 / 43,560	6,000	
<b>Front Setback (in feet)</b>	15	25 / 60	20	25 / 60	20	
<b>Side Setback (in feet)</b>	5	10 / 25	5	10 / 25	10	
<b>Corner Side Setback (in feet)</b>	15	15 / 37.5	7.5	15 / 37.5	15	
<b>Rear Setback (in feet)</b>	10	15 / 40	15	15 / 40	15	
<b>Bldg. Height (in feet)</b>	40	35	30	35	35	

**Setback Comments:**

Date Advertised: 7/16/2020 Date Posted: 7/16/2020 # Property Owners Notified: 58 Date Notification Mailed: 7/16/2020 Report Date: 7/16/2020 BY: DJ





Rezoning  
Case Number  
2020-07-006

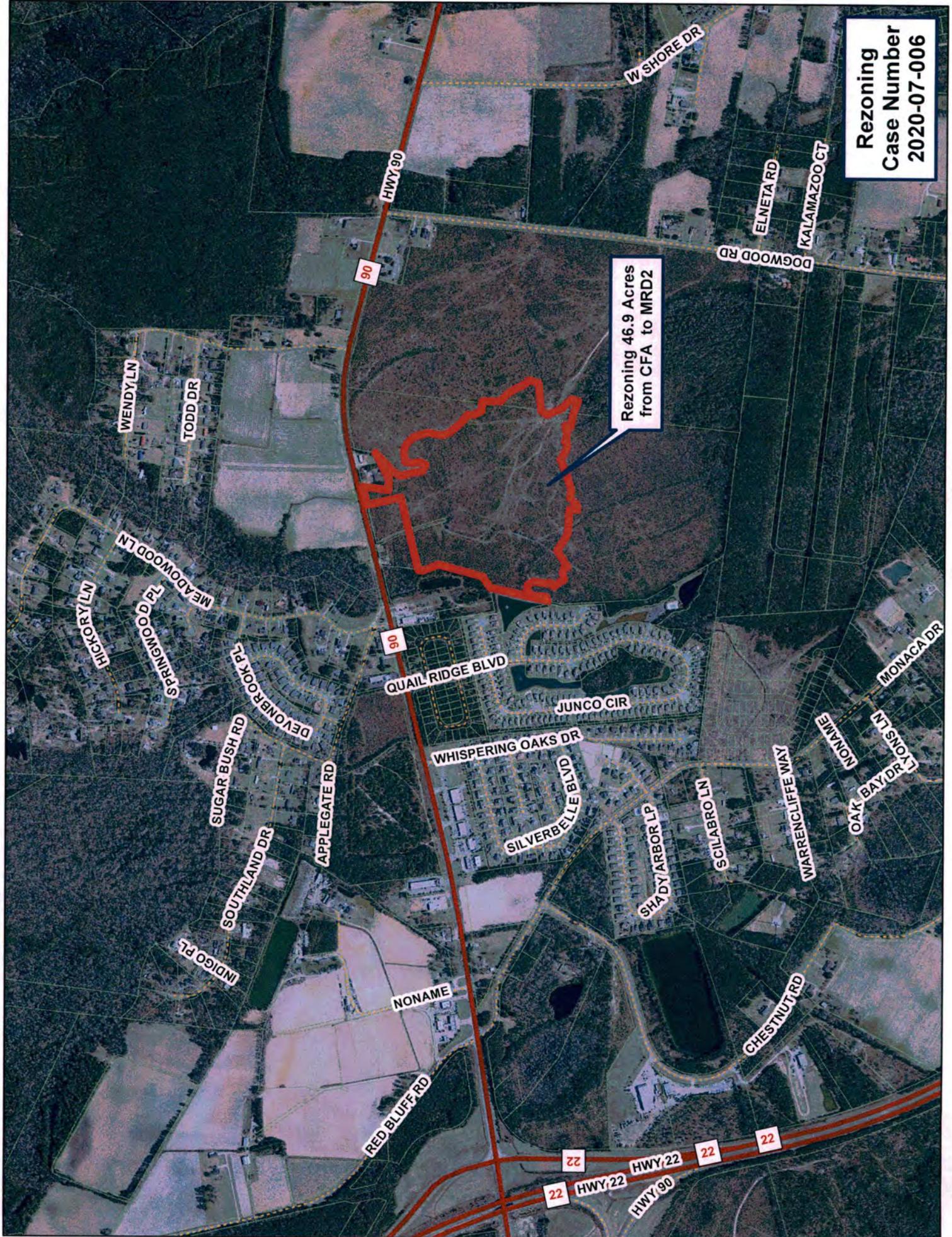
Rezoning 46.9 Acres  
from CFA to MRD2

District 10

District 9

Rezoning  
Case Number  
2020-07-006

Rezoning 46.9 Acres  
from CFA to MRD2



WENDY LN

TODD DR

MEADOWOOD LN

HICKORY LN

SPRINGWOOD LN

DEVONBORO PL

SUGAR BUSH RD

SOUTHLAND DR

APPLEGATE RD

INDIGO PL

RED BLUFF RD

NONAME

QUAIL RIDGE BLVD

JUNCO CIR

WHISPERING OAKS DR

SILVERBELLE DR

SHADY ARBOR LP

SCILABRO LN

CHESTNUT RD

WARRENCLIFFE WAY

NONAME

OAK BAY DR

LYONS LN

MONACA DR

W SHORE DR

ELNETA RD

KALAMAZOO CT

DOGWOOD RD

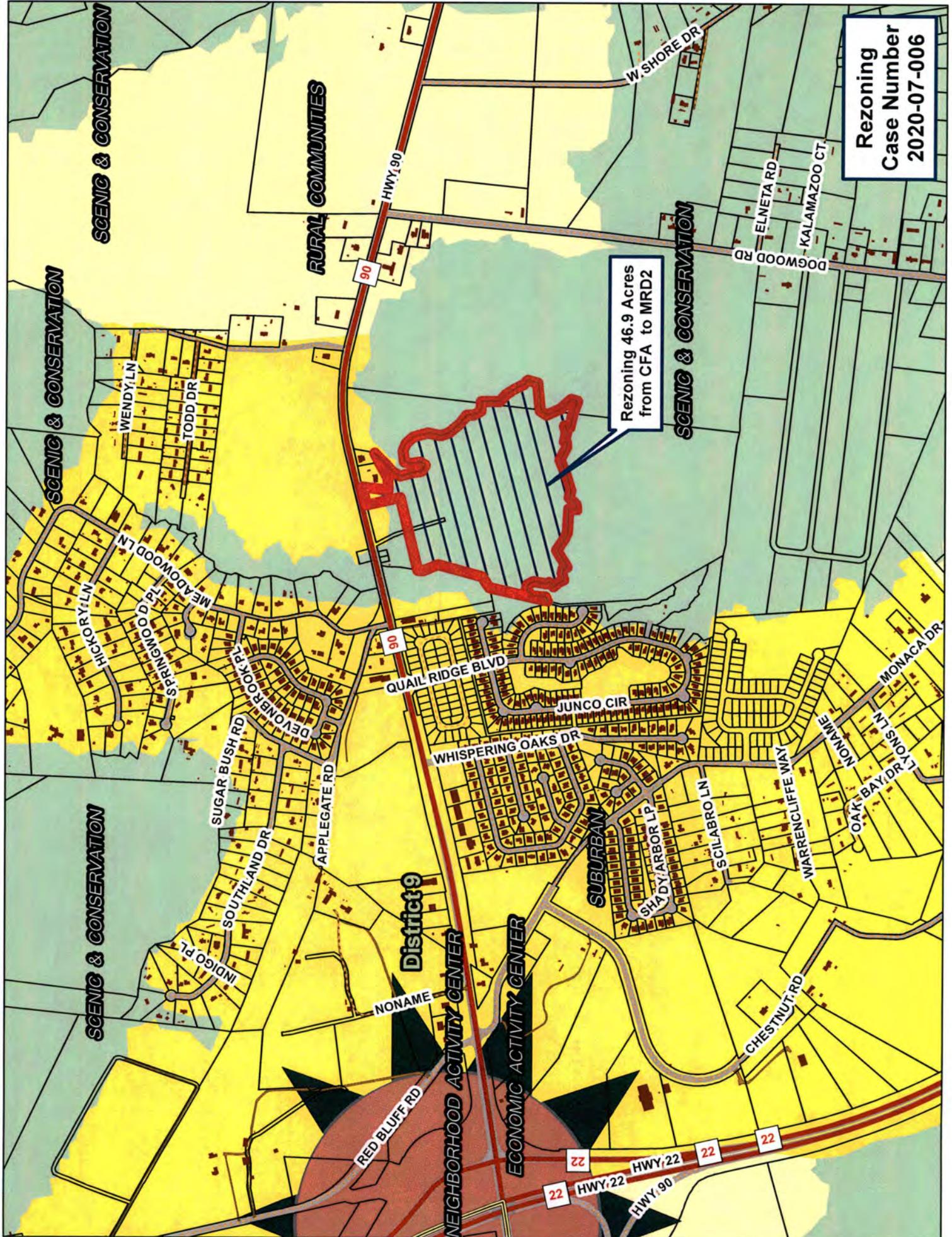
22

HWY 22

22

22

HWY 90



Rezoning Case Number  
2020-07-006

Rezoning 46.9 Acres  
from CFA to MRD2

SCENIC & CONSERVATION

RURAL COMMUNITIES

SCENIC & CONSERVATION

SCENIC & CONSERVATION

District 9

NEIGHBORHOOD ACTIVITY CENTER

ECONOMIC ACTIVITY CENTER

SUBURBAN

RED BLUFF RD

HWY 22

HWY 90

W. SHORE DR

ELNETA RD

KALAMAZOO CT

DOGWOOD RD

WENDY LN

TODD DR

MEADOWOOD LN

HICKORY LN

SPRINGWOOD PT

SUGAR BUSH RD

SOUTHLAND DR

INDIGO PL

DEVON FOXTR

APPLEGATE RD

QUAL RIDGE BLVD

WHISPERING OAKS DR

JUNCO CIR

SHADY ARBOR LP

SCILABRO LN

WARRENCLIFFE WAY

NONAME

OAK BAY DR

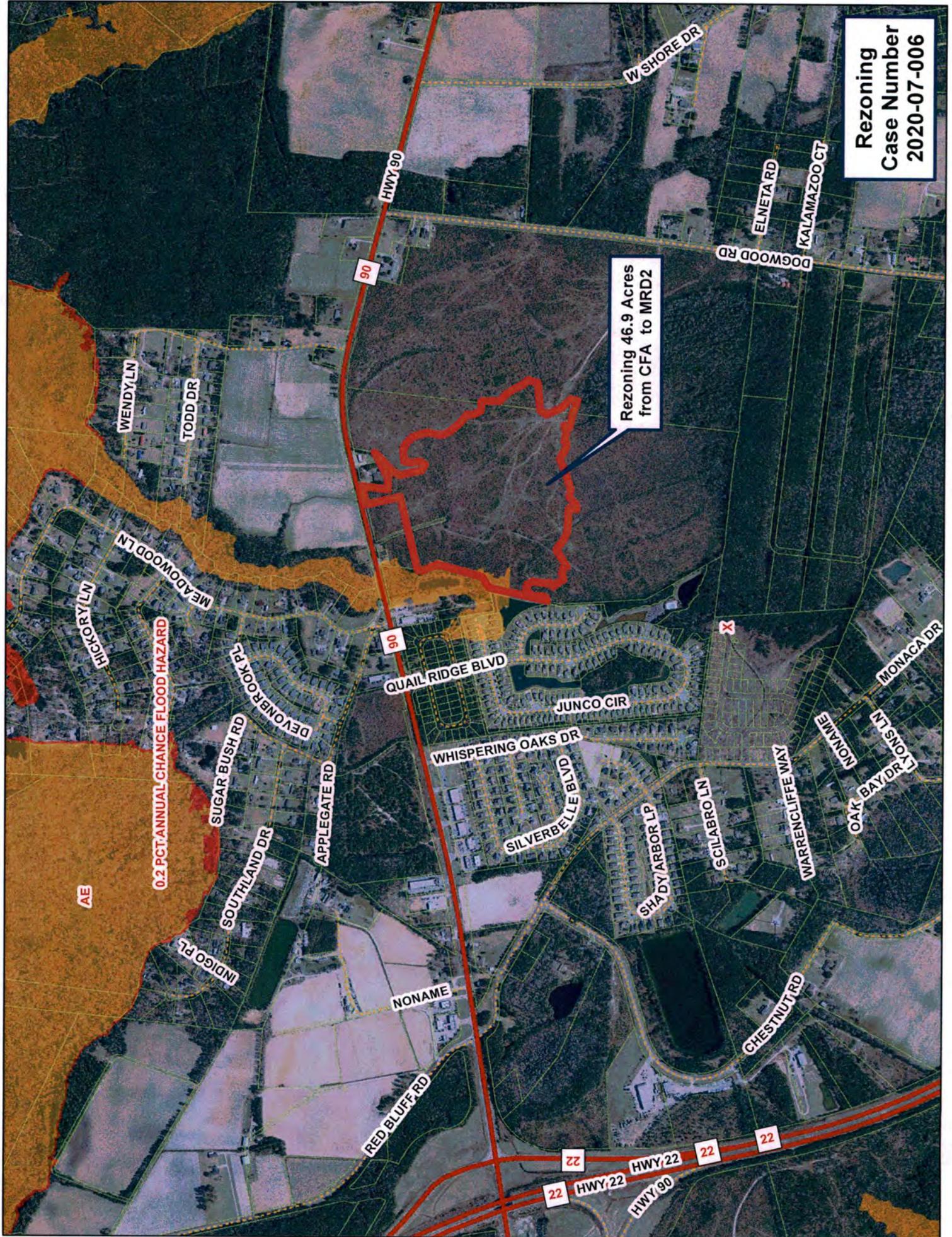
LYONS LN

MONACA DR

CHESTNUT RD

Rezoning  
Case Number  
2020-07-006

Rezoning 46.9 Acres  
from CFA to MRD2



**Wetland Delineation/Determination**  
**Lyndell Thompson Hwy 90 Tract**

Dogwood Neck Township,  
 Horry County, South Carolina  
 Tax Map Number 128-00-08-005 & 007

**Area Summary:**

Jurisdictional Wetlands	89.55
Non-jurisdictional Wetlands	2.07
Critical Area Wetlands/Section 10	0.00
Uplands	126.52
<b>Total</b>	<b>218.14</b>

**Notes**

1. Potential wetland/non-wetland areas depicted here on have not been verified by the US Army Corps of Engineers. Areas depicted as wetlands were identified using the 1987 Wetland Delineation Manual in conjunction with the Atlantic and Gulf Coastal Plain Region Supplement. Prior to any land disturbing activities, a final jurisdictional determination should be obtained from the US Army Corps of Engineers.
2. Boundary information taken from Horry County GIS/Par Parcel information.
3. Onsite inspection was conducted on 4-8 & 4-10-19.

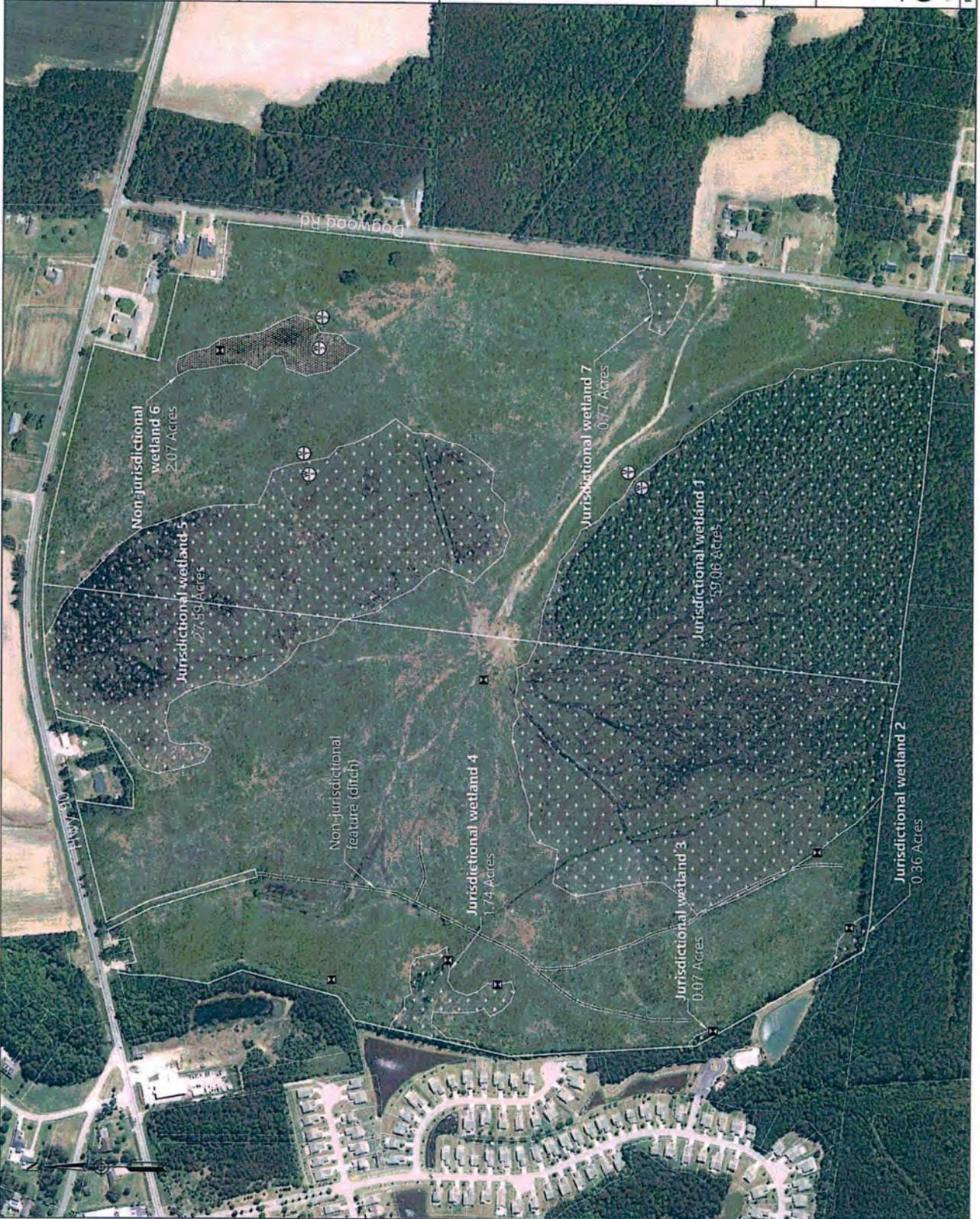
**Legend**

- Line Legend**
- Boundary
  - Adjacent Boundary
  - Right of Way
  - Jurisdictional Ditch
  - Non-Jurisdictional Ditch
  - Dirt Road
  - Bulkhead
- Hatch Legend**
- Jurisdictional Wetland
  - Non-Jurisdictional Wetland
  - Critical Area/Section 10
- Symbol Legend**
- Data Point
  - Photo Point
  - Property Corner

Prepared For  
 Emory Thompson  
 Job # 00984-19053  
 Date 4-16-19

**Graphic Scale**  
 400' 0 400'  
 SCALE IN FEET

**the BRIGMAN COMPANY**  
 wetland consulting - forest management  
 P.O. Box 1532 - Conway, SC 29528 - p(843) 248-9388 (f843) 248-9596



COUNTY OF Horry )  
STATE OF SOUTH CAROLINA )

Ordinance 80-2020

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR Horry COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 18712020038 & 18712020027 FROM RESIDENTIAL (SF20) TO RESIDENTIAL (SF14.5)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Residential (SF20) to Residential (SF14.5) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 18712020038 & 18712020027 and currently zoned Residential (SF20) is herewith rezoned to Residential (SF14.5).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Horry County Council**

\_\_\_\_\_  
Johnny Gardner, Chairman

- |                              |                           |
|------------------------------|---------------------------|
| Harold G. Worley, District 1 | Bill Howard, District 2   |
| Dennis DiSabato, District 3  | Gary Loftus, District 4   |
| Tyler Servant, District 5    | Cam Crawford, District 6  |
| Orton Bellamy, District 7    | Johnny Vaught, District 8 |
| W. Paul Prince, District 9   | Danny Hardee, District 10 |
| Al Allen, District 11        |                           |

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: August 18, 2020  
Second Reading:  
Third Reading:

# Rezoning Review Sheet



## PROPERTY INFORMATION

<b>Applicant</b>	W. Paul Prince (Energov # 049648)	<b>Rezoning Request #</b>	2020-07-004
<b>PIN #</b>	18712020038 & 18712020027	<b>County Council District #</b>	10 - Hardee
<b>Site Location</b>	Corner of Scenic Dr and Hwy 701 S in Loris	<b>Staff Recommendation</b>	Approval
<b>Property Owner Contact</b>	W. Paul Prince	<b>PC Recommendation</b>	Approval 6:3
		<b>Size (in acres) of Request</b>	3.47

## ZONING DISTRICTS

<b>Current Zoning</b>	SF20
<b>Proposed Zoning</b>	SF14.5
<b>Proposed Use</b>	Residential

## LOCATION INFORMATION

<b>Flood and Wetland Information</b> (proposed FEMA maps)	X
<b>Public Health &amp; Safety</b> (EMS/fire) in miles	2.02
<b>Utilities</b>	Public
<b>Character of the Area</b>	Residential

## ADJACENT PROPERTIES

CFA	CFA	CFA
SF20	Subject Property	SF20
SF20	SF20	SF20

## COMMENTS

<b>Comprehensive Plan District:</b> Rural Communities	<b>Overlay/Area Plan:</b>
---	---------------------------

**Discussion:** The applicant has requested to rezone the parcel to Residential (SF 14.5) to allow for the subdivision of the properties into 14,500 sq. ft. lots. Zoning districts in the near vicinity are predominately SF20 and CFA with a minimum lot size of half an acre (approx. 20,000 sq. ft). The subject parcels is designated as Rural Communities in the Future Land Use map with a proposed minimum lot size of 14,500 sq. ft. Within the immediate SF20 neighborhood, a row of parcels along Scenic Drive are of a substandard size (approx. 13,500 sq. ft).

**Public Comment:** 8/6/2020 Mark Berger spoke in opposition to the request. His concerns were traffic, drainage, flooding and density. The applicant was not present.

## TRANSPORTATION INFORMATION

<b>Daily Trips based on existing use / Max Daily Trips based on current zoning</b>	56 / 56	<b>Existing Road Conditions</b>	State, Paved, Two-lane
<b>Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning</b>	80 / 80	<b>Rd, Station, Traffic AADT (2019) % Road Capacity</b>	US 701, Station (189) 7,600 AADT 45-50%
<b>Proposed Improvements</b>			

## DIMENSIONAL STANDARDS

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	SF14.5	SF20	CFA	SF20		
<b>Min. Lot Size (in square feet)</b>	14,500	20,000	21,780 / 43,560	20,000		
<b>Front Setback (in feet)</b>	25	40	25 / 60	40		
<b>Side Setback (in feet)</b>	10	15	10 / 25	15		
<b>Corner Side Setback (in feet)</b>	15	22.5	15 / 37.5	22.5		
<b>Rear Setback (in feet)</b>	15	25	15 / 40	25		
<b>Bldg. Height (in feet)</b>	35	35	35	35		

**Setback Comments:**

Date Advertised: 7/16/2020

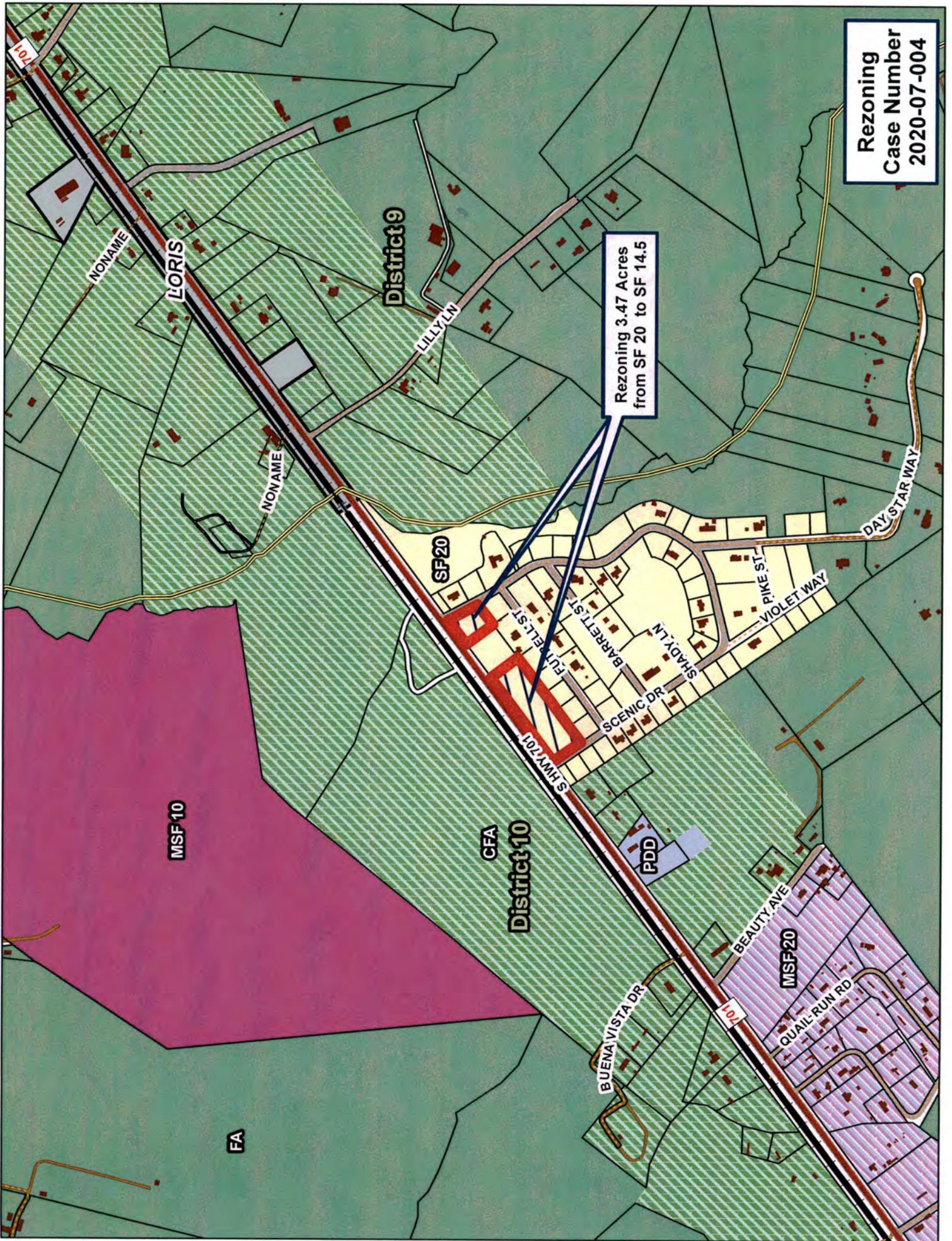
Date Posted: 7/16/2020 # Property Owners Notified: 16

Date Notification Mailed: 7/16/2020

Report Date: 7/16/2020 BY: DJ

Rezoning  
Case Number  
2020-07-004

Rezoning 3.47 Acres  
from SF 20 to SF 14.5



NONAME

LORIS

District 9

LILLY LN

NONAME

SF 20

S HWY 701

MSF 10

CFA

District 10

PDD

BEAUTY AVE

MSF 20

BUENAVISTA DR

QUAIL RUN RD

DAY STAR WAY

PIKE ST

VIOLET WAY

SHADY LN

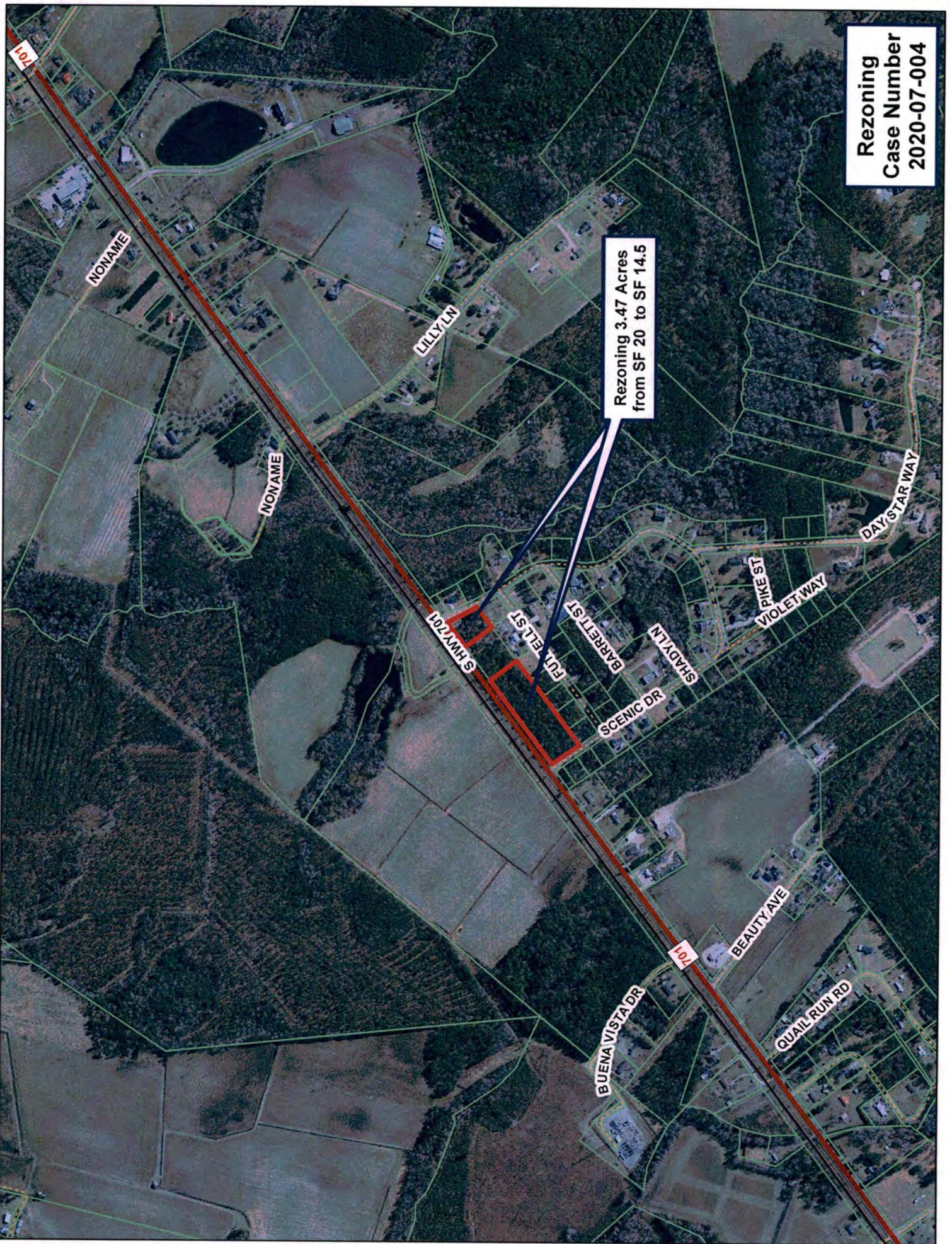
SCENIC DR

BARRETT ST

FUJIBELI ST

Rezoning  
Case Number  
2020-07-004

Rezoning 3.47 Acres  
from SF 20 to SF 14.5



NONAME

NONAME

LILLY LN

SHM701

FUNNEL ST

BARRETT ST

SHADY LN

SCENIC DR

PIKE ST

VIOLET WAY

DAY STAR WAY

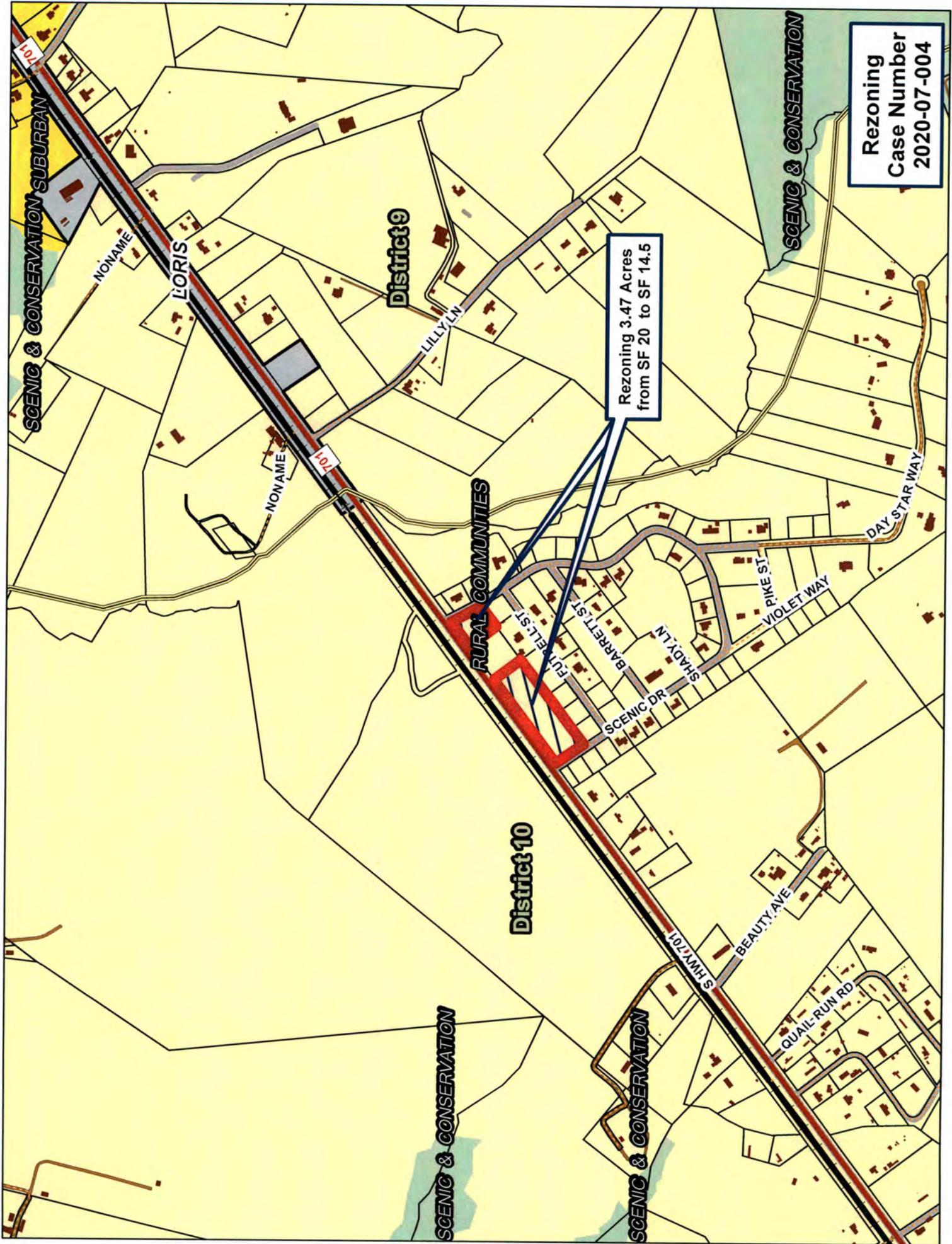
BUENA VISTA DR

BEAUTY AVE

QUAIL RUN RD

701

701



Rezoning  
Case Number  
2020-07-004

Rezoning 3.47 Acres  
from SF 20 to SF 14.5

District 9

District 10

RURAL COMMUNITIES

SCENIC & CONSERVATION SUBURBAN

SCENIC & CONSERVATION

SCENIC & CONSERVATION

SCENIC & CONSERVATION

NO NAME

NO NAME

LILLY LN

LORIS

FUJIE ST

BARETT ST

SHADY LN

SCENIC DR

PIPER ST

VIOLET WAY

DAY STAR WAY

SHADY LN

BEAUTY AVE

QUAIL RUN RD

102

102

COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

Ordinance 81-2020

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 22711020003 FROM MOBILE HOME PARK (MHP) TO RESIDENTIAL (MSF20)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Mobile Home Park (MHP) to Residential (MSF20) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 22711020003 and currently zoned Mobile Home Park (MHP) is herewith rezoned to Residential (MSF20).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1	Bill Howard, District 2
Dennis DiSabato, District 3	Gary Loftus, District 4
Tyler Servant, District 5	Cam Crawford, District 6
Orton Bellamy, District 7	Johnny Vaught, District 8
W. Paul Prince, District 9	Danny Hardee, District 10
Al Allen, District 11	

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: August 18, 2020

Second Reading:

Third Reading:

Rezoning Review Sheet



**PROPERTY INFORMATION**

<b>Applicant</b>	Impact Consulting / Lacy Cannon (Energov # 049675)	<b>Rezoning Request #</b>	2020-07-005
<b>PIN #</b>	22711020003	<b>County Council District #</b>	10 - Hardee
<b>Site Location</b>	Eagle Ridge Ln in Loris	<b>Staff Recommendation</b>	Approval
<b>Property Owner Contact</b>	John Terry Hucks	<b>PC Recommendation</b>	Unanimous Approval
		<b>Size (in acres) of Request</b>	5.62

Date Advertised: 7/16/2020

Date Posted: 7/16/2020

# Property Owners Notified: 24

Date Notification Mailed: 7/16/2020

Report Date: 7/16/2020

BY: DJ

**ZONING DISTRICTS**

<b>Current Zoning</b>	MHP
<b>Proposed Zoning</b>	MSF20
<b>Proposed Use</b>	Residential – Subdivide into .5 acre lots

**LOCATION INFORMATION**

<b>Flood and Wetland Information</b> (proposed FEMA maps)	X
<b>Public Health &amp; Safety</b> (EMS/fire) in miles	2.65
<b>Utilities</b>	Septic
<b>Character of the Area</b>	Residential

**ADJACENT PROPERTIES**

MSF40	FA	FA
MSF40	<b>Subject Property</b>	FA
MSF40	MSF40	MSF40

**COMMENTS**

<b>Comprehensive Plan District:</b> Rural	<b>Overlay/Area Plan:</b> None
---	--------------------------------

**Discussion:** Applicant has requested to rezone to Residential (MSF20) to allow for the subdivision of the parcel into 0.5 acre lots. The surrounding zoning is a mixture of SF40 and FA. Although much of the surrounding property is comprised of 1 acre of larger lots the FA zoning does allow for 0.5 acre lots and in the near vicinity are some substandard 0.5 acre SF40 lots. Currently zoned for Mobile Home Park (MHP) the property is undeveloped and is utilized to grow timber.

**Public Comment:8/6/2020** There was no public input. The applicant was not present.

**TRANSPORTATION INFORMATION**

<b>Daily Trips based on existing use / Max Daily Trips based on current zoning</b>	8 / 210	<b>Existing Road Conditions</b>	County, Paved, Two-lane
<b>Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning</b>	96 / 96	<b>Rd, Station, Traffic AADT (2019) % Road Capacity</b>	S-139, Station (591) 800 AADT 5-10%
<b>Proposed Improvements</b>			

**DIMENSIONAL STANDARDS**

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MSF20	MHP	MSF40	FA		
<b>Min. Lot Size</b> (in square feet)	20,000	5 acres	40,000	21,780 / 43,560		
<b>Front Setback</b> (in feet)	40	See comments	50	25 / 60		
<b>Side Setback</b> (in feet)	15	See comments	20	10 / 25		
<b>Corner Side Setback</b> (in feet)	22.5	See comments	30	15 / 37.5		
<b>Rear Setback</b> (in feet)	25	See comments	30	15 / 40		
<b>Bldg. Height</b> (in feet)	35	35	35	35		

**Setback Comments:** External Park Setbacks: All mobile homes shall meet a setback of thirty-five (35) feet from any public roadway and twenty-five (25) feet from any external park boundary.  
Internal Park Setbacks: All units must be separated at least twenty (20) feet from any other unit or roadway within the mobile home park.

Rezoning  
Case Number  
2020-07-005

Rezoning 5.62 Acres  
from MHP to MSF 20

FA

SF20

ROSE PETAL LN

FLOWER LN

District-10

MHP

JARAME TRL

MSF40

SWEET LEMON LN

GREENPOND RD

LFA

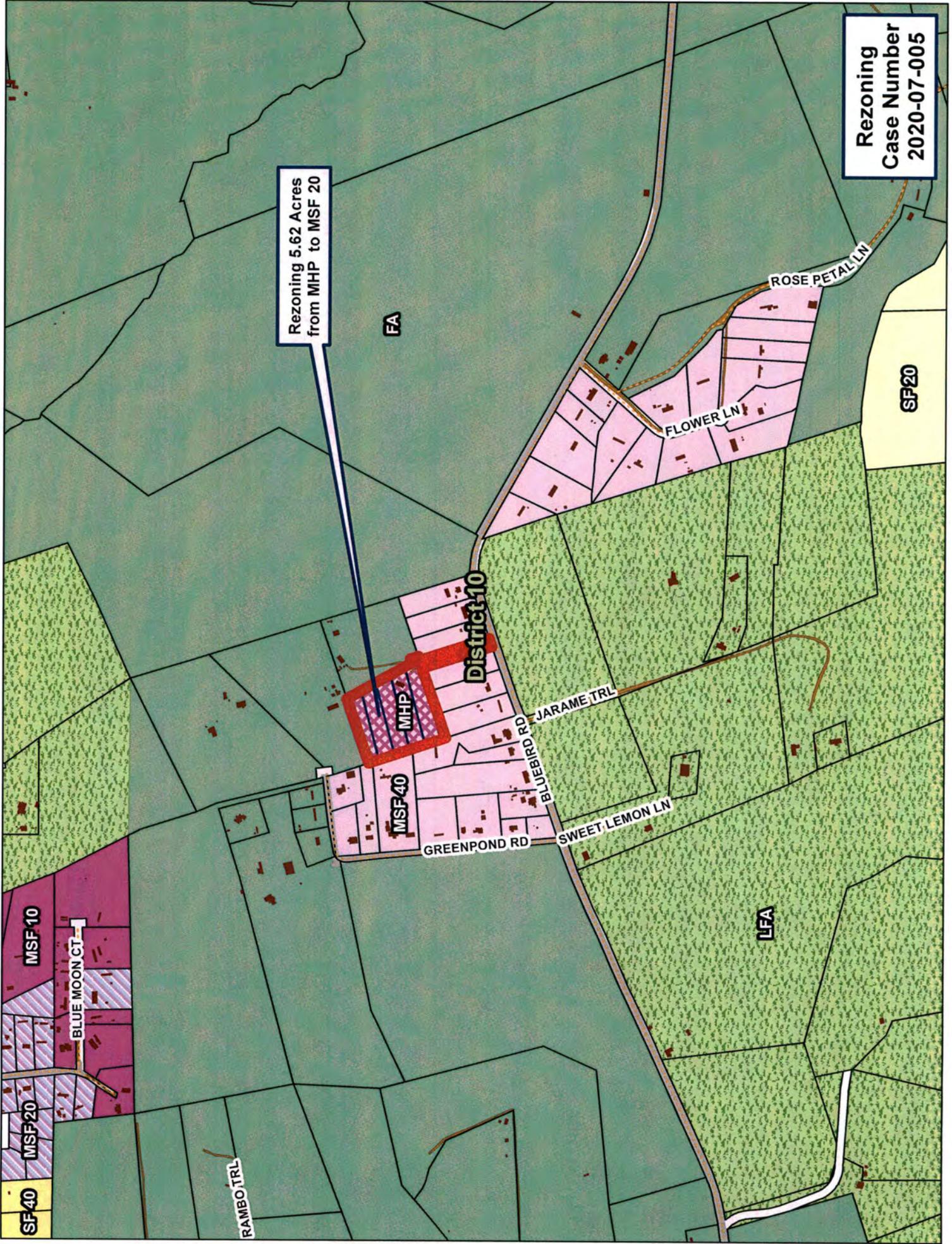
MSF 10

BLUE MOON CT

MSF20

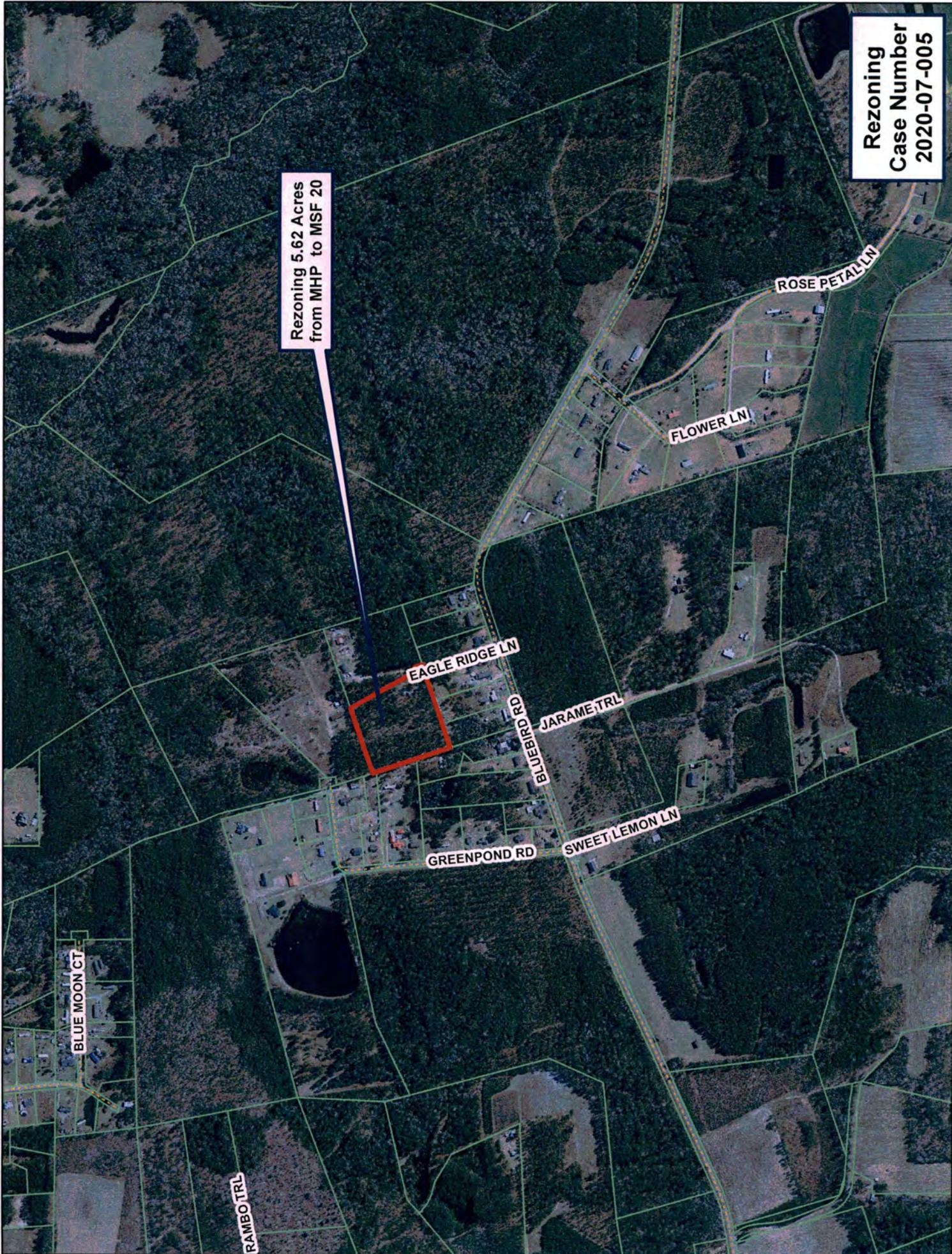
SF40

RAMBO TRL



Rezoning  
Case Number  
2020-07-005

Rezoning 5.62 Acres  
from MHP to MSF 20



Rezoning  
Case Number  
2020-07-005

SCENIC & CONSERVATION

Rezoning 5.62 Acres  
from MHP to MSF 20

District-10

RURAL

ROSE PETAL LN

FLOWER LN

JARAME TRL

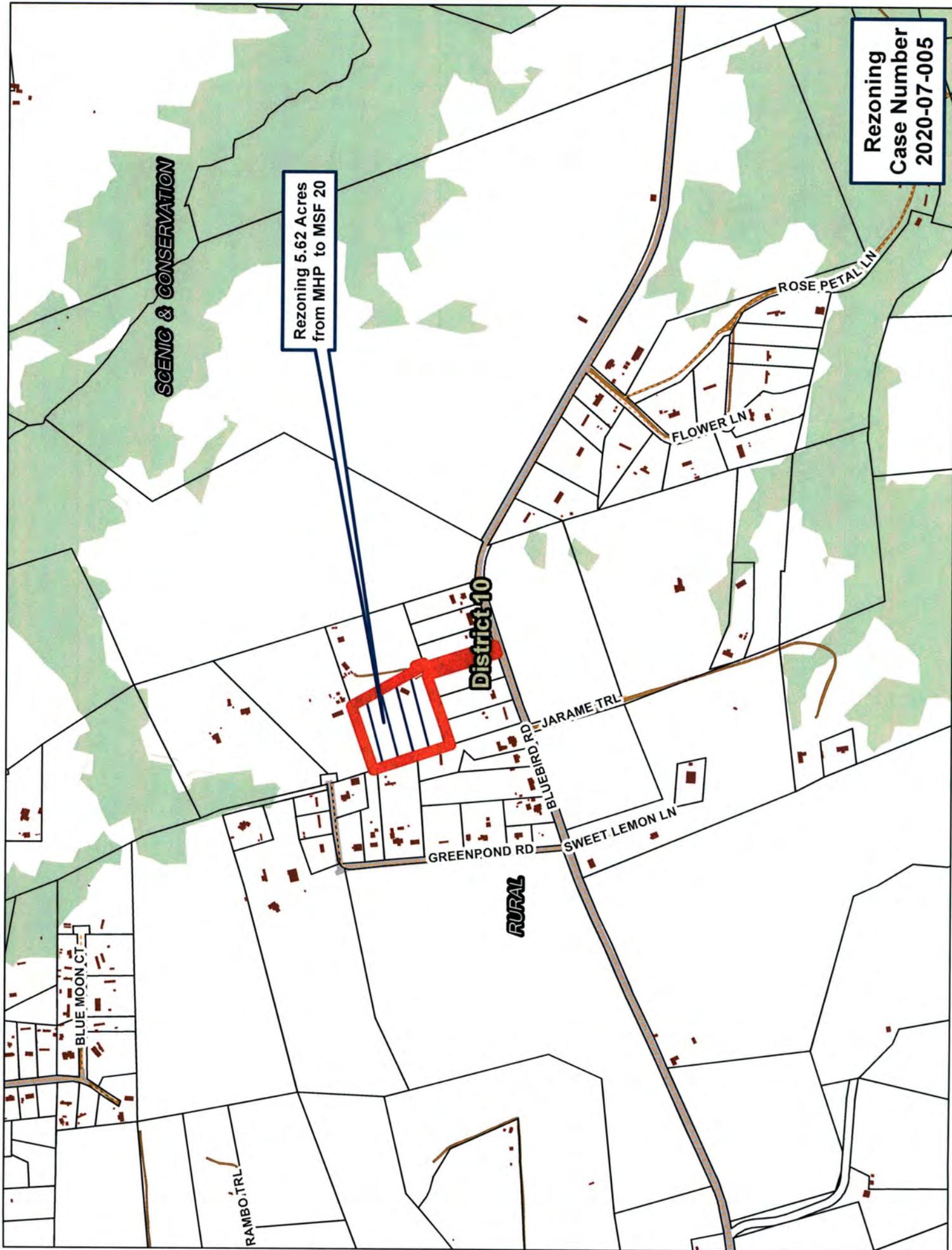
GREENPOND RD

SWEET LEMON LN

BLUEBIRD RD

BLUE MOON CT

RAMBO TRL



COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

Ordinance 82-2020

AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 34400000039 (PORTION) FROM COMMERCIAL FOREST AGRICULTURE (CFA) TO MULTI-RESIDENTIAL ONE (MRD1)

WHEREAS, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

WHEREAS, a request has been filed to amend the maps for the above mentioned parcel of land; and,

WHEREAS, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

WHEREAS, Horry County Council finds that the request to rezone the property from Commercial Forest Agriculture (CFA) to Multi-Residential One (MRD1) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

NOW THEREFORE by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 34400000039 (Portion) and currently zoned Commercial Forest Agriculture (CFA) is herewith rezoned to Multi-Residential One (MRD1).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

AND IT IS SO ORDAINED, ENACTED AND ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

HORRY COUNTY COUNCIL

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1	Bill Howard, District 2
Dennis DiSabato, District 3	Gary Loftus, District 4
Tyler Servant, District 5	Cam Crawford, District 6
Orton Bellamy, District 7	Johnny Vaught, District 8
W. Paul Prince, District 9	Danny Hardee, District 10
Al Allen, District 11	

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: August 18, 2020

Second Reading:

Third Reading:

Rezoning Review Sheet



**PROPERTY INFORMATION**

<b>Applicant</b>	Venture Engineering Inc (Energov # 049706)	<b>Rezoning Request #</b>	2020-07-008
<b>PIN #</b>	34400000039 (Portion)	<b>County Council District #</b>	10 – Hardee
<b>Site Location</b>	SC 90 near Old Reaves Ferry Rd in Conway	<b>Staff Recommendation</b>	Approval
<b>Property Owner Contact</b>	Canebrake Plantation LLC	<b>PC Recommendation</b>	Approval 8:1
		<b>Size (in acres) of Request</b>	81.36

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
<b>Current Zoning</b>	CFA	<b>Flood and Wetland Information</b> (proposed FEMA maps)	X (0.2% Annual Chance Flood Hazard & AE flood zone)	CFA	CFA	CFA
<b>Proposed Zoning</b>	MRD1	<b>Public Health &amp; Safety</b> (EMS/fire) in miles	1.49	CFA	<b>Subject Property</b>	CFA
<b>Proposed Use</b>	Residential	<b>Utilities</b>	Public	CFA	MRD1	CFA
		<b>Character of the Area</b>	Residential			

**COMMENTS**

<b>Comprehensive Plan District:</b>	<b>Overlay/Area Plan:</b>
-------------------------------------	---------------------------

**Discussion:** The applicant is requesting to rezone to allow residential development. The project has been referenced as phase 3 of Cranebrake Plantation. The project consists of 97 units with one point of access through Phase 2 of Fox Rae Farms and will include increased open space, community garden and design with trees as sustainable criteria. The first two phases of Fox Rae Farms were rezoned by cases 2018-11-006 & 2019-05-004 and consisted of 80.23 acres with 160 single family detached units and utilized community gardens, sidewalks, and increased open space as sustainable criteria. Collectively, the developments would consist of 260 units with a gross density of 1.60 units/ac. Directly adjacent to Fox Rae Farms on the West, 2019-06-003 was approved and established 108.6 acres of MRD1 consisting of 58 units single family detached development with a gross density of 0.5 du/ac.

The project will need a design modification to allow the use of a 50' R/W to serve as the only access for 115 lots and to authorize a dead-end in excess of 1,800 lf. The design modification was approved with conditions on 8/6/2020.

**Public Comment: 8/6/2020** April O'Leary & Tammy Baker spoke in opposition to the request. Their concerns were drainage, flooding, and traffic. Steve Powell was present to address questions and concerns.

**TRANSPORTATION INFORMATION**

<b>Daily Trips based on existing use / Max Daily Trips based on current zoning</b>	0 / 320	<b>Existing Road Conditions</b>	County, Paved, Two-lane
<b>Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning</b>	800 / 800	<b>Rd, Station, Traffic AADT (2019) % Road Capacity</b>	SC 90, Station (224) 13,300 AADT 80-85%
<b>Proposed Improvements</b>			

**DIMENSIONAL STANDARDS**

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MRD1	CFA	CFA	MRD1		
<b>Min. Lot Size (in square feet)</b>	10,000	21,780 / 43,560	21,780 / 43,560	7,000		
<b>Front Setback (in feet)</b>	15	25 / 60	25 / 60	15		
<b>Side Setback (in feet)</b>	5	10 / 25	10 / 25	5		
<b>Corner Side Setback (in feet)</b>	15	15 / 37.5	15 / 37.5	15		
<b>Rear Setback (in feet)</b>	10	15 / 40	15 / 40	10		
<b>Bldg. Height (in feet)</b>	40	35	35	40		

**Setback Comments:**

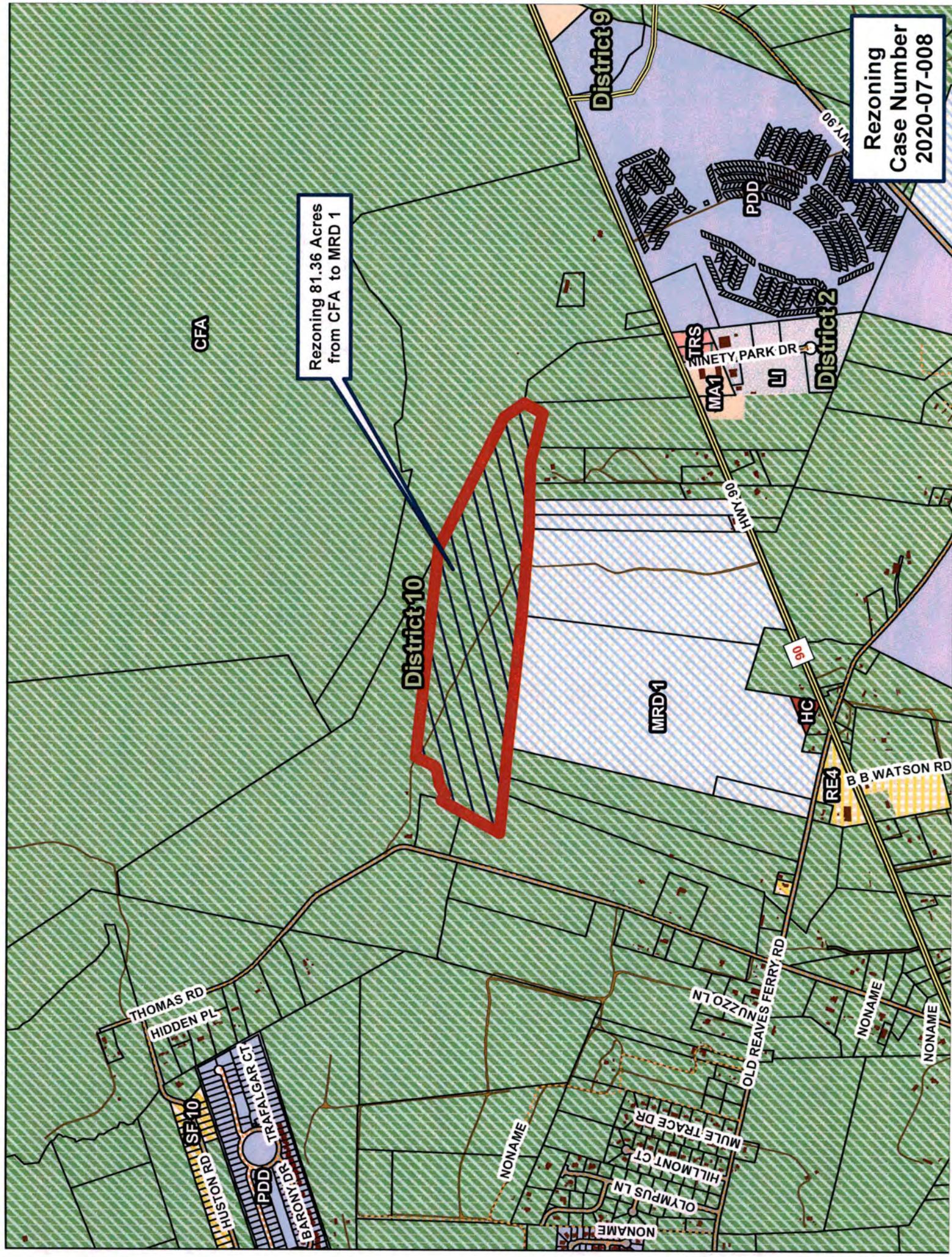
Date Advertised: 7/16/2020 Date Posted: 7/16/2020 # Property Owners Notified: 15 Date Notification Mailed: 7/16/2020 Report Date: 7/16/2020 BY: DJ





Rezoning  
Case Number  
2020-07-008

Rezoning 81.36 Acres  
from CFA to MRD 1



Rezoning 81.36 Acres  
from CFA to MRD 1



Rezoning  
Case Number  
2020-07-008

Rezoning 81.36 Acres  
from CFA to MRD 1

**SCENIC & CONSERVATION**

**District 10**



**District 9**

**RURAL COMMUNITIES**

**District 2**

**RURAL ACTIVITY CENTER**

THOMAS RD  
HIDDEN PL

HUSTON RD  
WALGAR CT  
BRADY DR

NONAME

OLYMPUS LN  
HILLMONT CT  
MULE TRACE DR

NUZZO LN  
OLD REAVES FERRY RD

NONAME

NONAME

99

HWY 90

HWY 90

Rezoning  
Case Number  
2020-07-008

Rezoning 81.36 Acres  
from CFA to MRD 1

0.2 PCT ANNUAL CHANCE FLOOD HAZARD

AE

THOMAS RD  
HIDDEN PL

TREATGAR CT

HUSTON RD

BARONY DR

NONAME

NONAME

OLYMPUS LN  
HILLMONT CT  
MULE TRACE DR

NUZZO LN

OLD REAVES FERRY RD

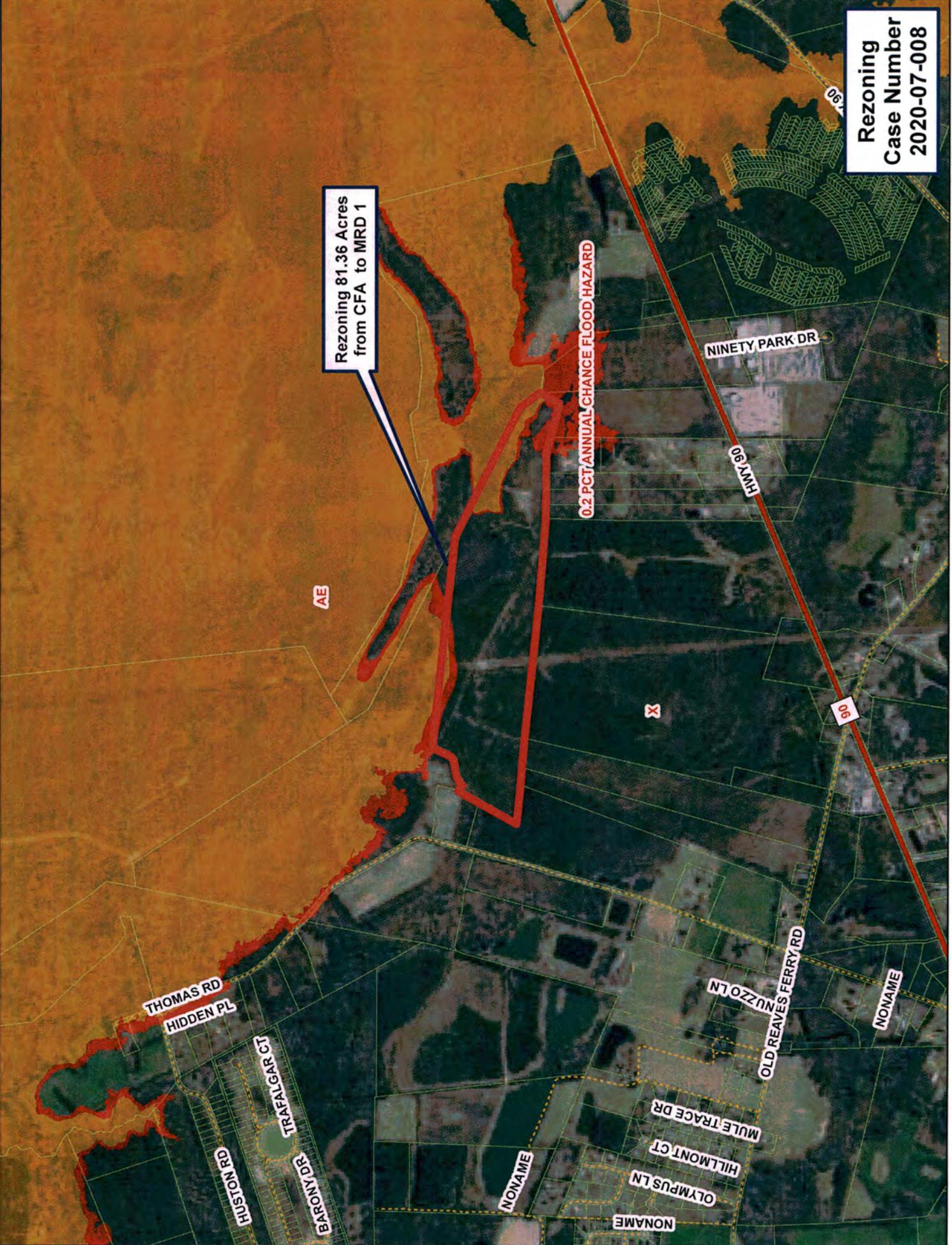
NONAME

NINETY PARK DR

HWY 90

88

X



COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

Ordinance 83-2020

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 32207040004 FROM RESIDENTIAL (SF40) TO RESIDENTIAL (MSF14.5)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Residential (SF40) to Residential (MSF14.5) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 32207040004 and currently zoned Residential (SF40) is herewith rezoned to Residential (MSF14.5).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: August 18, 2020

Second Reading:

Third Reading:

Rezoning Review Sheet



**PROPERTY INFORMATION**

<b>Applicant</b>	Rosemary E Chestnut & Linda Jackson (Energov # 049761)	<b>Rezoning Request #</b>	2020-07-009
<b>PIN #</b>	32207040004	<b>County Council District #</b>	10 – Hardee
<b>Site Location</b>	Hwy 905 in Conway	<b>Staff Recommendation</b>	Approval
<b>Property Owner Contact</b>	Rosemary E Chestnut & Linda Jackson	<b>PC Recommendation</b>	Unanimous Approval
		<b>Size (in acres) of Request</b>	2.01

**ZONING DISTRICTS**

<b>Current Zoning</b>	SF40
<b>Proposed Zoning</b>	MSF14.5
<b>Proposed Use</b>	Allow for placement of mobile home

**LOCATION INFORMATION**

<b>Flood and Wetland Information</b> (proposed FEMA maps)	X
<b>Public Health &amp; Safety</b> (EMS/fire) in miles	1.52
<b>Utilities</b>	Public
<b>Character of the Area</b>	Residential

**ADJACENT PROPERTIES**

MSF10	MSF20	FA
SF40	<b>Subject Property</b>	MSF20
MSF14.5	MSF14.5	SF40

**COMMENTS**

<b>Comprehensive Plan District:</b> Rural Communities	<b>Overlay/Area Plan:</b> None
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**Discussion:** The applicant is requesting to rezone for a mobile home on an existing residential property. Several properties in the immediate neighborhood are zoned to allow the placement of mobile homes, including FA, MSF10 & MSF14.5. An adjacent parcel on Hwy 905 was rezoned to MSF14.5 in 2017 (Ord. 41-17) in order to subdivide and allow for a mobile home to be placed on the new lot.

**Public Comment: 8/6/2020** There was no public input. Rosemary Chestnut & Linda Jackson were present to address questions and concerns.

**TRANSPORTATION INFORMATION**

<b>Daily Trips based on existing use / Max Daily Trips based on current zoning</b>	8 / 16	<b>Existing Road Conditions</b>	State, Paved, Two-lane
<b>Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning</b>	48 / 48	<b>Rd, Station, Traffic AADT (2019) % Road Capacity</b>	SC 905, Station (253) 6,500 AADT 35-40%
<b>Proposed Improvements</b>			

**DIMENSIONAL STANDARDS**

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MSF14.5	SF40	MSF10	MSF20	MSF14.5	FA Res/ Comm
<b>Min. Lot Size (in square feet)</b>	14,500	40,000	10,000	20,000	14,500	21,780 / 43,560
<b>Front Setback (in feet)</b>	25	50	25	40	25	25 / 60
<b>Side Setback (in feet)</b>	10	20	10	15	10	10 / 25
<b>Corner Side Setback (in feet)</b>	15	30	15	22.5	15	15 / 37.5
<b>Rear Setback (in feet)</b>	15	30	15	25	15	15 / 40
<b>Bldg. Height (in feet)</b>	35	35	35	35	35	35

**Setback Comments:**

Date Advertised: 7/16/2020

Date Posted: 7/16/2020

# Property Owners Notified: 31

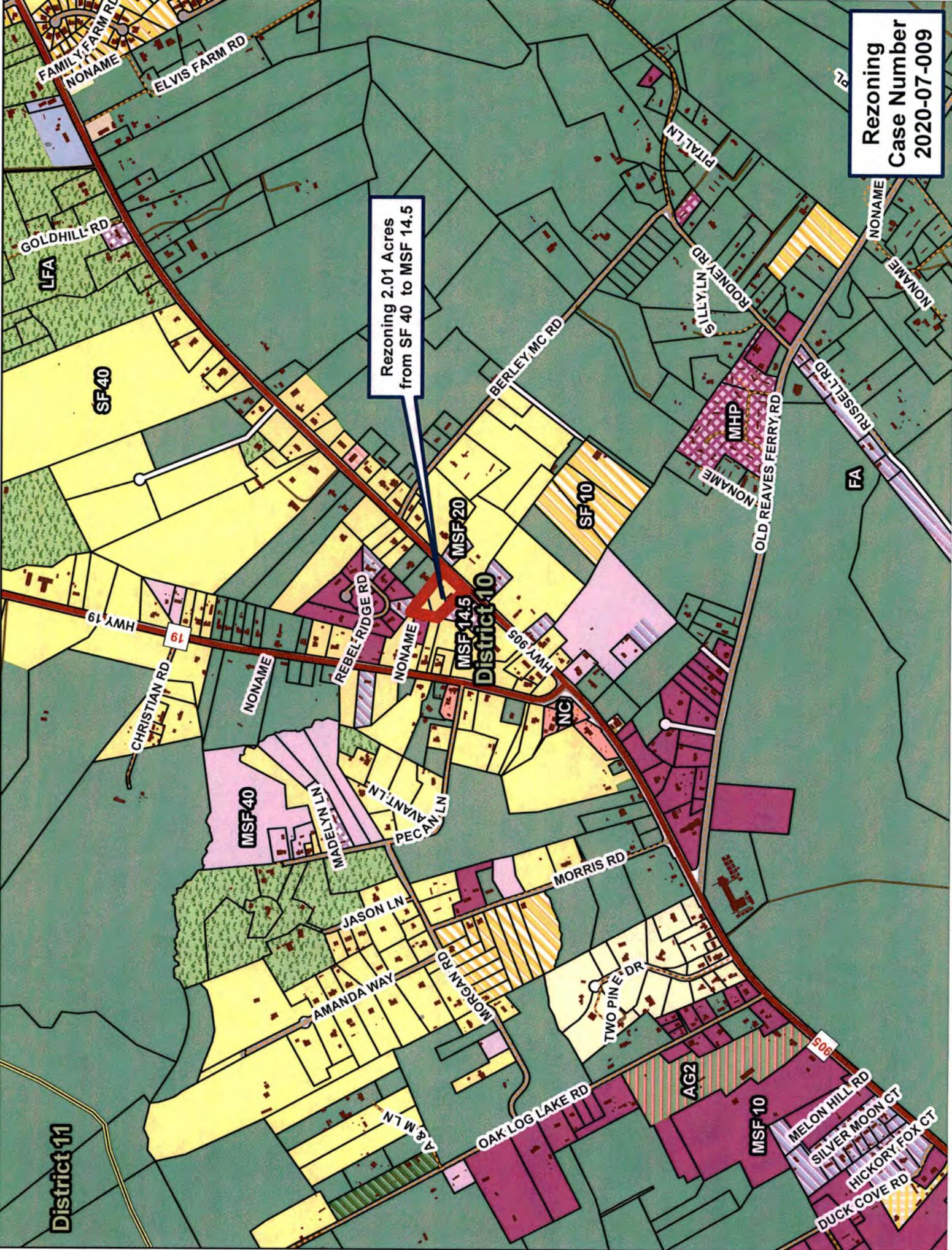
Date Notification Mailed: 7/16/2020

Report Date: 7/16/2020

BY: DJ

Rezoning  
Case Number  
2020-07-009

Rezoning 2.01 Acres  
from SF 40 to MSF 14.5



District 11

MSF 14.5  
District 10

MSF 40

MSF 20

SF 10

MHP

AG2

MSF 10

SF 40

LFA

FA

MELON HILL RD  
SILVER MOON CT  
HICKORY FOX CT  
DUCK COVE RD

OAK LOG LAKE RD

TWO PINE DR

MORRIS RD

JASON LN

AMANDA WAY

A & M LN

MORGAN RD

MADALEN LN

PECAN LN

CHRISTIAN RD

REBEL RIDGE RD

HWY 905

OAK LOG LAKE RD

MORRIS RD

JASON LN

AMANDA WAY

A & M LN

MORGAN RD

MADALEN LN

PECAN LN

CHRISTIAN RD

REBEL RIDGE RD

HWY 905

BERLEY MC RD

SILLY LN

PIAL LN

OLD REAVES FERRY RD

RUSSELL RD

NONAME

NONAME

NONAME

FAMILY FARM RD  
NONAME

ELVIS FARM RD

GOLDHILL RD

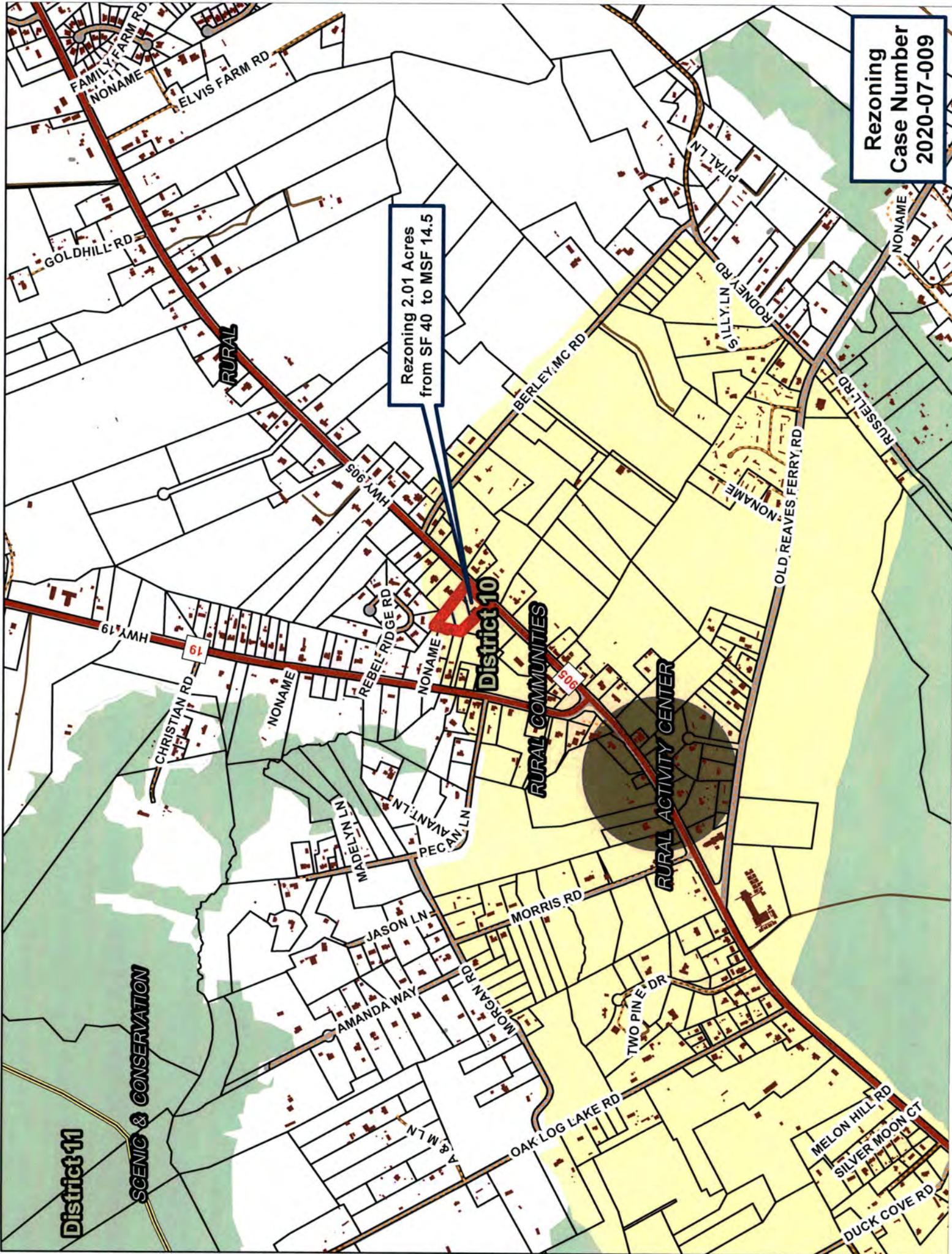
76

906



Rezoning  
Case Number  
2020-07-009

Rezoning 2.01 Acres  
from SF 40 to MSF 14.5



COUNTY OF HORRY

)

Ordinance 84-2020

STATE OF SOUTH CAROLINA

)

)

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 21000000038 FROM RESIDENTIAL (SF10) TO MINING (MG)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Residential (SF10) to Mining (MG) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 21000000038 and currently zoned Residential (SF10) is herewith rezoned to Mining (MG).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
 Dennis DiSabato, District 3  
 Tyler Servant, District 5  
 Orton Bellamy, District 7  
 W. Paul Prince, District 9  
 Al Allen, District 11

Bill Howard, District 2  
 Gary Loftus, District 4  
 Cam Crawford, District 6  
 Johnny Vaught, District 8  
 Danny Hardee, District 10

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: August 18, 2020

Second Reading:

Third Reading:

Rezoning Review Sheet



**PROPERTY INFORMATION**

<b>Applicant</b>	Antioch Farms LLC (Energov # 049762)	<b>Rezoning Request #</b>	2020-07-012
<b>PIN #</b>	21000000038	<b>County Council District #</b>	10 - Hardee
<b>Site Location</b>	McNabb Shortcut Rd in Loris	<b>Staff Recommendation</b>	Approval
<b>Property Owner Contact</b>	McNabb Shortcut LLC	<b>PC Recommendation</b>	Approval 7:1
		<b>Size (in acres) of Request</b>	31.76

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
<b>Current Zoning</b>	SF10	<b>Flood and Wetland Information</b> (proposed FEMA maps)	X	HC	HC	FA
<b>Proposed Zoning</b>	MG	<b>Public Health &amp; Safety</b> (EMS/fire) in miles	5.21	LI	<b>Subject Property</b>	FA
<b>Proposed Use</b>	Mining and Material Storage	<b>Utilities</b>	N/A	LI	FA	FA
		<b>Character of the Area</b>	Residential & Agriculture			

**COMMENTS**

<b>Comprehensive Plan District:</b> Rural	<b>Overlay/Area Plan:</b> None
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**Discussion:** The applicant is requesting to rezone for the expansion of a permitted mining operation that would include an equipment and material laydown yard and approximately 23.5 acres to be mined for sand. Although the subject parcel shows a narrow access and frontage on McNabb Shortcut Rd, the existing mining operation on the adjacent FA parcel that utilizes a 30' access easement for ingress and egress to Clio Rd. The site plan provided does not identify an wetlands onsite however recent aerial shows the majority of the vegetation was removed except for a wooded area near the center of the parcel.

The subject parcel is located adjacent to a Limited Industrial District (LI) and Highway Commercial District (HC) properties and the Carolina Southern Railroad line runs parallel to Hwy 701 near this location. A majority of the acreage in this area is zoned Forest/Agricultural District (FA) and most are developed for single family homes and/or used for agriculture.

**Public Comment:** 8/6/2020 Christopher & Erika Geist and Renita Stephens spoke in opposition to the request. Their concerns were noise, dust, dirt, property value, and traffic. Jason White was present to address questions and concerns.

**TRANSPORTATION INFORMATION**

<b>Daily Trips based on existing use / Max Daily Trips based on current zoning</b>	16 / 800	<b>Existing Road Conditions</b>	State, paved, two lane
<b>Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)</b>	300 / 400	<b>Rd, Station, Traffic AADT (2019) % Road Capacity</b>	S-67, Station (459) 500 AADT _5-10%
<b>Proposed Improvements</b>			

**DIMENSIONAL STANDARDS**

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MG	SF10	LI	HC	FA Res/ Comm	
<b>Min. Lot Size (in square feet)</b>	10 acres	10,000	21,780	10,000	21,780 / 43,560	
<b>Front Setback (in feet)</b>	50	25	50	50	25 / 60	
<b>Side Setback (in feet)</b>	50	10	20	10	10 / 25	
<b>Corner Side Setback (in feet)</b>	n/a	15	30	15	15 / 37.5	
<b>Rear Setback (in feet)</b>	50	15	25	15	15 / 40	
<b>Bldg. Height (in feet)</b>	35	35	60	35	35	

**Setback Comments:**

Date Advertised: 7/16/2020

Date Posted: 7/16/2020

# Property Owners Notified: 22

Date Notification Mailed: 7/16/2020

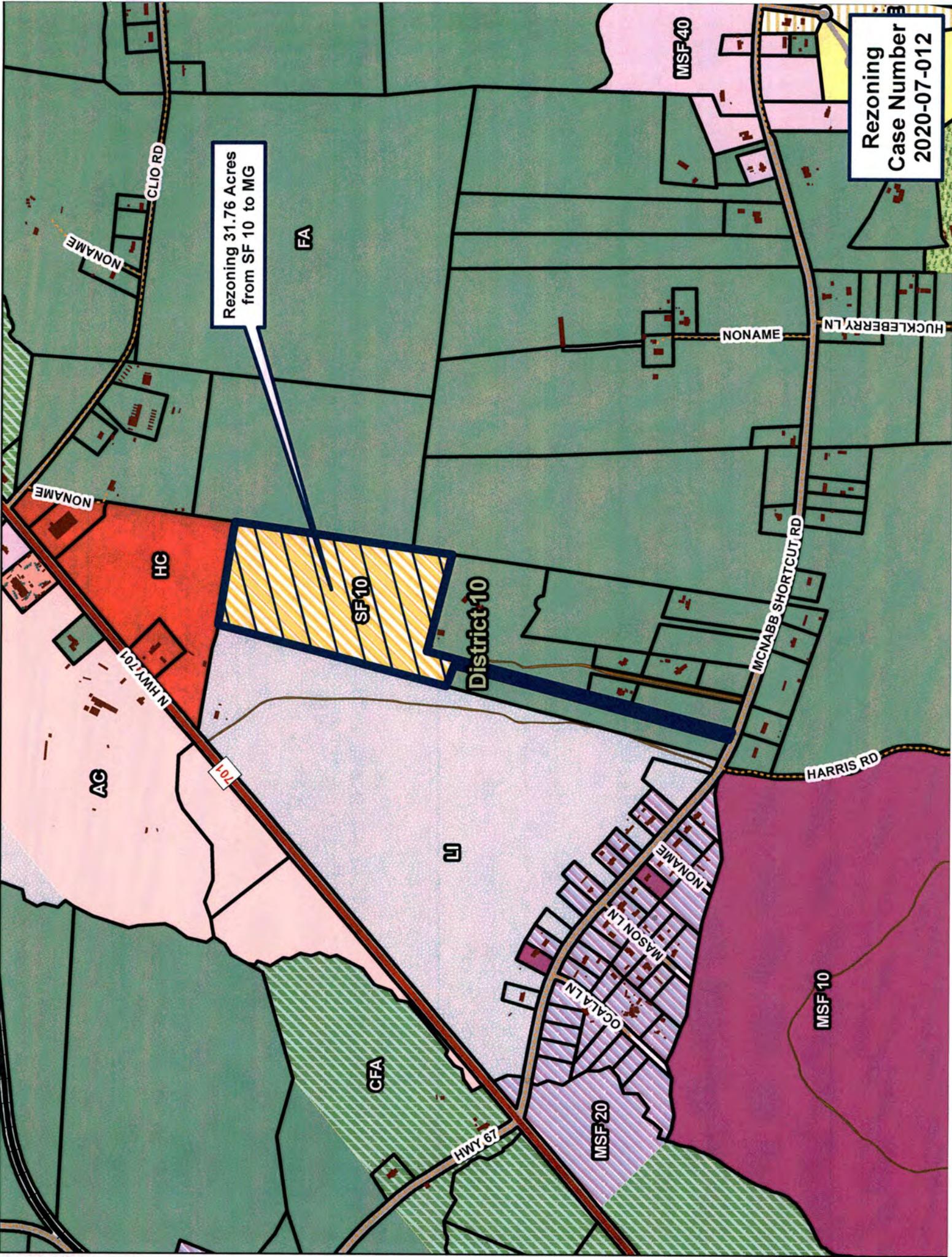
Report Date: 7/16/2020

BY: DJ



Rezoning  
Case Number  
2020-07-012

Rezoning 31.76 Acres  
from SF 10 to MG



Rezoning  
Case Number  
2020-07-012

Rezoning 31.76 Acres  
from SF 10 to MG



CLIO RD

NONAME

NONAME

N HWY 701

701

HWY 67

OCALA LN

MASON LN

NONAME

MCNABB SHORTCUT RD

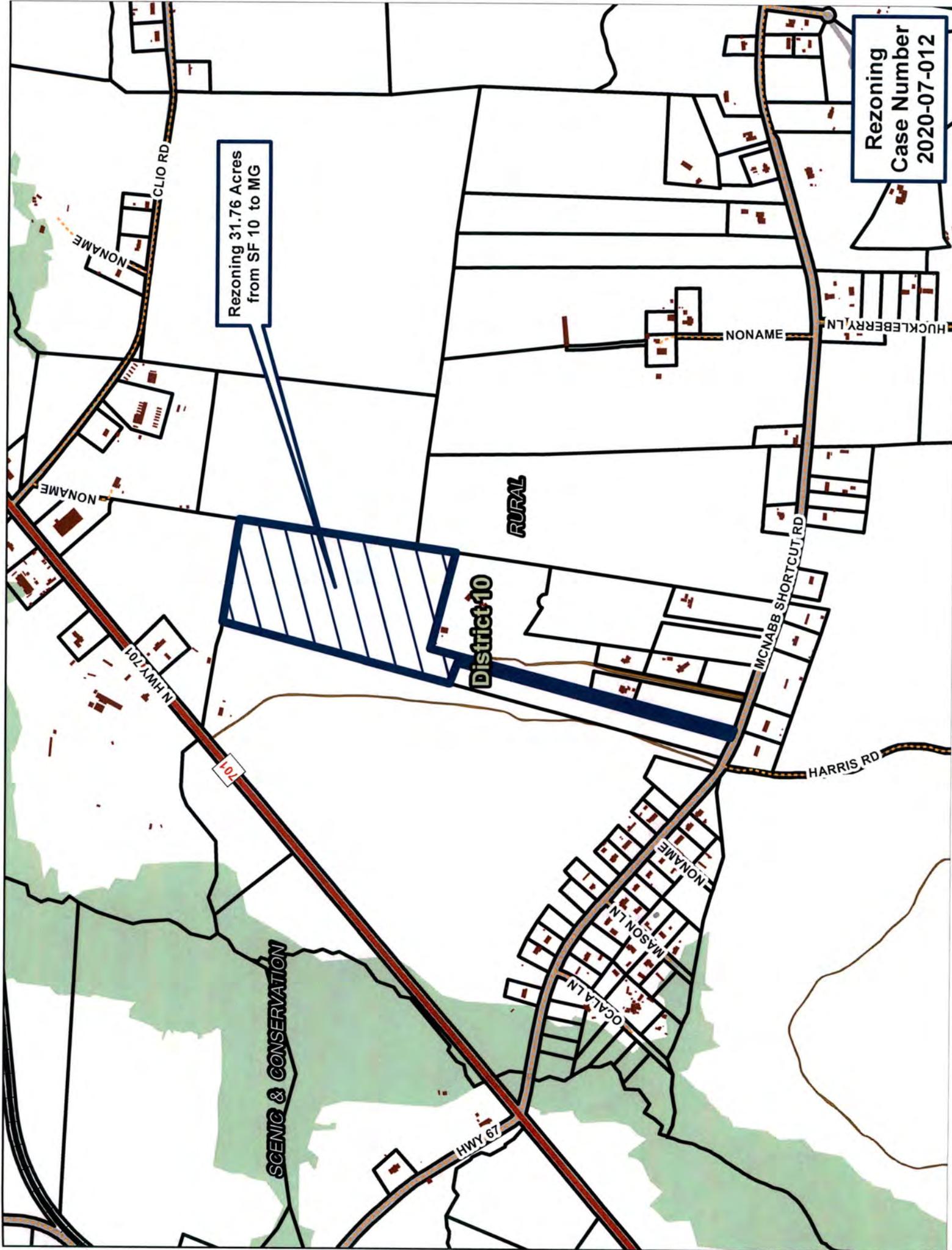
HARRIS RD

NONAME

HUCKLEBERRY LN

Rezoning  
Case Number  
2020-07-012

Rezoning 31.76 Acres  
from SF 10 to MG



COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

**RESOLUTION R-76-2020**

**A RESOLUTION AUTHORIZING AND DIRECTING THE TRANSFER OF FUNDS TO INCREASE THE BUDGET FOR HISTORICAL DOCUMENT IMAGING, HVAC MODIFICATIONS, AND ONLINE SALE TECHNOLOGY.**

**WHEREAS**, the County Council enacted Ordinance Number 25-19 an ORDINANCE TO RAISE REVENUE, MAKE APPROPRIATIONS AND ADOPT A BUDGET FOR HORRY COUNTY, SOUTH CAROLINA FOR FISCAL YEAR ENDING JUNE 30, 2020; and

**WHEREAS**, the Ordinance Number 25-19 included in Section 10 a specific use of funds as follows: Any funds received during the fiscal year under South Carolina Code of Laws Section 12-51-130 from unclaimed tax sale overages shall be committed to abatement and demolition programs and increase the original budget appropriation and shall not require a supplemental budget ordinance; and

**WHEREAS**, the abatement and demolition program includes available resources in excess of \$800,000, presently, and the unclaimed tax sale overages available in FY2020 is \$642,970.61; and

**WHEREAS**, the County's Financial Policy, in section 2-70.8. Budget Policy states, "Any budget transfer within the General Fund from a Department within one Division to a Department within another Division that exceeds \$100,000 and any budget transfer within the General Capital Projects Fund from one project to another project that exceeds \$100,000 must first be approved by County Council through a resolution before the transfer is completed. These resolutions are not required to first go through a Council Committee."

**NOW, THEREFORE, BE IT RESOLVED** that Horry County Council approve the transfer of unclaimed tax sale overages to the Capital Improvement Plan Fund for Horry County COVID-19 response expenditures including imaging historical documents for online public viewing in the Probate Court, Clerk of Court, and Register of Deeds, modifications to HVAC systems, and costs associated with online sale technology.

**AND IT IS SO RESOLVED** this 18th day of August, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant., District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council



# County Council Decision Memorandum

## Horry County, South Carolina

---

**Date:** July 8, 2020  
**From:** Barry Spivey, Assistant County Administrator  
**Cleared By:** Steve Gosnell, County Administrator  
David Gilreath, Assistant County Administrator  
Randy Webster, Assistant County Administrator  
**Re:** Budget Transfer

---

### ISSUE

The County's Financial Policy, in section 2-70.8-Budget Policy states "Any budget transfer within the General Fund from a Department within one Division to a Department within another Division that exceeds \$100,000 and any budget transfer within the General Capital Projects Fund from one project to another project that exceeds \$100,000 must first be approved by County Council through a resolution before the transfer is completed. These resolutions are not required to first go through a Council Committee."

### BACKGROUND

County Council enacted Ordinance Number 25-19 an ORDINANCE TO RAISE REVENUE, MAKE APPROPRIATIONS AND ADOPT A BUDGET FOR HORRY COUNTY, SOUTH CAROLINA FOR FISCAL YEAR ENDING JUNE 30, 2020. Ordinance Number 25-19 included in Section 10 a specific use of funds as follows: Any funds received during the fiscal year under South Carolina Code of Laws Section 12-51-130 from unclaimed tax sale overages shall be committed to abatement and demolition programs and increase the original budget appropriation and shall not require a supplemental budget ordinance. The abatement and demolition program includes available resources in excess of \$800,000, presently. In addition, the unclaimed tax sale overages available in FY2020 is \$642,970.61.

Based on sufficient resources available in the abatement and demolition program, Staff requests transfer of the FY2020 unclaimed tax sale overages to assist with Horry County COVID-19 response expenditures. The availability of records online would support title searchers, abstractors, and the general public to access those records safely without extended presence in County facilities. The imaging of additional historical records in the Register of Deed, Probate Court, and Clerk of Court Offices (\$300,000). Secondly, the addition of Ultraviolet Light filtering in HVAC and ventilation systems in the County's larger buildings would provide additional protection for both visitors and employees against the spread of viruses (\$300,000, with all buildings estimated at \$500,000 to \$600,000). Thirdly, the County desires to investigate and consider online bidding technology for possible use with the annual tax sale, monthly foreclosure sales, and Forfeited Land Commission parcels (\$50,000).

### RECOMMENDATION

The Administration Committee review this request at its July 21, 2020 meeting and recommends County Council approve the attached Resolution.

COUNTY OF HORRY

)

RESOLUTION R-77-2020

STATE OF SOUTH CAROLINA

)

)

**A RESOLUTION APPROVING THE FISCAL YEAR ENDING JUNE 30, 2022 BUDGET CALENDAR.**

**WHEREAS**, Article V, Division 3 provides for a systematic procedure to develop and approve the annual budget for Horry County; and

**WHEREAS**, a budget calendar is prepared annually to facilitate, organize, and provide for an efficient and comprehensive budget procedure; and

**WHEREAS**, the budget calendar will set a general outline for deadlines and tentative meetings dates.

**NOW, THEREFORE, BE IT RESOLVED** that Horry County Council authorizes Tentative Budget Calendar as noted on the attachment.

**AND IT IS SO RESOLVED** this 18th day of August, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant., District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

**HORRY COUNTY, SOUTH CAROLINA**  
**TENTATIVE BUDGET CALENDAR**  
**FOR THE FISCAL YEAR ENDING JUNE 30, 2022**

<b>DATE</b>	<b>ACTIVITY</b>
July 21, 2020	Administration Committee Review of Budget Calendar
September 11, 2020	Distribute instructions to Assistant Administrators and Department Managers to assist in preparation of their FY 2022 requested ten year Capital Improvement Plan (CIP) and FY 2022 Enhancement requests
October 16, 2020	Department CIP & Enhancement requests due
October 28, 2020	CIP Committee Meeting – Review CIP and Enhancement requests
November 9, 2020	Distribute instructions to Assistant Administrators and Department Managers to assist in preparation of their FY 2022 requested budget. Appropriate goals, special projects and inflation are to be considered in developing these requests. Supplemental Agency budget packets distributed to existing supplements and others as requested.
November 25, 2020	Publish Fall Planning Retreat Agenda and Materials
December 3-4, 2020	Fall Planning Retreat: Forecast FY 2021, Five Year Projections, CIP, Strategic Goals, Initial FY 2022 Revenue Projection
January 11, 2021	Payroll Projection entered into budget projection
January 29, 2021	Departmental & Supplemental Agency budget requests due
February 12, 2021	Assistant Administrator's review and approval of Departmental budget requests
February 15-26, 2021	Administrator's Budget Hearings: Assistant Administrators and Department Managers meet with the Administrator and Finance for review of individual departmental budget requests for the purpose of soliciting budget input for FY 2022 budget and ten year CIP
March 1, 2021	ATAX funding applications due
March 24, 2021	Administrator's budget finalized
March 24, 2021	ATAX Committee review of requests
April 9, 2021	Publish Budget Retreat Agenda and Budget Materials
April 14, 2021	ATAX Committee recommendations
April 15-16, 2021	Budget Retreat. Presentation of recommended budget including the ten year CIP to County Council by Administrator and First Reading of Budget Ordinance
April 27 - May 11, 2021*	Council Committee Review
April 22, 2021	Planning Commission Agenda Deadline for CIP
April 29, 2021	Planning Commission review of ten year CIP at Workshop
April 30, 2021	Place Public Hearing Ad for Budget and Related Ordinances (for May 18)
May 6, 2021	Public Hearing and Planning Commission approval of ten year CIP
May 18, 2021	Public Hearing and Second Reading of Budget Ordinance
May 25, 2021	Administration Committee review of ATAX Committee recommendations & ten year CIP
June 1, 2021	Third Reading and adoption of Budget Ordinance
July 1, 2021	Begin new fiscal year with implementation of the FY 2022 Adopted Budget
August 31, 2021	Publish FY 2022 Financial Plan and submit to GFOA Distinguished Budget Preparation Award Program <i>(this date may change based on final budget approval date)</i>

\*County Council committees will evaluate the Administrator's budget recommendations during April/May for approval/amendment to full Council. Full Council will meet in workshop sessions as needed to consider committee recommendations, if necessary. Additional one-time recommendations will be considered and voted on by full Council before second reading. Finance will summarize the recommendations from the various committees for consideration by full Council at second reading or as necessary at scheduled workshops.

COUNTY OF Horry )  
STATE OF SOUTH CAROLINA )

**RESOLUTION R-78-2020**

**A RESOLUTION APPROPRIATING MONIES FROM THE THOMPSON ESTATE BEQUEST.**

**WHEREAS**, the Horry County Council adopted Ordinance 33-20 entitled "AN ORDINANCE TO RAISE REVENUE, MAKE APPROPRIATIONS AND ADOPT A BUDGET FOR Horry COUNTY, SOUTH CAROLINA, FOR FISCAL YEAR ENDING JUNE 30, 2021"; and

**WHEREAS**, Section 18 of Ordinance 33-20 "[a]uthorizes, by resolution of County Council after consultation with the Library Board of Trustees, the appropriation of the Thompson Estate Bequest, along with any interest earned, for purpose of the construction or enlargement of the branch of the library in Conway, South Carolina, the purchase of books, equipment, furniture, or endowment. This appropriation shall increase the original budget appropriation and shall not require a supplemental budget ordinance"; and

**WHEREAS**, the Library Board of Trustees met on June 25, 2020 and approved a recommendation to County Council to complete Phase 2 and Phase 3 of the Architecture and Engineering Fee Proposal for the Horry County Library Administration Building Renovation in an amount not to exceed \$60,000 ; and

**WHEREAS**, the County Council's Administration Committee met on July 21, 2020 and after review of the request approved a recommendation to County Council.

**NOW, THEREFORE, BE IT RESOLVED** that Horry County Council increases the Budget for the Capital Improvement Plan Fund and Library Thompson Bequest Fund as follows:

<b><u>Capital Improvement Plan Fund</u></b>	
Transfers in	\$60,000.00
Expenditures – Library Administration Building	\$60,000.00
<b><u>Library Thompson Bequest Fund</u></b>	
Fund Balance usage	\$60,000.00
Transfers out	\$60,000.00

**AND IT IS SO RESOLVED** this 18th day of August, 2020.

**Horry COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

- |                              |                            |
|------------------------------|----------------------------|
| Harold G. Worley, District 1 | Orton Bellamy, District 7  |
| Bill Howard, District 2      | Johnny Vaught, District 8  |
| Dennis DiSabato, District 3  | W. Paul Prince, District 9 |
| Gary Loftus, District 4      | Danny Hardee, District 10  |
| Tyler Servant., District 5   | Al Allen, District 11      |
| Cam Crawford, District 6     |                            |

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council



# County Council Decision Memorandum

## Horry County, South Carolina

---

**Date:** July 8, 2020  
**From:** Barry Spivey, Assistant County Administrator  
**Cleared By:** Steve Gosnell, County Administrator  
**Re:** Library Thompson Estate Bequest

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### **ISSUE**

The Library Board of Trustees met on June 25, 2020 and approved a recommendation to County Council to complete Phase 2 and Phase 3 of the Architecture and Engineering Fee Proposal for the Horry County Library Administration Building Renovation in an amount not to exceed \$60,000.

### **BACKGROUND**

County Council enacted Ordinance Number 33-20 an ORDINANCE TO RAISE REVENUE, MAKE APPROPRIATIONS AND ADOPT A BUDGET FOR HORRY COUNTY, SOUTH CAROLINA FOR FISCAL YEAR ENDING JUNE 30, 2021. Ordinance Number 33-20 Section 18 "authorizes, by resolution of County Council after consultation with the Library Board of Trustees, the appropriation of the Thompson Estate Bequest, along with any interest earned, for purpose of the construction or enlargement of the branch of the library in Conway, South Carolina, the purchase of books, equipment, furniture, or endowment. This appropriation shall increase the original budget appropriation and shall not require a supplemental budget ordinance.

The Library Thompson Bequest Fund includes the original bequest of \$4,425,510.16 along with interest earnings of \$87,365.69 for a current balance of \$4,512,875.85.

The Library Board of Trustees review the conceptual plan for the Library Administration Building (original Conway Library Branch and planned location of a Heritage Library) and desire to complete Phase 2 and Phase 3 of the planned scope of work (see attachment A). This will allow the Library Board of Trustees to provide a recommendation to Council for the renovation of the Library Administration Building.

### **RECOMMENDATION**

The Administration Committee review this request at its July 21, 2020 meeting and recommends County Council approve the attached Resolution appropriating monies from the Thompson Estate Bequest..

COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

) COMMUNITY BENEFIT RESOLUTION R-24-2020  
)

**A RESOLUTION APPROVING AN ALLOCATION OF COUNCIL COMMUNITY BENEFIT FUNDS.**

**WHEREAS**, Horry County Council has provided \$240,000 in the General Fund budget for Council District community benefit accounts, from which each council member is allotted \$20,000 per annum; and

**WHEREAS**, the expenditure of such funds must be for a public purpose with allocations made to organizations with appropriate tax exempt status; and

**WHEREAS**, the following allocations have been requested:

<u>Council District</u>	<u>Amount</u>	<u>Organization &amp; Purpose</u>
6	\$5,000	<u>Socastee Athletic Association</u> – support for the public recreational facilities in the Socastee area.

**NOW, THEREFORE, BE IT RESOLVED** that Horry County Council approves the above allocations from the Council District community benefit accounts and the funded organizations must comply with the County's funding agreement and procedures as applicable.

**AND IT IS SO RESOLVED** this 18th day of August, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

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Patricia S. Hartley, Clerk to Council

## REQUEST FOR ALLOCATION OF RECREATION FUNDS

Request is made to council district 6 (Cam Crawford) Date of Request 7/9/2020

Non-Profit Organization Making Request: Socastee Athletic Association Inc.

Address: 1304 Links Road, Surfside Beach, SC 29575 Telephone: (843) 333-2910

Federal Identification Number: 57-1051079

IRS Tax Exemption Letter Attached? YES

Description of the Tax Exempt Purpose of the Organization: To help fund the upkeep and development of recreational facilities at Socastee High used by the general public and charitable organizations.

Describe below, in specific detail, how the funds will be spent if allocated: General fund expenditures for parts, materials and skilled labor.

Amount requested: \$5,000.00 Date amount is needed: September 2020

State why this is an appropriate use of Council Recreation Funds: These funds support the best public recreational facilities for fitness and recreation in the Socastee area for the public.

Requested by:

Printed Name: James J. DeFeo

Position within the Organization: Fun Raising Coordinator

Review Process

Signature



Pat Hartley  
Hartley POTtery  
county.org  
915-6120

COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

RESOLUTION R-79-2020

A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF HEATHER GLEN PHASE 1A (HEATHER GLEN BOULEVARD, LOGAN STREET, WALLACE DRIVE, MCALISTER DRIVE, & HEPBURN DRIVE) INTO THE COUNTY ROAD SYSTEM:

**WHEREAS**, the developers Heather Glen Phase 1A (Heather Glen Boulevard, Logan Street, Wallace Drive, McAlister Drive, & Hepburn Drive) request the roads and drainage be dedicated to Horry County; and

**WHEREAS**, they have provided the Engineering Department with fully executed dedication documents and a cash bond guaranteeing a three-year warranty; and

**WHEREAS**, the roads and drainage of Heather Glen Phase 1A (Heather Glen Boulevard, Logan Street, Wallace Drive, McAlister Drive, & Hepburn Drive) have been constructed to Horry County standards and inspected by the Engineering Department; and

**WHEREAS**, it is the intent of Horry County Council to accept the roads and drainage of Heather Glen Phase 1A (Heather Glen Boulevard, Logan Street, Wallace Drive, McAlister Drive, & Hepburn Drive) in the County system.

**NOW, THEREFORE**, Horry County Council resolves to accept the roads and drainage Heather Glen Phase 1A (Heather Glen Boulevard, Logan Street, Wallace Drive, McAlister Drive, & Hepburn Drive) and begin their three-year warranty period on the date of said acceptance.

**AND IT IS SO RESOLVED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

**County Council Decision Memorandum  
Horry County, South Carolina**

---

Date: July 14, 2020  
From: David Gilreath, P.E.  
Division: Infrastructure & Regulation  
Prepared By: Alisha Johnson, Plan Expediter  
Cleared By: David Gilreath, P.E.  
Committee: Infrastructure & Regulation  
Issue: Acceptance into the Horry County Maintenance System

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**ISSUE**

The developers Heather Glen Phase 1A (Heather Glen Boulevard, Logan Street, Wallace Drive, McAlister Drive, & Hepburn Drive) = 0.86 miles in length (4540.80') request the road and drainage be dedicated to Horry County.

**PROPOSED ACTION**

**OPTION A:** Approve acceptance into the County maintenance system of Heather Glen Phase 1A (Heather Glen Boulevard, Logan Street, Wallace Drive, McAlister Drive, & Hepburn Drive).

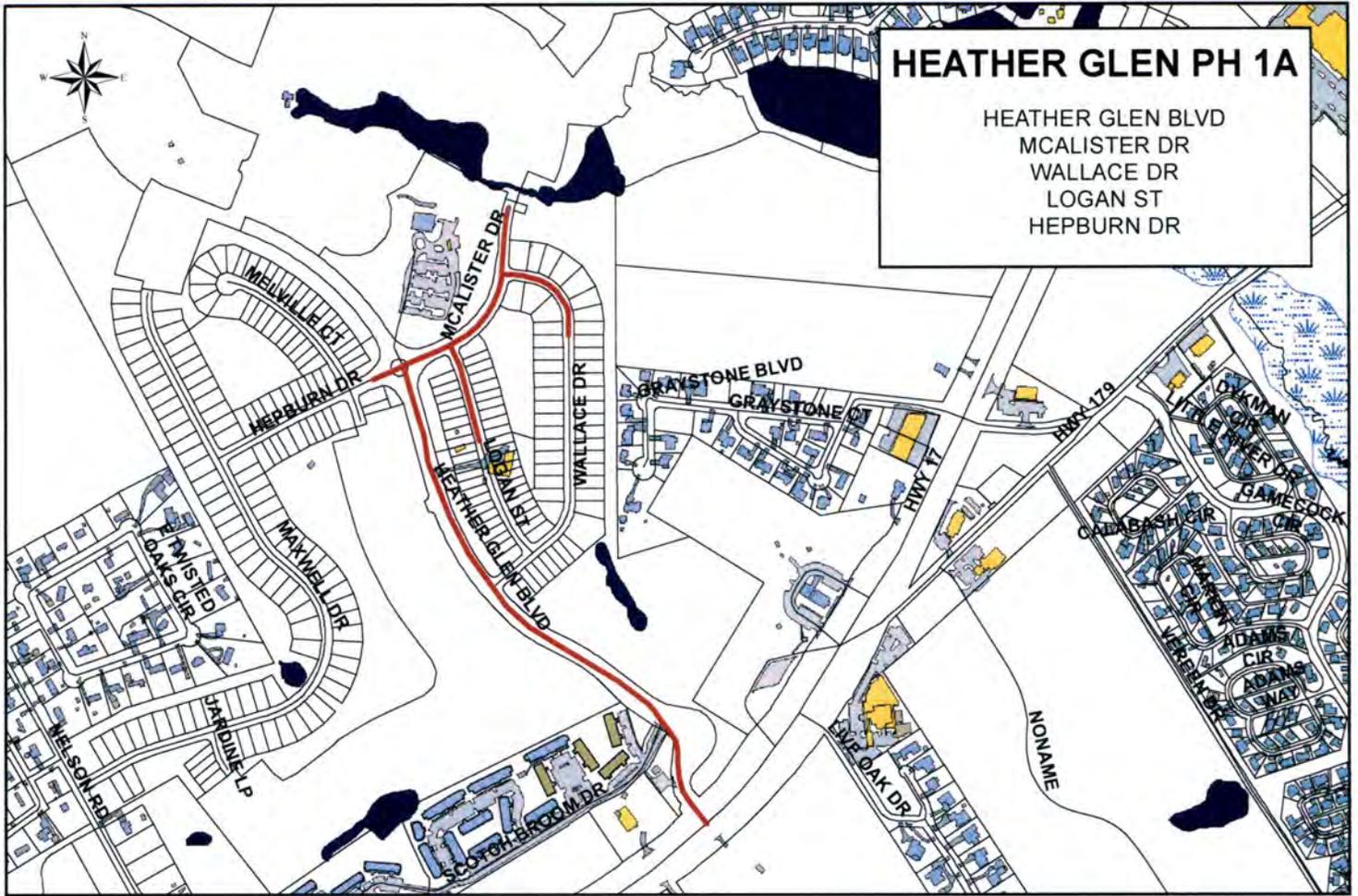
**OPTION B:** Do not approve acceptance.

**RECOMMENDATION:**

Staff recommends **OPTION A**.

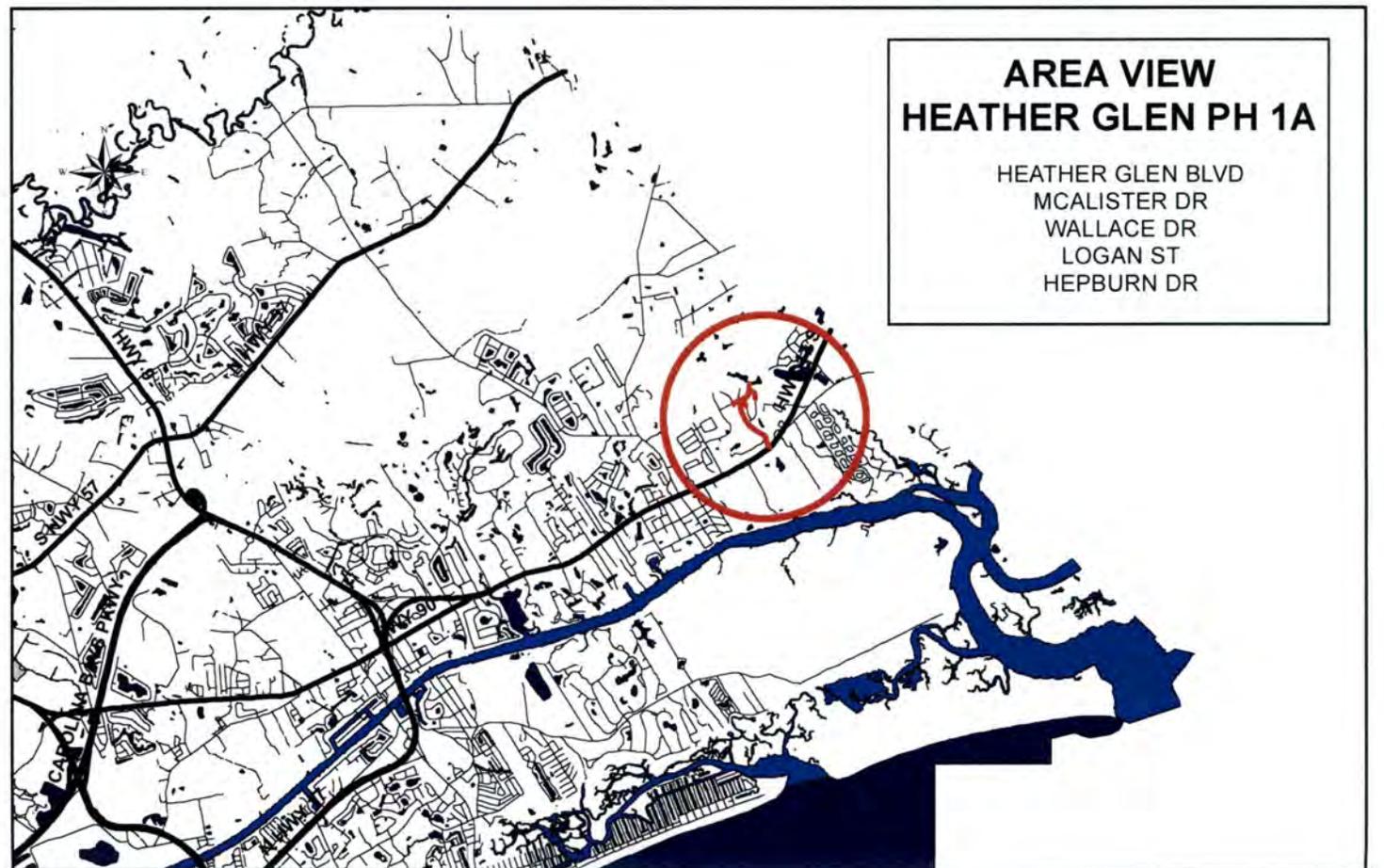
**BACKGROUND**

The developers have provided the Engineering Department with fully executed dedication documents and a cash bond for Heather Glen Phase 1A (Heather Glen Boulevard, Logan Street, Wallace Drive, McAlister Drive, & Hepburn Drive). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.



**HEATHER GLEN PH 1A**

HEATHER GLEN BLVD  
 MCALISTER DR  
 WALLACE DR  
 LOGAN ST  
 HEPBURN DR



**AREA VIEW  
 HEATHER GLEN PH 1A**

HEATHER GLEN BLVD  
 MCALISTER DR  
 WALLACE DR  
 LOGAN ST  
 HEPBURN DR

COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

**RESOLUTION R-80-2020**

**A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF HEATHER GLEN PHASE 1B (LOGAN STREET & WALLACE DRIVE) INTO THE COUNTY ROAD SYSTEM:**

**WHEREAS**, the developers Heather Glen Phase 1B (Logan Street & Wallace Drive) request the roads and drainage be dedicated to Horry County; and

**WHEREAS**, they have provided the Engineering Department with fully executed dedication documents and a cash bond guaranteeing a three-year warranty; and

**WHEREAS**, the roads and drainage of Heather Glen Phase 1B (Logan Street & Wallace Drive) have been constructed to Horry County standards and inspected by the Engineering Department; and

**WHEREAS**, it is the intent of Horry County Council to accept the roads and drainage of Heather Glen Phase 1B (Logan Street & Wallace Drive) in the County system.

**NOW, THEREFORE**, Horry County Council resolves to accept the roads and drainage Heather Glen Phase 1B (Logan Street & Wallace Drive) and begin their three-year warranty period on the date of said acceptance.

**AND IT IS SO RESOLVED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

---

Patricia S. Hartley, Clerk to Council

**County Council Decision Memorandum  
Horry County, South Carolina**

---

Date: July 14, 2020  
From: David Gilreath, P.E.  
Division: Infrastructure & Regulation  
Prepared By: Alisha Johnson, Plan Expediter  
Cleared By: David Gilreath, P.E.  
Committee: Infrastructure & Regulation  
Issue: Acceptance into the Horry County Maintenance System

---

**ISSUE**

The developers Heather Glen Phase 1B (Logan Street & Wallace Drive) = 0.35 miles in length (1,848') request the road and drainage be dedicated to Horry County.

**PROPOSED ACTION**

**OPTION A:** Approve acceptance into the County maintenance system of Heather Glen Phase 1B (Logan Street & Wallace Drive).

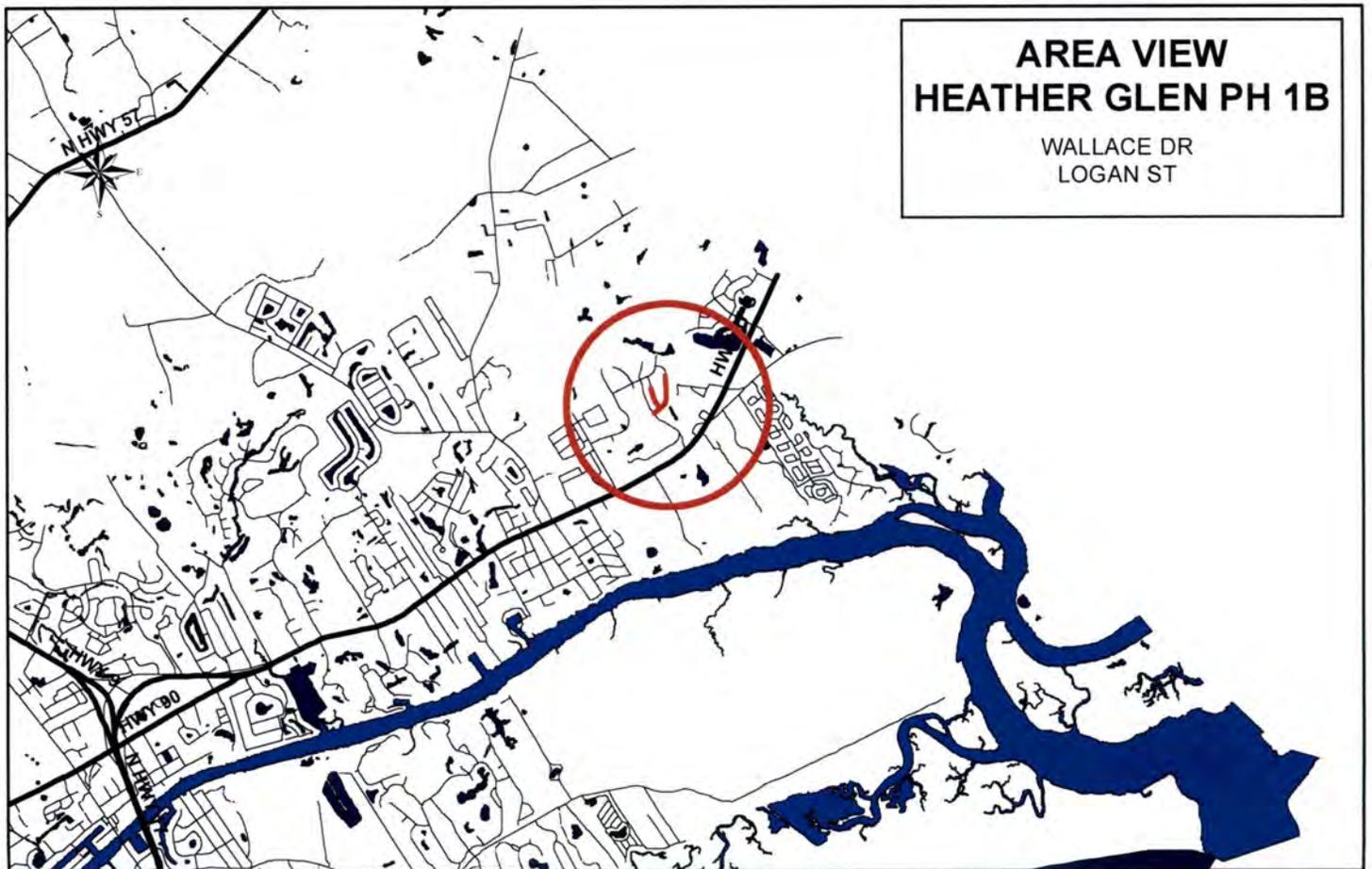
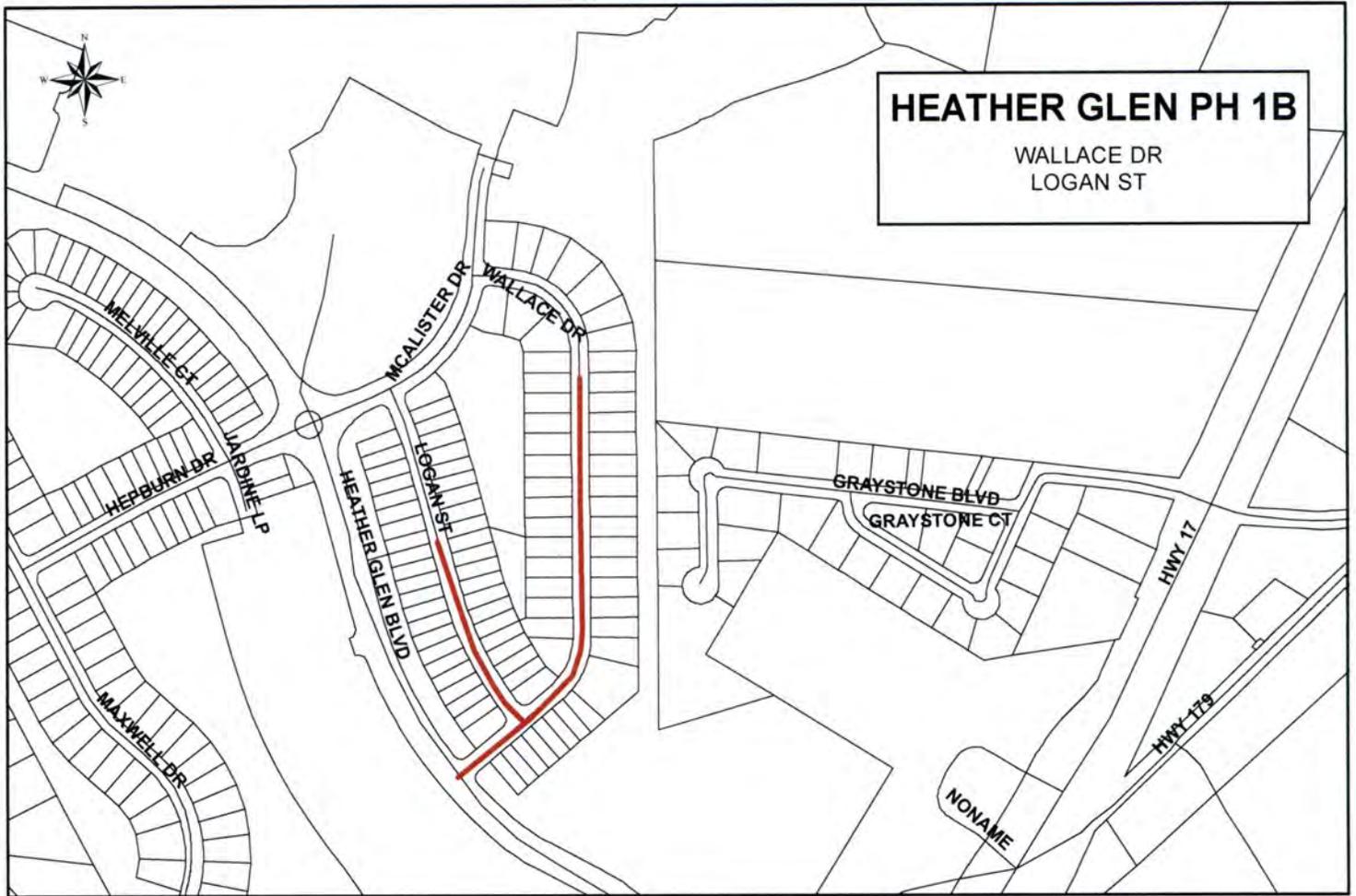
**OPTION B:** Do not approve acceptance.

**RECOMMENDATION:**

Staff recommends **OPTION A**.

**BACKGROUND**

The developers have provided the Engineering Department with fully executed dedication documents and a cash bond for Heather Glen Phase 1B (Logan Street & Wallace Drive). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.



COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

**RESOLUTION R-81-2020**

**A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF PORTSIDE VILLAGE PHASE 2 (GOLDENROD CIRCLE & AQUA LANE) INTO THE COUNTY ROAD SYSTEM:**

**WHEREAS**, the developers Portside Village Phase 2 (Goldenrod Circle & Aqua Lane) request the roads and drainage be dedicated to Horry County; and

**WHEREAS**, they have provided the Engineering Department with fully executed dedication documents and a letter of credit guaranteeing a three-year warranty; and

**WHEREAS**, the roads and drainage of Portside Village Phase 2 (Goldenrod Circle & Aqua Lane) have been constructed to Horry County standards and inspected by the Engineering Department; and

**WHEREAS**, it is the intent of Horry County Council to accept the roads and drainage Portside Village Phase 2 (Goldenrod Circle & Aqua Lane) in the County system.

**NOW, THEREFORE**, Horry County Council resolves to accept the roads and drainage Portside Village Phase 2 (Goldenrod Circle & Aqua Lane) and begin their three-year warranty period on the date of said acceptance.

**AND IT IS SO RESOLVED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

---

Patricia S. Hartley, Clerk to Council

**County Council Decision Memorandum  
Horry County, South Carolina**

---

Date: July 13, 2020  
From: David Gilreath, P.E.  
Division: Infrastructure & Regulation  
Prepared By: Alisha Johnson, Plan Expediter  
Cleared By: David Gilreath, P.E.  
Committee: Infrastructure & Regulation  
Issue: Acceptance into the Horry County Maintenance System

---

**ISSUE**

The developers Portside Village Phase 2 (Goldenrod Circle & Aqua Lane) = 0.31 miles in length (1636.80') request the road and drainage be dedicated to Horry County.

**PROPOSED ACTION**

**OPTION A:** Approve acceptance into the County maintenance system of Portside Village Phase 2 (Goldenrod Circle & Aqua Lane).

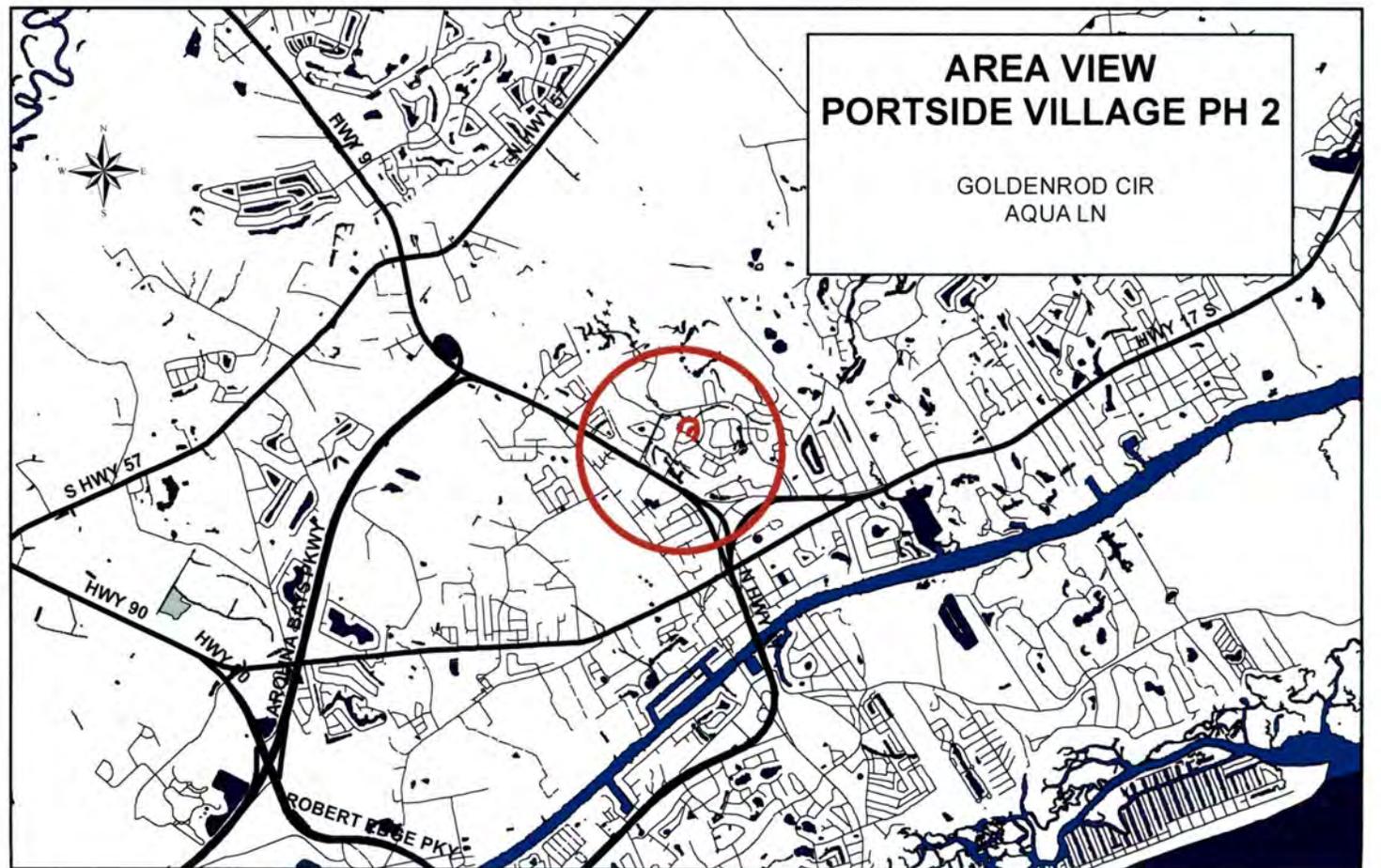
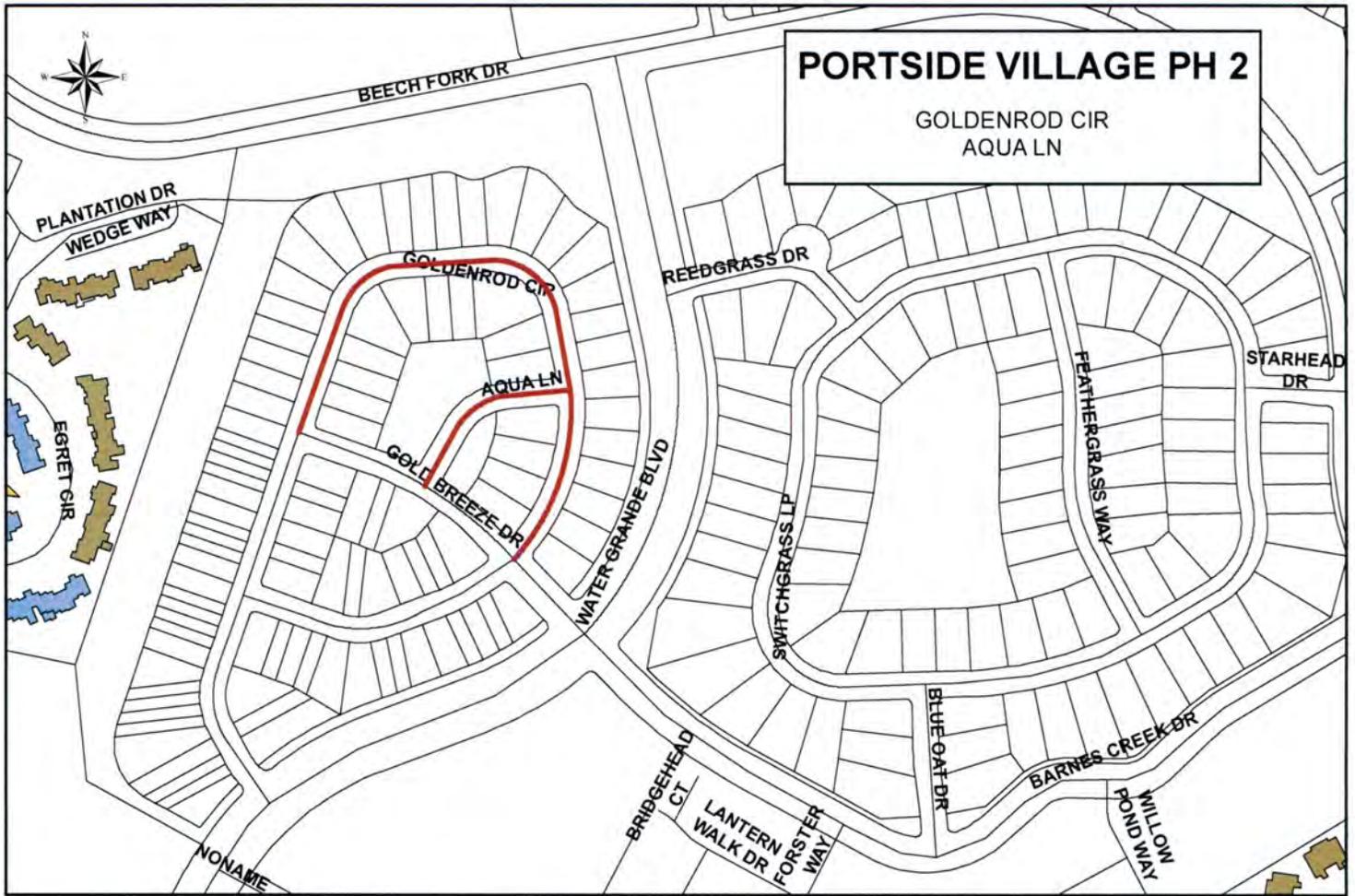
**OPTION B:** Do not approve acceptance.

**RECOMMENDATION:**

Staff recommends **OPTION A**.

**BACKGROUND**

The developers have provided the Engineering Department with fully executed dedication documents and a letter of credit for Portside Village Phase 2 (Goldenrod Circle & Aqua Lane). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.



COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

)  
)

**RESOLUTION R-82-2020**

**A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF BEECH FORK DRIVE PHASE 2A (BEECH FORK DRIVE) INTO THE COUNTY ROAD SYSTEM:**

**WHEREAS**, the developers Beech Fork Drive Phase 2A (Beech Fork Drive) request the roads and drainage be dedicated to Horry County; and

**WHEREAS**, they have provided the Engineering Department with fully executed dedication documents and a letter of credit guaranteeing a three-year warranty; and

**WHEREAS**, the roads and drainage of Beech Fork Drive Phase 2A (Beech Fork Drive) have been constructed to Horry County standards and inspected by the Engineering Department; and

**WHEREAS**, it is the intent of Horry County Council to accept the roads and drainage Beech Fork Drive Phase 2A (Beech Fork Drive) in the County system.

**NOW, THEREFORE**, Horry County Council resolves to accept the roads and drainage Beech Fork Drive Phase 2A (Beech Fork Drive) and begin their three-year warranty period on the date of said acceptance.

**AND IT IS SO RESOLVED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

---

Patricia S. Hartley, Clerk to Council

**County Council Decision Memorandum  
Horry County, South Carolina**

---

Date: July 13, 2020  
From: David Gilreath, P.E.  
Division: Infrastructure & Regulation  
Prepared By: Alisha Johnson, Plan Expediter  
Cleared By: David Gilreath, P.E.  
Committee: Infrastructure & Regulation  
Issue: Acceptance into the Horry County Maintenance System

---

**ISSUE**

The developers Beech Fork Drive Phase 2A (Beech Fork Drive) = 0.35 miles in length (1,848') request the road and drainage be dedicated to Horry County.

**PROPOSED ACTION**

**OPTION A:** Approve acceptance into the County maintenance system of Beech Fork Drive Phase 2A (Beech Fork Drive).

**OPTION B:** Do not approve acceptance.

**RECOMMENDATION:**

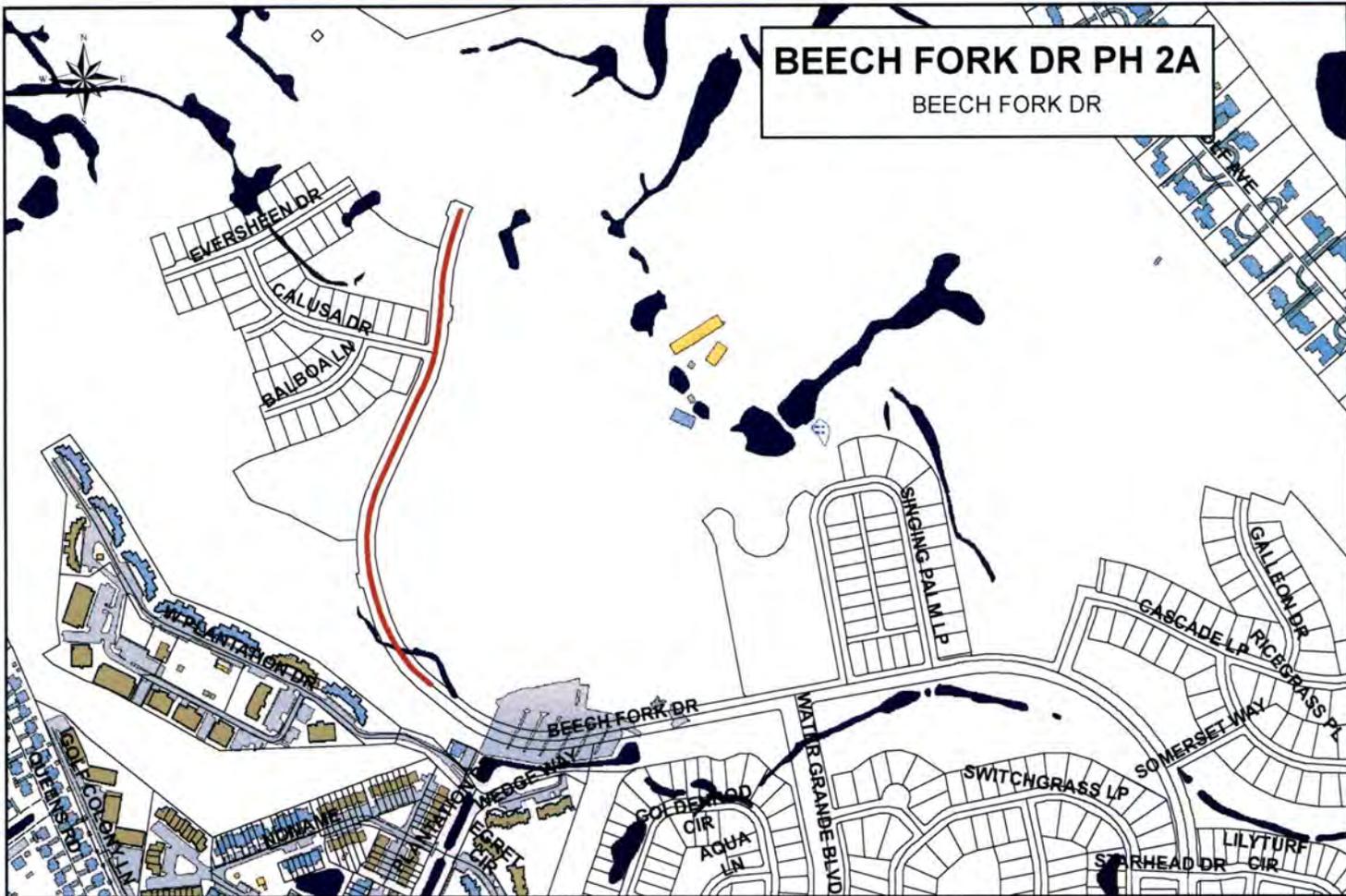
Staff recommends **OPTION A**.

**BACKGROUND**

The developers have provided the Engineering Department with fully executed dedication documents and a letter of credit for Beech Fork Drive Phase 2A (Beech Fork Drive). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.

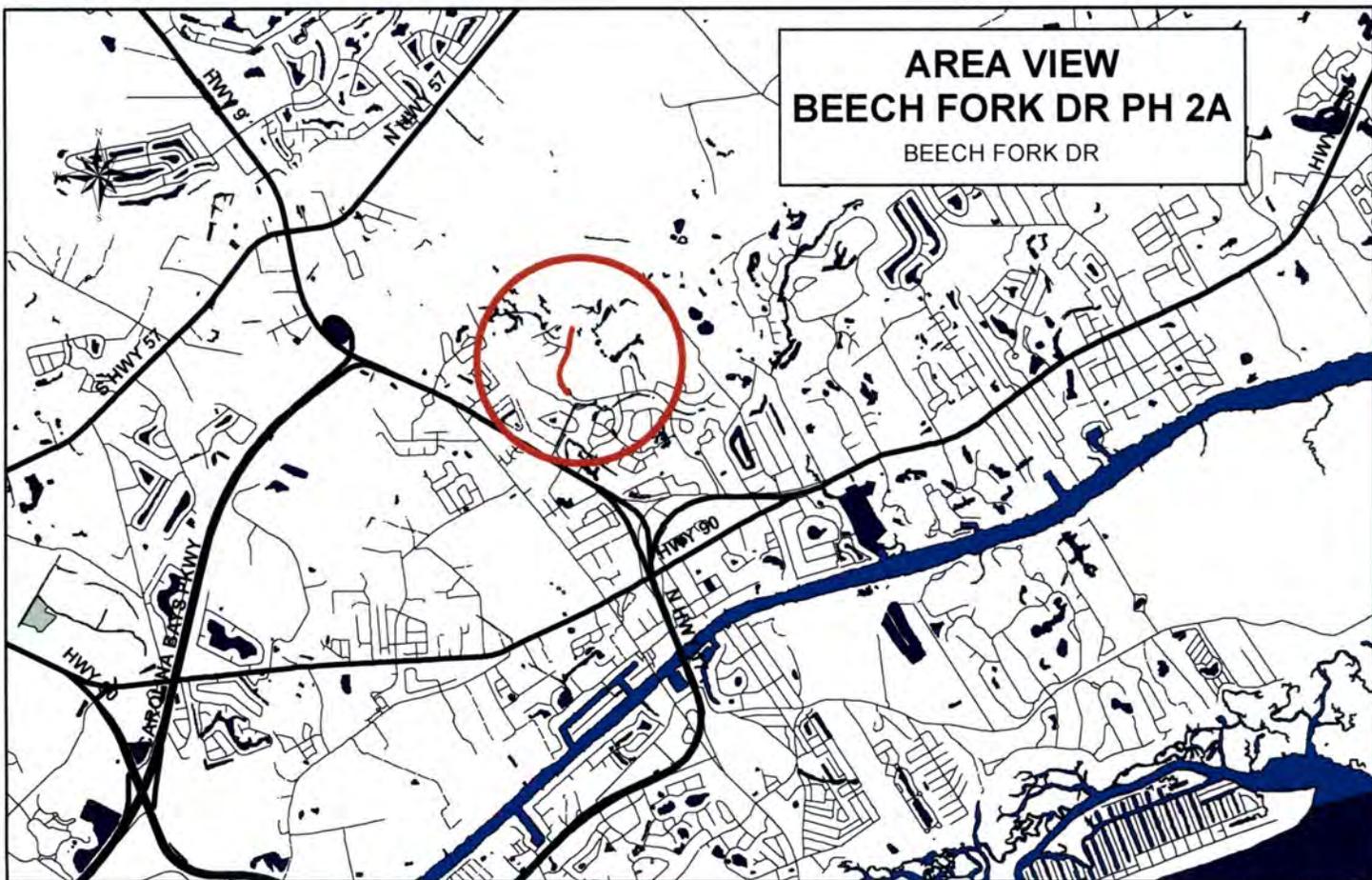
**BEECH FORK DR PH 2A**

BEECH FORK DR



**AREA VIEW  
BEECH FORK DR PH 2A**

BEECH FORK DR



COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

)  
)

RESOLUTION R-83-2020

**A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF LAKES AT PLANTATION PINES PHASE 5C (SAPPHIRE DRIVE) INTO THE COUNTY ROAD SYSTEM:**

**WHEREAS**, the developers Lakes at Plantation Pines Phase 5C (Sapphire Drive) request the roads and drainage be dedicated to Horry County; and

**WHEREAS**, they have provided the Engineering Department with fully executed dedication documents and a cash bond guaranteeing a three-year warranty; and

**WHEREAS**, the roads and drainage of Lakes at Plantation Pines Phase 5C (Sapphire Drive) have been constructed to Horry County standards and inspected by the Engineering Department; and

**WHEREAS**, it is the intent of Horry County Council to accept the roads and drainage Lakes at Plantation Pines Phase 5C (Sapphire Drive) in the County system.

**NOW, THEREFORE**, Horry County Council resolves to accept the roads and drainage Lakes at Plantation Pines Phase 5C (Sapphire Drive) and begin their three-year warranty period on the date of said acceptance.

**AND IT IS SO RESOLVED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

---

Patricia S. Hartley, Clerk to Council

**County Council Decision Memorandum  
Horry County, South Carolina**

---

Date: July 13, 2020  
From: David Gilreath, P.E.  
Division: Infrastructure & Regulation  
Prepared By: Alisha Johnson, Plan Expediter  
Cleared By: David Gilreath, P.E.  
Committee: Infrastructure & Regulation  
Issue: Acceptance into the Horry County Maintenance System

---

**ISSUE**

The developers Lakes at Plantation Pines Phase 5C (Sapphire Drive) = 0.20 miles in length (1056') request the road and drainage be dedicated to Horry County.

**PROPOSED ACTION**

**OPTION A:** Approve acceptance into the County maintenance system of Lakes at Plantation Pines Phase 5C (Sapphire Drive).

**OPTION B:** Do not approve acceptance.

**RECOMMENDATION:**

Staff recommends **OPTION A**.

**BACKGROUND**

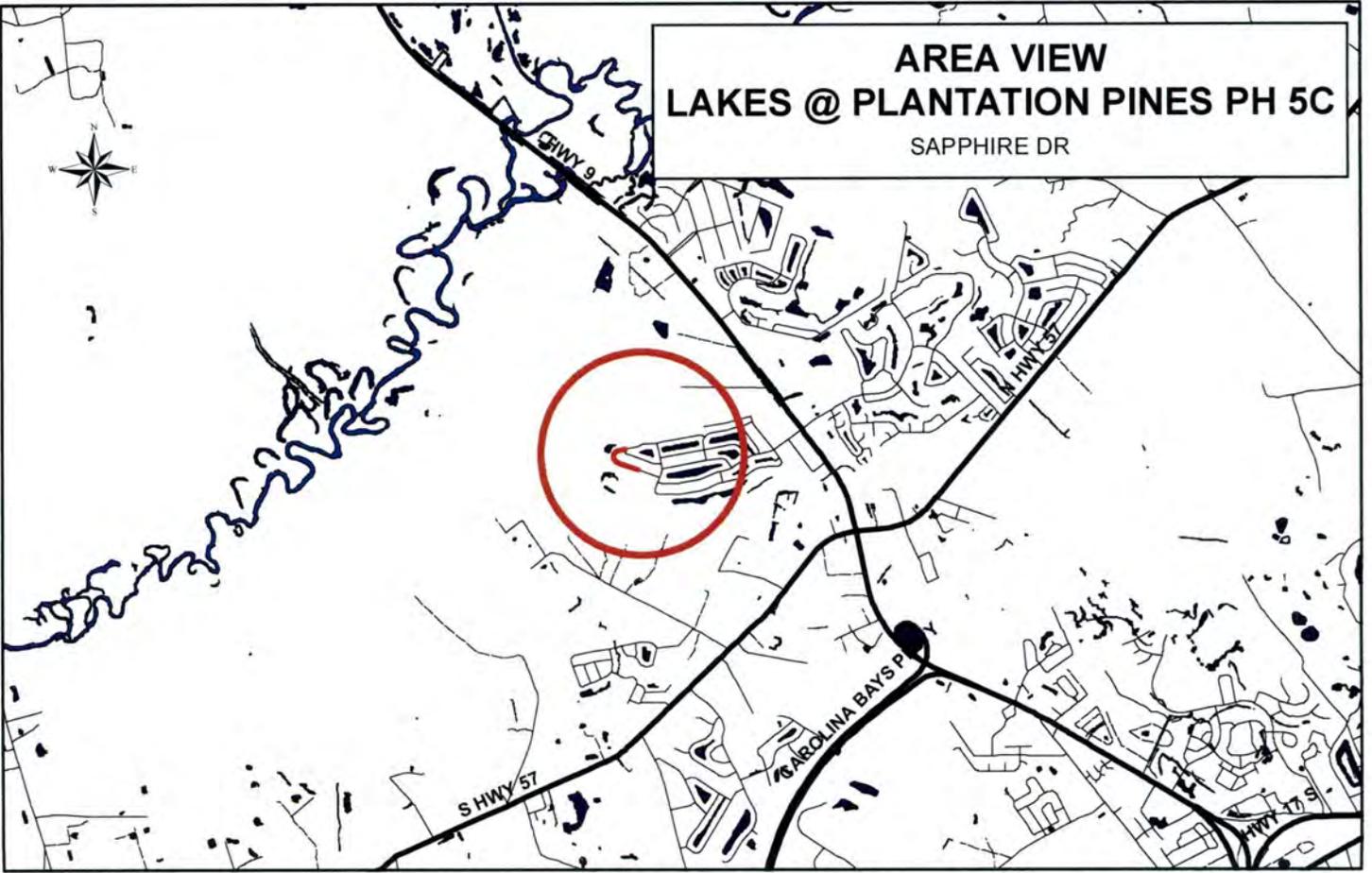
The developers have provided the Engineering Department with fully executed dedication documents and a cash bond for Lakes at Plantation Pines Phase 5C (Sapphire Drive). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.



**LAKES @ PLANTATION PINES PH 5C**  
SAPPHIRE DR



**AREA VIEW**  
**LAKES @ PLANTATION PINES PH 5C**  
SAPPHIRE DR



COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

**RESOLUTION R-84-2020**

**A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF HIDDEN BROOK PHASE 2A1 (CYPRESS SPRINGS WAY & SPRING VIEW COURT) INTO THE COUNTY ROAD SYSTEM:**

**WHEREAS**, the developers Hidden Brooke Phase 2A1 (Cypress Springs Way & Spring View Court) request the roads and drainage be dedicated to Horry County; and

**WHEREAS**, they have provided the Engineering Department with fully executed dedication documents and a cash bond guaranteeing a three-year warranty; and

**WHEREAS**, the roads and drainage of Hidden Brooke Phase 2A1 (Cypress Springs Way & Spring View Court) have been constructed to Horry County standards and inspected by the Engineering Department; and

**WHEREAS**, it is the intent of Horry County Council to accept the roads and drainage Hidden Brooke Phase 2A1 (Cypress Springs Way & Spring View Court) in the County system.

**NOW, THEREFORE**, Horry County Council resolves to accept the roads and drainage Hidden Brooke Phase 2A1 (Cypress Springs Way & Spring View Court) and begin their three-year warranty period on the date of said acceptance.

**AND IT IS SO RESOLVED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

---

Patricia S. Hartley, Clerk to Council

**County Council Decision Memorandum  
Horry County, South Carolina**

---

Date: July 13, 2020  
From: David Gilreath, P.E.  
Division: Infrastructure & Regulation  
Prepared By: Alisha Johnson, Plan Expediter  
Cleared By: David Gilreath, P.E.  
Committee: Infrastructure & Regulation  
Issue: Acceptance into the Horry County Maintenance System

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**ISSUE**

The developers Hidden Brooke Phase 2A1 (Cypress Springs Way, & Spring View Court) = 0.12 miles in length (633.60') request the road and drainage be dedicated to Horry County.

**PROPOSED ACTION**

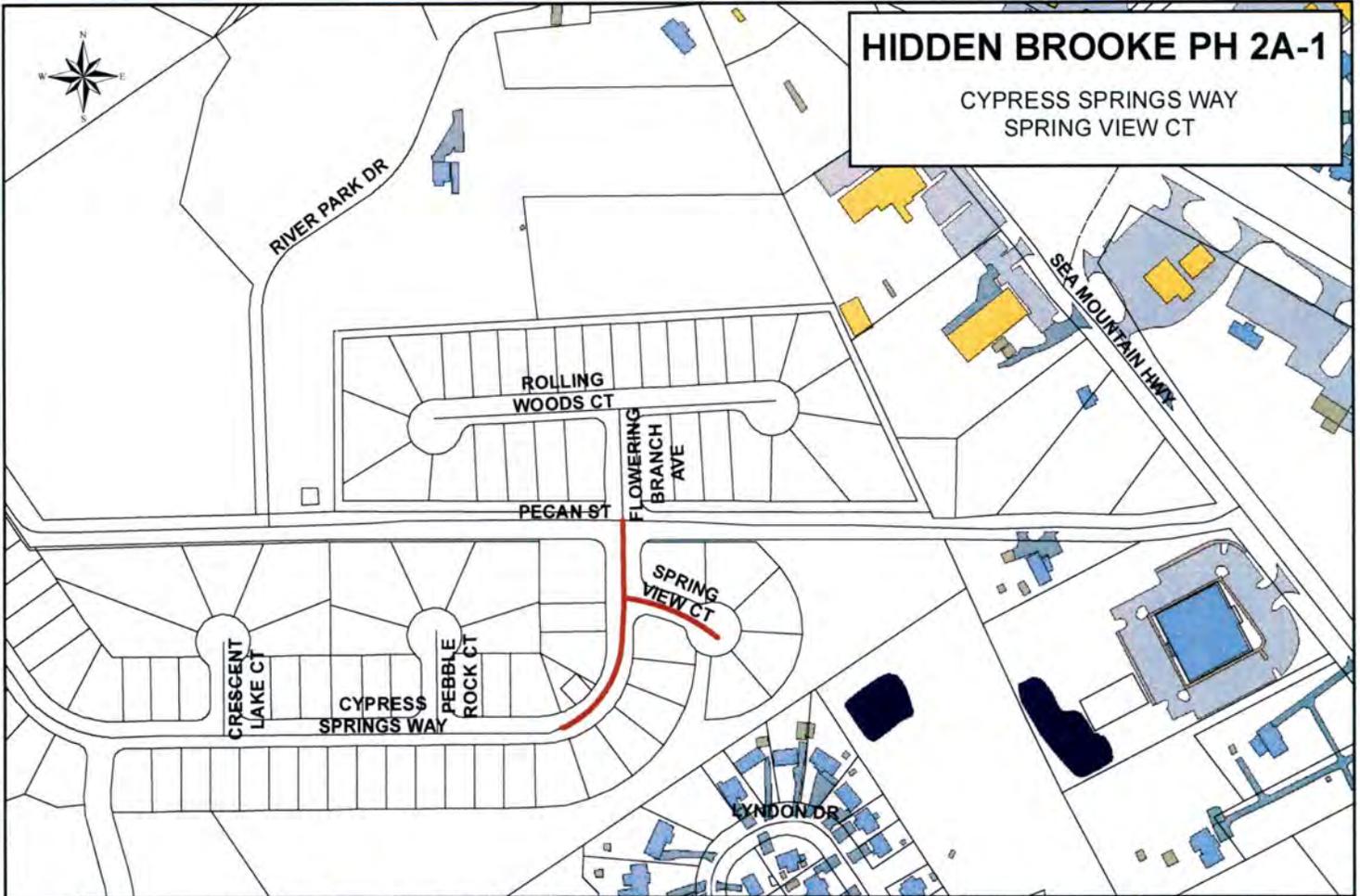
- OPTION A:** Approve acceptance into the County maintenance system Hidden Brooke Phase 2A1 (Cypress Springs Way, & Spring View Court).
- OPTION B:** Do not approve acceptance.

**RECOMMENDATION:**

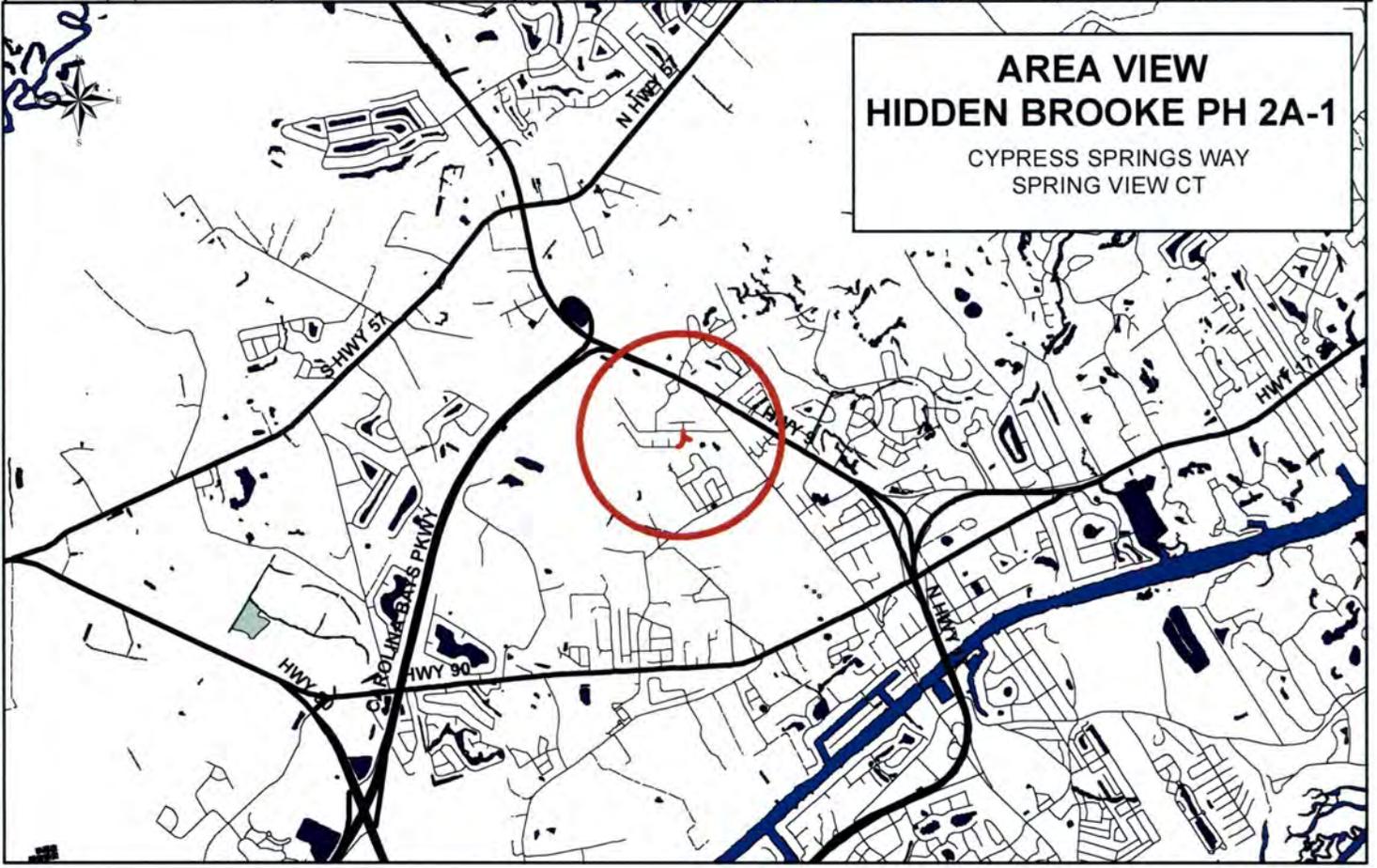
Staff recommends **OPTION A**.

**BACKGROUND**

The developers have provided the Engineering Department with fully executed dedication documents and a cash bond for Hidden Brooke Phase 2A1 (Cypress Springs Way, & Spring View Court). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.



**HIDDEN BROOKE PH 2A-1**  
CYPRESS SPRINGS WAY  
SPRING VIEW CT



**AREA VIEW**  
**HIDDEN BROOKE PH 2A-1**  
CYPRESS SPRINGS WAY  
SPRING VIEW CT

COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

**RESOLUTION R-85-2020**

**A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF HIDDEN BROOK PHASE 2A2 (CYPRESS SPRINGS WAY, PEBBLE ROCK COURT, & CRESCENT LAKE COURT) INTO THE COUNTY ROAD SYSTEM:**

**WHEREAS**, the developers Hidden Brooke Phase 2A2 (Cypress Springs Way, Pebble Rock Court, & Crescent Lake Court) request the roads and drainage be dedicated to Horry County; and

**WHEREAS**, they have provided the Engineering Department with fully executed dedication documents and a cash bond guaranteeing a three-year warranty; and

**WHEREAS**, the roads and drainage of Hidden Brooke Phase 2A2 (Cypress Springs Way, Pebble Rock Court, & Crescent Lake Court) have been constructed to Horry County standards and inspected by the Engineering Department; and

**WHEREAS**, it is the intent of Horry County Council to accept the roads and drainage Hidden Brooke Phase 2A2 (Cypress Springs Way, Pebble Rock Court, & Crescent Lake Court) in the County system.

**NOW, THEREFORE**, Horry County Council resolves to accept the roads and drainage Hidden Brooke Phase 2A2 (Cypress Springs Way, Pebble Rock Court, & Crescent Lake Court) and begin their three-year warranty period on the date of said acceptance.

**AND IT IS SO RESOLVED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

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Patricia S. Hartley, Clerk to Council

**County Council Decision Memorandum  
Horry County, South Carolina**

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Date: July 13, 2020  
From: David Gilreath, P.E.  
Division: Infrastructure & Regulation  
Prepared By: Alisha Johnson, Plan Expediter  
Cleared By: David Gilreath, P.E.  
Committee: Infrastructure & Regulation  
Issue: Acceptance into the Horry County Maintenance System

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**ISSUE**

The developers Hidden Brooke Phase 2A2 (Cypress Springs Way, Pebble Rock Court, & Crescent Lake Court) = 0.23 miles in length (1214.40') request the road and drainage be dedicated to Horry County.

**PROPOSED ACTION**

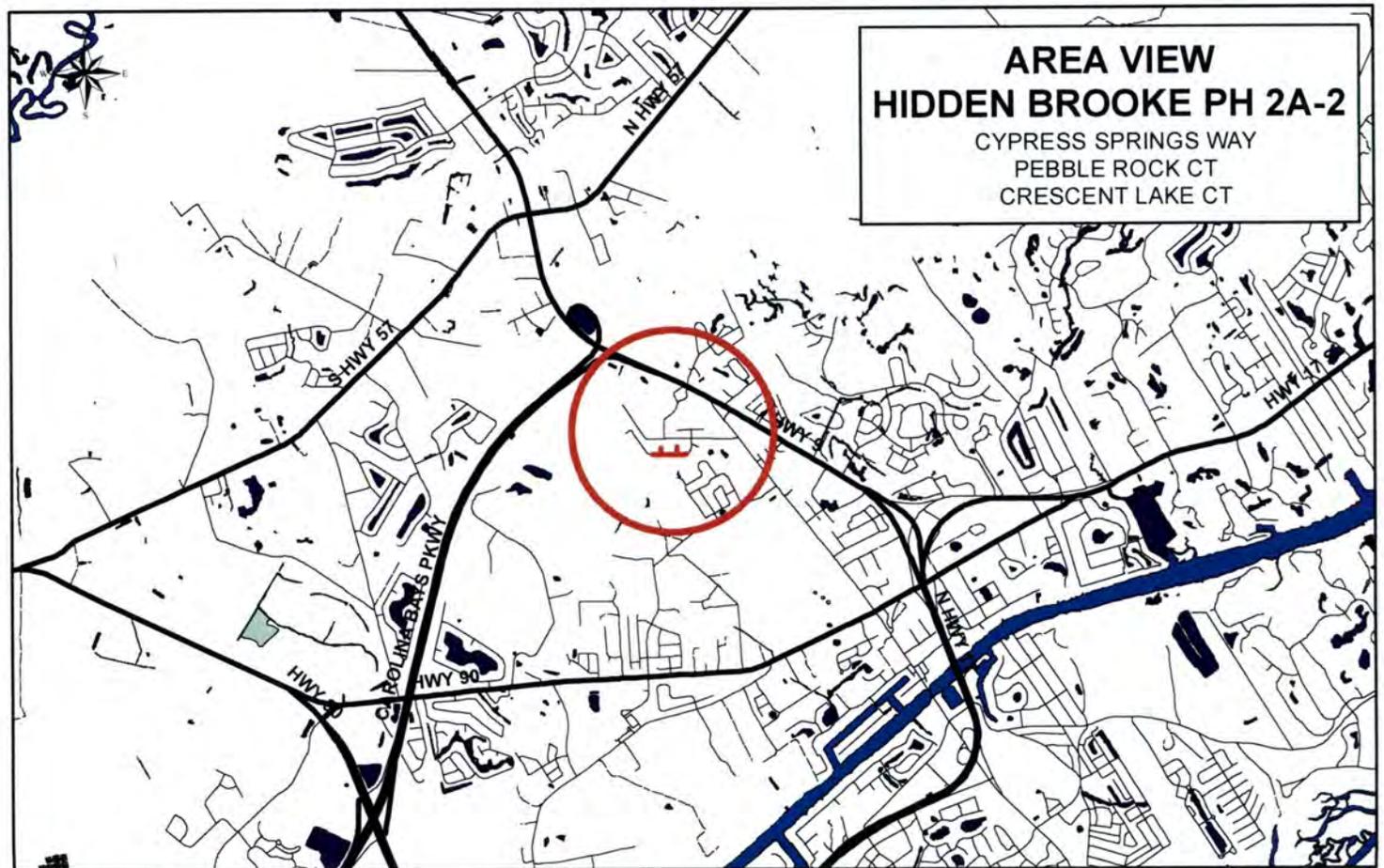
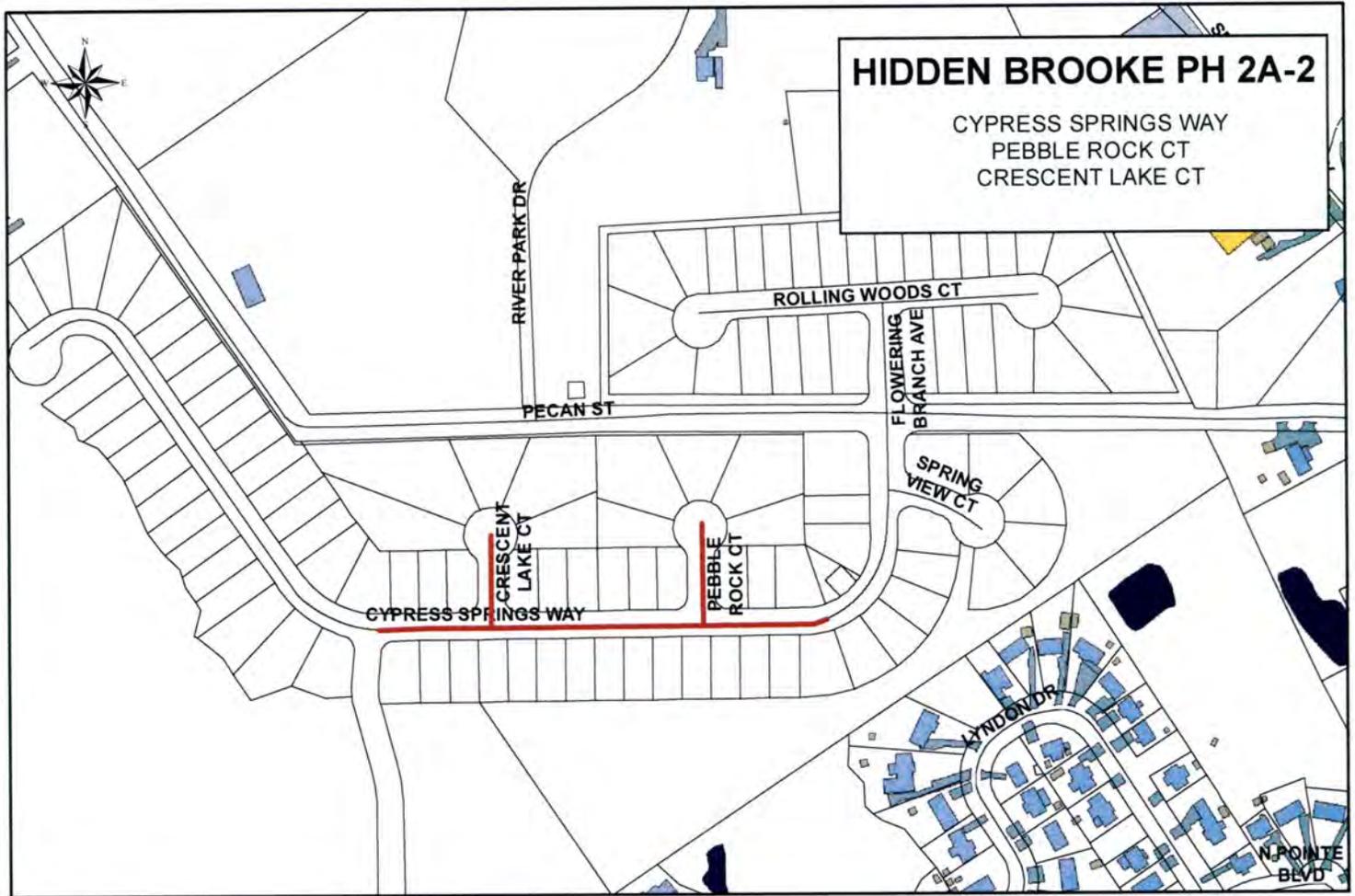
- OPTION A:** Approve acceptance into the County maintenance system Hidden Brooke Phase 2A2 (Cypress Springs Way, Pebble Rock Court, & Crescent Lake Court).
- OPTION B:** Do not approve acceptance.

**RECOMMENDATION:**

Staff recommends **OPTION A**.

**BACKGROUND**

The developers have provided the Engineering Department with fully executed dedication documents and a cash bond for Hidden Brooke Phase 2A2 (Cypress Springs Way, Pebble Rock Court, & Crescent Lake Court). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.



COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

RESOLUTION R-86-2020

A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF SHADOWBAY VILLAGE PHASE 1 (CALUSA DRIVE, BALBOA LANE, GOLDENRAIN LANE, & EVERSHEEN DRIVE) INTO THE COUNTY ROAD SYSTEM:

**WHEREAS**, the developers Shadowbay Village Phase 1 (Calusa Drive, Balboa Lane, Goldenrain Lane, & Eversheen Drive) request the roads and drainage be dedicated to Horry County; and

**WHEREAS**, they have provided the Engineering Department with fully executed dedication documents and a letter of credit guaranteeing a three-year warranty; and

**WHEREAS**, the roads and drainage of Shadowbay Village Phase 1 (Calusa Drive, Balboa Lane, Goldenrain Lane, & Eversheen Drive) have been constructed to Horry County standards and inspected by the Engineering Department; and

**WHEREAS**, it is the intent of Horry County Council to accept the roads and drainage Shadowbay Village Phase 1 (Calusa Drive, Balboa Lane, Goldenrain Lane, & Eversheen Drive) in the County system.

**NOW, THEREFORE**, Horry County Council resolves to accept the roads and drainage Shadowbay Village Phase 1 (Calusa Drive, Balboa Lane, Goldenrain Lane, & Eversheen Drive) and begin their three-year warranty period on the date of said acceptance.

**AND IT IS SO RESOLVED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

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Patricia S. Hartley, Clerk to Council

**County Council Decision Memorandum  
Horry County, South Carolina**

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Date: July 20, 2020  
From: David Gilreath, P.E.  
Division: Infrastructure & Regulation  
Prepared By: Alisha Johnson, Plan Expediter  
Cleared By: David Gilreath, P.E.  
Committee: Infrastructure & Regulation  
Issue: Acceptance into the Horry County Maintenance System

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**ISSUE**

The developers Shadowbay Village Phase 1 (Calusa Drive, Balboa Lane, Goldenrain Lane, & Eversheen Drive) = 0.42 miles in length (2,217.60') request the road and drainage be dedicated to Horry County.

**PROPOSED ACTION**

**OPTION A:** Approve acceptance into the County maintenance system of Shadowbay Village Phase 1 (Calusa Drive, Balboa Lane, Goldenrain Lane, & Eversheen Drive).

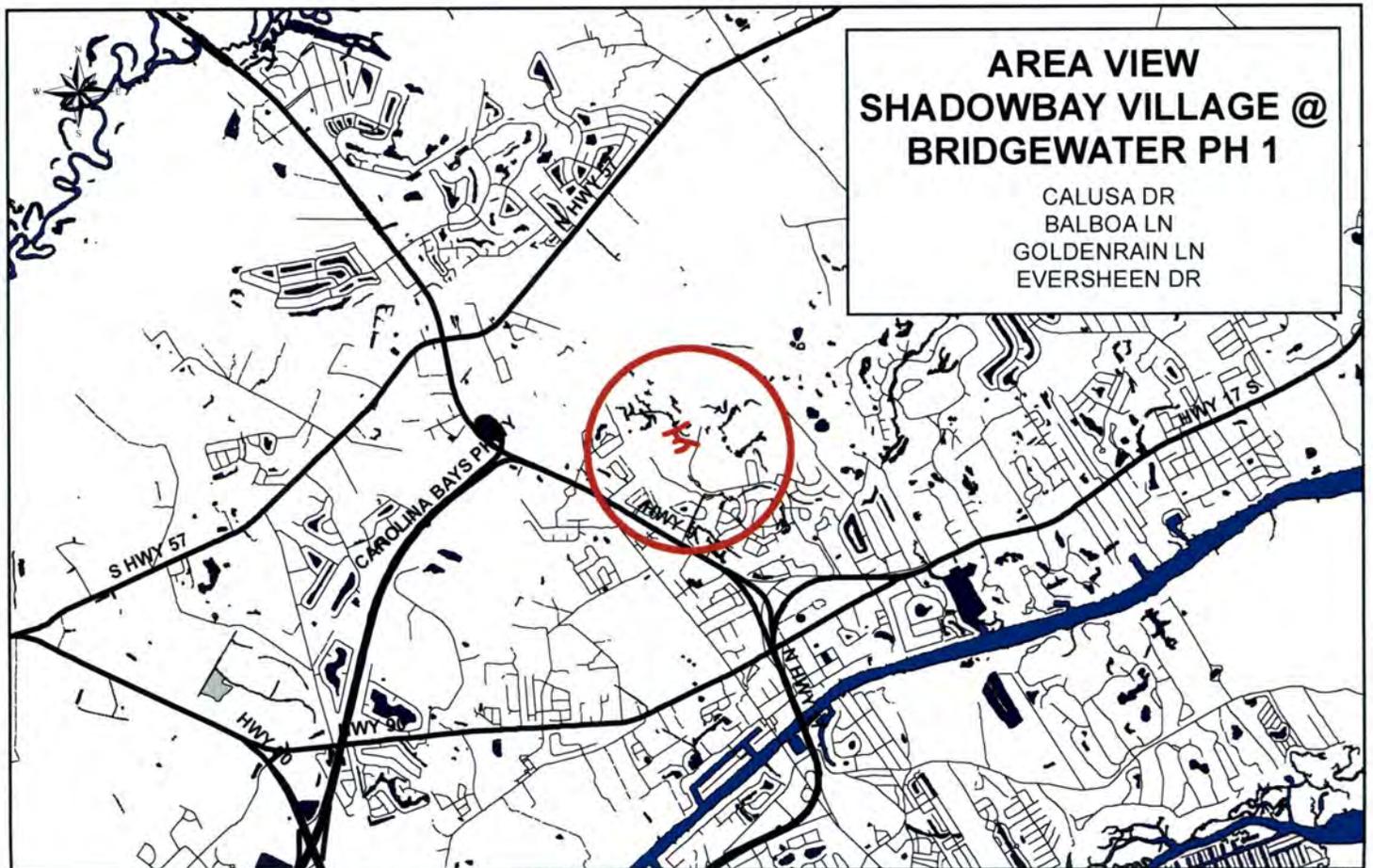
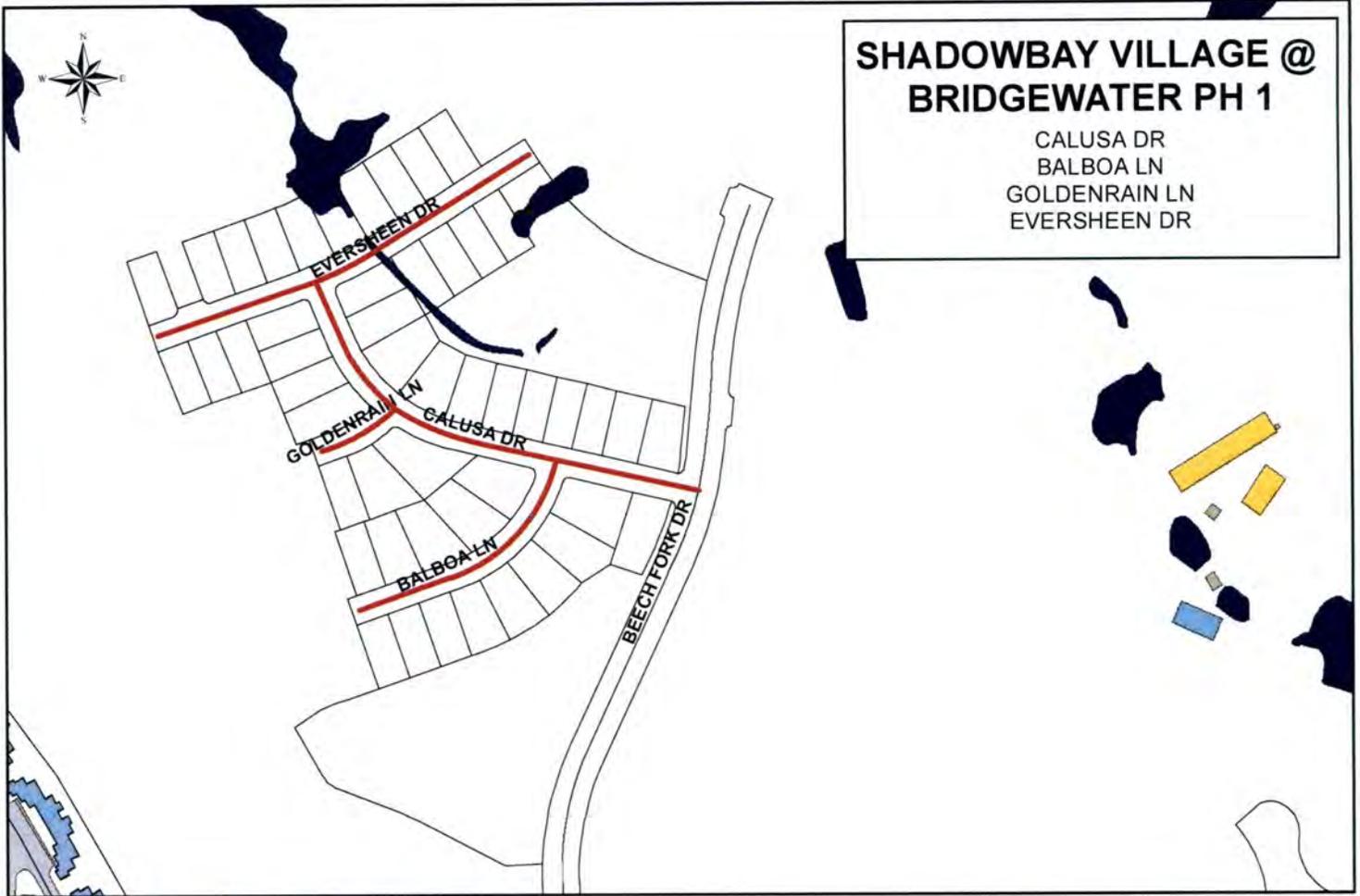
**OPTION B:** Do not approve acceptance.

**RECOMMENDATION:**

Staff recommends **OPTION A**.

**BACKGROUND**

The developers have provided the Engineering Department with fully executed dedication documents and a letter of credit for Shadowbay Village Phase 1 (Calusa Drive, Balboa Lane, Goldenrain Lane, & Eversheen Drive). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.



COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

)  
)

**RESOLUTION R-87-2020**

**A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF BERKSHIRE FOREST BLOCK 5 (CARNABY LOOP) INTO THE COUNTY ROAD SYSTEM:**

**WHEREAS**, the developers Berkshire Forest Block 5 (Carnaby Loop) request the roads and drainage be dedicated to Horry County; and

**WHEREAS**, they have provided the Engineering Department with fully executed dedication documents and a cash bond guaranteeing a three-year warranty; and

**WHEREAS**, the roads and drainage of Berkshire Forest Block 5 (Carnaby Loop) have been constructed to Horry County standards and inspected by the Engineering Department; and

**WHEREAS**, it is the intent of Horry County Council to accept the roads and drainage Berkshire Forest Block 5 (Carnaby Loop) in the County system.

**NOW, THEREFORE**, Horry County Council resolves to accept the roads and drainage Berkshire Forest Block 5 (Carnaby Loop) and begin their three-year warranty period on the date of said acceptance.

**AND IT IS SO RESOLVED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

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Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

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Patricia S. Hartley, Clerk to Council

**County Council Decision Memorandum  
Horry County, South Carolina**

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Date: July 13, 2020  
From: David Gilreath, P.E.  
Division: Infrastructure & Regulation  
Prepared By: Alisha Johnson, Plan Expediter  
Cleared By: David Gilreath, P.E.  
Committee: Infrastructure & Regulation  
Issue: Acceptance into the Horry County Maintenance System

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**ISSUE**

The developers Berkshire Forest Block 5 (Carnaby Loop) = 0.21 miles in length (1108.80') request the road and drainage be dedicated to Horry County.

**PROPOSED ACTION**

**OPTION A:** Approve acceptance into the County maintenance system of Berkshire Forest Block 5 (Carnaby Loop).

**OPTION B:** Do not approve acceptance.

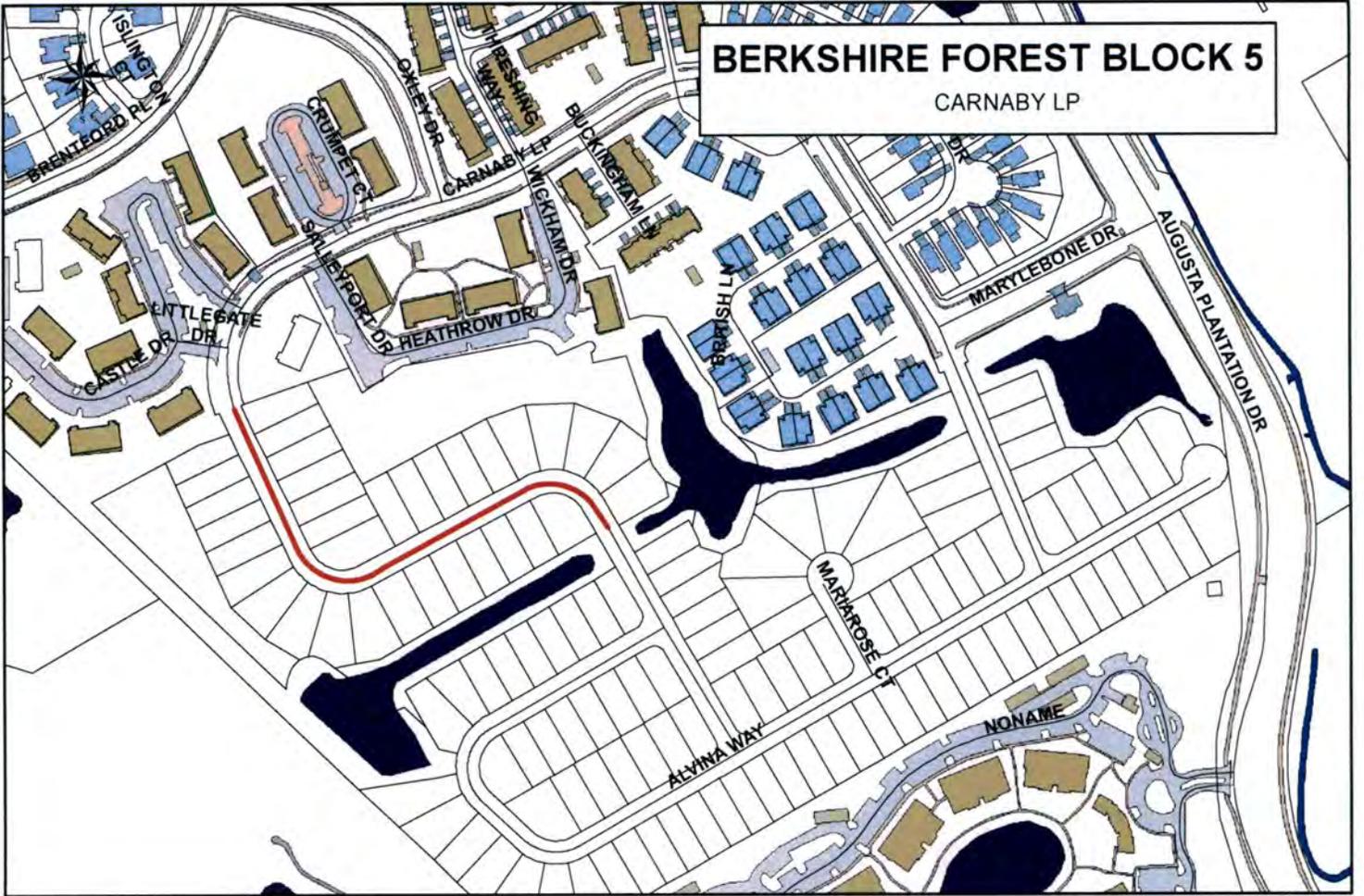
**RECOMMENDATION:**

Staff recommends **OPTION A**.

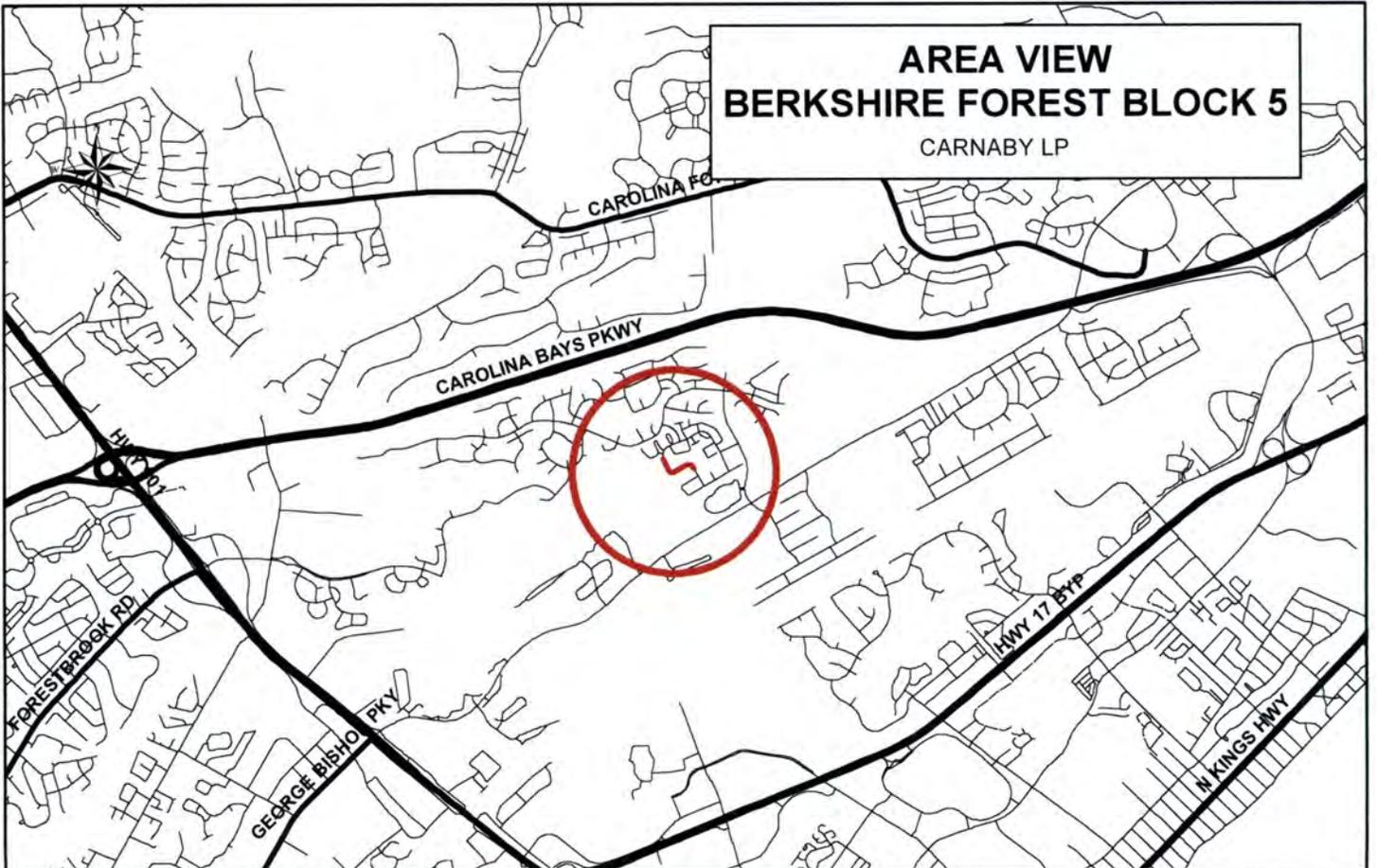
**BACKGROUND**

The developers have provided the Engineering Department with fully executed dedication documents and a cash bond for Berkshire Forest Block 5 (Carnaby Loop). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.

**BERKSHIRE FOREST BLOCK 5**  
CARNABY LP



**AREA VIEW**  
**BERKSHIRE FOREST BLOCK 5**  
CARNABY LP



COUNTY OF Horry )  
STATE OF SOUTH CAROLINA )

RESOLUTION R-88-2020

**A RESOLUTION APPROVING A FIRE SERVICE AGREEMENT BETWEEN THE COUNTY AND FAIR BLUFF, NC.**

**WHEREAS**, pursuant to Sections 4-19-10 and 5-7-60 of the S.C. Code of Laws, and Article VIII, Section 13 of the S.C. Constitution, counties and municipalities may enter into agreements with other political subdivisions for the purpose of providing fire protection service and the sharing of costs thereof; and

**WHEREAS**, on December 5, 1984, Horry County Council enacted Ordinance 9-84, establishing a Fire Protection Services Special Tax District for the provision of fire protection service to the entire unincorporated area of Horry County (excluding municipalities and the Murrells Inlet/Garden City Fire District); and

**WHEREAS**, in certain portions of the County, it is desirable to augment these services through agreements with other fire service providers, such as municipalities; and

**WHEREAS**, it appears beneficial that the County enter into the attached Agreement with Fair Bluff for such purpose, utilizing the form agreement previously approved by Council (Resolution R- -20).

**NOW, THEREFORE, BE IT RESOLVED** by County Council, that the County Administrator or his designee is hereby authorized to execute on behalf of the County the fire service agreement, attached, for the adequate provision of fire protection service to our residents and visitors.

**AND IT IS SO RESOLVED.**

Dated this 18th day of August, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

**STATE OF SOUTH CAROLINA**  
**COUNTY OF HORRY**

**FIRE SERVICE AGREEMENT**

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the County of Horry, South Carolina, hereinafter referred to as the "County" and the Fair Bluff, hereinafter referred to as the "City".

**Whereas**, pursuant to Sections 4-19-10 and 5-7-60 of the S.C. Code of Laws, and Article VIII, Section 13 of the S.C. Constitution, counties and municipalities may enter into agreements with one another for the purpose of providing fire protection service and the sharing of costs thereof; and

**Whereas**, on December 5, 1984, Horry County Council enacted Ordinance 9-84, establishing a Fire Protection Services Special Tax District for the provision of fire protection service to the entire unincorporated area of Horry County (excluding municipalities and the Murrells Inlet/Garden City Fire District); and

**Whereas**, it is the desire of the County to augment said fire protection service to a portion of Horry County by a service agreement with the City, said portion to be hereinafter referred to as the Service Area, and to be within the following boundaries:

*All unincorporated property of the County that lies within those geographical areas as set forth in Exhibit A, attached hereto.*

**Therefore**, it is agreed that the City shall provide fire protection service to the Service Area upon the following conditions:

**Term of Agreement:** The term of this Agreement shall be for a period of five (5) years commencing on the \_\_\_\_ day of \_\_\_\_\_, 2020 and will continue through the last day of \_\_\_\_\_, 2025. This Agreement may be renewed for up to five (5) additional terms of one (1) year upon mutual written consent of the parties. In the event either party desires to withdraw from this Agreement, written notice shall be given to the other party at least six (6) months prior to the expiration date of the then existing term. If the termination is on the part of the City, it will continue such service for a period of time to allow the County to provide such protection otherwise, such period not to exceed six (6) months, during which payments for service will be based on the monthly-prorated amount for the annual payment schedule.

**Terms of Payment:** The County agrees to pay the City according to the following schedule: \$12,500.00 annually. Beginning at the start of the second year of the term of this Agreement, and for each year thereafter, the base amount specified herein shall be adjusted annually by the lesser of 2% or the then current Consumer Price Index ("CPI") for all Urban Consumers, U.S. City Average (1967=100) unadjusted, "all items", as determined by the U.S. Department of Labor, Bureau of Labor Statistics, Washington, D.C. Payment shall be made within thirty (30) days of receipt by the County of an invoice from the City. Invoice from the City shall be dated no earlier than January 1 of each fiscal year.

**Service Level:** The City agrees to provide fire protection service to the Service Area with personnel and equipment available at the time of the emergency call. The initial response will consist of the normal City response and manpower under the control of the City, consistent with the specific incident type. Additional City resources will be provided under the existing Mutual Aid Agreement. The Fair Bluff Fire Chief, or in his absence his designee, will make all decisions on manpower and equipment. Firefighting services will be performed in a professional manner

consistent with modern firefighting practices, and in particular will meet the legal requirements established by Subpart L of the Occupational Safety and Health Administration (OSHA). Fire protection service provided by the City will include all emergency services normally performed by the City's fire department, including those required by law, i.e., control of emergency hazardous materials incidents. The City will be not responsible for First Responder fire apparatus response to EMS calls in the Service Areas. The City is not responsible for non-emergency activities such as fire investigations or enforcement of fire codes. This Agreement does not alter the existing Mutual Aid Agreement between the City and the County.

**Command at Fire Scene:** The Fair Bluff Fire Chief, or in his absence his designee, shall assume control and responsibility of all fires, or other applicable emergencies, in the Service Area.

**Equipment and Personnel:** The City shall maintain the equipment and personnel which are necessary to provide adequate fire protection service to the Service Area. The City shall be responsible for properly training all said personnel.

**Records:** The City agrees to maintain records of all responses, and to maintain them in the form requested by the County.

**Fees:** The City agrees not to charge or collect any fee for fire protection service within the Service Area. There shall be no contracts for fire protection between the City and individuals or organizations within the Service Area.

**Bi-Annual Review:** The City and the County agree to review the payment schedule and Service Area included in this Agreement bi-annually in order to consider possible adjustments.

Adjustments may be necessary because of annexation, budget changes, and/or changes in the

Service Area due to changes in the fire station locations by either party. The results of this review may alter the Service Area and/or annual payment schedule upon mutual written agreement. The Fire Chiefs of the City and the County are responsible for this review.

**Breach of Agreement:** Breach of any provisions of this Agreement by either party shall result in termination. The breaching party shall have seven (7) days after receipt of written notice of any breach to cure that breach, or if the breach cannot be cured within the seven-day period, the parties may elect to provide additional time in which the breach may be cured. Should the Agreement terminate prior to its expiration date as a result of a breach by either party, an adjustment in the payment schedule shall be made based upon a monthly prorated amount of the annual payments. Each party retains the right to seek any and all legal remedies available to it as a result of the breach.

**Non-appropriations Clause:** If the County's governing body does not approve the funds to implement the Agreement in any given fiscal year, this Agreement shall terminate at the end of the County's fiscal year in which funds were appropriated, upon ninety (90) days written notice by the County to the City.

**Compliance with EEOC and other State and Federal Laws:** To the extent set forth in the respective statutes, the City shall comply with the provisions of:

**Occupational Safety and Health Administration**

**South Carolina Fire Academy**

**Department of Health and Environmental Control** (guidelines pertaining to but not limited to training, medical surveillance and blood-borne pathogens)

**Title VII of the Civil Rights Act of 1964;**

**Age Discrimination in Employment Act of 1967;**

**Title I of the American with Disabilities Act of 1990;**

**Equal Pay Act of 1963;**

**Fair Labor Standards Act of 1938;**

**Immigration Reform and Control Act of 1986;**

**South Carolina Payment of Wages Act, S.C. Code 41-10-10 *et seq.*;**

**South Carolina Worker's Compensation Act, S.C. 42-1-10 *et seq.*;**

**South Carolina Illegal Immigration Reform Act, including without limitation Chapters 14  
& 29, Title 8, and Chapter 8, Title 41, S.C. Code of Laws;**

**Part 681, Title 16 of the Code of Federal Regulations, Section 114 ad 315 of the Fair and  
Accurate Credit transaction Act (FACTA) of 2003; the South Carolina Act 190 of 2008;**

**Financial and Identity Theft Protection Act; the Americans with Disabilities Act; and the  
Horry County Privacy/Identity Theft Policy.**

WHEREFORE, the City and County do hereby agree to this Agreement by signature of the appropriate authorities for each.

IN THE PRESENCE OF:

FAIR BLUFF

Travis Casey

6-23-2020

Janeis Casey

Attest: Beverly B. Elliott

~~Clerk, Fair Bluff Council~~ Secretary/Treasurer

IN THE PRESENCE OF:

HORRY COUNTY

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Attest: \_\_\_\_\_

Clerk, Horry County Council

COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

**RESOLUTION R-89-2020**

**A RESOLUTION APPROVING A FIRE SERVICE AGREEMENT BETWEEN THE COUNTY AND TABOR CITY.**

**WHEREAS**, pursuant to Sections 4-19-10 and 5-7-60 of the S.C. Code of Laws, and Article VIII, Section 13 of the S.C. Constitution, counties and municipalities may enter into agreements with other political subdivisions for the purpose of providing fire protection service and the sharing of costs thereof; and

**WHEREAS**, on December 5, 1984, Horry County Council enacted Ordinance 9-84, establishing a Fire Protection Services Special Tax District for the provision of fire protection service to the entire unincorporated area of Horry County (excluding municipalities and the Murrells Inlet/Garden City Fire District); and

**WHEREAS**, in certain portions of the County, it is desirable to augment these services through agreements with other fire service providers, such as municipalities; and

**WHEREAS**, it appears beneficial that the County enter into the attached Agreement with Tabor City for such purpose, utilizing the form agreement previously approved by Council (Resolution R- -20).

**NOW, THEREFORE, BE IT RESOLVED** by County Council, that the County Administrator or his designee is hereby authorized to execute on behalf of the County the fire service agreement, attached, for the adequate provision of fire protection service to our residents and visitors.

**AND IT IS SO RESOLVED.**

Dated this 18th day of August, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

**STATE OF SOUTH CAROLINA**  
**COUNTY OF HORRY**

**FIRE SERVICE AGREEMENT**

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the County of Horry, South Carolina, hereinafter referred to as the "County" and the Tabor City, hereinafter referred to as the "City".

**Whereas**, pursuant to Sections 4-19-10 and 5-7-60 of the S.C. Code of Laws, and Article VIII, Section 13 of the S.C. Constitution, counties and municipalities may enter into agreements with one another for the purpose of providing fire protection service and the sharing of costs thereof; and

**Whereas**, on December 5, 1984, Horry County Council enacted Ordinance 9-84, establishing a Fire Protection Services Special Tax District for the provision of fire protection service to the entire unincorporated area of Horry County (excluding municipalities and the Murrells Inlet/Garden City Fire District); and

**Whereas**, it is the desire of the County to augment said fire protection service to a portion of Horry County by a service agreement with the City, said portion to be hereinafter referred to as the Service Area, and to be within the following boundaries:

*All unincorporated property of the County that lies within those geographical areas as set forth in Exhibit A and Exhibit B, attached hereto.*

**Therefore**, it is agreed that the City shall provide fire protection service to the Service Area upon the following conditions:

**Term of Agreement:** The term of this Agreement shall be for a period of five (5) years commencing on the \_\_\_\_ day of \_\_\_\_\_, 2020 and will continue through the last day of \_\_\_\_\_, 2025. This Agreement may be renewed for up to five (5) additional terms of one (1) year upon mutual written consent of the parties. In the event either party desires to withdraw from this Agreement, written notice shall be given to the other party at least six (6) months prior to the expiration date of the then existing term. If the termination is on the part of the City, it will continue such service for a period of time to allow the County to provide such protection otherwise, such period not to exceed six (6) months, during which payments for service will be based on the monthly-prorated amount for the annual payment schedule.

**Terms of Payment:** The County agrees to pay the City according to the following schedule:

\$20,000.00 annually. Beginning at the start of the second year of the term of this Agreement, and for each year thereafter, the base amount specified herein shall be adjusted annually by the lesser of 2% or the then current Consumer Price Index ("CPI") for all Urban Consumers, U.S. City Average (1967=100) unadjusted, "all items", as determined by the U.S. Department of Labor, Bureau of Labor Statistics, Washington, D.C. Payment shall be made within thirty (30) days of receipt by the County of an invoice from the City. Invoice from the City shall be dated no earlier than January 1 of each fiscal year.

**Service Level:** The City agrees to provide fire protection service to the Service Area with personnel and equipment available at the time of the emergency call. The initial response will consist of the normal City response and manpower under the control of the City, consistent with the specific incident type. Additional City resources will be provided under the existing Mutual Aid Agreement. The Tabor City Fire Chief, or in his absence his designee, will make all decisions on manpower and equipment. Firefighting services will be performed in a professional manner

consistent with modern firefighting practices, and in particular will meet the legal requirements established by Subpart L of the Occupational Safety and Health Administration (OSHA). Fire protection service provided by the City will include all emergency services normally performed by the City's fire department, including those required by law, i.e., control of emergency hazardous materials incidents. The City will be not responsible for First Responder fire apparatus response to EMS calls in the Service Areas. The City is not responsible for non-emergency activities such as fire investigations or enforcement of fire codes. This Agreement does not alter the existing Mutual Aid Agreement between the City and the County.

**Command at Fire Scene:** The Tabor City Fire Chief, or in his absence his designee, shall assume control and responsibility of all fires, or other applicable emergencies, in the Service Area.

**Equipment and Personnel:** The City shall maintain the equipment and personnel which are necessary to provide adequate fire protection service to the Service Area. The City shall be responsible for properly training all said personnel.

**Records:** The City agrees to maintain records of all responses, and to maintain them in the form requested by the County.

**Fees:** The City agrees not to charge or collect any fee for fire protection service within the Service Area. There shall be no contracts for fire protection between the City and individuals or organizations within the Service Area.

**Bi-Annual Review:** The City and the County agree to review the payment schedule and Service Area included in this Agreement bi-annually in order to consider possible adjustments.

Adjustments may be necessary because of annexation, budget changes, and/or changes in the

Service Area due to changes in the fire station locations by either party. The results of this review may alter the Service Area and/or annual payment schedule upon mutual written agreement. The Fire Chiefs of the City and the County are responsible for this review.

**Breach of Agreement:** Breach of any provisions of this Agreement by either party shall result in termination. The breaching party shall have seven (7) days after receipt of written notice of any breach to cure that breach, or if the breach cannot be cured within the seven-day period, the parties may elect to provide additional time in which the breach may be cured. Should the Agreement terminate prior to its expiration date as a result of a breach by either party, an adjustment in the payment schedule shall be made based upon a monthly prorated amount of the annual payments. Each party retains the right to seek any and all legal remedies available to it as a result of the breach.

**Non-appropriations Clause:** If the County's governing body does not approve the funds to implement the Agreement in any given fiscal year, this Agreement shall terminate at the end of the County's fiscal year in which funds were appropriated, upon ninety (90) days written notice by the County to the City.

**Compliance with EEOC and other State and Federal Laws:** To the extent set forth in the respective statutes, the City shall comply with the provisions of:

**Occupational Safety and Health Administration**

**South Carolina Fire Academy**

**Department of Health and Environmental Control** (guidelines pertaining to but not limited to training, medical surveillance and blood-borne pathogens)

**Title VII of the Civil Rights Act of 1964;**

**Age Discrimination in Employment Act of 1967;**

**Title I of the American with Disabilities Act of 1990;**

**Equal Pay Act of 1963;**

**Fair Labor Standards Act of 1938;**

**Immigration Reform and Control Act of 1986;**

**South Carolina Payment of Wages Act, S.C. Code 41-10-10 *et seq.*;**

**South Carolina Worker's Compensation Act, S.C. 42-1-10 *et seq.*;**

**South Carolina Illegal Immigration Reform Act, including without limitation Chapters 14  
& 29, Title 8, and Chapter 8, Title 41, S.C. Code of Laws;**

**Part 681, Title 16 of the Code of Federal Regulations, Section 114 ad 315 of the Fair and  
Accurate Credit transaction Act (FACTA) of 2003; the South Carolina Act 190 of 2008;  
Financial and Identity Theft Protection Act; the Americans with Disabilities Act; and the  
Horry County Privacy/Identity Theft Policy.**

**WHEREFORE**, the City and County do hereby agree to this Agreement by signature of the appropriate authorities for each.

**IN THE PRESENCE OF:**

**TABOR CITY**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

**Attest:** \_\_\_\_\_

**Clerk, Tabor City Council**

**IN THE PRESENCE OF:**

**HORRY COUNTY**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

**Attest:** \_\_\_\_\_

**Clerk, Horry County Council**

COUNTY OF Horry )  
STATE OF SOUTH CAROLINA )

**RESOLUTION R-90-2020**

**A RESOLUTION PROCLAIMING SEPTEMBER 17-23 AS CONSTITUTION WEEK.**

**WHEREAS:** September 17, 2020, marks the two hundred and thirty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS:** It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

**WHEREAS:** Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

**NOW, THEREFORE,** Horry County Council does hereby proclaim the week of September 17 through 23 as **CONSTITUTION WEEK,**

**AND** ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

**AND IT IS SO RESOLVED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

---

Patricia S. Hartley, Clerk to Council

COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

) RESOLUTION R-91-2020  
)

**A RESOLUTION APPROVING THE ADDITION OF A ROADS TO THE COMPREHENSIVE ROAD IMPROVEMENT PLAN FOR COUNTY COUNCIL DISTRICT # 9 FOR YEAR 23 AS OUTLINED IN ORDINACE 31-97.**

**WHEREAS**, the following roads will be added to The Comprehensive Road Improvement Plan for Year 23 for County Council district # 9

Ace Way	0.27 mile	Year-23
Papa's Bay Road	0.24 mile	Year-23
Hardee Avenue	0.11 mile	Year-23
South Bend Street	0.14 mile	Year-23
Goretown Loop	0.19 mile	Year-23

**TOTAL                      0.95 miles**

**NOW, THEREFORE, BE IT RESOLVED** that Horry County Council approves the above additions to The Comprehensive Road Plan.

**AND IT IS SO RESOLVED** this 18th day of August, 2020

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, Jr., District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

---

Patricia S. Hartley, Clerk to Council

**Infrastructure & Regulation Committee**  
**Decision Memorandum**  
Horry County, South Carolina

---

Date: July 13, 2020  
From: Larry Hamilton  
Division: Infrastructure & Regulation  
Prepared By: Larry Hamilton  
Cleared By: David Gilreath, Assistant County Administrator  
**Committee: I & R**

---

**ISSUE**

Selection for Year-23 roads to be placed on The Comprehensive Road Improvement Plan for District # 9.

**BACKGROUND**

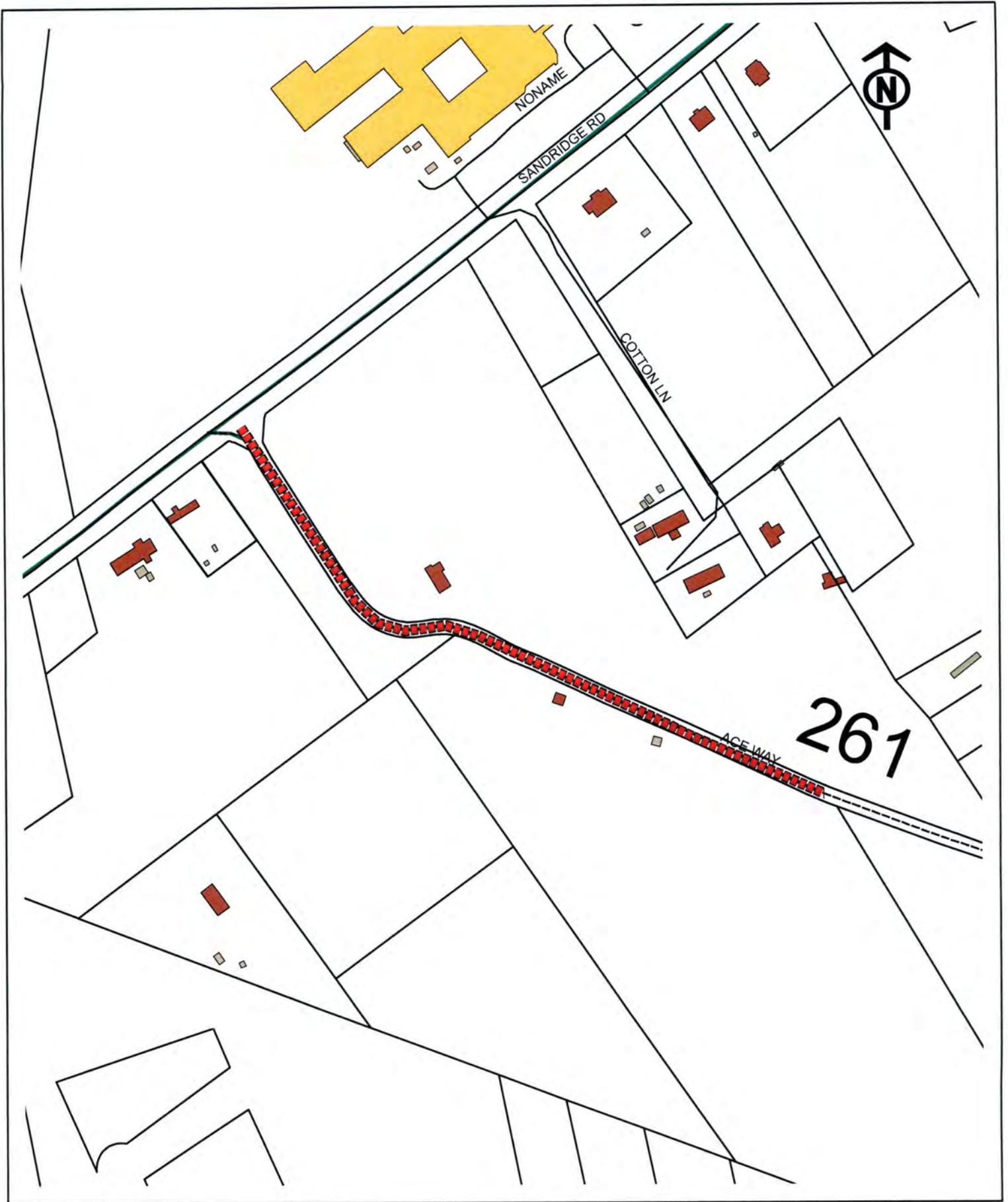
Each year The Comprehensive Road Improvement Plan funds the construction of dirt roads in various Council districts. District # 9 receives a portion of the budgeted mileage available. The Honorable Paul Prince has identified these roads for the Year-23 Road Plan.

**PROPOSED ACTION**

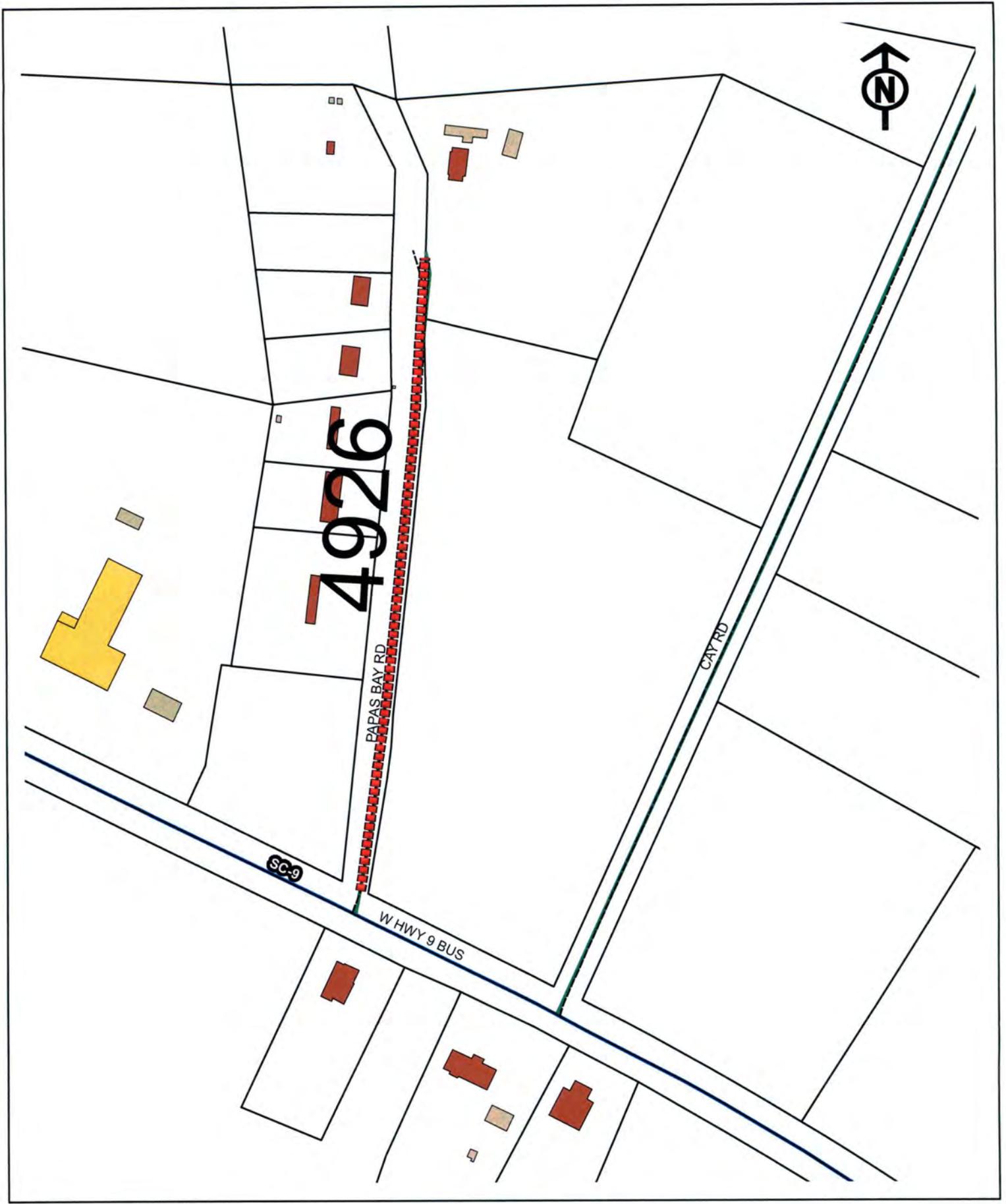
Add Ace Way (0.27 mile), Papa's Bay Road (0.24 mile), Hardee Avenue (0.11 mile), South Bend Street (0.14 mile) and Goretown Loop (0.19 mile) to The Comprehensive Road Improvement Plan for Year 23.

**RECOMMENDATION**

Staff recommends placing these roads on The Comprehensive Road Improvement Plan.



**Ace Way - 0.27 Mile Seg# 261**



Papa's Bay Road - 0.24 Mile Seg# 4926



South Bend Street - 0.14 Mile Seg# 4878

Hardee Avenue - 0.11 Mile Seg# 2697



Goretown Loop - 0.09 Mile Seg# 4622

COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

) RESOLUTION R-92-2020  
)

**A RESOLUTION APPROVING THE REMOVAL and REPLACEMENT OF SEVERAL ROADS TO THE COMPREHENSIVE ROAD IMPROVEMENT PLAN FOR COUNTY COUNCIL DISTRICT # 9**

**WHEREAS**, the following roads were previously approved as roads in District # 9 for the Comprehensive Local Road Improvement Plan.

Sandhill Lane	0.11 mile
Pinewood Circle	0.25 mile
<b>TOTAL</b>	<b>0.36 miles</b>

**WHEREAS**, The Honorable Paul Price wishes to **replace** these road with the following road in District # 9 for the Comprehensive Local Road Improvement Plan

Prince Street	0.40 mile
<b>TOTAL</b>	<b>0.40 miles</b>

**NOW, THEREFORE, BE IT RESOLVED** that Horry County Council approves the above additions to The Comprehensive Road Plan.

**AND IT IS SO RESOLVED** this 18th day of August, 2020

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, Jr., District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

---

Patricia S. Hartley, Clerk to Council

**Infrastructure & Regulation Committee**  
**Decision Memorandum**  
Horry County, South Carolina

---

Date: July 17, 2020  
From: Larry Hamilton  
Division: Infrastructure & Regulation  
Prepared By: Larry Hamilton  
Cleared By: David Gilreath, Assistant County Administrator  
**Committee: I & R**

---

**ISSUE**

The selection of a Year-21 road to be placed on The Comprehensive Road Improvement Plan for District # 11.

**BACKGROUND**

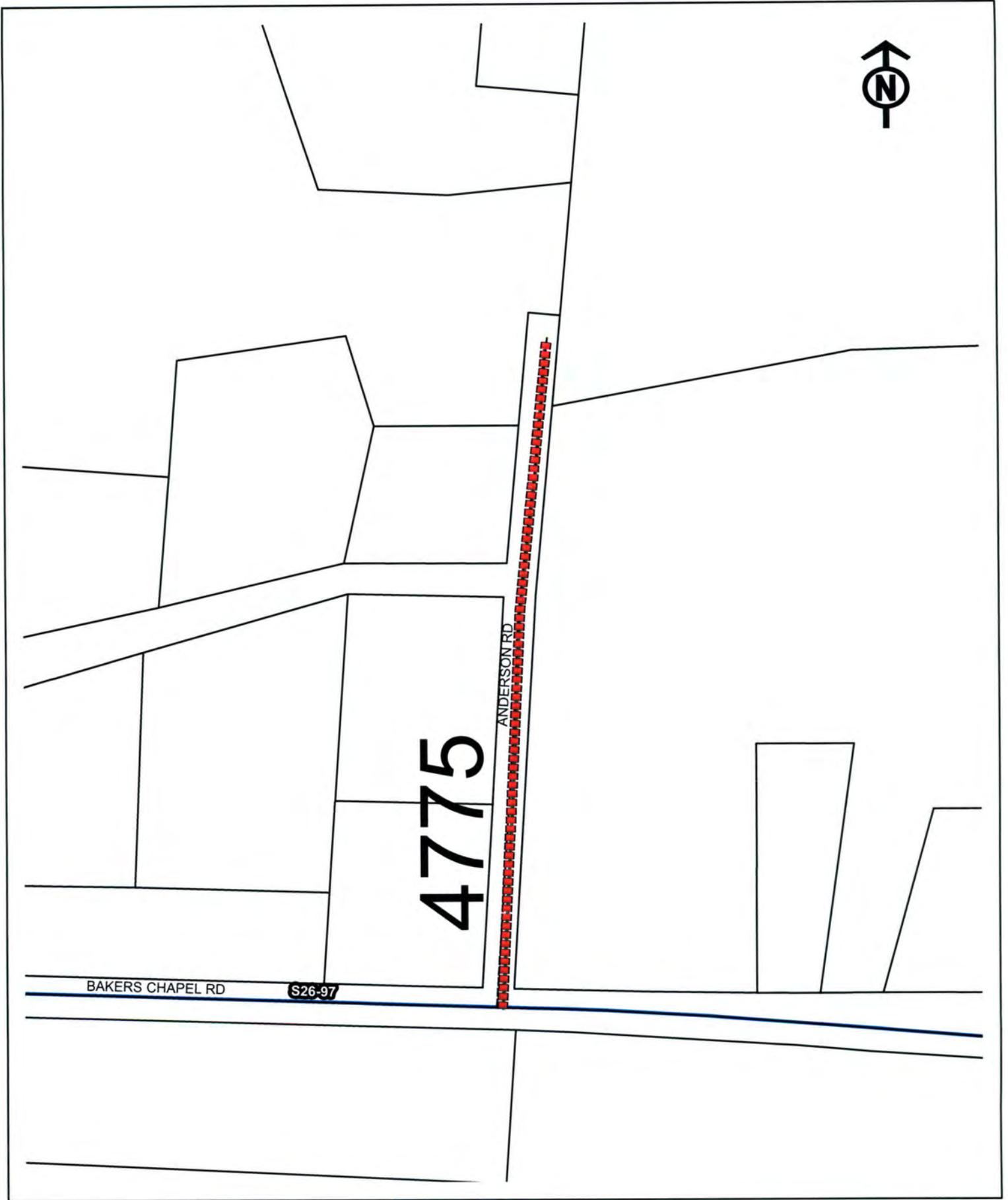
Each year The Comprehensive Road Improvement Plan funds the construction of dirt roads in various Council districts. District # 11 receives a portion of the budgeted mileage available. District 11 currently has 1.21 miles of funded mileage available for Year-21. The Honorable Al Allen has identified this road to be placed on the Year-21 Road Plan.

**PROPOSED ACTION**

Add Anderson Road (0.20 mile) to The Comprehensive Road Improvement Plan for Year 21.

**RECOMMENDATION**

Staff recommends placing Anderson Road on The Comprehensive Road Improvement Plan.



**Anderson Road - 0.20 mile  
Seg. # 4775 District # 11**

COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

) RESOLUTION R-93-2020  
)

**A RESOLUTION APPROVING THE ADDITION OF A ROAD TO THE COMPREHENSIVE ROAD IMPROVEMENT PLAN FOR COUNTY COUNCIL DISTRICT # 11 FOR YEAR 21 AS OUTLINED IN ORDINANCE 31-97.**

**WHEREAS**, the following road will be added to The Comprehensive Road Improvement Plan for Year 21 for County Council district # 11.

Anderson Road            0.20 mile            Year-21

**NOW, THEREFORE, BE IT RESOLVED** that Horry County Council approves the above additions to The Comprehensive Road Plan.

**AND IT IS SO RESOLVED** this 18th day of August, 2020

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, Jr., District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

---

Patricia S. Hartley, Clerk to Council

Infrastructure & Regulation Committee  
Decision Memorandum  
Horry County, South Carolina

---

Date: July 13, 2020  
From: Larry Hamilton  
Division: Infrastructure & Regulation  
Prepared By: Larry Hamilton  
Cleared By: David Gilreath, Assistant County Administrator  
**Committee: I & R**

---

**ISSUE**

Removal of approved roads from the Comprehensive Road Plan and replace with new roads in District # 9.

**BACKGROUND**

The Honorable Paul Prince has identified certain roads for removal off of the Road Plan and to be replaced by new roads of similar length.

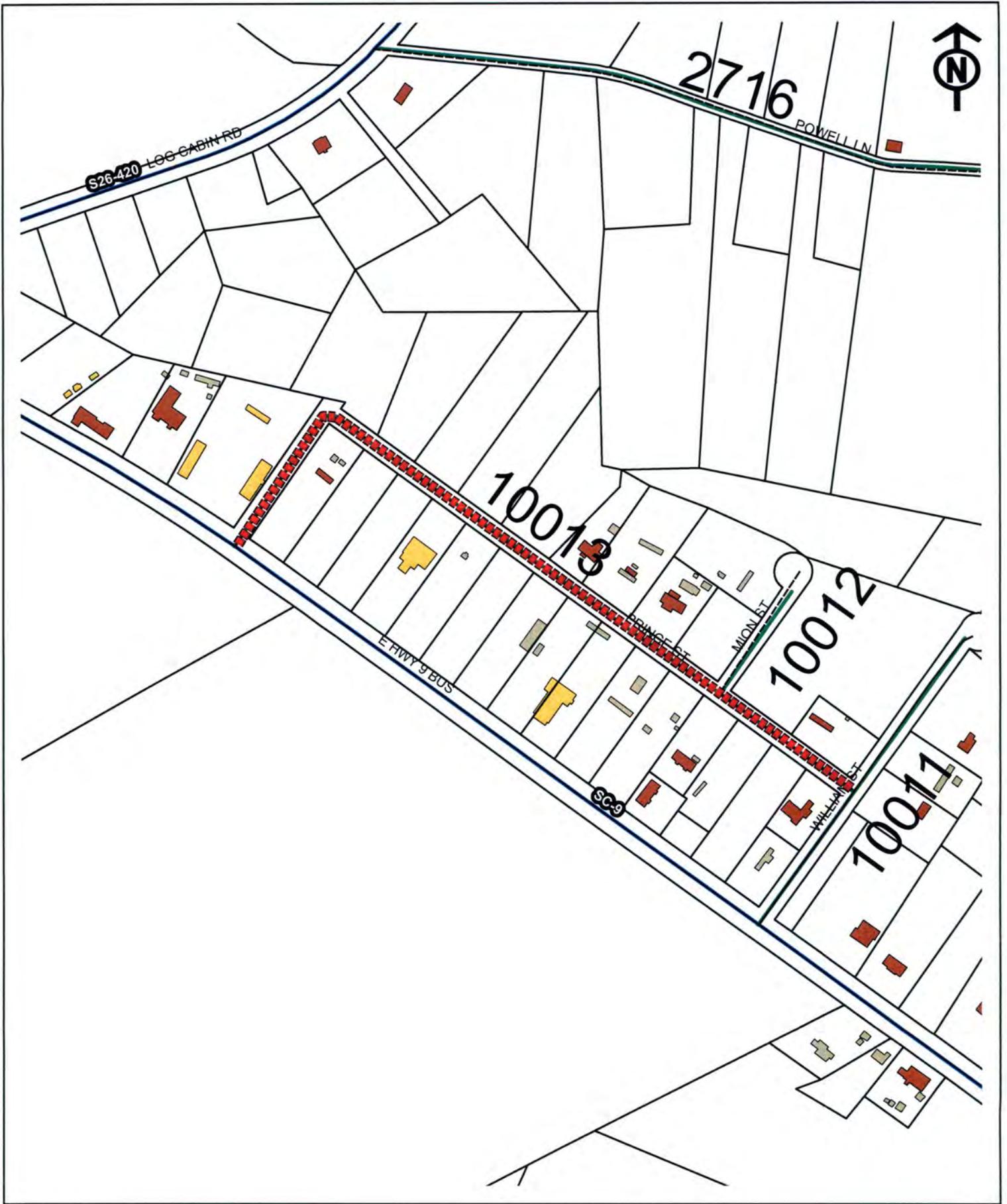
**PROPOSED ACTION**

**REMOVAL** of Sandhill Lane (0.11 mile) and Pinewood Circle (0.25 mile) from the Road Plan.

**REPLACE** said roads with Prince Street (0.40 mile).

**RECOMMENDATION**

Staff recommends the requested removals and replacements.



Prince Street - 0.40 Mile Seg# 10013

COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

**RESOLUTION R-94-2020**

**A RESOLUTION ENDING THE STATE OF EMERGENCY DECLARED PURSUANT TO EMERGENCY ORDINANCE 75-2020.**

**WHEREAS**, on July 31, 2020, by Ordinance 75-2020, County Council declared a weather related localized State of Emergency for Horry County due to the approach of Hurricane Isaias, a significant hurricane which at the time was forecasted by the National Hurricane Center to have a direct and significant impact to the County; and

**WHEREAS**, although the County experienced some negative effects from the storm, to include significant flooding in areas of the County, thankfully the path of the storm and its limited intensity spared the County significant damage overall, and the dangerous potential weather conditions and impacts for the area abated in relatively short order; and

**WHEREAS**, it appears that the reasons for which Council previously declared a weather related State of Emergency no longer exist and, thus, Council desires to terminate such emergency Ordinance.

**NOW, THEREFORE, BE IT RESOLVED**, by virtue of the power and authority granted to the County by the Constitution and General Assembly of the State of South Carolina, and the specific authority provided in Ordinance 75-2020, County Council hereby declares that a State of Emergency no longer exists, and hereby declares that effective immediately, Ordinance 75-2020 is, by and through this Resolution, cancelled, terminated, and no longer in effect.

**AND IT IS SO RESOLVED** this 18th day of August, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

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Patricia S. Hartley, Clerk to Council

COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

**RESOLUTION R-96-2020**

**A RESOLUTION AUTHORIZING AND DIRECTING THE TRANSFER OF FUNDS TO INCREASE THE BUDGET FOR POLICE PURCHASE OF LICENSE PLATE RECOGNITION SYSTEM.**

**WHEREAS**, the County Council enacted Ordinance Number 25-18 an ORDINANCE TO RAISE REVENUE, MAKE APPROPRIATIONS AND ADOPT A BUDGET FOR HORRY COUNTY, SOUTH CAROLINA FOR FISCAL YEAR ENDING JUNE 30, 2019; and

**WHEREAS**, the Ordinance Number 25-18 included \$155,487 for a Hazard Mitigation Grant Match for Generators; and

**WHEREAS**, the County received funding for the acquisition of generators from a State of South Carolina Budget Appropriation in Fiscal Year 2020 and will not use the budget originally funded for this purpose; and

**WHEREAS**, the Police have identified a critical need to implement a system for License Plate Recognition to enhance response to crimes and protect the citizens of Horry County; and

**WHEREAS**, the County's Financial Policy, in section 2-70.8. Budget Policy states, "Any budget transfer within the General Fund from a Department within one Division to a Department within another Division that exceeds \$100,000 and any budget transfer within the General Capital Projects Fund from one project to another project that exceeds \$100,000 must first be approved by County Council through a resolution before the transfer is completed. These resolutions are not required to first go through a Council Committee."

**NOW, THEREFORE, BE IT RESOLVED** that Horry County Council approve the transfer of \$155,487 from the Hazard Mitigation Grant Match for Generators to the License Plate Recognition System.

**AND IT IS SO RESOLVED** this 18<sup>th</sup> day of August, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant., District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council



## County Council Decision Memorandum

Horry County, South Carolina

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**Date:** August 5, 2020  
**From:** Randy Webster, Assistant County Administrator  
**Cleared By:** Steve Gosnell, County Administrator  
David Gilreath, Assistant County Administrator  
Barry Spivey, Assistant County Administrator  
**Re:** Budget Transfer

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### **ISSUE**

The County's Financial Policy, in section 2-70.8-Budget Policy states "Any budget transfer within the General Fund from a Department within one Division to a Department within another Division that exceeds \$100,000 and any budget transfer within the General Capital Projects Fund from one project to another project that exceeds \$100,000 must first be approved by County Council through a resolution before the transfer is completed. These resolutions are not required to first go through a Council Committee."

### **BACKGROUND**

County Council approved the Fiscal Year 2019 Budget, which included a \$155,487 capital project for a Hazard Mitigation Grant Match for Generators to serve the ML Brown Facility as a component of the Capital Improvement Plan. The County received funding for the acquisition of generators from a State of South Carolina Budget Appropriation in Fiscal Year 2020 and will not use the budget originally funded for this purpose. The Police have identified a critical need to implement a system for License Plate Recognition to enhance response to crimes and protect the citizens of Horry County.

### **RECOMMENDATION**

Staff recommends approval of the attached resolution, which authorizes the \$155,487 from the Hazard Mitigation Grant Match for Generators to the License Plate Recognition System.

COUNTY OF Horry

)

RESOLUTION R-97-2020

STATE OF SOUTH CAROLINA

)

**A RESOLUTION AUTHORIZING THE FIFTEENTH CIRCUIT SOLICITOR'S OFFICE TO ACCEPT, IF AWARDED, U. S. DEPARTMENT OF JUSTICE INVITED APPLICATION FOR SPECIAL ASSISTANT UNITED STATES ATTORNEY TO REDUCE VIOLENT CRIME IN SUPPORT OF PROJECT GUARDIAN**

**WHEREAS**, Horry County understands the unique responsibilities and challenges associated with the prosecution of violent crimes; and

**WHEREAS**, the United State Department of Justice has sent an Invitation for application for a Special Assistant United States Attorney to help reduce violent crime in support of Project Guardian; and

**WHEREAS, in response to the Invitation**, the Fifteenth Judicial Circuit Solicitor's Office seeks to appoint a current Assistant Solicitor to fill the Special Assistant United States Attorney position for two (2) years and to purchase computer equipment and software not to exceed \$265,258.00 with no local cash match.

**NOW, THEREFORE, BE IT RESOLVED**, that the Horry County Council hereby authorizes the Administrator to submit and accept, if awarded, U. S. Department of Justice Invitation Application for Special United States Attorney to reduce violent crime in support of Project Guardian grant.

**AND IT IS SO RESOLVED** this 18th day of August, 2020

**Horry County Council**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant., District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

Stormwater

**APPLICATION FOR COUNTY APPOINTMENTS**

NAME: Brian Pugsley \_\_\_\_\_ DATE July 7, 2020 \_\_\_\_\_

ADDRESS: 594 Carolina Farms Blvd, Myrtle Beach, SC 29579 \_\_\_\_\_

TELEPHONE NUMBER: 770-845-7351

DATE OF BIRTH: Jan 10, 1946

YOUR COUNCIL MEMBER: Bill Howard

DISTRICT: 2 / (Mobile) 843-421-2035

HAVE YOU EVER BEEN CONVICTED OF A FELONY? No

HAVE YOU BEEN ARRESTED OTHER THAN A MINOR TRAFFIC ACCIDENT WITHIN THE PAST TEN (10) YEARS? No

BACKGROUND INFORMATION: (Please provide in detail or attach a resume).

EDUCATION: B of Math at University of Waterloo, Actuary FSA designation, Various Investment designations, real estate licenses in both GA and SC, life insurance license in GA.

WORK: I retired early in 2003 and have attached the last resume that I used. Since retiring, I tried new careers in real estate, life insurance sales, and tutoring students taking SAT. Also, I did a lot of volunteer work and traveling.

**CIVIC ACTIVITIES:**

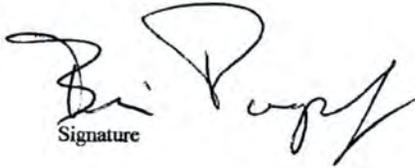
- . Guardian ad Litem in Horry ( 2017 to 2019 )
- . On grounds committee for The Farms with primary responsibility for the 28 ponds ( 2018 to present )
- . Volunteer work for Hands on Forsyth in Cumming GA ( 2009 to 2013 )
- . United Way committees over the years.

LIST PREVIOUS SERVICE ON HORRY COUNTY BOARDS OR COMMISSIONS (indicate dates of terms):

DUAL OFFICE HOLDING: Do you presently serve on any County or State Board or

Commission? No

If appointed to an Horry County Board or Commission, I understand that I will be expected to attend all meetings of that Board or Commission. The only reason I would not attend would be because of illness or pressing personal commitments. I also understand that if I am absent from three (3) consecutive meetings without a valid reason, the Council will consider this as a voluntary resignation. I am willing to abide by these attendance regulations. By acceptance of the appointment, I pledge my time and abilities to serve on any board or commission to which I am appointed.

  
Signature

Date

7/8/2020

## **EMPLOYMENT INTEREST**

I am looking for a continuing long-term assignment in either a leadership capacity, or in a responsible non-management support role. In regard to the latter, I would be open to either a part-time position or employment on a contract basis.

## **PRIMARY STRENGTHS**

- **MANAGEMENT**
- **ANALYSIS**
- **INVESTMENT**
- **FINANCE**
- **SERVICE OVERSIGHT**
- **GROWTH**

## **QUALIFICATIONS AND OVERVIEW**

The overwhelming majority of my career has revolved around organizational management, business development and expansion, financial analysis and daily operational oversight. Over the years, I have acquired knowledge in a number of different insurance products and functions.

As a result of this experience, I offer the wisdom, maturity, analytical skill and personal drive necessary to assist your company to reach long-term operational and financial goals.

## **COMPETENCIES**

- Integrity
- Communication skills
- Organized and structured
- Success driven: a finely-tuned work ethic
- Proven problem solving/decision-making skills

## **COLLEGE DEGREE AND OTHER INFORMATION**

- Bachelor of Mathematics
- Fellow of the Society of Actuaries
- Georgia Life & Health Insurance License
- NASD Series 7 & 26 (now out of date)
- Georgia Real Estate License (inactive status)
- Industry management, financial and customer service seminars

## CAREER EXPOSURES

**Able to assist your organization on a long-term basis in operations, management and service; some of the work skills and competencies I offer are listed below:**

- **Management:** valuable experience in the management of business operations
- **Marketing:** knowledge and experience in the marketing of our products and services
- **Goal setting:** responsible for establishing and reaching various project objectives
- **Profitability:** knowledge of the sales process; prepare and analyze sales and financial reports
- **Finance:** highly skilled in cost control and financial areas (see paragraph below)
- **Strategic planning:** work with other senior management officials on long-range planning
- **Analysis:** a key strength is my ability to effectively analyze any complex situation
- **Initiatives:** designed and developed a number of new and highly profitable programs
- **Team involvement:** actively participated in a leadership capacity on national due-diligence business acquisition teams
- **Human resources:** skilled in the supervision and control of employees; complete performance evaluations; experience with employee counseling and discipline
- **New employee hires:** experienced in recruiting, interviewing and hiring of employees
- **Computers:** proficiency with various computer functions and Windows / MS Office
- **Systems:** have been responsible for the design of new systems and improvement of existing systems.
- **Customer service:** proven customer service skills.
- **Staff development:** strong training and mentoring skills.
- **Products:** group life, medical, disability, dental and stop loss, variable annuities, structured settlements, immediate annuities, GIC's, deferred annuities, managed funds, medicare med supp

## PROFESSIONAL EXPERIENCES

During the period from 2003 until now, I have (through a designed career plan) transitioned into other work and pursued a number of new interests including real estate, and instruction / tutoring.

**ASSISTANT VICE PRESIDENT** - The Hartford -1998 to 2002 – responsible for pricing and underwriting group life & disability.

**SENIOR VICE PRESIDENT** -Trans-General -1997 to 1998 – responsible for management oversight of the Hartford operation and for valuation and pricing of all

products.

**ASSOCIATE VICE PRESIDENT** - Confederation Life -1982 to 1994 –primarily responsible for all aspects of group life, medical & disability products although in the latter years became involved in investment products and participated in the liquidation of the company after it's seizure by Canadian & US authorities.

Museum

Museum Board of Trustees  
APPLICATION FOR COUNTY APPOINTMENTS

NAME: Jesse D. (Dan) Thomas DATE: July 14, 2020

ADDRESS: 624 Plantation Circle

TELEPHONE NUMBER: 843-602-1233 (home) \_\_\_\_\_ (work)

Conway, SC 29526

DATE OF BIRTH: June 7, 1954

YOUR COUNCIL MEMBER / DISTRICT: Al Allen, District 11

HAVE YOU EVER BEEN CONVICTED OF A FELONY?  (yes) \* (no)

HAVE YOU EVER BEEN ARRESTED OTHER THAN A MINOR TRAFFIC ACCIDENT

WITHIN THE LAST TEN (10) YEARS?  (yes) \* (no)

BACKGROUND INFORMATION: (Please provide in detail or attach a resume).

EDUCATION:  
Horry-Georgetown Technical College-Conway, SC  
Associates Degree in Electronics 1975

WORK:  
1978-1988 Town of Surfside Beach Building and Zoning Director  
1978-2004 Town of Surfside Beach Fire Chief and Emergency Manager  
2004-2011 Self Employed Home and Property Inspection  
2011-2015 Coastal Carolina University Assistant Fire Marshal

CIVIC ACTIVITIES:  
-Winyah Sierra Club 1984-1994  
-Rock Church 2017-Present Safety Team  
-Larry Paul Farm 2018-Present Assist with Blacksmithing Demos

LIST PREVIOUS SERVICE ON HORRY COUNTY BOARDS OR COMMISSIONS  
{indicate dates, of terms};

NONE

DUAL OFFICE HOLDING: Do you presently serve on any County or State Board or Commission?

NO

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If appointed to an Horry County Board or Commission, I understand that I will be expected to attend all meetings of that Board or Commission. The only reason I would not attend would be because of illness or pressing personal commitments. I also understand that if I am absent from three (3) consecutive meetings without a valid reason, the Council will consider this as a voluntary resignation. I am willing to abide by these attendance regulations. By acceptance of the appointment, I pledge my time and abilities to serve on any board or commission to which I am appointed.

Signature:

Jesse D. (DAN) Thomas

Date:

7/15/2020

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

**RESOLUTION R-95-2020**

**A RESOLUTION RECOGNIZING THE ACCOMPLISHMENTS OF IVORY WILSON AND MEMORIALIZING HIS LIFE AS A CONTRIBUTOR TO THE GREATER GOOD OF HORRY COUNTY.**

**WHEREAS**, Ivory Wilson a community leader in Conway and Horry County community as a whole, passed away on July 3, 2020; and

**WHEREAS**, Wilson was born in Little River and attended schools in Horry County, completing his education with a BS in Mechanical Engineering from the Milwaukee School of Engineering, and served his country for 26 years in the Army until retiring as a Chief Warrant Officer; and

**WHEREAS**, Wilson began his second career at Horry Georgetown Technical College as the Director of Veteran Affairs, a position he held for 17 years; and

**WHEREAS**, Wilson provided opportunities to countless Horry County residents by establishing bus service in Horry County with the founding of Coastal Rapid Public Transit Authority eventually becoming Coast RTA; and

**WHEREAS**, Wilson served as Chairman of the Board of Coast RTA, member of Conway City Council, member of the Advisory Board of Wachovia and Wells Fargo, and on the Board of Trustees of Freewood Farms.

**NOW, THEREFORE, BE IT RESOLVED** that Horry County Council express its deepest condolences to his wife, Vivian, of 65 years, his three children, Iva Wilson-Burke, Sonja Wilson-Hall and Jackie Wilson, friends and community of Ivory Wilson.

**AND IT IS SO RESOLVED** this 18th day of August, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

- |                              |                           |
|------------------------------|---------------------------|
| Harold G. Worley, District 1 | Bill Howard, District 2   |
| Dennis DiSabato, District 3  | Gary Loftus, District 4   |
| Tyler Servant, District 5    | Cam Crawford, District 6  |
| Orton Bellamy, District 7    | Johnny Vaught, District 8 |
| W. Paul Prince, District 9   | Danny Hardee, District 10 |
| Al Allen, District 11        |                           |

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

Ordinance 70-2020

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 4570000019 FROM RESIDENTIAL (SF40) TO RESIDENTIAL (SF6)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Residential (SF40) to Residential (SF6) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:** Parcel(s) of land identified by PIN 4570000019 and currently zoned Residential (SF40) is herewith rezoned to Residential (SF6).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

- |                              |                           |
|------------------------------|---------------------------|
| Harold G. Worley, District 1 | Bill Howard, District 2   |
| Dennis DiSabato, District 3  | Gary Loftus, District 4   |
| Tyler Servant, District 5    | Cam Crawford, District 6  |
| Orton Bellamy, District 7    | Johnny Vaught, District 8 |
| W. Paul Prince, District 9   | Danny Hardee, District 10 |
| Al Allen, District 11        |                           |

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020  
Second Reading: August 18, 2020  
Third Reading:

Rezoning Review Sheet



**PROPERTY INFORMATION**

<b>Applicant</b>	ROWE Professional Services Company (Energov # 049403)	<b>Rezoning Request #</b>	2020-06-004
<b>PIN #</b>	45700000019	<b>County Council District #</b>	4 - Loftus
<b>Site Location</b>	Southeast of Freewoods Rd; west of the Farm at Timberlake in Myrtle Beach	<b>Staff Recommendation</b>	Approval
<b>Property Owner Contact</b>	Burroughs Brothers Properties Inc	<b>PC Recommendation</b>	Approval 6:2
		<b>Size (in acres) of Request</b>	72.57

**ZONING DISTRICTS**

<b>Current Zoning</b>	SF40
<b>Proposed Zoning</b>	SF6
<b>Proposed Use</b>	Residential Subdivision

**LOCATION INFORMATION**

<b>Flood and Wetland Information</b> (proposed FEMA maps)	X
<b>Public Health &amp; Safety</b> (EMS/fire) in miles	2.43
<b>Utilities</b>	Public
<b>Character of the Area</b>	Residential

**ADJACENT PROPERTIES**

PDD	PDD	PUD
SF40	<b>Subject Property</b>	MSF6
SF40	SF40	MSF6

**COMMENTS**

**Comprehensive Plan District:** Suburban and Scenic & Conservation **Overlay/Area Plan:** Burgess Community Area Plan & Hwy 707 Overlay

**Discussion:** The applicant has requested to rezone to Residential (SF6) to allow for Phase 3 of the Farm at Timberlake. The proposed sketch plan shows an addition of 141 lots in phase 3 with a density of 2.43 du/ac. The plan proposes three points of access, one onto Timberlake Drive one into Brighton Woods and another from Freewoods Road. The project is located in the Burgess Community Area Plan and the Hwy 707 Overlay district. The parcel does have 14.10 acres of wetlands on the southern portion, however, the current conceptual plan from the applicant shows no development in the wetlands. This project is adjacent to several major residential subdivisions. The adjacent Freewoods Farm PDD allows a variety of commercial uses in a main street style atmosphere as well as farm uses, however, it is currently undeveloped. The developer is proposing an additional amenity area.

**Public Comment:** 7/2/2020 Brett Branham, Taylor Peugh, Tara Blanton, John Heter and Melissa Broussard spoke in opposition to the request. Their concerns were property value and traffic. O'Neal Smalls, owner of the adjacent farm, requested a barrier between properties to minimize adverse effects. Ryan Harvey was present to address questions and concerns.

**TRANSPORTATION INFORMATION**

<b>Daily Trips based on existing use / Max Daily Trips based on current zoning</b>	0/320	<b>Existing Road Conditions</b>	County, Paved, two-lane
<b>Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning</b>	1,128/1,300	<b>Rd, Station, Traffic AADT (2019) % Road Capacity</b>	SC 707 Main Line, Station (247) 23,800 AADT 65-70%
<b>Proposed Improvements</b>			

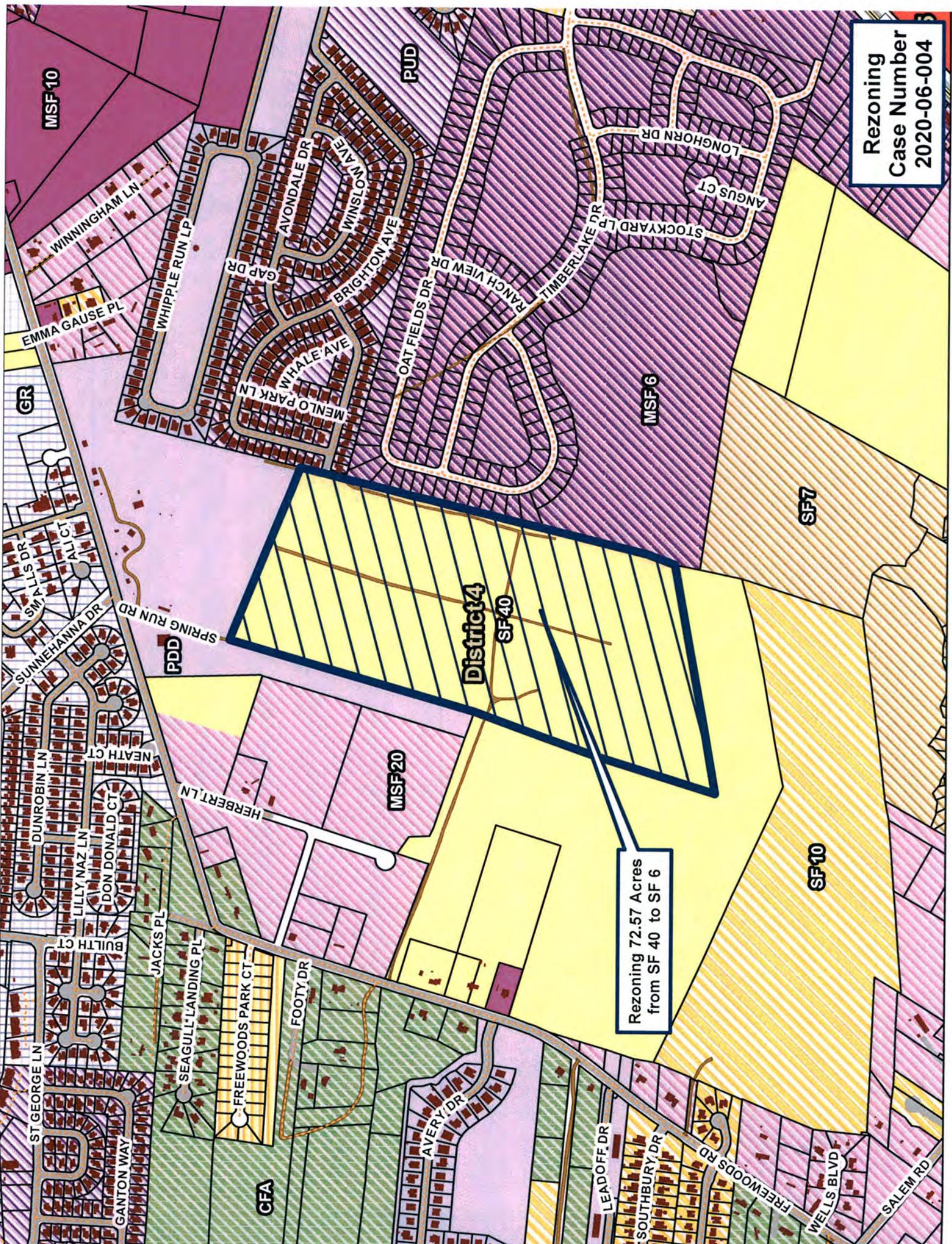
**DIMENSIONAL STANDARDS**

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	SF6	SF40	PDD	MSF6	SF40	PUD
<b>Min. Lot Size (in square feet)</b>	6,000	40,000	-	6,000	40,000	5,000
<b>Front Setback (in feet)</b>	20	50	50	20	50	20
<b>Side Setback (in feet)</b>	10	20	25	10	20	7.5/0
<b>Corner Side Setback (in feet)</b>	15	30	n/a	15	30	15
<b>Rear Setback (in feet)</b>	15	30	25	15	30	15/25
<b>Bldg. Height (in feet)</b>	35	35	40	35	35	35

**Setback Comments:**

Date Advertised: 6/11/2020 Date Posted: 6/11/2020 # Property Owners Notified: 72 Date Notification Mailed: 6/11/2020 Report Date: 6/11/2020 BY: dj





Rezoning 72.57 Acres  
from SF 40 to SF 6

District 4  
SF40

MSF10

PUD

MSF6

SF7

SF10

MSF20

PDD

CFA

GR

ST GEORGE LN

JACKS PL

SEAGULL LANDING PL

FREWOODS PARK CT

FOOTY DR

EVERY DR

LEADOFF DR

SOUTHBURY DR

FREWOODS RD

WELLS BLVD

SALEM RD

WINNINGHAM LN

EMMA GAUSE PL

WHIPPLE RUN LP

GAP DR

WHALE AVE

MENTO PARK LN

AVONDALE DR

WINSLOW AVE

BRIGHTON AVE

OAT FIELDS DR

RANCH VIEW DR

TIMBERLAKE DR

STOCKYARD LP

ANGUS CT

LONGHORN DR

SM PALS DR

ALICE CT

ALICE CT

SPRING RUN RD

SUNNEHANNA DR

NEATH CT

DUNROBIN LN

LILLY NAZ LN

DON DONALD CT

HERBERT LN

GANTON WAY

SEAGULL LANDING PL

FREWOODS PARK CT

FOOTY DR

EVERY DR

LEADOFF DR

SOUTHBURY DR

FREWOODS RD

WELLS BLVD

SALEM RD

COUNTY OF HORRY

)  
)  
)

Ordinance 71-2020

STATE OF SOUTH CAROLINA

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 41700000013 FROM HIGHWAY COMMERCIAL (HC) TO CONVENIENCE & AUTO-RELATED SERVICES**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Highway Commercial (HC) to Convenience & Auto-related Services (RE3) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 41700000013 and currently zoned Highway Commercial (HC) is herewith rezoned to Convenience & Auto-related Services (RE3).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020  
Second Reading: August 18, 2020  
Third Reading:

Rezoning Review Sheet



**PROPERTY INFORMATION**

<b>Applicant</b>	Keane McLaughlin (Energov # 049300)	<b>Rezoning Request #</b>	2020-06-001
<b>PIN #</b>	4170000013	<b>County Council District #</b>	8 – Vaught
<b>Site Location</b>	Near the intersection of Waccamaw Pines & Hospitality Ln in Myrtle Beach	<b>Staff Recommendation</b>	Approval
<b>Property Owner Contact</b>	Shark Investments LLC	<b>PC Recommendation</b>	Unanimous Approval
		<b>Size (in acres) of Request</b>	45.5

Date Advertised: 6/11/2020 Date Posted: 6/11/2020 # Property Owners Notified: 32 Date Notification Mailed: 6/11/2020 Report Date: 6/11/2020 BY: dj

**ZONING DISTRICTS**

<b>Current Zoning</b>	HC
<b>Proposed Zoning</b>	RE3
<b>Proposed Use</b>	Mixed use of hotel, retail/flex office, townhouses, senior living, medical offices & warehouse storage.

**LOCATION INFORMATION**

<b>Flood and Wetland Information</b> (proposed FEMA maps)	X
<b>Public Health &amp; Safety</b> (EMS/fire) in miles	3.09
<b>Utilities</b>	Public
<b>Character of the Area</b>	Commercial & Residential

**ADJACENT PROPERTIES**

HC	HC	GR
HC	<b>Subject Property</b>	GR
HC	CFA	GR

**COMMENTS**

**Comprehensive Plan District:** Suburban      **Overlay/Area Plan:** Hwy 501 Overlay

**Discussion:** The applicant has requested to rezone to Convenience and Auto-Related services district to allow for mixed use development. Currently the property is the home of the Myrtle Beach Speedway. The property is directly adjacent to a major residential development. There are several commercial uses in close proximity including: an outlet mall, shopping centers and automobile sales. The property is not located in any current or proposed flood zones, however, it is adjacent to a 500 year (0.2%) Annual Chance Flood Hazard and AE flood zone on the proposed FEMA maps. The access for the property is from Hospitality Lane which has a single connection to Waccamaw Pines Drive. This portion of Waccamaw Pines Dr is planned to become a part of the postal way extension. When this site is redeveloped a traffic study should be completed to decide on if any intersection improvements will be necessary.

**Public Comment:** 7/3/2020 There was no public input. Keane McLaughlin was present to address questions and concerns.

**TRANSPORTATION INFORMATION**

<b>Daily Trips based on existing use / Max Daily Trips based on current zoning</b>	2,000/5,000	<b>Existing Road Conditions</b>	State, Paved, Two-lane
<b>Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning</b>	5,500/5,500	<b>Rd, Station, Traffic AADT (2019) % Road Capacity</b>	US 501 Main Line, Station (161) 53,100 AADT 105-110%
<b>Proposed Improvements</b>	Postal Way Extension		

**DIMENSIONAL STANDARDS**

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	RE3	HC	HC	GR	CFA Res / Com	
<b>Min. Lot Size (in square feet)</b>	10,000	10,000	10,000	6,000	21,780 / 43,560	
<b>Front Setback (in feet)</b>	50	50	50	20	25 / 60	
<b>Side Setback (in feet)</b>	10	10	10	10	10 / 25	
<b>Corner Side Setback (in feet)</b>	15	15	15	15	n/a	
<b>Rear Setback (in feet)</b>	15	15	15	15	15 / 40	
<b>Bldg. Height (in feet)</b>	48	35	35	35	35	

**Setback Comments:**



COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

Ordinance 72-2020

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 21500000036, 2150000028, AND 21600000049 FROM COMMERCIAL FOREST AGRICULTURE (CFA) TO MINING (MG)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Commercial Forest Agriculture (CFA) to Mining (MG) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 21500000036, 2150000028, and 21600000049 and currently zoned Commercial Forest Agriculture (CFA) is herewith rezoned to Mining (MG).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1	Bill Howard, District 2
Dennis DiSabato, District 3	Gary Loftus, District 4
Tyler Servant, District 5	Cam Crawford, District 6
Orton Bellamy, District 7	Johnny Vaught, District 8
W. Paul Prince, District 9	Danny Hardee, District 10
Al Allen, District 11	

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020  
Second Reading: August 18, 2020  
Third Reading:

Rezoning Review Sheet



**PROPERTY INFORMATION**

Applicant	DDC Engineers Inc (Energov # 049398)	Rezoning Request #	2020-06-002
PIN #	21500000036, 21500000028, 21600000049	County Council District #	9 - Prince
Site Location	Hwy 9 Bypass and Cedar Branch Rd in Loris	Staff Recommendation	Approval
Property Owner Contact	Wake Stone Corporation	PC Recommendation	Unanimous Approval
		Size (in acres) of Request	1553.61

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES			
Current Zoning	CFA	Flood and Wetland Information (proposed FEMA maps)	A (AE)	PUD	CFA	FA	
Proposed Zoning	MG	Public Health & Safety (EMS/fire) in miles	3.57	AG2	Subject Property	FA	
Proposed Use	Commercial Mining	Utilities	Public	AG2	AG2	FA	
		Character of the Area	Mining, Agricultural & Residential				

**COMMENTS**

Comprehensive Plan District: Rural and Scenic & Conservation	Overlay/Area Plan:
--	--------------------

**Discussion:**  
 The applicant has requested to rezone to the Mineral Extraction district which allows commercial mining as a conditional use. This location is the site of an existing DHEC approved mine, permit # I-001289. This mine has existed prior to zoning, however, PIN 216-00-00-0049 did receive a Special Exception to mine back in 2002. The site is currently used to mine limestone. There are other mining sites in close proximity, including the Goretown Mine located on the opposite side of Old Loris Long Rd.

Mining operations are allowed in the Rural and Scenic and Conservation FLU areas provided that an evaluation of the surrounding natural resources and communities is strongly taken into consideration.

The property is currently in an A flood zone, but is indicated in the AE flood zone on the proposed FEMA maps.

**Public Comment: 7/2/2020** There was no public input. Brent Schulz was present to address questions and concerns.

**TRANSPORTATION INFORMATION**

Daily Trips based on existing use / Max Daily Trips based on current zoning	250/600	Existing Road Conditions	County, Unpaved, Two-lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)	300/600	Rd, Station, Traffic AADT (2019) % Road Capacity	SC 9 Main Line, Station (200) 10,000 AADT 25-30%
Proposed Improvements			

**DIMENSIONAL STANDARDS**

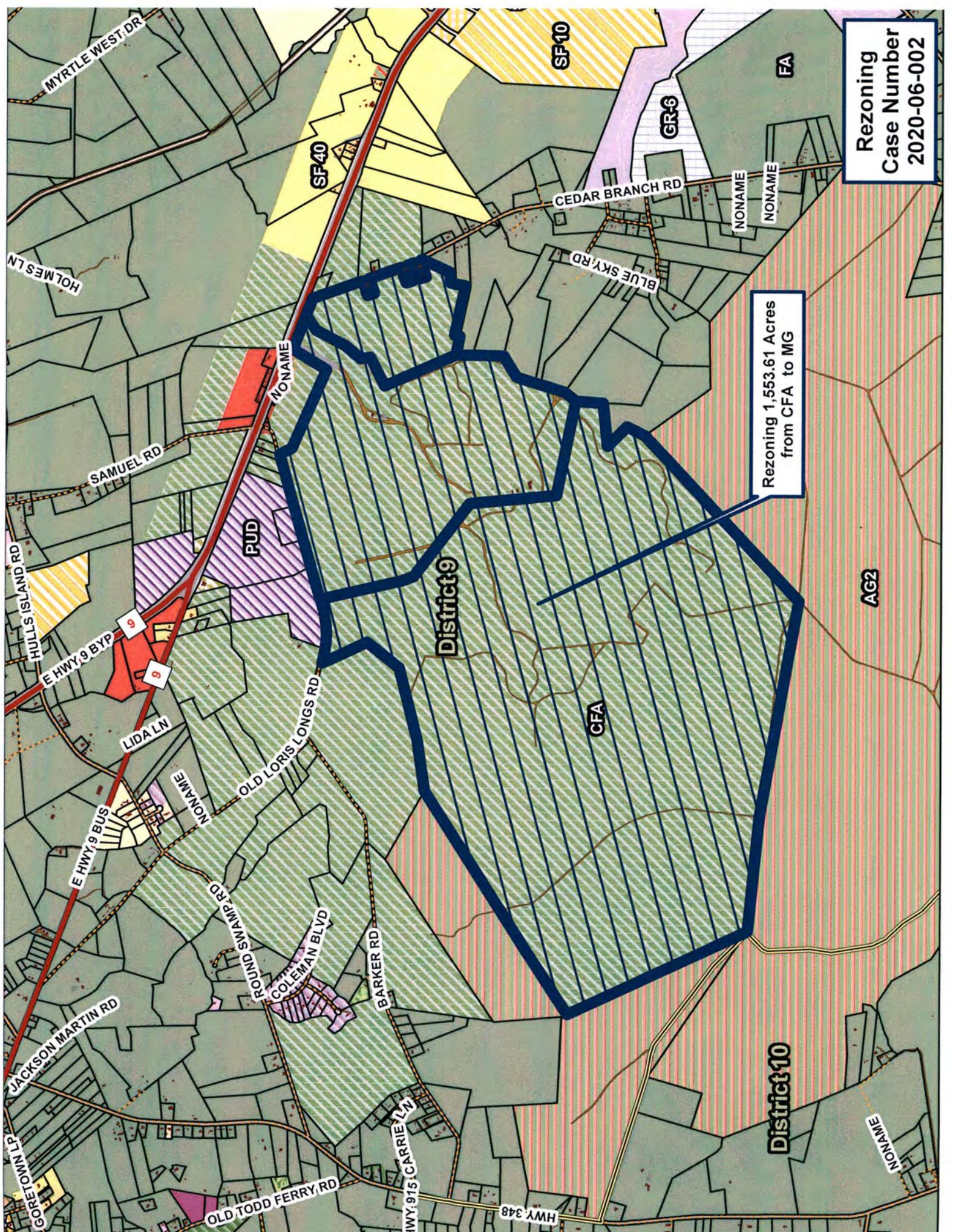
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MG	CFA Res / Comm	CFA Res / Comm	AG2 Res / Comm	FA Res / Comm	(HI/FA) PUD
Min. Lot Size (in square feet)	10 acres	21,780 / 43,560	21,780 / 43,560	21,780	21,780 / 43,560	10 acres
Front Setback (in feet)	50	25 / 60	25 / 60	25 / 50	25 / 60	200
Side Setback (in feet)	50	10 / 25	10 / 25	10 / 10	10 / 25	50
Corner Side Setback (in feet)	n/a	n/a	n/a	n/a	n/a	75
Rear Setback (in feet)	50	15 / 40	15 / 40	15 / 15	15 / 40	50
Bldg. Height (in feet)	35	35	35	35	35	60

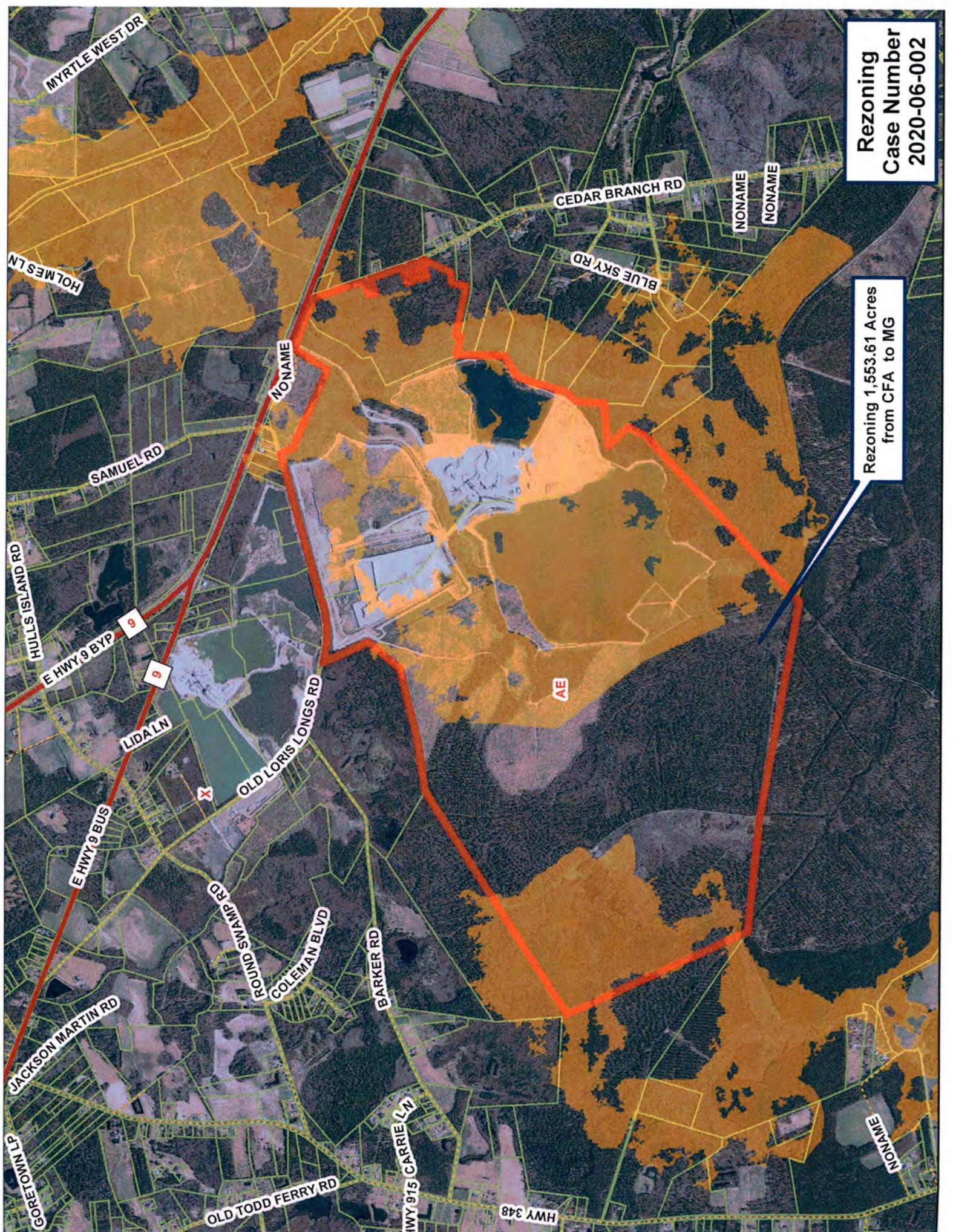
**Setback Comments:** Mining operations must be screened and buffered by a six (6) foot high opaque screen of natural vegetation within a one hundred (100) foot buffer area or a six (6) foot high berm within a fifty (50) foot buffer area

Date Advertised: 6/11/2020 Date Posted: 6/11/2020 # Property Owners Notified: 33 Date Notification Mailed: 6/11/2020 Report Date: 6/11/2020 BY: dj

Rezoning  
Case Number  
2020-06-002

Rezoning 1,553.61 Acres  
from CFA to MG





Rezoning  
Case Number  
2020-06-002

Rezoning 1,553.61 Acres  
from CFA to MG

MYRTLE WEST DR

CEDAR BRANCH RD

BLUE SKY RD

SAMUEL RD

HULLS ISLAND RD

E HWY 9 BYP

LIDA LN

OLD LORIS LONGS RD

ROUND SWAMP RD

COLEMAN BLVD

BARKER RD

JACKSON MARTIN RD

OLD TODD FERRY RD

HWY 915 CARRIE LN

HWY 348

GORETOWN PT

NONAME

NONAME

NONAME

NONAME

AE

COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

Ordinance 73-2020

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 18400000038 FROM FOREST AGRICULTURE (FA) TO MINING (MG)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Forest Agriculture (FA) to Mining (MG) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 18400000038 and currently zoned Forest Agriculture (FA) is herewith rezoned to Mining (MG).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1	Bill Howard, District 2
Dennis DiSabato, District 3	Gary Loftus, District 4
Tyler Servant, District 5	Cam Crawford, District 6
Orton Bellamy, District 7	Johnny Vaught, District 8
W. Paul Prince, District 9	Danny Hardee, District 10
Al Allen, District 11	

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020  
Second Reading: August 18, 2020  
Third Reading:

Rezoning Review Sheet



**PROPERTY INFORMATION**

Applicant	Robert E. Turner, IV, PE (Energov # 049400)	Rezoning Request #	2020-06-003
PIN #	18400000038	County Council District #	9 - Prince
Site Location	Hewitt Rd off Hwy 66 in Loris	Staff Recommendation	Approval
Property Owner Contact	Hawksbill Lake LLC	PC Recommendation	Unanimous Approval
		Size (in acres) of Request	100.04

**ZONING DISTRICTS**

Current Zoning	FA
Proposed Zoning	MG
Proposed Use	Commercial Mining

**LOCATION INFORMATION**

Flood and Wetland Information (proposed FEMA maps)	X
Public Health & Safety (EMS/fire) in miles	3.29
Utilities	Public
Character of the Area	Residential & Mining

**ADJACENT PROPERTIES**

FA	FA	FA
FA	Subject Property	MSF20
FA	FA	HI

**COMMENTS**

Comprehensive Plan District: Rural, Rural Communities and Scenic & Conservation	Overlay/Area Plan:
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**Discussion:** The applicant has requested to rezone to the Mineral Extraction district which allows commercial mining as a conditional use. This location is the site of an existing DHEC approved mine, permit # GP1-002009. The site is currently used to mine sand. This location has received a mining permit from Horry County for a 2 acre or less pond. There is an existing single family home on the property. Adjacent development includes a residential subdivision and an active sand mine site, Hewitt Road Mine. Additionally, two previous sand mine sites are located across Hewitt road.

Mining operations are allowed in the Rural and Scenic and Conservation FLU areas provided that an evaluation of the surrounding natural resources and communities is strongly taken into consideration. The presence of wetlands on this property provides a natural vegetative buffer between the proposed mine site and the adjacent residential community.

This portion of Hewitt Rd was recently paved as part of the RIDE 3 project.

**Public Comment:** 7/2/2020 David & Cynthia Kramer spoke in opposition to the request. Their concerns were traffic, property value and do not want mining near by. Robert Turner was present to address questions and concerns.

**TRANSPORTATION INFORMATION**

Daily Trips based on existing use / Max Daily Trips based on current zoning	16/100	Existing Road Conditions	County, Paved, Two-lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)	200/600	Rd, Station, Traffic AADT (2019) % Road Capacity	S-66 Main Line, Station (453) 2,000 AADT 10-15%
Proposed Improvements			

**DIMENSIONAL STANDARDS**

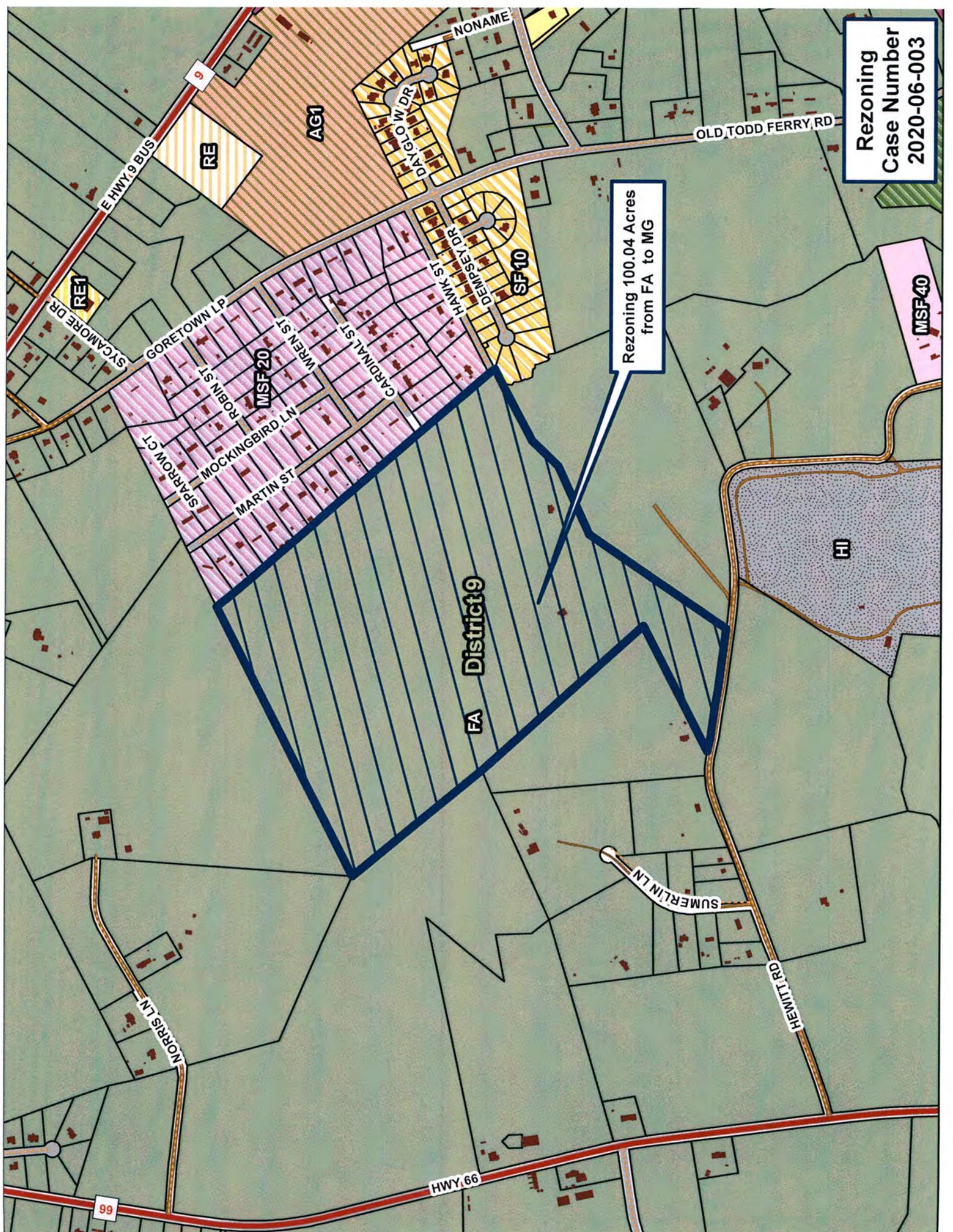
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MG	FA Res / Comm	FA Res / Comm	MSF20	SF10	HI
Min. Lot Size (in square feet)	10 acres	21,780 / 43,560	21,780 / 43,560	20,000	10,000	10 acres
Front Setback (in feet)	50	25 / 60	25 / 60	25	25	200
Side Setback (in feet)	50	10 / 25	10 / 25	10	10	50
Corner Side Setback (in feet)	n/a	n/a	n/a	n/a	n/a	75
Rear Setback (in feet)	50	15 / 40	15 / 40	15	15	50
Bldg. Height (in feet)	35	35	35	35	35	60

**Setback Comments:** Mining operations must be screened and buffered by a six (6) foot high opaque screen of natural vegetation within a one hundred (100) foot buffer area or a six (6) foot high berm within a fifty (50) foot buffer area

Date Advertised: 6/11/2020 Date Posted: 6/11/2020 # Property Owners Notified: 52 Date Notification Mailed: 6/11/2020 Report Date: 6/11/2020 BY: dj

Rezoning  
Case Number  
2020-06-003

Rezoning 100.04 Acres  
from FA to MG



COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

**ORDINANCE 61-2020**

**AN ORDINANCE TO ESTABLISH PROCEDURES FOR THE COMPREHENSIVE PLAN ADOPTION AND AMENDMENT PROCESS WITHIN CHAPTER 15 OF THE HORRY COUNTY CODE OF ORDINANCES.**

**WHEREAS**, Horry County has adopted land use and comprehensive plans for more than 40 years; and,

**WHEREAS**, procedures for the comprehensive plan adoption and amendment process should be defined within the Horry County Code of Ordinances and readily available for the public; and,

**WHEREAS**, the public hearing and noticing procedures for the adoption and amendment process meet the requirements defined by the South Carolina Planning Enabling Legislation §6-29-760; and

**WHEREAS**, the proposed language provides the means for property owners to petition for amendments, allowing the plan to evolve as significant changes occur within the County; and

**NOW THEREFORE**, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

**1. Amendment of Horry County Code of Ordinances, Chapter 15, Article 1** is hereby amended as follows:

(All existing text shown shall be-added)

Chapter 15 – PLANNING

ARTICLE I. IN GENERAL

Section 15 -1. Long-Range Comprehensive Plan.

*Intent.* The Planning Commission, as appointed by County Council, must establish and maintain a planning process that will result in the systematic preparation and continual evaluation and updating of the elements of the Comprehensive Plan to guide development and redevelopment. The planning process and contents of the plan shall be developed in accordance with the Local Government Planning Enabling Act of 1994, with all subsequent amendments.

(A) *Development.* Preparation of the Comprehensive Plan is the responsibility of the Horry County Planning Commission. The Planning Commission may designate a subcommittee to prepare or revise the plan. County staff ensure the Comprehensive Plan is developed in a manner consistent with established regulations and policy.

1. Planning Commission shall periodically review and revise the plan based on surveys and studies of existing and changing conditions. A re-evaluation of the comprehensive plan elements must occur at least every 5 years.

2. Planning Commission shall update the comprehensive plan, including all the elements at least every 10 years.
  3. County Council must adopt a new comprehensive plan as prepared and recommended by Planning Commission every 10 years.
- (B) *Adoption.* When the plan, any element, amendment, extension, or addition is completed, Planning Commission shall make a recommendation to County Council and a public hearing must be held prior to approval for adoption by ordinance.
1. *Planning Commission Review and Recommendation.* The Planning Commission shall review any proposed plan or element of the plan. Prior to recommending the plan or changes to the plan, the Planning Commission shall hold a public hearing. Newspaper notice of a public hearing shall be made at least thirty (30) days in advance of the scheduled public hearing date. By affirmative vote of at least a majority of the entire membership the Planning Commission must adopt a resolution recommending the plan or element to County Council for adoption.
  2. *County Council Hearing and Decision.* Before adopting a plan or element, the County Council shall hold a public hearing. Newspaper notice of a public hearing shall be made at least thirty (30) days in advance of the scheduled public hearing date. County Council shall adopt the Comprehensive Plan or element by ordinance. Approval of the plan on final reading cannot occur until the Planning Commission has recommended the plan.
- (C) *Comprehensive Plan Amendment.* A proposed amendment to the Comprehensive Plan or element may be initiated by the County Council, Planning Commission, the Board of Zoning Appeals, any other Council appointed Board or Commission, the Zoning Administrator, or the Planning Director. Future Land Use Map amendments may also be proposed by a landowner or agent for a person, business or organization having rights in contract to the land that is subject to the map amendment by submitting an amendment application.
1. *Comprehensive Plan Application Process.* An application for a future land use amendment shall be accepted as complete when it includes the required fee and the following information:
    - a. Completed Comprehensive Plan Future Land Use Amendment application signed by the property owner(s) or authorized agent initiating the amendment;
    - b. Documentation of the proposed changes to the Comprehensive Plan based on the current Comprehensive Plan in effect. Proposed changes to any Comprehensive Plan map shall be illustrated in map format similar to the existing Comprehensive Plan maps and shall be labeled as “proposed amendment;” and
    - c. Any other information that the Planning Commission determines is reasonably necessary to make an informed decision as to the whether the application complies with the standard of this Article.

**Effective Date:** This Ordinance shall become effective upon Third Reading.

**AND IT IS SO ORDERED, ENACTED AND ORDAINED** this \_\_\_ day of \_\_\_, 2020.

**HORRY COUNTY COUNCIL**

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Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

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Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020

Second Reading: August 18, 2020

Third Reading:

County Council Decision Memorandum  
Horry County, South Carolina

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Date: May 26, 2020  
From: Planning and Zoning  
Division: Infrastructure and Regulation  
Prepared By: Leigh Kane, Principal Planner  
Cleared By: David Schwerd, Planning Director  
Regarding: Chapter 15 of Horry County Code of Ordinances

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**ISSUE:**

Should Horry County define the Comprehensive Plan adoption and amendment process within the Horry County Code of Ordinances?

**PROPOSED ACTION:**

Amend Chapter 15 – Planning of the Horry County Code of Ordinances to define the Comprehensive Plan approval and amendment process.

**RECOMMENDATION:**

Staff recommends approval.

**BACKGROUND:**

The South Carolina Planning Enabling Act of 1994 defines the comprehensive plan adoption process for all jurisdictions in South Carolina. This is to ensure consistency with the public hearing and revision timeframes across all communities that have comprehensive plans. This consistency is important, as comprehensive plans provide local governments with the authority to establish and implement zoning, land development regulations, capital improvements programs, development agreements, and impact fees.

**ANALYSIS:**

Horry County has historically followed State law to adopt and amend its comprehensive plan. This amendment is intended to incorporate the comprehensive plan adoption and amendment process into the Horry County Code of Ordinances. While State law requires one 30-day public hearing notice prior to the adoption of the plan, Horry County has traditionally held a 30-day public hearing notice at both Planning Commission and County Council. This traditional process is defined within the draft amendment; however, an alternative option could be to require a 30-day public hearing notice at Planning Commission and maintain the typical ordinance adoption process at County Council that would only require a 15-day public hearing notice. Beyond public hearing process, this amendment incorporates procedures for a property owner to apply for an amendment to the Comprehensive Plan. This would require an application be submitted to the Planning Department and to undergo the complete comprehensive plan adoption process.

COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

**ORDINANCE 62-2020**

**AN ORDINANCE TO AMEND ZONING APPENDIX B OF THE HORRY COUNTY CODE OF ORDINANCES PERTAINING TO ZONING AMENDMENTS.**

**WHEREAS**, County Council adopted the Imagine 2040 Comprehensive Plan; and,

**WHEREAS**, the zoning amendment submission and review criteria need to be updated to support the vision, goals, and future land use strategy of Imagine 2040; and,

**WHEREAS**, the proposed changes consolidate the submission criteria for rezoning requests into one article of the Zoning Ordinance;

**WHEREAS**, the proposed changes augment the Declaration of Policy for zoning amendments to also be evaluated for their consistency with Horry County's Consolidated Plan, Capital Improvements Plan, and Official Map; and

**WHEREAS**, the proposed changes revise the refund policy for Planned Development District (PDD) rezoning requests to be refunded all except the cost of a standard rezoning fee if a request for withdraw occurs prior to Planning Commission public hearing; and

**WHEREAS**, additional submission criteria for rezoning requests within Scenic and Conservation Future Land Use Areas have been established to ensure there is a consistent and thorough review of environmental conditions in accordance with Imagine 2040;

**WHEREAS**, the Rezoning Review Criteria has been removed from Article XV and will be considered for inclusion within the Planning Commission Rules of Procedure;

**WHEREAS**, Horry County's public hearing and noticing procedures for zoning amendments exceed the minimum requirements defined by the South Carolina Planning Enabling Legislation §6-29-760; and

**WHEREAS**, on April 2, 2020, Horry County Planning Commission unanimously recommended approval of the changes to the zoning amendment process.

**NOW THEREFORE**, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

1. **Amendment of Appendix B, Zoning Ordinance, Article VII. Section 721. Planned Development Districts.** Section 721.4 through 721.7 of the Zoning Ordinance is hereby amended as follows. (All text in ~~strikethrough~~ shall be deleted and all text **underlined and bolded** shall be added.)

~~721.4 PDD Administrative Procedures. Generally. Any request pertaining to the establishment of a "Major" or "Minor" PDD shall be considered an amendment to the Zoning Ordinance, and shall be administered and processed in accordance with the regulations set forth in Article XV of this ordinance, entitled Amendments. Prior to processing a request to establish a PDD, all data set forth in section 721.6 shall be submitted to the Planning Department for review and forwarding to the Planning Commission for a recommendation. The Planning Commission's recommendation shall be forwarded to County Council for final action. If approved by the County Council, all information pertaining to the proposal shall be adopted as an amendment to the Zoning Ordinance and mapped on the Official Zoning Maps for Horry County as a PDD.~~

~~Requirements:~~

- ~~(A) A building permit shall not be issued until the requirements of subsection 721.7 have been fulfilled.~~
- ~~(B) Development within a PDD shall occur in conformance with the standards contained in the approved written narrative and shown on the conceptual plan. In the event it is determined that development is not occurring in accordance with the approved standards, the Planning Commission, or its designated agent, may suspend further development until such time that the PDD is amended. Amendments to the PDD shall either consist of major or minor amendments as defined in subsection 721.5 of these regulations.~~
- ~~(C) County Council may require financial guarantees which shall guarantee completion of the improvements set forth in the proposed development plan. Such guarantees may include the submission of a letter of credit or cash in the amount determined by County Council.~~
- ~~(D) For "Major" or "Minor" PDDs, the applicant may elect to develop the site in successive stages. A proposed phasing plan and proposed phase completion schedule shall be submitted along with the application for the rezoning request. The Planning Department shall review the proposed phasing plan and proposed phase completion schedule. The developer may request to amend it as necessary with the submission of a revised phasing plan and completion schedule to the Planning Department for review and approval.~~

~~Prior to commencing subsequent stages of development, the infrastructure improvements of the previous stage shall be either completed or financially guaranteed before the commencement of development of the next phase. The Planning Commission may require that development be done in stages if public facilities and infrastructure are not adequate to serve the entire development initially.~~

~~If the phase completion schedule or amended phase completion schedule are not complied with and extended for good cause, the County Council may take action as deemed necessary to best protect adjoining properties and the public health, safety, and welfare.~~

~~721.5 Changes and Modifications:~~

- ~~(A) *Minor changes:* Minor changes in PDDs may be approved by the Zoning Administrator, provided that such changes:
  - ~~1. Do not increase the density;~~
  - ~~2. Do not change the outside (exterior) boundaries;~~
  - ~~3. Do not change any use; however as an example, a change from multi-family residential to single-family residential shall be considered a minor change provided densities are not increased and provided that minimum lot size and setback requirements have been established in the PDD.~~
  - ~~4. Reserved.~~~~

5. Do not significantly change the exterior appearance from those shown on any plans which may be submitted or presented by the developers.

6. Minor changes may include, but are not limited to: minor shifting of the location of buildings, parking, shifting of entrances and internal roadways to resolve regulatory permitting issues; utility easements, parks, or other public open spaces, or other features of the plan.

All other changes or modifications not enumerated above shall constitute a major change and will require submittal of the PDD for review as outlined in subsection 721.6 of these regulations.

721.6 PDD Application Contents. Application to establish a PDD shall include the following:

1. One (1) copy of the PDD rezoning application form;
2. Four (4) copies of a conceptual site plan including the requirements shown in Table 2;
3. Four (4) copies of an illustrative plan (or plans) including the requirements shown in Table 3;
4. Four (4) copies of "PDD Details" shown in Form 1 of the Rezoning Application (Major PDD only. Upon request for Minor PDD);
5. One (1) copy of the project phasing plan and phase completion schedule; and
6. One (1) electronic digital copy (contact the Planning Department for software compatibility options).

721.7 Land Development within PDDs. Upon County Council approval to establish the PDD, applications for land development shall be required. Land development within the district shall conform to the approved conceptual plan and written narrative and shall be reviewed by the Planning Department utilizing the procedures established in the Horry County Code of Ordinances, Chapter 18 (Land Development Regulations).

Table 2.  
Conceptual Site Plan Content

	Minor	Major
Plan contents (if required)–		
1. North Arrow	X	X
2. Name of developer, owner, and proposed development	X	X
3. Written and graphic scale (not less than 1" = 200')	X	X
4. Tax map number and/or pin number of parent tract	X	X
5. Tax map number of adjacent parcels	X	X
6. Current zoning of parcel	X	X
7. Adjacent zoning	X	X
8. Location map drawn to scale (not less than 1" = 2000')	X	X
9. Location of and the types of uses in PDD.	Illustrative*	Conceptual** Illustrative*
10. Boundary survey of property	Upon request	Upon request
11. Traffic circulation for residential uses must meet the requirements of	X	X

the Land Development Regulations (LDR) for access or must obtain a design modification from the LDR. In instances when constraints such as site location, size or topography prohibit the provision of the required ingress/egress points the Planning Commission is authorized to recommend fewer access points		
<del>12. Traffic circulation for non-residential uses</del>	<del>If Applicable</del>	<del>X</del>
<del>13. Internal buffers between incompatible land uses with improvement specifications shall be shown as required by 721.3.B</del>	<del>If Applicable</del>	<del>X</del>
<del>14. Perimeter buffers to be used (must be equal to those required for the most similar standard zoning district) shall be shown as required by 721.3.A</del>	<del>X May be waived</del>	<del>X</del>
<del>15. Common or recreational open space areas with acreage as determined in Section 721.3.C. through F.</del>	<del>If Applicable</del>	<del>X</del>
<del>16. Location of floodplains per FEMA Flood Insurance Rate (FIRM) maps</del>	<del>X</del>	<del>X</del>
<del>17. Location of potential jurisdictional wetlands and spoilage areas</del>	<del>X</del>	<del>X</del>
<del>18. Phasing plan and completion schedule</del>	<del>X</del>	<del>X</del>
<del>19. Provision for recycling facility location and documentation for proposed collection of recyclables</del>		<del>X</del>
<del>20. Any additional information the Planning Commission may request</del>	<del>X</del>	<del>X</del>

\*Illustrative plan refers to a land plan displaying locations of and land devoted to the types of uses to be included in the PDD. Illustrative plans may be used as a graphic tool for the Planning Commission and County Council. Typical layouts must be included, showing various product types and phases of development. Given the detailed nature of illustrative plans, they are subject to change.

\*\*Conceptual plans allow uses and densities to be depicted in bubble diagrams with depiction of internal roadways (inner connectivity to be established), and conceptual locations of open space and anticipated future development. Conceptual plans may be submitted for projects greater than one hundred (100) acres. Minor modifications may be made to these plans as long as they do not materially alter the amount of land dedicated to a specific land use or the overall layout of the plan. Major changes to the conceptual plan must be approved by County Council as an amendment to the PDD.

Table 3:-  
Illustrative Plan Content

	Minor	Major
Plan contents	X	X
North Arrow	X	X
Name of Developer, owner, and proposed development	X	X
Tax Map number and adjacent TMS	X	X
General road layout for all pods or phases	X	X

Amenity areas and/or active and common open space areas	X	X
Typical lot layouts per product type and phase (may be hand-drawn or computer-generated)	X	X

\*Illustrative plan refers to a land plan displaying locations of and land devoted to the types of uses to be included in the PDD. Illustrative plans may be used as a graphic tool for the Planning Commission and County Council. Typical layouts must be included, showing various product types and phases of development. Given the detailed nature of illustrative plans, they are subject to change.

2. **Amendment of Appendix B, Zoning Ordinance, Article VII, Section 752. Multi-Residential Districts.** Section 752 of the Zoning Ordinance is hereby amended as follows. (All text in ~~strikethrough~~ shall be deleted and all text **underlined and bolded** shall be added.)

*General Provisions.*

1. ~~Administrative procedures.~~ **RESERVED.**

1. ~~Rezoning requests using the sustainable development standards or tiny home standards shall submit an addendum to the application for rezoning. For sustainable development standards, the addendum must specify which of the above standards shall be used upon approval of the rezoning request and the expected density increase as a percentage increase in the gross density. The addendum shall be forwarded with the rezoning packet to the planning commission and county council.~~
2. ~~A conceptual/general site plan shall be submitted with the rezoning application. The site plan shall include the following:~~
  - a. ~~Sheet size not to exceed 30" x 42";~~
  - b. ~~Drawn to a scale no smaller than 1" = 200';~~
  - c. ~~Proposed project name;~~
  - d. ~~Owner of the property and/or developer;~~
  - e. ~~Adjacent property owners and land use;~~
  - f. ~~Proposed rights of way and lot layout compliant with the requirements of articles 3, 4 and 7 of the land development regulations;~~
  - g. ~~Adjacent driveway, roadway, and curb cut locations;~~
  - h. ~~Table summarizing project acreage, gross and net density, number of lots, minimum lot area in square feet and minimum lot dimensions;~~
  - i. ~~North arrow, written and graphic scales, and a location map; showing the relationship with the surrounding area;~~
  - j. ~~Traet boundaries and total land area;~~
  - k. ~~Existing and proposed land uses throughout the development;~~
  - l. ~~Existing road rights of way and easements;~~
  - m. ~~Note regarding the intent to supply water (wells) and sewer (septic);~~
  - n. ~~Zoning classification;~~
  - o. ~~County parcel identification number of the proposed development.~~
3. ~~Any request to establish a MRD zoning district shall follow the procedures set forth in article XIII of this ordinance. In presenting requests for rezoning, the applicant must indicate the~~

~~density desired for the property in order for the request to be complete. The requested density should be expressed as units per acre. Failure to provide a requested density will result in rezoning requests not being presented to the planning commission. All applications to rezone to MRD with a density higher than seven (7) units per acre should attach one (1) of the following:~~

- ~~a. Wetlands verification letter from the corps of engineers;~~
- ~~b. Certified wetlands delineation map;~~
- ~~c. Preliminary jurisdictional determination letter from the corps of engineers; or~~
- ~~d. Preliminary wetlands assessment prepared by a qualified wetlands consultant.~~

~~4. Minor changes: Minor changes in MRD conceptual plans may be approved by the Zoning Administrator, provided that such changes:~~

- ~~a. Do not increase the density.~~
- ~~b. Do not change the outside (exterior) boundaries.~~
- ~~c. Do not change any use; however as an example, a change from multifamily residential to single family residential shall be considered a minor change provided densities are not increased.~~
- ~~d. Do not significantly change the exterior appearance from those shown on any plans which may be submitted or presented by the developers.~~
- ~~e. Minor changes may include, but are not limited to, minor shifting of the location of buildings, parking, shifting of entrances and internal roadways to resolve regulatory permitting issues, utility easements, parks, or other public open spaces, or other features of the plan.~~

~~All other changes or modifications not enumerated above shall constitute a major change and will require a full rezoning action.~~

3. **Amendment of Appendix B, Zoning Ordinance, Article XV. Amendments.** Article XV of the Zoning Ordinance is hereby amended as follows. (All existing text shall be deleted and all text shown shall be added.)

1500. Authority.

Any amendment, change or supplement to the Zoning Ordinance must be submitted through the Horry County Planning Department to the Horry County Planning Commission for public hearing, review and recommendation to County Council. A recommendation for an amendment to the Zoning Ordinance must first be made by Planning Commission prior to County Council approval.

1501. Requirements for change.

(A) *Declaration of Policy.* As a matter of policy, a zoning amendment shall only be acted upon favorably:

1. Where necessary to implement the Comprehensive Plan,
2. When consistent with the Consolidated Plan, Capital Improvements Plan, and Official Map;
3. To correct an original mistake or manifest error in the zoning ordinance or map;
4. To recognize substantial change or changing conditions or circumstances in a particular locality; or
5. To recognize changes in technology, the style of living, or manner of doing business.

(B) *Availability of certain zoning districts for rezoning requests.* The following zoning districts shall no longer be available for use in the rezoning of property within Horry County. Property zoned as any of following districts may remain zoned as such until rezoned and shall be subject to the standards of the district as specified within this ordinance.

Conservation Preservation	CP
Limited Forest Agriculture	LFA
Forest Agriculture	FA
Commercial Forest Agriculture	CFA
Resort Residential	RR
Resort Commercial	RC
Neighborhood Commercial	NC
Community Commercial	CC
Highway Commercial	HC
Amusement Commercial	AC
Office, Professional, Institutional	OPI
Limited Industrial	LI
Heavy Industrial	HI
Commercial Recreation	CR
Education, Institution, Office	EIO
Retailing and Consumer Services	RCS
Transportation-related Services	TRS
Planned Unit Development	PUD

1502. Procedure for Amendments.

Requests to amend the Zoning Ordinance shall be processed in accordance with the requirements of this Article.

- (A) *Initiation of Amendments.* Amendments to the zoning ordinance may be initiated by the Planning Commission, County Council, the Board of Zoning Appeals, the Zoning Administrator, the Planning Director, and other County Council appointed boards and commissions. A zoning map amendment may also be proposed by a landowner or agent for a person, business or organization having rights in contract to the land that is subject to the zoning map amendment.
- (B) *Application Procedure.* Applications for zoning map amendments must be signed by the applicant(s) and submitted, in proper form, at least thirty (30) days prior to a Planning Commission meeting in order to be heard at that meeting. Completed forms, together with the application fee to cover administrative costs, plus any additional information the applicant feels to be pertinent, will be filed with the Planning Department. A maximum of twenty-five (25)

applications for zoning map amendments may be taken from property owners on a monthly basis. The same zoning map amendment, affecting the same parcel or parcels of property or part thereof and requesting the same change in district classification by a property owner or owners, cannot be submitted more than once every twelve (12) months. Application fees are not refundable, except in cases where a PDD rezoning is withdrawn prior to Planning Commission action. In such cases, all except the cost of a Standard Rezoning fee may be refunded provided the retained fees cover the cost incurred by the County associated with the request.

(C) *Zoning Map Amendment Application Submission Requirements.* An application for a map amendment shall be considered complete if it includes the following information:

1. Signature of current property owner(s) and/or agent.
2. Proposed zoning classification;
3. Property Identification Number of the proposed development;
4. Tract boundaries and total land area;
5. Existing and proposed land uses throughout the development;
6. Adjacent property owners and land uses;
7. Boundary survey of the property, upon request;
8. Restrictive covenant affidavit(s) signed by the applicant or current property owner(s) in compliance with state laws, if applicable.
9. Any rezoning request to establish a PDD, MRD, or major residential development with lots less than or equal to 10,000 ft<sup>2</sup> lots must also present a general idea of how the tract of land will be developed. The submission shall contain the following information:

**Table 1: Submission criteria for PDD, MRD, and major residential rezoning requests.**

**Wetlands Information.** The applicant must submit one (1) of the following:

- Preliminary wetlands assessment prepared by a qualified environmental consultant as identified by the Corps of Engineers,
- Wetlands verification letter from the Corps of Engineers, or
- Certified wetlands delineation map and preliminary jurisdictional determination letter from the Corps of Engineers.

**Project phasing plan and phase completion schedule;**

**Conceptual Plan** shall include, but not limited to:

- Plan sheet size not to exceed 30" x 42";
- Drawn to scale not smaller than 1"=200';
- Proposed Project Name;
- Owner of the property and/or developer;
- Adjacent property owners and land uses;
- North arrow, written and graphic scales, and a location map drawn to scale and not less than 1" = 2000' to show the relationship between the proposed land development and surrounding area;
- Location and types of uses;
- Table summarizing project acreage, gross and net density, number of lots, and proposed area, yard, and height requirements;
- Number of units by residential dwelling type;
- Gross and net densities by phase or residential dwelling type;
- Existing road rights-of-way and easements;
- Adjacent driveway, roadway, and curb-cut locations;
- Proposed rights-of-way and lot layout compliant with the requirements of the Land Development Regulations;
- Internal traffic circulation for all residential and non-residential land uses;
- Traffic analysis and proposed external improvements;
- All planned accessory dwelling units, places of worship, golf courses, public spaces, amenity areas, common areas, ponds, and open space;
- All required external buffers.
- Location of 100 and 500-year regulatory floodplains per FEMA Flood Insurance Rate (FIRM) Maps;
- Existing wetlands, spoilage areas, and any wetlands that will be filled;

**Pedestrian Flow Plan**, when sidewalks and/or paths included.

**Illustrative Plan is optional, but does not replace the need to submit a conceptual plan.**

- North arrow, name of developer, owner, proposed development, and Parcel Identification Number (PIN) and adjacent PINs;
- Location and types of uses;
- General road layout for all pods and phases;
- Amenity areas and/or active and common open space areas; and
- Typical lot layouts per product type and phase.

10. *Additional Submission Criteria for Request within Scenic and Conservation Area.* Any rezoning request made within a Scenic and Conservation Area of the Comprehensive Plan's Future Land Use Map shall also include:
  - a. One of the following wetland analyses for all requests over 2.5 acres:
    - i. Preliminary wetlands assessment prepared by a qualified wetlands consultant as identified by the Corps of Engineers,
    - ii. Wetlands verification letter from the Corps of Engineers, or
    - iii. Certified wetlands delineation map and preliminary jurisdictional determination letter from the Corps of Engineers.
  - a. National Wetlands Inventory Map for all requests under 2.5 acres;
  - b. Geotechnical exploration investigation report or USDA Soils Map with classifications;
  - c. Map of the Hydrologic Unit Code (HUC) 8 watershed and identification of existing ditches, ponds/lakes, or other waterbodies on the property; and
  - d. Topographic survey or LiDAR derived contours overlaid on conceptual plan for all requests over 2.5 acres. Provide survey or LiDAR year on conceptual plan.
11. *Additional Submission Criteria for Planned Development District (PDD).* All PDD requests shall also meet additional requirements as defined in 721, including, but not limited to:
  - a. Written narrative;
  - b. Internal buffers between dissimilar uses in accordance with 721.3B; and
  - c. Provision for recycling facility location and documentation for proposed collection of recyclables.
  - d. A Conceptual Plan with bubble diagrams depicting uses, densities, internal roadways (interconnectivity to be established), and open space may be submitted for projects greater than 100 acres.
12. *Additional Submission Criteria for Multi-Residential District (MRD) with Sustainable Development Standards.* All MRD requests that include Sustainable Development Standards shall also include:
  - a. All sustainable development options being utilized.
  - b. Supporting documentation to convey how the sustainable development standards will be met, such as a pedestrian flow plan, open space plan, tree survey, or other supporting documentation,
  - c. Expected sustainable development incentives, including any density increases over the standard MRD development standards, setbacks, and dimensions.
13. *Submission Criteria for the Marine Industrial (MI) District.* Any request to establish a Marine Industrial district (MI) shall meet the following criteria:
  - a. Minimum size to rezone to MI district is one hundred (100) acres. This can be a group of existing contiguous parcels.
  - b. Conceptual plan showing major roadways and potential traffic impacts and improvements shall be submitted with the request.

14. Any other information that the Planning Commission determines is reasonably necessary to make an informed decision as to whether the application complies with the Standards of this Article.

(D) *Planning Commission Public Hearing Notice.* Notice of the time and place of the Planning Commission public hearing shall be published in a newspaper of general circulation in the County in advance of the scheduled Planning Commission meeting date in which the proposed amendment shall be heard.

1. *Zoning Amendment.* Newspaper notice of a public hearing shall be made at least fifteen (15) days in advance of the scheduled public hearing date.
2. *Zoning Map Amendment.*
  - a. *Property Posting.* When a proposed amendment affects the district classification of a property, conspicuous notice shall be posted on or adjacent to the property affected with at least one (1) such notice being visible from each public thoroughfare that abuts the property.
  - b. *Notification of Surrounding Property Owners.* Property owners within 500 feet of the property proposed for the zoning map amendment shall be notified by mail at least fifteen (15) days prior to the Planning Commission public hearing.
3. *Registration to Receive Public Notice.* Any organization or individual may register with the Planning Department to receive public notice by electronic mail at least fifteen (15) days prior to the Planning Commission public hearing.
4. *Public Comment.* The Planning Commission may receive public input by written comments being submitted to the Planning Department. Planning Commission shall hold a public hearing on all zoning text and map amendments. If an applicant or land owner is allowed to provide oral or written comments, the commission must give other interested members of the public at least 10 days' notice and an opportunity to comment in the same manner.

(E) *Planning Commission Review and Recommendation.* The Planning Commission shall have thirty calendar (30) days to review the proposed amendment and take action, recommending that County Council approve or deny the proposed amendment. The Planning Commission shall state its findings and its evaluation of the request in a report to County Council. If the Planning Commission fails to submit a recommendation within a thirty (30) day period, it shall be deemed to have recommended approval of the proposed amendment.

(F) *County Council Hearing and Decision.* Before enacting an amendment, the County Council shall hold a public hearing. In any request for change, County Council shall consider the recommendation of the Planning Commission on each proposed amendment; however, County Council is not bound by the recommendation in making a final decision. All amendments shall be adopted by ordinance.

(G) *Notice of Decision.* Following final action by the County Council, the Planning Director or designee shall be responsible for providing the applicant with written notice of the decision within fifteen (15) days. Any changes to the Official Zoning Map shall occur within this timeframe.

Approved text amendments shall be made available to the public upon request.

(H) *Deferral and Withdrawal Requests.* An applicant may request their application be deferred or withdrawn by submitting a written request to the Planning Department. If the public cannot be notified of the deferral or withdraw within a reasonable time period prior to the Planning Commission public hearing at which the application is to be heard, the request for deferral shall be considered and acted upon during the public hearing as scheduled. A maximum of two (2) applicant initiated deferrals shall be allowed prior to Planning Commission recommendation. Once Planning Commission has made its recommendation to County Council, all requests for deferral or withdraw shall be submitted by the applicant to the Clerk of Council for Council's consideration.

1503. *Changes in the Zoning Map.* Following final action by the County Council any necessary changes shall be made on the official Zoning Map. A written record of the type and date of such changes shall be maintained by the Planning Commission. Until such change is made, no action by the County Council on amendments to the Zoning Ordinance shall be considered official unless the Planning Commission fails to make the change within fifteen (15) days after formal action by the County Council. In the latter event, action by the County Council shall be considered official fifteen (15) days after the date of the action if the Planning Commission fails to make the appropriate changes.

1504. *Modifications within PDD and MRD Developments.* Land development of all PDD and MRD developments shall conform to the County Council approved conceptual plan and written narrative. All developments shall also be reviewed utilizing the procedures established in the Horry County Land Development Regulations. Minor changes in conceptual or master phasing plans for PDD and MRD developments may be approved by the Zoning Administrator or designee, provided that a request is submitted in writing through a Minor Amendment Application by the owner or agent and that the changes:

- (A) Do not increase density or intensity;
- (B) Do not change the outside (exterior) boundaries;
- (C) Do not change any uses, including mixture of uses and residential housing types, that would significantly alter the character of the development.
- (D) Do not significantly change the external appearance from those shown on any plans which may be submitted or presented by the developers;
- (E) Minor changes may include, but are not limited to: minor shifting of the location of buildings, parking, shifting of entrances and internal roadways to resolve regulatory permitting issues, utility easements, parks, amenities, or other public open spaces, or other features of the plan.

Changes which materially affect the plan's basic concept or the designated general use of parcels of land within the development should be considered major changes. All other changes or modifications not enumerated above shall also constitute a major change and will require a full rezoning action, as outlined in 1502.

**Effective Date:** This Ordinance shall become effective upon Third Reading.

**AND IT IS SO ORDERED, ENACTED AND ORDAINED** this \_\_\_ day of \_\_\_, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

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Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020

Second Reading: August 18, 2020

Third Reading:

County Council Decision Memorandum  
Horry County, South Carolina

---

Date: May 26, 2020  
From: Planning and Zoning  
Division: Infrastructure and Regulation  
Prepared By: Leigh Kane, Principal Planner  
Cleared By: David Schwerd, Planning Director  
Regarding: Article XV of the Horry County Zoning Ordinance

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**ISSUE:**

Should Horry County amend Article XV of the Horry County Zoning Ordinance to update and clearly define the zoning amendment process?

**PROPOSED ACTION:**

Approve the proposed amendments to Article XV of the Horry County Zoning Ordinance.

**RECOMMENDATION:**

Staff recommends approval. Planning Commission recommended approval on April 2, 2020.

**BACKGROUND:**

The South Carolina Planning Enabling Act of 1994 identifies the public hearing, public noticing criteria, and adoption procedures for zoning amendments. However, it does not define the application submission or review criteria for amendments, as this is a local government authority. The IMAGINE 2040 Comprehensive Plan public input process identified the need to revise the submission requirements and rezoning review criteria that Planning Commission and County Council use to evaluate rezoning requests, especially for those properties located within Scenic & Conservation areas of the Future Land Use Map. Amendments to Article XV were drafted to ensure that the ordinance reflects State law and the implementation of the comprehensive plan. A public hearing was held at the March 5, 2020 Planning Commission, followed by a Planning Commission Special Workshop on March 12, 2020 to further review the details of this amendment among commissioners, staff, and the community. Planning Commission recommended approval on April 2, 2020.

**ANALYSIS:**

Significant revisions to Article XV include:

- Addition to Declaration of Policy that zoning amendments be evaluated for their consistency with the Consolidated Plan, Capital Improvements Plan, and Official Map;
- Amend refund policy to allow PDDs to be refunded all except the cost of a Standard Rezoning fee (\$250) if a request for withdraw occurs prior to Planning Commission public hearing;
- Consolidation of rezoning submission requirements for PDD, MRD, and major residential subdivisions with lots less than or equal to 10,000 ft<sup>2</sup>;
- Additional requirement for the 100 and 500-year regulatory floodplain to be included in all conceptual plans for all MRD and all major residential rezonings with lots less than or equal to 10,000 ft<sup>2</sup>;

- Additional rezoning submission criteria for PDD, MRD, and major residential rezoning requests in Scenic & Conservation areas;
- Clarification of what constitutes a minor and major amendment within PDD and MRD developments; and
- Removal of the Rezoning Review Criteria from Article XV, as Planning Commission is considering adding them to their Rules of Procedure. Changes to Planning Commission Rules of Procedure will require a public review process and the criteria will be updated at that time.

COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

**ORDINANCE 63-2020**

**AN ORDINANCE TO AMEND ZONING APPENDIX B OF THE HORRY COUNTY CODE OF ORDINANCES PERTAINING TO CAMPERS AND RECREATION VEHICLES USED AS A TEMPORARY LIVING ACCOMMODATIONS**

**WHEREAS**, Horry County is aware of interest in the Commercial Forest/ Agricultural (CFA) zoning to allow campers or recreation vehicles as temporary living accommodations during special events; and,

**WHEREAS**, this amendment would allow parcels which have historically had campers and recreation vehicles during special events to be in compliance with the ordinance; and

**WHEREAS**, CFA already has provisions to allow campers and recreation vehicles as a temporary living accommodation for 15 days of the calendar month on properties North and West of the Waccamaw River and/or abutting the Waccamaw River; and,

**WHEREAS**, campers and recreation vehicles as a temporary living accommodation is already provisionally allowed in HC, RC, CR and TRS during special events for the duration of the event; and,

**WHEREAS**, it is the intent of the Horry County Council to reconcile the standards of the zoning ordinance.

**NOW THEREFORE**, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

1. **Amendment of Appendix B, Zoning, Article XII, Section 1200 B. of the Horry County Code of Ordinances.** Section 1200 B. of the Zoning Ordinance is hereby amended as follows: (All text in ~~strike through~~ shall be deleted and all text shown **underlined and bolded** shall be added)

1200. - Campers and/or recreation vehicles used as temporary living accommodations.

B. Campers or recreation vehicles are permitted in the **CFA**, HC, RC, CR and TRS zoning districts provided that:

2. **Severability**: If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section, or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.

3. **Conflict with Preceding Ordinances**: If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section, or part shall be deemed repealed and no longer in effect.

4. **Effective Date**: This Ordinance shall become effective upon third reading.

**AND IT IS SO ORDERED, ENACTED AND ORDAINED** this \_\_\_ day of \_\_\_\_,  
2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

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Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020

Second Reading: August 18, 2020

Third Reading:

Infrastructure & Regulation Decision Memorandum  
Horry County, South Carolina

---

Date: May 14, 2020  
From: Planning and Zoning  
Division: Infrastructure & Regulation  
Prepared By: Desiree Jackson, Senior Planner  
Cleared By: David Schwerd, Director of Planning  
Regarding: Campers and recreation vehicles used as a temporary living accommodation

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**ISSUE:**

Should Horry County amend the ordinance to allow campers and recreation vehicles as a temporary living accommodation during special events in the Commercial Forest/ Agricultural (CFA) zoning district?

**PROPOSED ACTION:**

Amend the ordinance to allow Camper and recreation vehicles in CFA during a special event as a temporary living accommodation.

**RECOMMENDATION:**

Planning Commission recommended Approval on May 7, 2020.  
Staff recommends Approval.

**BACKGROUND:**

Horry County is aware of interest in CFA to allow campers or recreation vehicles as temporary living accommodations during special events. Additionally, this amendment would allow parcels which have historically had this use during special events to be in compliance. CFA already has provisions to allow campers and recreation vehicles as a temporary living accommodation on properties abutting the Waccamaw River and/or North and West of the Waccamaw River. The requested use is already allowed with special provision in HC, RC, CR and TRS during special events for the duration of the event.

**ANALYSIS:**

The proposed amendment will allow CFA to have campers and recreation vehicles as temporary living accommodations during special events.

COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

**ORDINANCE 64-2020**

**AN ORDINANCE TO AMEND APPENDIX B, ZONING ORDINANCE OF THE HORRY COUNTY CODE OF ORDINANCES PERTAINING TO HIGH BULK RETAIL (RE4) AND OPEN YARD STORAGE**

**WHEREAS**, Horry County is aware of significant interest in the High Bulk Retail (RE4) zoning as the RE4 district permits open yard uses subject to special provisions; and,

**WHEREAS**, it is the intent of RE4 to provide opportunities to locate and develop consumer-related businesses requiring outdoor storage areas; and,

**WHEREAS**, RE4 was previously amended erroneously to include salvage operations in the RE4 district; and,

**WHEREAS**, removing the salvage use from the open yard storage protects the intent of RE4 without introducing industrial uses to redeveloping commercial areas; and,

**WHEREAS**, it is the intent of the Horry County Council to reconcile the standards of the zoning ordinance.

**NOW THEREFORE**, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

**1. Amendment of Appendix B, Zoning Ordinance, Article VII, Section 748.**  
Section 748 of the Zoning Ordinance is hereby amended as follows:  
(All text in ~~strikethrough~~ shall be deleted and all text shown **underlined and bolded** shall be added)

**748.1 Permitted Uses[s]**

~~(T) Open yard uses for the sale, rental, and/or storage of new, used or salvaged materials, or equipment subject to provisions of 1209~~

**748.2 Conditional Uses.**

**(A) Open yard storage of new or used materials, equipment or auto/boat /motorcycle/recreation vehicle provided that:**

- 1. No salvage materials and/or operations for processing of materials allowed.**
- 2. No stand-alone tow yards allowed.**

**2. Amendment of Appendix B, Zoning Ordinance, Article XII, Section 1209.** Section 1209 of the Zoning Ordinance is hereby amended as follows: (All text in ~~strikethrough~~ shall be deleted and all text shown **underlined and bolded** shall be-added)

A. The HC ~~and RE4~~ districts allows open yard uses for the sale, rental, and/or storage of new, used, or salvaged materials, vehicles or equipment provided that:

1. The use shall be screened according to section 522.
  2. No burning of materials or products is conducted on the premises.
  3. A privacy fence or wall of at least six (6) feet in height above finished grade will be required along all property lines.
  4. No processing of materials including, but not limited to, car crushing, car shredding, grinding, etc.
- 3. Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section, or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 4. Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section, or part shall be deemed repealed and no longer in effect.
- 5. Effective Date:** This Ordinance shall become effective upon third reading.

**AND IT IS SO ORDERED, ENACTED AND ORDAINED** this \_\_\_ day of \_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020

Second Reading: August 18, 2020

Third Reading:

Infrastructure & Regulation Decision Memorandum  
Horry County, South Carolina

---

Date: May 14, 2020  
From: Planning and Zoning  
Division: Infrastructure & Regulation  
Prepared By: Desiree Jackson, Senior Planner  
Cleared By: David Schwerd, Director of Planning  
Regarding: High Bulk Retail (RE4) and Open Yard Storage

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**ISSUE:**

Should Horry County allow open yard storage as a conditional use in RE4 with the exclusion of salvage operations?

**PROPOSED ACTION:**

Amend RE4 to allow open yard storage with conditions and exclude salvage uses.

**RECOMMENDATION:**

Planning Commission recommended Approval on May 7, 2020.  
Staff recommends Approval.

**BACKGROUND:**

The county has received requests for open yard storage of materials, vehicles, and equipment as a primary use on properties zoned RE4. It is the stated intent of RE4 to provide opportunities to locate and develop businesses requiring outdoor storage areas. Recently, RE4 was amended erroneously to permit open yard storage with the inclusion of salvage operations. A conditional allowance for open yard storage without the salvage component protects the intent of RE4 without the possibility of introducing the industrial activities of salvage processing to redeveloping commercial districts.

**ANALYSIS:**

The proposed amendment retains the allowance of open yard storage as a primary use in the RE4 district and clarifies the conditions to prevent undesirable uses in a commercial area. Removing uses related to salvage operations is consistent with the intent of the RE4 district and corrects an inadvertent mistake in the prior amendment.

COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

ORDINANCE 65-2020

**AN ORDINANCE TO AMEND APPENDIX B, ZONING ORDINANCE ARTICLE VII, SECTION 703 “COMMERCIAL FOREST/ AGRICULTURAL DISTRICT” OF THE HORRY COUNTY CODE OF ORDINANCES PERTAINING TO VETERINARY OFFICES, ANIMAL HOSPITALS AND/OR BOARDING FACILITIES.**

**WHEREAS**, recent inquiries have highlighted a conflict in the Commercial Forest/ Agricultural (CFA) district regarding outside facilities for the grazing and exercise of animals; and,

**WHEREAS**, CFA allows the raising, care and handling of animals for commercial purposes on a three acre site; and,

**WHEREAS**, CFA permits veterinary offices, animal hospitals and/or boarding facilities, but prohibits accessory outside facilities for grazing and exercise; and,

**WHEREAS**, allowing veterinary offices, animal hospitals and/ or boarding facilities to have accessory outside grazing and exercise facilities on parcels three acres or more is consistent with the other uses in the CFA district; and,

**WHEREAS**, it is the intent of the Horry County Council to reconcile the standards of the zoning ordinance.

**NOW THEREFORE**, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

1. **Amendment of Appendix B, Zoning Ordinance, Article VII, Section 703.** Section 703 of the Zoning Ordinance is hereby amended as follows:  
(All text in ~~strike through~~ shall be deleted and all text shown **underlined and bolded** shall be added)

703.1 Permitted Uses.

(F) Veterinary offices, animal hospitals and/ or boarding facilities provided all boarding arrangements are maintained within a building and no noise or odors connected with the operation of the facility is perceptible beyond the premises. ~~This shall prohibit the use of outside facilities for grazing and exercise.~~ **A minimum of a three (3) acre site is required for outside facilities for grazing and exercise.**

2. **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section, or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
3. **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section, or part shall be deemed repealed and no longer in effect.

4. **Effective Date:** This Ordinance shall become effective upon third reading.

**AND IT IS SO ORDERED, ENACTED AND ORDAINED** this \_\_\_\_ day of \_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

---

Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020

Second Reading: August 18, 2020

Third Reading:

Infrastructure & Regulation Decision Memorandum  
Horry County, South Carolina

---

Date: May 14, 2020  
From: Planning and Zoning  
Division: Infrastructure & Regulation  
Prepared By: Desiree Jackson, Assistant Zoning Administrator  
Cleared By: David Schwerd, Director of Planning  
Regarding: Veterinary offices, animal hospitals and/ or boarding facilities in CFA

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**ISSUE:**

Should Horry County amend the Zoning Ordinance to allow veterinary offices, animal hospitals and/ or boarding facilities in the Commercial Forest/ Agricultural (CFA) district to have outside facilities for grazing and exercise?

**PROPOSED ACTION:**

Approve the proposed amendment to the Zoning Ordinance.

**RECOMMENDATION:**

Planning Commission recommended Approval on April 2, 2020.  
Staff recommends approval.

**BACKGROUND:**

Horry County Planning and Zoning staff has received inquiries which have highlighted a conflict in the CFA zoning district. CFA allows the raising, care and handling of animals for commercial purposes on a three acre site. However, CFA prohibits veterinary offices, animal hospitals and/ or boarding facilities from having outside facilities for grazing and exercise. Allowing them to have this use as an accessory to the business on lots three acres or more would be consistent with the other uses in the district.

**ANALYSIS:**

The proposed amendment will allow the veterinary offices, animal hospitals and/or boarding facilities to have outside facilities for grazing and exercise provided the parcel is a minimum of three acres.

COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

ORDINANCE 66-2020

**AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE VI, DIVISION 1, SECTION 2-73 (B) (1) OF THE GENERAL CODE AND APPENDIX B, ZONING ARTICLE V, SECTION 536, ARTICLE VII, SECTION 750, AND ARTICLE XVII OF THE HORRY COUNTY CODE OF ORDINANCES PERTAINING TO THE HORRY COUNTY BOARD OF ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION.**

**WHEREAS**, the Board of Architectural Review and Historic Preservation was established in 2004;

**WHEREAS**, the current name of The Board of Architectural Review and Historic Preservation does not accurately reflect the purpose of the Board, whose primary focus is historic preservation with architectural review serving as a function of preservation; and

**WHEREAS**, the Board of Architectural Review and Historic Preservation has recommended changing their name to the Horry County Historic Preservation Commission; and

**WHEREAS**, the Board has recommended procedures for the establishment of local historic districts; and

**WHEREAS**, public hearing advertising requirements for the local historic register have been incorporated into the ordinance.

**NOW THEREFORE:** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

1. **Amendment of Chapter 2, Article VI, Division 1, Section 2-73 (b) (1).** Article VI, Section 2-73 of the General Code is hereby amended as follows:

(All text in ~~striketrough~~ shall be deleted and all text shown **underlined and bolded** shall be added)

1. ~~Board of arehiteectural review~~ **Historic Preservation Commission**

2. **Amendment of Appendix B, Zoning Ordinance, Article V, Section 536.** Article V, Section 536.1 of the Zoning Ordinance is hereby amended as follows:

(All text in ~~striketrough~~ shall be deleted and all text shown **underlined and bolded** shall be added)

1. The ~~Board of Architectural Review~~ **Historic Preservation Commission** shall review each application for a conditional use permit under this ordinance subject to the criteria set forth in Article XVII, Section 1700 et seq.

3. **Amendment of Appendix B, Zoning Ordinance, Article VII, Section 750.** Article VII, Section 750.10(A) 12 is hereby amended as follows:  
(All text in ~~striketrough~~ shall be deleted and all text shown **underlined and bolded** shall be added)

12. If an existing structure on the parcel is determined to be historic by the Horry County ~~Board of Architectural Review~~ **Historic Preservation Commission** or the South Carolina Department of Archives and History, or architecturally significant, it shall be protected from demolition or encroachment by incompatible structures or landscape development.

4. **Amendment of Appendix B, Zoning Ordinance, Article XVII.** Article XVII is hereby amended as follows:  
(All text in ~~striketrough~~ shall be deleted and all text shown **underlined and bolded** shall be added)

ARTICLE XVII. - ~~BOARD OF ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION~~ **COMMISSION**

1700. - Title.

The title of this Article shall be the ~~Board of Architectural Review and~~ Historic Preservation **Commission** Ordinance.

1701. - Purpose of this article and declaration of policy.

The purpose of this article is to preserve the local heritage of Horry County as an irreplaceable asset **through** the creation of a list of designated individual properties, sites and landmarks and **through** the creation of Historic ~~Preservation~~ Districts. The districts will include contributing designated **historic** properties as well as **non-**designated properties. By regulating these properties, the Ceounty seeks to:

- (1) Safeguard its heritage by providing a mechanism that identifies, preserves and enhances the important characteristics of its culture, history and architectural history;
- (2) Promote the use and conservation of our resources such as individual properties, historic districts, significant and scenic areas, and landmarks for the educational enrichment and civic pride of County residents and the State as a whole;
- (3) Encourage a general harmony of style, form, proportion and material for the historic designated properties and areas within the County; and,
- (4) Improve property values and strengthen the local economy by fostering preservation, restoration and rehabilitation.

It is hereby declared as a matter of public policy that the protection, perpetuation and use of historical or significant architectural structures, and historic ~~preservation~~ districts or areas of geographical significance within the County are a public necessity and are required in the interest of the prosperity, civic pride and general welfare of the people.

The County's historic buildings and districts will continue to be a distinctive aspect of Horry County. They will serve as visible reminders of the significant historical and cultural heritage of Horry County and the State of South Carolina.

The procedures and guidelines set forth in the following sections will assist in the County's historic preservation efforts by identifying buildings, sites, objects and districts that reflect the County's cultural, social, economic, political or architectural history. These procedures establish a means of recording local historical preservation activities as a matter of public record.

Article XVII is enacted pursuant to the South Carolina Code of Laws, Section 6-29-870 thru 960.

1702. - Definitions.

The following words and phrases when used in this article shall have the meanings respectively ascribed to them:

*Alterations, (may also be referred to as remodeling.)* A change in the external architectural features of any historic structure or in the interior of such structure if the interior feature is specifically included in the historic designation; a change in the landscape features of any historic site or place; or work having an adverse effect upon designated archaeological resources.

*Archaeological resources.* Any material remains of past human life, activities or habitation that are of historic or prehistoric significance. Such materials include, but are not limited to pottery, basketry, bottles, weapons, weapon projectiles, tools, structures, or portion of structures, pit houses, rock paintings, rock carvings, graves, skeletal remains, personal items and clothing, household or business refuse, printed matter, manufactured items or any piece of any of the foregoing items.

*Area.* Two (2) or more parcels of land, sites, houses, buildings or structures that may include streets and alleys.

*Certificate of appropriateness.* The document issued by the ~~board of architectural review~~ **Historic Preservation Commission**, following a prescribed review procedure, certifying that the proposed actions by an applicant are found to be acceptable in terms of design criteria relating to the individual property or the historic district.

*Certificate of no effect.* An official form issued by the eCounty Planning Department stating that the proposed work on a historic property will have no detrimental effect on the historic character of the property **or district**, and therefore, may proceed as specified in the certificate without obtaining further authorization under these regulations. The issuance of this form authorizes the applicant to proceed with applications for any permits required by Horry County's Code Enforcement and Zoning Departments for said work.

*Construction.* The addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

*Contributing property.* Any property located within a historic **district** that is **a historically** designated property.

*Demolition.* Any act or process that destroys in part or in whole a historic structure or property (real or personal).

*Demolition by neglect.* Any act or process that destroys in part or in whole a historic structure or property (real or personal) because of neglect in maintaining, repairing, recycling, or securing a resource or the loss of structural integrity of the resource.

*Design guidelines.* A standard of appropriate activity that will preserve the historic and architectural character of a structure or **area district** and by which the ~~Board of Architectural Review~~ **Historic Preservation Commission** makes its decisions.

*Economic hardship.* Economic hardship exists when a preponderance of evidence establishes that the property in question cannot obtain a reasonable economic return or be put to any economically beneficial use.

*Exterior architectural appearance.* The architectural character and general composition of the exterior of a structure, including but not limited to the kind, height, size, shape, mass, proportion, details, color, and texture of the building materials and the type, design, and character of all windows, doors, light fixtures, signs and appurtenant elements.

*Historic preservation.* (Secretary of the Interior's Standards for the Treatment of Historic Properties Definition.) Preservation means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

*Historic ~~preservation~~ district.* An area designated by the Horry County Council, upon the recommendation of the ~~board of architectural review~~ **Historic Preservation Commission** and pursuant to the provisions of this Article. A District is considered an area or group of areas, urban or rural, not necessarily having contiguous boundaries, containing one (1) or more resource related by history, architecture, archaeology, engineering or culture. All historic ~~preservation~~ districts shall be denoted with a special boundary and the text "HP" on the official zoning maps for Horry County and **kept as a public record to provide notice of such designation and** shall be classified as an overlay for zoning and mapping purposes. The ~~historic preservation~~ district will not replace the zoning district of record but will coincide with that district.

*Historic site, landmark, structure, resource or property.* One (1) or more parcels of land, sites, houses, buildings, structures, features, open space/areas, objects, or areas worthy of preservation because it is significant in the history, architecture, archaeology, engineering, or culture of the County. Hereinafter, a historic site, landmark, structure, resource or property will be referred to as a "historic property" or a "designated property".

*Horry County Historic Property Register.* The list of **designated** historic properties ~~designated~~ **historic** in Horry County **as approved by Horry County Council and maintained** ~~compiled~~ **and kept** by the Horry County Planning Department.

The list shall ~~be composed of~~ **include** the lots of non-designated properties within any historic preservation district, ~~as well as those historic properties that have received National Register, state or local status.~~

*Minor work.* Any change modifying, restoring, rehabilitating, renovating, surfacing, or resurfacing of the features of a historic property which does not materially change the historic characteristics of the property.

*Move/removal.* Any relocation of a structure on its site or to another site.

*Open space.* Undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.

*Ordinary maintenance.* Keeping a resource unimpaired and through ongoing minor intervention, undertaken from time to time, its exterior condition. Ordinary maintenance does not change the external appearance of the resources except through the elimination of the usual and expected effects of weathering, specifically, painting as an act of ordinary maintenance. Ordinary maintenance does not constitute work for the purposes of this chapter.

*Ordinary landscaping.* Keeping a resource unimpaired and in sustained condition through ongoing, periodic minor intervention. Ordinary landscaping does not change the appearance of the resource, except through the changes to shrubbery, flowerbeds, rock gardens, etc.

*Owner of record.* (may also be called the record owner.) The person, corporation or other legal entity listed as owner(s) in the records of the Horry County Tax Assessor's office.

*Property.* Real property, land.

*Reconstruction.* The act of depicting, by means of new construction, the form, features, and detailing of a non-surviving historic property for the purpose of replicating its appearance at a specific period of time and in its historic location.

*Rehabilitation.* The act or process of making possible an efficient compatible use for a historic property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values.

*Repair.* To restore a decayed or damaged resource to good or sound conditions by any process. A repair that changes the external appearance of a resource constitutes work for the purposes of this article.

*Restoration.* The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a restoration period.

*Substantial hardship.* Hardship, caused by unusual and compelling circumstances, based on one (1) or more of the following:

- (1) The property cannot reasonably be maintained in the manner dictated by this article;
- (2) There are no other reasonable means of saving the property from deterioration, or collapse; or,
- (3) The property is owned by a non-profit organization and it is not feasible financially or

physically to achieve the charitable purposes of the organization while maintaining the property appropriately.

1703. - Establishment of the ~~Board of Architectural Review~~ **Historic Preservation Commission**.

The Horry County ~~Board of Architectural Review (HCBAR)~~ **Historic Preservation Commission**, hereinafter referred as the "~~BAR~~" (**HPC**) or the "~~Board~~ **Commission**", is responsible for the implementation of this Article. Membership of the ~~Board~~ **Commission** shall be upon appointment by the Horry County Council. Members shall assume their duties at the first regular meeting after their appointment. Members shall serve without compensation except for reimbursement for authorized expenses attendant to the performance of their duties.

*1703.1. Composition and Qualifications.* The ~~BAR~~ **HPC** shall consist of **up to** ten (10) members and shall be made-up of individuals in architecture, history, landscape architecture, construction, ~~or~~ education profession, **real estate**, or interested citizens. All members of the ~~BAR~~ **HPC** shall have a demonstrated interest, competence or knowledge in historic preservation.

*1703.2. Organization and Operation.* Organization requirements for the ~~BAR~~ **HPC** are established in the South Carolina Code of Laws, § 6-29-870 and the Horry County Code of Ordinances, § 2-73, Article VI, Division I, Boards, Commissions, Committees and Agencies.

*1703.3. Terms of Office.* The terms of office for each ~~Board~~ **Commission** member shall be in accordance to Article VI, Division I of the Horry County Code of Ordinances.

1704. - Powers and duties.

The responsibility of the ~~BAR~~ **HPC** shall be the following:

- (1) To promote the purposes and objectives of this Article.
- (2) To review and recommend to the Horry County Council the designation of individual historic properties, buildings, resources, sites, landmarks and historic districts.
- (3) To review plans and applications for construction, rehabilitation and restoration on historic properties, resources or sites, to historic landmarks or buildings, or within historic areas or districts, and any demolition pertaining to or affecting duly designated historic properties, resources, sites, buildings or districts.
- (4) To coordinate with the comprehensive land use area plans.
- (5) To approve, deny or approve with conditions the demolition or alteration of building exteriors, or interiors, if designated as historic. The ~~BAR~~ **HPC** also shall review proposed new construction in a historic district.
- (6) To maintain an inventory of local historic properties, promote education about historic preservation and procedures.
- (7) To review and comment on National Register of Historic Places nomination and exercise other duties specifically needed by a community.

**(8) To review and approve or disapprove special tax assessments for rehabilitation of historic properties per Horry Code of Ordinances § Chapter 9, Article I, 19-7.**

**(9) Other duties as assigned by this ordinance.**

1705. - Historic property inventory.

The ~~BAR~~ **HPC** shall maintain a local inventory of historic properties more than fifty (50) years old. **These records shall be held in the Horry County Planning Department and made available to the public.** Based on the local inventory and criteria, individual properties **may be** proposed for the Horry County Historic Property Register **and** shall be reviewed by the ~~BAR~~ **HPC** and a recommendation forwarded to the Horry County Council. ~~These records shall be held in the Horry County Planning Department and made available to the public. The process of review shall include property owner notification and a public hearing.~~

1706. - Designation of historic properties.

*1706.1. Criteria for Historic Designation.* The ~~Board~~ **HPC** shall review the local inventory and make recommendations for historic properties for local historic designation to the Horry County Council or the Horry County Planning Commission (for district designations) based on the following criteria:

A property may be designated historic if it:

- (1) Has significant inherent character, interest, history, or value as part of the community or heritage of the community, state or nation; or
- (2) Is the site of an event significant in history; or
- (3) Is associated with a person or persons who contributed significantly to the culture and development of the community, state or nation; or
- (4) Exemplifies the cultural, political, economic, social, ethnic or historic heritage of the community, state or nation; or
- (5) Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period or specimen in architecture or engineering; or
- (6) Is the work of a designer whose work has influenced significantly the development of the community, state or nation; or
- (7) Contains elements of design, detail, materials or craftsmanship which represent a significant innovation; or
- (8) Is part of or related to a square or other distinctive element of community planning; or
- (9) Represents an established and familiar visual feature of the neighborhood or community; or

(10) Has yielded, or may be likely to yield, information important in pre-history or history; **or**

**(11) As allowed by the National Park Service standards for culturally significant properties.**

1706.2. *Owner Notification.* Property owners of whose property is proposed for historic properties **designation** shall be notified in writing ~~twenty-one (21)~~ **thirty (30)** days prior to the date of the **HPC** public hearing. **(Public hearings must be advertised at least once in a newspaper of general circulation in Horry County fifteen (15) days prior to the date scheduled for the public hearing in addition to normal meeting notices.)** Owners may appear before the ~~Board~~ **Commission** and Horry County Council to voice approval or opposition to such designation.

1706.3. *Designation as a Historic Property.* The Horry County Council shall approve proposed historic properties or district designations with three (3) readings. Once approval has been given, the property shall be added to the Horry County Historic Property Register as an individual historic property or to the Official Zoning Maps as a historic district.

1706.4 *Designation as a Historic Cemetery.* When considering and upon the designation of a historic cemetery to the Horry County Historic Property Register, the following standards shall apply:

- (1) The addition of a cemetery to the Historic Property Register shall in no way modify state law concerning cemeteries.
- (2) For all cemeteries that have no defining border, such as a fence or naturally defined boundary the following shall apply:
  - a. Taking into account the nature, character and the typical arrangement of cemeteries in Horry County along a generally east/west line, a boundary shall be drawn encompassing all gravesites, including depressions or other indicators of probable gravesites, in such a way so as to adequately protect and preserve the gravesites therein without unnecessarily encumbering any more property than necessary.
  - b. If the property owner chooses to contest the boundary, or to propose an alternative boundary, the owner may do so at the public hearings held pursuant to Section 1706.2.
  - c. A map of the property depicting the proposed boundary shall be attached to the written notification sent to the property owner pursuant to Section 1706.2.
  - d. The proposed boundary shall be determined at the time the cemetery is added to the Historic Property Register.

#### **1706.5**

**Designation as a Historic District. A minimum of one (1) designated historic property must exist in the area to be considered for a historic district before a committee to investigate the merits of a historic district is formed.**

Before establishing a historic district, the HPC shall appoint a committee. The committee will include a minimum of one member of the public who lives in the proposed district if at all possible. The rest of the committee shall consist of at least two HPC members. A member of the HPC shall serve as chairman of the committee. The committee shall prepare a preliminary report to be presented to the HPC, which shall include the following:

- (1) Determine the boundaries for the proposed historic district in writing and on a map.
- (2) Create a photographic inventory of resources within the proposed historic district.
- (3) Conduct research on the proposed historic district and the historic resources located within the boundaries and give an analysis of the historic significance and architectural merit of the buildings or places and the significance of the district as a whole. In evaluating the significance of historic resources, the committee shall be guided by the selection criteria for evaluation shown in 1706.1.
- (4) Determine the number of historic and non-historic resources within the boundary of the proposed district.
- (5) Create a map indicating the contributing designated historic properties.
- (6) Make recommendations for the zoning ordinance to regulate the historic district.

The committee may choose to call upon outside agencies for assistance in developing the report and may pay outside agencies if funding is available.

A public hearing will be held at which time the ordinance will be presented to the HPC. Property owners of both contributing designated historic and non-designated properties within the proposed historic district shall be mailed notification thirty (30) days prior to the public hearing. The preliminary report and ordinance shall be made available to the public and a comment period shall be open for sixty (60) days following the public hearing. At the next regularly scheduled meeting, but not within two weeks to the close of the comment period, the HPC will vote to recommend the proposed historic district to Planning Commission. Owners may appear before the HPC, the Planning Commission and Horry County Council to voice approval or opposition to such designation.

The Commission shall give notice of the time and place of the public hearing which shall be published in a newspaper of general circulation in the County at least fifteen (15) days in advance of the scheduled hearing date. Conspicuous notice shall be posted on or adjacent to the properties affected, with at least one (1) notice being visible from each public thoroughfare that abuts the proposed historic district. At the hearing any party may appear in person or by agent or by attorney.

1707. - Nominations to the National Register of Historic Places.

Nominations to the National Register of Historic Places shall be reviewed and evaluated by the

**BAR HPC.** A recommendation from the **BAR HPC** shall then be forwarded to South Carolina State Board of Review. The **BAR HPC** shall not nominate properties directly to the National Register.

1708. - Process for granting a **Certificate of Appropriateness (COA).**

*1708.1. General.* A Certificate of Appropriateness (COA) is required before a zoning compliance form or building permit can be issued. A COA is required for the demolition of, or any alteration, modification or addition to, as well as, any new construction to **an individually designated historic property or to a contributing designated historic or non-designated property** ~~contributing property~~ located in a **County** historic preservation district, or to **any property with a special tax assessment.** ~~an individually designated historic property.~~ Any zoning compliance form or building permit not issued in conformity with this Article shall be considered null and void. Any project **in the County** underway that does not have a Certificate of Appropriateness or a Certificate of No Effect (see Section 1709) shall have a stop work order issued by the Horry County Code Enforcement Department to prevent further work.

*1708.2. Procedures.*

- (A) Application submission. Applications for a Certificate of Appropriateness (COA) shall be submitted to the Planning Department thirty (30) days prior to the regularly scheduled meeting of the **BAR HPC** in order to be considered. Only complete applications will be accepted and submitted to the **BAR HPC** for review. The owner of record must sign the application form. In the event the property owner designates an agent to appear before the **Board Commission**, a letter of agency must be supplied with the application.
- (B) **Board Commission** action and time limits. The **Board Commission** shall review the application, using the design guidelines appearing in Section 1710 to decide whether or not the applicant's plans are appropriate. Upon review of the application, the **Board Commission** shall have forty-five (45) days in which to state its decision - approval, denial, or approval with conditions - and the reasons for the decision. Written notification of the **Board's Commission's** decision and the reason for the decision shall be provided to the property owner or applicant. Individuals aggrieved by the decision of the **Board Commission** may appeal to the Courts of South Carolina.

*1708.3. Contents of Application.* The **Board Commission** shall, ~~in its By-laws,~~ require data as is reasonable and necessary to determine the nature of the application. An application shall not be considered complete until all the required data has been submitted.

*1708.4. Notification of Affected Property Owners.* Prior to the issuance of an approval or denial of a Certificate of Appropriateness, the Horry County Planning Department shall send out notification to the affected property owners who are **adjacent to and within a historic district** ~~within five hundred (500) feet~~ of the applicant's property.

*1708.5. Submission of a New Application.* If the **Board Commission** determines that a Certificate of Appropriateness should be denied, a new application affecting the same property may be submitted only if substantial change is made in the plans for the proposed work.

*1708.6. Fines and Penalties for Violations.* The system of fines applied by Horry County Code

Enforcement Department for violation of the building codes will apply to violations of this Article.

*1708.7. Substantial Hardship.* In the event a Certificate of Appropriateness is denied, the property owner may apply for an exemption based on the substantial hardship of maintaining the property according to the design guidelines for historic properties. Substantial hardship is to be considered by the ~~Board of Architectural Review~~ **Historic Preservation Commission** only if the applicant can meet one (1) or more of the criteria as defined in Section 1702.

The owner may be required to submit documents to show that he cannot comply with the design guidelines. Information required may include, **but not limited to, one or more of the following:**

- (1) Costs of the proposed development with and without modification needed to comply with the design guidelines as determined by the ~~Board~~ **Commission**,
- (2) Structural report and/or a feasibility report,
- (3) Market value of the property in its present condition and after completion of the proposed project,
- (4) Cost of the property, date purchased, relationship, if any between seller and buyer, terms of financing.
- (5) For the past two (2) years, annual gross income from the property with operating and maintenance expenses, depreciation, and annual cash flow before and after debt service during that time, **and or**
- (6) Other information considered necessary by the ~~Board~~ **Commission** to determine whether or not to grant the exemption.

*1708.8. Demolition.* It is the intent of this Section to establish minimum maintenance standards and criteria for the demolition of historic properties in Horry County.

- (1) Property Owner Maintenance Responsibilities. The property owner shall make every effort to preserve from deliberate or inadvertent neglect the exterior features of buildings or structures designated as contributing or significant (and the interior portions if designated). Routine maintenance is necessary to prevent the deterioration and decay of the exterior. Buildings or structures shall be preserved against such decline and deterioration and kept free from structural defects through prompt corrections of the following:
  - (a) Facades which may fall and injure persons or property;
  - (b) Deteriorated or inadequate foundation, defective or deteriorated flooring or flooring supports, deteriorated walls or other vertical structural supports;
  - (c) Members of ceilings, roofs, ceiling and roof supports, deteriorated walls or other vertical structural supports;
  - (d) Deteriorated or ineffective waterproofing or exterior walls, roofs, foundations, or floors, including broken windows or doors;
  - (e) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective

cover; or

- (f) Any fault or defect in the building that renders it not properly watertight or structurally unsafe.

The owner will have to comply with all applicable building codes, laws and regulations governing any work on the property. Any owner who fails to maintain their building or structure in compliance with this Section will be subject to enforcement penalties.

- (2) **Board Commission** Authorized Demolition. The **Board Commission** is authorized to approve the removal of dangerous or unsafe buildings and parts thereof if the building or structure is an historic landmark or is located in an historic district as defined in Section 1702 of this Article. The **Board Commission** shall not order or cause the building or structure or portion thereof to be removed or taken down, unless the **Board Commission** determines in consultation with the South Carolina Department of Archives and History and the Horry County Code Enforcement Department that:

- (a) There is an extreme and immediate threat to public safety and welfare of the general public resulting from unsafe structural conditions; and,
- (b) The building or structure cannot be made safe by the stabilizing, shoring or securing of the unit.

In instances where unsafe structural conditions have been identified in these buildings, the owner shall immediately make the building safe and secure.

1709. - Process for granting a certificate of no effect (COE).

*1709.1. General.* A Certificate of No Effect is required before any minor work to a designated historic property or to a contributing property located in a historic ~~preservation~~ district, **or to any property with a special tax assessment, can occur. Minor work to a non-designated property in a historic district, including interior, mechanical, repair, and ordinary maintenance, regardless of whether or not a Zoning Compliance or Building Permit is required, is considered exempt and does not need a Certificate of No Effect.** Minor work consists of any change modifying, restoring, rehabilitating, renovating, surfacing, or resurfacing of the features of a property that does not materially change the historic characteristics of the property or district. Minor work also incorporates landscaping, open spaces and the maintenance of a historic property or contributing properties located within a historic district. Any zoning compliance form or building permit not issued in conformity with this Section shall be considered null and void. Any project underway **in the County** that does not have a Certificate of Appropriateness (**see section 1708**) or a Certificate of No Effect shall have a stop work order issued by the Horry County Code Enforcement Department to prevent further work.

*1709.2. Required Procedure.* An application form must be submitted to the Planning Department in order to obtain a Certificate of No Effect (COE) whenever a property owner performs any minor work or repair to a historic property or **to a contributing property in a**

**historic district.** The owner of record must sign the application form. In the event the property owner designates an agent to apply for the ~~form~~ **certificate**, a letter of agency must be supplied with the application.

The Planning Department staff shall have fifteen (15) days to review the request. Upon review, a Certificate of No Effect shall be prepared or referred to the ~~BAR~~ **HPC**. The COE must state the decision of the Planning Department: approval, denial, approval with conditions, or referral to the ~~Board~~ **Commission** - and the reasons for the decision. Decisions of the Planning Department are appealed to the ~~BAR~~ **HPC**.

*1709.3. Action on Applications.* The Planning Department staff shall review the application, using the definition of "Minor Work" in Section 1702 to determine whether or not the application may be reviewed by staff or requires review by the ~~BAR~~ **HPC**. Any application that requires Planning Department review shall be reviewed according to the design guidelines appearing in Section 1710. Once approved, a Certificate of No Effect (COE) shall then be issued. A copy of the application, the COE and other pertinent data shall be kept on record in the files of the Planning Department. Applications requiring ~~Board~~ **Commission** review shall be added to the next deadline for submittals to the ~~BAR~~ **HPC**.

*1709.5. Contents of Application.* The Planning Department staff shall require data as is reasonable and necessary to determine the nature of the application. Such data can include, but may not necessarily be restricted to, site or architectural plans, landscaping plans, materials lists, etc. Historical and documental information may also be requested. An application shall not be considered complete until all the required data has been submitted.

1710. - Design guidelines.

*1710.1. Intent.* It is the intent of this Section to ensure that properties designated as historic or located within a Historic ~~Preservation~~ District shall remain in harmony with the architectural and historical character of Horry County, South Carolina. In granting a Certificate of Appropriateness or a Certificate of No Effect, the ~~Board~~ **Commission** or Planning Department shall take into account the following:

- (1) The architectural and historical significance of the structure,
- (2) The exterior form and appearance of any proposed additions or modifications, and
- (3) The effect of such change or additions upon other structures in the vicinity.

*1710.2. General Design Review Guidelines.* When considering an application for a Certificate, the Secretary of the Interior's Standards for Rehabilitation shall be used as guidelines in making decisions. In addition, the ~~Board~~ **Commission** may recommend to Horry County Council the adoption of more specific guidelines for specific historic properties and districts. These guidelines shall serve as the minimum basis for determining the approval, approval with conditions, or denial of an application for all historic properties as well as all ~~historic and~~ contributing properties located within a Historic ~~Preservation~~ District.

The Secretary's Standards for Rehabilitation are:

- (1) A historic property will be used as it was historically used or be given a new use that requires minimal change to its distinctive materials, features, spaces, and

spatial relationships.

- (2) The historic character of a designated property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relations that characterize a property will be avoided.
- (3) Each historic property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other buildings, will not be undertaken.
- (4) Changes to a designated property that have acquired historic significance in their own right will be retained and preserved.
- (5) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property will be preserved.
- (6) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- (7) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- (8) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- (9) New additions, exterior alterations, or related new construction will not destroy historic materials, features and spatial relationships that characterize the designated property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion and massing to protect the integrity of the historic property and its environment.
- (10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

*1710.3. Maintenance, Repair, and Interior Projects.* Nothing in this document shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of structures designated as historic when that repair does not involve a change in design, material, color or outer appearance of the structure. Interior arrangements or alterations shall not be considered unless the interior is specifically described and designated as historic.

1711. - Challenge of a staff or ~~Board~~ **Commission** decision.

Any applicant may challenge a decision of the Planning Department staff to the ~~BAR~~ **HPC**. Decisions of the ~~Board~~ **Commission** must be appealed to the Courts of South Carolina pursuant to the South Carolina Code of Laws, Section 6-29-900 et sequitur.

1712. - Conditional use permitting for weddings/periodic events.

1. Said facilities shall be exempt from the parking requirements of Section 1100 of the Zoning Ordinance.
2. **Said facilities shall be exempt from the landscaping requirements of Section 527 of the Zoning Ordinance.**
3. ~~3.~~ The requirements of Chapter 13, Article 3 (Noise Control) of the County Code shall be met;
3. ~~4.~~ Any new structures erected for this purpose:
  - a. Must be approved by the Horry County ~~Board of Architectural Review~~ **Historic Preservation Commission** under the Secretary of the Interior Standards of Historic Preservation;
  - b. ~~Must substantially reflect the character and harmony of the surrounding area and the historic parcel;~~
  - c. ~~Meet all requirements of the underlying zoning including any applicable Overlays;~~
  - d. ~~May not exceed four thousand five hundred (4,500) square feet in size;~~
  - e. ~~Shall meet applicable building code and be legally permitted.~~
4. ~~5.~~ Ingress, egress, and/or parking of vehicle traffic shall not create a hazard for traffic on an adjacent street;
5. ~~6.~~ Where the historic integrity of a designated structure will be potentially affected by the installation of commercial restroom facilities, ADA compliant, handicapped accessible portable restroom facilities may be substituted during all scheduled events.
6. ~~7.~~ All signage for the facility must be approved by the ~~Board of Architectural Review~~ **Historic Preservation Commission** and no off-site signage shall be permitted for such activities.
7. ~~8.~~ The ~~Board of Architectural Review~~ **Historic Preservation Commission** shall review the facility for appropriateness to host said events and may include or limit what events shall be allowed to be held, including, but not limited to:
  - a. Weddings, receptions, bridal showers, baby showers;
  - b. Reunions;
  - c. Reenactments;
  - d. House museums;
  - e. Holiday/seasonal events;
  - f. Similar social events that meet the requirements of this ordinance.
8. ~~9.~~ A conditional use permit shall be obtained prior to the commencement of the use. ~~The fee for such permit shall be two hundred fifty dollars (\$250.00) annually from the date of issuance. The conditional use permit for the event/wedding facility shall be renewed every~~

year to ensure that the facility is being used in compliance with these regulations.

1712. - Conditional use permitting for weddings/periodic events.

1. Said facilities shall be exempt from the parking requirements of Section 1100 of the Zoning Ordinance.
2. **Said facilities shall be exempt from the landscaping requirements of Section 527 of the Zoning Ordinance.**
3. ~~3.~~ **4.** The requirements of Chapter 13, Article 3 (Noise Control) of the County Code shall be met;
3. ~~4.~~ Any new structures erected for this purpose:
  - a. Must be approved by the Horry County ~~Board of Architectural Review~~ **Historic Preservation Commission** under the Secretary of the Interior Standards of Historic Preservation;
  - b. ~~Must substantially reflect the character and harmony of the surrounding area and the historic parcel;~~
  - c. ~~b.~~ Meet all requirements of the underlying zoning including any applicable Overlays;
  - d. ~~c.~~ May not exceed four thousand five hundred (4,500) square feet in size;
  - e. ~~d.~~ Shall meet applicable building code and be legally permitted.
4. ~~5.~~ Ingress, egress, and/or parking of vehicle traffic shall not create a hazard for traffic on an adjacent street;
5. ~~6.~~ Where the historic integrity of a designated structure will be potentially affected by the installation of commercial restroom facilities, ADA compliant, handicapped accessible portable restroom facilities may be substituted during all scheduled events.
6. ~~7.~~ All signage for the facility must be approved by the ~~Board of Architectural Review~~ **Historic Preservation Commission** and no off-site signage shall be permitted for such activities.
7. ~~8.~~ The ~~Board of Architectural Review~~ **Historic Preservation Commission** shall review the facility for appropriateness to host said events and may include or limit what events shall be allowed to be held, including, but not limited to:
  - a. Weddings, receptions, bridal showers, baby showers;
  - b. Reunions;
  - c. Reenactments;
  - d. House museums;
  - e. Holiday/seasonal events;
  - f. Similar social events that meet the requirements of this ordinance.
8. ~~9.~~ A conditional use permit shall be obtained prior to the commencement of the use. ~~The fee for such permit shall be two hundred fifty dollars (\$250.00) annually from the date of issuance. The conditional use permit for the event/wedding facility shall be renewed every year to ensure that the facility is being used in compliance with these regulations.~~

**Effective Date:** This Ordinance shall become effective upon Third Reading.

**AND IT IS SO ORDERED, ENACTED AND ORDAINED** this \_\_\_ day of \_\_\_, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1	Bill Howard, District 2
Dennis DiSabato, District 3	Gary Loftus, District 4
Tyler Servant, District 5	Cam Crawford, District 6
Orton Bellamy, District 7	Johnny Vaught, District 8
W. Paul Prince, District 9	Danny Hardee, District 10
Al Allen, District 11	

Attest:

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Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020

Second Reading: August 18, 2020

Third Reading:

**County Council Decision Memorandum  
Horry County, South Carolina**

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Date: June 23, 2020  
From: Planning and Zoning  
Division: Infrastructure and Regulation  
Prepared By: Lou Conklin, Senior Planner  
Cleared By: Leigh Kane, Principal Planner  
Regarding: Board of Architectural Review and Historic Preservation

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**ISSUE:**

Should Horry County change the name of the Board of Architectural Review and Historic Preservation and adopt procedures for establishing historic districts?

**PROPOSED ACTION:**

Amend Chapter 2, Article VI, Division 1, Section 2-73, b, 1 of the General Code and Article V, Section 536, Article VII, Section 750, and Article XVII of the Horry County Zoning Ordinance.

**RECOMMENDATION**

Planning Commission, the Board of Architectural Review and Historic Preservation, and Staff recommend approval.

**BACKGROUND:**

The original name for this Board was the Horry County Preservation Board. Later, the name was changed to the Board of Architectural Review and Historic Preservation, often referred to as the BAR. The Board of Architectural Review and Historic Preservation has conveyed that its name does not accurately reflect their purpose, which is primarily historic preservation with architectural review serving as a component of the preservation process. In addition, Article XVII provides the Board with the authority to create Historic Districts but does not provide guidelines on how to establish them. In addition, Article VI in the general code and Articles V and VII in the zoning code have references to the Board that need to reflect the name change.

**ANALYSIS:**

The Planning Commission and the Board of Architectural Review and Historic Preservation have voted to change the name of the Board to the Historic Preservation Commission, as reflected in the proposed ordinances. In addition to the name change, Article XVII has been updated to clarify how to establish historic districts and public hearing advertising requirements for properties being considered for the local historic property register.

COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

ORDINANCE 67-2020

**AN ORDINANCE APPROVING THE ABANDONMENT, CONVEYANCE, AND REMOVAL FROM THE COUNTY'S DRAINAGE SYSTEM OF A PORTION OF A DITCH LOCATED ADJACENT TO SIMPSON CREEK DRIVE, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A QUIT-CLAIM DEED ON BEHALF OF HORRY COUNTY.**

**WHEREAS**, Horry County Council is empowered by Section 4-9-30(2) of the South Carolina Code of Laws "to lease, sell or otherwise dispose of real...property", and by Section 4-9-30(14) to enact ordinances for the implementation and exercise of that power; and

**WHEREAS**, Patricia Coderre-Guyette and Brett D Bernardo are the sole owners of real property burdened by a drainage easement; and

**WHEREAS**, Patricia Coderre-Guyette and Brett D Bernardo have relocated the ditch and have conveyed a drainage easement to the County containing the relocated ditch; and

**WHEREAS**, the existing easement, as recoded in the Horry County Register of Deeds in Book 3246 at Page 1753, does not provide a material benefit to the public and removing it from the County's drainage system will not impair or in any way adversely impact the drainage adjacent to Simpson Creek Drive.

**NOW, THEREFORE**, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

**1. APPROVAL AND AUTHORIZATION.** Horry County Council hereby approves the abandonment and conveyance of that unused drainage easement adjacent to Simpson Creek Drive and that runs through the parcel identified by current Horry County TMS Nos. 073-00-01-023, authorizes the County Administrator to execute a quit-claim deed to the property owner(s) on behalf of the County.

**2. SEVERABILITY.** If any Section, Sub-section, or part of this Ordinance shall be deemed or found to be unconstitutional or otherwise invalid, or in conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section, or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect and not be effected thereby.

**3. CONFLICT WITH PRECEDING ORDINANCES.** If a Section, Sub-section, or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section, or part of a preceding Ordinance of Horry County, unless expressly so providing, then the preceding Section, Sub-section, or part shall be deemed repealed and no longer in effect.

**4. EFFECTIVE DATE.** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED.**

Dated, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

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Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020  
Second Reading: August 18, 2020  
Third Reading:

Infrastructure & Regulation Committee  
Decision Memorandum  
Horry County, South Carolina

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Date: June 18, 2020  
From: Thomas Roth  
Division: Infrastructure & Regulation  
Prepared By: Thomas Roth  
Cleared By: David Gilreath, P.E., Assistant County Administrator

**ISSUE**

Issuance of a Quit-Claim Deed for a drainage easement on Tax Map Parcel# 073-00-01-357 located on Simpson Creek Dr.

**BACKGROUND**

In an effort to improve the drainage on Simpson Creek Drive an easement was obtained from the original property owner. The property was sold and the adjacent lot was combined creating an easement in the middle of the newly formed lot. The current property owners have moved the outfall ditch to the new property line to ensure there is an outfall for the road and are giving the County an easement on this ditch.

**PROPOSED ACTION**

Horry County Council adopt the attached proposed Ordinance allowing the abandonment and conveyance of the unused drainage easement and authorize the County Administrator to execute a quit claim deed on behalf of Horry County.

**RECOMMENDATION**

Staff recommends approval.



Signed, Sealed and Delivered  
in the presence of:

\_\_\_\_\_  
1st witness signs

\_\_\_\_\_  
Notary as 2<sup>nd</sup> witness signs

Horry County, a Body Politic

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF SOUTH CAROLINA )

)

**PROBATE**

COUNTY OF HORRY )

PERSONALLY appeared before me the undersigned witness who, on oath, says that (s)he saw the within-named **Grantor** by \_\_\_\_\_, **its** \_\_\_\_\_ sign the within Quit-Claim Deed and as Grantor's act and deed, deliver the same, and that (s)he with the other witness witnessed the execution thereof.

\_\_\_\_\_  
(1<sup>st</sup> witness signs again)

Sworn to before me this  
\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF Horry )

**AFFIDAVIT FOR TAXABLE OR  
EXEMPT TRANSFERS**

**PERSONALLY** appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property being transferred is located at Hickory Hill Circle, Conway Township, and was transferred by Horry County, A Body Politic to Emma Lou Johnson on \_\_\_\_\_, 2016.
3. Check one of the following: The deed is
  - (a) \_\_\_\_\_ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money=s worth.
  - (b) \_\_\_\_\_ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
  - (c)   X   exempt from the deed recording fee because (See Information section of affidavit: Exemption #1. (If exempt, please skip items 4 - 7 and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes \_\_\_\_\_ or No \_\_\_\_\_

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit.):
  - (a) \_\_\_\_\_ The fee is computed on the consideration paid or to be paid in money or money=s worth in the amount of \_\_\_\_\_.
  - (b) \_\_\_\_\_ The fee is computed on the fair market value of the realty which is \_\_\_\_\_.
  - (c) \_\_\_\_\_ The fee is computed on the fair market value of the realty as established for property tax purposes which is \_\_\_\_\_.
5. Check Yes \_\_\_\_ or No \_\_\_\_ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If AYes,@ the amount of the outstanding balance of this lien or encumbrance is: \_\_\_\_\_.
6. The deed recording fee is computed as follows:
  - (a) Place the amount listed in item 4 above here:
  - (b) Place the amount listed in item 5 above here:  
(If no amount is listed, place zero here.)
  - (c) Subtract Line 6(b) from Line 6(a) and place result here:
7. The deed recording fee due is based on the amount listed on Line 6 (c) above and the deed recording fee due is:

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: **Grantor**.

9. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

HORRY COUNTY, A BODY POLITIC

SWORN to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020.

By: \_\_\_\_\_

Its: Administrator

\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_

### **INFORMATION**

Except as provided in this paragraph, the term *Avalue@* means *Athe consideration paid or to be paid in money or money=s worth for the realty.=* Consideration paid or to be paid in money=s worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money=s worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, *Avalue@* means the realty=s fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

#### Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitute a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust in order to become, or as, a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary provided no consideration is paid for the transfer other than a reduction in the grantee=s interest in the partnership or trust. A *Afamily partnership@* is a partnership whose partners are all members of the same family. A *Afamily trust@* is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. *AFamily@* means the grantor and the grantor=s spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any the above. A *Acharitable entity@* means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership; and,
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed;
- (13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed pursuant to foreclosure proceedings;
- (14) transferring realty from an agent to the agent=s principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty;
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.

COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

ORDINANCE 69-2020

**AN ORDINANCE APPROVING AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE MODIFICATION NUMBER ONE TO THE LEASE AGREEMENT WITH ALLEN AVIATION, INC. FOR USE OF AN AVIATION FUEL STORAGE TANK AT CONWAY-HORRY COUNTY AIRPORT.**

**WHEREAS**, Horry County Council is empowered by section 4-9-30(2) of the South Carolina Code of Laws "to lease, sell, or otherwise dispose of real and personal property", and by Section 4-9-30(14) to enact ordinances for the implementation and exercise of that power; and

**WHEREAS**, Allen Aviation, Inc. has requested that the County lease to it an aviation fuel storage tank, located at the Conway-Horry County Airport; and

**WHEREAS**, County Council is of the opinion that such an arrangement is consistent with the value and use of the property, and will benefit the County by providing a beneficial use of the subject property.

**NOW, THEREFORE**, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, the following hereby is ordained and enacted:

**1. AUTHORIZATION.** The Horry County Administrator, for and on behalf of Horry County and its Department of Airports, is hereby authorized and directed to engage in negotiations with Allen Aviation, Inc. in the best interest of the County, and execute Modification Number One to the existing Lease Agreement, substantially similar to the attached hereto and incorporated herein by reference.

**2. SEVERABILITY.** If any Section, Subsection, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.

**3. CONFLICT WITH PRECEDING ORDINANCES.** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, unless expressly so providing, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.

**4. EFFECTIVE DATE.** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020  
Second Reading: August 18, 2020  
Third Reading:

MEMO

FROM: DEPARTMENT OF AIRPORTS  
TO: TRANSPORTATION/ECONOMIC DEVELOPMENT COMMITTEE  
DATE: June 30, 2020  
SUBJECT: MODIFICATION TO EXISTING LEASE AGREEMENT – ALLEN AVIATION, INC.

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ISSUE

Consideration of the proposed modification to the Lease Agreement (“Agreement”) between Horry County and Allen Aviation, Inc. (“Allen Aviation”) for the right to incorporate an existing above ground aviation fuel storage tank (“fuel tank”) at Conway-Horry County Airport (“HYW”).

DISCUSSION

The subject fuel tank was previously leased by Air Methods Corporation, but returned to the County in January 2020. The fuel tank has a capacity of 10,000 gallons and is over 20 years old.

Allen Aviation is requesting a modification to their existing Agreement to include the fuel storage tank for the storage and dispensing of Jet-A aviation fuel, solely in connection with their business operations. Allen Aviation will pay the County an annual rent in the amount of \$2,700.00 and will be solely responsible for all non-structural maintenance and repairs of the fuel \ tank.

Horry County Department of Airports (“HCDA”) has prepared the proposed modification to the Agreement and feels that the terms proffered are consistent with the value and use of airport property, will not conflict with other operations at HYW, and will benefit the County by providing a beneficial use of the subject premises and revenue therefrom.

RECOMMENDATION

HCDA staff recommends that the Transportation/Economic Development Committee approve the modification of the existing Agreement with Allen Aviation, Inc., substantially similar to the one attached.

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**AN ORDINANCE AMENDING SEC. 5-22 OF CHAPTER 5 (BEACHES), HORRY COUNTY CODE OF ORDINANCES, SO AS TO PROVIDE FOR STANDARDS FOR THE INFANT CABANA EXCEPTION TO THE PROHIBITION OF TENTS ALONG THE BEACHES IN UNINCORPORATED HORRY COUNTY**

**WHEREAS**, on May 17, 2011, County Council enacted Ordinance 27-11 providing for the regulation of activities on the beaches located within the unincorporated area of Horry County; and

**WHEREAS**, Ordinance 27-11 has been codified and appears as Chapter 5 of the Horry County Code of Ordinances; and

**WHEREAS**, Section 5-22(c) of Chapter 5 addresses the use and location of shading devices such as umbrellas and tents; and

**WHEREAS**, on April 15, 2014, Council enacted Ordinance 19-14, providing specifically for regulation of tents along the beaches in the unincorporated area of the County; and

**WHEREAS**, on March 17, 2015, Council enacted Ordinance 10-15, providing, among other things, for an exception to the prohibition of tents and similar devices along the beach: "small pop up or blow up cabanas for infants and very small children"; and

**WHEREAS**, Council believes that it has become necessary to further define "small pop up or blow up cabanas" so that such regulation is clear and is applied uniformly.

**NOW, THEREFORE**, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, the following hereby is ordained and enacted:

**1. CODE AMENDMENT.** Subsection (c) of Section 5-22 of Chapter 5, Horry County Code of Ordinances, is hereby modified as follows (words crossed through indicate deletions, words underlined indicate additions):

(c) *Shading devices.* Shading devices, other than circular umbrellas with a circular shade no greater than seven feet six inches (7'6") in diameter, shall not be allowed on the beach. This includes, but is not limited to, tents, tarps, cabanas, pavilions, sports-brellas, or similar devices, or any material mounted on supports, but does not include small pop up or blow up cabanas for infants and very small children. Small pop up or blow up cabanas may not be larger than four feet (4') wide, three feet (3') deep, and three feet (3') high. An umbrella is defined as a collapsible circular shade consisting of a natural or synthetic fabric shade stretched over hinged ribs radiating from a central pole without grounding lines or ropes. All shading devices are prohibited from being tied, bound, joined, or connected in any manner, but otherwise shall be secured in such fashion to restrict uncontrolled movement of the device.

Tents or tent like structures may be permitted on the beach as part of weddings or other organized events; provided, however, that such activities are subject to the special event permitting provisions of section 13-34, article III, chapter 13 of the Horry County Code of Ordinances. Consideration of fee waiver or reduction may be given for wedding events, under section 13-34(l).

**2. SEVERABILITY.** If any Section, Subsection, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.

**3. CONFLICT WITH PRECEDING ORDINANCES.** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, unless expressly so providing, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.

**4. EFFECTIVE DATE.** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_ day of \_\_, 2020.

**HORRY COUNTY COUNCIL**

---

Johnny Gardner, Chairman

Harold G. Worley, District 1  
Bill Howard, District 2  
Dennis DiSabato, District 3  
Gary Loftus, District 4  
Tyler Servant, District 5  
Cam Crawford, District 6

Orton Bellamy, District 7  
Johnny Vaught, District 8  
W. Paul Prince, District 9  
Danny Hardee, District 10  
Al Allen, District 11

Attest:

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Patricia S. Hartley, Clerk to Council

First Reading: July 14, 2020  
Second Reading: August 18, 2020  
Third Reading:

COUNTY OF HORRY

)  
)  
)

Ordinance 76-2020

STATE OF SOUTH CAROLINA

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 45703030020 FROM RESIDENTIAL (MSF10) TO MANUFACTURED AGRICULTURAL RANCHETTES (AG7)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Residential (MSF10) to Manufactured Agricultural Ranchettes (AG7) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:**  
Parcel(s) of land identified by PIN 45703030020 and currently zoned Residential (MSF10) is herewith rezoned to Manufactured Agricultural Ranchettes (AG7).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Orton Bellamy, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading:  
Second Reading  
Third Reading:

Rezoning Review Sheet



**PROPERTY INFORMATION**

<b>Applicant</b>	Kevin L Hackett (Energov # 049734)	<b>Rezoning Request #</b>	2020-07-010
<b>PIN #</b>	45703030020	<b>County Council District #</b>	4 - Loftus
<b>Site Location</b>	Circle Ln in Myrtle Beach	<b>Staff Recommendation</b>	Disapproval
<b>Property Owner Contact</b>	Kevin L Hackett	<b>PC Recommendation</b>	Disapproval 8:1
		<b>Size (in acres) of Request</b>	3

**ZONING DISTRICTS**

<b>Current Zoning</b>	MSF10
<b>Proposed Zoning</b>	AG7
<b>Proposed Use</b>	Allow for horse with existing residence

**LOCATION INFORMATION**

<b>Flood and Wetland Information</b> (proposed FEMA maps)	X
<b>Public Health &amp; Safety</b> (EMS/fire) in miles	2.5
<b>Utilities</b>	Septic
<b>Character of the Area</b>	Residential

**ADJACENT PROPERTIES**

MSF10	MSF10	CFA
MSF10	<b>Subject Property</b>	CFA
MSF10	MSF10	MSF10

**COMMENTS**

<b>Comprehensive Plan District:</b> Suburban/Scenic & Conservation	<b>Overlay/Area Plan:</b> Burgess Community Area Plan
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**Discussion:** The applicant is requesting to rezone an existing residential property to allow for a horse. Currently the 3 acre parcel is zoned for 10,000 square foot lots and the long narrow shape of the lot will likely limit further development. Access to Hwy 707 from the subject parcel is along Circle Lane which is an unpaved local road. A majority of the parcel remains as forested wetland with a home and associated structures already built upon the upland portion of the property. The Manufactured Agricultural Ranchettes District (AG7) allows for personal farming and the care for animals like horses. Several conditions will apply if a horse is kept on the property including a minimum lot size of 1.5 acres and setbacks for animal related facilities to minimize impacts on surrounding parcels. The subject parcel is located within the radius of an identified Neighborhood Activity Center and the property is designated for future land use as partially suburban and Scenic & Conservation.

**Public Comment:** 8/7/2020 Bob Zigler, Kevin Knox, Darlene Dukes, & Cephus Deas spoke in opposition to the request. Their concerns were land value, odor, disruption to area, ability to sell their property, and safety. Kevin Hackett was present to address questions and concerns

**TRANSPORTATION INFORMATION**

<b>Daily Trips based on existing use / Max Daily Trips based on current zoning</b>	8 / 96	<b>Existing Road Conditions</b>	County, Unpaved
<b>Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)</b>	16 / 16	<b>Rd, Station, Traffic AADT (2019) % Road Capacity</b>	SC 707, Station (247) 23,800 AADT 65-70%
<b>Proposed Improvements</b>			

**DIMENSIONAL STANDARDS**

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	AG7 Res / Stables, shelters, manure piles, pits or bins	MSF10	MSF10	CFA res/comm		
<b>Min. Lot Size (in square feet)</b>	1.5 ac	10,000	10,000	21,780 / 43,560		
<b>Front Setback (in feet)</b>	25 / 60	25	25	25 / 60		
<b>Side Setback (in feet)</b>	10 / 25	10	10	10 / 25		
<b>Corner Side Setback (in feet)</b>	15 / 37.5	15	15	15 / 37.5		
<b>Rear Setback (in feet)</b>	15 / 40	15	15	15 / 40		
<b>Bldg. Height (in feet)</b>	35	35	35	35		

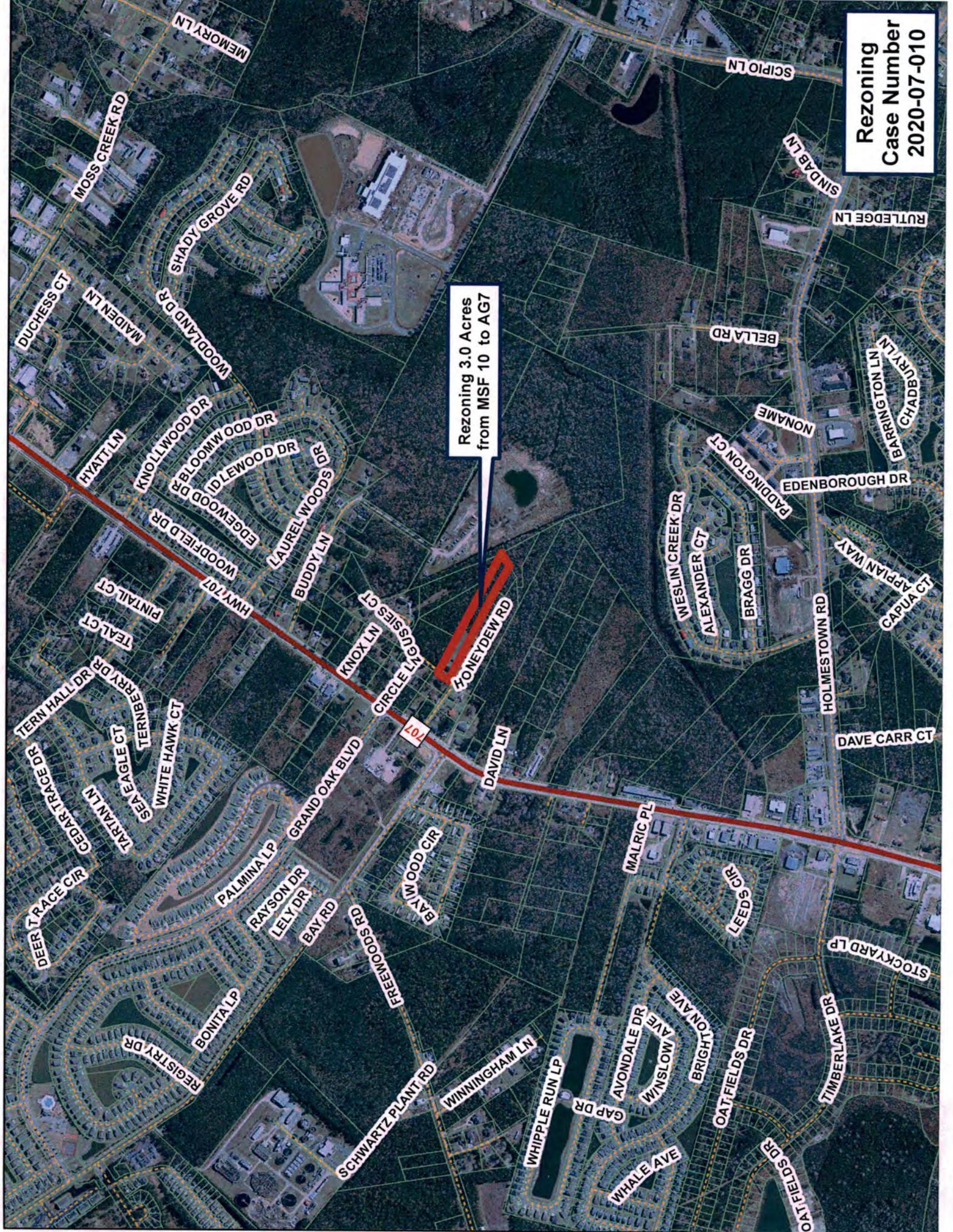
**Setback Comments:**

Date Advertised: 7/16/2020    Date Posted: 7/16/2020    # Property Owners Notified: 35    Date Notification Mailed: 7/16/2020    Report Date: 7/16/2020    BY: DJ



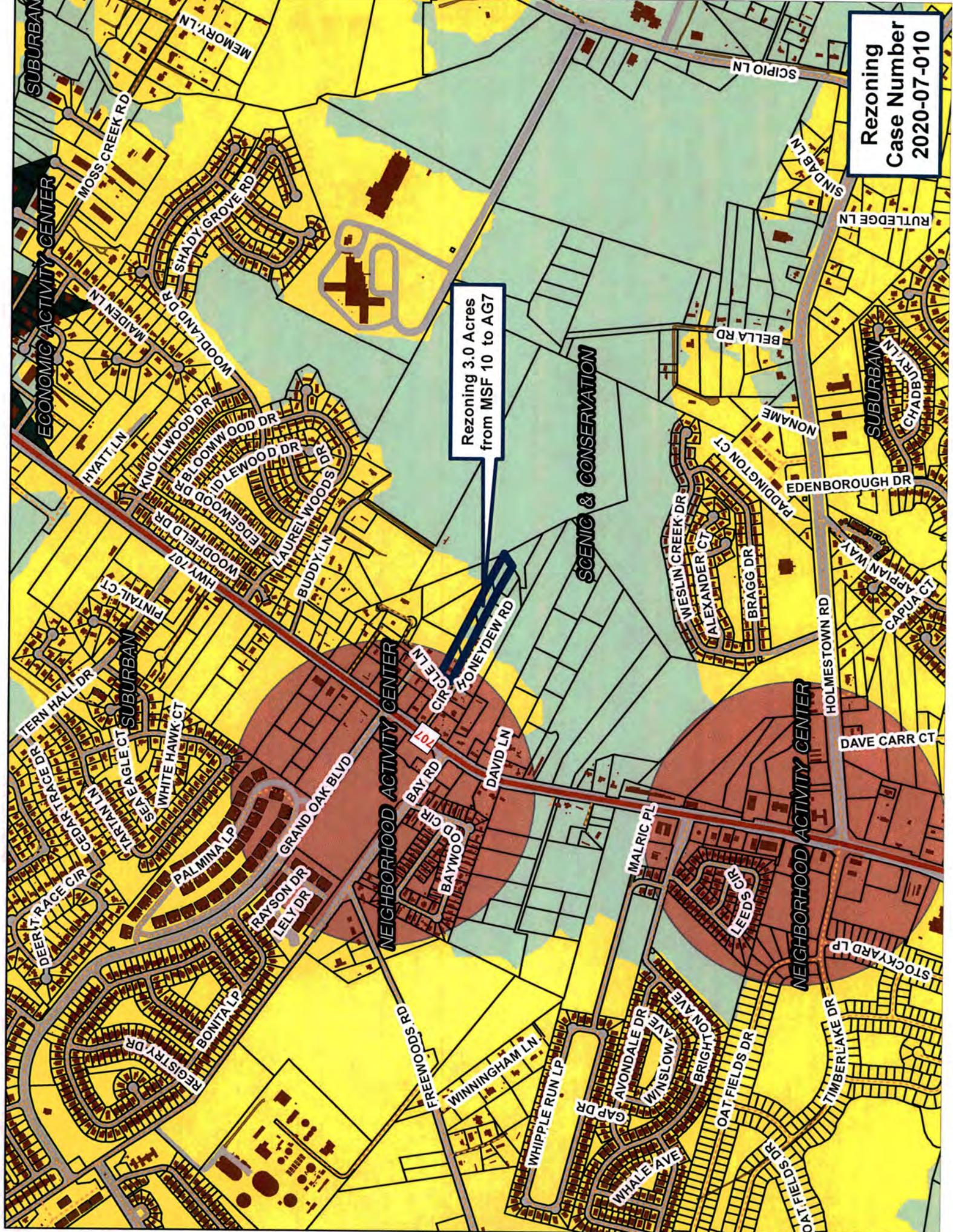
Rezoning  
Case Number  
2020-07-010

Rezoning 3.0 Acres  
from MSF 10 to AG7



Rezoning  
Case Number  
2020-07-010

Rezoning 3.0 Acres  
from MSF 10 to AG7



COUNTY OF HORRY )

STATE OF SOUTH CAROLINA )

Ordinance 77-2020

**AN ORDINANCE TO APPROVE THE REQUEST TO AMEND THE OFFICIAL ZONING MAPS FOR HORRY COUNTY, SOUTH CAROLINA, SO AS TO REZONE PIN 40016010034 FROM RESIDENTIAL (MSF10) TO MANUFACTURED AGRICULTURAL RANCHETTES (AG7)**

**WHEREAS**, Ordinance Number 1-87 authorizes Horry County Council to periodically amend the Official Zoning Maps for Horry County; and,

**WHEREAS**, a request has been filed to amend the maps for the above mentioned parcel of land; and,

**WHEREAS**, Horry County Council finds that the present zoning is not appropriate for the above mentioned parcel(s) of land; and,

**WHEREAS**, Horry County Council finds that the request to rezone the property from Residential (MSF10) to Manufactured Agricultural Ranchettes (AG7) is in compliance with the Comprehensive Plan and the good of the public welfare and is a reasonable request:

**NOW THEREFORE** by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- 1) **Amendment of Official Zoning Maps of Horry County:** Parcel(s) of land identified by PIN 40016010034 and currently zoned Residential (MSF10) is herewith rezoned to Manufactured Agricultural Ranchettes (AG7).
- 2) **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
- 3) **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.
- 4) **Effective Date:** This Ordinance shall become effective on Third Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**HORRY COUNTY COUNCIL**

\_\_\_\_\_  
Johnny Gardner, Chairman

Harold G. Worley, District 1	Bill Howard, District 2
Dennis DiSabato, District 3	Gary Loftus, District 4
Tyler Servant, District 5	Cam Crawford, District 6
Orton Bellamy, District 7	Johnny Vaught, District 8
W. Paul Prince, District 9	Danny Hardee, District 10
Al Allen, District 11	

Attest:

\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

First Reading:  
Second Reading:  
Third Reading:

Rezoning Review Sheet



**PROPERTY INFORMATION**

<b>Applicant</b>	Jerry Peirone (Energov # 049563)	<b>Rezoning Request #</b>	2020-07-002
<b>PIN #</b>	40016010034	<b>County Council District #</b>	8 - Vaught
<b>Site Location</b>	Woodwinds Dr in Conway	<b>Staff Recommendation</b>	Disapproval
<b>Property Owner Contact</b>	Jerry and Robert Peirone	<b>PC Recommendation</b>	Unanimous Disapproval
		<b>Size (in acres) of Request</b>	1.71

**ZONING DISTRICTS**

<b>Current Zoning</b>	MSF10
<b>Proposed Zoning</b>	AG7
<b>Proposed Use</b>	To allow chickens and goats

**LOCATION INFORMATION**

<b>Flood and Wetland Information</b> (proposed FEMA maps)	X	SF10	SF10	SF10
<b>Public Health &amp; Safety</b> (EMS/fire) in miles	4.32	MSF10	Subject Property	MSF10
<b>Utilities</b>	Public	MSF10	MSF10	MSF10
<b>Character of the Area</b>	Residential			

**ADJACENT PROPERTIES**

**COMMENTS**

<b>Comprehensive Plan District:</b> Suburban	<b>Overlay/Area Plan:</b>
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**Discussion:** The applicant is requesting to rezone from Residential (MSF10) to Manufactured Agricultural Ranchettes (AG7) to clear a current violation on this property regarding chickens and goats. The current residential zoning does not allow for the raising and handling of animals, the rezoning would allow the property owner to come into compliance. The parcel is located within the Woodwinds subdivision. The property is surrounded by residential zoning districts, there are no parcels zoned for the raising and handling of animals in the near vicinity. Multiple unpermitted structures and additions are known on site and an unpermitted business being run from the home.

If approved, the rezoning would create a legal non-conforming manufactured home.

**Public Comment:** 8/6/2020 James Smith, John Patterson, Carl Lindner, and Vicky Warren spoke in opposition to the request. Their concerns were that a business is run from home, large trucks in and out, foul animal odor, messy yard, large wooden spools on property, chickens and goats get out and go everywhere. Jerry Peirone was present to address questions and concerns.

**TRANSPORTATION INFORMATION**

<b>Daily Trips based on existing use / Max Daily Trips based on current zoning</b>	8 / 8	<b>Existing Road Conditions</b>	County, Paved, Two-lane
<b>Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)</b>	8 / 8	<b>Rd, Station, Traffic AADT (2019) % Road Capacity</b>	SC 544, Station (241) 35,000 AADT 95-100%
<b>Proposed Improvements</b>			

**DIMENSIONAL STANDARDS**

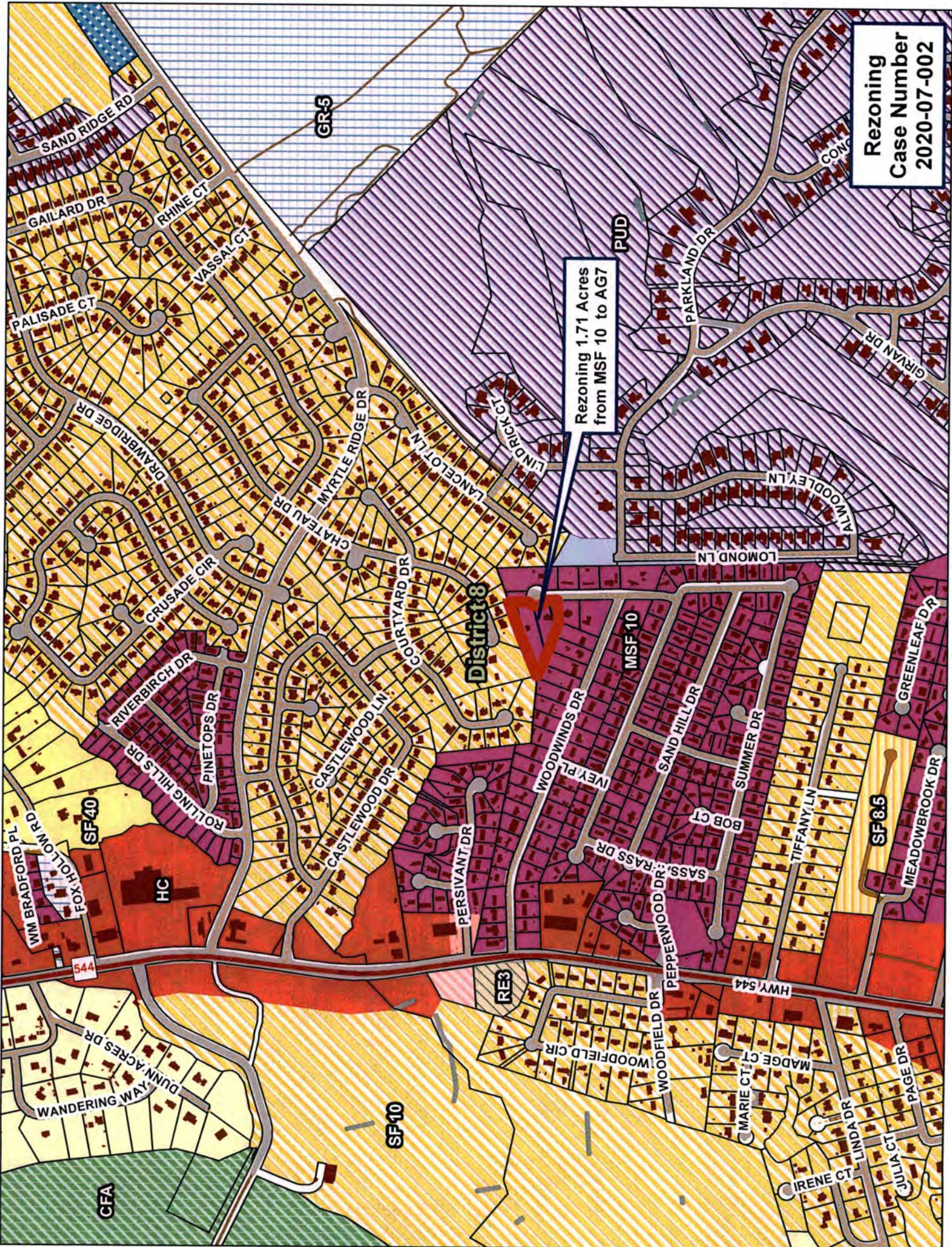
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
 AG7 Res / Stables, shelters, manure piles, pits or bins		MSF10	MSF10	SF10		
<b>Min. Lot Size (in square feet)</b>	1.5 ac	10,000	10,000	10,000		
<b>Front Setback (in feet)</b>	25 / 60	25	25	25		
<b>Side Setback (in feet)</b>	10 / 25	10	10	10		
<b>Corner Side Setback (in feet)</b>	15 / 37.5	15	15	15		
<b>Rear Setback (in feet)</b>	15 / 40	15	15	15		
<b>Bldg. Height (in feet)</b>	35	35	35	35		

**Setback Comments:**

Date Advertised: 7/16/2020 Date Posted: 7/16/2020 # Property Owners Notified: 82 Date Notification Mailed: 7/16/2020 Report Date: 7/16/2020 BY: DJ

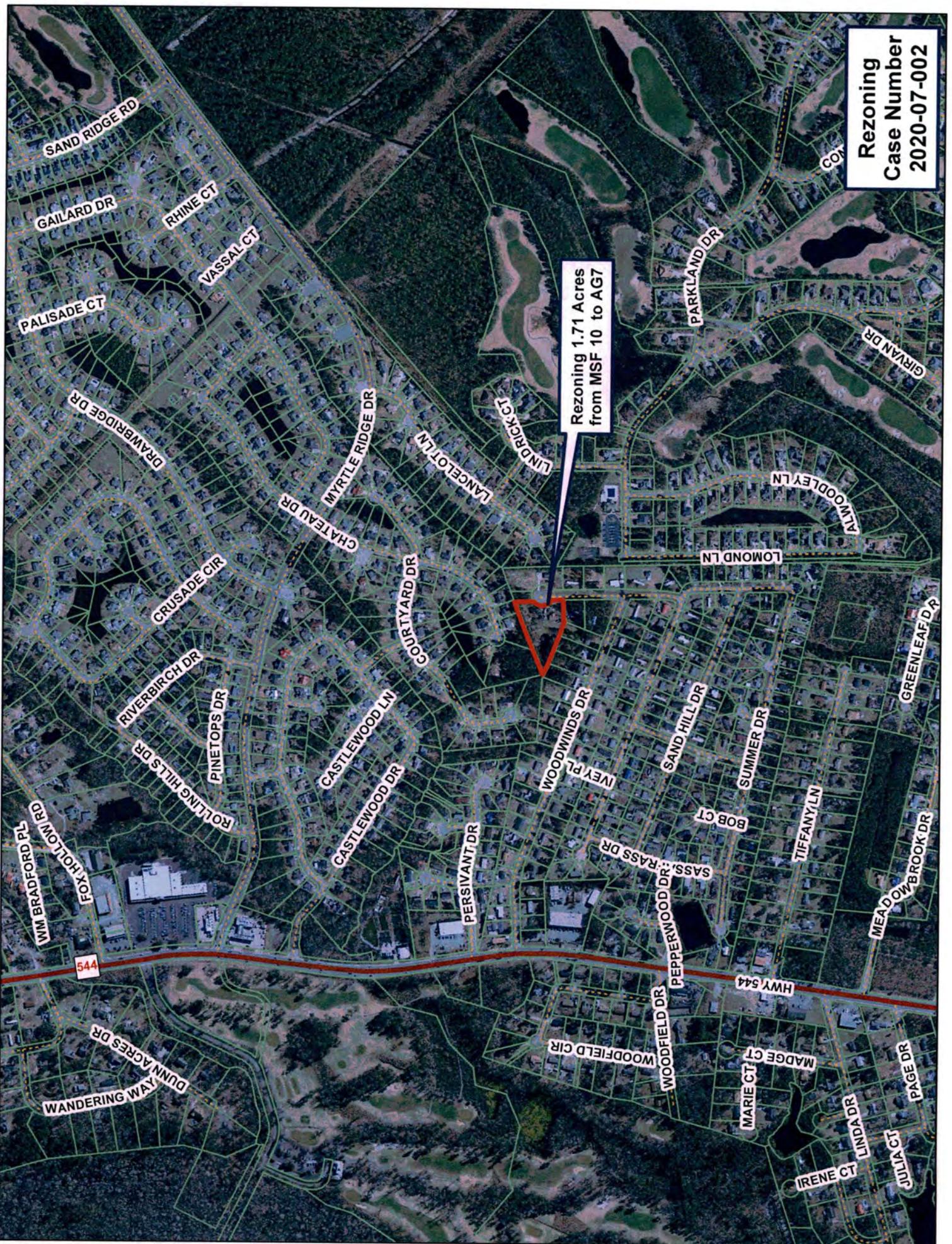
Rezoning  
Case Number  
2020-07-002

Rezoning 1.71 Acres  
from MSF 10 to AG7



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