



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 September 1 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, September 1, 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. You can also provide written comments to be provided to each Council member at the same email, 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 September 1 include (rezonings):

Ord 78-2020 Sembler Florida Inc, agent for Landbank LLC

Ord 79-2020 G3 Engineering, agent for Lynell Thompson Builders LLC

Ord 80-2020 W. Paul Prince

Ord 81-2020 Impact Consulting/Lacy Cannon, agent for John Terry Hucks

Ord 82-2020 Venture Engineering, agent for Canebrake Plantation LLC

Ord 83-2020 Rosemary Chestnut & Linda Jackson

Ord 84-2020 Antiock Farms LLC, agent for McNabb Shortcut LLC

Regular Council Meeting
September 1, 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. Loftus |
| C. Pledge of Allegiance | Mr. Bellamy |
| D. Public Input (Suspended until further notice) | |
| E. Approval of Agenda Contents | |
| F. Approval of Minutes: Regular Meeting, August 18, 2020 | |
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G. CONSENT AGENDA

1. Third Reading – **Ordinance 61-2020** to establish procedures for the Comprehensive Plan adoption & amendment process within Chapter 15 of the County Code. (Favorable, I&R Comm)
2. Third Reading – **Ordinance 62-2020** to amend the County Code pertaining to zoning amendments. (Favorable, I&R Comm)
3. Third Reading – **Ordinance 63-2020** to amend the County Code pertaining to campers and recreation vehicle used as temporary living accommodations. (Favorable, I&R Comm)
4. Third Reading – **Ordinance 64-2020** to amend the County Code pertaining to High Bulk Retail and Open Yard Storage. (Favorable, I&R Comm)
5. Third 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. (Favorable, I&R Comm)
6. Third Reading - **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)
7. Third 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. (Favorable, I&R Comm)
8. Third 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. (Favorable, Transportation Comm)
9. Third 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. (Favorable, Public Safety Comm)
10. Third Reading - **Ordinance 71-2020** to approve the request of Keane McLaughlin, agent for Shark Investments LLC, to amend the official zoning maps. (Mr. Vaught)
11. First Reading – **Ordinance 86-2020** to add certain properties to the Horry County Historic Property Register as individual historic properties. (Favorable, I&R Comm)
12. **Emergency Ordinance 85-2020**: An Emergency Ordinance declaring that a localized State of Emergency continues to exist within Horry County, authorizing the appropriate action to be taken in connection therewith, and continuing the requirement that appropriate face coverings be worn under certain circumstances. (Mr. Carotti)
13. Resolutions accepting dedication of the roads & drainage into the county road system at the following locations: (Favorable, I&R Comm)
 - R-98-2020** The Parks at Carolina Forest Phase 1
 - R-99-2020** The Parks at Carolina Forest Phase 2
 - R-100-2020** Baron's Bluff Phase 2A
 - R-101-2020** Baron's Bluff Phase 2B
 - R-102-2020** Hidden Brooke Phase 3
14. **Resolution R-103-2020** to adopt the bylaws for the Horry County Historic Preservation Commission. (Favorable, I&R Comm)
15. **Resolution R-104-2020** authorizing the administrator to submit amendments to the US Dept of HUD 2019-2020 Annual Action Plan to allocate supplemental funds toward Emergency Solutions Grant Covid-19. (Favorable, Administration Comm)

16. Resolutions allocating community benefit funds: (Favorable, Administration Comm)
- CBF 25-2020** \$3,000 to Finklea High & Loris Training Schools Alumni Assn (Mr. Hardee)
 - CBF 26-2020** \$7,000 to Sonshine Recovery Ministries (Messrs. Howard, DiSabato, Loftus, Crawford, Bellamy, Vaught, Hardee)
 - CBF 27-2020** \$5,000 to American Legion Post 40 (Mr. Crawford)
 - CBF-28-2020** \$1,000 to Caleb's Dragonfly Dreams (Mr. Crawford)
 - CBF 29-2020** \$2,500 to Phoenix Renaissance (Mr. DiSabato)
 - CBF 30-2020** \$1,000 to Student Angler League Tournament Trail (Messrs. Loftus & Allen)
17. Board Appointments: Katherine Fuller to the Board of Architectural Review (staff recommendation); Hunter Platt to the Planning Commission (Mr. Worley)

H. PRESENTATIONS / RESOLUTIONS:

18. **Resolution R-105-2020** recognizing the service of Corporal Michael Ambrosino and memorializing his life as a First Responder.
19. Announcement of Award – Distinguished Budget Presentation Award for the fiscal year beginning July 1, 2019 (31st consecutive year, 1990-2020)
20. Announcement of Award – Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ended June 30, 2019 (33rd consecutive year, 1987-2020)

I. READING OF ORDINANCES

21. Second Reading and Public Hearing 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)

J. OLD/NEW BUSINESS:

22. Discussion of Solar Farm projects. (Mr. Jordan; Transportation/Econ Dev and Administration Committees)
23. **Vote** directing the administrator to move forward with the proposed Solar Farm projects.

K. MEMORIAL DEDICATIONS: Corporal Michael Ambrosino

L. UPCOMING MEETINGS – Dates/times subject to change:

<u>Council Meetings</u>	<u>I&R</u>	<u>Public Safety</u>	<u>Administration</u>	<u>Transportation/</u>	<u>Workshop on</u>
	<u>Committee</u>	<u>Committee</u>	<u>Committee</u>	<u>EDC Committee</u>	<u>Mining Ordinance</u>
Sept 1 & 15, 6pm	Sept 22, 9am	Sept 8, 9am	Sept 22, 2pm	Sept 10, 2pm	Sept 29, 2pm

M. EXECUTIVE SESSION: (if necessary)

ADJOURN

MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
County Council Chambers
August 18, 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 Cam Crawford.

MEMBERS ABSENT: Paul Prince.

OTHERS PRESENT: 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.

INVOCATION: Mr. DiSabato gave the invocation.

PLEDGE: Mr. Vaught led in the pledge.

PUBLIC INPUT: None.

APPROVAL OF AGENDA CONTENTS: Mr. Vaught moved to approve agenda contents, seconded by Mr. Howard. Mr. Loftus requested to defer Ordinance 70-2020 until the September 15th meeting. The motion was unanimously passed.

APPROVAL OF MINUTES: Emergency Meeting July 3, 2020, Regular Meeting, July 14, 2020, Emergency Meeting July 31, 2020, and Special Meeting August 12, 2020: Chairman Gardner asked if there were any corrections that needed to be made. Hearing none, the minutes were approved.

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

Third Reading on the following Ordinances to approve the request to amend the official zoning maps: Ord 57-2020 Beach Flowers Inc; Ord 58-2020 Darrell & Sandra Avery; Ord 59-2020 DDC Engineers, agent for D.J. Caravan; and Ord 60-2020 Colby Jenerette, agent for Beth Clarke.

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; Ord 79-2020 G3 Engineering, agent for Lynell Thompson Builders LLC; Ord 80-2020 W. Paul Prince; Ord 81-2020 Impact Consulting/Lacy Cannon, agent for John Terry Hucks; Ord 82-2020 Venture Engineering, agent for Canebrake Plantation LLC; Ord 83-2020 Rosemary Chestnut & Linda Jackson; and Ord 84-2020 Antiock Farms LLC, agent for McNabb Shortcut LLC.

Resolution R-76-2020 authorizing & directing the transfer of funds to increase the budget for historical document imaging, HVAC modifications, and online sale technology.

Resolution R-77-2020 approving the FY Ending June 30, 2022 budget calendar.

Resolution R-78-2020 appropriating monies from the Thompson Estate bequest.

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)

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

R-79-2020 Heather Glen Phase 1A

R-80-2020 Heather Glen Phase 1B

R-81-2020 Portside Village Phase 2

R-82-2020 Beech Fork Drive Phase 2A

R-83-2020 Lakes at Plantation Pines Phase 5C

R-84-2020 Hidden Brook Phase 2A1

R-85-2020 Hidden Brook Phase 2A2

R-86-2020 Shadowbay Village Phase 1

R-87-2020 Berkshire Forest Block 5

Resolution R-88-2020 approving a fire service agreement between the county and Fair Bluff, NC.

Resolution R-89-2020 approving a fire service agreement between the county and Tabor City, NC

Resolution R-90-2020 proclaiming September 17-23 as Constitution Week in Horry County.

Resolution R-91-2020 approving the addition of roads to the Comprehensive Road Improvement Plan for District 9 for Year 23.

Resolution R-92-2020 approving the removal and replacement of several roads to the Comprehensive Road Improvement Plan for District 9.

Resolution R-93-2020 approving the addition of a road to the Comprehensive Road Improvement Plan for District 11 for Year 21.

Resolution R-94-2020 ending the State of Emergency declared pursuant to Emergency Ordinance 75-2020.

Resolution R-96-2020 authorizing & directing the transfer of funds to increase the budget for Police purchase of license plate recognition system.

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.

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

PRESENTATIONS / RESOLUTIONS:

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. Vaught moved to approve, seconded by Mr. Bellamy.** Mr. Bellamy thanked Council for recognizing Mr. Ivory Wilson and thanked him for his service. He stated he would be presenting the resolution directly to Mr. Wilson's family. **The motion was unanimously passed.**

READING OF ORDINANCES:

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

Ord 71-2020 Keane McLaughlin, agent for Shark Investments LLC. **Mr. Vaught moved to approve, seconded by Mr. Howard.**

Ms. Dee Trundy, via telephone, stated that she wanted to make a suggestion. She was a senior in the community and was looking for senior citizen low income housing just to make her voice known.

Public input was closed.

Mr. Vaught said he believed this would preclude him from getting any more excessive noise calls from Myrtle Beach Speedway so he was happy about that.

The motion was unanimously passed.

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

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

There was no public input for the above two ordinances. Mr. Vaught moved to approve the above two ordinances, seconded by Mr. Howard. The motion was unanimously passed.

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.

Second Reading and Public Hearing – **Ordinance 62-2020** to amend the County Code pertaining to zoning amendments.

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

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

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.

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.

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.

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.

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.

There was no public input for the above referenced nine ordinances. Mr. Bellamy moved to approve Ord 61-2020, Ord 63-2020, Ord 64-2020, Ord 65-2020, Ord 66-2020, Ord 67-2020, and Ord. 74-2020, seconded by Mr. Howard.

Mr. Hardee stated that he wanted to make a motion on Ordinance 62-2020.

Chairman Gardner stated he would come back to that. He skipped over that one. All these others had been worked through without objection and they would come back to...

Mr. Vaught said he had a comment on one of them that he would like to bring Mr. Schwerd up...

Chairman Gardner said to let him get on the table. They had one motion for all these ordinances as read into the record. Did they have a second and Mr. Howard seconded. He then opened the floor for discussion and gave Mr. Vaught a chance to speak.

Mr. Vaught asked Mr. Schwerd to come up and speak on Ordinance 65-2020.

Chairman Gardner stated that they would pull that one and come back to it. They were going to get one motion and vote on all the ones that were not contested. They would pull that one and pick it up separately. He asked if there was any other discussion on the ordinances read and there was none. Public hearing had already been closed because no one was present or called in to speak on it. They were closing public hearing on all the ordinances that were read into the record and discussion from Council was closed. One vote for all the ordinances. **Ord 61-2020, Ord 63-2020, Ord 64-2020, Ord 66-2020, Ord 67-2020 and Ord 74-2020 were unanimously passed.**

Going back to Second Reading and Public hearing of Ord 62-2020 to amend the County Code pertaining to zoning amendments. **Mr. Howard moved to approve, seconded by Mr. Hardee.**

Mr. DiSabato asked to make a motion to amend. Chairman Gardner stated that Mr. Hardee had already said a motion on that one and he told him he would come back to it. He would take him first and then he could go.

Mr. Hardee referred to page 193 and said they needed to change it to "may" instead of "shall". Mr. Allen seconded.

Chairman Gardner stated the motion was to change the language of this ordinance from "shall" to "may" and that was on page 193, paragraph 3, capital A, Declaration of Policy. As a matter of policy, a zoning amendment "may", instead of "shall only", be acted upon favorably.

Mr. DiSabato wanted to clarify it. He thought there was some additional language that should be added to that.

Chairman Gardner asked if he was making a motion to amend the motion to amend.

Mr. DiSabato said he was adding to the motion to clarify the language being used.

Chairman Gardner stated that was up to Mr. Hardee and asked if he would allow Mr. DiSabato to add something to that. Mr. Hardee's response was unclear but Chairman Gardner told Mr. DiSabato to go ahead. What was he going to add?

Mr. DiSabato said the 1501, Section A, Declaration of Policy, should be amended. The words, "shall only", should be stricken. The word "may" should replace "shall only", and then, "upon favorably upon consideration of the following items", should also be added to the end of that sentence before the semi-colon. That further clarifies Council's authority to make decisions about zoning amendments.

Chairman Gardner stated he didn't have a problem with it. He stated as amended and the amendment had been read into the record as "may" would be replaced and shall only upon consideration would be replacing acted upon. **The motion was unanimously approved.**

Mr. Carotti said what should have been done was that Mr. DiSabato's secondary amendment was that Mr. DiSabato's secondary amendment motion should have been voted on first and then Mr. Hardee's unless Mr. DiSabato withdraws it and Mr. Hardee incorporates Mr. DiSabato's amendment into his. Then you could have one vote.

Chairman Gardner said he thought they did that...

Mr. DiSabato said he thought that was what they were doing too, but sure. Mr. Carotti said as long as that was the intent it was in the record.

Chairman Gardner said okay. They were going to drive on then and said **Ord 62-2020 passed as amended.**

Next up was **Ord 65-2020** to amend the commercial forest/agriculture district of the county code pertaining to veterinary offices, animal hospitals and/or boarding facilities. They had a motion and a second for that earlier but just to keep the record straight could they get a motion for that. **Mr. Vaught so moved, seconded by Mr. Howard. Public hearing was already closed on that because nobody called in and nobody was present to discuss that so public hearing was closed.** They opened it up for discussion for Council and he stated that Mr. Vaught had a motion.

Mr. Vaught asked Mr. Schwerd to come up.

Mr. Worley asked if they hadn't already voted on that.

Chairman Gardner said they pulled it because he had a motion or discussion of something.

Mr. Vaught said they were talking about a minimum of a 3 acre site was required for outside facilities for grazing and exercise. Was there also a total 3 acres or were they talking about 6 acres or what.

Mr. Schwerd said no. The 3 acres was the total parcel site.

Mr. Vaught said they had just said right above it that you couldn't have any grazing outside, but then they said for outside facilities for grazing and exercising a minimum of 3 acres was required.

Mr. Schwerd said correct. There was actually on 703.1 (F) the section that said this shall prohibit the use of outside facilities for grazing and exercise was actually being deleted and struck through and replaced. Currently what happens was in CFA you could have a cow farm or horse farm and also in CFA you can have a veterinary office. Currently in CFA you can't have a veterinary office that has outside grazing for horses. This allowed veterinary offices, large animal vets basically, to have outside to operate. Currently large animal vets in CFA have to go to the sites. They can't have a place for the horses to come to them. So all they were doing was removing that provision that prohibits it and then saying if you were going to have outside grazing your total parcel size has to be 3 acres for commercial.

Mr. Vaught said that was what he wanted cleared up because it appeared to him when he first read it through this was that they were talking out of both sides of their mouth and were saying that they couldn't do it outside but then they said they could if they had at least 3 acres.

Mr. Schwerd said correct. They were deleting that currently there was a prohibition that said you couldn't do it at all. What they were doing was getting rid of the prohibition and saying if you are going to do it you have to have at least 3 acres.

Mr. Vaught said okay.

The motion was unanimously passed.

Mr. Allen asked to be shown as a recusal on Ord 69-2020 and left the room.

Chairman Gardner read **Ord 69-2020** as second reading and public hearing 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. **Mr. Vaught moved to approve, seconded by Mr. Howard.** No one had called in for public hearing and no one was present to participate

in public hearing. **Public hearing was closed. The motion was unanimously passed with Mr. Allen recusing himself.**

First Reading on the following Ordinances to approve the request to amend the official zoning maps:
Ord 76-2020 Kevin Hackett. **Mr. Loftus requested this be sent back to planning and zoning. There was no opposition and by acclimation it was sent back to planning and zoning.**

Ord 77-2020 Jerry Peirone. **Mr. Vaught moved to approve, seconded by Mr. Bellamy.**

Mr. Vaught said looking over the planning commission's report he found ample evidence for Council to vote against approving this ordinance. He wanted to let everyone know that was where he stood and he would appreciate everybody voting no against this ordinance.

Chairman Gardner called for any other discussion from Council and there was none. **He asked all in favor and hearing none stated that ordinance was shot down. That was the end of that one.**

OLD / NEW BUSINESS:

ANNOUNCEMENTS: None.

MEMORIAL DEDICATION: Lille Pearl Prince; Carl Shelly, Sr.; Charles Bagnal; Elder Johnson; Steve Kyzer; Will Garland; Guy Page, Jr.; Billy Jack Fowler; Irene Hardee; Paul Roscoe Hopkins; and Robby Lowman.

UPCOMING MEETINGS: Regular Council meetings – Sept 1 & 15, 6:00 p.m.; I & R Committee – August 25, 9 a.m.; Public Safety Committee – Sept 8, 9:00 a.m.; Transportation/Econ Dev Committee – Sept 10, 2:00 p.m.; and Administration Committee – August 25, 2:00 p.m.

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. Howard. The motion was unanimously passed. Mr. Vaught moved to exit executive session, seconded by Mr. Allen. 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 votes were taken and no decisions were made. It would be appropriate at that time for Council to entertain a motion, the first being to approve the bar structure proposal as discussed in executive session. **Mr. Bellamy so moved, seconded by Mr. DiSabato.**

Mr. Worley said he wanted the rest of the Council to understand he was not going to vote to give \$9 million, plus or minus, to the court system out of that fund when it plainly stated in there that that was not a use for it. If the legislature had intended it to be used that way they would have voted that way and put it in the statute so his vote would be no.

Chairman Gardner said the first motion was to approve the bar proposal as discussed in executive session.

Chairman Gardner asked if there was any further discussion on this. This was the vote that would be presented to the court for the court to...

Mr. Carotti said no.

Chairman Gardner said this was the one where it would go to the bar. Half goes to the bar. Mr. Bellamy stated he would like to change his vote.

A vote was held.

Yea

Nay

Servant
Loftus
DiSabato
Howard
Worley
Gardner
Allen
Hardee
Vaught
Bellamy
Crawford

Mr. Worley wanted to make sure that they understood that... Was this a yes vote for a no vote?

Mr. Carotti said no.

Chairman Gardner said yes means yes and no means no.

Mr. Carotti said no means you do not.

Chairman Gardner stated there were eleven votes for no.

Mr. Carotti said that motion having failed, the next motion would be for approval of the court structured proposal as discussed in executive session.

Mr. Vaught moved to approve, seconded by Mr. Allen.

Mr. Worley asked which was...

Mr. Carotti said the proposal where the court was involved.

Mr. DiSabato asked the proposal where Council makes their argument about the use of residual funds to the court and the city makes their own.

Mr. Worley asked Mr. Carotti to look into the camera and tell them what it was.

Mr. Carotti said since they were his client he would look at them. The county would argue its proposed structure of disposition of the funds and the city will argue its proposed structure for the disposition of the funds and the court will make the decision.

Chairman Gardner verified that everyone understood what this motion was about. There were no further questions or discussion.

A vote was held.

Yea

Servant
Loftus
DiSabato
Howard
Worley
Gardner
Allen
Hardee
Vaught
Bellamy
Crawford

Nay

The motion passed eleven to zero.

ADJOURNMENT: With no further business, Mr. Allen moved to adjourn at approximately 7:52 p.m., seconded by Mr. DiSabato. The motion was unanimously passed. The meeting was adjourned in memoriam of Lille Pearl Prince; Carl Shelly, Sr.; Charles Bagnal; Elder Johnson; Steve Kyzer; Will Garland; Guy Page, Jr.; Billy Jack Fowler; Irene Hardee; Paul Roscoe Hopkins; and Robby Lowman.

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 1st day of September, 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: September 1, 2020

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: Chapter 15 of Horry County Code of Ordinances

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:

- 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 ~~strike through~~ 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		
12. Traffic circulation for non-residential uses	If Applicable	X
13. Internal buffers between incompatible land uses with improvement specifications shall be shown as required by 721.3.B	If Applicable	X
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	X May be waived	X
15. Common or recreational open space areas with acreage as determined in Section 721.3.C. through F.	If Applicable	X
16. Location of floodplains per FEMA Flood Insurance Rate (FIRM) maps	X	X
17. Location of potential jurisdictional wetlands and spoilage areas	X	X
18. Phasing plan and completion schedule	X	X
19. Provision for recycling facility location and documentation for proposed collection of recyclables		X
20. Any additional information the Planning Commission may request	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.

**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.

~~I. 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';~~
 - ~~e. 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. Tract 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 may be acted upon favorably upon consideration of the following items:

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 ft² 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 1st day of September, 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: September 1, 2020

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 1st day of September, 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: September 1, 2020

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

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 ~~strike through~~ 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 1st day of September, 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: September 1, 2020

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

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 1st day of September, 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

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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: September 1, 2020

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

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 architectural 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 ~~strikethrough~~ 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 ~~strikethrough~~ 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 ~~C~~county 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 a 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~~ **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.**
2. ~~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.

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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.
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 - 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.
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Effective Date: This Ordinance shall become effective upon Third Reading.

AND IT IS SO ORDERED, ENACTED AND ORDAINED this 1st day of September, 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: September 1, 2020

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

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

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 1st day of September, 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: September 1, 2020

Infrastructure & Regulation Committee
Decision Memorandum
Horry County, South Carolina

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.

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 *value* means *the 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, *value* 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 *family partnership* is a partnership whose partners are all members of the same family. A *family 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. A *Family* 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 *charitable 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 1st day of September, 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: September 1, 2020

MEMO

FROM: DEPARTMENT OF AIRPORTS
TO: TRANSPORTATION/ECONOMIC DEVELOPMENT COMMITTEE
DATE: June 30, 2020
SUBJECT: MODIFICATION TO EXISTING LEASE AGREEMENT – ALLEN AVIATION, INC.

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.

###

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 1st day of September, 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: September 1, 2020

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 1st day of September, 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

Applicant	Keane McLaughlin (Energov # 049300)	Rezoning Request #	2020-06-001
PIN #	41700000013	County Council District #	8 – Vaught
Site Location	Near the intersection of Waccamaw Pines & Hospitality Ln in Myrtle Beach	Staff Recommendation	Approval
Property Owner Contact	Shark Investments LLC	PC Recommendation	Unanimous Approval
		Size (in acres) of Request	45.5

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	HC	Flood and Wetland Information (proposed FEMA maps)	X	HC	HC	GR
Proposed Zoning	RE3	Public Health & Safety (EMS/fire) in miles	3.09	HC	Subject Property	GR
Proposed Use	Mixed use of hotel, retail/flex office, townhouses, senior living, medical offices & warehouse storage.	Utilities	Public	HC	CFA	GR
		Character of the Area	Commercial & Residential			

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

Daily Trips based on existing use / Max Daily Trips based on current zoning	2,000/5,000	Existing Road Conditions	State, Paved, Two-lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning	5,500/5,500	Rd, Station, Traffic AADT (2019) % Road Capacity	US 501 Main Line, Station (161) 53,100 AADT 105-110%
Proposed Improvements	Postal Way Extension		

DIMENSIONAL STANDARDS

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	RE3	HC	HC	GR	CFA Res / Com	
Min. Lot Size (in square feet)	10,000	10,000	10,000	6,000	21,780 / 43,560	
Front Setback (in feet)	50	50	50	20	25 / 60	
Side Setback (in feet)	10	10	10	10	10 / 25	
Corner Side Setback (in feet)	15	15	15	15	n/a	
Rear Setback (in feet)	15	15	15	15	15 / 40	
Bldg. Height (in feet)	48	35	35	35	35	

Setback Comments:

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

COUNTY OF HORRY)
)
STATE OF SOUTH CAROLINA)

ORDINANCE 86-2020

AN ORDINANCE TO ADD CERTAIN PROPERTIES TO THE HORRY COUNTY HISTORIC PROPERTY REGISTER AS INDIVIDUAL HISTORIC PROPERTIES.

WHEREAS Horry County has recognized the need to preserve the County's local heritage as an irreplaceable asset thru the creation of a list of designated individual properties, sites and landmarks; and,

WHEREAS The Mt. Pisgah Church Cemetery contains at least 80 gravesites, dating to at least 1964, and contains veterans from World War II, the Korean War, and the Vietnam War; and,

WHEREAS The Pine Island Community Cemetery contains at least 731 gravesites, dating to at least 1936, and contains veterans from World War I, World War II, the Korean War, the Vietnam War, and the Persian Gulf War; and,

WHEREAS The Averett & Harriet Floyd Strickland Burial Site contains at least 6 gravesites, dating to at least 1896, and contains a veteran from the Civil War; and,

WHEREAS The Calvary Freewill Baptist Church was founded in in 1937 with eight members and Brother Benton as the pastor. The existing church structure dates to 1938; and

WHEREAS The Cane Branch AME Church was founded in 1838 with a deed for one acre of property with the building and "the privilege of timber adjoining the land that may be necessary in order to keep the building erected." The recorded price for the parcel was twenty five cents; 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;

Mt. Pisgah Church Cemetery, Pine Island Community Cemetery, Averett & Harriet Floyd Strickland Burial Site, Calvary Freewill Baptist Church and the Cane Branch AME Church be added to the Horry County Historic Property Register.

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: September 1, 2020

Second Reading:

Third Reading:

County Council Decision Memorandum
Horry County, South Carolina

Date: July 21, 2019
From: Planning and Zoning
Division: Infrastructure & Regulation
Prepared By: Lou Conklin, Senior Planner
Cleared By: David Schwerd, Planning Director
Committee: Infrastructure & Regulation
Regarding: Horry County Historic Property Register

ISSUE:

Should Horry County Council add the following properties be added to the Horry County Historic Property Register?

1. Mt. Pisgah Baptist Church Cemetery
2. Pine Island Community Cemetery
3. Averett & Harriet Floyd Strickland Burial Site
4. Calvary Freewill Baptist Church
5. Cane Branch AME Church

PROPOSED ACTION:

Add the referenced historic properties to the Historic Property Register.

RECOMMENDATION:

The Board of Architectural Review and Historic Preservation recommended approval at their June 16, 2020 meeting.

BACKGROUND:

Horry County has recognized the need to preserve the County's local heritage as an irreplaceable asset through the creation of a list of designated individual properties, sites and landmarks, known as the Horry County Historic Property Register.

Horry County has established the prerequisites for a property to be added to the Register, those being, the Property:

- a. Has significant inherent character, interest, history, or value as part of the community or heritage of the community, state or nation; or
- b. Is the site of an event significant in history; or
- c. Is associated with a person or persons who contributed significantly to the culture and development of the community, state or nation; or
- d. Exemplifies the cultural, political, economic, social, ethnic or historic heritage of the community, state or nation; or
- e. Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period or specimen in architecture or engineering; or

- f. Is the work of a designer whose work has influenced significantly the development of the community, state or nation; or
- g. Contains elements of design, detail, materials or craftsmanship which represent a significant innovation; or
- h. Is part of or related to a square or other distinctive element of community planning; or
- i. Represents an established and familiar visual feature of the neighborhood or community; or
- j. Has yielded, or may be likely to yield, information important in pre-history or history.

The Horry County Board of Architectural Review and Historic Preservation (BAR) has been charged with the responsibility of identifying and recommending to County Council the addition of properties meeting the above standards to the Horry County Historic Property Register.

ANALYSIS:

After conducting a public hearing, the Board of Architectural Review has unanimously determined that each of the historic sites numbered 1 through 5 above, meets the requirements of Section 1706.1 of the Horry County Zoning Ordinance, *Criteria for Historic Designation*. Each of the proposed sites is a minimum of fifty (50) years old in addition to meeting other standards. The Board of Architectural Review recommends adding the referenced properties to the Horry County Historic Property Register.

COUNTY OF HORRY)
)
STATE OF SOUTH CAROLINA)

ORDINANCE 85-2020

AN EMERGENCY ORDINANCE DECLARING THAT A LOCALIZED STATE OF EMERGENCY CONTINUES TO EXIST WITHIN HORRY COUNTY, AUTHORIZING THE APPROPRIATE ACTION TO BE TAKEN IN CONNECTION THEREWITH, AND CONTINUING THE REQUIREMENT THAT APPROPRIATE FACE COVERINGS BE WORN UNDER CERTAIN CIRCUMSTANCES.

WHEREAS, the County has taken steps, following the lead of the President of the United States, the Governor of the State of South Carolina (“Governor”), the Centers for Disease Control and Prevention (“CDC”), the South Carolina Department of Health and Environmental Control (“DHEC”), and other health agencies and authorities, to stem the tide of the spread of COVID-19 in Horry County; and

WHEREAS, recognizing that COVID-19 posed a significant public health threat of infectious disease spread to our residents and visitors, Council enacted emergency Ordinance 20-2020 on March 14, 2020, declaring a localized State of Emergency, and recognizing that additional steps were called upon to promote the public health and welfare of our residents and visitors, Council enacted Ordinance 68-2020 on July 3, 2020, declaring a localized State of Emergency, and requiring the wearing of appropriate face coverings by the public under certain circumstances; and

WHEREAS, on March 14, 2020 there were 6 confirmed cases and 6 presumptive positive cases in the State of South Carolina, none of which were located in Horry County or surrounding counties, and at present that number has increased to in excess of 115,000 confirmed cases Statewide, to include in excess of 9,200 confirmed cases in Horry County; and

WHEREAS, the CDC has issued guidance in order to slow the spread of COVID-19 to include avoiding mass gatherings, hand hygiene, respiratory etiquette, social distancing, and the wearing of face coverings when physical distancing is difficult; and

WHEREAS, DHEC and the Governor have urged South Carolinians to follow those recommendations, and in his August 2, 2020 Executive Order No. 2020-50, in addition to imposing several COVID-19 related emergency measures, requirements and restrictions, the Governor specifically urged counties and municipalities to enact or implement ordinances, orders or other measures requiring individuals to wear face coverings in public settings where they could be located in close proximity to others and where it is not feasible to maintain recommended social distancing; and

WHEREAS, County Council finds it necessary to enact this emergency ordinance as a result of its determination that a localized emergency continues to exist within Horry County, consistent with the Governor’s continuing declarations of statewide states of emergency, directing that certain measures are to be taken to address that emergency, and requiring the wearing of appropriate face coverings by the public under certain circumstances.

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. DECLARATION OF STATE OF EMERGENCY: In accordance with Section 4-9-130 of the Code of Laws of South Carolina and Section 2-26 of the Horry County Code, Horry County Council hereby declares that a localized emergency exists throughout Horry County, and hereby directs that appropriate action be taken in accordance with the Horry County Comprehensive Emergency Management Plan. Council authorizes the County Administrator to take the measures necessary for the preservation of health and life safety, and the continuation, restoration and recovery of essential public services to include providing for isolation and quarantine, limited travel, modifying personnel requirements and practices, providing for remote access to the workplace by employees, cancelling or postponing events or activities involving group gatherings, suspending the requirement of payment of transactional fees, transferring budgeted federal or state grant monies pursuant to federal/state guidelines, and temporarily restricting or conditioning access by the public to County facilities. Council further authorizes the Administrator to allocate funds to emergency expenditure needs in an amount not to exceed available fund balance, within the general, fire, recreation, storm water, and waste management recycling funds, without the need for a supplemental budget ordinance or budget ordinance amendment.

2. FACE COVERINGS.

All persons entering any retail establishment, including without limitation grocery stores and pharmacies, and any business providing personal services including without limitation restaurants, bars, hair and/or nail salons, barber shops and tattoo parlors must wear a face covering (as described by the CDC) while inside the establishment. The business shall not have responsibility for enforcing this requirement, but shall post conspicuous signage at all entrances informing its patrons of the requirements of this Section 2.

In addition, all retail establishments must require their employees to wear a face covering at all times while working in areas open to the general public or in areas in which interaction with other staff is likely.

Exemptions: Any person who is unable to safely wear a face covering due to age or underlying health condition, or who is unable to remove the face covering without the assistance of others, or whose religious beliefs prevent him/her from wearing a face covering, or when needed to communicate to the hearing impaired, or who is actively engaged in eating or drinking or obtaining a service that requires access to or visibility of the face (e.g., haircut), or whose wearing of a face covering would violate occupational regulation or guideline, or while engaged in strenuous exercise or physical activity, or at the direction of law enforcement or first responder.

A person who fails to comply with this Section 2 shall be guilty of a civil infraction, punishable by a fee of \$25.00 for a first offence, \$50.00 for a second offense, and \$100.00 for a third and subsequent offense. Each day of a continuing violation shall be considered a separate and distinct offense.

All restaurants and accommodations are urged to follow the recommendations of the Governor, CDC, DHEC, and the South Carolina Restaurant and Lodging Association. And all residents and visitors are likewise urged to follow the recommendations of the Governor, CDC, and the DHEC.

3. TERMINATION/EXPIRATION. This Ordinance will remain in effect for sixty (60) days unless sooner terminated by Resolution of County Council.

4. 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.

5. 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.

6. EFFECTIVE DATE. This Ordinance shall become effective immediately, pursuant to Section 4-9-130 of the Code of Laws of South Carolina, and Section 2-26 of the Horry County Code of Ordinances.

AND IT IS SO ORDAINED, ENACTED AND ORDERED.

Dated this 1st day of September, 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

)
)

RESOLUTION R- 98 -20

A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF THE PARKS AT CAROLINA FOREST PHASE 1 (HUGER PARK AVENUE, LAURENS MILL DRIVE, CALHOUN FALLS DRIVE, CROSS KEYS COURT, WAVERING PLACE LOOP, BERKLEY VILLAGE LOOP AND HICKORY KNOB COURT) INTO THE COUNTY ROAD SYSTEM:

WHEREAS, the developers The Parks at Carolina Forest Phase 1 (Huger Park Avenue, Laurens Mill Drive, Calhoun Falls Drive, Cross Keys Court, Wavering Place Loop, Berkley Village Loop and Hickory Knob 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 The Parks at Carolina Forest Phase 1 (Huger Park Avenue, Laurens Mill Drive, Calhoun Falls Drive, Cross Keys Court, Wavering Place Loop, Berkley Village Loop and Hickory Knob 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 The Parks at Carolina Forest Phase 1 (Huger Park Avenue, Laurens Mill Drive, Calhoun Falls Drive, Cross Keys Court, Wavering Place Loop, Berkley Village Loop and Hickory Knob Court) in the County system.

NOW, THEREFORE, Horry County Council resolves to accept the roads and drainage The Parks at Carolina Forest Phase 1 (Huger Park Avenue, Laurens Mill Drive, Calhoun Falls Drive, Cross Keys Court, Wavering Place Loop, Berkley Village Loop and Hickory Knob Court) and begin their three-year warranty period on the date of said acceptance.

AND IT IS SO RESOLVED this 1st day of September, 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: August 12, 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 The Parks at Carolina Forest Phase 1 (Huger Park Avenue, Laurens Mill Drive, Calhoun Falls Drive, Cross Keys Court, Wavering Place Loop, Berkley Village Loop, & Hickory Knob Court) = 0.75 miles in length (3,960') request the road and drainage be dedicated to Horry County.

PROPOSED ACTION

- OPTION A:** Approve acceptance into the County maintenance system of The Parks at Carolina Forest Phase 1 (Huger Park Avenue, Laurens Mill Drive, Calhoun Falls Drive, Cross Keys Court, Wavering Place Loop, Berkley Village Loop, & Hickory Knob Court).
- OPTION B:** Do not approve acceptance.

RECOMMENDATION:

Staff recommends **OPTION A**.

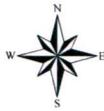
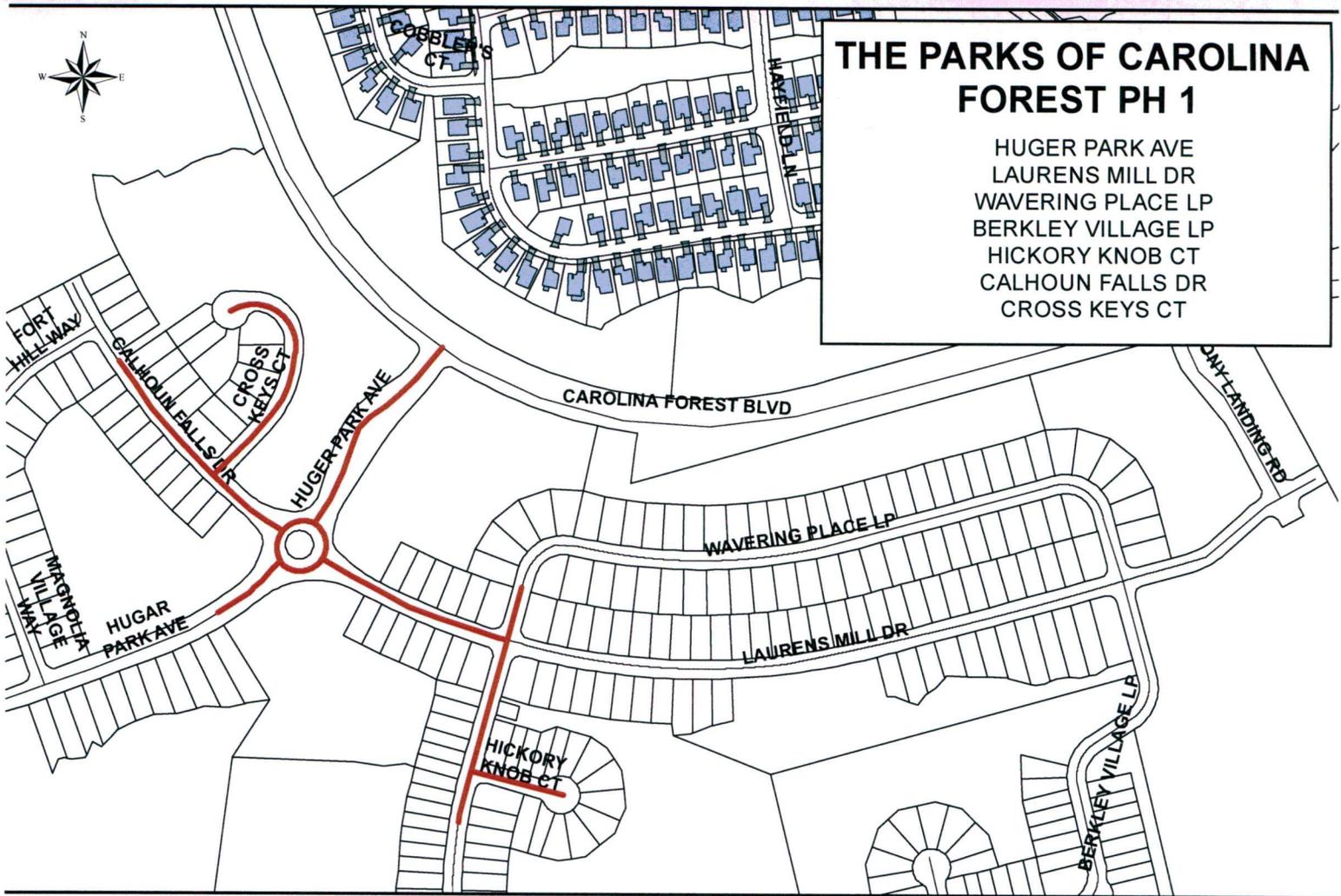
BACKGROUND

The developers have provided the Engineering Department with fully executed dedication documents and a cash bond for The Parks at Carolina Forest Phase 1 (Huger Park Avenue, Laurens Mill Drive, Calhoun Falls Drive, Cross Keys Court, Wavering Place Loop, Berkley Village Loop, & Hickory Knob Court). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.



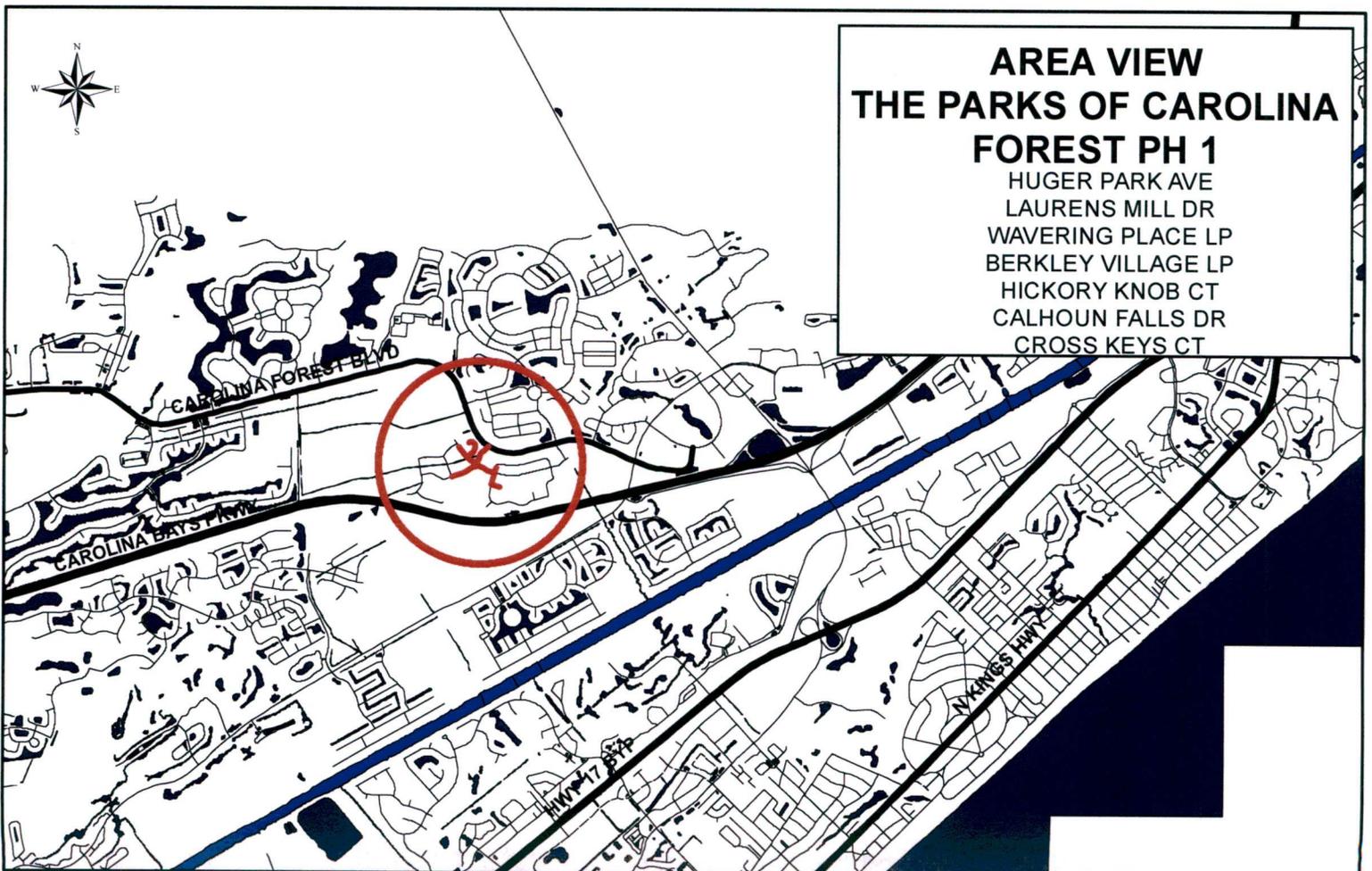
THE PARKS OF CAROLINA FOREST PH 1

HUGER PARK AVE
LAURENS MILL DR
WAVERING PLACE LP
BERKLEY VILLAGE LP
HICKORY KNOB CT
CALHOUN FALLS DR
CROSS KEYS CT



AREA VIEW THE PARKS OF CAROLINA FOREST PH 1

HUGER PARK AVE
LAURENS MILL DR
WAVERING PLACE LP
BERKLEY VILLAGE LP
HICKORY KNOB CT
CALHOUN FALLS DR
CROSS KEYS CT



COUNTY OF HORRY
STATE OF SOUTH CAROLINA

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RESOLUTION R-99-20

A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF THE PARKS AT CAROLINA FOREST PHASE 2 (HUGER PARK AVENUE, HAMILTON BRANCH LOOP AND MAGNOLIA VILLAGE WAY) INTO THE COUNTY ROAD SYSTEM:

WHEREAS, the developers The Parks at Carolina Forest Phase 2 (Huger Park Avenue, Hamilton Branch Loop and Magnolia Village Way) 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 The Parks at Carolina Forest Phase 2 (Huger Park Avenue, Hamilton Branch Loop and Magnolia Village Way) 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 The Parks at Carolina Forest Phase 2 (Huger Park Avenue, Hamilton Branch Loop and Magnolia Village Way) in the County system.

NOW, THEREFORE, Horry County Council resolves to accept the roads and drainage The Parks at Carolina Forest Phase 2 (Huger Park Avenue, Hamilton Branch Loop and Magnolia Village Way) and begin their three-year warranty period on the date of said acceptance.

AND IT IS SO RESOLVED this 1st day of September, 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: August 12, 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 The Parks at Carolina Forest Phase 1 (Huger Park Avenue, Laurens Mill Drive, Calhoun Falls Drive, Cross Keys Court, Wavering Place Loop, Berkley Village Loop, & Hickory Knob Court) = 0.75 miles in length (3,960') request the road and drainage be dedicated to Horry County.

PROPOSED ACTION

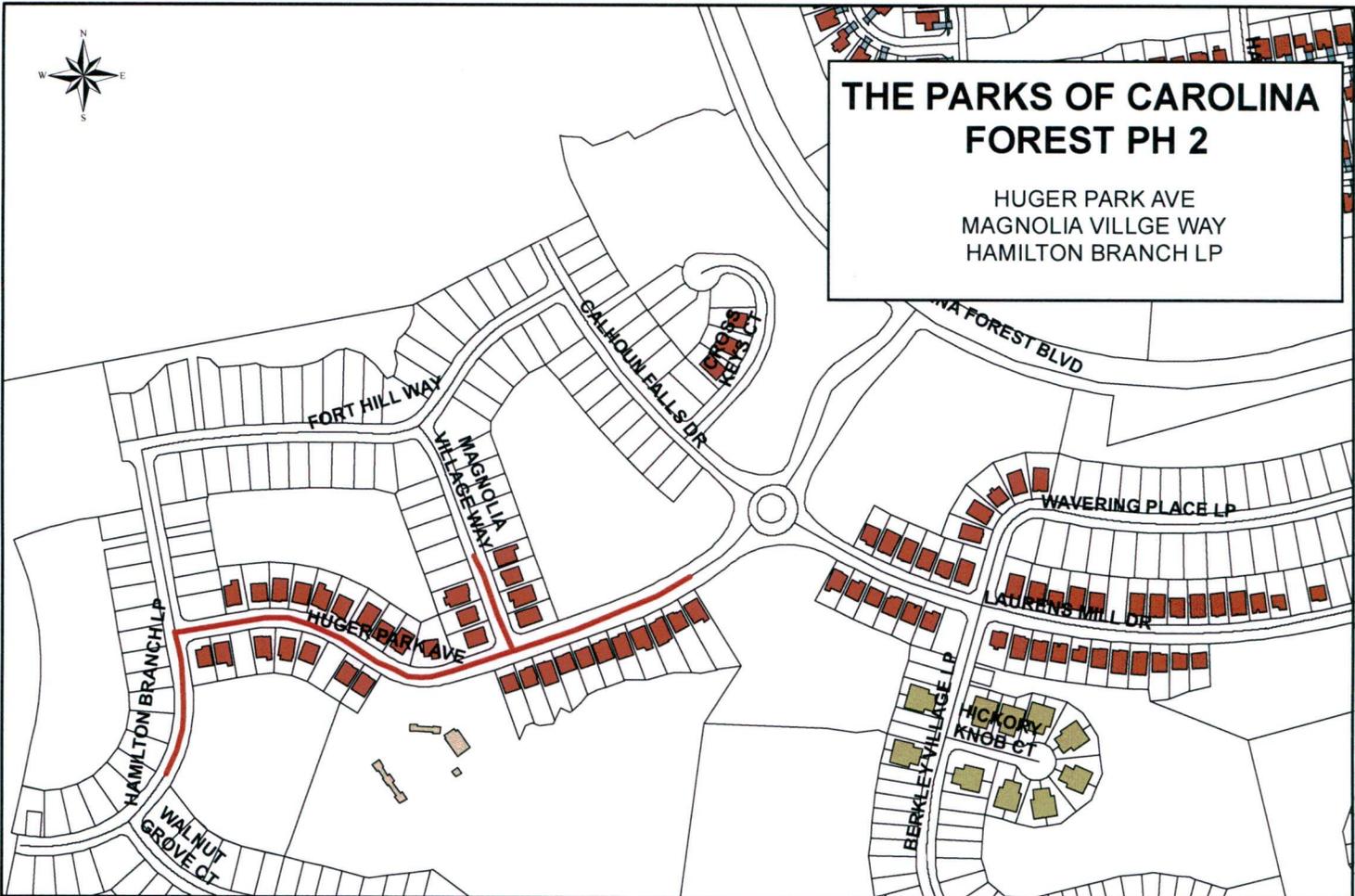
- OPTION A:** Approve acceptance into the County maintenance system of The Parks at Carolina Forest Phase 1 (Huger Park Avenue, Laurens Mill Drive, Calhoun Falls Drive, Cross Keys Court, Wavering Place Loop, Berkley Village Loop, & Hickory Knob Court).
- OPTION B:** Do not approve acceptance.

RECOMMENDATION:

Staff recommends **OPTION A**.

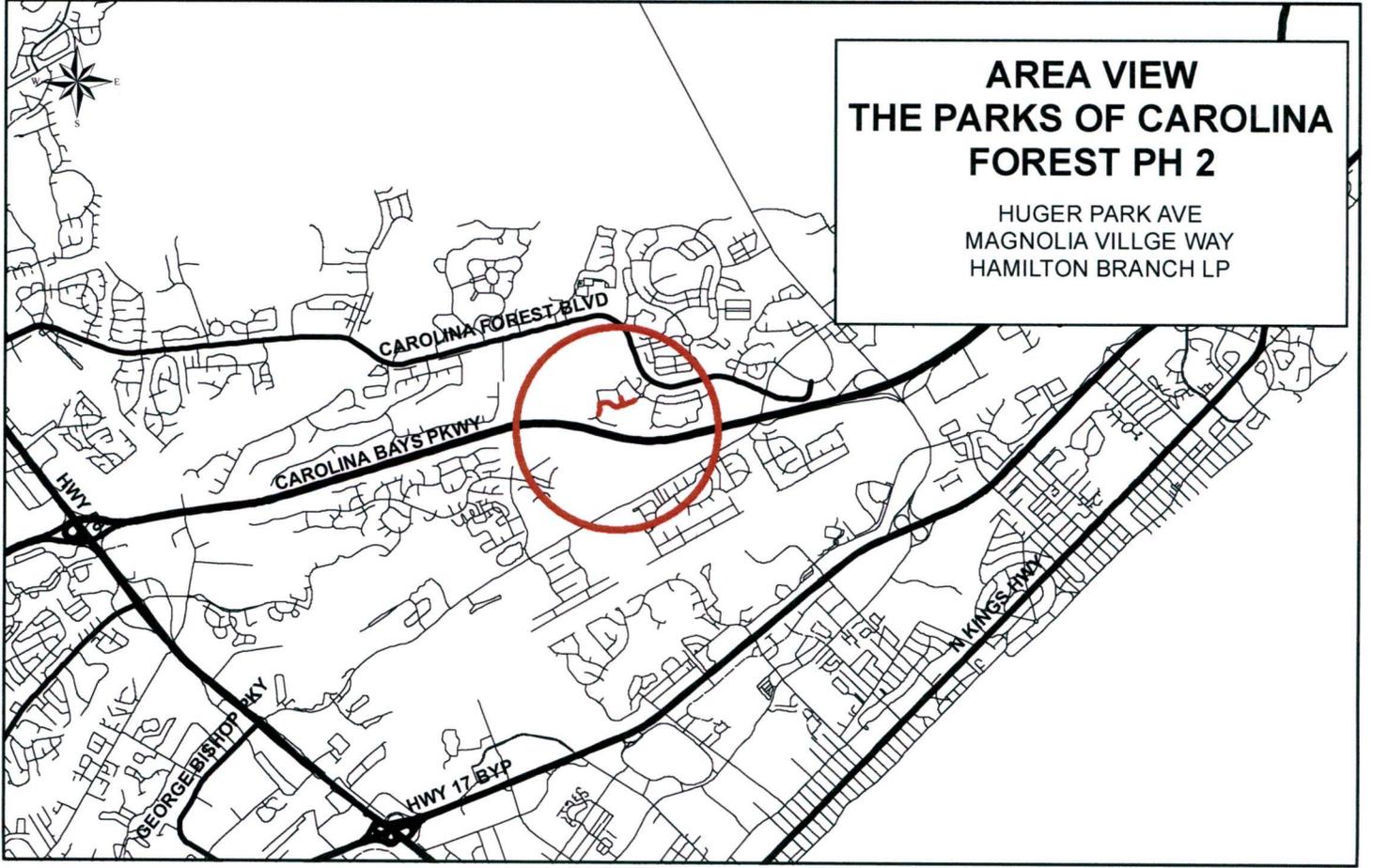
BACKGROUND

The developers have provided the Engineering Department with fully executed dedication documents and a cash bond for The Parks at Carolina Forest Phase 1 (Huger Park Avenue, Laurens Mill Drive, Calhoun Falls Drive, Cross Keys Court, Wavering Place Loop, Berkley Village Loop, & Hickory Knob Court). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.



**THE PARKS OF CAROLINA
FOREST PH 2**

HUGER PARK AVE
MAGNOLIA VILLGE WAY
HAMILTON BRANCH LP



**AREA VIEW
THE PARKS OF CAROLINA
FOREST PH 2**

HUGER PARK AVE
MAGNOLIA VILLGE WAY
HAMILTON BRANCH LP

COUNTY OF HORRY
STATE OF SOUTH CAROLINA

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RESOLUTION R-100-20

A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF BARON'S BLUFF PHASE 2A (YEOMANS DRIVE, GRASMERE LAKE CIRCLE, & BARONY DRIVE) INTO THE COUNTY ROAD SYSTEM:

WHEREAS, the developers Baron's Bluff Phase 2A (Yeomans Drive, Grasmere Lake Circle, & Barony 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 Baron's Bluff Phase 2A (Yeomans Drive, Grasmere Lake Circle, & Barony 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 Baron's Bluff Phase 2A (Yeomans Drive, Grasmere Lake Circle, & Barony Drive) in the County system.

NOW, THEREFORE, Horry County Council resolves to accept the roads and drainage Baron's Bluff Phase 2A (Yeomans Drive, Grasmere Lake Circle, & Barony Drive) and begin their three-year warranty period on the date of said acceptance.

AND IT IS SO RESOLVED this 1st day of September, 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: August 17, 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 Baron's Bluff Phase 2A (Yeomans Drive, Grasmere Lake Circle, & Barony Drive) = 0.37 miles in length (1,953.60') request the road and drainage be dedicated to Horry County.

PROPOSED ACTION

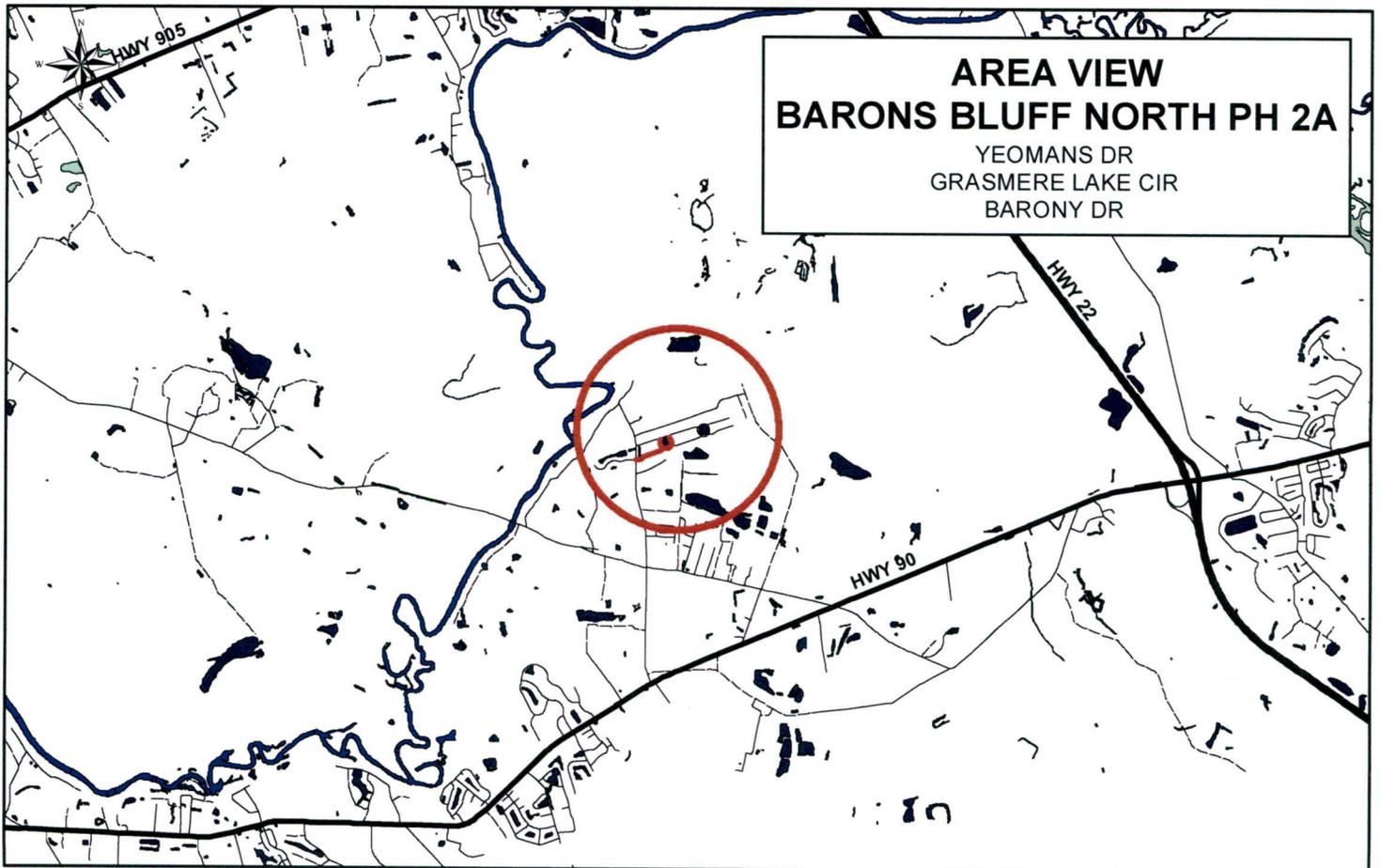
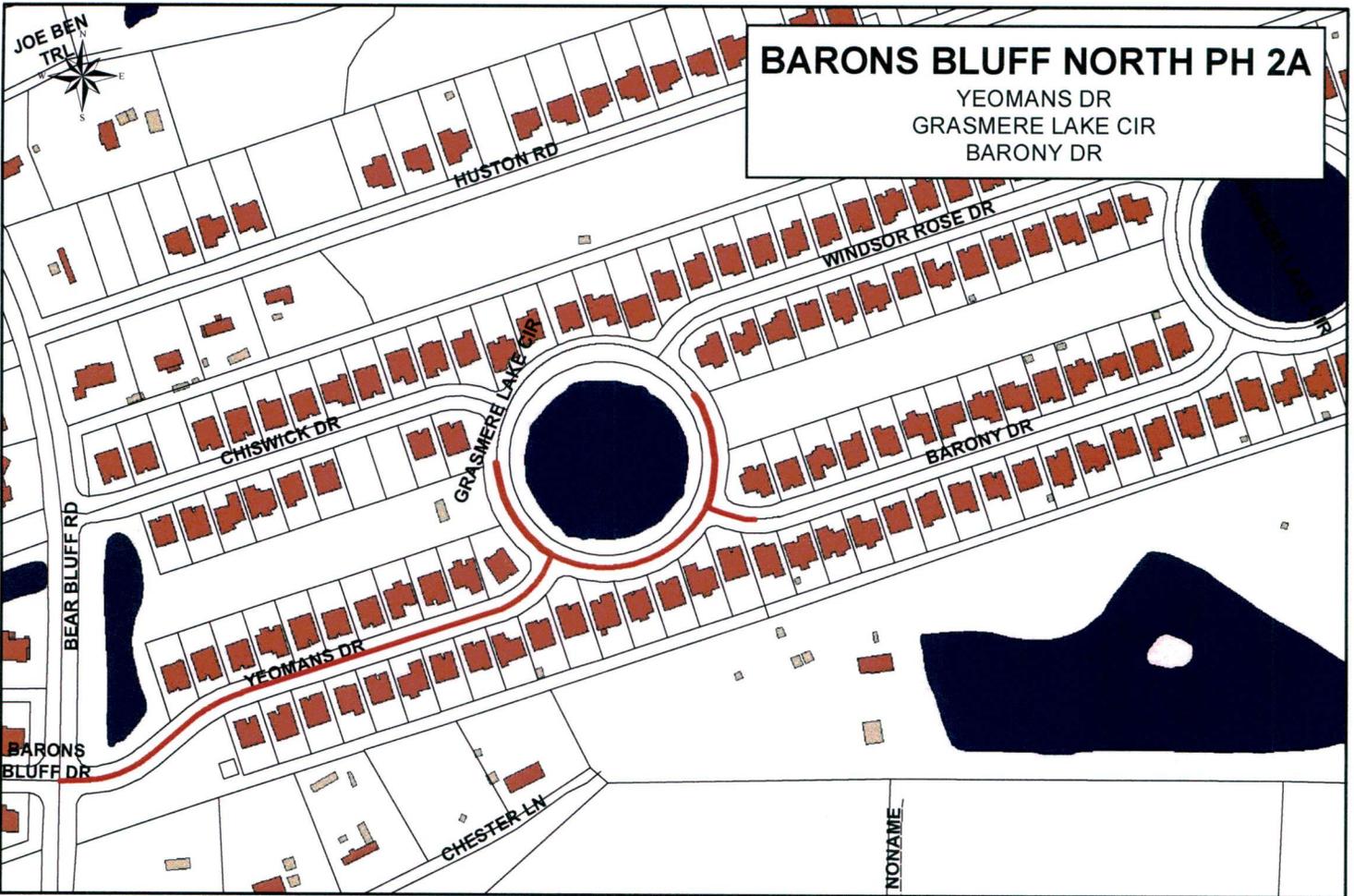
- OPTION A:** Approve acceptance into the County maintenance system of Baron's Bluff Phase 2A (Yeomans Drive, Grasmere Lake Circle, & Barony Drive).
OPTION B: Do not approve acceptance.

RECOMMENDATION:

Staff recommends **OPTION A**.

BACKGROUND

The developers have provided the Engineering Department with fully executed dedication documents and a letter of credit for Baron's Bluff Phase 2A (Yeomans Drive, Grasmere Lake Circle, & Barony 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

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RESOLUTION R-101-20

A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF BARON'S BLUFF PHASE 2B (BARONY DRIVE, WINDERMERE LAKE CIRCLE, & TRAFALGAR COURT) INTO THE COUNTY ROAD SYSTEM:

WHEREAS, the developers Baron's Bluff Phase 2B (Barony Drive, Windermere Lake Circle, & Trafalgar 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 letter of credit guaranteeing a three-year warranty; and

WHEREAS, the roads and drainage of Baron's Bluff Phase 2B (Barony Drive, Windermere Lake Circle, & Trafalgar 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 Baron's Bluff Phase 2B (Barony Drive, Windermere Lake Circle, & Trafalgar Court) in the County system.

NOW, THEREFORE, Horry County Council resolves to accept the roads and drainage Baron's Bluff Phase 2B (Barony Drive, Windermere Lake Circle, & Trafalgar Court) and begin their three-year warranty period on the date of said acceptance.

AND IT IS SO RESOLVED this 1st day of September, 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: August 17, 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 Baron's Bluff Phase 2B (Barony Drive, Windermere Lake Circle, & Trafalgar Court) = 0.50 miles in length (2,640') request the road and drainage be dedicated to Horry County.

PROPOSED ACTION

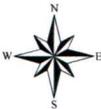
- OPTION A:** Approve acceptance into the County maintenance system of Baron's Bluff Phase 2B (Barony Drive, Windermere Lake Circle, & Trafalgar Court).
OPTION B: Do not approve acceptance.

RECOMMENDATION:

Staff recommends **OPTION A**.

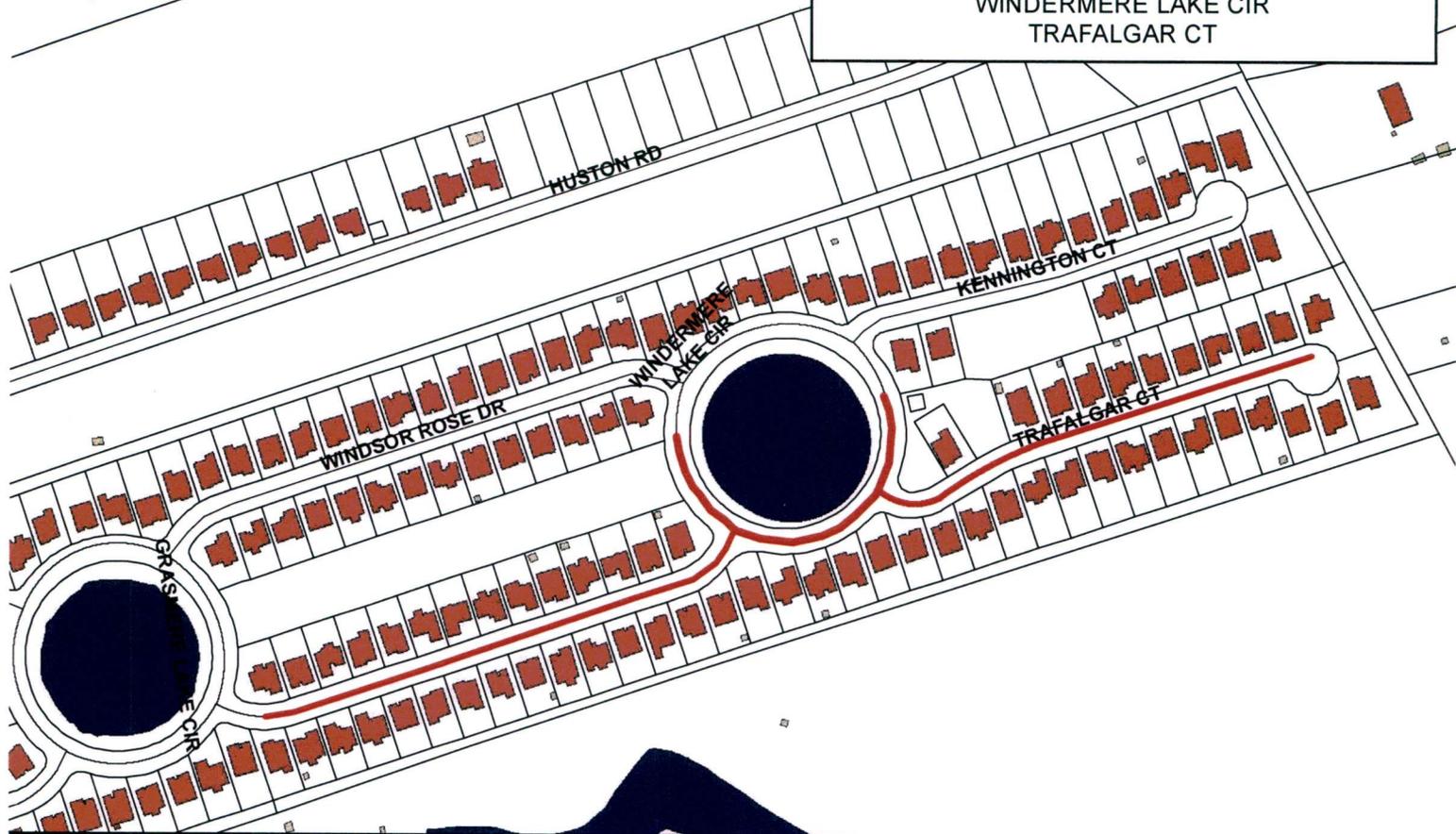
BACKGROUND

The developers have provided the Engineering Department with fully executed dedication documents and a letter of credit for Baron's Bluff Phase 2B (Barony Drive, Windermere Lake Circle, & Trafalgar Court). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.



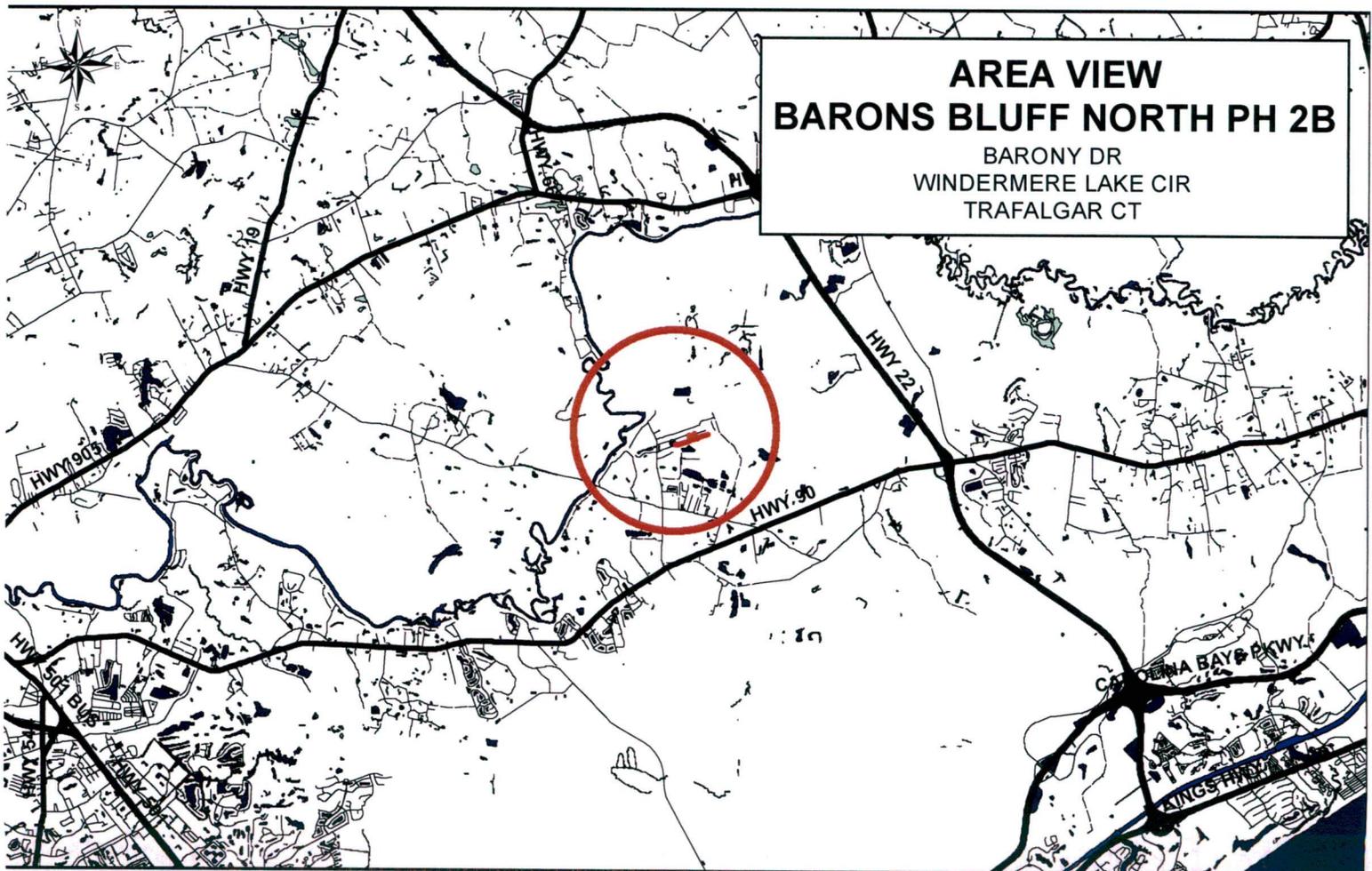
BARONS BLUFF NORTH PH 2B

BARONY DR
WINDERMERE LAKE CIR
TRAFALGAR CT



AREA VIEW BARONS BLUFF NORTH PH 2B

BARONY DR
WINDERMERE LAKE CIR
TRAFALGAR CT



COUNTY OF HORRY
STATE OF SOUTH CAROLINA

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RESOLUTION R-102-20

A RESOLUTION TO ACCEPT DEDICATION OF THE ROADS AND DRAINAGE OF HIDDEN BROOKE PHASE 3 (CYPRESS SPRINGS WAY & BIRCHTREE DRIVE) INTO THE COUNTY ROAD SYSTEM:

WHEREAS, the developers Hidden Brooke Phase 3 (Cypress Springs Way & Birchtree 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 Hidden Brooke Phase 3 (Cypress Springs Way & Birchtree 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 Hidden Brooke Phase 3 (Cypress Springs Way & Birchtree Drive) in the County system.

NOW, THEREFORE, Horry County Council resolves to accept the roads and drainage Hidden Brooke Phase 3 (Cypress Springs Way & Birchtree Drive) and begin their three-year warranty period on the date of said acceptance.

AND IT IS SO RESOLVED this 1st day of September, 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: August 12, 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 Hidden Brooke Phase 3 (Cypress Springs Way & Birchtree Drive) = 0.21 miles in length (1,108.80') request the road and drainage be dedicated to Horry County.

PROPOSED ACTION

- OPTION A:** Approve acceptance into the County maintenance system of Hidden Brooke Phase 3 (Cypress Springs Way & Birchtree 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 Hidden Brooke Phase 3 (Cypress Springs Way & Birchtree Drive). The roads and drainage have been constructed to Horry County standards and inspected and approved by the Engineering Department.

A RESOLUTION TO ADOPT THE BY-LAWS FOR THE HORRY COUNTY HISTORIC PRESERVATION COMMISSION.

WHEREAS, in accordance with Chapter 2 – Administration, Article VI, Section 2-75 (c) of the Horry County Code of Ordinances, the Horry County Historic Preservation Commission, formerly known as the Board of Architectural Review and Historic Preservation established in 1987, has set forth by-laws; and

WHEREAS, the Horry County Historic Preservation Commission in its set of by-laws has a specific mission and objectives as well as a member-appointed board, with officers, specific duties, regular meetings, and subcommittees; and,

WHEREAS, the Horry County Historic Preservation Commission shall recruit citizens and volunteers to serve on its board and subcommittees to protect the historic resources of the County; and,

WHEREAS, the Horry County Historic Preservation Commission shall collaborate with both civic and institution organizations in achieving the aforementioned, with the assistance of county staff to serve both as coordinator and secretary to the board; and,

WHEREAS, the Horry County Preservation Commission has recommended approval of the Horry County Historic Preservation Commission By-Laws.

NOW THEREFORE, Horry County Council resolves to approve the by-laws as recommended for approval by the Horry County Historic Preservation Commission.

AND IT SO RESOLVED this 1st day of September, 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

**Planning Commission Decision Memorandum
Horry County, South Carolina**

Date: July 21, 2020
From: Planning and Zoning
Division: Infrastructure and Regulation
Prepared By: Lou Conklin, Senior Planner
Cleared By: Leigh Kane, Principal Planner
Regarding: Horry County Historic Preservation Commission

ISSUE:

Should Horry County approve By-Laws for the Horry County Historic Preservation Commission?

PROPOSED ACTION:

Vote on the By-Laws for the Horry County Historic Preservation Commission.

RECOMMENDATION

Staff recommends approval.

BACKGROUND:

In accordance with Chapter 2 – Administration, Article VI, Section 2-75 (c) of the Horry County Code of Ordinances, the Horry County Historic Preservation Commission has updated the by-laws. However, Section 2-75 (c) of the Horry County Code of Ordinances authorizes changes to the by-laws or rules of procedure for various boards only if there is County Council approval.

ANALYSIS:

The by-laws for the Historic Preservation Commission were updated to reflect the name change. In addition small changes were made to the by-laws to reflect the language in Chapter 2 - Administration, Article VI, Sections 2-74 and 2-75 of the Horry County Code of Ordinances. During the June 16, 2020 meeting the Horry County Historic Preservation Commission voted to accept the update to the By-Laws.

**HORRY COUNTY HISTORIC PRESERVATION COMMISSION
BY-LAWS**

ADOPTED THIS 16th DAY OF June, 2020, BY THE HORRY COUNTY HISTORIC PRESERVATION COMMISSION.

ARTICLE I.
NAME

The name of this county agency is the Horry County Historic Preservation Commission.

ARTICLE II.
ORDINANCE AND STATUS OF HORRY COUNTY
HISTORIC PRESERVATION COMMISSION

The Horry County Historic Preservation Commission (HPC) is an agency of Horry County Government as established by County Ordinance No. 02-87 and adopted March 3, 1987, revised with Ordinance No. 04-04 and adopted April 6th, 2004, and revised again with Ordinance No. ___-2020 on _____, 2020. The County Ordinance and any amendments thereto shall be the Constitution or the Chartering document of the Horry County Historic Preservation Commission and shall take precedence over the Commission's By-Laws in the event there is any question or problem of interpretation.

ARTICLE III.
PURPOSE

The purpose of the Horry County Historic Preservation Commission shall be to:

Provide a mechanism to identify, protect, and preserve the distinctive historical and architectural characteristics of Horry County, which represent the County's cultural, social, economic, political, and architectural history;

Foster civic pride in the beauty and accomplishments of the past as represented in Horry County's historic places;

Conserve, and improve the value of property designated as historic structures or properties or within designated historic districts;

Foster and encourage preservation, restoration, rehabilitation of structures, areas, neighborhoods, and help to prevent blight; and,

Encourage new developments reflecting and compatible with the historic character of the County.

ARTICLE IV.

GOAL

To declare a matter of public policy that the protection, enhancement, perpetuation, and use of improvements of special character or special historical interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. To preserve significant buildings, land areas, or districts having important historical, architectural, archaeological, or cultural interest and values that reflect the heritage of the County where unprecedented growth in population, economic functions, and land-use activities in the County have increasingly threatened to uproot or destroy these values, and once uprooted or destroyed, their distinctiveness is forever gone.

ARTICLE V.

DUTIES AND AUTHORITY

The duties and authority of the Horry County Historic Preservation Commission shall be those in the Ordinance and any amendments thereto.

ARTICLE VI.

MEMBERSHIP OF THE COMMISSION AND TERMS OF MEMBERSHIP

The Historic Preservation Commission shall consist of not more than ten (10) members. Members shall be appointed by Horry County Council.

At least five (5) members shall have demonstrated interest, competence, or knowledge in historic preservation. Five members shall be appointed from among professionals in the disciplines of architecture, history, architectural history, planning, archeology, or related disciplines (to include but not limited to urban planning, American studies, American civilization, cultural geography, cultural anthropology, engineering, or real estate) to the extent that such professionals are available in Horry County. The other members shall be appointed from one or

more of the following categories: lawyer, developer, construction contractor, or property owner.

Members shall be appointed to serve staggered four-year terms. The first members appointed shall be appointed for a term of two, three or four years. All terms shall commence July 1st and end June 30th of the appropriate year. Members shall serve until their successors are elected and qualify. Vacancies shall be filled for the duration of the term in the manner prescribed for the original appointment due to membership resignation or in the event a member moves from Horry County. All vacancies shall be filled within sixty (60) days, where possible. Newly appointed members shall be installed at the first regular meeting after their appointment.

Any member of the commission may be recommended for removal for cause by a vote of two-thirds (2/3) majority of the commission. Written notice of the recommendation shall be given to the county administrator within five (5) days of the meeting in which the recommendation is officially made. Removal will be by a majority vote of the county council after written notice to the member concerned. A written statement of the reasons for such removal shall be provided.

Members are expected to attend meetings. An attendance roster, including the names of members who attended and who did not attend, shall be included in the minutes of each meeting. Absence by any member from three (3) consecutive meetings without a valid reason, such as illness or pressing personal commitments, shall be considered a voluntary resignation by the member. In the event that three consecutive meetings are missed for any reason, valid or not, a letter shall be sent from the Chairperson of the Commission to the non-attending member to inquire their intention of continued service to the Commission. The non-attending member shall respond to this letter in writing with their intentions or shall be considered to have voluntarily withdrawn from service to the Commission.

All members must report to the Staff Liaison if they anticipate that they will be unable to attend a duly called meeting so that the Staff Liaison can determine whether a quorum will be present for the meeting.

The Secretary shall notify the County Administrator of any resignations due to absence from meetings and other resignations and vacancies caused by death, disability, transfer or residence

outside of the county or other causes, within thirty (30) days of the effective date thereof.

ARTICLE VII.
OFFICERS

At the first meeting subsequent to July 1st of each year, the offices of Chairman and Vice-Chairman shall be elected from the HPC voting membership and shall serve one-year terms or until their successors are elected. The Secretary shall be a County official or employee of the County and keep accurate records of the proceedings of the HPC meetings. The Secretary shall not be a voting member of the HPC.

ARTICLE VIII.
DUTIES OF OFFICERS

The duties of the officers shall be those usually related to the positions, as outlined by the parliamentary authority adopted by these By-Laws, with the following conditions:

Chairman - Shall give leadership to the Commission, act as a liaison between the Commission and County Council, preside over all meetings and represent the Commission when the Commission is not in session, and shall be responsible, per the Ordinance and amendments thereto, to the Horry County Council for the conduct and management of the Historic Preservation Commission. The Chairman shall serve as Ex-Officio on all committees.

Vice-Chairman - Shall perform the duties of the Chairman in his/her absence.

Secretary - Shall ensure that accurate records of each meeting are kept and that all correspondence directed by the HPC is accomplished, keep accurate files required by the HPC, and be responsible for the monthly financial report which will list the disbursements made in behalf of the HPC.

ARTICLE IX:
CONFLICT OF INTEREST

No member shall take any action with regard to a matter before the HPC which action would be in violation of state laws and regulations concerning ethics and government accountability. A member who is faced with a conflict of interest under state law shall prepare a written statement describing the matter and

the nature of the potential conflict of interest and shall furnish a copy of that statement to the chairman. The chairman shall then cause the statement to be printed in the minutes of the meeting and require that the member be excused from any votes, deliberations, and other actions on the matter.

ARTICLE X:
COMMITTEES

The Executive Committee shall consist of the officers of the HPC. The Committee may appoint any committee(s), sub-committee(s) and/or advisory committees as stipulated in the Ordinance and any amendments thereto.

ARTICLE XI:
MEETINGS

The regular meeting date of the Commission shall be the third Tuesday of each calendar month.

Special meetings may be called by any two (2) members of the Commission after not less than three (3) days notice to each member. The place of the meeting shall be determined by the Chairman.

All meetings shall be held in a place accessible and open to the general public. Meetings and actions of the Commission shall be governed by the requirements of the South Carolina Freedom of Information Act.

All meetings shall be advertised with notice posted on the bulletin board in the County Council office at least twenty-four (24) hours prior to the scheduled meeting.

All meetings at which public hearings are to be conducted must be advertised at least once in a newspaper of general circulation in Horry County minimally fifteen (15) days prior to the date scheduled for the public hearing in addition to normal meeting notices or additional noticing requirements defined within the Horry County Code of Ordinances.

ARTICLE XII:
RULES OF ORDER

The Rules contained in the most current edition of "Robert's Rules of Order" shall govern the Commission in all cases to which they are applicable and in which they do not

conflict with the provision of these By-Laws, the Ordinance and any of its amendments or with county, state, or national law.

The Commission is the final authority on interpretation of parliamentary authority by majority vote of the required quorum.

ARTICLE XIII.
QUORUM

All meetings must have a majority fifty (50) percent plus one (1) of the membership present to conduct business.

ARTICLE XIV.
MINUTES

Minutes and other official records of all meetings and actions shall be kept. A record of the vote of each member on all business and recommendations shall be recorded as part of the minutes of each meeting. The chairman shall vote on each issue brought before the Commission.

ARTICLE XV.
FINANCES

Budget requests shall be submitted according to the schedule and format of the annual Horry County budget manual. Budget requests shall be accompanied by a line-item justification, a statement of goals and objectives for the use of the county funds, and any other information required by the County Administrator and County Council.

For expenditures of County funds not under the County's financial management system, an audit report and management letter if provided by the external auditor shall be submitted to the County Administrator by September 30th of each year for the last previous fiscal year in which County funds were obtained.

Purchasing policies of Horry County, at minimum, will be followed for all bidding and other procurements.

ARTICLE XVI.
ANNUAL REPORT

The Commission shall present to the County Council in January of each year an annual report of activities along with recommendations for improvements or changes desired.

ARTICLE XVII.
MEMBERS AND PERSONNEL SUBJECT TO STATE STATUTES
AND COUNTY ORDINANCES

Members and staff shall be subject to and governed by the statutes of the State of South Carolina, the ordinances of Horry County, and all rules and regulations promulgated pursuant thereto, relating to County departments, agencies, boards and commissions and members, employees or personnel thereof. These entities are responsible to the County Administrator for compliance with general administrative requirements.

ARTICLE XIX.
AMENDMENTS

No amendment may be made relative to the substance of the Ordinance creating the Horry County Historic Preservation Commission. Suggested amendments or changes to the By-Laws shall be presented to the Chairman in writing who shall then submit it, in writing, to the Commission members in the notice of the Meeting at which the vote is to be taken. Amendments to and/or changes of the By-Laws shall require a two-thirds vote of the voting members.

The above and foregoing having come for consideration by the Horry County Historic Preservation Commission, having been discussed and agreed upon this 16th day of June, 2020.

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO SUBMIT AMENDMENTS TO THE US DEPARTMENT OF HOUSING & URBAN DEVELOPMENT 2019 -2020 ANNUAL ACTION PLAN TO ALLOCATE SUPPLEMENTAL FUNDS TOWARD EMERGENCY SOLUTIONS GRANT COVID-19

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has allocated supplemental Emergency Solutions Grants (ESG-CVII) Program, round two supplemental funds in the amount of \$1,551,515 to Horry County to respond to the COVID-19 pandemic; and

WHEREAS, the ESG-CV funds are authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, and are to be used to prevent, prepare for, and respond to the coronavirus pandemic (COVID-19) among individuals and families who are homeless or receiving homeless assistance; and

WHEREAS, and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts of COVID-19.

NOW, THEREFORE, BE IT RESOLVED, that Horry County Council adopts the revisions to the 2019-2020 Annual Action Plans for the Emergency Solutions Grant COVID-19 supplemental funding – round two (2).

Project Category	Budget
Rapid Rehousing	\$751,515.00
Homelessness Prevention	\$474,000.00
Emergency Shelter	\$101,000.00
ECHO Administration	\$75,000.00
HMIS	\$80,000.00
Horry County Administration	\$70,000.00
TOTAL	\$1,551,515.00

AND IT IS SO RESOLVED this 1st day of September, 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: August 13, 2020
From: Courtney Frappaolo, Community Development Director
Division: Administration
Cleared By: Barry Spivey, Assistant County Administrator
RE: 2019-2020 Annual Action Plan - ESG COVID-19 Round Two (2) Funding

ISSUE

The U.S. Department of Housing and Urban Development (HUD) has allocated a second round of supplemental Emergency Solutions Grants (ESG) Program funds in the amount of \$1,551,515 to Horry County to respond to the COVID-19 pandemic. The ESG-CV funds are authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, and are to be used to prevent, prepare for, and respond to the coronavirus pandemic (COVID-19) among individuals and families who are homeless or receiving homeless assistance; and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts of COVID-19.

BACKGROUND

HUD requires that funds be budgeted as a part of an amendment to the approved 2019-2020 Annual Action Plan and utilized as a part of the COVID response. Horry County procured an administrative entity and subsequently contracted with the Eastern Carolina Housing Organization (ECHO), as a part of that annual contract. Similar to the first distribution of funds, this budget amendment will also amend the agreement for services of ECHO.

Horry County will utilize the ESG-CV funds to provide rapid rehousing, homelessness prevention, emergency shelter, and administration in response to the COVID-19 pandemic. Funds will be used for rapid rehousing to move homeless individuals to permanent housing and reduce the spread of COVID-19. Funds will also be used for homelessness prevention to avoid the creation of additional homelessness and additional exposure to COVID-19. Emergency shelter funds will be used to provide temporary emergency shelter for people experiencing homelessness, particularly those who need to quarantine or isolate in response to the virus. Funds will also be used to administer the program.

Project Category	Budget
Rapid Rehousing	\$751,515.00
Homelessness Prevention	\$474,000.00
Emergency Shelter	\$101,000.00
ECHO Administration	\$75,000.00
HMIS	\$80,000.00
Horry County Administration	\$70,000.00
TOTAL	\$1,551,515.00

The CARES Act includes the following flexibilities regarding the ESG-CV funds:

- ESG-CV funds are not subject to the spending cap on emergency shelter and outreach under 24 CFR 576.100(b)(1);
- Up to 10% of ESG-CV funds may be used for administrative costs, as opposed to 7.5% as provided by 24 CFR 576.108(a);
- ESG-CV funds are exempt from the ESG match requirements, including 24 CFR 576.201;
- ESG-CV funds may be used to provide homelessness prevention assistance (as authorized under 24 CFR 576.103 or subsequent HUD notices) to any individual or family who does not have income higher than HUD's Very Low-Income Limit for the area and meets the criteria in paragraphs (1)(ii) and (1)(iii) of the "at risk of homelessness" definition in 24 CFR 576.3;
- Recipients may deviate from applicable procurement standards when using ESG-CV funds to procure goods and services to prevent, prepare for, and respond to coronavirus, notwithstanding 24 CFR 576.407(f) and 2 CFR 200.317-200.326

The CARES Act provides that ESG-CV funds are not subject to the consultation and citizen participation requirements that otherwise apply to the Emergency Solutions Grants; however, each recipient must publish how its allocation has and will be used, at a minimum, on the Internet at the appropriate Government web site or through other electronic media. Horry County has published this ESG-CV II Action Plan specifying how the allocation will be implemented on its website, <https://www.horrycounty.org/Departments/CDBG>, on August 14, 2020.

RECOMMENDATION

Staff recommend approval of the 2019-2020 Emergency Solutions Grant (ESG-CV) budget for COVID-19 homeless services funding – round two (2).

COUNTY OF HORRY
STATE OF SOUTH CAROLINA

) COMMUNITY BENEFIT RESOLUTION R-25-2020
)

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 & Purpose</u>
10	\$3,000	<u>Finklea High & Loris Training Schools Alumni Assn</u> – offset costs associated with utilities/supplies for free afterschool program & other services offered to community members.

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 1st day of September, 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

REQUEST FOR ALLOCATION OF COUNCIL COMMUNITY BENEFIT FUNDS

Request is made to Council District 10

Date of Request 7/30/2020

Non-Profit Organization Making Request:

Name: Finklea High and Lois Training Schools Alumni Association
(Must list the legal name of the organization that agrees to the Federal ID Number)

Address: 3501 Hwy 917

Phone: 843-756- Federal ID Number: 58-2432534

IRS Code Section under which tax exemption was granted: 501(c)3

IRS Tax Exemption Determination Letter attached? Yes No
(If above answer is "No", attach other information that supports that the IRS has identified your organization as exempt from tax.)

Description of the Tax Exempt Purpose of this Organization:

Providing programming to promote strong families and community

Amount Requested \$3,000 Dated Needed ASAP

Describe below, in specific detail, how the funds will be spent if allocated:

The funding would be used to off set cost associated with utilities and supplies associated with providing free afterschool services for children and their families as well as allowing community members to have access to adult education, disaster relief, and other services as they become available.

Requested By: (Printed Name) Etta Carter

Position in the Organization: Vice-Chairman

Signature: Etta Carter

COUNTY OF Horry
STATE OF SOUTH CAROLINA

) COMMUNITY BENEFIT RESOLUTION R-26-2020
)

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 & Purpose</u>
2, 3, 4, 6, 7, 8, 10 \$1000 each	\$7,000	<u>Sonshine Recovery Ministries</u> – funding support for homeless and substance abuse recovery programs.

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 1st day of September, 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

fax to: Attn: Pat
843-915-6120

REQUEST FOR ALLOCATION OF COUNCIL COMMUNITY BENEFIT FUNDS

Request is made to Council District _____ Date of Request 8-11-20
\$1,000 ea from Dist. 2, 3, 4, 6 & 8 & 7, 10
Non-Profit Organization Making Request:

Name: Sonshine Recovery Ministries
(Must list the legal name of the organization that agrees to the Federal ID Number)

Address: 568 George Bishop Pkwy, Myrtle Beach, SC

Phone: 843-429-1778 Federal ID Number: 83-3767188

IRS Code Section under which tax exemption was granted: 501c3

IRS Tax Exemption Determination Letter attached? Yes No
(If above answer is "No", attach other information that supports that the IRS has identified your organization as exempt from tax.)

Description of the Tax Exempt Purpose of this Organization:

To show that any addict can stop using, lose the desire to use, & find a new way of life through

Amount Requested \$5000 Dated Needed 8/31/20 Christ.

Describe below, in specific detail, how the funds will be spent if allocated:

See attachment

Requested By: (Printed Name) Timothy Carter

Position in the Organization: Pastor/CEO

Signature: Timothy Carter

DiSadao, Loftus, Crawford, Vaught & Howard
Bellamy, Haudee

Attachment to Community Funding Request

Sonshine Recovery Ministries is a local charity that helps people with Substance Use Disorder find recovery through Christ. If a lack of resources is the only thing holding a person back from seeking recovery, we fund them into a safe environment. The cost per person is \$350 and this pays for their entry fee and one weeks' rent. So far, we have placed 72 individuals into recovery homes. Also, if a person needs clothes or personal hygiene items, we provide those as well. **Sonshine Recovery Ministries** has a Thrift Store where the homeless can go and get two free outfits and shoes. We are also in the process of building a mobile shower/laundry facility to take into the homeless camps for shower, wash/dry laundry and have a fresh start. Last Thanksgiving, we fed over 350 homeless and/or addicted people, including children. All funds will go toward these efforts as stated and will feed and clothe many more of our homeless population. We will continue to carry the message of hope to the addicts and homeless Veterans and others. The more people we can place into a recovery atmosphere, the fewer people will be on the streets of our County.

COUNTY OF HORRY
STATE OF SOUTH CAROLINA

) COMMUNITY BENEFIT RESOLUTION R-27-2020
)

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 & Purpose</u>
6	\$5,000	<u>American Legion Post 40</u> – funding support for Palmetto Boys State Program, Veterans Day/Memorial Day observances, High School Oratorical Scholarship Program, and veterans assistance program.

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 1st day of September, 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

REQUEST FOR ALLOCATION OF COUNCIL COMMUNITY BENEFIT FUNDS

Request is made to Council District 6

Date of Request August 4, 2020

Non-Profit Organization Making Request:

Name: American Legion Post 40

(Must list the legal name of the organization that agrees to the Federal ID Number)

Address: 5811 Creekside Drive, Myrtle Beach, SC 29588

Phone: Temporary Contact No. 410 858-0942 Federal ID Number: 57-6025712

IRS Code Section under which tax exemption was granted: IRS Tax Exemption Determination Letter attached? X Yes No

(If above answer is "No", attach other information that supports that the IRS has identified your organization as exempt from tax.) Please

Description of the Tax Exempt Purpose of this Organization:

American Legion Post 40 maintains our tax exempt status under Internal Revenue Code Section 501 (c) (19) by operating exclusively for the following purposes:

1. Post 40 assists disabled and needy war veterans and members of the United States Armed Forces and their dependents – and the widows and orphans of deceased veterans
2. Post 40 carries on programs to perpetuate the memory of deceased veterans and members of the United States Armed Forces
3. Post 40 conducts programs for religious, charitable, scientific, literary or educational purposes
4. Post 40 sponsors and participates in activities of a patriotic nature
5. Post 40 provides social and recreational activities for members

Amount Requested: \$5,000

Dated Needed: September 30, 2020

Describe below, in specific detail, how the funds will be spent if allocated:

Post 40 respectfully requests funding to assist us with covering our annual expenses for the following American Legion programs:

1. American Legion Department of SC Palmetto Boys State Program that provides training for young men that appreciate our form of government and have demonstrated the potential ability to develop and ensure that the youth of the start are grounded in the fundamental concepts of American Democracy, its functions, and its heritage. Post 40 Legionnaires work with local schools to select candidates and sponsor them. We typically sponsor 4-6 young men at the cost of \$300 per candidate and around 250 – 300 man hours at the local level.

2. In observance of Veterans Day and Memorial Day, Post 40 Legionnaires place American Flags on approximately 450 – 500 military veteran's graves at Ocean Woods Memorial Cemetery, Withers Swash Cemetery, United Methodist Church of Socastee and Conway, and the Black

Cemetery behind the Myrtle Beach Convention Center. We have continued this tradition for over 80 years at an expense of \$100 and 50 -60 man hours per event.

3. The Annual High School Oratorical Scholarship Program is a program Post 40 supports at the local level and costs \$200. We participate in the nomination process and provide judges during the competition at the American Legion Zone level and if the candidate we sponsor wins the zone level they advance to competition at the State Level. Winners at the State Level advance to the National Level.

4. For our Veterans, Post 40 Legionnaires provide needs assistance, home repair, ramp entrance for wheelchair accessibility, and transportation to doctor appointments. All items are supported by donations for materials and man hours. Dollar amounts vary depending on the specific project requirements, but generally amount to approximately \$300 per project. We also provide information to Veterans seeking VA claims and medical assistance to the various government agencies here in the Horry County area. Post 40 Legionnaires make visitations to veterans in local hospitals and the VA Hospital in Charleston, SC. Man hours expended for transportation and costs donated by Post 40 veterans is approximately 100 man hours and \$400 annually.

We greatly appreciate the assistance we have received to date from the Horry County Council and many others including Home Depot, several other SC American Legions, and several private parties.

Post 40 Legionnaires would like to thank the County Council for this opportunity to submit this request for assistance during this rebuilding effort. Please be assured that any funding the County Council provides to Post 40 will be greatly appreciated and we want you to know that the money will be well spent.

Requested By: (Printed Name) Michael J. Stannard

Position in the Organization: Adjutant/Finance Officer

Signature:

A handwritten signature in cursive script that reads "Michael J. Stannard". The signature is written in dark ink and is positioned to the right of the printed word "Signature:".

COUNTY OF HORRY
STATE OF SOUTH CAROLINA

) COMMUNITY BENEFIT RESOLUTION R-28-2020
)

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 & Purpose</u>
6	\$1,000	<u>Caleb's Dragonfly Dreams</u> – promotional materials for fundraising festival for abused & neglected community youth.

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 1st day of September, 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

REQUEST FOR ALLOCATION OF COUNCIL COMMUNITY BENEFIT FUNDS

Request is made to Council District #6

Date of Request 8/14/2020

Non-Profit Organization Making Request:

Name: Calebs Dragonfly Dreams
(Must list the legal name of the organization that agrees to the Federal ID Number)

Address: 664 Forestbrook Rd MB SC 29579

Phone: 843 602 1049 Federal ID Number: 26-3441191

IRS Code Section under which tax exemption was granted: 501 c 3

IRS Tax Exemption Determination Letter attached? X Yes No
(If above answer is "No", attach other information that supports that the IRS has identified your organization as exempt from tax.)

Description of the Tax Exempt Purpose of this Organization:

We are a 501c3 non-profit that helps abused or neglected youth that reside in our local group homes in Horry County.

Amount Requested \$1,000 Dated Needed 10/1/2020

Describe below, in specific detail, how the funds will be spent if allocated:

The funds will be spent on promotional materials to make residents aware of the family friendly fundraising festival to be held in November. Flyers and other printed materials

Requested By: (Printed Name) Shellie Rabon

Position in the Organization: CEO Founder

Signature: Shellie Rabon

COUNTY OF HORRY
STATE OF SOUTH CAROLINA

) COMMUNITY BENEFIT RESOLUTION R-29-2020
)

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 & Purpose</u>
3	\$2,500	<u>Phoenix Renaissance</u> – funding support for the after-school program in the Racepath community.

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 1st day of September, 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

REQUEST FOR ALLOCATION OF COUNCIL COMMUNITY BENEFIT FUNDS

Request is made to Council District 3

Date of Request 8/18/20

Non-Profit Organization Making Request:

Name: Phoenix Renaissance

(Must list the legal name of the organization that agrees to the Federal ID Number)

Address: _____

Phone: _____ Federal ID Number: _____

IRS Code Section under which tax exemption was granted: _____

IRS Tax Exemption Determination Letter attached? _____ Yes on file No

(If above answer is "No", attach other information that supports that the IRS has identified your organization as exempt from tax.)

Description of the Tax Exempt Purpose of this Organization:

Amount Requested \$2500 Dated Needed _____

Describe below, in specific detail, how the funds will be spent if allocated:

Funding support for the After-School program
in the Racepath community.

Requested By: (Printed Name) _____
Dennis DiSabato

Position in the Organization: _____

Signature: _____

COUNTY OF Horry
STATE OF SOUTH CAROLINA

) COMMUNITY BENEFIT RESOLUTION R-30-2020
)

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 & Purpose</u>
4 & 11 (\$500 each)	\$1,000	<u>Student Angler League Tournament Trail</u> – support for fishing tournament for students in grades 1-12.

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 1st day of September, 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

REQUEST FOR ALLOCATION OF COUNCIL COMMUNITY BENEFIT FUNDS

Request is made to Council District 4 + 11

Date of Request 8/21/20

Non-Profit Organization Making Request:

Name: Student Angler League Tournament Trail
(Must list the legal name of the organization that agrees to the Federal ID Number)

Address: 324 Vesta Dr, Myrtle Beach 29579

Phone: _____ Federal ID Number: _____

IRS Code Section under which tax exemption was granted: _____

IRS Tax Exemption Determination Letter attached? _____ Yes on file No
(If above answer is "No", attach other information that supports that the IRS has identified your organization as exempt from tax.)

Description of the Tax Exempt Purpose of this Organization:

Amount Requested \$1,000 (\$500 each) Dated Needed _____

Describe below, in specific detail, how the funds will be spent if allocated:

Support for fishing tournament for students in
grades 1-12.

Requested By: (Printed Name) _____

Position in the Organization: _____

Signature: _____

Al Allen

BAR

APPLICATION FOR COUNTY APPOINTMENTS

NAME: Katherine Fuller DATE 8/16/20

ADDRESS: 400 20th Ave N, # 302
Myrtle Beach SC 29577

TELEPHONE NUMBER: 571 234 2598 (^{cell}home) _____ (work)

DATE OF BIRTH 10/28/59

YOUR COUNCIL MEMBER / DISTRICT: DiSabato, District 3

HAVE YOU EVER BEEN CONVICTED OF A FELONY? ___ (yes) (no)

HAVE YOU BEEN ARRESTED OTHER THAN A MINOR TRAFFIC ACCIDENT
WITHIN THE PAST TEN (10) YEARS? ___ (yes) (no)

BACKGROUND INFORMATION: (Please provide in detail or attach a resume).

EDUCATION:

SUNY Empire State, BS Public Administration - 1994
Goucher College, MA Historic Preservation - 2002

WORK:

Resume Attached

CIVIC ACTIVITIES:

Resume Attached

LIST PREVIOUS SERVICE ON HORRY COUNTY BOARDS OR COMMISSIONS
(indicate dates of terms):

Horry Cty Board of Architectural Review, 1995-2001

DUAL OFFICE HOLDING: Do you presently serve on any County or State Board or Commission?

NO

If appointed to a 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.

Katherine Fuller
Signature

8/14/20
Date

KATHERINE FULLER

EXPERIENCE

2019-present Deborah M Weir, CPA Myrtle Beach, SC
Staff Accountant

- Tax preparation for corporations, partnerships, non-profits and individuals.
- Small business advisory services
- Audit of homeowner associations

2013–2018 BT Group, Inc/Media Africa, Inc. Leesburg, VA
Controller

- Assess, develop and implement financial policies and procedures needed to accommodate organization growth.
- Prepare monthly financial statements and forecasts for management team.
- Analyze operating expenses and prepare both budget and rolling forecasts to enhance cash management.
- Train and manage accounting staff.
- Prepare tax workpapers for corporate returns.

2011–13 Reverb Networks, Inc. Sterling, VA
Controller

- Prepare monthly financial statements and supporting schedules for outside investors.
- Partner with management team to enhance and better integrate finance, HR and IT functions.
- Prepare tax workpapers for corporate return.

2005–11 Bullock & Associates, PC Leesburg, VA
Senior Accountant

- Perform controller functions for large non-profit client by providing oversight of accounting staff, reconciling subsidiary ledgers, drafting GAAP financial statements for annual audit, and preparing Form 990. In 2010, my first year on this engagement, I cut over 200 hours in the accounting department by streamlining procedures, implementing internal controls and customizing reporting.
- Tax preparation for corporations, partnerships, non-profits and individuals.

FULLER, KATHERINE

- Audit of non-profit organizations, review and compilation services for multiple entity types.
- Serve as internal quality control manager for firm and maintain documents for triennial peer review. Under my supervision, our firm passed the external peer reviews in 2007 and 2010 with no exceptions.
- Consistently exceed budgeted hours and billing.

1997-2005 Business Accounting Services Leesburg, VA
and Conway, SC

Owner

- Provide accounting, payroll and bookkeeping services on- and off-site to small business, corporate, and non-profit clients.
- Short-term contract work addressing cash, fixed assets and payroll issues for large corporation and transit authority.
- Long-term assignment as staff accountant at a religious institution: provide all accounting services, create and maintain member database, and implement software conversion from Quickbooks to ACS.

EDUCATION

State University of New York, Saratoga Springs, NY
Empire State College
B.S., Public Administration
Goucher College Baltimore, MD
M.A., Historic Preservation

VOLUNTEER

- ✓ Treasurer, Beth Chaverim Reform Congregation, 2005-07, 2010-11
- ✓ Horry County (SC) Board of Architectural Review, 1995-2001
- ✓ City of Conway (SC) Zoning Board of Appeals, 1999-2001

COMPUTER SKILLS

- ✓ Quickbooks (Online, Pro and Non-Profit), MAS90, Creative Solutions, ACS (Church management software), Lacerte and ProSeries

APPLICATION FOR COUNTY APPOINTMENTS

NAME: Hunter Platt **DATE** 7/12/2020

ADDRESS: 1039 44th Avenue North, Suite 203 Myrtle Beach, SC 29577 (office)

I live in NMB

TELEPHONE NUMBER: _____ **(home)** 843-315-6061 **(work)**

DATE OF BIRTH 10/2/71

YOUR COUNCIL MEMBER / DISTRICT: Worley / 1

HAVE YOU EVER BEEN CONVICTED OF A FELONY? (yes) (no)

HAVE YOU BEEN ARRESTED OTHER THAN A MINOR TRAFFIC ACCIDENT WITHIN THE PAST TEN (10) YEARS? (yes) (no)

BACKGROUND INFORMATION: (Please provide in detail or attach a resume).

EDUCATION: _____

see attached

WORK:

see attached

CIVIC ACTIVITIES:

see attached

LIST PREVIOUS SERVICE ON HORRY COUNTY BOARDS OR COMMISSIONS (indicate dates of terms):

ZBA 10/5/10 - 6/30/13 see attached

Board of Fee Appeals -- currently serving

DUAL OFFICE HOLDING: Do you presently serve on any County or State Board or Commission?

City of North Myrtle Beach Planning Commission

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

7/13/2020

Date



O: 843-315-6061
M: 843-602-5096
F: 843-945-4311
E: hplatt@traddcommercial.com

Hunter Platt, GAA

SENIOR ADVISOR

Hunter Platt has been active in brokerage, leasing, advisory/consulting and development services throughout the southeast since 1996. He serves as a Senior Advisor for **Tradd Commercial** focusing on retail, office, industrial, and hospitality brokerage/leasing/site selection, advisory services and development throughout the Carolinas with an emphasis in the Myrtle Beach MSA. His expertise includes but is not limited to investment properties, hospitality, office, industrial, resort, restaurant, special assets (REO), site selection, retail, development, receiverships, and land to include development tracts. Clients include many prominent national and regional companies. Since 2009, Hunter has assisted over 10 financial institutions with their REO disposition needs.

Prior to joining Tradd Commercial, Platt was the managing broker and Vice President of **Core Commercial – The Pinnacle Group, Inc.** He has over 20 years of commercial real estate experience to include brokerage, leasing, advisory/consulting, and development of over \$500 million in commercial real estate throughout the southeast. Prior to pioneering Core Commercial, Platt was the managing broker with the **Commercial Division of Prudential Burroughs & Chapin Realty, Inc.** This commercial operation was consistently ranked in the top 10% of the Prudential Franchises and won the prestigious Pinnacle Award on multiple occasions, indicating the top ten team performers in the Southeast (U.S.) and Canada.

Previously, Platt was a commercial fee appraiser in the Carolina's and Florida. His experience includes but not limited to industrial and warehouse buildings; manufacturing facilities; office and medical buildings / campus; retail stores and shopping centers; hotels and motels; timeshare and management contracts; C-stores and gas stations; amusement and mixed use to include bowling alleys, campgrounds, live entertainment venues, amusement parks, putt-putts, and go-cart tracks;

hospitals and medical campus; schools, marinas; restaurants; car wash facilities; quick lube/auto repair facilities; cemeteries; golf courses; churches; auto dealerships; residential and commercial subdivisions; multi-family to include apartments and condo complexes; self-storage; condemnation; easements; and partial interest/estate planning.

Platt earned a Bachelor of Science degree in Marketing with a concentration in Real Estate from **Clemson University**. He is a licensed Real Estate Broker in both South Carolina and North Carolina as well as a Certified General Appraiser. His career in real estate began in the valuation, consulting and development business in Miami, FL. Platt stays involved with the evolution of the business through continuing education seminars. He is affiliated with the **CCIM Institute** and the **Appraisal Institute**.

Platt is active in the community having served on numerous boards and committees to include **Chairman and Founding Member of the Commercial Investment Division of the Coastal Carolina Association of Realtors**; the **Horry County Board of Assessment Appeals**; the **Advisory Board of the Grant Center for Real Estate and Economic Development at Coastal Carolina University**; the **Grand Strand Economic Outlook Board (Waccamaw Regional Council of Governments)**; the **Zoning Appeals Board for Horry County**; the **North Myrtle Beach Planning Commission**; the **North Strand Chapter of Ducks Unlimited**; the **North Myrtle Beach Economic Development Council**; and the **Horry County Clemson Club**.

Contact Hunter Platt

843-602-5096 / 843-315-6061 | hplatt@traddcommercial.com



County Council Decision Memorandum Horry County, South Carolina

Date: August 27, 2020
From: Barry Spivey, Assistant County Administrator
Division: Administration
Cleared By: Steve Gosnell, County Administrator
RE: Announcement of Awards

ISSUE

The Government Finance Officers Association of the United States and Canada (GFOA) presented an award for **Distinguished Budget Presentation** to Horry County for its annual budget for the fiscal year beginning July 1, 2019. This is our thirty-first (31st) consecutive fiscal year (1990 through 2020) receiving this award.

In order to receive this award, a governmental unit must publish a budget document that meets program criteria as a policy document, as an operations guide, as a financial plan and as a communication device.

The Government Finance Officers Association of the United States and Canada (GFOA) presented a **Certificate of Achievement for Excellence in Financial Reporting** to Horry County for its Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2019. This is our thirty-third (33rd) consecutive fiscal year (1987 through 2020) receiving this award.

The CAFR has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The awards are valid for a period of one year only.



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished
Budget Presentation
Award*

PRESENTED TO

**Horry County
South Carolina**

For the Fiscal Year Beginning

July 1, 2019

Christopher P. Morrill

Executive Director



Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**Horry County
South Carolina**

For its Comprehensive Annual
Financial Report
For the Fiscal Year Ended

June 30, 2019

Christopher P. Morill

Executive Director/CEO

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: September 1, 2020
 Third Reading:

Rezoning Review Sheet



PROPERTY INFORMATION

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

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	CFA	Flood and Wetland Information (proposed FEMA maps)	X	MRD3	PDD	PDD
Proposed Zoning	RE3	Public Health & Safety (EMS/fire) in miles	1.24	MRD3	Subject Property	HC
Proposed Use	Mixed use residential, commercial, office, mini storage, etc	Utilities	Public	MRD3	PDD	HC
		Character of the Area	Residential/ Commercial			

COMMENTS

Comprehensive Plan District: Suburban	Overlay/Area Plan:
--	---------------------------

Discussion: 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.

Public Comment: 8/7/2020 There was no public input. Walter Warren was present to address questions and concerns.

TRANSPORTATION INFORMATION

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

DIMENSIONAL STANDARDS

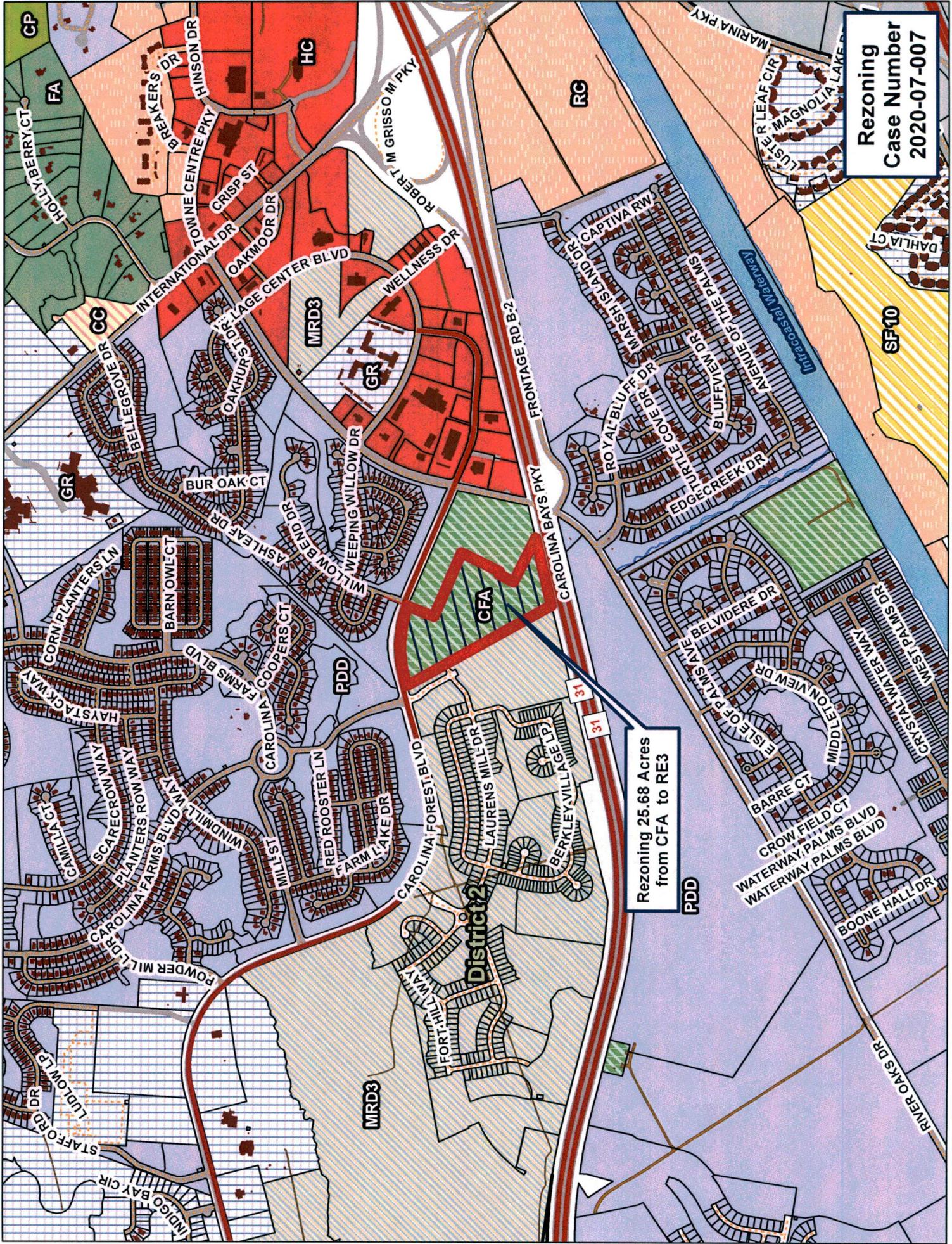
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	RE3	CFA Res/Comm	MRD3 Phase 17, Parks @ CF	PDD Berkshire Village Multi-Family	PDD Willows @ Bellegrove	HC
Min. Lot Size (in square feet)	10,000	21,780 / 43,560	1 acre	N/A	5,000	10,000
Front Setback (in feet)	60	25 / 60	25	20	20	50
Side Setback (in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

Setback Comments:

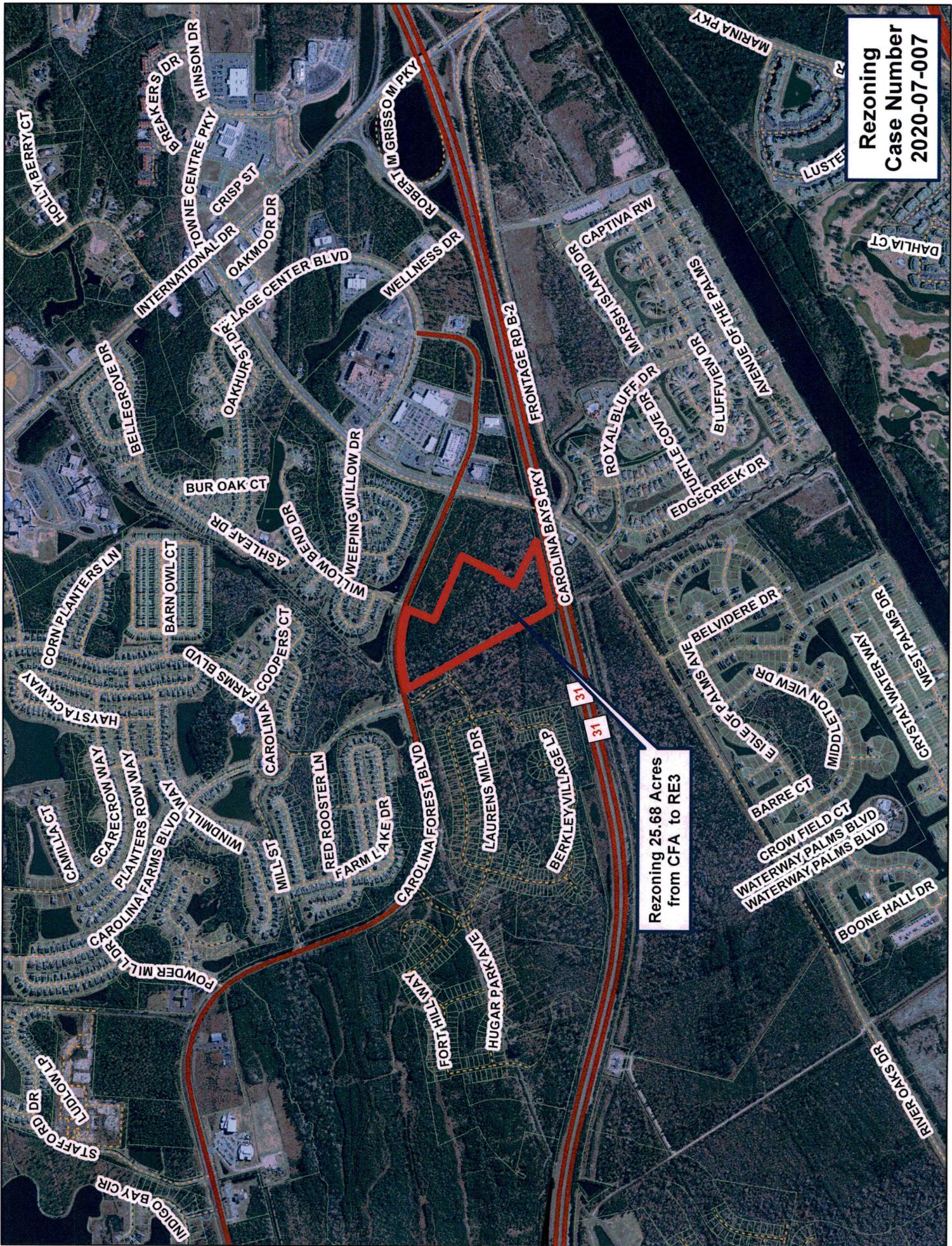
Date Advertised: 7/16/2020 Date Posted: 7/16/2020 # Property Owners Notified: 64 Date Notification Mailed: 7/16/2020 Report Date: 7/16/2020 BY: DJ

Rezoning
Case Number
2020-07-007

Rezoning 25.68 Acres
from CFA to RE3



Rezoning
Case Number
2020-07-007



Rezoning 25.68 Acres
from CFA to RE3

HOLLYBERRY CT
BEAKERS DR
HINSON DR
TOWNE CENTRE PKY
CRISP ST
ROBERT M GRISSO M PKY
MARINA PKY
LUSTER DR
DAHLIA CT
CAPTIVA RW
MARSH ISLAND DR
AVENUE OF THE PALMS
BLUFFVIEW DR
ROYAL BLUFF DR
TURTLE COVE DR
EDGE CREEK DR
FRONTAGE RD B-2
CAROLINA BAYS PKY
WELLNESS DR
WEEPING WILLOW DR
BUR OAK CT
WILLOW BEND DR
ASHLEAF DR
CORN PLANTERS LN
BARN OWL CT
BELVIDERE DR
WEST PALMS DR
CRYSTAL WATER WAY
MIDDLETON VIEW DR
ISLE OF PALMS AVE
BARRE CT
GROW FIELD CT
WATERWAY PALMS BLVD
WATERWAY PALMS BLVD
BOONE HALL DR
RIVER OAKS DR
BERKLEYVILLE GEE PL
LAURENS MILL DR
CAROLINA FOREST BLVD
FARM LAKE DR
MILL ST
RED ROOSTER LN
COOPERS CT
CAROLINA FARMS BLVD
WINDMILL WAY
PLANTERS ROM WAY
SCARECROW WAY
CAMILLA CT
POWDER MILL DR
INDIGO BAY CIR
STAFFORD DR
LUDLOW LP

COUNTY OF HORRY)

)
)
)

Ordinance 79-2020

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 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
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: September 1, 2020
Third Reading:

Rezoning Review Sheet



PROPERTY INFORMATION

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

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	CFA	Flood and Wetland Information (proposed FEMA maps)	A (AE flood zone)	HC	CFA	CFA
Proposed Zoning	MRD2	Public Health & Safety (EMS/fire) in miles	3.94	PDD	Subject Property	CFA
Proposed Use	Residential	Utilities	Public	PDD	CFA	CFA
		Character of the Area	Residential			

COMMENTS

Comprehensive Plan District:	Overlay/Area Plan:
-------------------------------------	---------------------------

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

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

DIMENSIONAL STANDARDS

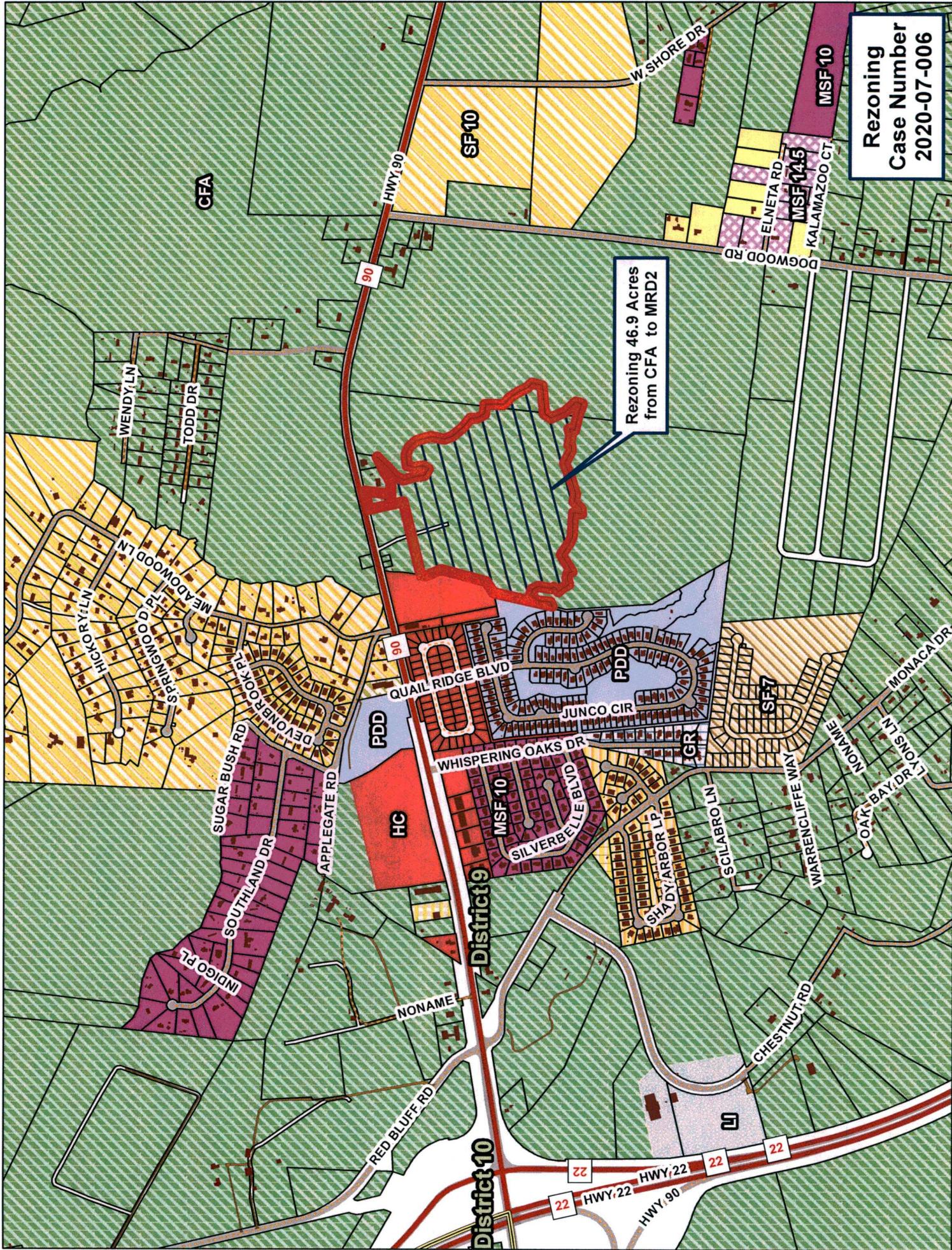
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MRD2	CFA Res/ Comm	PDD Wakefield	CFA Res/Comm	HC	
Min. Lot Size (in square feet)	5,000	21,780 / 43,560	6,000	21,780 / 43,560	6,000	
Front Setback (in feet)	15	25 / 60	20	25 / 60	20	
Side Setback (in feet)	5	10 / 25	5	10 / 25	10	
Corner Side Setback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



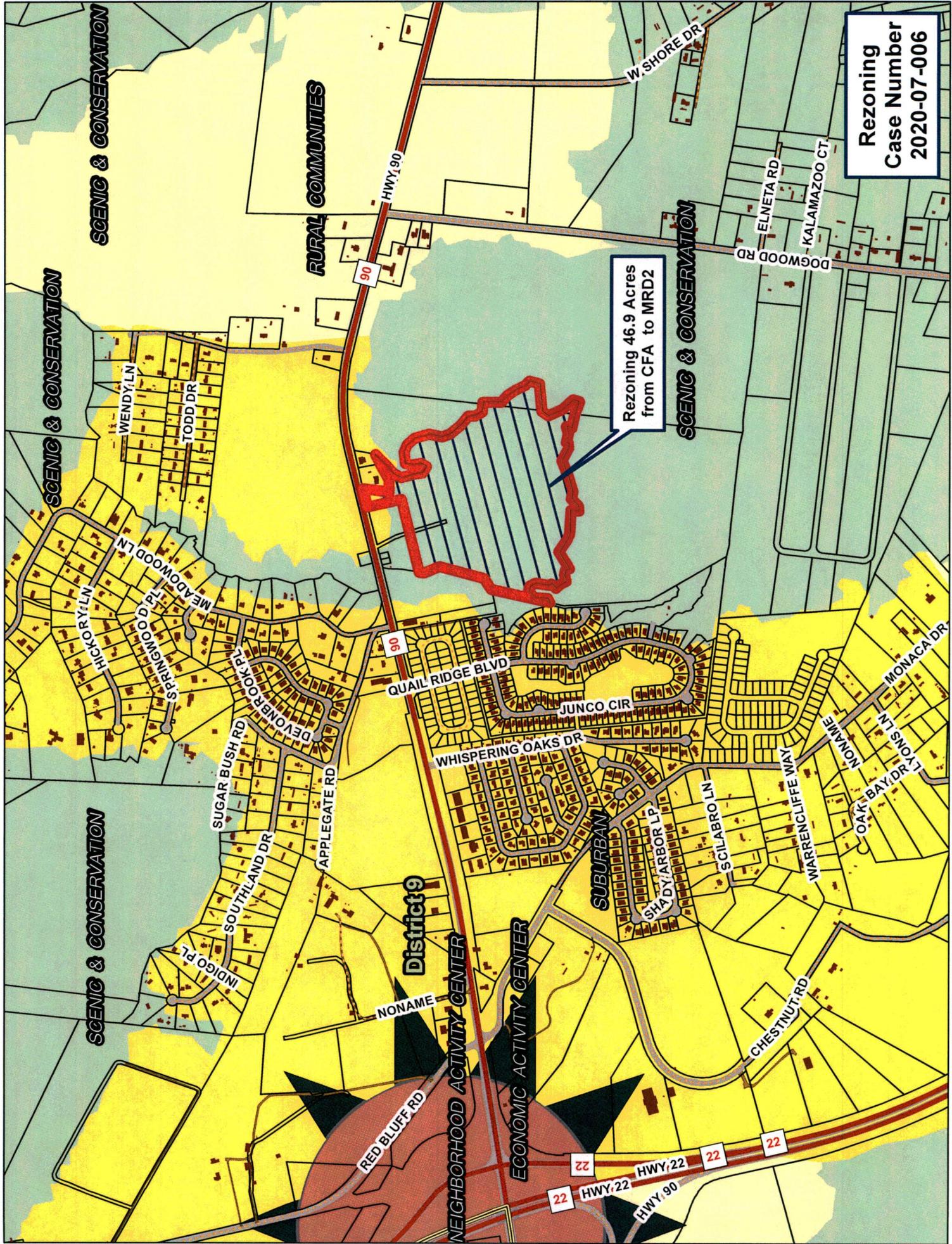
Rezoning
Case Number
2020-07-006

Rezoning 46.9 Acres
from CFA to MRD2



Rezoning
Case Number
2020-07-006

Rezoning 46.9 Acres
from CFA to MRD2



SCENIC & CONSERVATION

RURAL COMMUNITIES

SCENIC & CONSERVATION

SCENIC & CONSERVATION

SCENIC & CONSERVATION

District 9

SUBURBAN

NEIGHBORHOOD ACTIVITY CENTER

ECONOMIC ACTIVITY CENTER

RED BLUFF RD

22

HWY 22

22

HWY 22

22

90

HWY 90

90

22

HWY 90

22

HWY 22

22

W SHORE DR

ELNETA RD

KALAMAZOO CT

DOGWOOD RD

WENDY LN

TODD DR

MEADOW LN

SPRINGWOOD LN

HICKORY LN

SUGAR BUSH RD

SOUTHLAND DR

DEVON OAK BL

APPLEGATE RD

NONAME

QUAIL RIDGE BLVD

JUNCO CIR

WHISPERING OAKS DR

SHADY ARBOR LP

SCILABRO LN

WARRENCLIFFE WAY

NONAME

OAK BAY DR

MONACA DR

NONAME

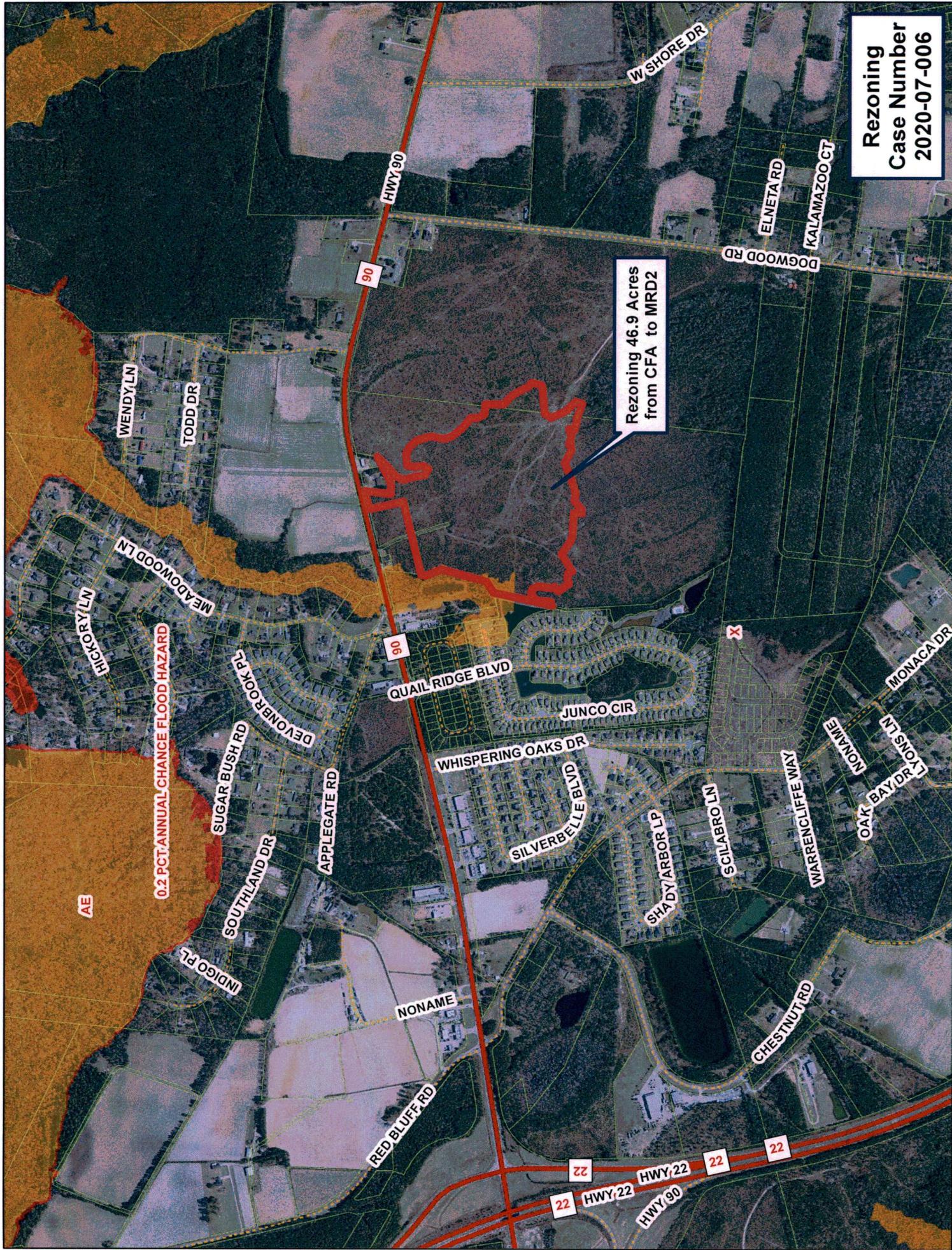
NONAME

NONAME

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
Total	218.14

- 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/Tax 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

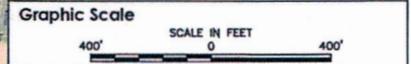
Hatch Legend

- 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



the
BRIGMAN
COMPANY
wetland consulting - forest management

COUNTY OF HORRY)

)

Ordinance 80-2020

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 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: September 1, 2020
Third Reading:

Rezoning Review Sheet



PROPERTY INFORMATION

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

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	SF20	Flood and Wetland Information (proposed FEMA maps)	X	CFA	CFA	CFA
Proposed Zoning	SF14.5	Public Health & Safety (EMS/fire) in miles	2.02	SF20	Subject Property	SF20
Proposed Use	Residential	Utilities	Public	SF20	SF20	SF20
		Character of the Area	Residential			

COMMENTS

Comprehensive Plan District: Rural Communities	Overlay/Area Plan:
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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

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

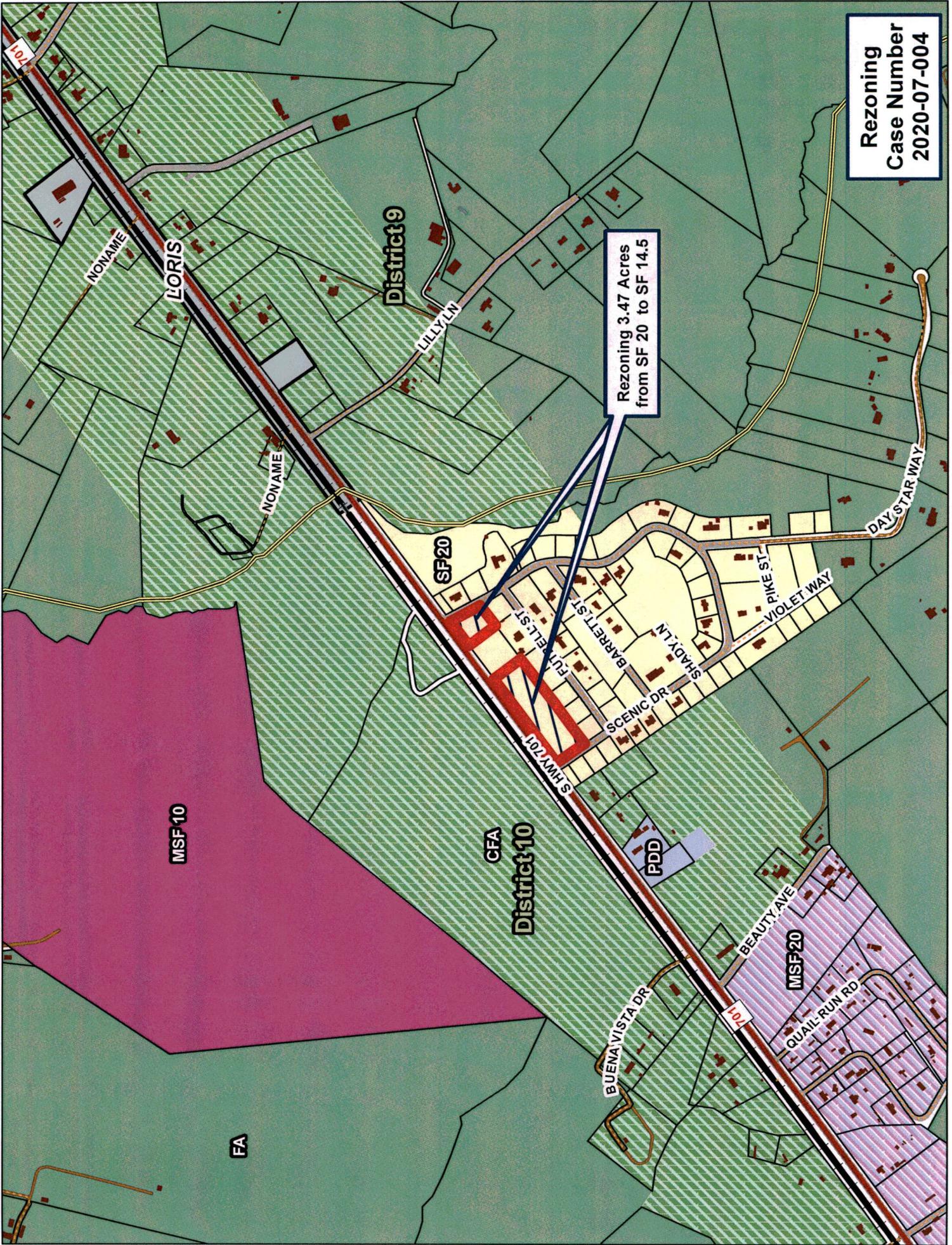
DIMENSIONAL STANDARDS

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



NONAME

LORIS

District 9

LILLY LN

NONAME

SF20

Rezoning 3.47 Acres
from SF 20 to SF 14.5

DAYSTAR WAY

PIKE ST

VIOLET WAY

FURNELL ST

BARRETT ST

SHADY LN

SCENIC DR

SHMY701

PDD

District 10

CFA

MSF 10

FA

BEAUTY AVE

MSF 20

BUENA VISTA DR

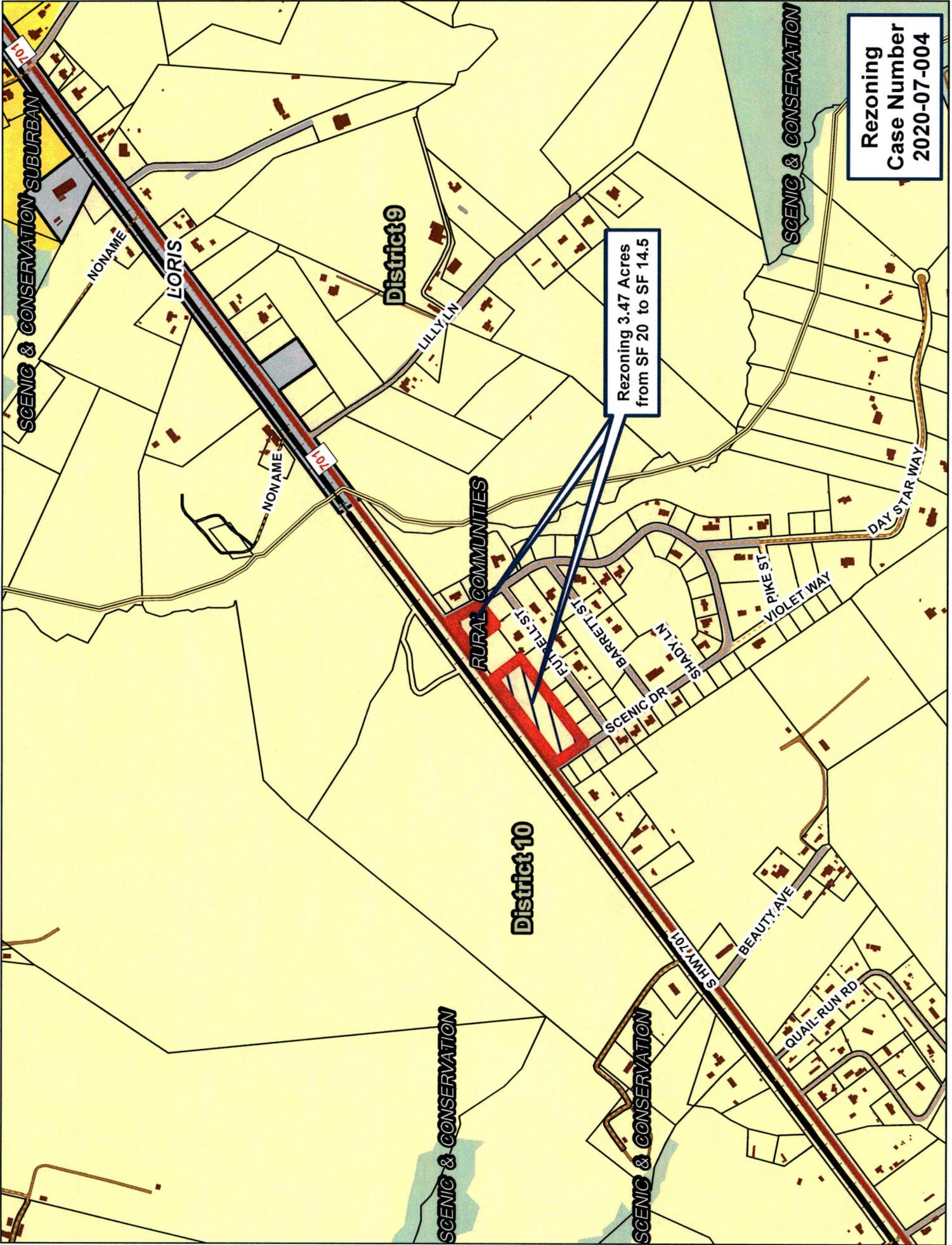
QUAIL-RUN RD

101

Rezoning
Case Number
2020-07-004

Rezoning 3.47 Acres
from SF 20 to SF 14.5





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

LORIS

LILLY LN

NONAME

NONAME

107

FUNNEL ST

BARRETT ST

SHADY LN

SCENIC DR

PIKE ST

VIOLET WAY

DAY STAR WAY

SHMYZLN

BEAUTY AVE

QUAIL-RUN RD

COUNTY OF HORRY)

)

Ordinance 81-2020

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 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
 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: September 1, 2020
 Third Reading:

Rezoning Review Sheet



PROPERTY INFORMATION

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

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	MHP	Flood and Wetland Information (proposed FEMA maps)	X	MSF40	FA	FA
Proposed Zoning	MSF20	Public Health & Safety (EMS/fire) in miles	2.65	MSF40	Subject Property	FA
Proposed Use	Residential – Subdivide into .5 acre lots	Utilities	Septic	MSF40	MSF40	MSF40
		Character of the Area	Residential			

COMMENTS

Comprehensive Plan District: Rural	Overlay/Area Plan: None
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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

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

DIMENSIONAL STANDARDS

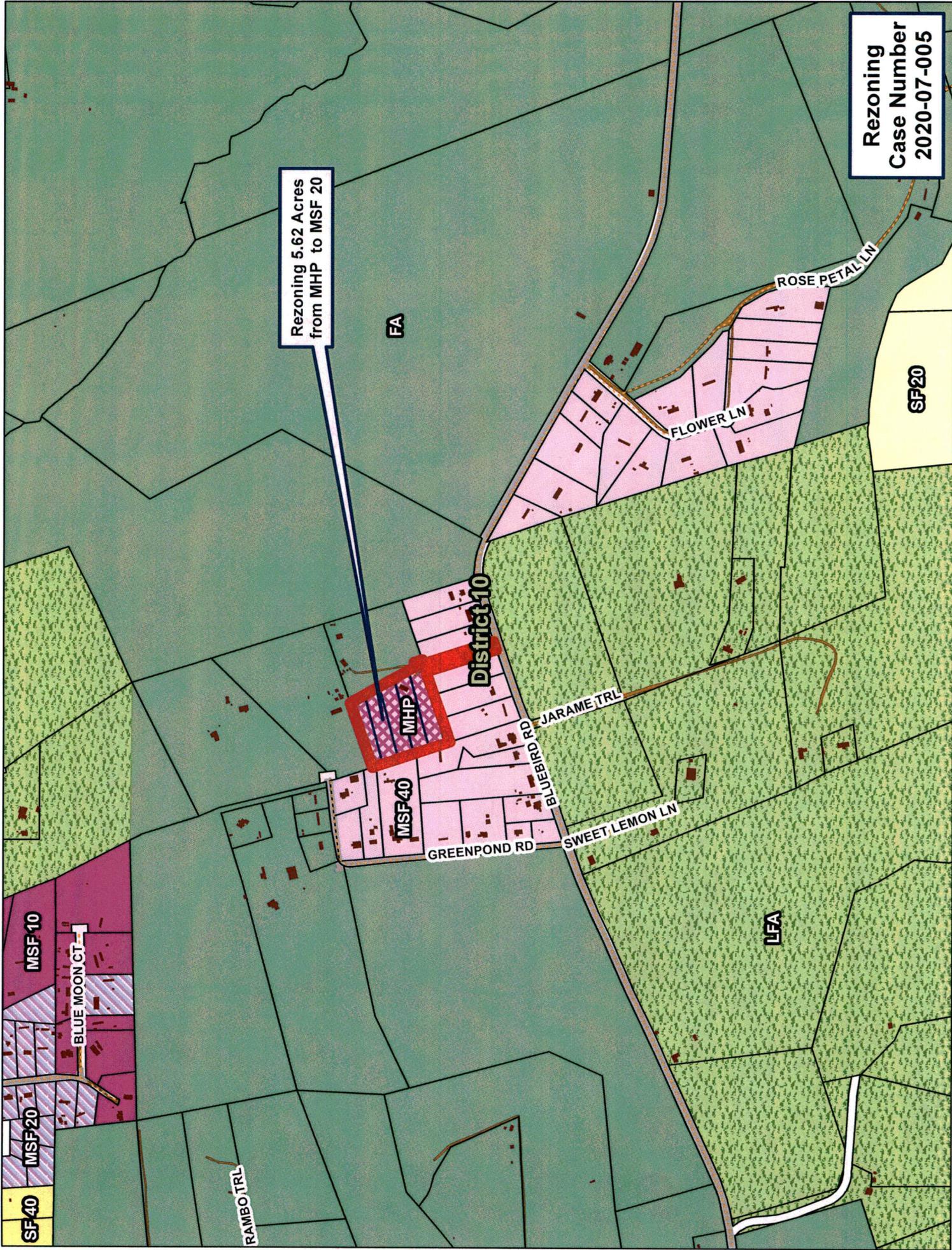
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MSF20	MHP	MSF40	FA		
Min. Lot Size (in square feet)	20,000	5 acres	40,000	21,780 / 43,560		
Front Setback (in feet)	40	See comments	50	25 / 60		
Side Setback (in feet)	15	See comments	20	10 / 25		
Corner Side Setback (in feet)	22.5	See comments	30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

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

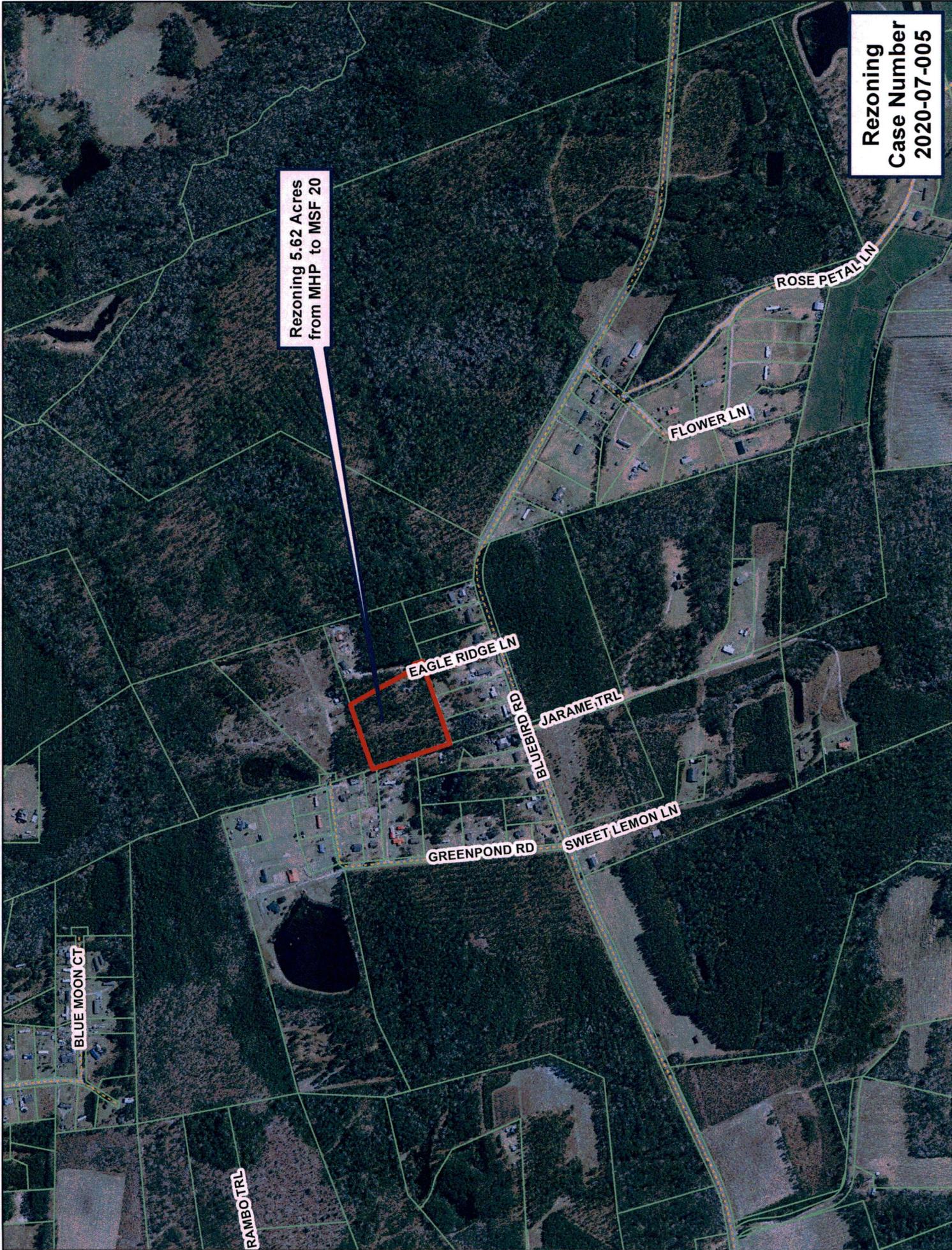
Rezoning
Case Number
2020-07-005

Rezoning 5.62 Acres
from MHP to MSF 20



Rezoning
Case Number
2020-07-005

Rezoning 5.62 Acres
from MHP to MSF 20



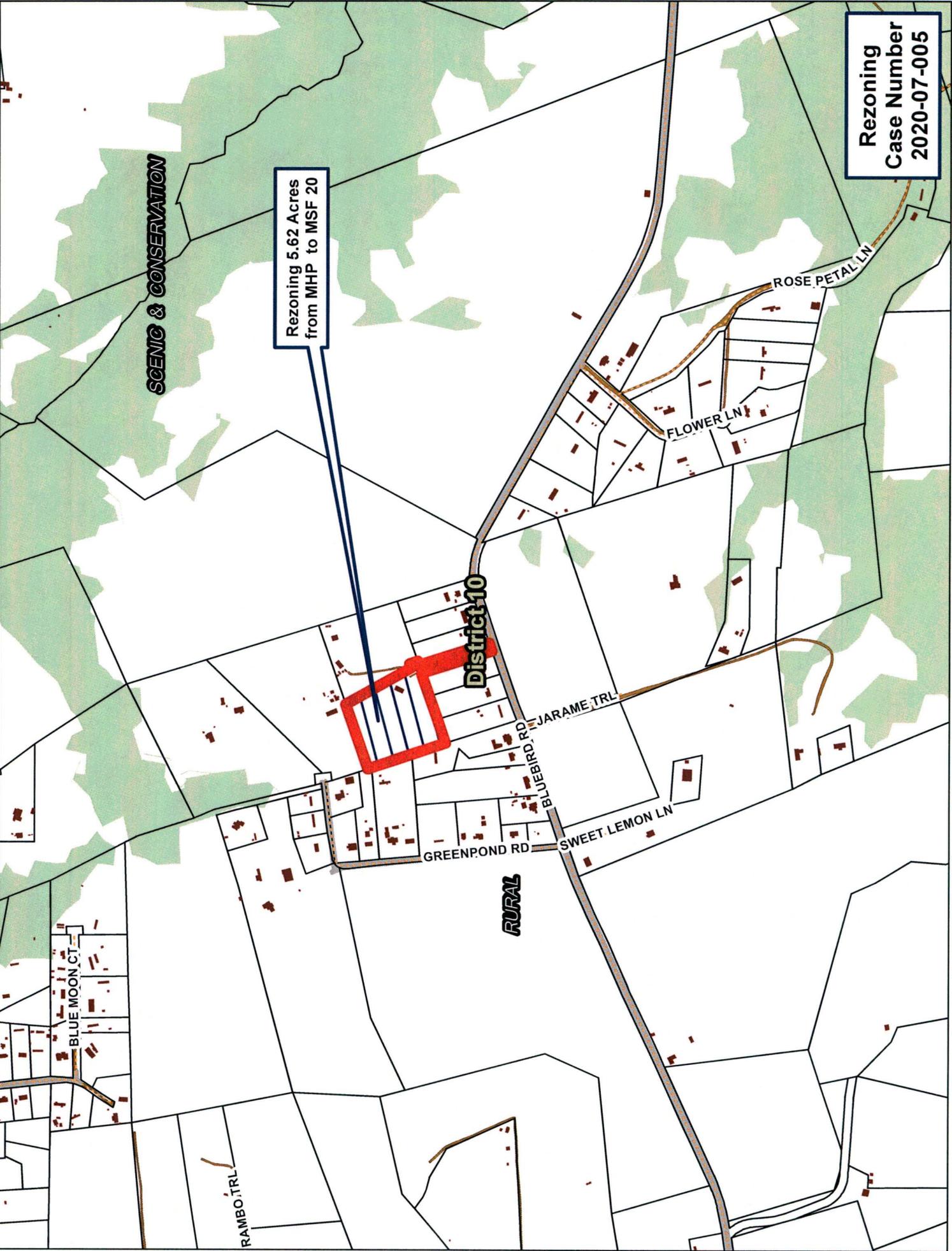
Rezoning
Case Number
2020-07-005

SCENIC & CONSERVATION

Rezoning 5.62 Acres
from MHP to MSF 20

District 10

RURAL



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 3440000039 (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 3440000039 (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: September 1, 2020
Third Reading:

Rezoning Review Sheet



PROPERTY INFORMATION

Applicant	Venture Engineering Inc (Energov # 049706)	Rezoning Request #	2020-07-008
PIN #	3440000039 (Portion)	County Council District #	10 – Hardee
Site Location	SC 90 near Old Reaves Ferry Rd in Conway	Staff Recommendation	Approval
Property Owner Contact	Canebrake Plantation LLC	PC Recommendation	Approval 8:1
		Size (in acres) of Request	81.36

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

COMMENTS

Comprehensive Plan District:	Overlay/Area Plan:
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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

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

DIMENSIONAL STANDARDS

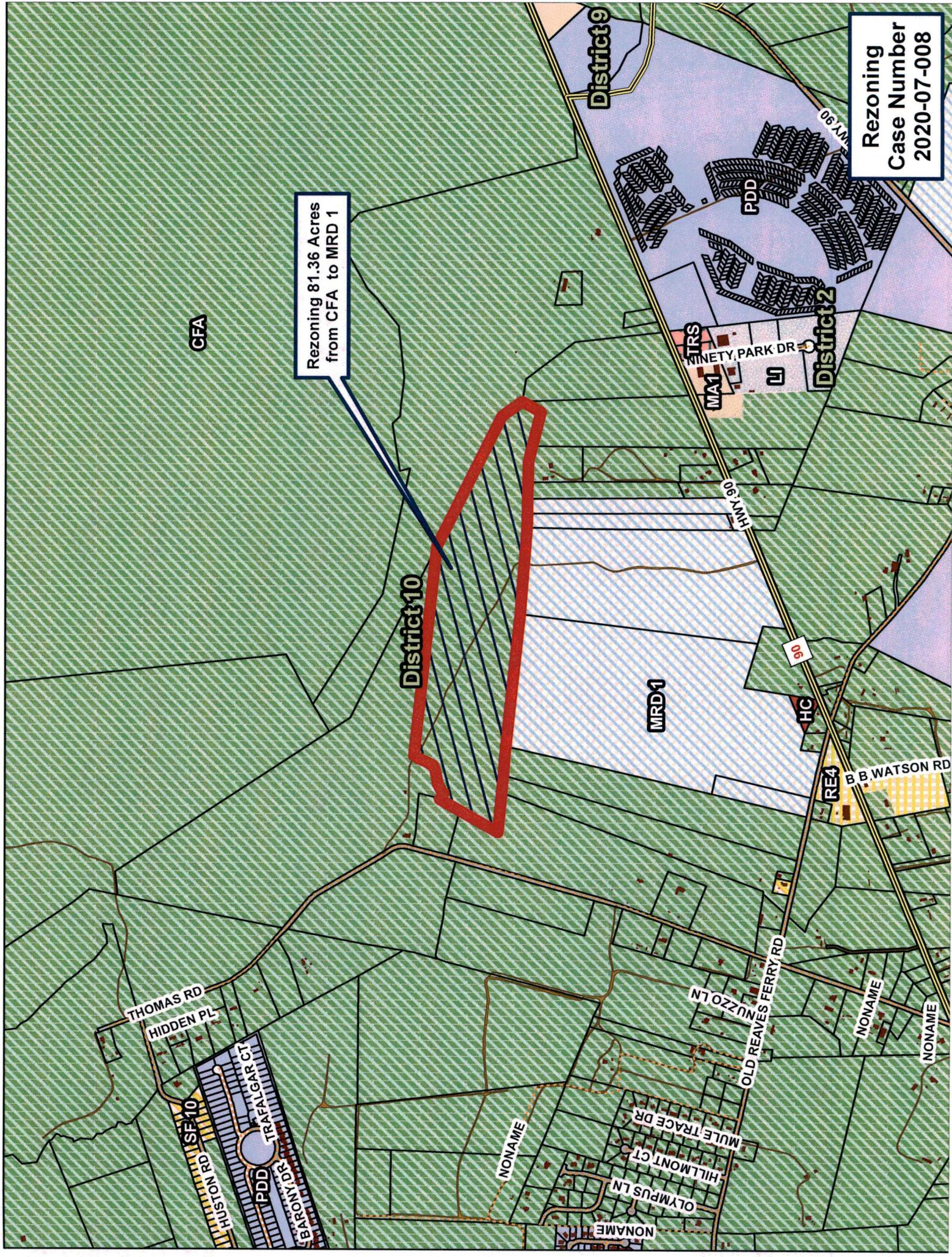
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MRD1	CFA	CFA	MRD1		
Min. Lot Size (in square feet)	10,000	21,780 / 43,560	21,780 / 43,560	7,000		
Front Setback (in feet)	15	25 / 60	25 / 60	15		
Side Setback (in feet)	5	10 / 25	10 / 25	5		
Corner Side Setback (in feet)	15	15 / 37.5	15 / 37.5	15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



CFA

District 10

District 9

PDD

MA1

District 2

MRD 1

HC

RE4

THOMAS RD
HIDDEN PL

HISTON CT

TRAFALGAR CT

BARONNY RD

MULE TRACE DR

HILLMONT CT

OLYMPUS LN

OLD REAVES FERRY RD

B.B. WATSON RD

NONAME

NONAME

NONAME

NONAME

SF 10

PDD

MA 90

MA 100

06

Rezoning
Case Number
2020-07-008

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

HURSTON DR
TRAFALGAR CT
BARNBY RD

NONAME

OLYMPUS LN
HILLMONT CT
MULE TRACE DR

NUZZO LN
OLD REAVES FERRY RD

NONAME

NONAME

HWY 90

06' AVE

Rezoning
Case Number
2020-07-008

Rezoning 81.36 Acres
from CFA to MRD 1

AE

0.2 PCT ANNUAL CHANCE FLOOD HAZARD

NINETY PARK DR

061/MT

06

THOMAS RD
HIDDEN PL

TRAFALGAR CT

HUSTON RD

BAARON DR

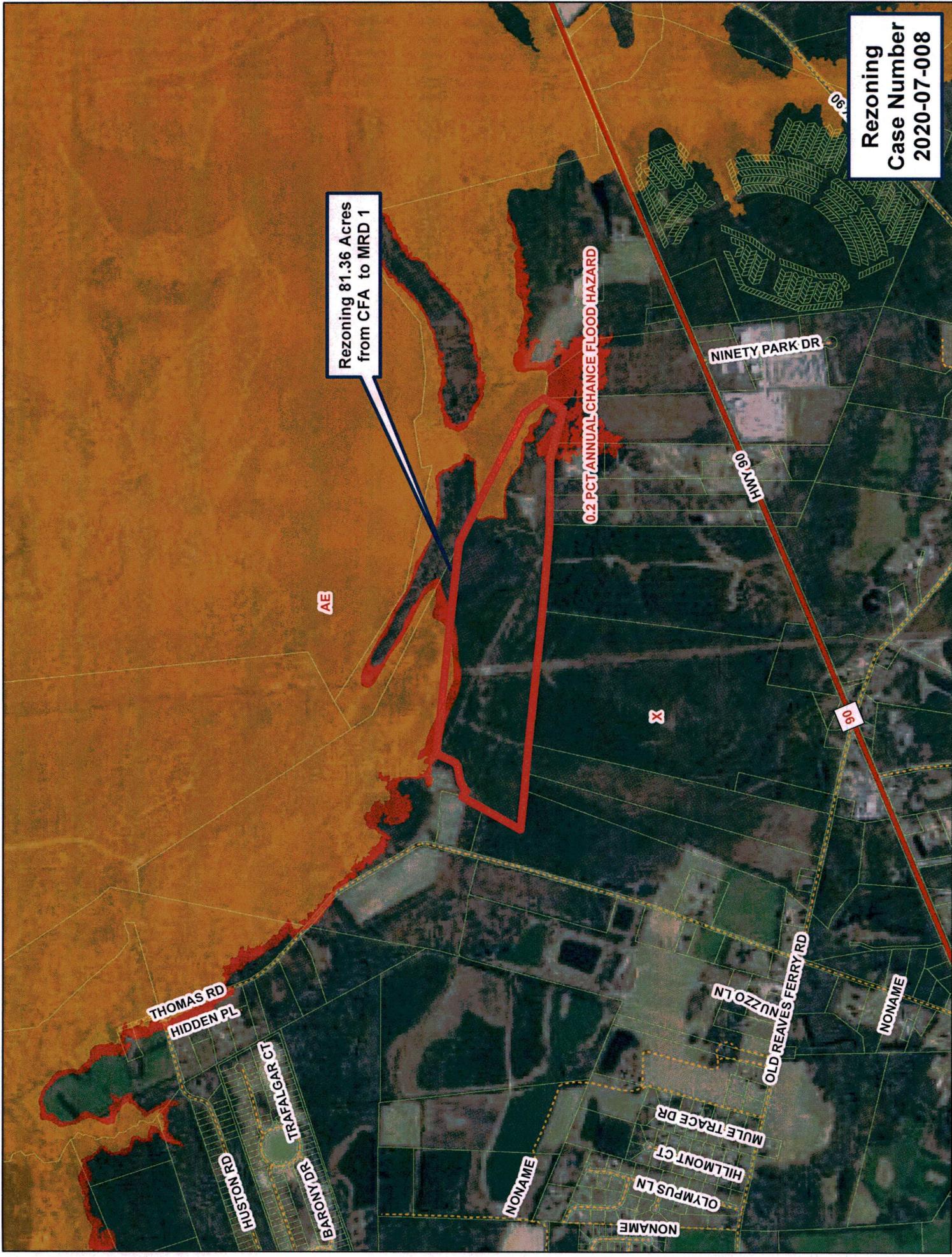
NONAME

NONAME

OLYMPUS LN
HILLMONT CT
MULE TRACE DR

OLD REAVES FERRY RD

NONAME



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	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: September 1, 2020
Third Reading:

Rezoning Review Sheet



PROPERTY INFORMATION

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

ZONING DISTRICTS

Current Zoning	SF40
Proposed Zoning	MSF14.5
Proposed Use	Allow for placement of mobile home

LOCATION INFORMATION

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

ADJACENT PROPERTIES

MSF10	MSF20	FA
SF40	Subject Property	MSF20
MSF14.5	MSF14.5	SF40

COMMENTS

Comprehensive Plan District: Rural Communities	Overlay/Area Plan: 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

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

DIMENSIONAL STANDARDS

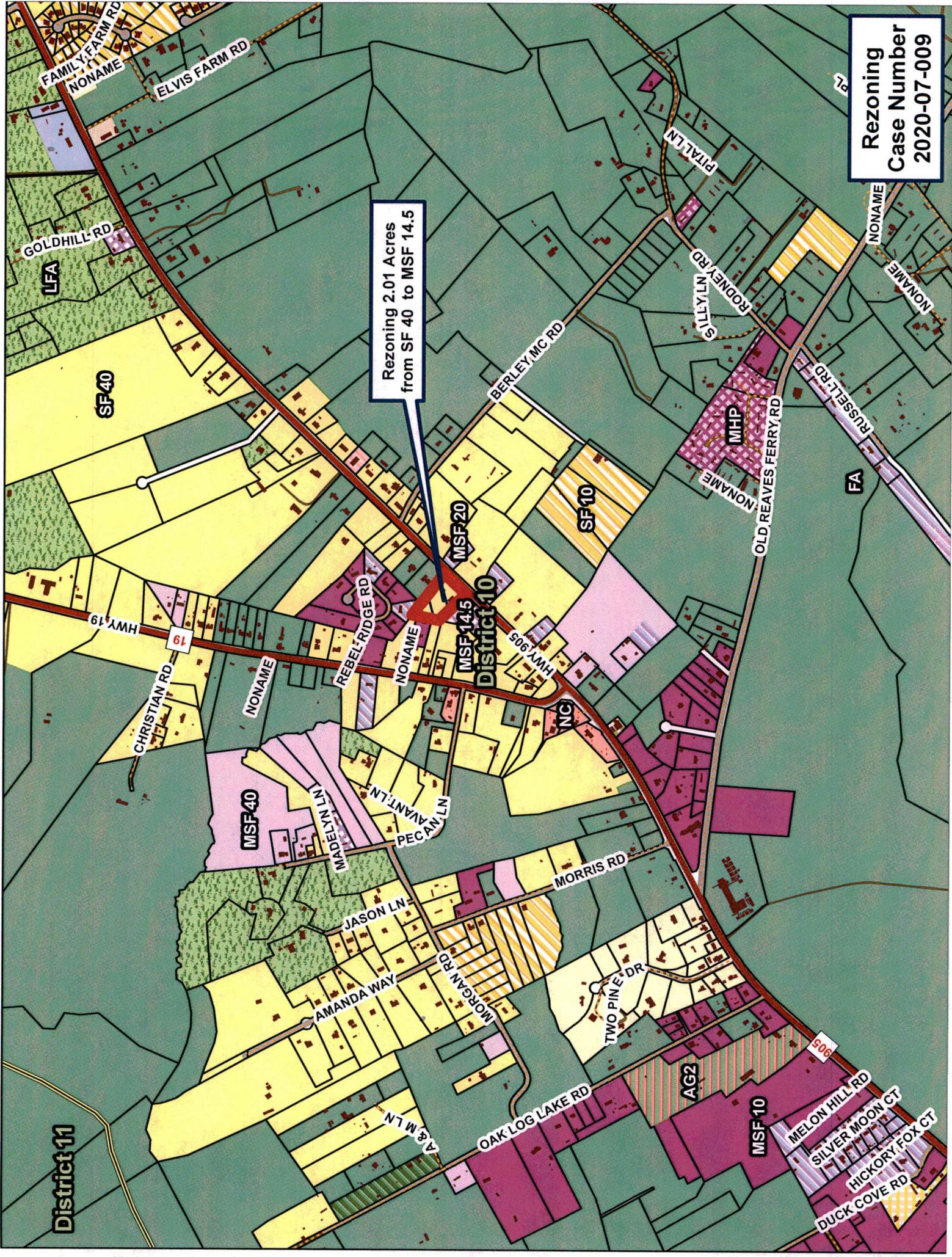
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MSF14.5	SF40	MSF10	MSF20	MSF14.5	FA Res/ Comm
Min. Lot Size (in square feet)	14,500	40,000	10,000	20,000	14,500	21,780 / 43,560
Front Setback (in feet)	25	50	25	40	25	25 / 60
Side Setback (in feet)	10	20	10	15	10	10 / 25
Corner Side Setback (in feet)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

SF 40

MSF 20

SF 10

MSF 40

AG 2

MSF 10

HWY 19

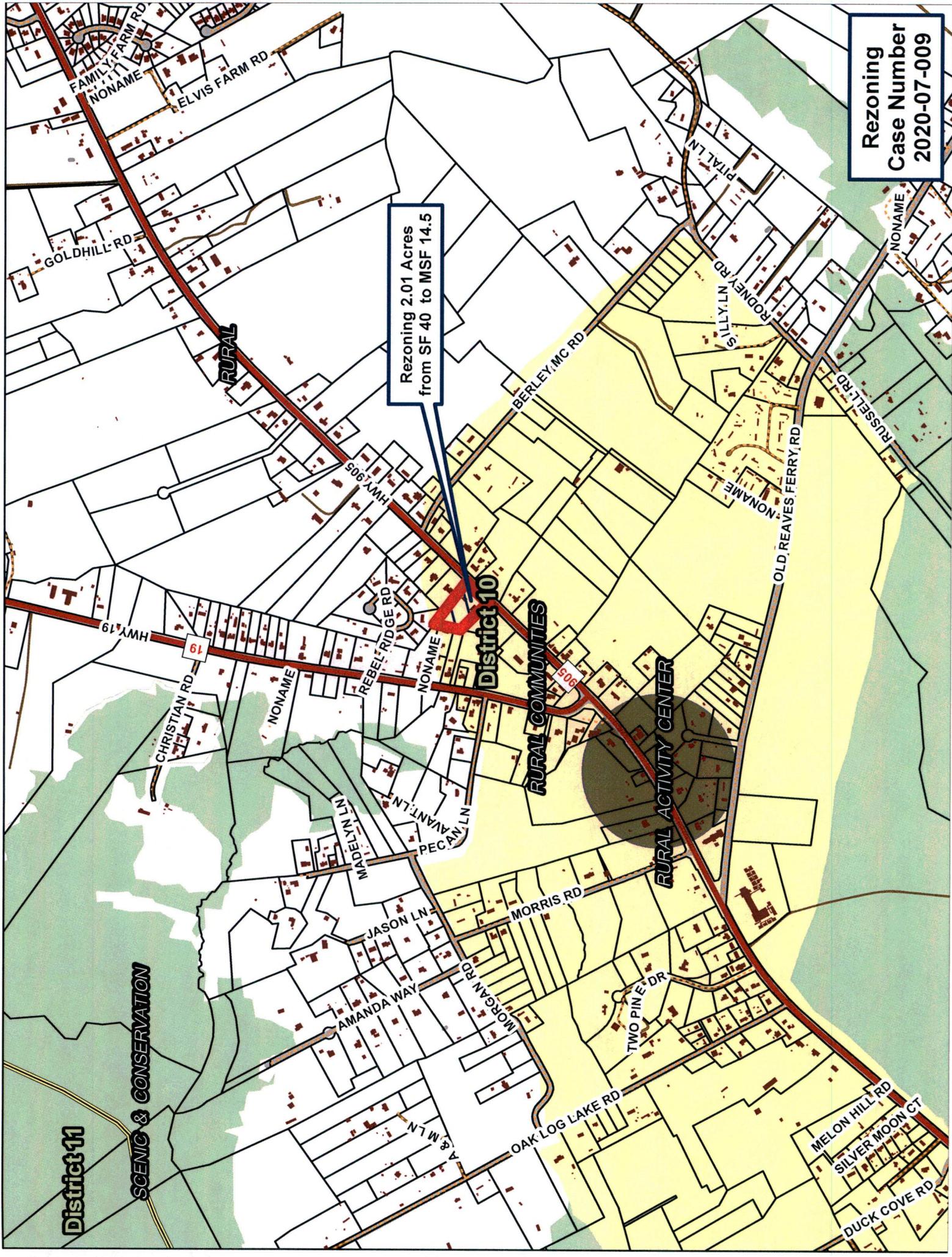
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Rezoning 2.01 Acres
from SF 40 to MSF 14.5

Rezoning
Case Number
2020-07-009

Rezoning 2.01 Acres
from SF 40 to MSF 14.5



District 10

RURAL COMMUNITIES

RURAL ACTIVITY CENTER

RURAL

SCENIC & CONSERVATION

District 11

COUNTY OF HORRY)
)
STATE OF SOUTH CAROLINA)

Ordinance 84-2020

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	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: September 1, 2020
Third Reading:

Rezoning Review Sheet



PROPERTY INFORMATION

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

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

COMMENTS

Comprehensive Plan District: Rural	Overlay/Area Plan: 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

Daily Trips based on existing use / Max Daily Trips based on current zoning	16 / 800	Existing Road Conditions	State, paved, two lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning	300 / 400	Rd, Station, Traffic AADT (2019) % Road Capacity	S-67, Station (459) 500 AADT 5-10%
Proposed Improvements			

DIMENSIONAL STANDARDS

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

Setback Comments:

Date Advertised: 7/16/2020

Date Posted: 7/16/2020

Property Owners Notified: 22

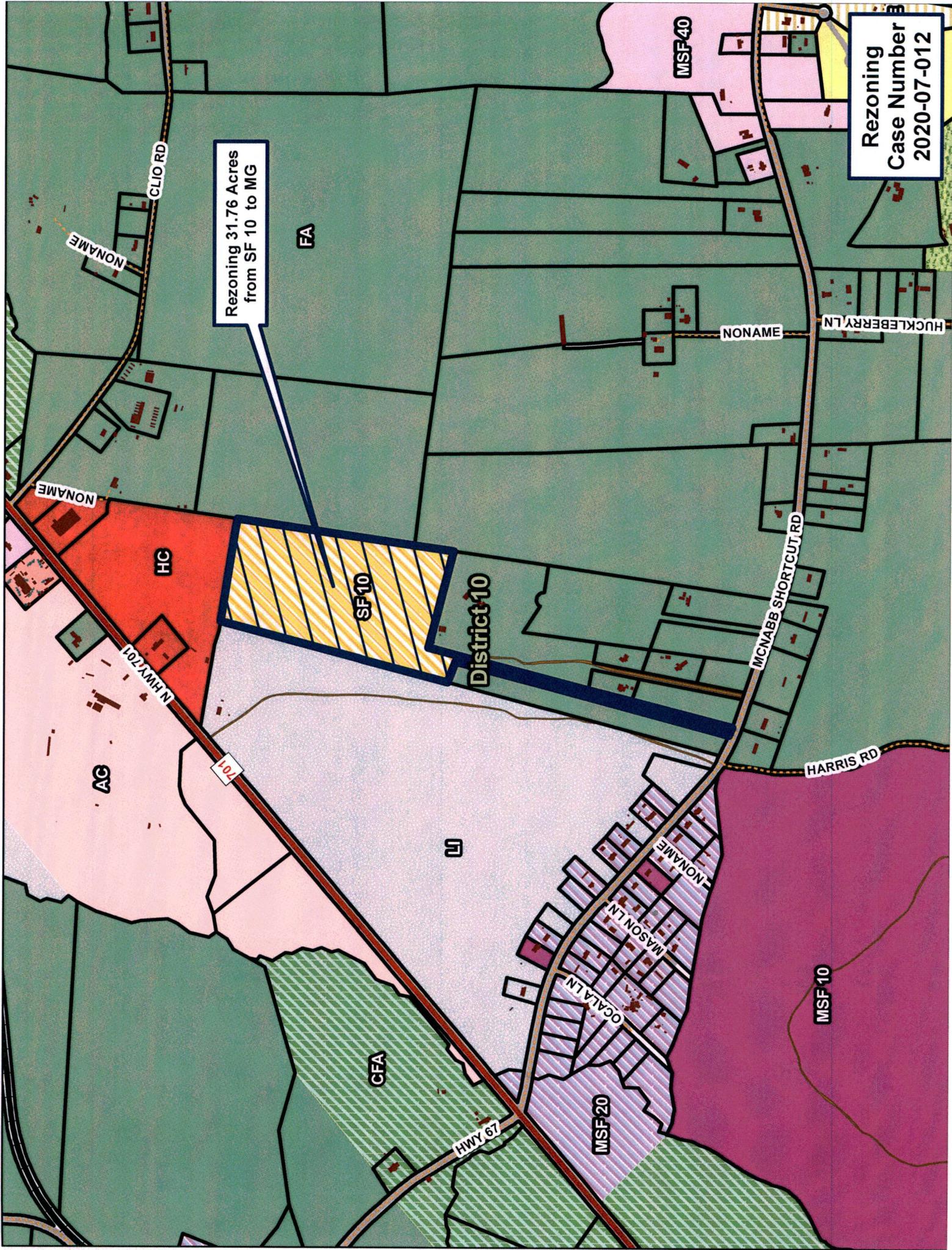
Date Notification Mailed: 7/16/2020

Report Date: 7/16/2020

BY: DJ

Rezoning
Case Number
2020-07-012

Rezoning 31.76 Acres
from SF 10 to MG



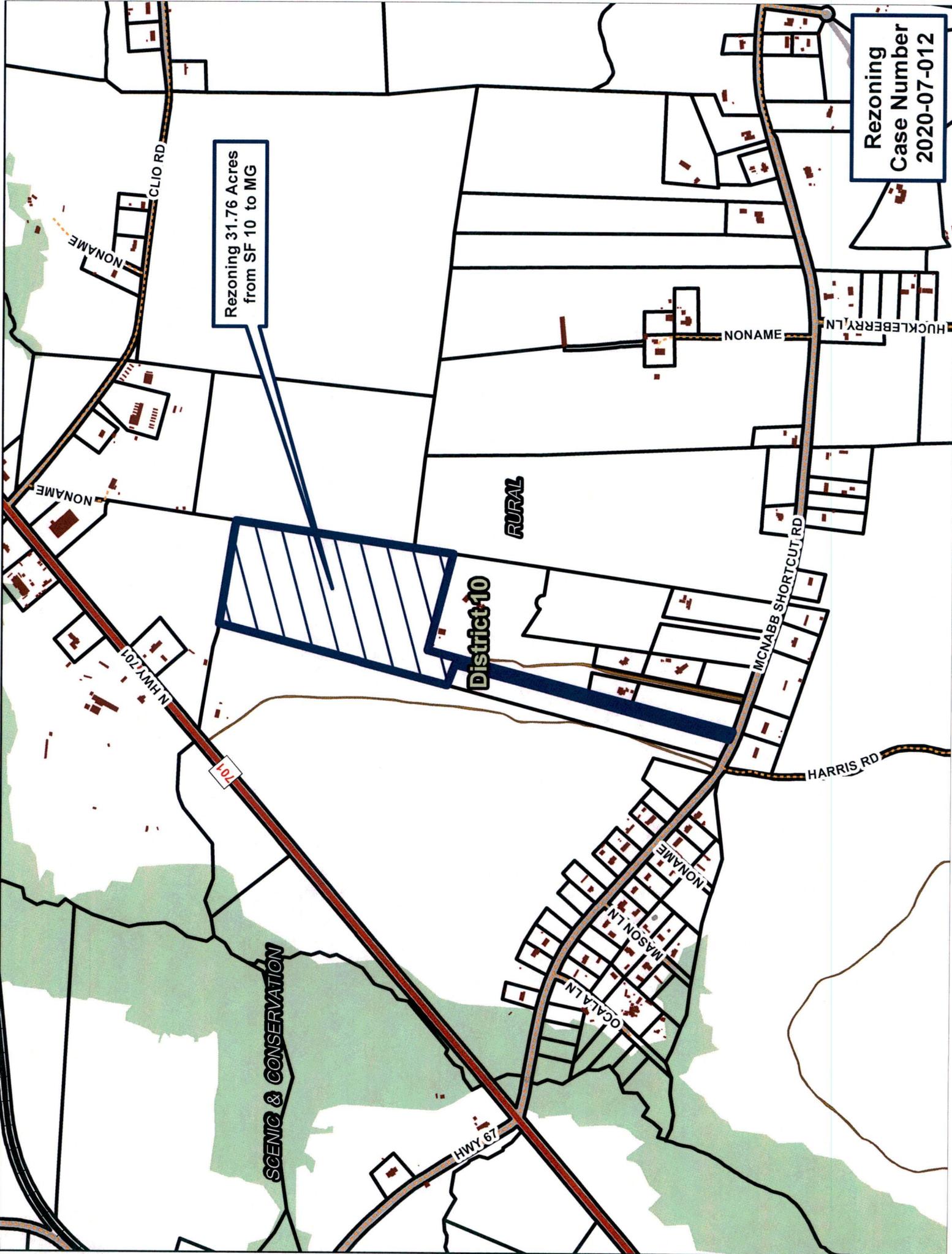
Rezoning
Case Number
2020-07-012

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from SF 10 to MG



RURAL

District 10

SCENIC & CONSERVATION

CLIO RD

NONAME

NONAME

N HWY 67

701

HWY 67

NONAME

HUCKLEBERRY LN

MCNABB SHORTCUT RD

HARRIS RD

NONAME

MASON LN

OCALA LN