

HORRY COUNTY PLANNING COMMISSION



June 4, 2020

~ 2020 ~

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PC WORKSHOP

PC MEETING

COUNTY COUNCIL

ZBA MEETING

COUNTY HOLIDAYS

PLANNING & ZONING DEPT
1301 2nd Avenue Room 1D09
Conway, SC 29526



Phone: (843) 915-5340
Fax: (843) 915-6341

Memorandum

To: Planning Commission Members
From: Susi Miller, Planning & Zoning Tech
Date: May 28, 2020
Re: Upcoming Meeting Dates and Times

May 28, 2020
3:00 p.m.

Planning Commission Workshop
Multi-purpose Room B, 1301 Second Ave, Conway

June 2, 2020
6:00 p.m.

County Council Meeting
Council Chambers, 1301 Second Ave, Conway

June 4, 2020
5:30 p.m.

Planning Commission Meeting
Multi-purpose Room B, 1301 Second Ave, Conway

June 16, 2020
6:00 p.m.

County Council Meeting
Council Chambers, 1301 Second Ave, Conway

June 25, 2020
3:00 p.m.

Planning Commission Workshop
Multi-purpose Room B, 1301 Second Ave, Conway

July 2, 2020
5:30 p.m.

Planning Commission Meeting
Multi-purpose Room B, 1301 Second Ave, Conway

July 3, 2020

County Holiday

REZONING REVIEW CRITERIA

Every zoning amendment should be analyzed with regard to the following:

A.

Comprehensiveness:

1. Is the change contrary to the established land-use pattern?
2. Would change create an isolated district unrelated to surrounding districts; i.e., Is this "spot zoning"?
3. Would change alter the population density pattern and thereby increase the load on public facilities (schools, sewers, streets)?
4. Are present district boundaries illogically drawn in relation to existing conditions?
5. Would the proposed change be contrary to the Future Land Use Plan?

B.

Changed Conditions:

1. Have the basic land use conditions been changed?
2. Has development of the area been contrary to existing regulations?

C.

Public Welfare:

1. Will change adversely influence living conditions in the neighborhood?
2. Will change create or excessively increase traffic congestion?
3. Will change seriously reduce the light and air to adjacent areas?
4. Will change adversely affect property values in adjacent areas?
5. Will change be a deterrent to the improvement or development of adjacent property in accord with existing regulations?
6. Will change constitute a grant of a special privilege to an individual as contrasted to the general welfare?

D.

Reasonableness:

1. Are there substantial reasons why the property cannot be used in accord with existing zoning?
2. Is the change requested out of scale with the needs of the neighborhood or the county?
3. Is it impossible to find adequate sites for the proposed use in districts permitting such use?

Zoning Districts

(Highlighted districts are no longer available for use in the rezoning of property)

AG1	Agriculture	Businesses for the raising, care and harvesting of trees, plants, animals and crops
AG2	Commercial Agriculture	Farm related businesses characterized as agriculture-commercial in nature
AG3	Agricultural Community Services	Intended for businesses that meet the needs of the rural community
AG4	Agricultural Estate	Residential development of five acres or greater with non-commercial farming activities, horses and limited farm animals
AG5	Agricultural Manufactured Estate	Residential development of five acres or greater including manufactured, modular and mobile homes with non-commercial farming activities, horses & limited farm animals
AG6	Agricultural Ranchettes	Residential on two acres or greater with non-commercial farming activities & horses
AG7	Manufactured Agricultural Ranchettes	Residential development of two acres or greater including manufactured, modular and mobile homes with non-commercial farming activities
LFA	Limited Forest Agriculture	Agriculture, low-density residential, forestry uses as well as limited commercial (agriculturally related), social, cultural, recreational, and religious uses
FA	Forest Agriculture	Agriculture, forestry, low-density residential, limited commercial (maximum size of 4,500 sq.ft.), social, cultural, recreational, and religious uses
CFA	Commercial Forest Agriculture	Agriculture, forestry, low-density residential, commercial, social cultural, recreational and religious uses
CP	Conservation/Preservation	Preserves environmentally sensitive or scenic lands
CO1	Conservation/Preservation	Preserves environmentally sensitive areas, such as wetlands, bays, creeks etc.
BO1	Boating/Marine Commercial	Businesses reliant on the ocean, rivers and streams
RE	Rural Estates	Rural family farms with minimum 1-acre lots excluding mobile home and including livestock and limited commercial
SF40	Residential, no mobile homes allowed	Minimum lot size - 40,000 sq. ft.
SF20	Residential, no mobile homes allowed	Minimum lot size - 20,000 sq. ft.
SF14.5	Residential, no mobile homes allowed	Minimum lot size - 14,500 sq. ft.
SF10	Residential, no mobile homes allowed	Minimum lot size - 10,000 sq. ft.
SF8.5	Residential, no mobile homes allowed	Minimum lot size - 8,500 sq. ft.
SF7	Residential, no mobile homes allowed	Minimum lot size - 7,000 sq. ft.
SF6	Residential, no mobile homes allowed	Minimum lot size - 6,000 sq. ft.(SF) or 8,000 sq. ft. (duplex)
MSF40	Residential, including mobile homes	Minimum lot size - 40,000 sq. ft.
MSF20	Residential, including mobile homes	Minimum lot size - 20,000 sq. ft.
MSF14.5	Residential, including mobile homes	Minimum lot size - 14,500 sq. ft.
MSF10	Residential, including mobile homes	Minimum lot size - 10,000 sq. ft.
MSF8.5	Residential, including mobile homes	Minimum lot size - 8,500 sq. ft.
MSF7	Residential, including mobile homes	Minimum lot size - 7,000 sq. ft.
MSF6	Residential, including mobile homes	Minimum lot size - 6,000 sq. ft.(SF) or 8,000 sq. ft. (duplex)
MHP	Mobile Home Park	Mobile home developments in which lots are leased
MRD 1	Multi-Residential One	Allows for mixed residential development in the <i>rural</i> areas of the county as identified on the future land use map.
MRD 2	Multi-Residential Two	Allows for mixed residential development in the <i>suburban</i> areas of the county as identified on the future land use map
MRD 3	Multi-Residential Three	Allows for mixed residential development in the <i>urban</i> areas of the county as identified on the future land use map
GR	General Residential	High density development including apartments and condominiums
GRn	General Residential "n"	One, two, multi-family, apartment and condominiums at a specified density per acre. No mobile homes are allowed.

RR	Resort Residential	Hotels, motels and resort condominiums
RC	Resort Commercial	Hotels, motels, condominiums, and marinas
RH	Resort Housing	Medium to high-density housing for transient population
AC	Amusement Commercial	Businesses providing entertainment as its primary activity
AM1	Indoor Amusement Commercial	Amusement related uses within buildings or facilities
AM2	Outdoor Amusement Commercial	Amusement related uses generally located outside buildings or facilities
NC	Neighborhood Commercial	Businesses intended to serve the surrounding neighborhood
CC	Community Commercial	Pedestrian-oriented commercial centers
HC	Highway Commercial	Automobile-oriented commercial development
CR	Commercial Recreation	Allows uses focused on commercially operated recreational activities
EIO	Education, Institution, Office	Allows uses focused on providing services that meet the education, medical, personal, professional, religious, and social needs of the community
RCS	Retail Consumer Services	Allows uses focused on commercially operated recreational activities public consumes, purchases or participates in as part of their day-to-day activities
TRS	Transportation Related Services	Allows uses that are auto reliant or focused on providing services for autos, public or private transportation facilities, services and communication facilities
RE1	Neighborhood Retail Services	Retail business or services with limited impacts intended to serve immediate neighborhood
RE2	Community Retail Services	Retail Business uses near communities or along transportation corridors
RE3	Convenience & Auto-related Services	Retail and service uses located adjacent to arterials or collector streets
RE4	High Bulk Retail	Retail or services businesses requiring outdoor storage areas
PA1	Passenger & Product Transportation	Intended for businesses that move people or goods within Horry County or to other destinations
OPI	Office/Professional/Institutional	Office developments, hospitals, and nursing homes
PR1	Office-Professional	Office or institutional uses
PR2	Campus Institution, Office & Research	Research, institutional & light industrial uses that are developed in "park" settings
ME1	Inpatient Medical Services	Inpatient and outpatient medical services (doctor's office, clinics etc.)
ME2	Outpatient Medical Services	Intense outpatient medical services (drug treatment centers, counseling facilities etc.)
LI	Limited Industrial	Industries not considered objectionable in terms of smoke noise, etc.
HI	Heavy Industrial	Large scale manufacturing, processing, and assembling operations
MA1	Limited Manufacturing and Industrial	Industries that do not pose potential environmental or safety hazards
MA2	General Manufacturing and Industrial	Industrial and manufacturing uses that may require outdoor storage
MA3	Heavy/Intense Manufacturing and Industrial	Intense manufacturing and industrial uses not appropriate in proximity to commercial or residential uses
PDD	Planned Development District	Allows for mixture of residential, commercial, office, industrial uses on a single site provided a written narrative and conceptual plan are submitted (PDD replaces the PUD district)
DP	Destination Park	Recreational sites for travel trailers and campers

Public Hearing Notice

The Horry County Planning Commission will hold a public hearing on Thursday, June 4, 2020 at 5:30 p.m. in the Multi-purpose Room of the Government & Justice Center located at 1301 Second Ave in Conway, South Carolina for the following rezoning requests. The Commission members will meet at 4:45 p.m. for refreshments. The Planning Commission Workshop will be held Thursday, May 28, 2020 at 3:00 p.m. All interested persons are urged to attend.

2020-04-008- Colby Jenerette, agent for Beth Clarke - Request to rezone 9.7 acres from Forest/Agriculture (FA) to Commercial Agriculture (AG2) located on Ford Taylor Rd in Conway (Council Member - Allen)

2020-05-001 - Darrell W & Sandra A Avery – Request to rezone .77 acre from Residential (SF20) to Residential (MSF20) and is located on Horseshoe Cir in Conway (Council Member – Bellamy)

2020-05-002 - DDC Engineers Inc., agent for Mark Karavan – Request to rezone 51.10 acres from Commercial Forest Agriculture (CFA) to Multi-Residential One (MRD1) located on Bear Bluff Rd in Conway (Council Member – Hardee)

2020-05-003 - Robert Guyton, agent for International Drive Land Holding Co LLC - Request to rezone 30.36 acres from Highway Commercial (HC) & Resort Commercial (RC) to Multi-Residential Three (MRD3) located at Carolina Towne Centre, between Hinson Dr & SC Hwy 31 in Myrtle Beach (Council Member – Howard)

2020-05-004 - Beach Flowers Inc. - Request to rezone 7.84 acres from Commercial Forest Agriculture (CFA) to Residential (MSF6) located off Hwy 707, on Fern Moss Rd in Myrtle Beach (Council Member – Crawford)

2020-05-005 - H.B. Springs Co. Real Estate, agent for Carolina Company LLC - Request to rezone 8 acres from Residential (SF6) to Convenience & Auto-related Services (RE3) located at US Bypass 17 at Deerfield Links Dr in Myrtle Beach (Council Member – Servant)

2020-05-006 – Venture Engineering Inc, agent for Christopher W Holmes – Request to rezone 4.75 acres from Forest Agriculture (FA) to Residential (SF14.5) located off Samuel Rd in Loris (Council Member – Prince)

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF HORRY COUNTY TO ESTABLISH THE MINING (MG) FLOATING ZONE AND STANDARDS THEREOF.

AN ORDINANCE TO AMEND 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.

Street Names - Consider the following street name change. All interested persons are urged to attend. For further information, please call Nancy Tindall (843) 915-7893

Loris Postal District (29569)

Cherub Lane – A 50’ improved private access easement replacing an existing shared private drive off Hwy 9 in Loris

Title VI Notice

Horry County Government does not discriminate on the basis of race, color, national origin or sex, under Title VI of the Civil Rights Act. Persons who believe their access to services or programs is limited in violation of Title VI may contact the Title VI Coordinator at 843-915-7354.

Es la poliza de Gobierno de Condado de Horry de asegurar que ninguna persona sea excluida de participacion o sea negado los beneficios, o sea desicriminado bajo cualquiera de sus programas y actividades financiado con fondos federales sobre la base de raza, color, origen nacional o sexo, como proveido por el Titulo VI. Las personas que creen que su acceso a los servicios o programas es limitado en violacion del Titulo VI puede ponerse en contacto con el la Coordinadores de Titulo VI, al 843-915-7354.

Americans with Disabilities Act (ADA) Information

The meeting site is accessible to persons with disabilities. Accommodations for persons with disabilities may be arranged with advance notice by calling the Title VI Coordinator at 843-915-7354.

Informacion sobre el Acta (ADA) para estadounidenses con discapacidades

El lugar de la reunion es accessible par alas personas con discapacidades. Se puede hace arreglos de acomodacion reasonable par alas personas con discapacidades, con aviso anticipado, llamando al con la Coordinadores de Titulo VI, al 843-915-7354.



Committed to Excellence

HORRY COUNTY PLANNING COMMISSION MEETING

AGENDA

June 4, 2020 – 5:30 p.m.

- I. Call to Order – 5:30 p.m.**
- II. Invocation & Pledge of Allegiance**
- III. Public Input- You must register in the Planning Department one hour prior to the meeting.**
- IV. New Business**
- V. Approval of Minutes**
 - 1. Planning Commission Workshop – April 30, 202013-14
 - 2. Planning Commission Meeting – May 7, 202015-18
- VI. Street Names - No Public Hearing Required**
- VII. Street Names - Public Hearing Required**
 - Loris Postal District (29569)**
 - Cherub Lane – A 50’ improved private access easement replacing an existing shared private drive off Hwy 9 in Loris19**
- VIII. Public Hearings**
 - A. Rezoning Requests**
 - 1. PREVIOUSLY DEFERRED 2020-04-008-** Colby Jenerette, agent for Beth Clarke - Request to rezone 9.7 acres from Forest/Agriculture (FA) to Commercial Agriculture (AG2) located on Ford Taylor Rd in Conway (Council Member - Allen)20-23
 - 2. PREVIOUSLY DEFERRED 2020-04-010 -** Wright, Worley, Pope, Ekster & Moss, PLLC, agent for Brandon R Guignon – Request to rezone 13.22 acres from Residential (MSF10) to High Bulk Retail (RE4) located on Freewoods Rd in Myrtle Beach (Council Member – Loftus)24-27
 - 3. 2020-05-001 -** Darrell W & Sandra A Avery – Request to rezone .77 acre from Residential (SF20) to Residential (MSF20) and is located on Horseshoe Cir in Conway (Council Member – Bellamy) 28-33
 - 4. 2020-05-002 -** DDC Engineers Inc., agent for Mark Karavan – Request to rezone 51.10 acres from Commercial Forest Agriculture (CFA) to Multi-Residential One (MRD1) located on Bear Bluff Rd in Conway (Council Member – Hardee)34-39
 - 5. 2020-05-003 -** Robert Guyton, agent for International Drive Land Holding Co LLC - Request to rezone 30.36 acres from Highway Commercial (HC) & Resort Commercial (RC) to Multi-Residential Three (MRD3) located at Carolina Towne Centre, between Hinson Dr. & SC Hwy 31 in Myrtle Beach (Council Member – Howard)40-47



HORRY COUNTY PLANNING COMMISSION MEETING

- 6. **2020-05-004** - Beach Flowers Inc. - Request to rezone 7.84 acres from Commercial Forest Agriculture (CFA) to Residential (MSF6) located off Hwy 707, on Fern Moss Rd in Myrtle Beach (Council Member – Crawford)

Design Modification – To allow a cul-de-sac greater than 1,800 linear feet.**48-54**

- 7. **2020-05-005** - H.B. Springs Co. Real Estate, agent for Carolina Company LLC - Request to rezone 8 acres from Residential (SF6) to Convenience & Auto-related Services (RE3) located at US Bypass 17 at Deerfield Links Dr. in Myrtle Beach (Council Member – Servant)**55-59**
- 8. **2020-05-006** – Venture Engineering Inc., agent for Christopher W Holmes – Request to rezone 4.75 acres from Forest Agriculture (FA) to Residential (SF14.5) located off Samuel Rd in Loris (Council Member – Prince)**60-65**

B. Text Amendments

- 1. AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF HORRY COUNTY TO ESTABLISH THE MINING (MG) FLOATING ZONE AND STANDARDS THEREOF **66-70**
- 2. AN ORDINANCE TO AMEND 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.**71-87**

IX. Adjourn



HORRY COUNTY PLANNING COMMISSION WORKSHOP
AGENDA
May 28, 2020 – 3:00 p.m.

- I. Call to Order – 3:00 p.m.**
- II. New Business**
- III. Developments - Street Names - No Public Hearing Required**
- IV. Street Names - Public Hearing Required**
 - Loris Postal District (29569)**
 - Cherub Lane – A 50’ improved private access easement replacing an existing shared private drive off Hwy 9 in Loris19**
- V. Design Modification**
- VI. Rezoning Requests**
 - 1. PREVIOUSLY DEFERRED 2020-04-008-** Colby Jenerette, agent for Beth Clarke - Request to rezone 9.7 acres from Forest/Agriculture (FA) to Commercial Agriculture (AG2) located on Ford Taylor Rd in Conway (Council Member - Allen)**20-23**
 - 2. PREVIOUSLY DEFERRED 2020-04-010 -** Wright, Worley, Pope, Ekster & Moss, PLLC, agent for Brandon R Guignon – Request to rezone 13.22 acres from Residential (MSF10) to High Bulk Retail (RE4) located on Freewoods Rd in Myrtle Beach (Council Member – Loftus)**24-27**
 - 3. 2020-05-001 -** Darrell W & Sandra A Avery – Request to rezone .77 acre from Residential (SF20) to Residential (MSF20) and is located on Horseshoe Cir in Conway (Council Member – Bellamy) **28-33**
 - 4. 2020-05-002 -** DDC Engineers Inc., agent for Mark Karavan – Request to rezone 51.10 acres from Commercial Forest Agriculture (CFA) to Multi-Residential One (MRD1) located on Bear Bluff Rd in Conway (Council Member – Hardee)**34-39**
 - 5. 2020-05-003 -** Robert Guyton, agent for International Drive Land Holding Co LLC - Request to rezone 30.36 acres from Highway Commercial (HC) & Resort Commercial (RC) to Multi-Residential Three (MRD3) located at Carolina Towne Centre, between Hinson Dr & SC Hwy 31 in Myrtle Beach (Council Member – Howard)**40-47**
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HORRY COUNTY PLANNING COMMISSION WORKSHOP

- 8. **2020-05-006** – Venture Engineering Inc, agent for Christopher W Holmes – Request to rezone 4.75 acres from Forest Agriculture (FA) to Residential (SF14.5) located off Samuel Rd in Loris (Council Member – Prince)**60-65**

VII. Text Amendments

- 1. AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF HORRY COUNTY TO ESTABLISH THE MINING (MG) FLOATING ZONE AND STANDARDS THEREOF.**66-70**
- 2. AN ORDINANCE TO AMEND 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.**71-87**

VIII. Adjourn

The Horry County Planning Commission met for a virtual meeting on Thursday, April 30, 2020 at 3:00 p.m. in the County Council Conference Room of the Government & Justice Center located at 1301 Second Avenue in Conway, SC. The following commission members were present: Steven Neeves, Marvin Heyd, Charles Brown, Pam Cecala, Martin Dawsey, Chris Hennigan, Jody Prince, Jerome Randall, Joey Ray, and Chuck Rhome. Staff present included David Schwerd, David Gilreath, David Jordan, Andy Markunas, Thom Roth, John Danford, Barry Spivey, Robby Jordan, Melanie Gruber, Jamie Norman, and Susi Miller. Commission members not present: Burnett Owens.

In accordance with the SCFOIA, notices of the meeting were sent to the press (and other interested persons and organizations requesting notification) providing the agenda, date, time, and place of the meeting.

CALL TO ORDER – Chairman Steven Neeves called the meeting to order at approximately 3:00 p.m. There was a quorum present.

NEW BUSINESS – Capital Improvements Plan – Barry Spivey gave an overview and stated that this is a ten year plan instead of a five year plan and is in line with Imagine 2040. He discussed the 2021 revenue, and stated that there are no new expenses for the following year, pending the outcome of COVID19. The upcoming year has plans to reinvest in county facilities that are twenty plus years old.

REZONING REQUESTS

2020-04-001 - Tony Chestnut, agent for Charles M Schumann Trustee – Request to rezone 8.08 acres from Commercial Forest Agriculture (CFA) & Highway Commercial (HC) to General Manufacturing and Industrial (MA2) located at Hwy 544 / Hwy 501 Business Red Hill Section of Conway. John Danford gave an overview. Tony Chestnut was present to address questions and concerns.

2020-04-002 – Linda Thompkins Causey – Request to rezone 1.66 acres from Commercial Forest Agriculture (CFA) to Residential (MSF14.5) located on Enterprise Rd in Myrtle Beach. John Danford gave an overview. Craig Causey was present to address questions and concerns.

2020-04-003 - Elizabeth Sisson, agent for Steven M Hutchinson – Request to rezone .63 acre from Residential (SF20) to Residential (SF6) located on Glenn’s Bay Rd in Surfside Beach. John Danford gave an overview. Elizabeth Sisson was present to address questions and concerns.

2020-04-004 - DRG, agent for RAD Partners Holdings LLC – Request to rezone 17 acres from Highway Commercial (HC) to Multi-Residential Three (MRD3) located on Village Center Blvd in Myrtle Beach. John Danford gave an overview. John Poston was present to address questions and concerns and stated that he feels this is a good use of the property and it will have a lot of open space.

2020-04-005 - Jay Cortes, agent for Jamie Garcia Hernandez – Request to rezone 1.5 acres from Limited Forest/Agriculture (LFA) to Residential (MSF14.5) located on McNeil Chapel Rd in Longs. John Danford gave an overview. Jay Cortes was present to address questions and concerns.

2020-04-006 - Rachel Pitts, agent for David N Fiaschetti – Request to rezone 1 acre from Commercial Forest/Agriculture (CFA) to Residential (SF14.5) located on Monaca Rd in Longs. John Danford gave an overview. Felix Pitts was present on behalf of Rachel Pitts to address questions and concerns.

2020-04-007 - Venture Engineering Inc., agent for Larry B Saunders – Request to rezone 8.3 acres from Commercial Forest/Agriculture (CFA) to Multi-Residential One (MRD1) located on Bear Bluff Rd in
Planning Commission Workshop
April 30, 2020

Conway. John Danford gave an overview. The current plan is twenty lots and the applicant provided an alternative plan with smaller lots and larger open space. The alternative plan would allow 27 lots at 7,000 square feet. Staff has concerns with traffic on Hwy 90 and Hwy 905. Jody Prince stated that he has concerns with the requested lot sizes on Hwy 90. Brandon Elvis was present to address questions and concerns.

REQUESTING DEFERRAL 2020-04-008 - Colby Jenerette, agent for Beth Clarke – Request to rezone 8.67 acres from Forest/Agriculture (FA) to Commercial Agriculture (AG2) located on Ford Taylor Rd in Conway. John Danford stated that the applicant has requested deferral. Marvin Heyd made a motion to defer and Chris Hennigan seconded. The motion carried unanimously.

2020-04-009 - John Richards, agent for River Park Independent Living LLC. - Request to rezone 2.5 acres from High Bulk Retail (RE4) to Inpatient Medical Services (ME1) located off Pecan St in Little River. John Danford gave an overview, stating this request is for retirement duplexes and fits the future land use map. John Richards and Don Wendover were present to address questions and concerns.

2020-04-010 - Wright, Worley, Pope, Ekster & Moss, PLLC, agent for Brandon R Guignon – Request to rezone 13.22 acres from Residential (MSF10) to High Bulk Retail (RE4) located on Freewoods Rd in Myrtle Beach. John Danford gave an overview, stating that this property is surrounded by residential and RE4 is mainly used for commercial and does not fit in the future land use map. Kenneth Moss was present to address questions and concerns.

Text Amendments

AN ORDINANCE TO AMEND ZONING APPENDIX B OF THE HORRY COUNTY CODE OF ORDINANCES PERTAINING TO CAMPERS AND RECREATION VEHICLES USED AS TEMPORARY LIVING ACCOMMODATIONS. John Danford gave an overview.

AN ORDINANCE TO AMEND ZONING APPENDIX B OF THE HORRY COUNTY CODE OF ORDINANCES PERTAINING TO HIGH BULK RETAIL (RE4) AND OPEN YARD STORAGE. John Danford gave an overview.

With no further business, Marvin Heyd made a motion to adjourn and Joey Ray seconded. The motion carried unanimously, and the meeting was adjourned at approximately 4:08 p.m.

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY) **Horry County Planning Commission
Planning Commission Meeting
Thursday, May 7, 2020**

The Horry County Planning Commission met on Thursday, May 7, 2020 at 5:30 p.m. in the County Council Conference Room of the Government & Justice Center located at 1301 Second Avenue in Conway, SC. This was a virtual meeting and following commission members were present: Steven Neeves, Marvin Heyd, Charles Brown, Pam Cecala, Martin Dawsey, Chris Hennigan, Burnett Owens, Jody Prince, Jerome Randall, Joey Ray, and Chuck Rhome. Staff present included David Schwerd, John Danford, David Jordan, Andy Markunas, Thom Roth, Barry Spivey, Robby Jordan, Melanie Gruber, Jamie Norman and Susi Miller.

In accordance with the SCFOIA, notices of the meeting were sent to the press (and other interested persons and organizations requesting notification) providing the agenda, date, time, and place of the meeting.

CALL TO ORDER – Chairman Steven Neeves called the meeting to order at approximately 5:33 p.m. There was a quorum present. Marvin Heyd led the invocation and the Pledge of Allegiance.

PUBLIC INPUT – There was no public input.

NEW BUSINESS – Capital Improvements Plan – Barry Spivey gave an overview. Marvin Heyd made a motion to approve and Jerome Randall seconded. The motion carried unanimously.

APPROVAL OF MINUTES

Planning Commission Workshop – March 26, 2020

Planning Commission Meeting – April 2, 2020

With no corrections or additions to the minutes, Pam Cecala made a motion to approve as presented and Joey Ray seconded. The motion to approve the minutes carried unanimously.

NEW STREET NAMES – NO PUBLIC HEARING REQUIRED

Conway Postal District (29526)
Shaftesbury Green, Ph 5
Lisburn Drive

Little River Postal District (29566)
Heather Glen Ph 16, 17, 18
Saunders Drive
Kinross Circle

John Danford gave an overview. Joey Ray made a motion to approve as presented and Chris Hennigan seconded. The motion to approve carried unanimously.

NEW STREET NAMES – PUBLIC HEARING REQUIRED

Galivants Ferry Postal District (29544)
Ferry Farm Road – An existing 50' improved private access easement off Huggins Road currently named Perritt Place in Galivants Ferry. John Danford gave an overview. Fred Richardson was present to address questions and concerns. Martin Dawsey stated that this property was purchased with the easement and name already in place. Wilbur Perritt, Allan Huggins Sr., and Allan Huggins Jr., spoke in opposition of

Planning Commission Meeting
May 7, 2020

the request. Their concerns were the road being blocked and this is their established address on all deeds, titles, licenses, utility bills, and businesses, and they do not want to change all of that. Sandra Lagasse spoke in favor of the request. Jerome Randall made a motion to approve and Steven Neeves second. The motion failed unanimously.

Loris Postal District (29569)

Violet Way – An existing 50’ private road right of way off Scenic Drive in Loris. John Danford gave an overview. There was no public input. Jody Prince made a motion to approve and Pam Cecala seconded. The motion carried unanimously.

DESIGN MODIFICATIONS

PIN 330-00-00-0005 - To allow a 50’ Shared Private drive to serve as access to five (5) lots. John Danford gave an overview stating the applicant is requesting relief from base road standards. The applicant was not present. Staff recommended disapproval. Marvin Heyd made a motion to approve and Pam Cecala seconded. The motion failed unanimously.

PIN 267-00-00-0012 – To allow a cul-de-sac in excess of 1,800 linear feet to serve as sole access to 76 lots. John Danford gave an overview and stated that there have been some flood losses in the area and staff needs more information on the elevations. Shawn Becker was present to address questions and concerns and stated that they have tried to acquire additional land for access without success, so they have modified the land plan and reshaped lots. Staff recommended approval with conditions: Remove 13 lots and decrease the length of the cul-de-sac to approximately 3,000 lf. Utilize traffic calming measures as approved by Horry County Engineering Department. Staff recommended approval. Jerome Randall made a motion to approve with conditions and Pam Cecala seconded. The motion carried 10:1.

PIN 397-00-00-0011 – To allow a cul-de-sac in excess of 1,800 linear feet to serve as temporary access to 48 lots. John Danford gave an overview. John Richards was present to address questions and concerns and stated that plans have been approved and they want to move forward with the road to access the pump station which will be built to county standards. Staff recommended approval. Chuck Rhome made a motion to approve and Pam Cecala seconded. The motion carried unanimously.

PIN 379-03-03-0007 - To allow a publicly maintained dirt road to serve as access to lots in a Major subdivision. Martin Dawsey and Charles Brown recused themselves. John Danford gave an overview and stated that the Horry County Land Development Regulations require developments of more than ten lots for the roads to be brought to county standards. Felix Pits was present to address questions and concerns. Chuck Rhome stated that they should go by the LDR and pave the road to county standards. Staff recommended disapproval. Jody Prince made a motion to approve and Marvin Heyd seconded. The motion carried 8:1.

REZONING REQUESTS

2020-04-001 - Tony Chestnut, agent for Charles M Schumann Trustee – Request to rezone 8.08 acres from Commercial Forest Agriculture (CFA) & Highway Commercial (HC) to General Manufacturing and Industrial (MA2) located at Hwy 544 / Hwy 501 Business Red Hill Section of Conway. Marvin Heyd recused himself. John Danford gave an overview. There was no public input. Tony Chestnut was present to address questions and concerns. Staff recommended approval. Chris Hennigan made a motion to approve and Chuck Rhome seconded. The motion carried unanimously.

2020-04-002 – Linda Thompkins Causey – Request to rezone 1.66 acres from Commercial Forest Agriculture (CFA) to Residential (MSF14.5) located on Enterprise Rd in Myrtle Beach. John Danford gave an overview. There was no public input. Linda Causey was present to address questions and

concerns. Staff recommended approval. Chuck Rhome made a motion to approve and Chris Hennigan seconded. The motion carried unanimously.

2020-04-003 - Elizabeth Sisson, agent for Steven M Hutchinson – Request to rezone .63 acre from Residential (SF20) to Residential (SF6) located on Glenn’s Bay Rd in Surfside Beach. John Danford gave an overview. There was no public input. Elizabeth Sisson was present to address questions and concerns. Staff recommended approval. Chuck Rhome made a motion to approve and Jerome Randall seconded. The motion carried unanimously.

2020-04-004 - DRG, agent for RAD Partners Holdings LLC – Request to rezone 17 acres from Highway Commercial (HC) to Multi-Residential Three (MRD3) located on Village Center Blvd in Myrtle Beach. John Danford gave an overview. There was no public input. John Poston and Carey Levy were present to address questions and concerns. Staff recommended approval. Chris Hennigan made a motion to approve and Chuck Rhome seconded. The motion carried unanimously.

2020-04-005 - Jay Cortes, agent for Jamie Garcia Hernandez – Request to rezone 1.5 acres from Limited Forest/Agriculture (LFA) to Residential (MSF14.5) located on McNeil Chapel Rd in Longs. John Danford gave an overview and stated that part of the property is in a flood zone. There was no public input. Jay Cortes was present to address questions and concerns and stated that he is aware of the flood zone and will make his client aware of the required elevations. Staff recommended approval. Jody Prince made a motion to approve and Chuck Rhome seconded. The motion carried unanimously.

2020-04-006 - Rachel Pitts, agent for David N Fiaschetti – Request to rezone .99 acre from Commercial Forest/Agriculture (CFA) to Residential (SF14.5) located on Monaca Rd in Longs. John Danford gave an overview. There was no public input. Rachel Pitts was present to address questions and concerns. Staff recommended approval. Marvin Heyd made a motion to approve and Joey Ray seconded. The motion carried unanimously.

2020-04-007 - Venture Engineering, Inc, agent for Larry B Saunders – Request to rezone 8.3 acres from Commercial Forest/Agriculture (CFA) to Multi-Residential One (MRD1) located on Bear Bluff Rd in Conway. John Danford stated that this request was withdrawn.

DEFERRED UNTIL JUNE 4, 2020 - 2020-04-008 - Colby Jenerette, agent for Beth Clarke – Request to rezone 8.67 acres from Forest/Agriculture (FA) to Commercial Agriculture (AG2) located on Ford Taylor Rd in Conway.

2020-04-009 - John Richards, agent for River Park Independent Living LLC. - Request to rezone 2.5 acres from High Bulk Retail (RE4) to Inpatient Medical Services (ME1) located off Pecan St in Little River. John Danford gave an overview. There was no public input. John Richards and Dan Wendover were present to address questions and concerns. Staff recommended approval. Chuck Rhome made a motion to approve and Joey Ray seconded. The motion carried unanimously.

2020-04-010 - Wright, Worley, Pope, Ekster & Moss, PLLC, agent for Brandon R Guignon – Request to rezone 13.22 acres from Residential (MSF10) to High Bulk Retail (RE4) located on Freewoods Rd in Myrtle Beach. John Danford stated the applicant requested deferral.

TEXT AMENDMENTS

AN ORDINANCE TO AMEND ZONING APPENDIX B OF THE HORRY COUNTY CODE OF ORDINANCES PERTAINING TO CAMPERS AND RECREATION VEHICLES USED AS TEMPORARY LIVING ACCOMMODATIONS. John Danford gave an overview, stating this would allow campers and recreation vehicles in Commercial Forest Agriculture (CFA) during Special Events.

There was no public input. Jody Prince made a motion to approve and Chuck Rhome seconded. The motion carried unanimously.

AN ORDINANCE TO AMEND ZONING APPENDIX B OF THE HORRY COUNTY CODE OF ORDINANCES PERTAINING TO HIGH BULK RETAIL (RE4) AND OPEN YARD STORAGE. John Danford gave an overview, stating this would allow open yard storage as a conditional use in RE4 with the exclusion of salvage operations. There was no public input. Chuck Rhome made a motion to approve and Marvin Heyd seconded. The motion carried unanimously.

With no further business, Jody Prince made a motion to adjourn and it was seconded. The motion carried unanimously, and the meeting was adjourned at 7:26 p.m.

PUBLIC NOTICE

The Horry County Planning Commission will hold a public hearing on June 4, 2020 at 5:30 PM in Multi-purpose Room B at 1301 2nd Avenue in Conway to consider the following street name change. All interested persons are urged to attend. For further information, please call Nancy Tindall (843) 915-7893.

Loris Postal District (29569)

Cherub Lane – A 50' improved private access easement replacing an existing shared private drive off Hwy 9 in Loris

Run Date: 5/14/2020

Rezoning Review Sheet



PROPERTY INFORMATION

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

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

COMMENTS

Comprehensive Plan District: Rural	Overlay/Area Plan:
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Discussion: The applicant is requesting to rezone to Commercial Agriculture District (AG2) to bring the current use of the property into compliance. A commercial landscaping business with outside storage of materials and equipment is not a permitted use in FA although farms and nurseries are allowed under the current zoning. No similar rezoning requests were approved in the immediate area and the predominate land uses are agriculture, timberland, and low-density residential. The closest identified Rural Activity Center is at Pee Dee Crossroads approximately 4.5 miles from the subject parcel.

The current use will be required to complete a commercial review to ensure code compliance should the property be rezoned.

Public Comment:

TRANSPORTATION INFORMATION

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

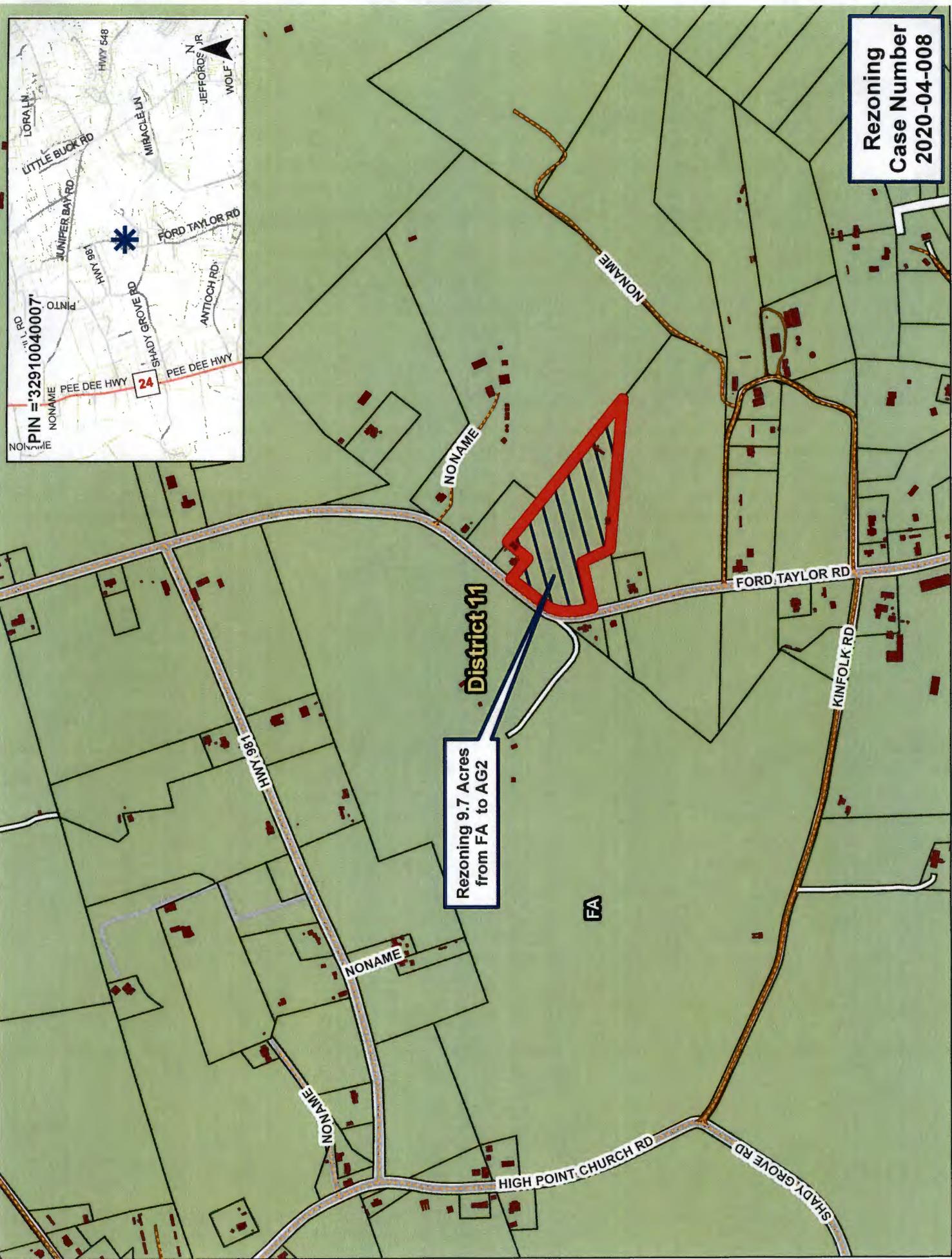
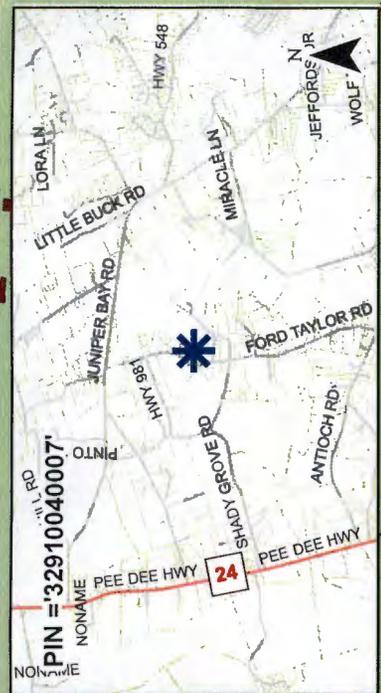
DIMENSIONAL STANDARDS

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

Setback Comments:

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

Rezoning
Case Number
2020-04-008



Rezoning 9.7 Acres
from FA to AG2

District 11

FA

Rezoning
Case Number
2020-04-008



Rezoning 9.7 Acres
from FA to AG2

Rezoning Review Sheet



PROPERTY INFORMATION			
Applicant	Kenneth R Moss (Energov # 048831)	Rezoning Request #	2020-04-010
PIN #	45702040010 & 45702030051	County Council District #	4 - Loftus
Site Location	Freewoods Rd, Myrtle Beach	Staff Recommendation	
Property Owner Contact	Brandon R Guignon	PC Recommendation	
		Size (in acres) of Request	13.22

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	MSF10	Flood and Wetland Information	X	MSF10	MSF10	MSF6
Proposed Zoning	RE4	Public Health & Safety (EMS/fire) in miles	2.7 (Fire/EMS)	MSF10	Subject Property	MSF10
Proposed Use	Storage	Utilities	Public	MSF20	MSF10	MSF10
		Character of the Area	Residential			

COMMENTS	
Comprehensive Plan District: Suburban / Scenic & Conservation	Overlay/Area Plan: Burgess Community Area Plan
<p>Discussion: The applicant is requesting to rezone two parcels from Residential (MSF10) to High Bulk Retail (RE4) that permits outdoor storage to bring the current use of the properties into compliance. A zoning complaint was received by the County and a warning issued with the property owner prior to the request for the rezoning of the property. The surrounding neighborhood is predominantly residential and the Burgess Community Area Plan includes a strategy to minimize adverse effects of commercial development on adjacent natural and residential areas.</p> <p>Typically outdoor storage is requested due to a direct need of a commercial principal use such as a storage facility, trade shop, and auto/equipment related businesses. A change in principal use beyond the continued personal use of the owner was not provided by the applicant.</p>	
Public Comment:	

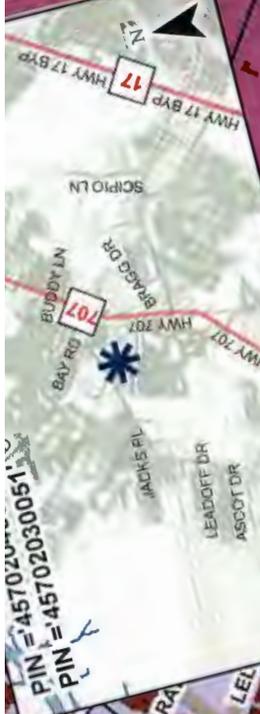
TRANSPORTATION INFORMATION			
Daily Trips based on existing use / Max Daily Trips based on current zoning	0/400	Existing Road Conditions	County, Paved, Two-Lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning	100/500	Rd, Station, Traffic AADT (2019) % Road Capacity	SC-707, Station 247 23,800 AADT 65-70%
Proposed Improvements			

DIMENSIONAL STANDARDS						
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	RE4	MSF10	MSF10	MSF6	MSF20	
Min. Lot Size (in square feet)	21780	10000	10000	6000	20000	
Front Setback	60	25	25	20	40	
Side Setback	10	10	10	10	15	
Corner Side Setback	N/A	N/A	N/a	N/A	N/A	
Rear Setback	15	15	15	15	25	
Bldg. Height	36*	35	35	35	35	

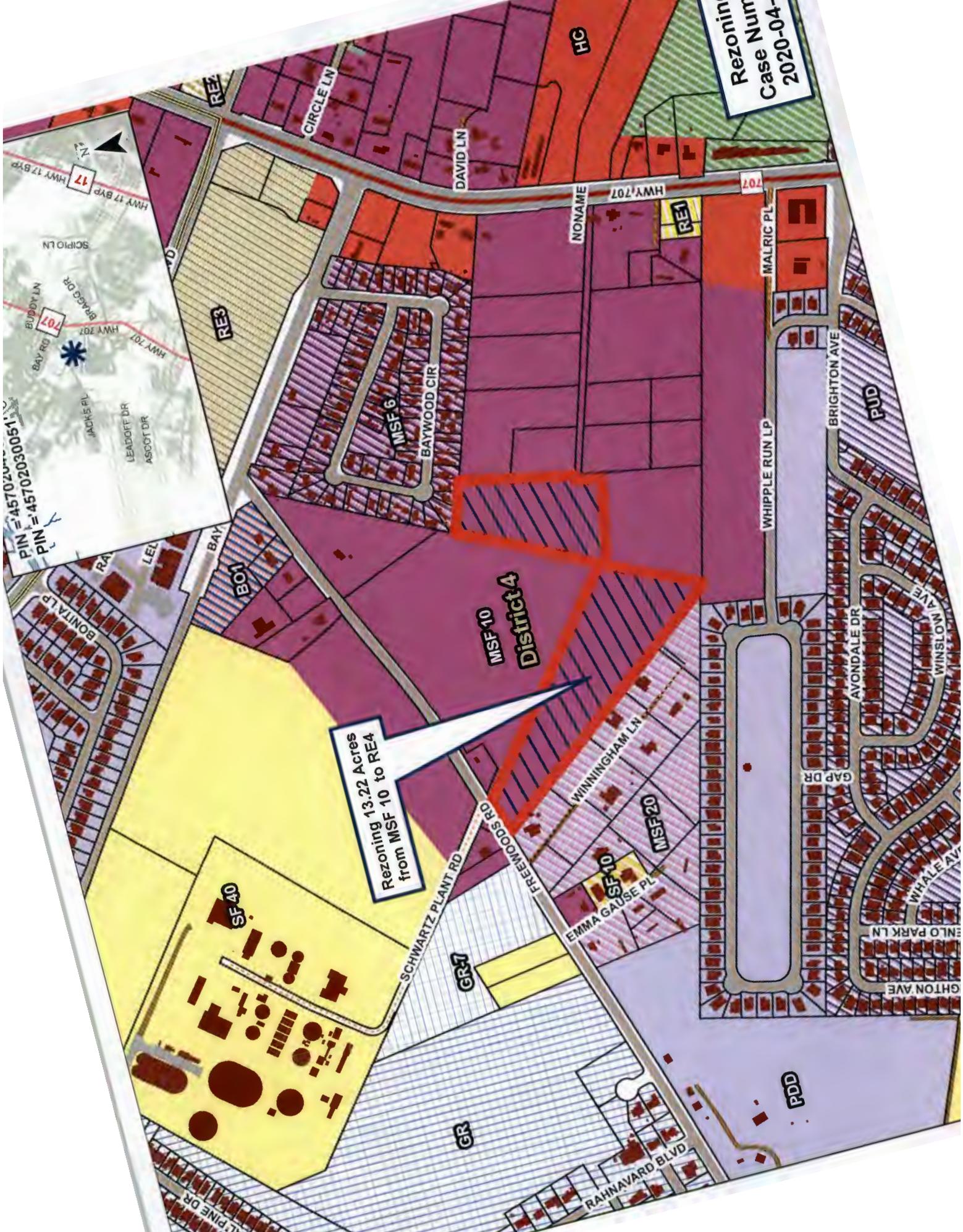
Setback Comments: *RE4 building height:36 per 1/2 acre; not to exceed 120

Date Advertised: 4/16/2020 Date Posted: 4/16/2020 # Property Owners Notified: 86 Date Notification Mailed: 4/16/2020 Report Date: 4/16/2020 BY: sm

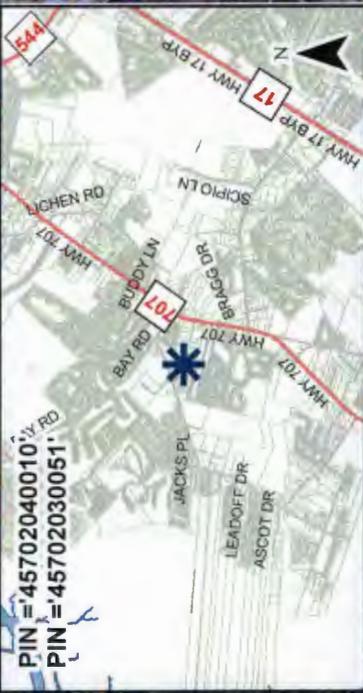
Rezoning
Case Num
2020-04-



PIN = 45702020
PIN = 45702030051



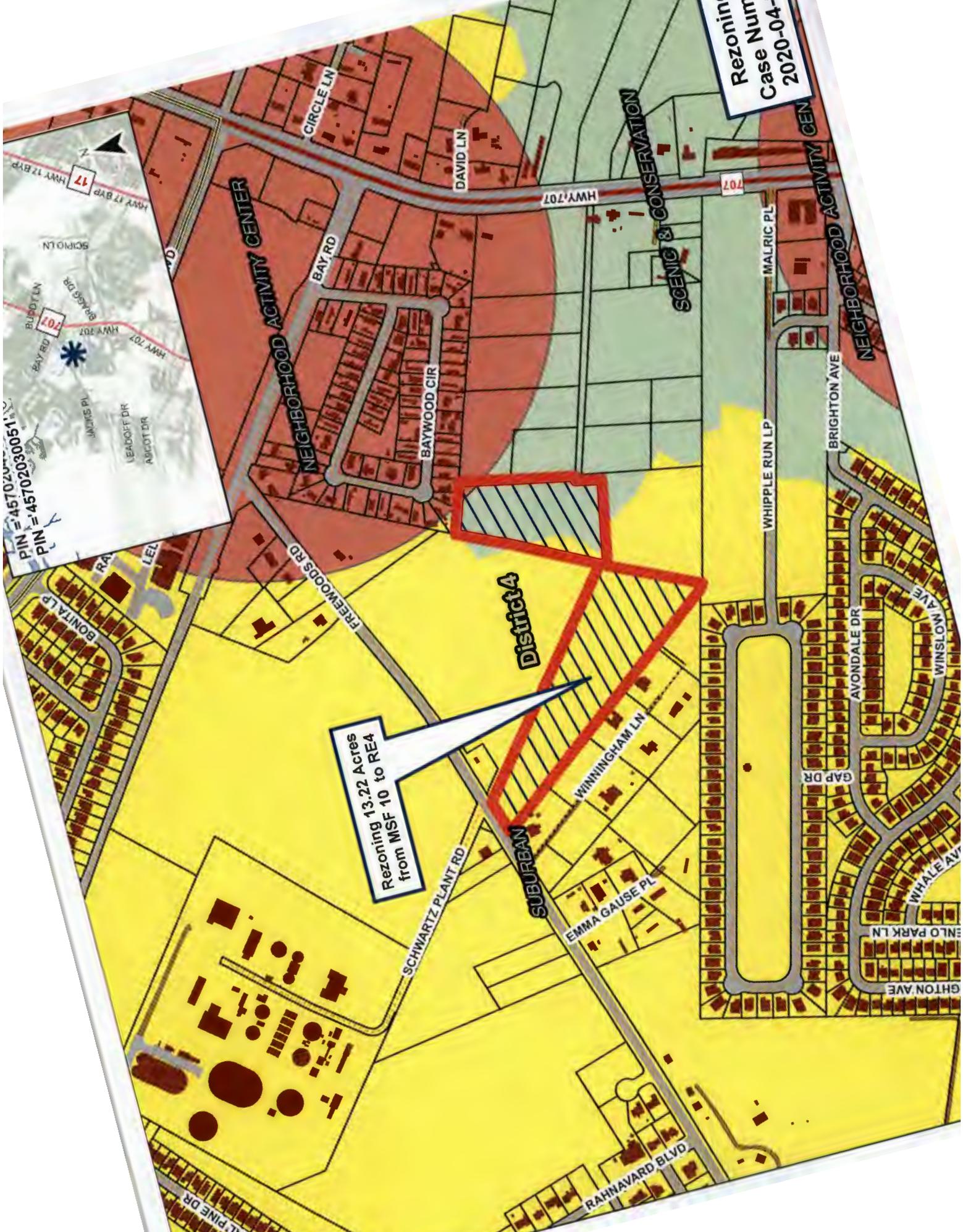
Rezoning 13.22 Acres
from MSF 10 to REA



Rezoning 13.22 Acres
from MSF 10 to RE4



Rezoning
Case Num
2020-04-



Rezoning Review Sheet



PROPERTY INFORMATION

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

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

COMMENTS

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

Public Comment:

TRANSPORTATION INFORMATION

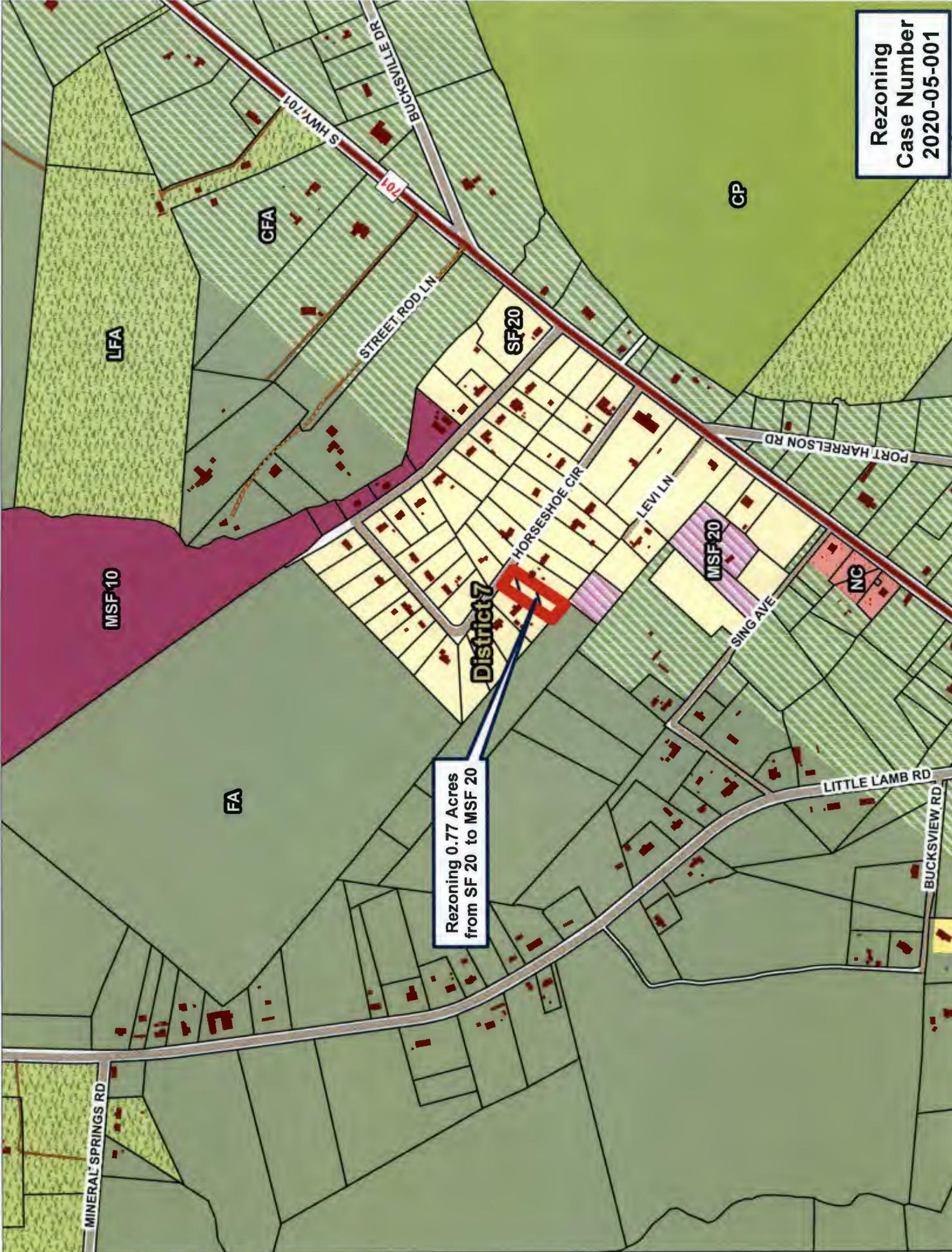
Daily Trips based on existing use / Max Daily Trips based on current zoning	0/8	Existing Road Conditions	County, Paved, Two-Lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning	8/8	Rd, Station, Traffic AADT (2019) % Road Capacity	US-701 Main Line, Station (178)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

DIMENSIONAL STANDARDS

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

Setback Comments:

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



Rezoning
Case Number
2020-05-001

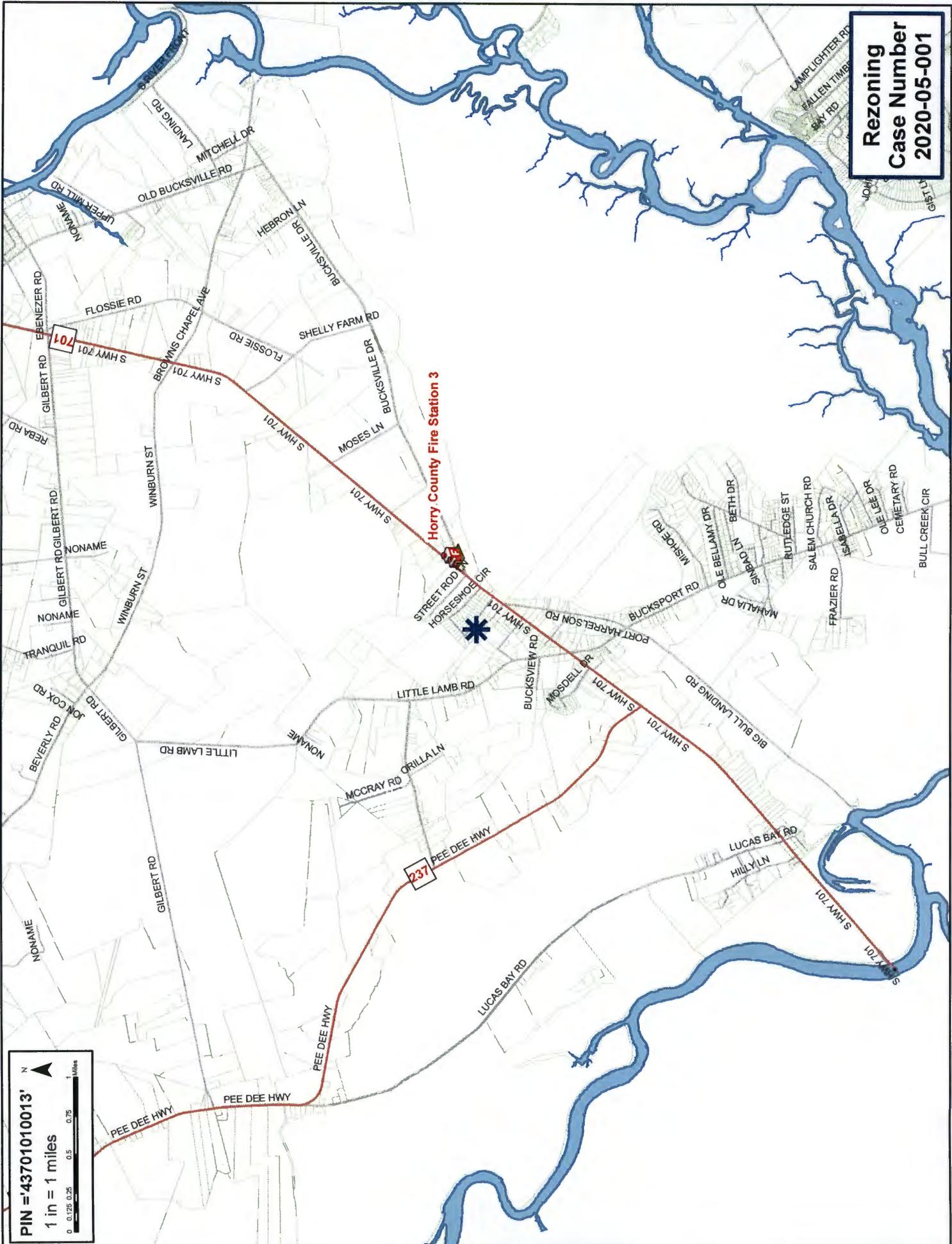
HORSHOE CIR

MSF 20

NC

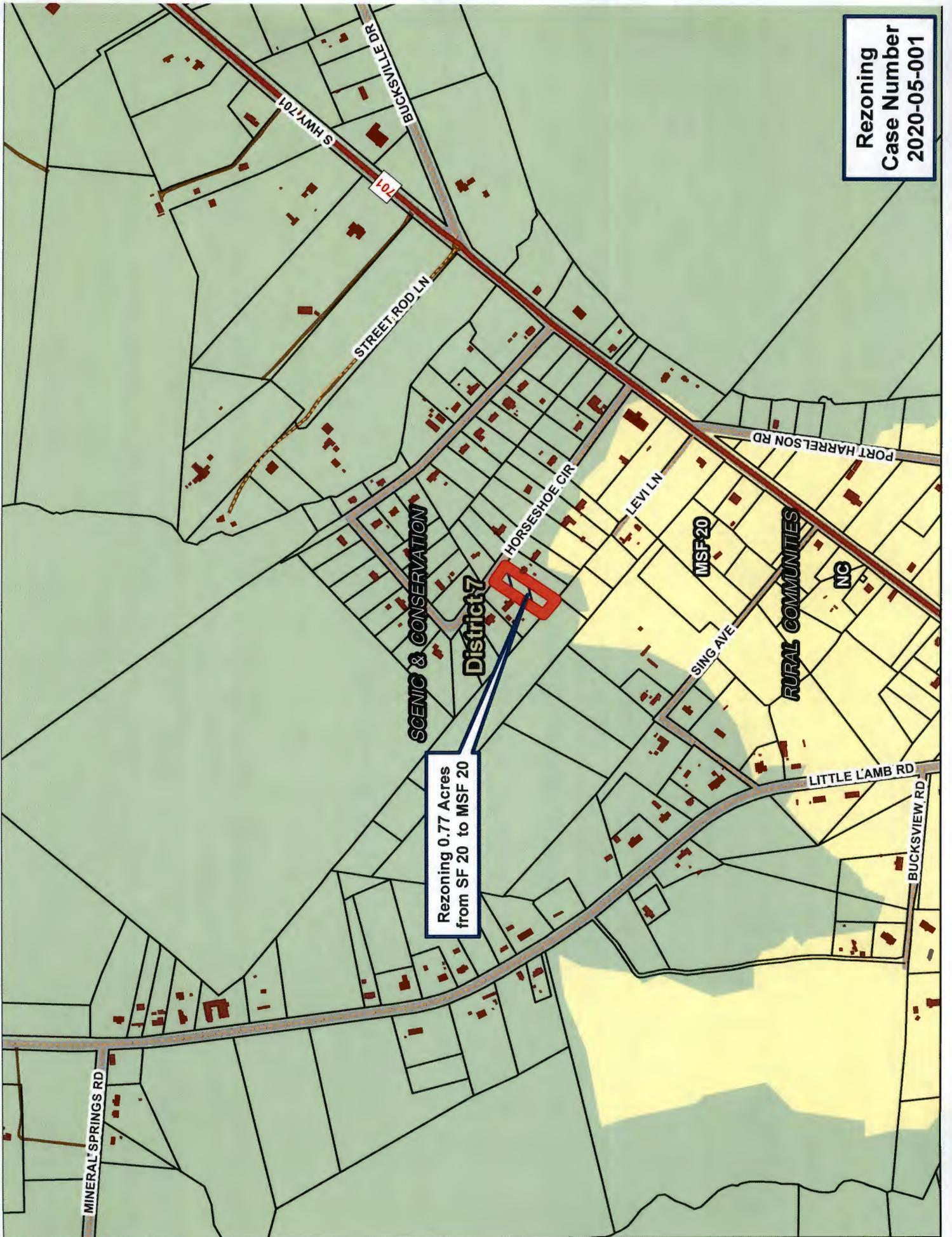
Rezoning 0.77 Acres
from SF 20 to MSF 20

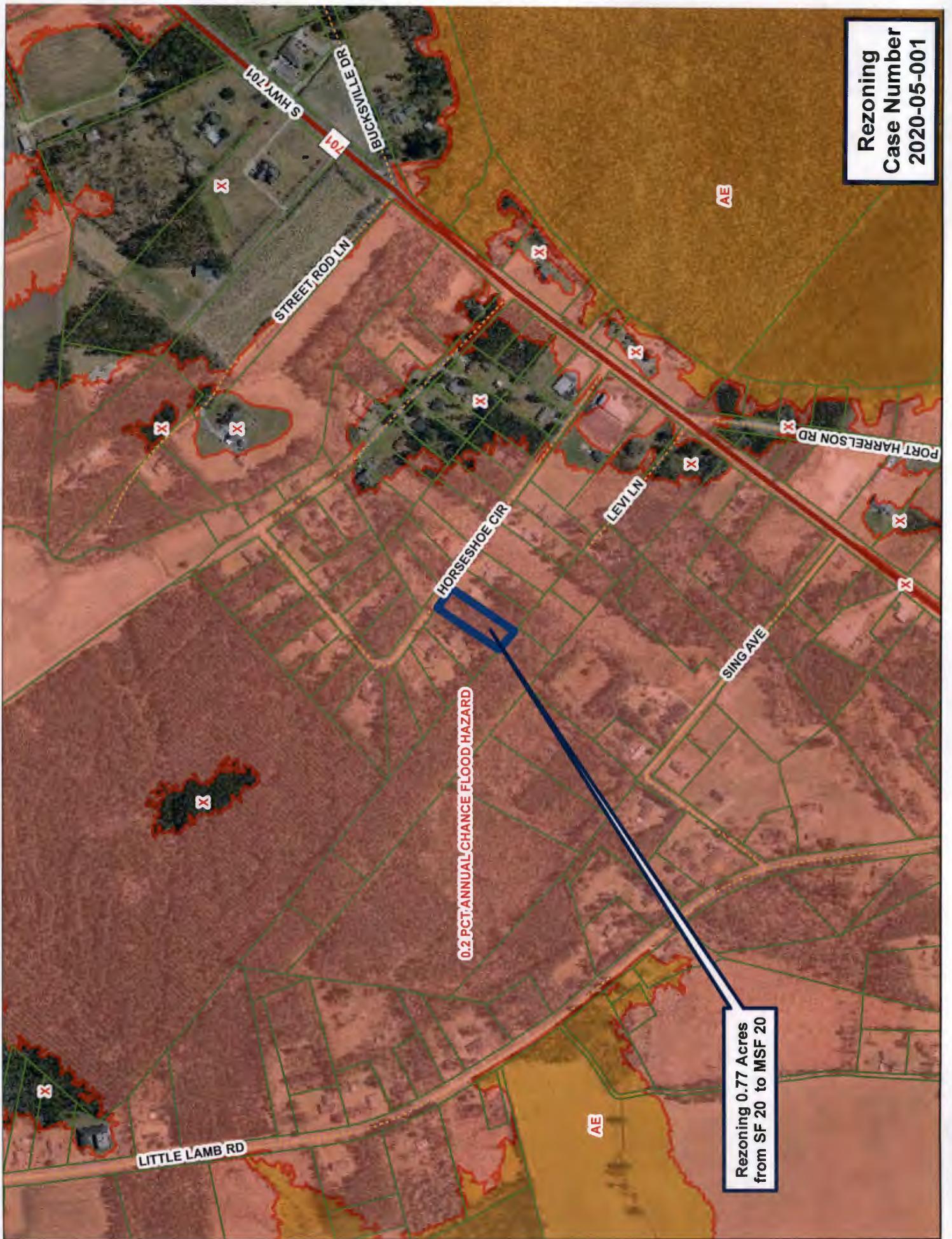
Rezoning
Case Number
2020-05-001



PIN = '43701010013'
1 in = 1 miles
0 0.125 0.25 0.5 0.75 1 Miles

Horry County Fire Station 3





Rezoning 0.77 Acres
from SF 20 to MSF 20

0.2 PCT. ANNUAL CHANGE FLOOD HAZARD

Rezoning Review Sheet



PROPERTY INFORMATION

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

Date Advertised: 5/14/2020

Date Posted: 5/15/2020 # Property Owners Notified: 73

Date Notification Mailed: 5/14/2020

Report Date: 5/14/2020

BY: sm

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

COMMENTS

Comprehensive Plan District: Rural Communities **Overlay/Area Plan:**

Discussion: The applicant is requesting the Multi-Residential (MRD1) zoning district for a single family development. The proposed MRD is designed to be 79 lots for single family homes on a 51.1 acre parcel for a gross density of 1.55 du/ac.

The development plan includes three sustainable development criteria: 100% increase in open space, community garden, and sidewalks as active open space. Minimum lot size is proposed at 10,000 sq ft with reduced setbacks and density of up to 4 du/ac (standard MRD1 is 3 du/ac, 14, 520 sq ft lots and 25/10/15 setbacks).

Rural Communities in the future land use map has a desired development pattern of residential lots of 14,500 sq ft or greater with an allowance for 10,000 sq ft lots for projects which incorporate of sustainable development criteria. There is concern about development on Hwy 90 in regards to the future infrastructure capacity.

Public Comment:

TRANSPORTATION INFORMATION

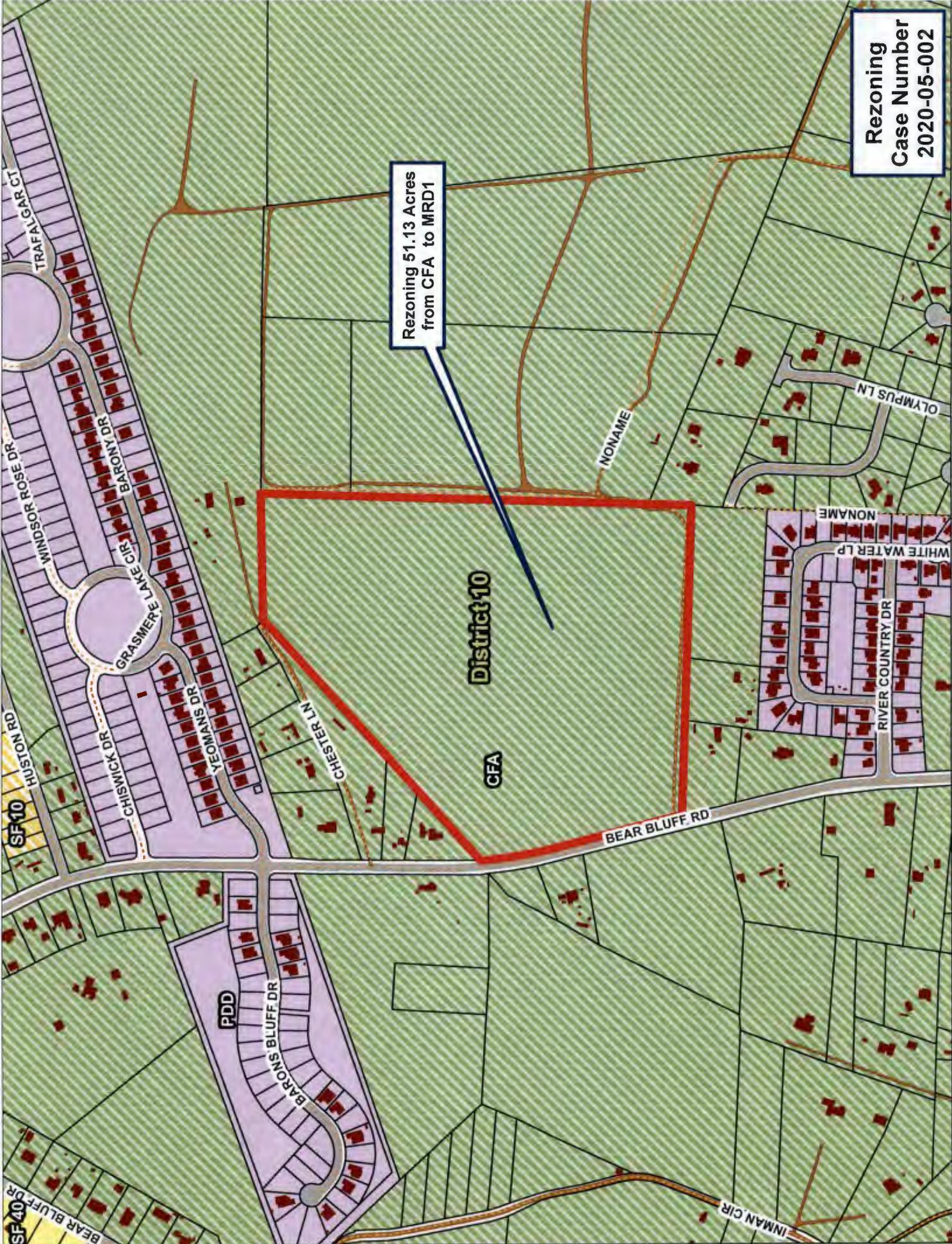
Daily Trips based on existing use / Max Daily Trips based on current zoning	0/500	Existing Road Conditions	State, Paved, Two-lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)	632/632	Rd, Station, Traffic AADT (2019) % Road Capacity	S-90, Station (224) 13,300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

DIMENSIONAL STANDARDS

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

Setback Comments:

Rezoning 51.13 Acres
from CFA to MRD1

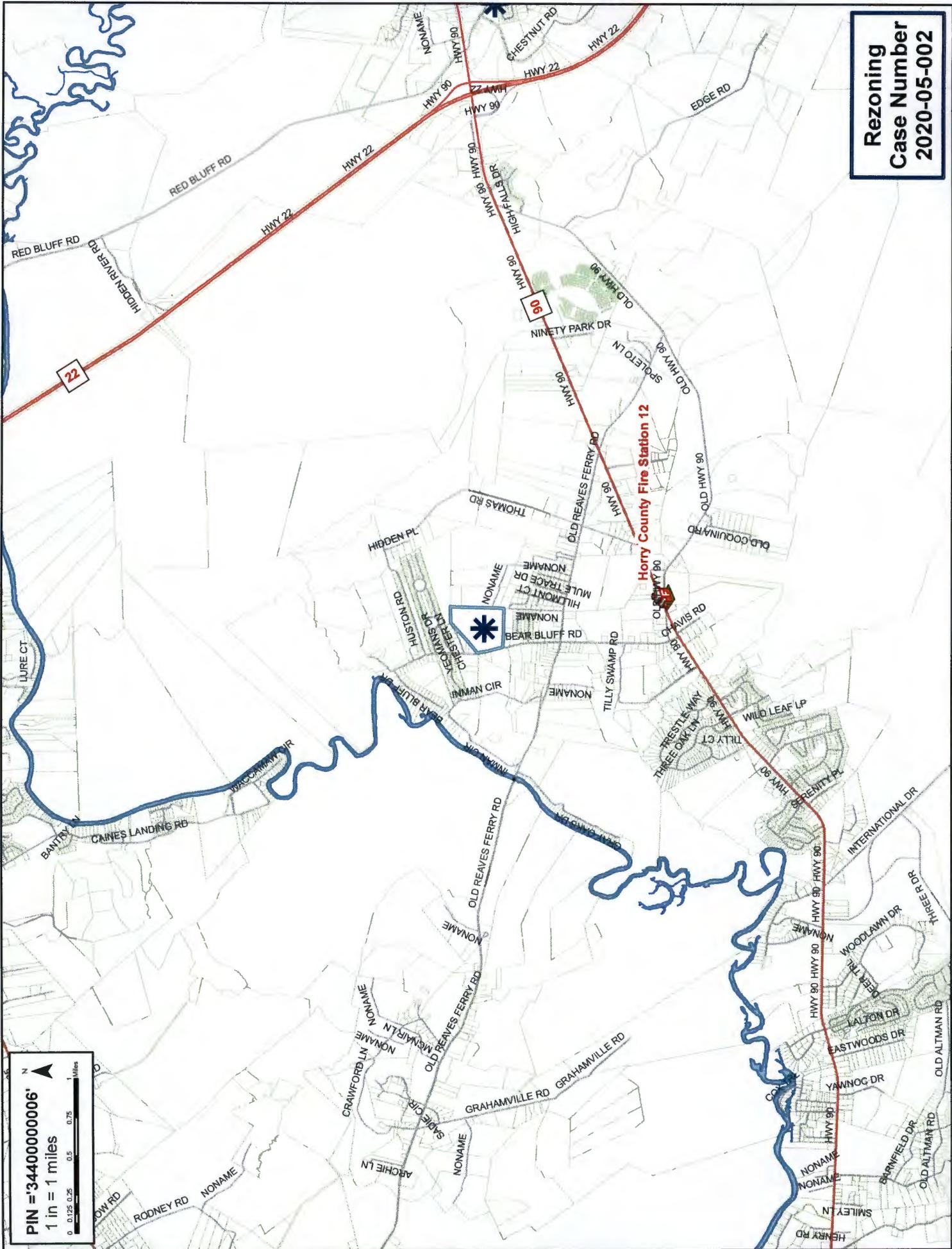


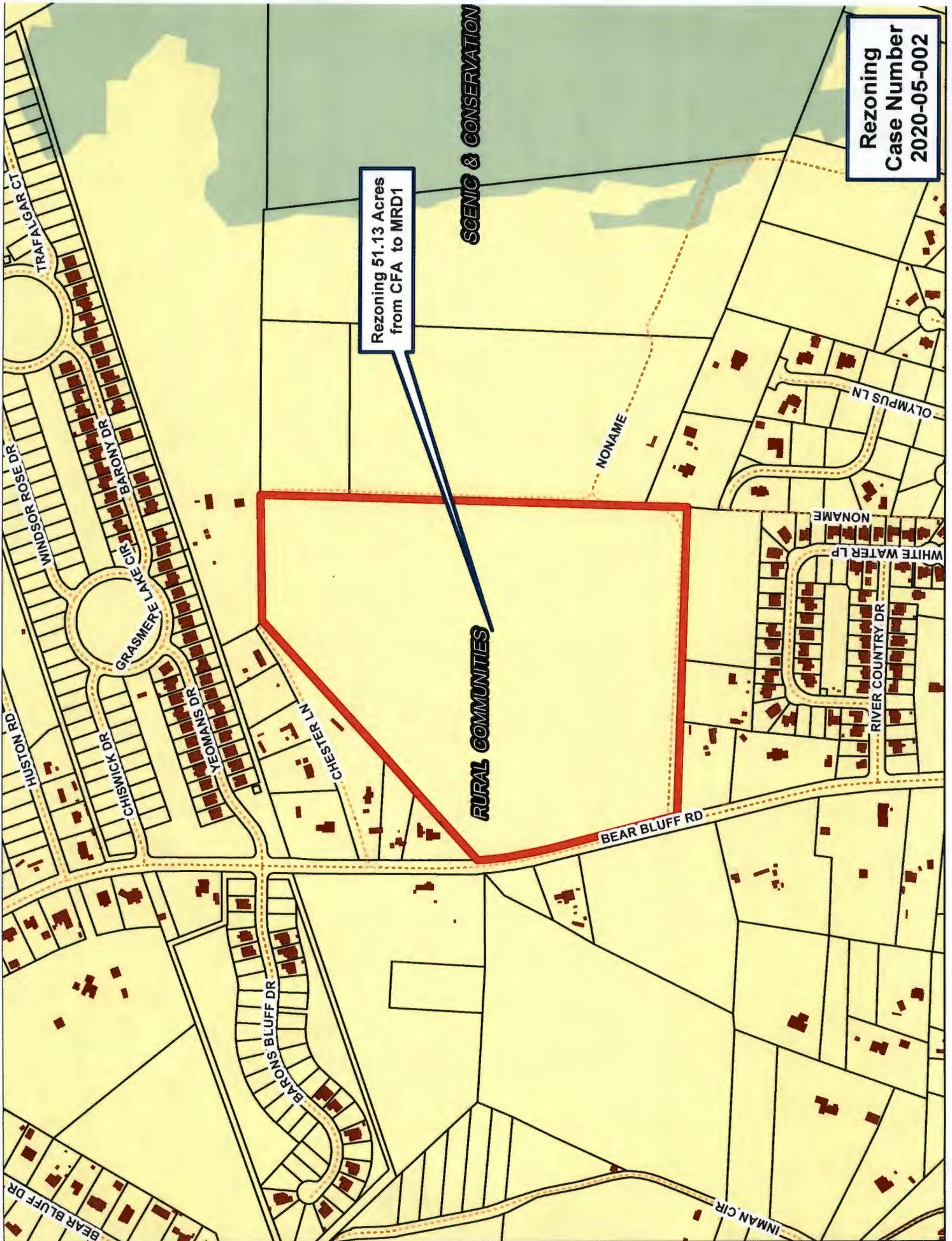
Rezoning
Case Number
2020-05-002

Rezoning 51.13 Acres
from CFA to MRD1



**Rezoning
Case Number
2020-05-002**





Rezoning 51.13 Acres
from CFA to MRD1

Rezoning
Case Number
2020-05-002



PROPERTY INFORMATION

Applicant	Robert S Guyton (Energov # 049141)	Rezoning Request #	2020-05-003
PIN #	39500000003 (Portion) & 39509030001	County Council District #	2 - Howard
Site Location	Carolina Towne Centre, between Hinson Dr & SC Hwy 31 in Myrtle Beach	Staff Recommendation	
Property Owner Contact	International Drive Land Holding Co LLC	PC Recommendation	
		Size (in acres) of Request	30.36

Date Advertised: 5/14/2020 Date Posted: 5/15/2020 # Property Owners Notified: 46 Date Notification Mailed: 5/14/2020 Report Date: 5/14/2020 BV: sm

ZONING DISTRICTS LOCATION INFORMATION ADJACENT PROPERTIES

Current Zoning	HC	Flood and Wetland Information (proposed FEMA maps)	X	RC	RC	RC
Proposed Zoning	MRD3	Public Health & Safety (EMS/fire) in miles	1.29	HC	Subject Property	HC
Proposed Use	In Common Development	Utilities	Public	RC	RC	City of Myrtle Beach
		Character of the Area	Residential & Commercial			

COMMENTS

Comprehensive Plan District: Mixed Use & Community Activity Center – Outer Ring	Overlay/Area Plan:
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Discussion: The applicant is requesting the MRD3 zoning district for a in common development. The proposed MRD is designed to be 290 single family units on a 30.36 acre parcel for a gross density of 9.55 du/ac. The In Common development will consist of a mixture of single-family detached, single-family above garage and duplex units.

Access through McLeod Health's Carolina Forest campus will be required in addition to the main access to Hinson Drive. The adjacent Mosby Apartment complex consists of 332 (1 – 3 bedroom units) and Brightwater CCRC is across the street (Buist Circle) from the proposed development. The area is predominantly multi-family and commercial uses.

Public Comment:

TRANSPORTATION INFORMATION

Daily Trips based on existing use / Max Daily Trips based on current zoning	0/3,500	Existing Road Conditions	Private, Paved, Two-lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)	1,900/1,900	Rd, Station, Traffic AADT (2019) % Road Capacity	S-1315 Main Line, Station (747) 33,800 AADT 85-90%
Proposed Improvements			

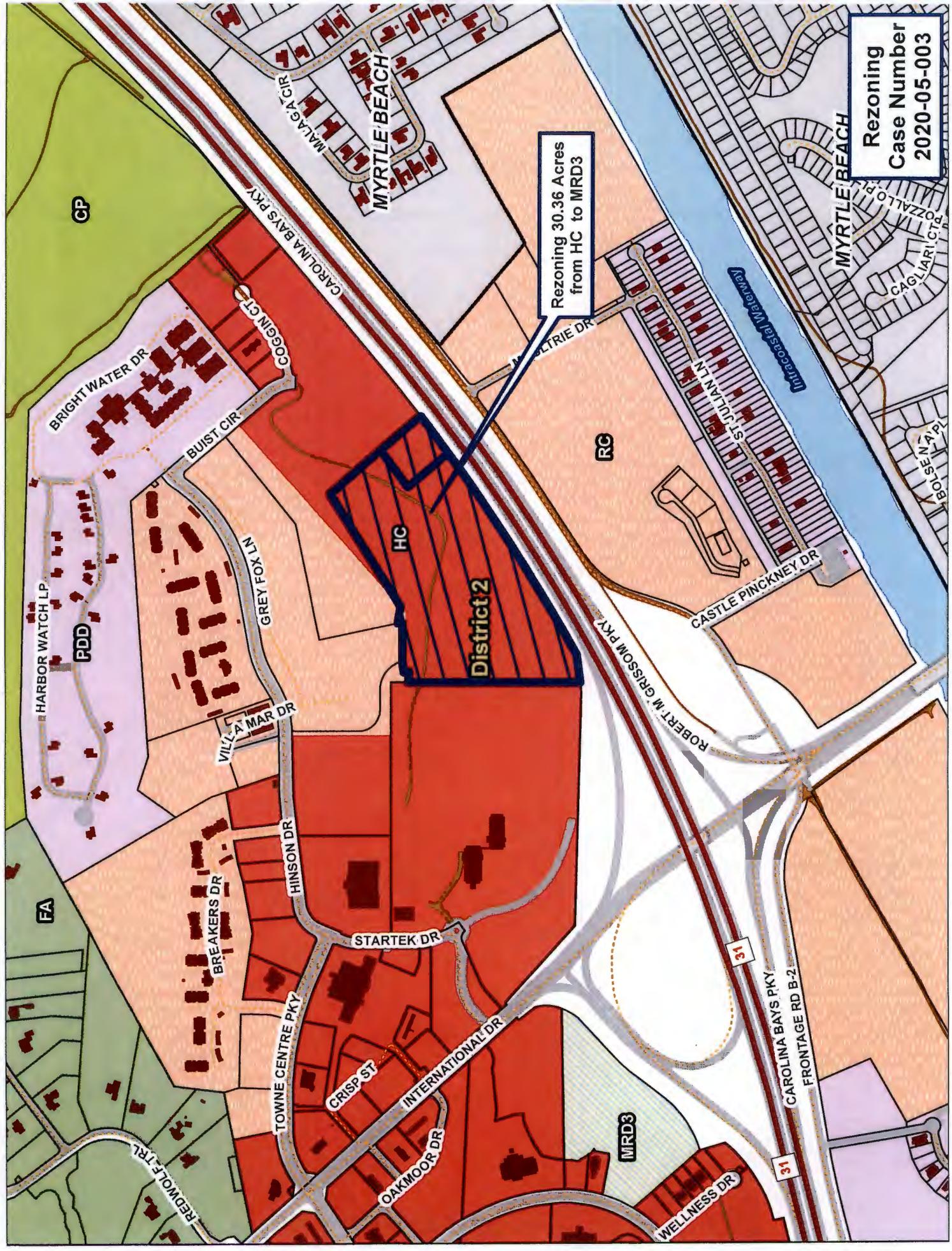
DIMENSIONAL STANDARDS

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	MRD3	HC res/comm	RC res/comm	HC res / comm		
Min. Lot Size (in square feet)	N/A	6,000 / 10,000	6,000 / 25,000	6,000 / 10,000		
Front Setback (in feet)	25	20 / 50	20 / 40	20 / 50		
Side Setback (in feet)	25	10 / 10	10 / 30	10 / 10		
Corner Side Setback (in feet)	N/A	N/A	N/A	N/A		
Rear Setback (in feet)	25	15 / 15	15 / 25	15 / 15		
Bldg. Height (in feet)	40	35 / 120	Unlimited*	35 / 120		

Setback Comments: The proposed rezoning is an in-common development, the 25' setback will be measured from the perimeter with a 20' separation between structures. * RC Height - Other ordinances, such as the Airport Height Standards and the Horry County Parking Ordinance, may exercise some control over height.

Rezoning
Case Number
2020-05-003

Rezoning 30.36 Acres
from HC to MRD3

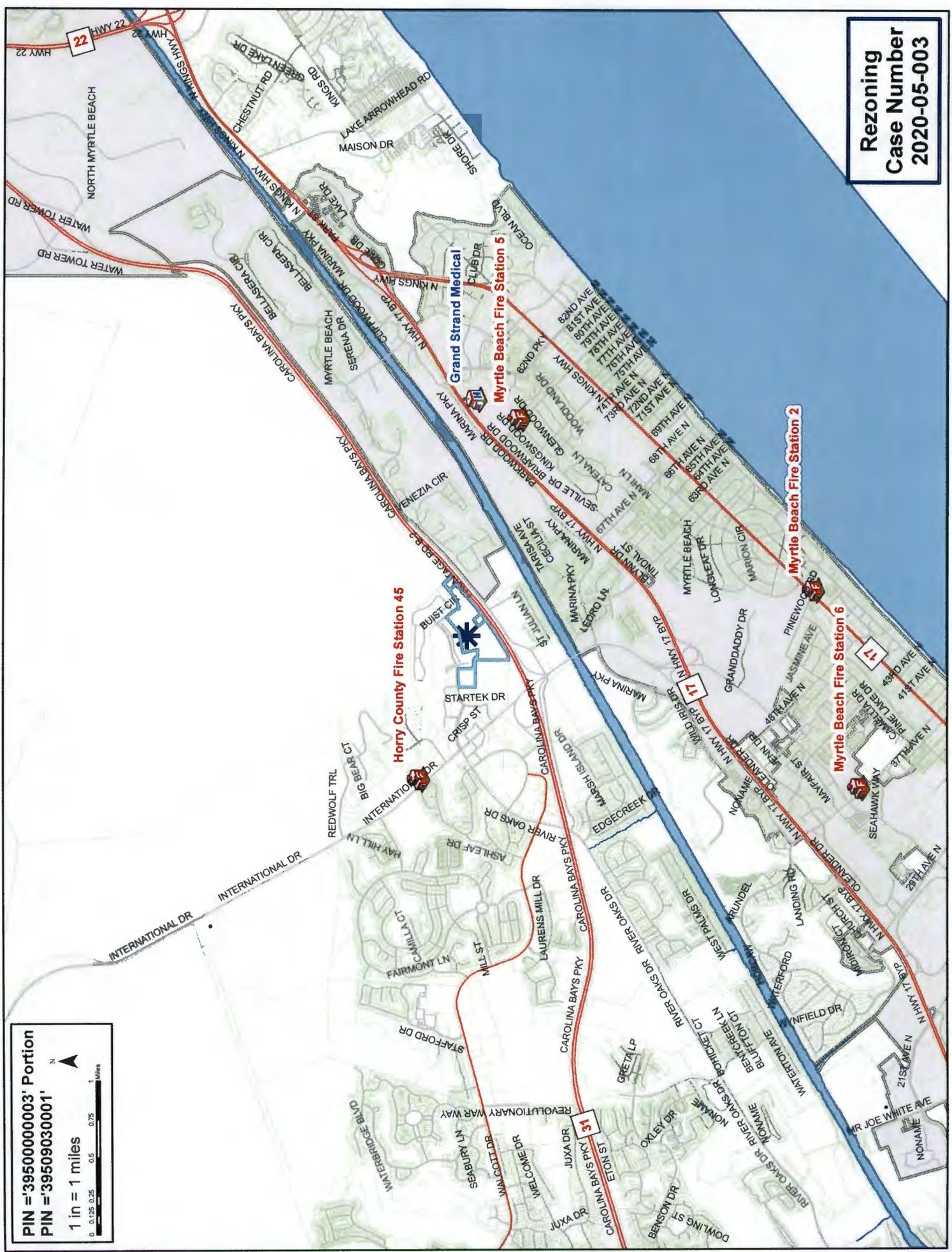


Rezoning
Case Number
2020-05-003

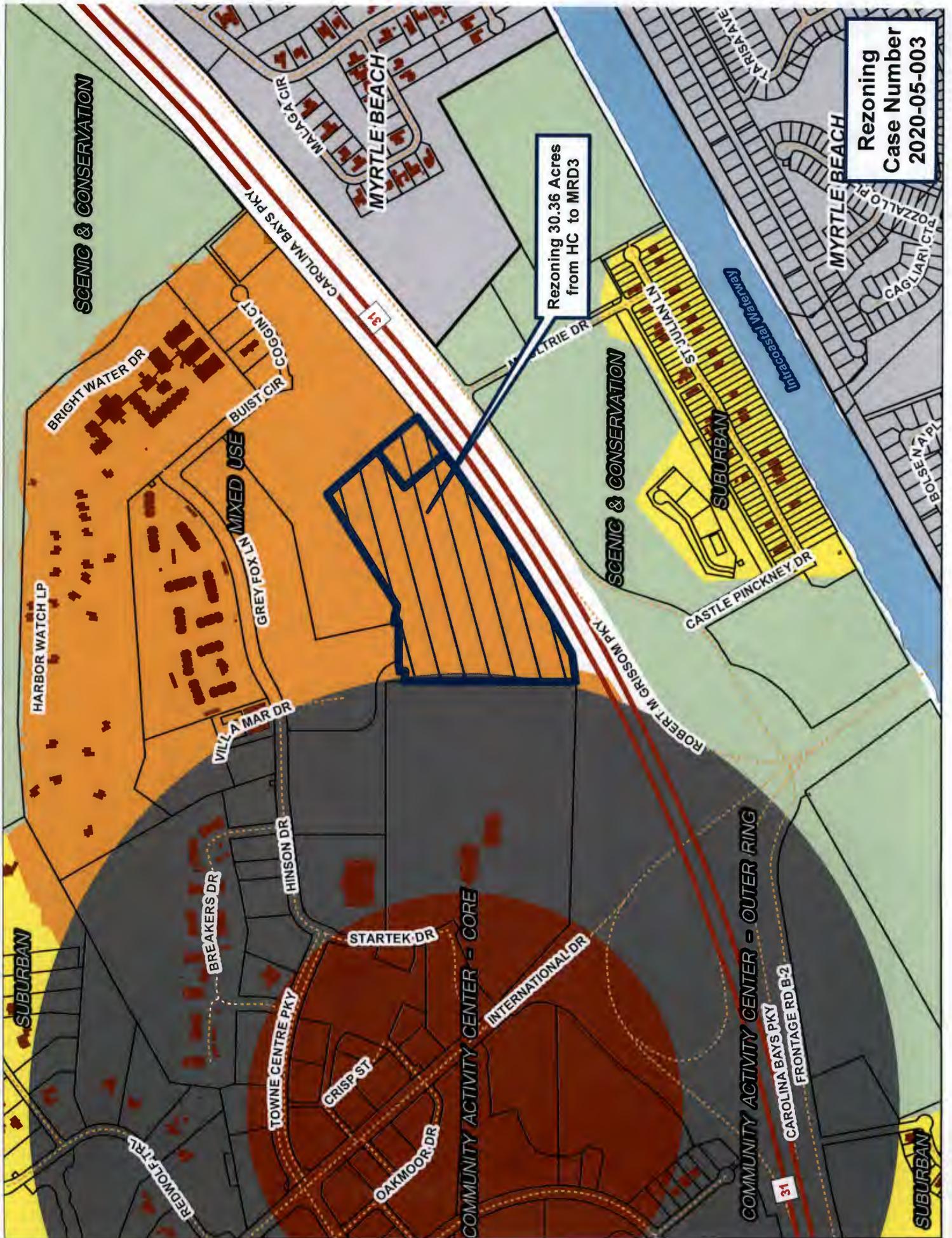
Rezoning 30.36 Acres
from HC to MRD3



Rezoning
Case Number
2020-05-003



PIN = '39500000003' Portion
PIN = '39509030001'
1 in = 1 miles
0 0.125 0.25 0.5 1
miles



SITE SUMMARY

TOTAL PARCELS
~10.38 ACRES
CURRENT ZONING
HC & RC
PROPOSED ZONING
MRD-3
PROPOSED USE
SINGLE-FAMILY IN-COMMON
CURRENT OWNER
INTERNATIONAL DRIVE LAND HOLDING CO
PO BOX 1979
MYRTLE BEACH, SC 29579

DEVELOPER
CAPSTONE PROPERTIES LLC
431 OFFICE PARK DR
BIRMINGHAM, AL 35223

MRD-3 SETBACKS*

PERIMETER SETBACK 25'
BUILDING SETBACK 20' (MAX)
BUILDING HEIGHT 40' (MAX)

NOTE: ACCESSORY STRUCTURES ARE PROHIBITED WITHIN IN-COMMON SETBACKS. SETBACKS ARE ALLOWED WITHIN IN-COMMON SETBACKS UP TO 10' FROM THE PARCEL BOUNDARY.

ALLOWABLE DENSITY 15 UNITS / ACRE (MAX)

PROPOSED DEVELOPMENT

UNITS
200 UNITS TOTAL
948 SINGLE-FAMILY DETACHED
208 DUPLEXES
027 SINGLE-FAMILY ABOVE GARAGE
DENSITY 0.25 UNITS / ACRE
PARKING REQUIRED 840 SPACES
200 SINGLE-FAMILY UNITS x 2 SPACES / UNIT

PARKING PROVIDED 597 SPACES
500 STANDARD SPACES
013 HANDICAP SPACES
014 SINGLE GARAGES

OPEN SPACE REQUIRED 3.33 ACRES TOTAL (600 SF / UNIT)
ACTIVE (20%) 0.67 ACRES

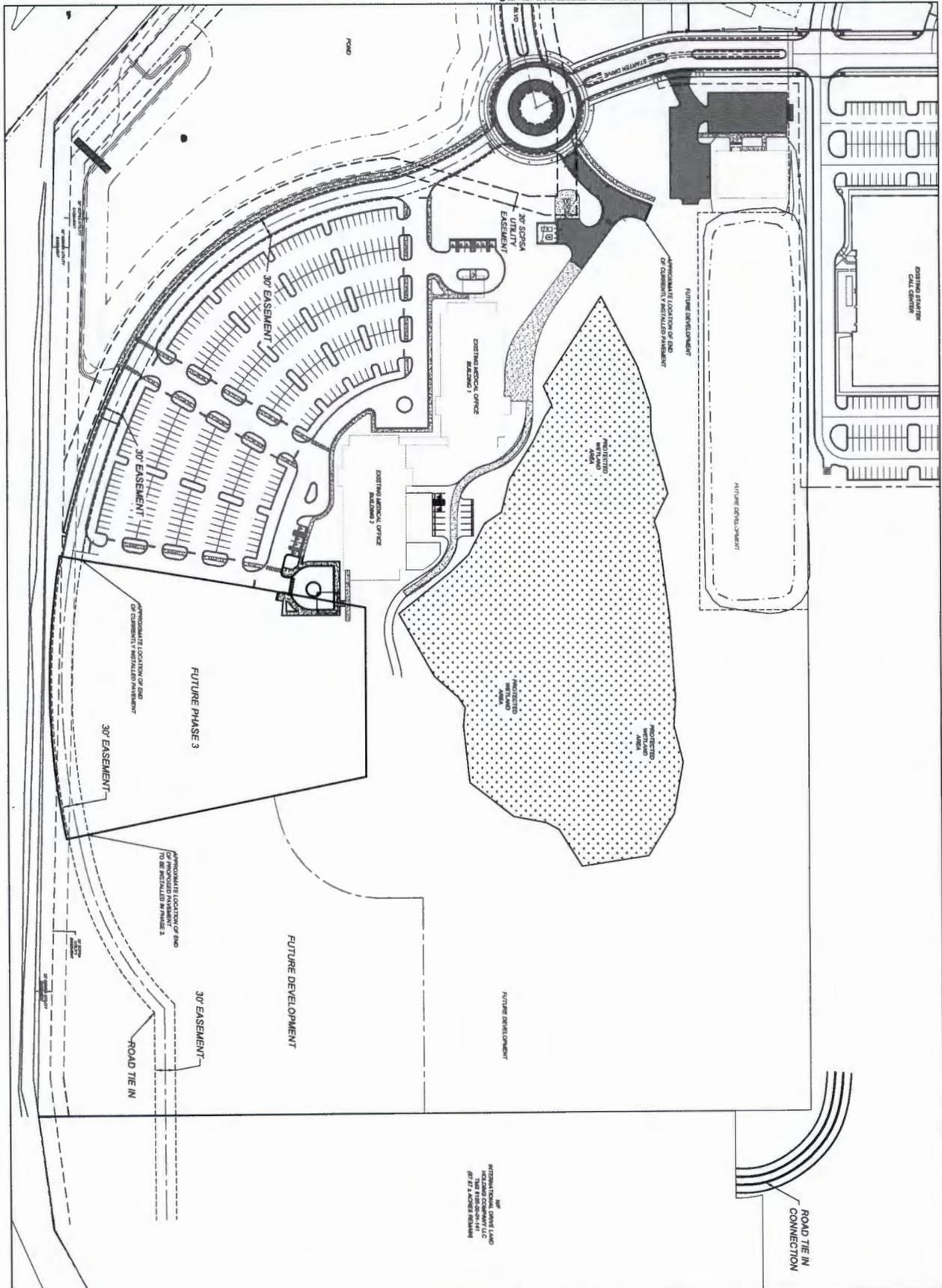
OPEN SPACE PROVIDED 4.24 ACRES TOTAL
ACTIVE 1.29 ACRES



**THE COTTAGES AT MYRTLE BEACH
PRELIMINARY SITE PLAN**

DDC PN 200808
APRIL 24, 2008

NOTE: PLAN AS SHOWN HAS BEEN REVISIONED TO REFLECT THE LATEST DEVELOPER INFORMATION. ALL INFORMATION IS SUBJECT TO CHANGE WITHOUT NOTICE. THE DEVELOPER'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE DEVELOPER'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE DEVELOPER'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.



SHEET C-1		MCLEOD HEALTH CAROLINA FOREST Horry County, Myrtle Beach, SC PREPARED FOR DESIGN STRATEGIES, L.L.C.	 G3 ENGINEERING P.O. BOX 2666 PAWLEY'S ISLAND, SC 29585 PHONE: 843.237.1001 www.G3Engineering.org		NO. REVISIONS BY DATE
		EASEMENT EXHIBIT			DATE

Rezoning Review Sheet



PROPERTY INFORMATION

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

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

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

COMMENTS

Comprehensive Plan District: Scenic & Conservation, Suburban, and Economic Activity Center **Overlay/Area Plan:** Burgess Community Area Plan

Discussion: The applicant is requesting the Residential (MSF6) zoning district for a single family development. The property will be combined with the adjacent 5 acre parcel which is already zoned MSF6. The proposed development is designed to be 52 single family lots on a 13.07 acre parcel for a gross density of 3.98 du/ac.

The length of the proposed road is longer than 1,800 lf (~1,925 lf) and will require a Design Modification.

This parcel is located just outside of the Hwy 707 Overlay.

Public Comment:

TRANSPORTATION INFORMATION

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

DIMENSIONAL STANDARDS

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

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

Planning Commission Decision Memorandum
Horry County, South Carolina

Date: May 18, 2020
From: Planning and Zoning
Division: Infrastructure and Regulation
Prepared By: John Danford, Deputy Director
Cleared By: David Schwerd, Director
Regarding: 449-12-04-0068 & 449-12-04-0067 (Fern Moss)

ISSUE:

Should the Planning Commission allow a cul-de-sac in excess of 1,800 lf to serve as access to 52 lots?

PROPOSED ACTION:

Allow the creation of an approximately 1,925 lf cul-de-sac.

RECOMMENDATION:

Approval with conditions. Installation of traffic calming measures as approved by Horry County Engineering.

BACKGROUND:

Fern Moss is a proposed 52 lot subdivision in the Burgess community. It is adjacent to and wraps around The Meadows at 707. The applicant has applied for a rezoning of PIN 449-12-04-0068 to allow for the development to proceed at 6,000 sf lots.

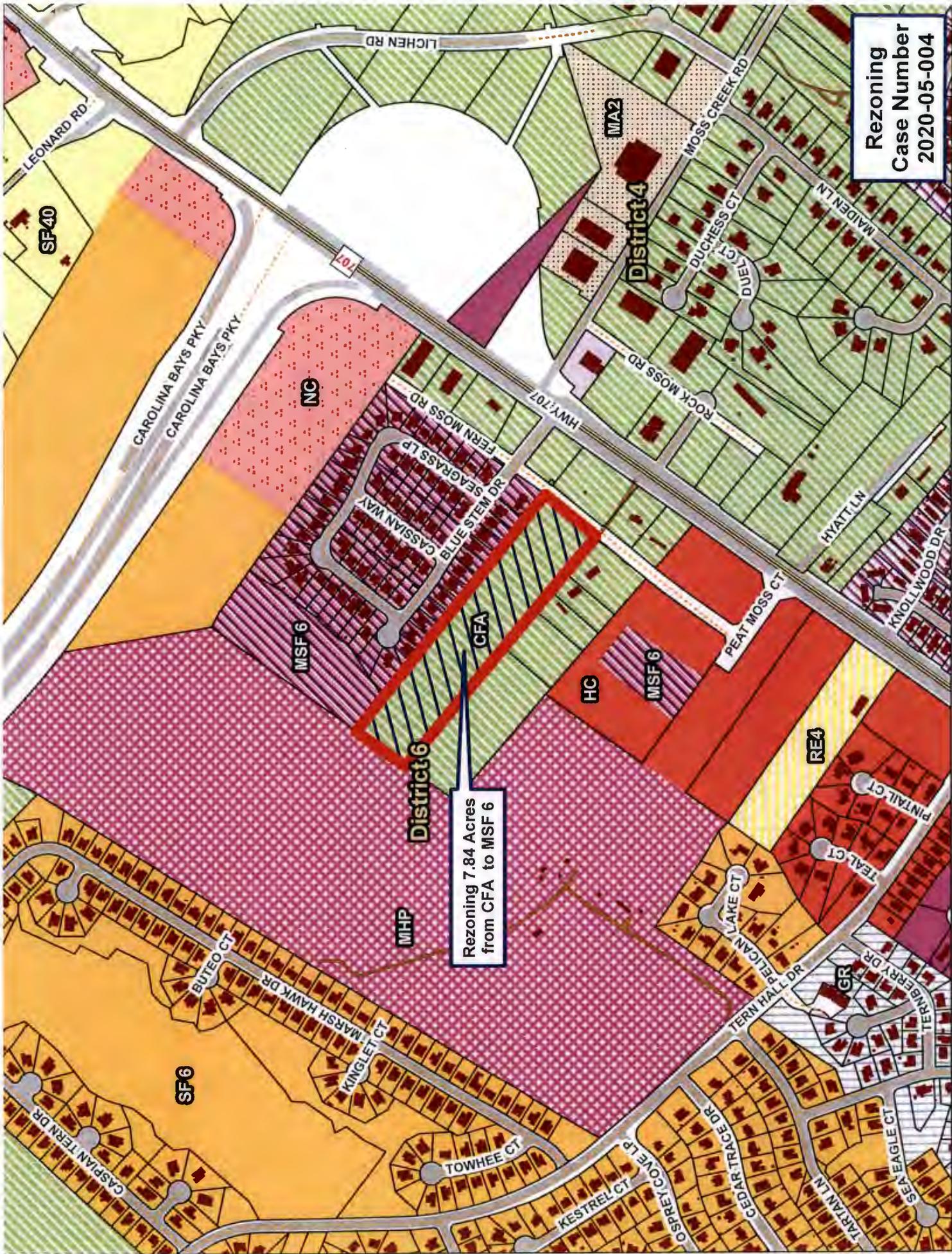
Per Article 4 Table 4-D, cul-de-sacs are limited to no more than 1,800 linear feet.

ANALYSIS:

The proposed cul-de-sac meets the needs of the applicant. The two parent tracts create an elongated “L” with enough width to accommodate the R/W and double stacking of lots with one point of access (topographically constrained).

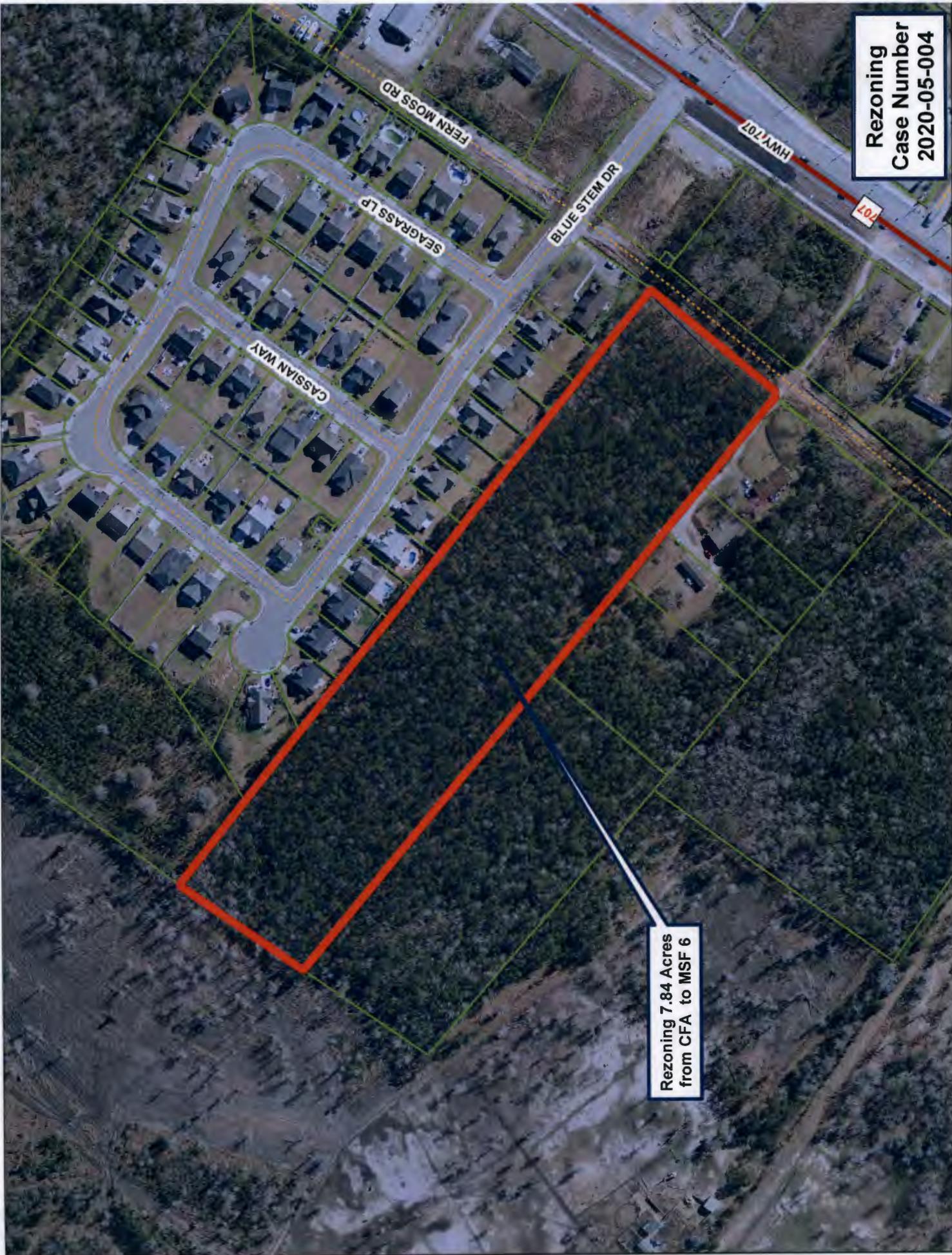
While an adjacent parcel (PIN 449-12-04-0014) is owned by the developer and could be used to connect to the adjacent neighborhood (The Meadows at 707), thereby making this request moot, staff believes the disruption to the existing neighborhood is not in the best interest of the community.

The applicant has not indicated any mitigation strategy to ensure the intent of the Land Development Regulations is maintained however staff can recommend approval with conditions. A segment of the road (approximately 1,050 lf) is straight and could allow for excessive speeds without traffic calming (speed bumps/humps/tables) measures. If used the intent of the Land Development Regulations will be maintained.



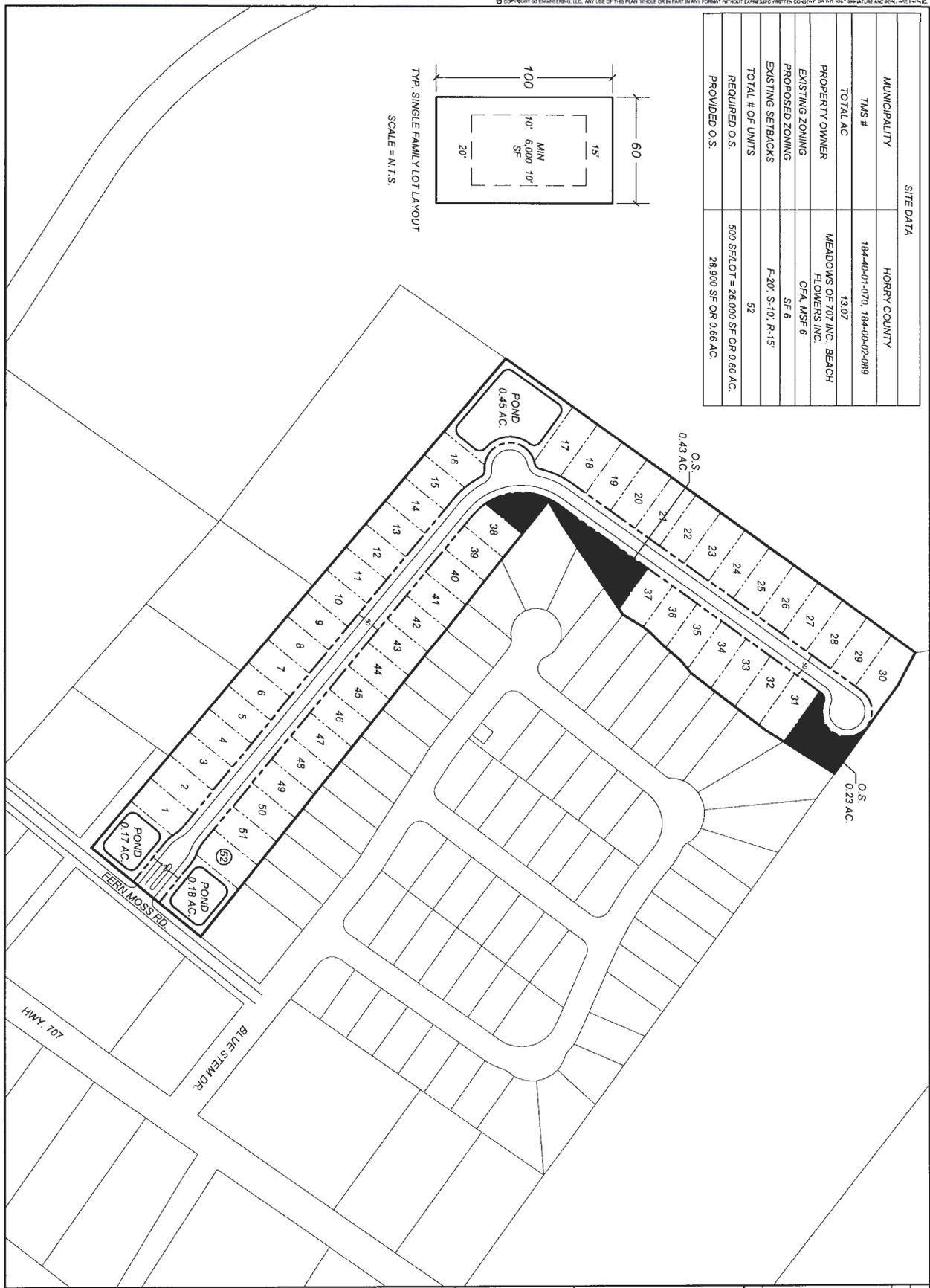
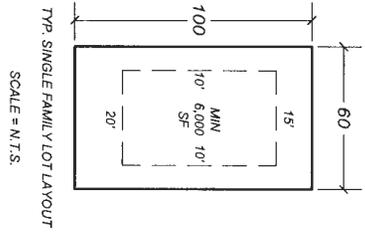
Rezoning 7.84 Acres
from CFA to MSF 6

Rezoning
Case Number
2020-05-004



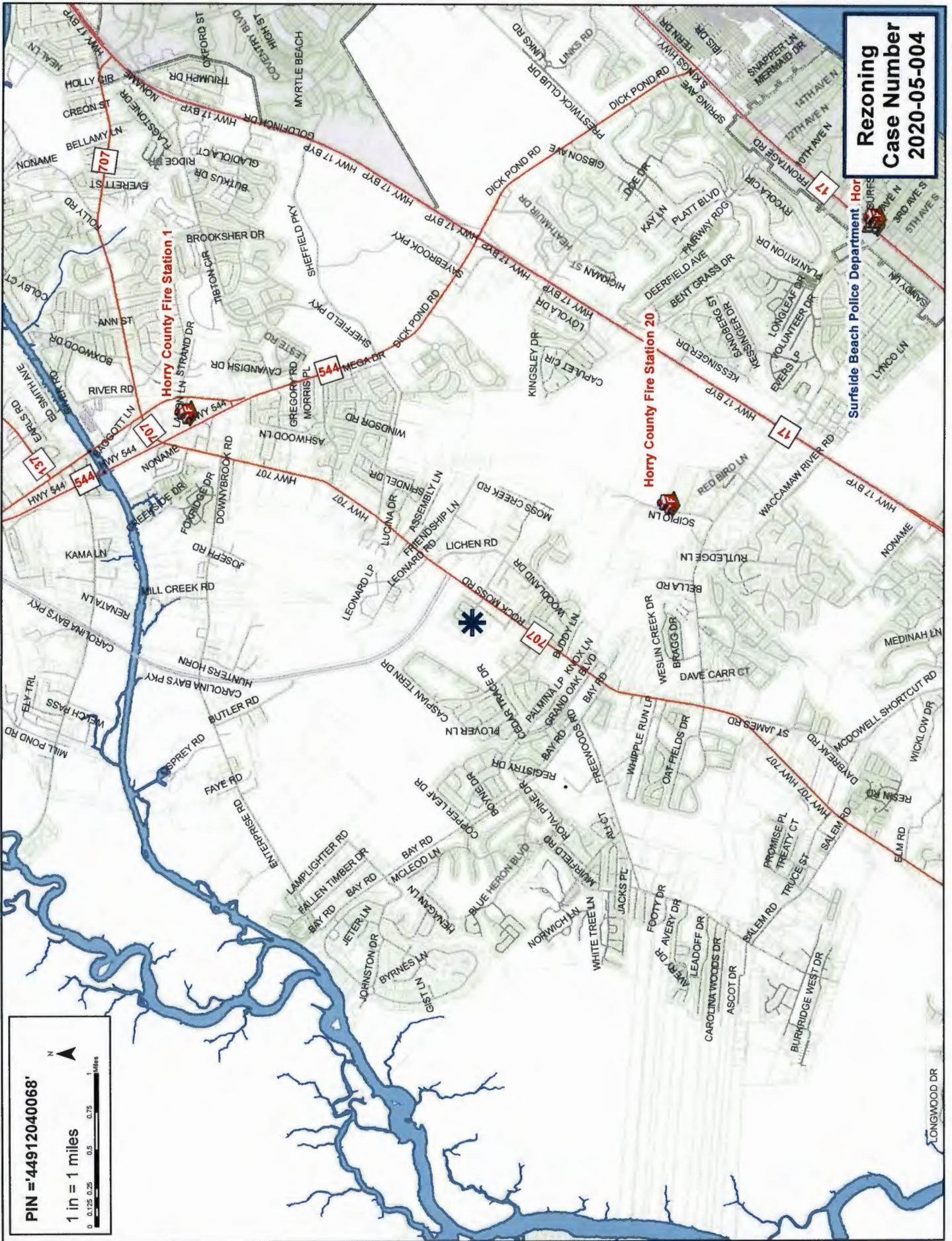
Rezoning 7.84 Acres
from CFA to MSF 6

SITE DATA	
MUNICIPALITY	HORRY COUNTY
TMS #	184-40-01-070, 184-00-02-089
TOTAL AC	13.07
PROPERTY OWNER	MEADOWS OF 707 INC., BEACH FLOWERS INC.
EXISTING ZONING	CFA, MSF 6
PROPOSED ZONING	SF 6
EXISTING SETBACKS	F-20'; S-10'; R-15'
TOTAL # OF UNITS	52
REQUIRED O.S.	500 SF/LOT = 28,000 SF OR 0.80 AC.
PROVIDED O.S.	28,900 SF OR 0.86 AC.



SHEET C-1		FERN MOSS HORRY COUNTY, MYRTLE BEACH, SC PREPARED FOR RANDY WALLACE	G3 ENGINEERING P.O. BOX 2699 PAWLEY'S ISLAND, SC 29585 PHONE: 843.237.1001 www.G3Engineering.org		NO.	REVISIONS	BT	DATE
		CONCEPTUAL SITE PLAN						

**Rezoning
Case Number
2020-05-004**



PIN = '44912040068'

1 in = 1 miles

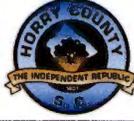
0 0.125 0.25 0.5 0.75 1 Miles

N

Rezoning
Case Number
2020-05-004



Rezoning Review Sheet



PROPERTY INFORMATION

Applicant	H.B. Springs Co. Real Estate (Energov # 049140)	Rezoning Request #	2020-05-005
PIN #	45804040015, 45805010027, 45805010028, 45805010029	County Council District #	5 - Servant
Site Location	US Bypass 17 at Deerfield Link Dr in Myrtle Beach	Staff Recommendation	
Property Owner Contact	Carolina Company LLC	PC Recommendation	
		Size (in acres) of Request	8 +/-

Date Advertised: 5/14/2020 Date Posted: 5/15/2020 # Property Owners Notified: 110 Date Notification Mailed: 5/14/2020 Report Date: 5/14/2020

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	SF6	Flood and Wetland Information (proposed FEMA maps)	X	HC	HC	CFA
Proposed Zoning	RE3	Public Health & Safety (EMS/fire) in miles	2.42	RC	Subject Property	HC
Proposed Use	General Highway Business Uses	Utilities	Public	GR-15	SF6	SF6
		Character of the Area	Commercial & Residential			

COMMENTS

Comprehensive Plan District: Commercial Corridors & Suburban	Overlay/Area Plan:
---	---------------------------

Discussion: The applicant is requesting Convenience and Auto Related Services (RE3) zoning to allow for general highway business uses. The parcels are located along US-17 Bypass with several commercial zoning districts prevalent in the surrounding area, Highway Commercial (HC), Resort Commercial (RC) & RE3. A nearby parcel recently requested rezoning to RE3, and that request was recommended with approval by the Planning Commission, March 5, 2020.

Access to PIN 458-04-04-0015 is questionable as the parcel does not have legal access to a significant portion of Deerfield Links Drive at this time. SCDOT will not allow direct access to US-17 Bypass for any of these parcels meaning Deerfield Links Drive, designed and constructed for residential traffic, will serve as commercial access. The intersection of US-17 Bypass and Deerfield Links Drive was recently signalized with the development of Beach Village.

Two previous rezoning requests 2005-08-006 and 2008-12-004 were both withdrawn. This was prior to the installation of the traffic signal.

Public Comment:

TRANSPORTATION INFORMATION

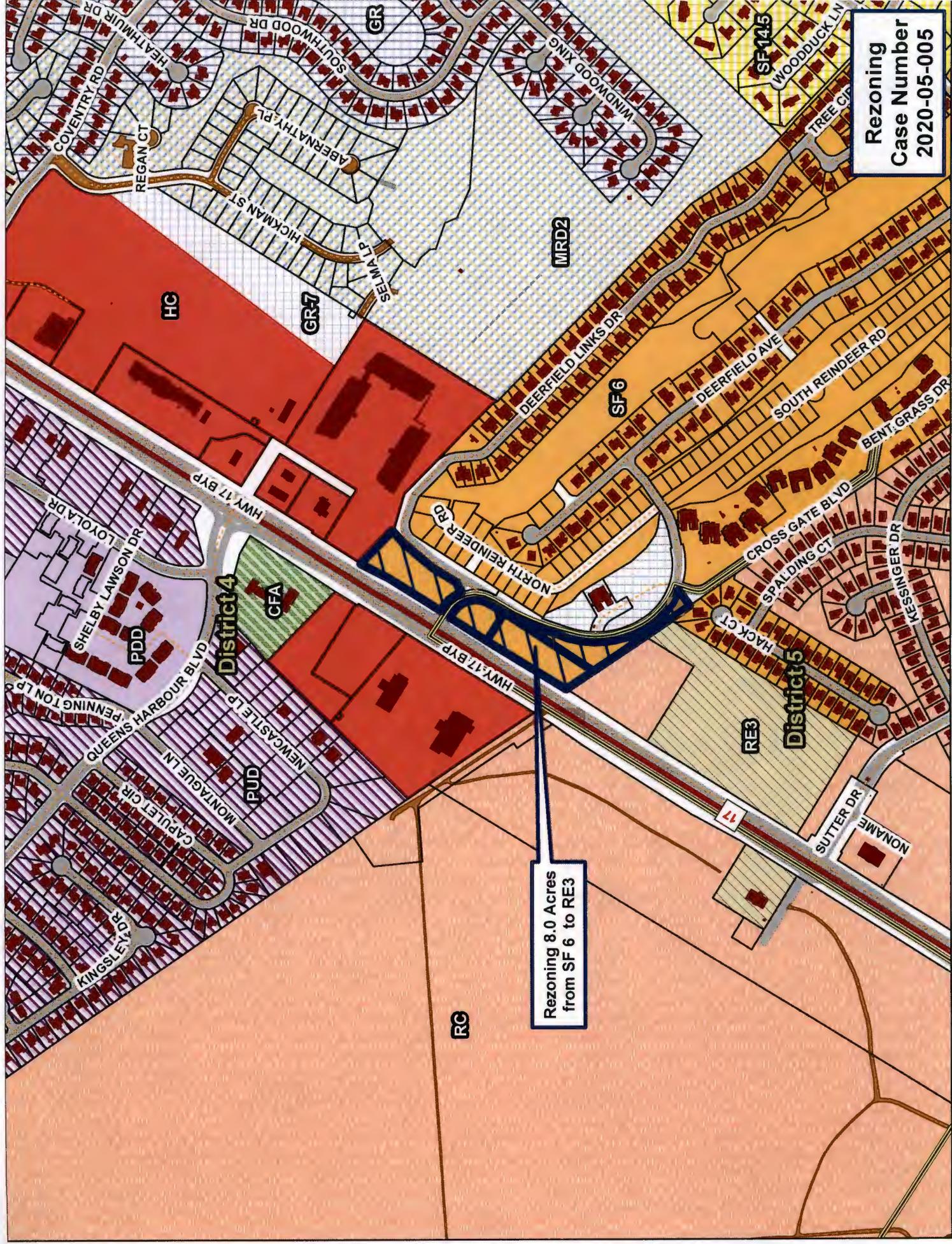
Daily Trips based on existing use / Max Daily Trips based on current zoning	0/450	Existing Road Conditions	State, Paved, Four-lane Private, Paved, Two-lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning	2,000/2,000	Rd, Station, Traffic AADT (2019) % Road Capacity	US-17 Main Line, Station (100) 38,400 AADT 105-110%
Proposed Improvements			

DIMENSIONAL STANDARDS

	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	RE3	SF6	CFA Res / Comm	HC	RC	GR-15
Min. Lot Size (in square feet)	10,000	6,000	21,780 / 43,560	10,000	25,000	43,560
Front Setback (in feet)	60	20	25 / 60	50	40	30'
Side Setback (in feet)	10	10	10 / 25	10	30	20'
Corner Side Setback (in feet)	50	15	25 / 60	50	40	30'
Rear Setback (in feet)	15	15	15 / 40	15	25	25'
Bldg. Height (in feet)	48	35	35	120	Unlimited*	120'

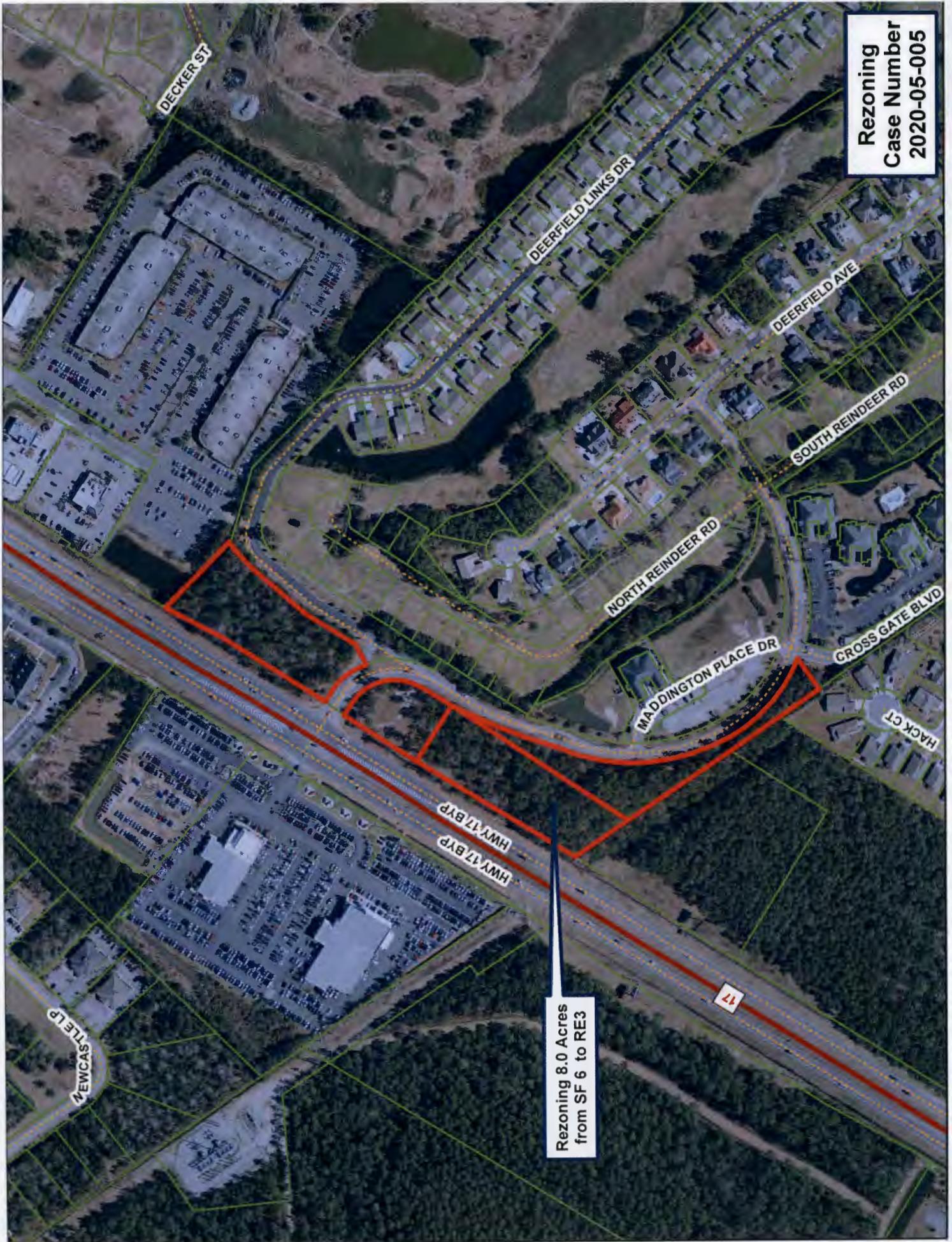
Setback Comments: The front setback for the requested rezoning will increase to 60' because the property line is adjacent to a Table 1 road. Corner sides will be treated as double frontage because of Hwy 17 Bypass being an arterial status road.

Rezoning
Case Number
2020-05-005



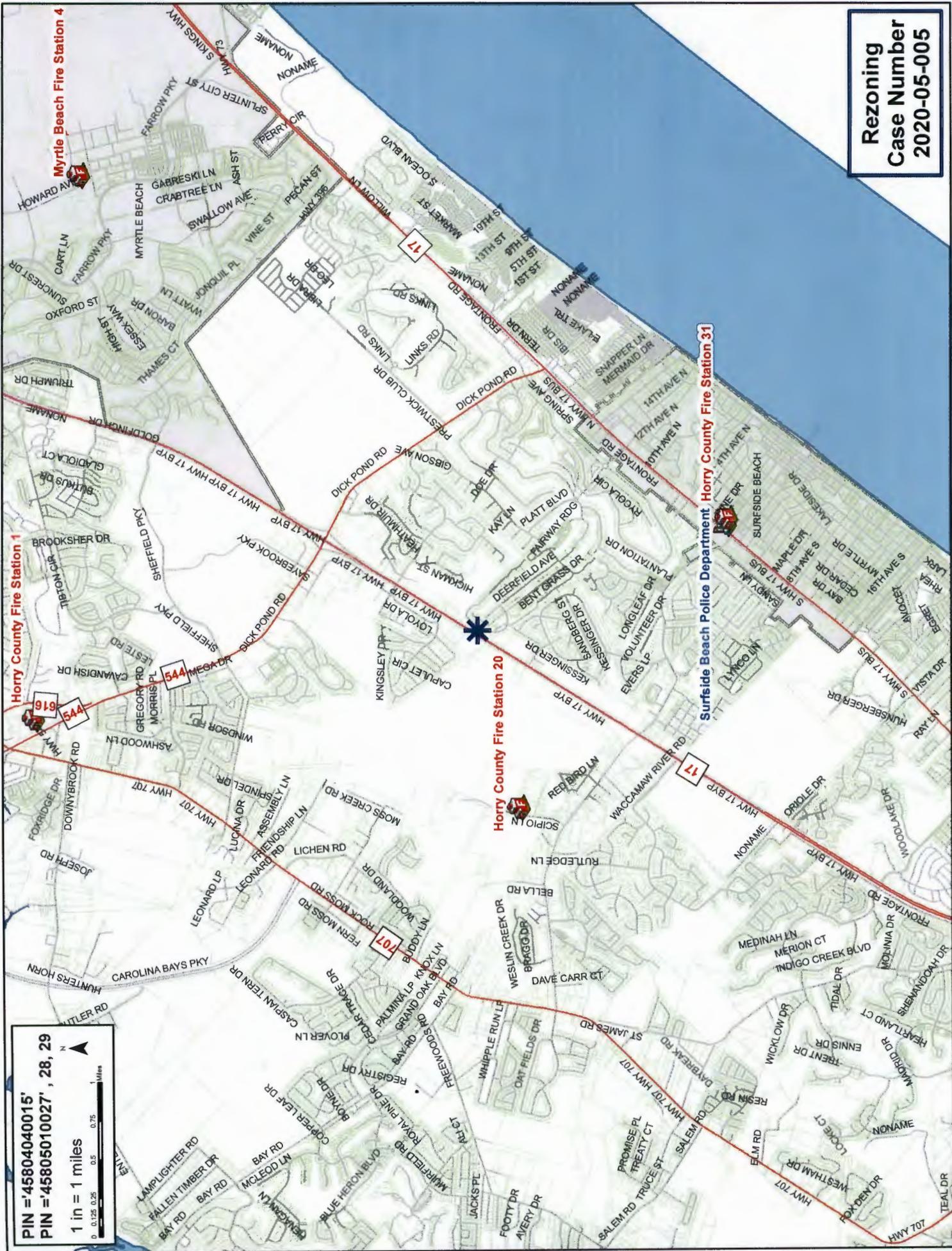
Rezoning 8.0 Acres
from SF 6 to RE3

Rezoning
Case Number
2020-05-005



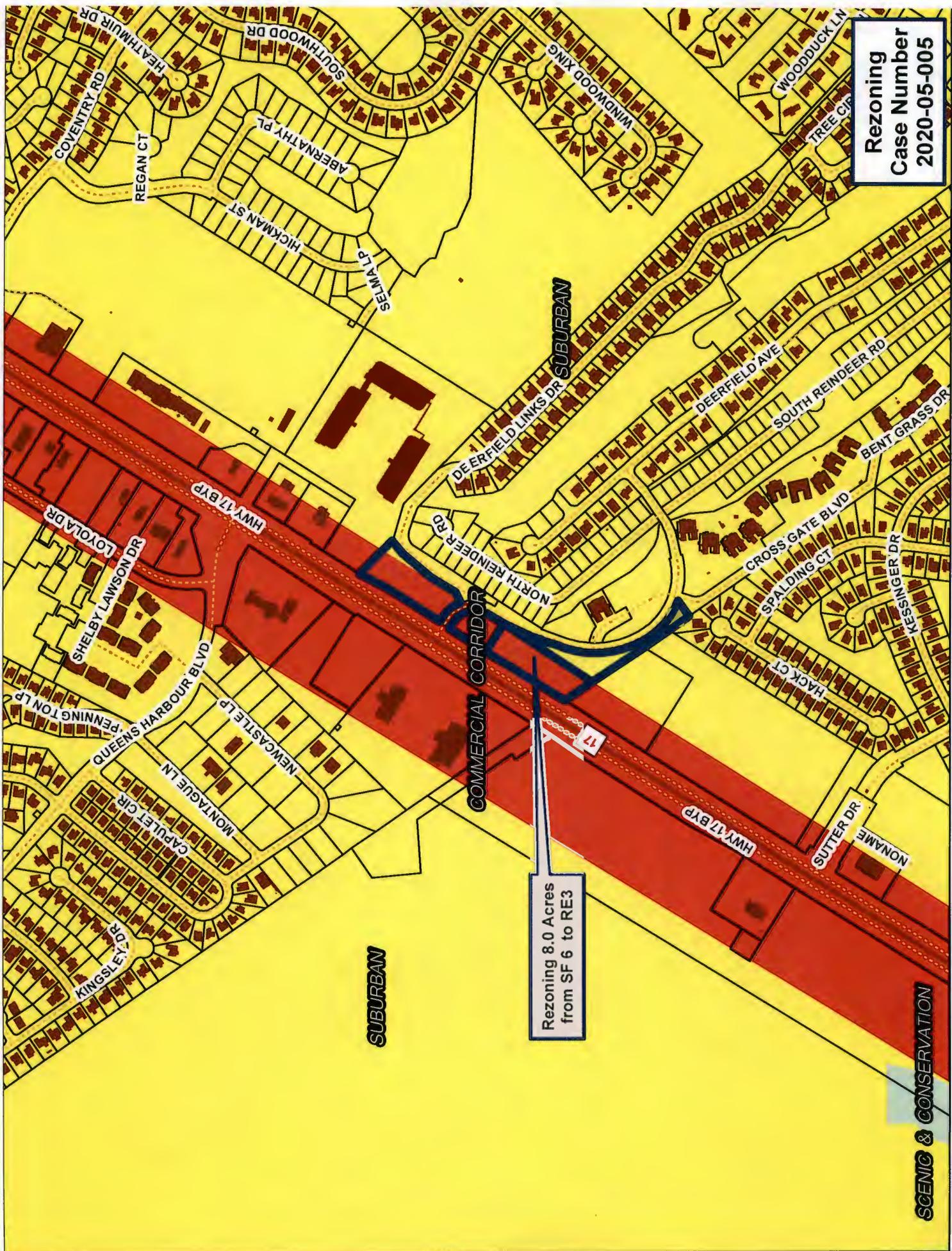
Rezoning 8.0 Acres
from SF 6 to RE3

Rezoning
Case Number
2020-05-005



PIN = '45804040015'
PIN = '45805010027', 28, 29
1 in = 1 miles
0 0.125 0.25 0.5 0.75 1 Miles

Rezoning
Case Number
2020-05-005



SCENIC & CONSERVATION

Rezoning Review Sheet



PROPERTY INFORMATION

Applicant	Venture Engineering, Inc. (Energov # 49182)	Rezoning Request #	2020-05-006
PIN #	21504040001	County Council District #	9 - Prince
Site Location	Samuel Rd in Loris	Staff Recommendation	
Property Owner Contact	Christopher W Holmes	PC Recommendation	
		Size (in acres) of Request	4.75

ZONING DISTRICTS		LOCATION INFORMATION		ADJACENT PROPERTIES		
Current Zoning	FA	Flood and Wetland Information (proposed FEMA maps)	X	FA	FA	FA
Proposed Zoning	SF 14.5	Public Health & Safety (EMS/fire) in miles	2.59	FA	Subject Property	FA
Proposed Use	Residential Lots	Utilities	Public	FA	FA	FA
		Character of the Area	Residential & Agriculture			

COMMENTS

Comprehensive Plan District: Rural and Scenic & Conservation **Overlay/Area Plan:**

Discussion: The applicant is requesting to rezone to Residential (SF 14.5) to allow for the subdivision of the parcel into smaller lots for single-family homes. The subject parcel is surrounded by FA zoning with the smallest lot in the near vicinity being a ½ acre. The proposed subdivision of the parcel would be 10 lots on 4.75 acres for a gross density of 2.11 du/ac. The proposed road would need to be constructed to County base road standards and the project is intended to be on septic.

Rural and Scenic & Conservation future land uses do not encourage lot sizes less than ½ acre. The area is predominantly zoned for ½ acre lots and very little development has occurred.

Public Comment:

TRANSPORTATION INFORMATION

Daily Trips based on existing use / Max Daily Trips based on current zoning	0/72	Existing Road Conditions	County , Paved, Two-lane
Projected Daily Trips based on proposed use / Max Daily Trips based on proposed zoning)	112/112	Rd, Station, Traffic AADT (2019) % Road Capacity	SC – 9 Main Line, Station (200) 10,000 AADT 25-30%
Proposed Improvements			

DIMENSIONAL STANDARDS

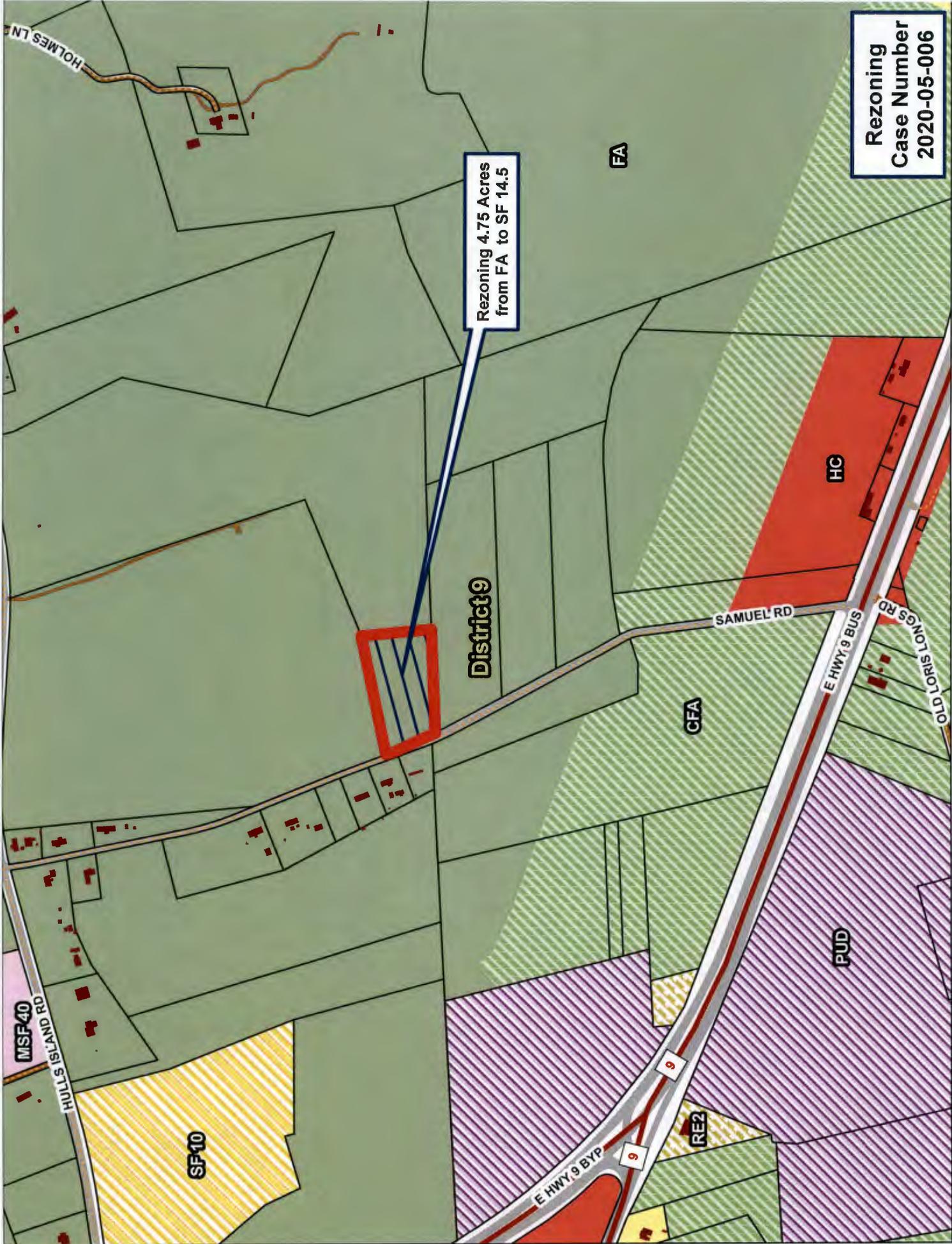
	Requested	Current	Adjacent	Adjacent	Adjacent	Adjacent
	SF14.5	FA Res / Comm	FA Res / Comm			
Min. Lot Size (in square feet)	14,500	21,780 / 43,560	21,780 / 43,560			
Front Setback (in feet)	25	25 / 60	25 / 60			
Side Setback (in feet)	10	10 / 25	10 / 25			
Corner Side Setback (in feet)	15	N/A	15 / 37.5			
Rear Setback (in feet)	15	15 / 40	15 / 40			
Bldg. Height (in feet)	35	35	35			

Setback Comments:

Date Advertised: 5/14/2020 Date Posted: 5/15/2020 # Property Owners Notified: 12 Date Notification Mailed: 5/14/2020 Report Date: 5/14/2020 BY: sm

Rezoning 4.75 Acres
from FA to SF 14.5

District 9

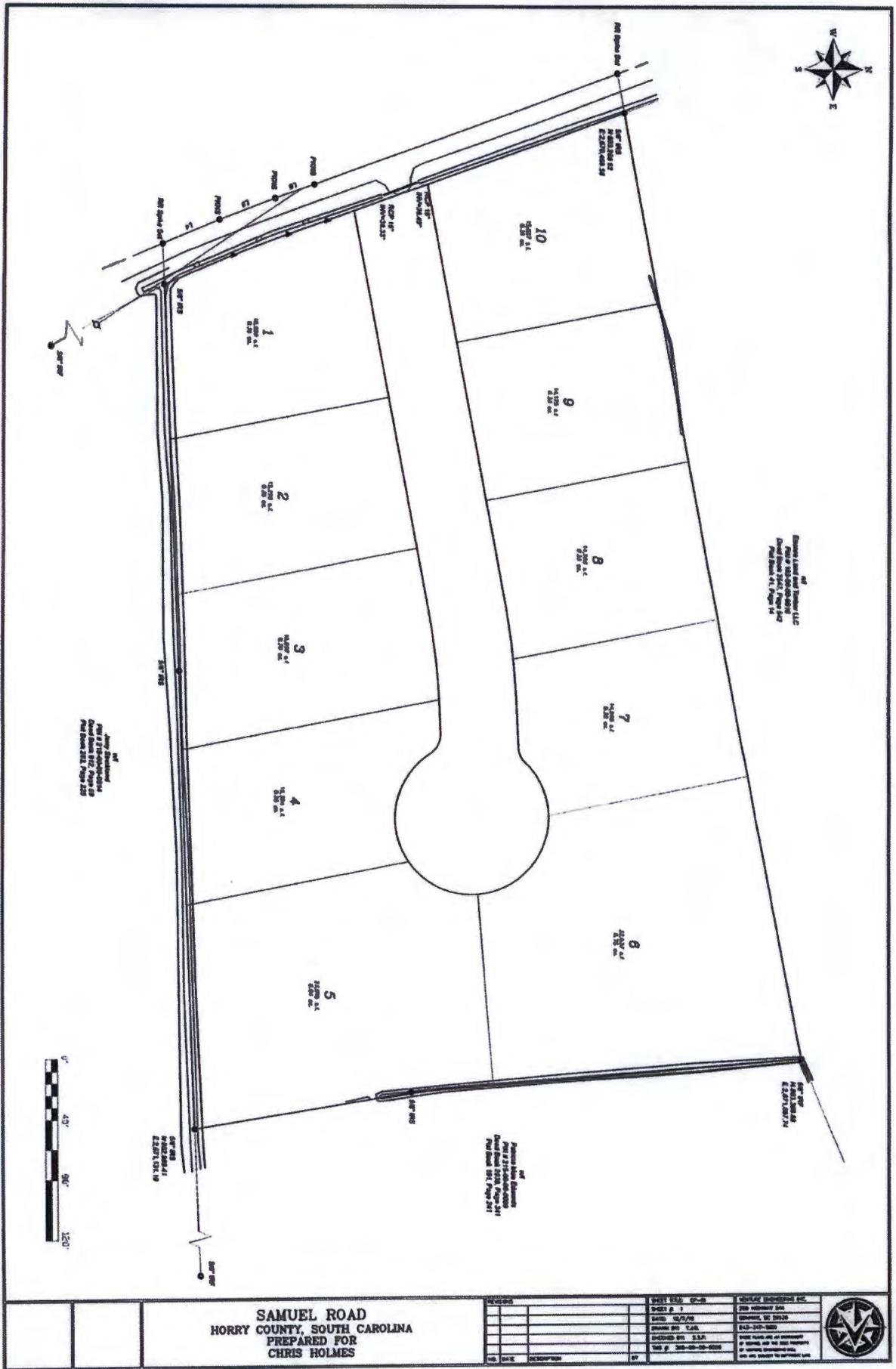


Rezoning
Case Number
2020-05-006

Rezoning 4.75 Acres
from FA to SF 14.5



SAMUEL RD

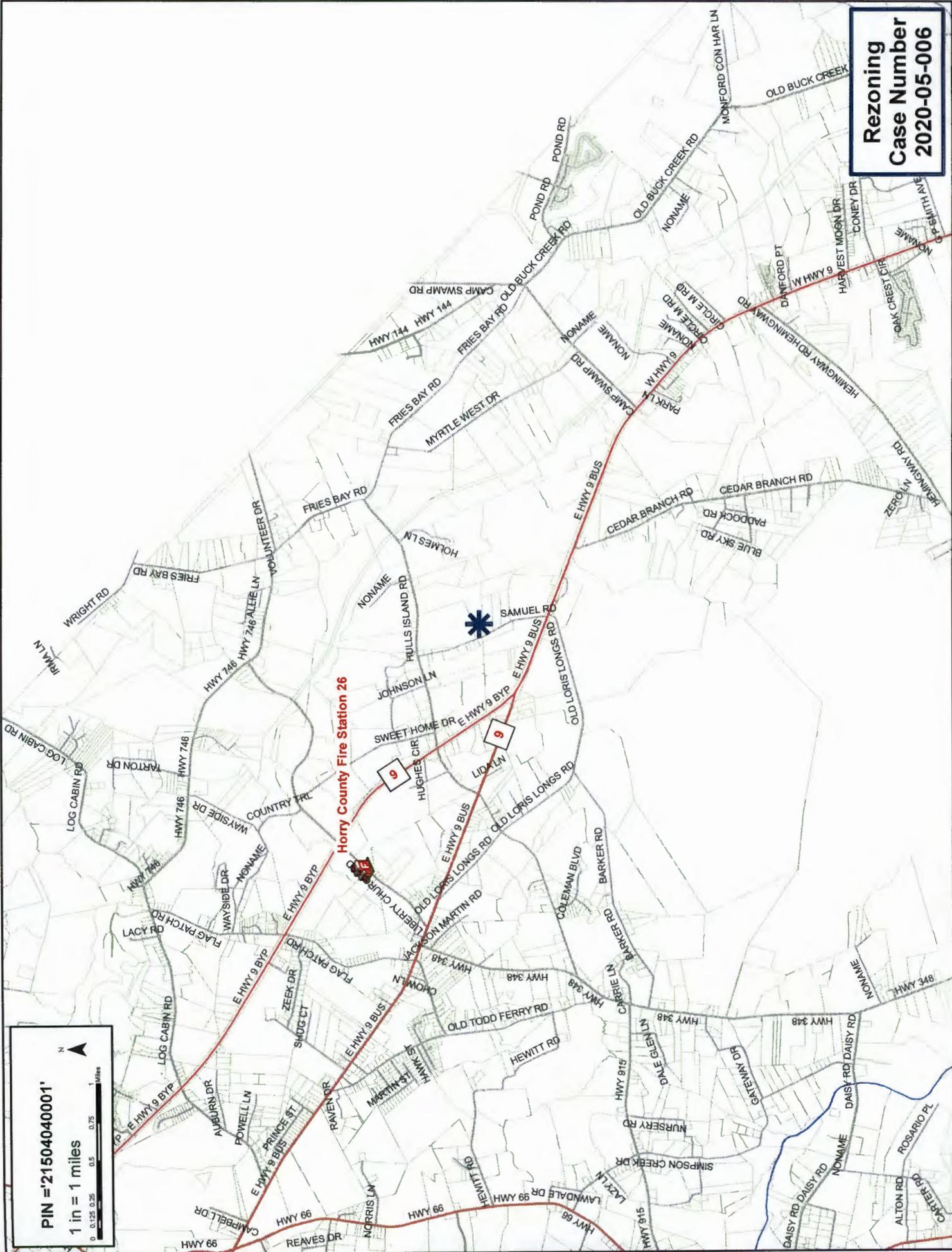


**SAMUEL ROAD
 HORRY COUNTY, SOUTH CAROLINA
 PREPARED FOR
 CHRIS HOLMES**

NO.	DATE	DESCRIPTION	BY

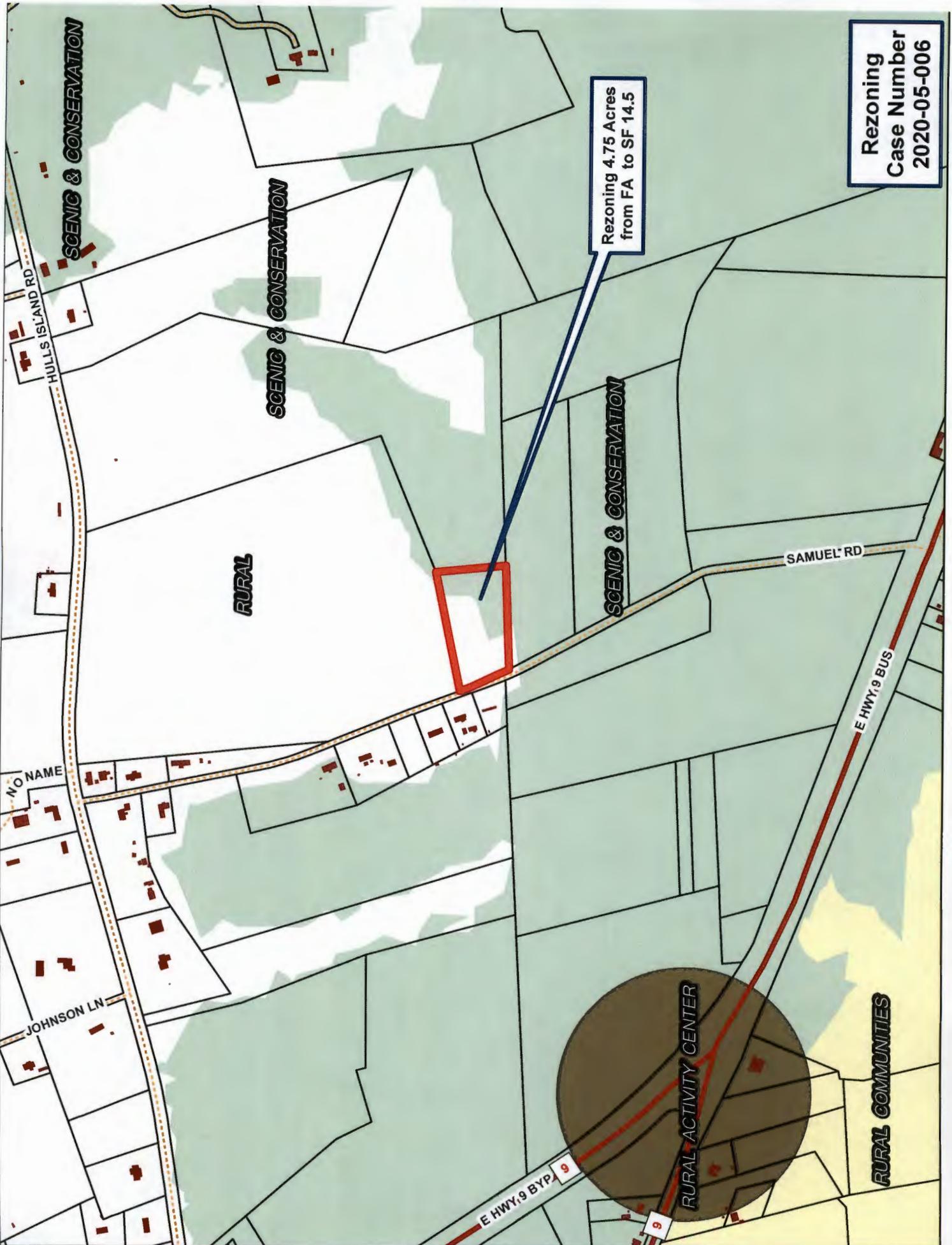


Rezoning
Case Number
2020-05-006



Rezoning
Case Number
2020-05-006

Rezoning 4.75 Acres
from FA to SF 14.5



Planning Commission Decision Memorandum
Horry County, South Carolina

Date: May 21, 2020
From: Planning and Zoning
Division: Infrastructure and Regulation
Prepared By: David Schwerd, Director
Regarding: Mining

ISSUE:

Should Horry County amend Appendix B of the Horry County Code of Ordinances pertaining to mining?

PROPOSED ACTION:

Approve the proposed amendment.

RECOMMENDATION:

County Council approved first reading

BACKGROUND:

Horry County currently requires that commercial mining operations apply for and obtain a mining permit. The mining permit is approved by County Council through the approval of a resolution. As part of that process notices are sent and signs are posted on the property. County Council also holds a public hearing. This proposal would eliminate the mining permit process through County Council and create a separate Mining District in the Zoning Ordinance. The mining district would only allow mining and its associated and accessory uses.

ANALYSIS:

The requirements in order to operate a mine in the mining district are similar to the current requirements of the Condition Use mining. The main difference is this will require a 3 reading rezoning to the property in order to allow Commercial Mining activity.

COUNTY OF HORRY)
STATE OF SOUTH CAROLINA) **ORDINANCE NO. 45-2020**

AN ORDINANCE TO AMEND THE ZONING ORDINANCE, OF HORRY COUNTY TO ESTABLISH THE MINING (MG) FLOATING ZONE AND STANDARDS THEREOF.

WHEREAS, Horry County Council approved Ordinance 141-05 on February 7, 2006 establishing conditional use standards for all commercial mining in the AG1, AG2, LFA, FA, CFA, R-1, R-2 and RE zoning districts; and

WHEREAS, Council sees a need to create an additional Floating Zone whereby property owners not in one of the above listed zoning districts may pursue mining opportunities by rezoning to the aforementioned Floating Zone.

NOW THEREFORE 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 ordain it ordained that:

1) Amendment of Horry County Code of Ordinances to delete Article VI Mining Permits of Chapter 13 of the Horry County Code of Ordinances in its entirety.

2) Amendment of Horry County Code of Ordinances: Appendix B, Article VI Section 600 of the Horry County Code of Ordinances shall be as amended to as set forth below. (Additions shown in bold and underline and deletions shown as strike thru)

ADDITION OF the following district/s to the table following the entry for Resort Housing

Mineral Extraction Zone	MG
-------------------------	----

3) Amendment of Horry County Code of Ordinances: Appendix B, Article VII to creation Section 754 of the Horry County Code of Ordinances shall be as amended to as set forth below. (Additions shown in bold and underline and deletions shown as strike thru)

§754. MINERAL EXTRACTION DISTRICT (MG).

Intent. The Mineral Extraction Floating Zone is intended be used solely for the purposes of mining uses involving the excavation, handling and hauling of both “Consolidated” and “Unconsolidated Materials” Consolidated materials in Horry County, South Carolina, relates to cemented sandstone, cemented limestone, and coquina formations that are categorized in the family of materials of cemented or semi-cemented fossiliferous material. Unconsolidated materials include all those located above those of a consolidated nature and include sand, clay, marl, and surficial deposits.

MI Districts are not intended to be within five hundred (500) feet of any residential structures, are not appropriate in close proximity to commercial business districts and should be surrounded by similar industrial uses and/or districts.

§754.1 Conditional Uses

(A) Accessory uses that are subordinate and incidental to any permitted uses below and onsite signage in accordance to the provisions of Article 10.

(B) Mining and/or mineral excavation operations and businesses intended for the purposes of hauling excavated material off-site.

4) Amendment of Horry County Code of Ordinances: Appendix B, Article V Section 532 of the Horry County Code of Ordinances shall be as amended to as set forth below. (Additions shown in bold and underline and deletions shown as strike thru)

532. - Mining.

Unless exempt, a certificate of zoning compliance must be obtained by the property owner or operator of any mining operation prior to removal of excavated materials to be hauled off-site. If all excavated material is kept on-site, no review or approval is required. The following levels of review and approval are hereby established for mining operations where the excavated material is hauled off-site.

1. Ponds less than ten thousand (10,000) square feet in size are exempt from the requirements of this section. The final slopes are to be at a 3:1 slope to minimize the possibility of slides.
2. Ponds no greater than two (2) acres in size shall be allowed as conditional uses in all zoning districts subject to the following conditions:
 - a) Ponds shall be a minimum of fifty (50) feet from wetlands, and a minimum of twenty-five (25) feet from a property line unless a written agreement with an adjacent property owner is obtained.
3. Farm ponds for irrigation and livestock no greater than five (5) acres shall be allowed as conditional uses in the AG1, AG2, LFA, FA, CFA, SF 40, SF 20, and RE zoning districts subject to the following conditions:
 - a) There shall be no more than one (1) farm pond for every ten (10) acres of land.
 - b) Ponds shall be a minimum of fifty (50) feet from wetlands, and a minimum of twenty-five (25) feet from a property line unless a written agreement with an adjacent property owner is obtained.
 - c) The parcel must have a farm number issued by the Farm Services Agency.
 - d) The property owner must have a Critical Area Plan approved by the U.S.D.A. Natural Resource Conservation Service.
 - e) Hauling of material from the site must be done between the hours of 6:00 a.m. and ~~7~~9:00 p.m. Monday through Saturday.

f) Where an unpaved county road is used to access the site, the owner and/or operator shall maintain five hundred (500) feet in the direction of traffic to and from the site, using Best Management Practices and maintaining the road in good condition.

4. All other mining activity shall be allowed only as a conditional use in the ~~AG1, AG2, FA and CFA~~ **MG** zoning districts subject to the following conditions:

a) A pre-construction meeting with county engineering must be held to assess road conditions and develop a maintenance plan, regarding grading and watering, that addresses impacts of the mining operation to include dust in populated areas and road conditions.

b) Mine operator must maintain paved roads accessing site for two hundred (200) feet of site access in the direction of travel and control dust in populated areas.

c) Mining operations must be screened and buffered by a six (6) foot high opaque screen of natural vegetation within a one hundred (100) foot buffer area or a six (6) foot high berm within a fifty (50) foot buffer area. Berms must be graded, shaped and grassed. Provided, however, that no screen is required along any property boundary where the mining operations are setback five hundred (500) feet, or more from the property line. These screening and buffering provisions shall supercede the requirements of the landscape, buffer and tree preservation standards.

d) Mine operator will submit a **road maintenance and** traffic routing plan to **the** county ~~engineering~~. Traffic plan should minimize impacts to surrounding residences to the greatest reasonably extent possible. Reasonableness analysis should include but is not limited to physical limitations and financial costs. Plan may be modified if conditions warrant.

e) Operational hours are 6:00 a.m. until ~~79:00~~ 7:00 p.m. ~~unless otherwise authorized by County Council~~. Hours may be extended for public projects of limited duration upon notice to the zoning administrator.

f) Mining operations will be conducted in accordance with Horry County and DHEC regulations. Mine operator will obtain a county stormwater permit.

g) Mining operations must be conducted in accordance with all county, state, and federal regulations.

~~h) Mines are required to obtain a Mining Permit from Horry County Council. Refer to Chapter 13, Article VI, Mining Permits, of the Horry County Code of Ordinance.~~
Applicant shall identify the nature of the material to be excavated, the duration of the DHEC approval sought and the acreage of staging and excavation areas.

5. The removal and hauling of excavated material for the construction of a commercial **development** or **major** residential subdivision that has received ~~preliminary~~ **construction** plan approval (~~major subdivisions~~) or ~~sketch plan approval~~ (~~minor subdivisions~~) and a county stormwater permit is exempt from the provisions of this section.

6. The provisions of this section are not applicable if all excavated materials from a site are used solely for the construction of a public project by the South Carolina Department of Transportation.

a) In order to establish the right to an exemption for a state project, the property owner and/or site operator must provide the Zoning Administrator with a letter from the SCDOT project engineer identifying the contractor, the SCDOT file#, the start date and end date of the contract, and the cubic yards to be excavated.

b) A county stormwater permit must be obtained.

c) The property owner must provide the zoning administrator with a statement acknowledging that:

(1) Any future use of the property would have to be consistent with the zoning on the property; and

(2) The exemption is limited to the duration and extent of the SCDOT contract; and

(3) Any use of the excavated materials for any project outside the scope of the SCDOT contract will result in the loss of the exemption.

5) Amendment of Horry County Code of Ordinances: Appendix B, Article VIII to add the following district to the Dimensional Standards table.

Dimensional Standards

District	Lot Area	Setbacks (in feet)				Height
		<i>Front</i>	<i>Side</i>	<i>Rear</i>	<i>Corner</i>	
MG	10 acres	50	50	50	50	35

6) 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.

7) 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.

8) Effective Date: This ordinance shall become effective on third reading.

AND IT IS SO ORDAINED, ENACTED AND ORDERED.

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

Date: June 4, 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

Staff recommends 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 Board of Architectural Review and Historic Preservation 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 NO. _____

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 ~~strike~~through 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 ~~strike~~through 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~~eounty seeks to:

- (1) Safeguard its heritage by providing a mechanism that identifies, preserves and enhances the important characteristics of its culture, history and architectural history;
- (2) Promote the use and conservation of our resources such as individual properties, historic districts, significant and scenic areas, and landmarks for the educational enrichment and civic pride of County residents and the State as a whole;
- (3) Encourage a general harmony of style, form, proportion and material for the historic designated properties and areas within the County; and,
- (4) Improve property values and strengthen the local economy by fostering preservation, restoration and rehabilitation.

It is hereby declared as a matter of public policy that the protection, perpetuation and use of historical or significant architectural structures, and historic ~~preservation~~ districts or areas of geographical significance within the County are a public necessity and are required in the interest of the prosperity, civic pride and general welfare of the people.

The County's historic buildings and districts will continue to be a distinctive aspect of Horry County. They will serve as visible reminders of the significant historical and cultural heritage of Horry County and the State of South Carolina.

The procedures and guidelines set forth in the following sections will assist in the County's historic preservation efforts by identifying buildings, sites, objects and districts that reflect the County's cultural, social, economic, political or architectural history. These procedures establish a means of recording local historical preservation activities as a matter of public record.

Article XVII is enacted pursuant to the South Carolina Code of Laws, Section 6-29-870 thru 960.

1702. - Definitions.

The following words and phrases when used in this article shall have the meanings respectively ascribed to them:

Alterations, (may also be referred to as remodeling.) A change in the external architectural features of any historic structure or in the interior of such structure if the interior feature is specifically included in the historic designation; a change in the landscape features of any historic site or place; or work having an adverse effect upon designated archaeological resources.

Archaeological resources. Any material remains of past human life, activities or habitation that are of historic or prehistoric significance. Such materials include, but are not limited to pottery, basketry, bottles, weapons, weapon projectiles, tools, structures, or portion of structures, pit houses, rock paintings, rock carvings, graves, skeletal remains, personal items and clothing, household or business refuse, printed matter, manufactured items or any piece of any of the foregoing items.

Area. Two (2) or more parcels of land, sites, houses, buildings or structures that may include streets and alleys.

Certificate of appropriateness. The document issued by the ~~board of architectural review~~ **Historic Preservation Commission**, following a prescribed review procedure, certifying that the proposed actions by an applicant are found to be acceptable in terms of design criteria relating to the individual property or the historic district.

Certificate of no effect. An official form issued by the eCounty Planning Department stating that the proposed work on a historic property will have no detrimental effect on the historic character of the property or district, and therefore, may proceed as specified in the certificate without obtaining further authorization under these regulations. The issuance of this form authorizes the applicant to proceed with applications for any permits required by Horry County's Code Enforcement and Zoning Departments for said work.

Construction. The addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

Contributing property. Any property located within a historic district that is a historically designated property.

Demolition. Any act or process that destroys in part or in whole a historic structure or property (real or personal).

Demolition by neglect. Any act or process that destroys in part or in whole a historic structure or property (real or personal) because of neglect in maintaining, repairing, recycling, or securing a resource or the loss of structural integrity of the resource.

Design guidelines. A standard of appropriate activity that will preserve the historic and architectural character of a structure or area district and by which the ~~Board of Architectural Review~~ **Historic Preservation Commission** makes its decisions.

Economic hardship. Economic hardship exists when a preponderance of evidence establishes that the property in question cannot obtain a reasonable economic return or be put to any economically beneficial use.

Exterior architectural appearance. The architectural character and general composition of the exterior of a structure, including but not limited to the kind, height, size, shape, mass, proportion, details, color, and texture of the building materials and the type, design, and character of all windows, doors, light fixtures, signs and appurtenant elements.

Historic preservation. (Secretary of the Interior's Standards for the Treatment of Historic Properties Definition.) Preservation means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

Historic ~~preservation~~ district. An area designated by the Horry County Council, upon the recommendation of the ~~board of architectural review~~ **Historic Preservation Commission** and pursuant to the provisions of this Article. A District is considered an area or group of areas, urban or rural, not necessarily having contiguous boundaries, containing one (1) or more resource related by history, architecture, archaeology, engineering or culture. All historic ~~preservation~~ districts shall be denoted with a special boundary and the text "HP" on the official zoning maps for Horry County and **kept as a public record to provide notice of such designation and** shall be classified as an overlay for zoning and mapping purposes. The historic ~~preservation~~ district will not replace the zoning district of record but will coincide with that district.

Historic site, landmark, structure, resource or property. One (1) or more parcels of land, sites, houses, buildings, structures, features, open space/areas, objects, or areas worthy of preservation because it is significant in the history, architecture, archaeology, engineering, or culture of the County. Hereinafter, a historic site, landmark, structure, resource or property will be referred to as a "historic property" or a "designated property".

Horry County Historic Property Register. The list of **designated** historic properties ~~designated~~ **historie** in Horry County **as approved by Horry County Council and maintained** ~~compiled~~ and kept by the Horry County Planning Department.

The list shall ~~be composed of~~ **include** the lots of non-designated properties within any historic preservation district, ~~as well as those historic properties that have received National Register, state or local status.~~

Minor work. Any change modifying, restoring, rehabilitating, renovating, surfacing, or resurfacing of the features of a historic property which does not materially change the historic characteristics of the property.

Move/removal. Any relocation of a structure on its site or to another site.

Open space. Undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.

Ordinary maintenance. Keeping a resource unimpaired and through ongoing minor intervention, undertaken from time to time, its exterior condition. Ordinary maintenance does not change the external appearance of the resources except through the elimination of the usual and expected effects of weathering, specifically, painting as an act of ordinary maintenance. Ordinary maintenance does not constitute work for the purposes of this chapter.

Ordinary landscaping. Keeping a resource unimpaired and in sustained condition through ongoing, periodic minor intervention. Ordinary landscaping does not change the appearance of the resource, except through the changes to shrubbery, flowerbeds, rock gardens, etc.

Owner of record. (may also be called the record owner.) The person, corporation or other legal entity listed as owner(s) in the records of the Horry County Tax Assessor's office.

Property. Real property, land.

Reconstruction. The act of depicting, by means of new construction, the form, features, and detailing of a non-surviving historic property for the purpose of replicating its appearance at a specific period of time and in its historic location.

Rehabilitation. The act or process of making possible an efficient compatible use for a historic property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values.

Repair. To restore a decayed or damaged resource to good or sound conditions by any process. A repair that changes the external appearance of a resource constitutes work for the purposes of this article.

Restoration. The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a restoration period.

Substantial hardship. Hardship, caused by unusual and compelling circumstances, based on one (1) or more of the following:

- (1) The property cannot reasonably be maintained in the manner dictated by this article;
- (2) There are no other reasonable means of saving the property from deterioration, or collapse; or,
- (3) The property is owned by a non-profit organization and it is not feasible financially or

physically to achieve the charitable purposes of the organization while maintaining the property appropriately.

1703. - Establishment of the ~~Board of Architectural Review~~ **Historic Preservation Commission**.

The Horry County ~~Board of Architectural Review (HCBAR)~~ **Historic Preservation Commission**, hereinafter referred as the "BAR" (**HPC**) or the "~~Board~~ **Commission**", is responsible for the implementation of this Article. Membership of the ~~Board~~ **Commission** shall be upon appointment by the Horry County Council. Members shall assume their duties at the first regular meeting after their appointment. Members shall serve without compensation except for reimbursement for authorized expenses attendant to the performance of their duties.

1703.1. Composition and Qualifications. The ~~BAR~~ **HPC** shall consist of **up to** ten (10) members and shall be made-up of individuals in architecture, history, landscape architecture, construction, ~~or~~ education profession, **real estate**, or interested citizens. All members of the ~~BAR~~ **HPC** shall have a demonstrated interest, competence or knowledge in historic preservation.

1703.2. Organization and Operation. Organization requirements for the ~~BAR~~ **HPC** are established in the South Carolina Code of Laws, § 6-29-870 and the Horry County Code of Ordinances, § 2-73, Article VI, Division I, Boards, Commissions, Committees and Agencies.

1703.3. Terms of Office. The terms of office for each ~~Board~~ **Commission** member shall be in accordance to Article VI, Division I of the Horry County Code of Ordinances.

1704. - Powers and duties.

The responsibility of the ~~BAR~~ **HPC** shall be the following:

- (1) To promote the purposes and objectives of this Article.
- (2) To review and recommend to the Horry County Council the designation of individual historic properties, buildings, resources, sites, landmarks and historic districts.
- (3) To review plans and applications for construction, rehabilitation and restoration on historic properties, resources or sites, to historic landmarks or buildings, or within historic areas or districts, and any demolition pertaining to or affecting duly designated historic properties, resources, sites, buildings or districts.
- (4) To coordinate with the comprehensive land use area plans.
- (5) To approve, deny or approve with conditions the demolition or alteration of building exteriors, or interiors, if designated as historic. The ~~BAR~~ **HPC** also shall review proposed new construction in a historic district.
- (6) To maintain an inventory of local historic properties, promote education about historic preservation and procedures.
- (7) To review and comment on National Register of Historic Places nomination and exercise other duties specifically needed by a community.

(8) To review and approve or disapprove special tax assessments for rehabilitation of historic properties per Horry Code of Ordinances § Chapter 9, Article I, 19-7.

(9) Other duties as assigned by this ordinance.

1705. - Historic property inventory.

The ~~BAR~~ **HPC** shall maintain a local inventory of historic properties more than fifty (50) years old. **These records shall be held in the Horry County Planning Department and made available to the public.** Based on the local inventory and criteria, individual properties **may be** proposed for the Horry County Historic Property Register **and** shall be reviewed by the ~~BAR~~ **HPC** and a recommendation forwarded to the Horry County Council. ~~These records shall be held in the Horry County Planning Department and made available to the public. The process of review shall include property owner notification and a public hearing.~~

1706. - Designation of historic properties.

1706.1. Criteria for Historic Designation. The ~~Board~~ **HPC** shall review the local inventory and make recommendations for historic properties for local historic designation to the Horry County Council or the Horry County Planning Commission (for district designations) based on the following criteria:

A property may be designated historic if it:

- (1) Has significant inherent character, interest, history, or value as part of the community or heritage of the community, state or nation; or
- (2) Is the site of an event significant in history; or
- (3) Is associated with a person or persons who contributed significantly to the culture and development of the community, state or nation; or
- (4) Exemplifies the cultural, political, economic, social, ethnic or historic heritage of the community, state or nation; or
- (5) Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period or specimen in architecture or engineering; or
- (6) Is the work of a designer whose work has influenced significantly the development of the community, state or nation; or
- (7) Contains elements of design, detail, materials or craftsmanship which represent a significant innovation; or
- (8) Is part of or related to a square or other distinctive element of community planning; or
- (9) Represents an established and familiar visual feature of the neighborhood or community; or

(10) Has yielded, or may be likely to yield, information important in pre-history or history; or

(11) As allowed by the National Park Service standards for culturally significant properties.

1706.2. *Owner Notification.* Property owners of whose property is proposed for historic properties **designation** shall be notified in writing ~~twenty one (21)~~ **thirty (30)** days prior to the date of the **HPC** public hearing. **(Public hearings must be advertised at least once in a newspaper of general circulation in Horry County fifteen (15) days prior to the date scheduled for the public hearing in addition to normal meeting notices.)** Owners may appear before the ~~Board~~ **Commission** and Horry County Council to voice approval or opposition to such designation.

1706.3. *Designation as a Historic Property.* The Horry County Council shall approve proposed historic properties or district designations with three (3) readings. Once approval has been given, the property shall be added to the Horry County Historic Property Register as an individual historic property or to the Official Zoning Maps as a historic district.

1706.4 *Designation as a Historic Cemetery.* When considering and upon the designation of a historic cemetery to the Horry County Historic Property Register, the following standards shall apply:

- (1) The addition of a cemetery to the Historic Property Register shall in no way modify state law concerning cemeteries.
- (2) For all cemeteries that have no defining border, such as a fence or naturally defined boundary the following shall apply:
 - a. Taking into account the nature, character and the typical arrangement of cemeteries in Horry County along a generally east/west line, a boundary shall be drawn encompassing all gravesites, including depressions or other indicators of probable gravesites, in such a way so as to adequately protect and preserve the gravesites therein without unnecessarily encumbering any more property than necessary.
 - b. If the property owner chooses to contest the boundary, or to propose an alternative boundary, the owner may do so at the public hearings held pursuant to Section 1706.2.
 - c. A map of the property depicting the proposed boundary shall be attached to the written notification sent to the property owner pursuant to Section 1706.2.
 - d. The proposed boundary shall be determined at the time the cemetery is added to the Historic Property Register.

1706.5

Designation as a Historic District. A minimum of one (1) designated historic property must exist in the area to be considered for a historic district before a committee to investigate the merits of a historic district is formed.

Before establishing a historic district, the HPC shall appoint a committee. The committee will include a minimum of one member of the public who lives in the proposed district if at all possible. The rest of the committee shall consist of at least two HPC members. A member of the HPC shall serve as chairman of the committee. The committee shall prepare a preliminary report to be presented to the HPC, which shall include the following:

- (1) Determine the boundaries for the proposed historic district in writing and on a map.
- (2) Create a photographic inventory of resources within the proposed historic district.
- (3) Conduct research on the proposed historic district and the historic resources located within the boundaries and give an analysis of the historic significance and architectural merit of the buildings or places and the significance of the district as a whole. In evaluating the significance of historic resources, the committee shall be guided by the selection criteria for evaluation shown in 1706.1.
- (4) Determine the number of historic and non-historic resources within the boundary of the proposed district.
- (5) Create a map indicating the contributing designated historic properties.
- (6) Make recommendations for the zoning ordinance to regulate the historic district.

The committee may choose to call upon outside agencies for assistance in developing the report and may pay outside agencies if funding is available.

A public hearing will be held at which time the ordinance will be presented to the HPC. Property owners of both contributing designated historic and non-designated properties within the proposed historic district shall be mailed notification thirty (30) days prior to the public hearing. The preliminary report and ordinance shall be made available to the public and a comment period shall be open for sixty (60) days following the public hearing. At the next regularly scheduled meeting, but not within two weeks to the close of the comment period, the HPC will vote to recommend the proposed historic district to Planning Commission. Owners may appear before the HPC, the Planning Commission and Horry County Council to voice approval or opposition to such designation.

The Commission shall give notice of the time and place of the public hearing which shall be published in a newspaper of general circulation in the County at least fifteen (15) days in advance of the scheduled hearing date. Conspicuous notice shall be posted on or adjacent to the properties affected, with at least one (1) notice being visible from each public thoroughfare that abuts the proposed historic district. At the hearing any party may appear in person or by agent or by attorney.

1707. - Nominations to the ~~n~~National ~~r~~Register of ~~h~~Historic ~~p~~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 ~~e~~Certificate of a ~~a~~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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