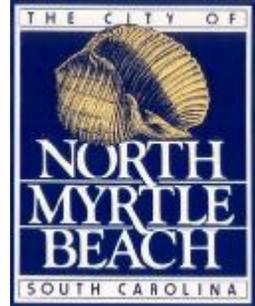


Memo



TO: Planning Commission

FROM: Jim Wood, AICP, Director of Planning and Development

DATE: August 28, 2008

RE: Highway 17 overlay district

Attached is the latest draft of the Highway 17 overlay district ordinance. A few tweaks have been added from the last version, and are highlighted in yellow.

City Council issued a directive at the last joint workshop to move forward with this ordinance. Planning Commission should be prepared to forward a recommendation to them at the conclusion of your September 2nd meeting..

Staff met with the economic development committee of the Chamber of Commerce on August 27th, for nearly two hours. The meeting was productive, and afforded each side the opportunity to clear up misconceptions, air differences of opinion, and explore those areas where we have common ground.

The Chamber group expressed interest in the concept of ‘walksheds,’ which are defined as areas where pedestrian activity originates. Widely-accepted standards define the typical walkshed as an area with a 1/3 to 1/2 mile radius. Much of Highway 17 is within the walkshed of folks living east of the highway, and folks staying in transient accommodations nearby. The Chamber stated that staff should place *more* emphasis on the benefits of producing an environment that is friendly to the pedestrian.

Concerns were raised as well, most notably the fear that some folks would park on “business A’s” lot and walk from there to patronize “business B.” Staff doesn’t accept the premise that this would be a common occurrence. Indeed, we believe that it would merely represent an interesting spin-off indicator of *success* of the overlay’s goals.

Staff also has consulted with a notable traffic engineering consulting firm regarding the issue of whether a safe, attractive, pedestrian-friendly Highway 17 would exacerbate traffic congestion. The answer is NO. Studies have shown that a framed-in corridor with attractive design would, at best, have a very slight traffic calming effect, on the order of less than a 5 MPH reduction in overall travel speeds. The consultant also confirmed staff’s opinion that this would be more than offset by the expected reduction in vehicle miles traveled as folks are given the option to arrive

at their destinations by means other than a car. Further alleviating this concern is the proven pattern of driver behavior as it relates to following distances. The faster that traffic moves, the more following distance a driver has to leave between him or herself and the car in front of them. Increased following distance means fewer cars can pass through the same given length of road than can pass through at lower travel speeds in the same period of time.

Staff requests that the Planning Commission carefully consider the ordinance, and be prepared to send it forward to Council with a recommendation.

6.G. ZONING TEXT AMENDMENT ZTX-08-03: An amendment to the Zoning Ordinance to create a Highway 17 Corridor Overlay District, with associated design, site, architectural, and signage standards.

The City of North Myrtle Beach engaged a consultant team to study the Highway 17 corridor and to produce design recommendations for visual and functional improvement. The resulting document produced by Haden Stanziale is entitled “US Highway 17 Corridor Design Plan.”

In order to bring many of the study’s design recommendations to fruition, it was apparent that significant changes to the city’s Zoning Ordinance were required. Specifically, it was decided that a design overlay district for the Highway 17 corridor would be the best vehicle to achieve the study’s goals. Staff began serious work on the amendments in early 2008 and the results of this effort are attached.

The key components of this ordinance address the following issues:

- Relationship of buildings to their site
- Architectural design and material construction of buildings
- Landscaping and sidewalks
- Mixing of uses
- Signage
- Building height

Each of these will be briefly addressed below:

Recommendations

- **Relationship of buildings to their site:** The ordinance establishes a ‘build-to’ line of 14 feet from the front property line. Most structures are required to bring the building up to this line, in order to help frame the street space. This is perhaps the most important piece of the puzzle, as it has been proven that framing the street space fosters pedestrian activity in a corridor, and helps with traffic calming. Exceptions to this standard are provided for certain types of uses relying on drive-through service for a substantial part of their business.
- **Architectural design and material construction of buildings:** The ordinance provides a list of acceptable materials, prohibited materials, and required design elements such as a minimum amount of window space, breaking up of large building masses through differing façade treatments, etc.
- **Landscaping and sidewalks:** The ordinance retains the existing landscape standards in the underlying zoning, but adds requirements for street trees to be planted in a landscaped strip located within the 14’ space between buildings and the front property line. Within this space, an 8 foot sidewalk is required to be constructed behind the street tree lawn.

- **Mixing of uses:** The ordinance permits various configurations of office, commercial and multi-family residential uses, as follows:
 - Commercial only.
 - Office only.
 - Commercial and office in the same building. If office uses are on the second or higher floor, the office use only has to provide an additional 1 parking space per 1,000 square feet of office use.
 - Commercial and multi-family residential in the same building, provided that the residential cannot occupy the ground floor. Residential uses only have to provide 1 additional parking space per 5 bedrooms total in the residential component of the building.
 - Office and multi-family residential in the same building. Residential cannot be on ground floor, and only has to provide 1 additional parking space per 5 bedrooms total in the residential component.
 - Commercial, office, and multi-family residential in the same building. Again, residential cannot occupy the ground floor, and the same parking concessions are offered as shown above for both office and residential, when such uses are on the second or higher floor.

- **Signage:** One of the key contributors to the visual clutter currently affecting the Highway 17 corridor is excessive signage. The overlay ties sign limits to the amount of frontage the building has on a public street, which insures proportionality to the signage. Bigger buildings get higher signage allotments than smaller buildings. Further, pole (pylon) signs are prohibited, as are internally illuminated signs and vinyl sign faces.

- **Building height:** Related to the need to frame in the street space, a *minimum* building height of 35 feet is required for all structures in the overlay. This, in combination with the build-to line, will provide the necessary enclosure ratio that is understood to provide a stimulating, visually pleasing pedestrian environment. For all uses except hotels, the building heights shall range from 35 to 55 feet. Hotels can go up to 75 feet. However, as an incentive to participate in burying overhead utility wires underground, the zoning ordinance will allow an extra 10 feet in height, which represents another floor for a typical building, if the property owner pays the cost of burying the utility lines in front of their property. This would be worked out with the city engineer. Further, the property owner would need to provide only 75% of the usual parking requirement for this extra floor.

The Ordinance is attached for your review and consideration. The early draft was very well-received by City Council at a recent workshop meeting.

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH PROVIDING THAT THE CODE OF ORDINANCES, CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA, BE AMENDED BY REVISING SECTION 23-31, 23-36, 23-58 and 23-133.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA, IN COUNCIL DULY ASSEMBLED, THAT:

Section 1:

That Section 23-31 of the Zoning Ordinance be amended to delete current paragraph (3) and replace it with a new paragraph (3) to read as follows:

(3) HOV US Highway 17 Corridor Overlay Zone

(A) *Purpose:* The purpose of the US Highway 17 Corridor Overlay Zone is to insure the development of a high-quality, pedestrian-friendly, attractive urban form along the most heavily traveled corridor within the City. To accomplish these goals, an additional set of site, architectural, signage, and landscaping standards are herein required for new construction and significant renovation of structures situated on parcels that adjoin US Highway 17 Business. These standards shall work in harmony with those of the underlying zoning district; but where conflicts may occur; the standards of this overlay shall supersede those of the underlying district.

(B) *Vision:* To enhance the natural and built environment along the US Highway 17 corridor by minimizing visual clutter, driver distraction and inconsistent development patterns through streetscape improvement, enhanced way-finding and the creation of development standards and guidelines.

Goals:

- Create a unified and attractive image for the US Highway 17 corridor
- Improve vehicular circulation on US Highway 17
- Enhance the identity of North Myrtle Beach
- Improve the way-finding system while minimizing signage clutter
- Improve pedestrian and bicycle safety and circulation along US Highway 17

(C) *Design Review Process:* As an addition to the normal site plan review process set forth in the North Myrtle Beach Land Development Regulations, applicants seeking to erect new structures or signs, or substantially alter existing structures or signs, shall provide plans, specifications and architectural renderings sufficient to demonstrate compliance with the design standards herein. Staff shall review such plans and approve them if they are deemed to be in compliance.

(D) *Applicability:* Except where the North Myrtle Beach Zoning Ordinance states otherwise, the US Highway 17 Corridor Overlay Zone shall apply to all commercially zoned properties or portions of properties fronting US Highway 17, beginning at the southern city limits and extending up to 11th Avenue North, which are being newly built or are being substantially improved upon, including modifications to building structures, signage and landscaping.

1. Non-conforming structures may not be rebuilt, repaired or altered, if improvements exceed the values listed in the table below, except in conformity with the provisions of said table; however, buildings that are destroyed or damaged by fire, accident or *force majeure* may be restored to their pre-damage condition without conforming to the requirements of this overlay.

Table 1, Levels of Renovation

Level of Renovation	Percent of value (cost of renovations divided by existing building value, times 100)	Applicable sections of this overlay district that must be adhered to. Sec. 23-31 (3) ___ :
Very Minor	Zero to 9 percent	(J) (1) and (J)(2) for all new portions of the building.
Minor	10 percent to 39 percent	All of “Very Minor” above, plus (N) <i>Signage</i> .
Significant	40 percent to 74 percent	All of “Minor” above, except that (J) (1) and (J) (2) shall apply to the entire structure, not just new portions.
Major	75 percent or more	All sections of the overlay must be adhered to

(E) *Compliance:* Compliance with these standards shall not constitute full site plan approval; it is merely one element of the overall site plan approval process.

(F) *Appeals and Deviations:* Requests to deviate from these standards may be filed with the Planning Commission through the office of the Zoning Administrator. The following may be acceptable justification for deviation from these development standards.

1. The proposed deviation accomplishes the same goals as the required provisions in these development standards and would make an equal or greater contribution to creating the corridor vision of US Highway 17.

(G) *Definitions:*

Arcade- An arcade is an area adjacent to a street or plaza that is open and unobstructed to a height of not less than 12 feet and is formed by a series of columns topped by arches.

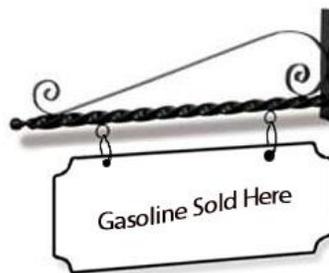
Animated Design – Architectural features, designs, appurtenances or elements, whether structural or decorative, that are made to resemble items or classes of items not typically associated with the needs and traditions of building construction. Examples include, but are not limited to: Any portion of a building designed to be in motion, parts of buildings made to resemble recreational equipment of any type, vehicles, boats or other nautical items, airplanes, natural features such as caves, seashells, trees, geological features, and similar.

Awning- An awning is a roof like cover that extends from the exterior wall of a building that may include a type which can be retracted, folded, or collapsed. The purpose of an awning is to shield a window, doorway, sidewalk, or other space from the elements.

Balcony- A balcony is an open portion of an upper floor that extends from the exterior wall of a building and is surrounded by a railing or balustrade.

Bay window- A bay window is a series of windows that extend out from a building's primary wall to form an alcove within.

Bracket sign - A projecting sign supported by an ornamental metal bracket attached to a structure. See example below:



Building value- The market value assigned to a structure by the Horry County Assessor's Office, or the value ascribed to the structure (not including the land upon which it sits) by a licensed real estate appraiser, whichever is greater. Private appraisals shall be one year old or newer in order to be considered valid under this Ordinance.

Canopy- A canopy is an awning like structure that projects from the principal façade of a building and is made of rigid materials.

Colonnade- A colonnade is similar to an arcade except that it is supported by vertical columns without arches.

Cornice- A cornice is any decorative horizontal feature projecting outward from the exterior wall of a building located near the roof line.

Courtyard- A courtyard is an uncovered area that is partially or completely enclosed by buildings.

Expression line- An expression line is a horizontal decorative feature located on the exterior portion of a building that delineates the top of the first story, and provides outward visual reference to the location of breaks between floors in a multi-story building..

Incidental sign, convenience store – Small commercial signs customarily displayed on convenience store gasoline pumps, islands, or canopies; typically advertising convenience items such as, but not limited to, soft drinks, tobacco products, lottery tickets, packaged or prepared foods, etc. This definition shall not

include small signs offering usage instruction, payment information or safety information for the operation and dispensing of fuels from the pumps.

Lintel- A lintel is a decorative horizontal element across a window opening.

Monochromatic paint scheme: - Painting a building all one color, including trim or other architectural appurtenances. This paint scheme is prohibited.

Plaza- A plaza is an open public space that is surrounded by buildings, streets or sidewalks.

Porch- A porch is a covered but unenclosed entrance to a building.

Principal façade- The principal façade is the exterior wall of a building which is parallel to or faces the front line or right-of-way.

Sign frieze- An architectural element incorporated into a façade of a building whose purpose is to frame/contain a replaceable wall-mounted sign.

Significant redevelopment- Any new development on a property that has existing improvements, that would create or add at least 5,000 square feet of additional improvements to the property and cause an increase in the number of required parking spaces.

Sill- A sill is a horizontal element, usually constructed of wood, stone or concrete that protrudes from the bottom of a window frame.

Stoop- A stoop is an elevated entrance platform or staircase that is usually no more than 12 square feet in area and provides ingress and egress to a building. A stoop may be roofed or unroofed but may not be screened.

Tree Verge- An area between the front façade of a building and the principal street, within which street trees 3 inch caliper or larger shall be planted 25' on-center.

Zoomorphic design- Any element or portion of a building, sign or structure that is made to resemble animals or animal features.

(H) Building orientation relative to street. Extensive research has shown that framing the street space by bringing buildings up close to the front property line imparts several advantages, including motorist safety, improved business visibility, traffic calming, and pedestrian friendliness. At the same time, the City acknowledges that such arrangements are not necessarily preferred by certain classes of retailers, due to concerns over store layout, entrance and exit points, and cashier locations. It is the intent of this ordinance to give property owners the option of using a standard setback scenario, or a build-to-line arrangement, as defined below. Those choosing the build-to-line option will be offered *incentives* to do so, as outlined in Section J. The incentives shall be available only for those who choose the build-to-line option.

1. Standard setback option: Property owners may select the ‘standard setback option’ for site development; however, none of the incentives listed in Section J shall be available to these properties.
 - (a) The minimum front setback in this option shall be fourteen (14) feet from the front property line. There shall be no maximum front setback. The minimum side and rear setbacks shall be those of the underlying zoning district.
 - (b) The property owner shall be required to construct a tree planting verge from the front property line to a depth of six (6) feet, along the entire frontage of the property on all abutting streets, broken only by approved ingress/egress driveways. Immediately behind this tree verge, a sidewalk shall be constructed by the property owner, along the entire frontage of the property on all abutting streets. Along Highway 17, this sidewalk shall be a minimum of eight (8) feet in width, and shall connect to any existing sidewalk links similarly constructed on adjoining properties. For all other abutting streets, the sidewalk width shall be a minimum of five (5) feet. If there is existing sidewalk located within any street right of way that does not conform to these requirements, said sidewalk shall be relocated to be in conformance with this section.
 - (c) If the property owner desires, he or she may dedicate an easement sufficient to contain the required sidewalk and tree verge to the City. In exchange, the City shall take over maintenance and liability for the developer-installed improvements therein. If the City is granted such an easement, it reserves the right to install pedestrian-scaled street lights and/or street furniture of its choice within the verge. If the City is *not* granted such an easement, the property owner shall not unreasonably obstruct the sidewalk from use by pedestrians of all abilities.
 - (d) The tree verge may take one of two configurations:
 - (1) It may be constructed of concrete similar to the required sidewalk, punctuated by tree planting wells at least 16 square feet in size, spaced at intervals of not less than 25 feet. Additional landscape planter areas may be approved within the verge.
 - (2) It may alternatively be constructed of ornamental paver blocks or pervious pavers, with the same tree well requirements as in (1) above.
 - (3) Street trees shall be planted within the tree wells, at a minimum size at time of planting of three (3) caliper inches. See Table 2 for a list of approved species.
 - (e) The maximum building height for all structures utilizing the standard setback option shall be 35 feet.

2. Build-to-line option, standard requirements:

Build-to-lines are similar to setbacks, except that they represent a line to which structures shall be built, if the property owner chooses this option. They can be thought of as both a minimum and a maximum setback. All individual buildings erected under this option shall be constructed so that at least 75 percent of the length of the front façade meets the following:

- (a) The front build-to line shall be 14 feet back from the front property line. The 14 feet of property between the street right-of-way and the build-to line shall be a dedicated public easement, six (6) feet of which shall consist of a tree verge and the other eight (8) feet new sidewalk, to be installed and maintained by the City. The City shall assume all liability for these elements within the public easement provided. If there is existing sidewalk within the street right-of-of-way, such sidewalk shall be relocated to the easement. (see Figures 1.1 and 1.2 below):

Figure 1.1, Optional Build-To-Line Configuration



Figure 1.2, Optional Build-To-Line Configuration, Street View



- (b) In cases where the South Carolina Department of Transportation and/or the City of North Myrtle Beach Public Works Department requires acceleration or deceleration lanes for a particular development, and such lanes cannot be fully accommodated within the existing Highway 17 right of way, the build-to line shall be measured from the new right-of-way line while still preserving the tree lawn and sidewalk in such a manner as to reasonably preserve continuity with the tree lawn and sidewalk of adjoining properties.
- (c) Shopping Center compliance with optional build-to-line: Shopping centers may choose the build-to-line option and claim the incentives attached thereto, by complying with the following:
 - (1) If a shopping center contains a ‘big box’ store as defined in section 23-2 “Retail, big box,” said store may bring the anchor structure up to the build-to-line, *or* they may be exempt from both the minimum height requirement of Table 2, and the build-to-line requirement *provided that all of the following are met:* (See Figures 2.1 and 2.2).
 - (a) At least 65% of the length of the Highway 17 street frontage has ancillary structures on the ‘build-to’ line. For example - if the property has 800 feet of frontage on Highway 17, at least 520 feet of said frontage must have structures up on the build-to line, except as noted in (I)(4)(c)(iv.)(10) with respect to building articulation.

- (b) If the subject property is a corner lot, at least 40% of the property line abutting the secondary street shall have ancillary structures within 10 feet of the property line. The interior (non-corner) side lot line shall have ancillary structures within 10 feet of that property line for at least 15% of its length.
- (c) If the subject property is not a corner lot, then both side property lines shall have ancillary structures within 10 feet of said property lines for at least 20% of their length.
- (d) The 'big box' structure shall adhere to all other design requirements herein, including, but not limited to, approved building materials, breaking-up of lengthy facades, transparency of the ground floor, signage, etc.
- (e) The ancillary structures closest to the street shall conform with the requirements of H2(a) and H2(b) above, in addition to all other requirements of this section.
- (f) If the 'big box' structure chooses to be located in whole or in part on the 'build-to' line, then the height minimums listed in Table 2 shall apply to all portions of the building so situated.

Figure 2.1, Shopping Center Optional Compliance with Build-To-Line



Figure 2.2, Shopping Center Optional Compliance with Build-To-Line, Street View



(d) Side yard setback:

1. For parcels whose only access is from Highway 17: Uses within the overlay that choose the build-to-line option *may* also build to a zero-lot line side yard configuration on one side, provided that the opposing side setback is sufficient to allow construction of a driveway to access the rear parking areas, and a side yard landscaping buffer as per the requirements of the Zoning Ordinance. For parcels narrower than 100 feet in width, the side yard landscaping buffer may be waived on both sides. Further, buildings on adjoining properties may choose to connect to each other at the property line on one side, in order to provide more continuous enclosure of the street space. Shared driveways shall also be permitted and encouraged.
2. For parcels with alternate access (from side or rear property lines): Uses within the overlay *may* build to a zero-lot line side yard configuration on both sides, in order to provide more continuous enclosure of the street space. The City may prohibit driveway access on Highway 17 if the City Engineer deems that alternate access points are sufficient.

- (e) Convenience stores choosing the build-to-line option: When a convenience retail store selling fuel or a fuel service station uses a canopy to cover the fuel pump area, the canopy shall be located in either the side or rear yard. The primary building shall be subject to the build-to-line and sidewalk requirements herein (see Figures 3.1 and 3.2 below). If the canopy is placed in the side yard, the support columns and fascia shall be clad in brick or brick veneer, or stucco-covered block, and the canopy roof shall have a minimum 3:12 pitch, and shall be roofed with asphalt shingles or standing seam metal roofing. If standing-seam metal roofing is used for the canopy, it shall be natural (unpainted) finish, or painted an earth-tone color (tan, black, brown, dark green, etc.) If the canopy is placed in the rear yard, the above architectural standards shall be optional.

Figure 3.1, Gas Station With Build-To-Line Option, Non-Corner Lots

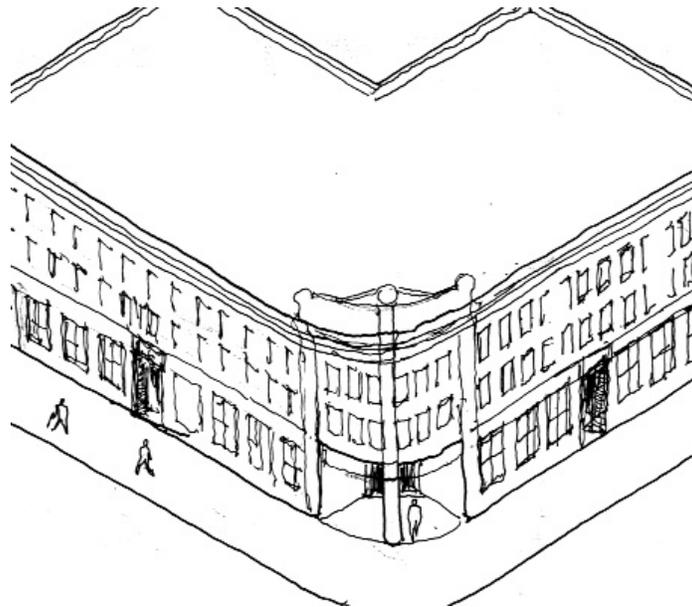


Figure 3.2, Gas Station, Build-To-Line Option, Corner Lots



- (f) Miniature golf courses choosing the build-to-line option: A miniature golf course which chooses the build-to-line option need only construct their primary building, from which tickets are sold and putt-putt equipment is housed, to the build-to-line. All other structures associated with individual golf holes need not meet the build-to-line requirement.
- (g) Parking lot layout in the build-to-line option: Parking spaces shall not be located between the front façade of a building and the Highway 17 right-of-way. Up to 20% of required parking may be located between the side of a building and a public street that intersects Highway 17. The balance of parking spaces shall be located in the rear yard and in non-corner side yards (up to 30% may be in the non-corner side yard). Where parking is located in side yards, landscape buffers shall be required along those side property lines, broken only by any required driveway connection with adjacent parcels.
- (h) Corner building.
For buildings located at the intersection of two streets, the corner of the building at the intersection shall be angled, inset, curved, or chamfered; and the street-side entrance door shall be located on that portion of the building. (see Figure 4 below).

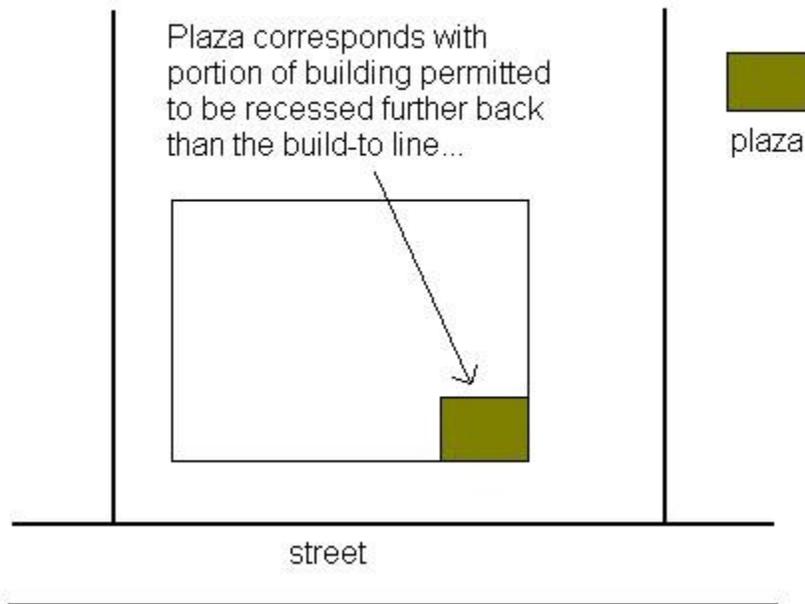
Figure 4, Corner Buildings



(i) Plazas and Courtyards. This section addresses other public open spaces that also can affect the orientation of commercial buildings.

(1) Plazas and pedestrian courtyards may be situated between the building and the front property line; but they shall not be wider than 25% of the width of the principal façade, and they shall only adjoin that portion of the building which is permitted to be recessed farther back than the build-to-line (up to 25% of the front façade may be recessed). Plazas and courtyards may also be situated behind the building, and shall not be limited in size except as may be practical when considering parking and other requirements (see Figure 5 below).

Figure 5, Plazas and Pedestrian Courtyards



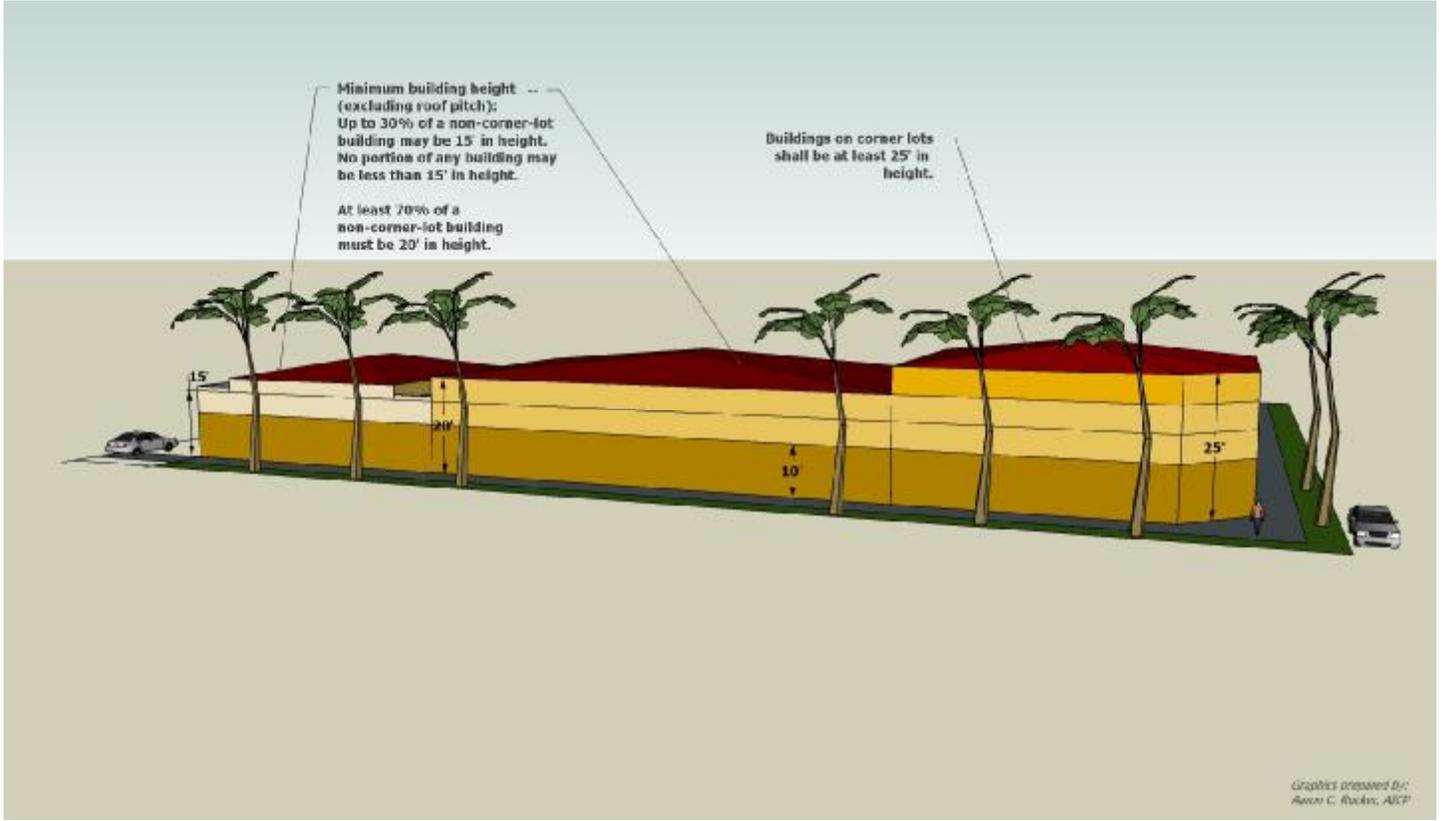
(j) Building heights. Creating a human-scaled, pedestrian-friendly corridor requires visual enclosure of the street space as a key design element. Due to the width of Highway 17, effective enclosure of the street space necessitates buildings whose minimum permitted height complies with Table 2. Parapet walls, if used, shall not be counted toward fulfilling the minimum height requirements herein. The maximum building height shall be 65 feet except for hotel/motel use which shall have a maximum height of 75 feet.

(1) Upper floors may be used for additional retail space, office uses, clear space, storage, or for the provision of above-store residential units. No residential units shall be permitted on the ground floor.

Table 2, Minimum Building Heights

Minimum building height, (excluding roof pitch)	Requirements
15 feet	Up to 30% of a non-corner-lot building <i>may</i> be 15 feet in height. No portion of any building may be less than 15 feet in height.
20 feet	At least 70% of a non-corner-lot building must be 20 feet in height or taller.
25 feet	Buildings on corner lots, whether stand-alone buildings, or the corner or end tenant in a grouping of buildings, shall be at least 25 feet in height.

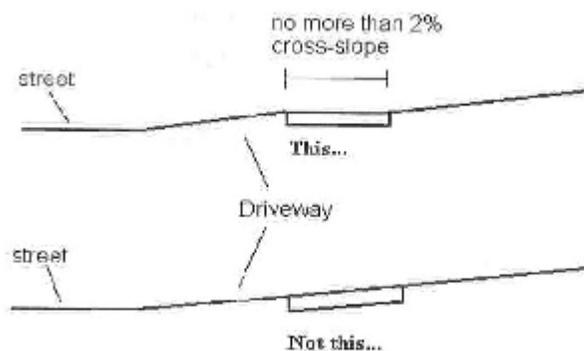
Figure 6, Minimum Building Heights



(I) Design standards common to both scenarios (regular setback and build-to-line):

- (1) Sidewalk / Driveway relationship: In either setback scenario, the sidewalk shall take design precedence over driveways. No sidewalk shall have a greater than 2 percent cross-slope (see Figure 7 below).

Figure 7, Sidewalk / Driveway Relationship



(2) Standard of construction: All sidewalks shall be designed according to the most current sidewalk construction standards adopted by the City of North Myrtle Beach Public Works Department.

(3) Parking:

- (a) Rows of parking stalls shall be terminated with a landscaped island at each end; and shall be broken up so that there is a landscaped island after each strip of ten (10) contiguous parking stalls. Such islands shall be at least 170 square feet in size each, and shall contain at least one (1) tree three (3) inches in caliper or larger, and at least ten (10) shrubs and/or ornamental grasses at least two (2) gallons in size at time of planting.
- (b) For each three (3) bicycle racks provided (see Figure 8 below), one (1) automobile space may be eliminated, up to a maximum of two (2) automobile spaces. For each two (2) motorcycle spaces provided (3.5 feet by 9 feet), one (1) automobile space may be eliminated, up to a maximum of three (3) automobile spaces. For each golf cart parking space provided (7 feet by 12 feet), one (1) automobile space may be eliminated, up to a maximum of three (3) automobile spaces. Bicycle spaces shall be within close proximity to the main customer entrance. However, in no case shall these exemptions cause a use to fall below 50% of its normal required automobile parking.

Figure 8, Approved Bicycle Rack Type (Inverted “U”)



(c) **Structured parking:** All parking garages, whether public or private, shall have ground floor retail bays along all sides of the structure that face, and are within, 50 feet of a public street or sidewalk. The retail space shall extend for at least 80% of the length of those sides of the structure that face the public street or sidewalk. No individual retail bay shall contain less than 800 square feet of floor area. Architectural elements shall be incorporated into the design to distinguish the retail spaces as distinct, attractive business locations. In addition, parking structures shall adhere to the following:

i. All publicly owned garages containing 100 or more spaces shall incorporate public restrooms and bicycle storage lockers.

ii. No parking structure shall be taller than the structures adjacent to it that the parking stalls are intended to support.

(4) **Architectural Design Standards:** Regardless of which setback option is chosen, architectural design standards shall apply to all structures within the overlay. The intent of these standards is not to dictate a certain theme or style of architecture, but rather – to protect against the worst sorts of negative impacts proven to occur with poor design, poor choice of construction materials, and inattentiveness to architectural detailing and quality. It shall be possible to construct a variety of themes, such as, but not limited to Carolina Lowcountry Design, Colonial, Art Deco, Industrial, Modern, Federal, Georgian, Italianate, Caribbean, Mediterranean, etc. by following these standards:

(a) For multi-building developments, as in shopping centers for example, buildings on corners *shall* be designed to be the most visually prominent structure in the grouping, through increased height and/or architectural features such as spires, parapets, clock towers, etc. If parapets are used, they shall wrap around the front and both sides of the building.

(b) **Recessed upper stories:** For buildings taller than 40 feet, all portions of the building exceeding 30 feet in height and facing a public street shall be recessed back from the lower stories by at least 10 feet, to create stair-stepped street frontage(s).

(c) **Exterior walls, overview.** These standards require all buildings have pedestrian oriented exteriors and be clad with typical coastal building materials that are durable and appropriate to the visual environment and climate. Design flexibility and creativity is encouraged, using ornamentation from a wide variety of appropriate vernacular architectural styles.

i. **Prohibited materials.** While creativity in design is encouraged throughout the corridor, the following building and sign materials and/or techniques shall not be utilized on any facade of a building visible from a public street:

(1) Animated and/or Zoomorphic Design (except for miniature golf courses and similar amusement uses).

(2) Corrugated or plain metal paneling or sheeting, except as a roofing material in the form of standing-seam metal roofs.

(3) Exposed concrete masonry block. This prohibition includes both smooth-faced block, split-faced block, and painted block. Such materials may be used to create a wall, but

all such walls shall be clad in one of the acceptable finish materials listed in Subsection 2 below.

- (4) Reflecting, mirrored, or tinted glass.
- (5) Glass block on the ground floor of any building.
- (6) Vinyl siding.
- (7) Wood siding, except in the form of horizontal lap-sided construction.
- (8) Vinyl or polycarbonate sign faces. Individual letters used as part of a wall sign are exempt from this prohibition.
- (9) Internally illuminated sign faces, except neon tubing and individual letters used as part of a wall sign. All other non-neon signs shall be either backlit, or externally illuminated. An exception may be made for drive-through restaurant menu boards if located in the side or rear yard.
- (10) Non-functioning or false entrances.
- (11) Vinyl fencing, except for use as dumpster enclosures.
- (12) Metal support posts for gasoline station pump canopies, unless clad by brick, brick veneer, or stucco-covered block. The exception to this shall apply for canopies optionally located in the rear yard of a site. Such canopies shall be exempt from this requirement.

ii Acceptable finish materials for walls: Any of the following materials/finishing techniques may be used for exterior walls and columns, arches and piers:

- (1) Concrete block with hard coat stucco finish; and/or expanded foam insulating system (EFIS), also known as synthetic stucco. The “cake icing” finishing technique shall not be permitted.
- (2) Reinforced concrete with tabby oyster shell finish or with stucco.
- (3) Brick and/or architectural masonry units.
- (4) Wood, pressure-treated or naturally decay resistant species, except where in conflict with (J) (1) (a) (vii).
- (5) Polymer exterior sidings and trim, other than vinyl or similar siding.
- (6) Exterior walls may also be covered with fiber-reinforced cement boards (such as Hardie Plank TM), or with cast (simulated) brick.

- (7) Other materials not on the ‘prohibited’ list for exterior walls may be used only if approved as a deviation from this section through the design review process or when explicit approval has been granted to vary from these regulations.
- (8) Fastenings that are required to dry-flood-proof the first story of commercial buildings shall be integrated into the design of principal facades or be visually unobtrusive.
- (9) Exterior wall colors shall be restricted to promote a cohesive and unified development pattern. The following color families shall not be used as dominant colors; florescent colors, metallic colors, and primary colors. Such colors may be used sparingly as trim colors. No structure shall be painted with all one color. There shall be at least one dominant color and between one and three complementary trim or secondary colors. Monochromatic paint schemes shall be prohibited. The Planning Department shall from time to time select and keep on file, copies of preferred color palettes that may be given to applicants for guidance.

iii Hierarchy of facades. The City recognizes a hierarchy of facades, as follows:

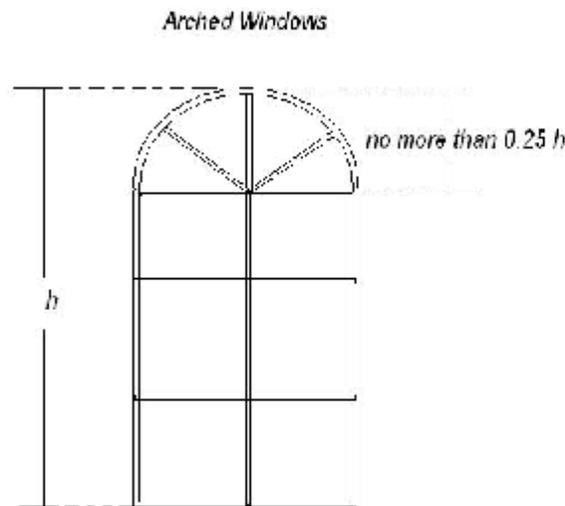
- (1) Principal façade: The primary façade of the building that is oriented toward the highest traffic volume public street.
- (2) Secondary facades: Typically the sides of a building, and usually still visible from a public street or parking lot. Secondary facades may utilize any material permitted to be used on the principal façade.
- (3) Rear façade: The back of the building, typically not visible from a public street and/or the location of service and delivery entrances. Rear facades may utilize any material approved by the Building Code.

iv. Principal façade walls.

- (1) All principal facades shall have a prominent cornice and expression line, a working entrance, and windows. The ground floor of a principal façade shall consist of 60% window openings. Upper floors shall consist of at least 30% window openings per floor.
- (2) Buildings wider than 100 feet shall be designed so that multiple differing façade treatments are used, to give the impression that the building is made up of a number of smaller buildings connected together. Each differing façade treatment should be between 20 and 40 feet in width.
- (3) Principal facades facing US Highway 17, a plaza, or public park may not have blank walls (without doors or windows) greater than 15 feet in length.
- (4) Expression lines and cornices shall provide for an extension in the surface plane of the building that extends at least 6 inches out from the principal façade, or a permanent canopy may serve as an expression line.

- (5) Awnings may not hide or substitute for required features such as expression lines and cornices.
- (6) All windows on front facades shall be recessed a minimum of 4 inches from the primary façade to produce dimensionality and depth. All windows shall have prominent sills and casings or visible headers consisting of a contrasting material or brick pattern. Second story and higher windows shall be vertical in orientation (taller than they are wide) by a factor of at least 1.5 to 1. With the exception of ground floor merchandise display windows, all windows shall have muntin grids, preferably the kind where the muntins are exterior to the glass, as opposed to sandwiched between glass panes. Arched portions of windows shall be no taller than one-fourth the total height of the window (see Figure 9 below)

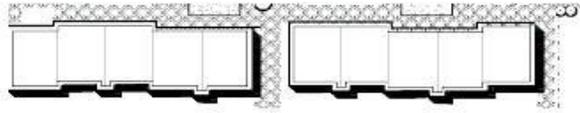
Figure 9, Arched windows



- (7) Shutters, if used, shall be sized so that they would fully cover the window opening if they were operable. Operable shutters are preferred, but not required.
- (8) Where parapets are used, the parapet must wrap around the entire length of the front and sides of the building. Where parapets are not used, all rooftop mechanical equipment must be screened.
- (9) Wall openings shall not span vertically more than one story.
- (10) Façade articulation is required for walls exceeding 30 feet in length, wherein portions of the building are recessed slightly from the build-to line. The total proportion of articulated sections of the building relative to unarticulated sections shall not exceed 1-to-3. When articulation is *required*, those portions of the building that are recessed four (4) feet in depth or less shall be deemed to be in compliance with the build-to line requirements (see Figures 10 and 11 below).

Figure 10, Façade Articulation

Example of building articulation



(d) Illustrations of Building Techniques, Acceptable and Unacceptable

Figure 11, Façade Elements of a Typical “Traditional” Structure

(Note: This type of structure is not required. It merely represents an ‘ideal’ if a traditional design is desired)



Figure 12, Acceptable Roof Techniques



Figure 13, Unacceptable Shopping Center Design



Figure 14, Unacceptable Building Design

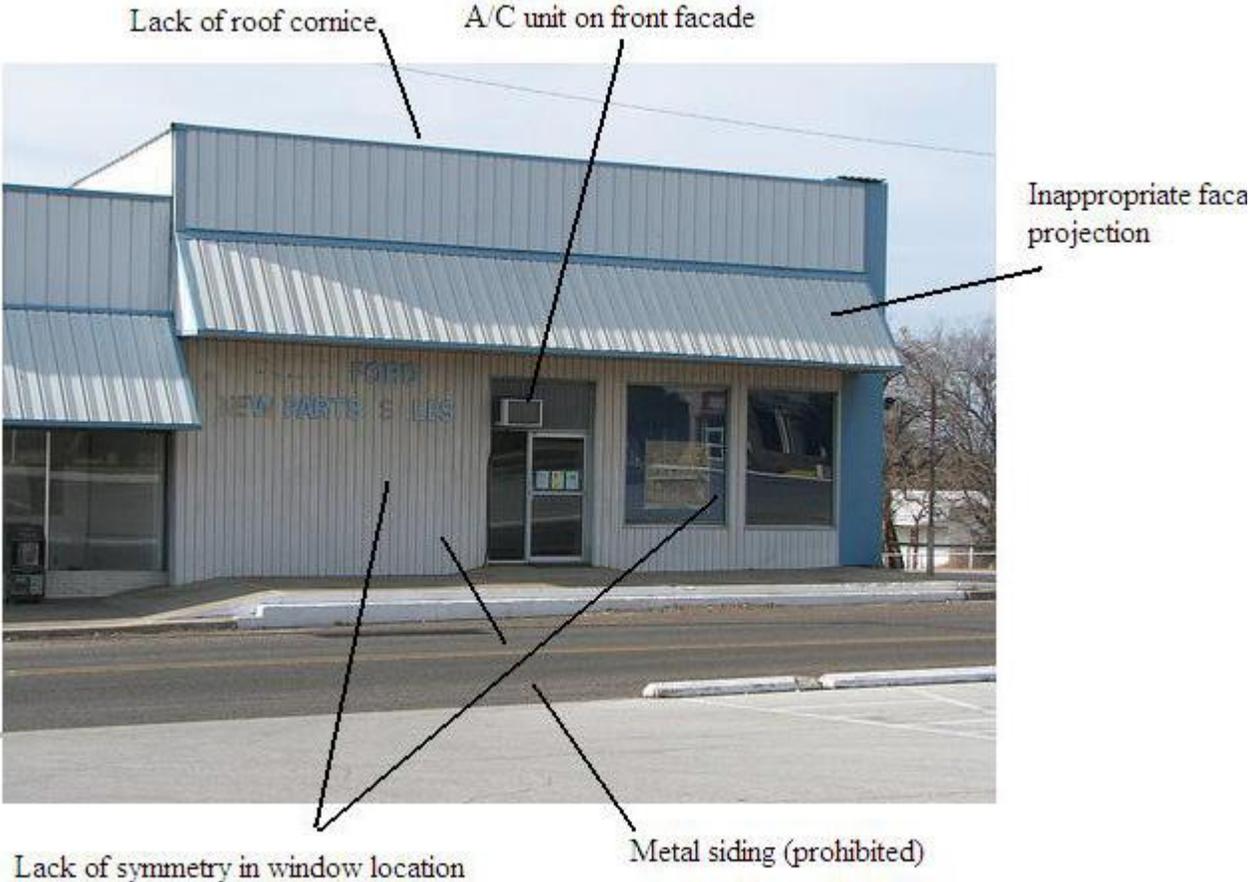


Figure 15.1, Examples of Good Design

(Note: the following examples illustrate *generalized design excellence*. Every set of design standards is unique in terms of addressing specific community norms, therefore the following examples are *not* represented as being *fully* compliant with this particular set of design standards.)



Figure 15.2, Examples of Good Design



Figure 15.3, Examples of Good Design



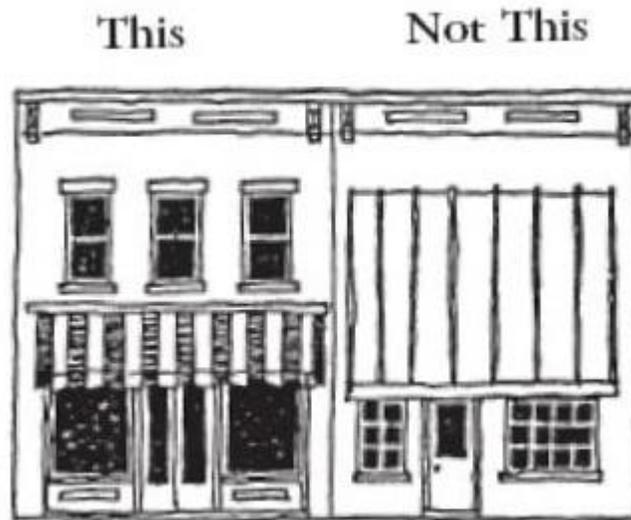
e) Façade projections. Façade projections provide visual interest to buildings. Some projections also provide protection from elements, such as sun and/or rain for those passing by; others provide additional floor space for the building. The following types of façade projections are permitted as indicated below. At least one of these façade projections is required on each principal façade of all buildings within the defined overlay zone.

i. Awnings or canopies.

- (1) Awnings or canopies may not extend into the public street right-of-way, but may extend over sidewalks constructed within the required public sidewalk and street tree easement.
- (2) Awnings or canopies on private property extending from the first story shall not exceed the following dimensions:
 - (a) Depth: 10 feet (maximum), covering any private walkway, but no closer than 2 feet to an existing or planned curb.
 - (b) Height: the lowest point on an awning or canopy shall be between 9 and 12 feet above sidewalk level.
 - (c) Length: 25% to 90% of the front of the building.
- (3) Second story or higher awnings shall extend no farther than 4 feet from the building façade.
- (4) Awnings shall be covered with canvas or similar fabric. Awnings constructed of vinyl or high-gloss or plasticized fabrics, or metal, are not allowed.
- (5) Backlighting of awnings is not permitted. However, under-lighting or exterior lighting is permitted.

- (6) Bubble shaped, barrel shaped, or rounded awnings shall not be permitted except over arched windows.
- (7) Awnings shall have a single color or two-color stripes. Bright and/or contrasting colors are not permitted. The awning colors shall complement the colors of the building they are intended to serve and any proposed street furnishings.
- (8) Where a building façade is divided into distinct structural bays, awnings shall be placed within the vertical elements rather than overlapping them.
- (9) Awnings shall be well-maintained, cleaned regularly, and replaced when faded or worn.

Figure 16, Awnings



ii. Balconies.

- (1) Balconies may not extend into the public right-of-way
- (2) Balconies located on private property cannot exceed the following dimensions:
 - (a) Depth: 4 feet maximum for second-story balconies and no closer than 2 feet to the existing or planed private curb.
 - (b) Height: 10 feet minimum, if overhanging a sidewalk.
 - (c) Length: 25% to 90% of the front of the building.
- (3) Balconies may have roofs, but shall not be enclosed.
- (4) On corners, balconies may wrap around to the side of the building.

iii. Porches.

- (1) Front porches may not extend into the public right-of-way.
- (2) Front porches, where provided, shall extend across at least 25 percent, but not more than 90 percent of the length of the front façade.
- (3) Front porches may have multi-story verandas and/or balconies above.
- (4) Front porches are required to be open. They shall not be screened or enclosed in any manner; except that temporary enclosure may be provided during periods of inclement or cold weather, in the form of roll-down, flexible clear vinyl panels that can be zipped together, or removable rigid transparent panel inserts that fit into channels attached to the porch framework .

iv. Stoops.

- (1) Stoops may extend forward, but shall not encroach into the public right-of-way.
- (2) Stoops cannot exceed the following dimensions:
 - (a) Depth: 10 feet (maximum)
 - (b) Length: 5 feet (minimum)
- (3) Stoops may be roofed or unroofed, but may not be screened or otherwise enclosed.

v. Arcades and Colonnades.

- (1) Arcades and colonnades may not extend into the public right-of-way.
- (2) Arcades and colonnades pursuant to the following dimensions:
 - (a) Depth: 7 feet minimum from the building front to the inside face of the column.
 - (b) No part of the column shall be closer than 2 feet to the existing or planned curb.
 - (c) Height: 10 feet minimum above sidewalk.
 - (d) Length: 50% to 75% of the front of the building.
- (3) Open multistory verandas, awnings, balconies, and enclosed useable space can be constructed above the colonnade.
- (4) On corners, arcades and colonnades may wrap around to the side of the building.
- (5) Columns shall be spaced no farther apart than they are tall.
- (6) Minimum column dimensions with enclosed space above shall be 8 inches in diameter.
- (7). Minimum column dimension without enclosed space above;

(a) Square columns: 6 inches

(b) Round columns: 8 inches

(f) Street furnishings. Applicants are strongly encouraged to provide street furnishings, in the form of benches or other seating, flower planters, and similar elements. These elements may be located on the public sidewalk, provided there is not less than 5 feet (width) of continuous clear passage maintained for pedestrians. Such items shall be maintained in a safe, attractive condition or they shall be ordered to be removed from the sidewalk.

(J) Incentives available to developments choosing the build-to-line option:

(1) Building height. The maximum building height shall be 65 feet for non-hotel uses, and 75 feet for hotel uses.

(2) Uses. Multifamily residential dwelling units are permitted to be within buildings utilizing the build-to-line option. Such units shall be located on the second or higher floor of the building. Ground floor uses of such buildings are limited to retail, service uses, or offices. Office uses may also locate on the second or higher floor. Mixed uses shall not be permitted within a single building on any site utilizing the standard setback option.

(3) Parking. Residential and / or office uses located on the second or higher story of a building shall have their parking requirement as follows:

(a) Residential uses: 1 parking space for each 6 bedrooms of the total bedroom count of all units in the building, or fraction thereof.

(b) Office uses: 1 parking space for each 500 square feet of gross floor area, or fraction thereof.

(c) If the extra building height provided is used as 'clear space' just to meet the minimum height requirement, no additional parking shall be required for that space.

(4) Tree verge and sidewalk. The City shall accept a 14 foot wide public easement along the front property line abutting Highway 17, and shall install the tree verge, sidewalks, and landscaping required in section (H)(1)(d) at the City's expense.

(K) Signage (common to both setback scenarios).

1. Overview

Signage is a necessary component of business advertisement and when built and placed properly can be a contributing element to the design goals of the corridor.

2. Business identification signs.

Businesses shall be allotted 1.5 square feet of total sign area per linear foot of parcel frontage along Highway 17, and 0.5 square feet of total sign area per linear foot of parcel frontage along secondary roads for corner lots. The total square footage allotment may be distributed amongst any combination of the following sign types:

(a) Free-standing signs, as follows:

- i. Maximum size: 60 square feet.
- ii. Pedestal size (not included in sign size measurement): Maximum 1/4 the square footage of the sign.
- iii. Maximum height: 6 feet.
- iv. Minimum setback: 5 feet, except where such signs are located within 20 feet of the edge of any driveway. In those cases, the setback shall be increased to 10 feet.
- v. They shall consist of a substantial pedestal base, and shall contain architectural framing elements.
- vi. Up to one-half of the sign face may consist of channels for insertion of changeable-copy lettering.
- vii. For shopping centers with 3 or more tenants, the free-standing sign may be up to 120 square feet in size and up to 12 feet in height if it is a business directory-style sign, containing the name of the shopping center and inserts for individual tenants.

(b) Wall signs, as follows:

- i. Wall signs should be placed within a sign frieze on the building.
- ii. Wall signs shall not be internally illuminated, except for elements consisting of neon tubing, and except for individual letters on buildings, which may be internally illuminated.
- iii. Wall signs shall not be located or sized so as to cover or obscure architectural elements of a building.

Figure 17, Wall Sign Location



(c) Suspended signs, as follows:

- i. The sign shall be supported by an ornamental metal bracket and suspension chains or cables, attached to the front façade.
- ii. The bottom of the sign face shall be at least 9 feet above grade.
- iii. Such signs shall not project farther than 4 feet out from the building façade.
- iv. Sandwich board signs placed in front of a building, as follows:
 - v. Such signs shall only be allowed in a pedestrian plaza or courtyard.
 - vi. Such signs shall not exceed 2.5 feet in width by 4 feet in height.
 - vii. Such signs shall not obstruct pedestrian movement along a private sidewalk.
 - viii. Such signs shall be set back at least 5 feet from the front property line, unless located within 20 feet of the edge of a driveway, in which case the setback shall be 10 feet or more.

(d) Menu board signs for drive-through eating establishments, as follows:

- i. They shall be located within the side or rear yard.
- ii. They shall not exceed 32 square feet in size.
- iii. Window signs consisting of lettering or logos painted directly on the glass, or vinyl cut-out letters and logos.

(e) Off-premise signs

Purpose: This section pertains to all commercial off-premise signs as defined in the sign regulations. The purpose is to allow off-premise signs appropriate to the character of Highway 17 in a controlled manner so as to promote highway safety, the welfare and comfort of travelers, the enjoyment of public travel, and provide a good community appearance which is deemed vital to tourism and to the continued economic attractiveness of the city.

Application: This section applies to all off-premise signs in the US Highway 17 Overlay Zone.

- i. Such off-premise signs permitted within the US Highway 17 Overlay Zone shall:
 1. Be greater than seventy-two (72) square feet but not exceed four hundred (400) square feet in area.
 2. Be of single steel pole construction type and type shall be erected by a licensed sign contractor.
 3. Not be located closer than two thousand (2,000) feet to any other permitted off-premise sign on either side of the roadway, as measured from the edge of the actual sign board or supporting structure, whichever is closer, perpendicular to the curb, along the curb line.
 4. Not be located at any location where there currently exists a freestanding sign.
 5. Be allowed to utilize Prismavision.
 6. Have a bottom edge a minimum fifteen (15) feet from ground level.
 7. Not exceed thirty-five (35) feet in height.
 8. Be set back a minimum of twenty (20) feet from the roadway.

(L) Landscape buffer standards.

1. Overview

The purpose for establishing additional landscape requirements for the US Highway Corridor includes:

- (a) Minimizing the visual impact of parking areas and other undesirable areas.
- (b) Reinforcing the following corridor districts as established in the US Highway 17 Corridor Plan: Southern Entertainment District, Crescent Beach District, Natural Area District, Main Street District and the Northern Gateway District.
- (c) The districts should be reinforced with a uniform planting of selected tree species in each district, which will define the street edge and create a uniformed landscape buffer along the corridor. Recommended street trees are as follows in Table 3:

Table 3 Recommended Street Trees

Common Name	Scientific Name	Street Tree	Landscape Tree	Buffer	Hardwood
American Holly	<i>Ilex opaca</i>		X	X	Y
American Hornbeam	<i>Carpus caroliniana</i>	X	X		Y
Austrian Pine	<i>Pinus nigra</i>			X	N
Bald Cypress	<i>Taxodium distichum</i>	X	X	X	Y
Black Tupelo	<i>Nyssa sylvatica</i>	X	X	X	Y
Carolina Cherry Laurel	<i>Prunus caroliniana</i>		X	X	Y
Chinese Flame Tree	<i>Koelreuteria bipinnata</i>	X	X		N
Chinese pistache	<i>Pistache chinensis</i>	X	X		N
Crape Myrtle	<i>Lagerstroemia indica</i>		X		N
Deodar Cedar	<i>Cedrus deodar</i>		X	X	N
Eastern Red Cedar	<i>Juniperus virginiana</i>		X	X	N
Eastern Redbud	<i>Cercis canadensis</i>		X		N
Flowering Crabapple	<i>Malus hybrida</i>		X		N
Flowering Dogwood	<i>Cornus florida</i>	X	X		N
Golden Raintree	<i>Koelreuteria paniculata</i>	X	X		N
Japanese Black Pine	<i>Pinus thunbergiana</i>		X	X	N
Japanese Maple	<i>Acer palmatum</i>		X		N
Japanese Zelkova	<i>Zelkova serrata</i>	X	X		Y
Lace Bark Elm	<i>Ulmus parvifolia</i>	X	X		Y
Laurel Oak	<i>Quercus laurifolia</i>	X	X	X	Y
Leyland Cyprus	<i>Cupressocyparis leylandii</i>		X	X	Y
Live Oak	<i>Quercus virginiana</i>	X	X	X	Y
Loblolly Pine	<i>Pinus taeda</i>		X	X	N
Longleaf Pine	<i>Pinus palustris</i>			X	N
Loquat	<i>Eriobotrya japonica</i>		X		N
Maidenhair Tree	<i>Ginkgo biloba</i>	X	X		N
Nellie Stevens Holly	<i>Ilex x "Nellie R. Stevens"</i>		X	X	Y
Pin Oak	<i>Quercus palustris</i>		X	X	Y
Red Maple	<i>Acer rubrum</i>	X	X	X	Y
Red Oak	<i>Quercus rubra</i>	X		X	Y
River Birch	<i>Betula nigra</i>	X	X	X	Y
Sabal Palmetto	Palmetto		X	X	N
Saucer Magnolia	<i>Magnoliana soulangiana</i>		X		Y
Scotch Pine	<i>Pinus sylvestris</i>		X	X	N
Southern Magnolia	<i>Magnolia grandiflora</i>		X	X	Y
Sweetgum	<i>Liquidambar styraciflua</i>	X	X	X	Y
Sycamore	<i>Platanus occidentalis</i>	X	X	X	Y

Thornless Honeylocust-	Gleditsia tricanthos - "Shademaster or Lorraine"	X	X		Y
Trident Maple	Acer buergeranum	X	X	X	Y
Tulip Tree	Liriodendron tulipifera		X	X	Y
Virginia Pine	Pinus virginiana			X	N
Water Oak	Quercus nigra		X	X	Y
White Mulberry	Morus alba "Kingan" or "Stribling" (fruitless variety)	X	X		Y
Willow Oak	Quercus phellos	X	X	X	Y

(M) *Site Lighting Standards.*

(1) All lighting not directly attached to a building shall be on a pedestrian-scaled post not exceeding a total of 12’ in height, including the lamp fixture. Such lighting should be based on traditional designs, including the use of fluted support posts, ornamental metal scrollwork, etc.

(2) All lamp fixtures, whether building mounted or free standing, shall be shielded so as to prevent light spillage above the horizontal plane of the top of the fixture; and so as to allow a maximum of 2 foot candles of illumination from crossing any property line that adjoins a residentially zoned or used parcel.

Section 2:

That Section 23-36(10)(e) be amended to read:

“(e) Signs permitted in HC district when not located in the HOV (US Highway 17 Corridor Overlay Zone)”

Section 3:

That Section 23-36(10)(f) be amended to read as follows:

“(f) Signs for properties located in the HOV (US Highway 17 Corridor Overlay Zone) per section 23-31(3).”

Section 4:

That Section 23-58(1) be amended to read as follows:

(1) *Size:* With the exception of PUDs and overlay districts where a zero yard is permitted, a perimeter landscaped area with a minimum depth of five (5) feet shall be provided along all property lines except when a tract is being partially developed or developed in stages the perimeter landscape area may be provided around the exterior of the developed area.

Where property abuts Highway 17, except in the HOV (US Highway 17 Corridor Overlay) Zone, Sea Mountain Highway and Main Street within the Highway Commercial district, the minimum depth of perimeter landscape area shall be ten (10) feet.

Where a ten (10) foot perimeter landscape area is required, vehicles may overhang the perimeter landscape area up to two and a half (2 ½) feet. Vehicles shall not encroach into any portion of any other perimeter landscape area.

The front yard perimeter landscape requirement in the HOV (US Highway 17 Corridor Overlay Zone) shall be waived and landscape requirements shall be according to the standards described in Section 23-31(3) (US Highway 17 Corridor Overlay Zone).

Section 5:

That Section 23-133(2) be amended to read as follows:

“(2) A nonconforming building or structure shall not be repaired, rebuilt, or altered after deterioration and/or damage exceeding seventy-five (75) percent of its replacement cost except in the HOV (US Highway 17 Corridor Overlay Zone) where deterioration and/or damage shall not exceed the percentages in “Table 1, Levels of Renovation” in Section 23-31(3)(D)1.

Section 6:

That Section 23-133(3) be amended to read as follows:

“(3) A nonconforming use shall not be reestablished after deterioration and/or damage to the building or structure exceeding seventy-five (75) percent of its replacement cost except in the HOV (US Highway 17 Corridor Overlay Zone) where deterioration and/or damage to the building shall not exceed the percentages in “Table 1, Levels of Renovation” in Section 23-31(3)(D)1.

Section 7:

That the North Myrtle Beach Planning Commission has provided the required public notice of this request and has held the necessary public hearings in accordance with applicable State Statutes and City Ordinances.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2009.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: _____

SECOND READING: _____

REVIEWED:

City Manager