CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
MONDAY, November 7, 2011

Executive Session
6:30 p.m.
Legal Briefing regarding William Bailey vs. the City of North Myrtle Beach

CITY COUNCIL MEETING
7:00 P.M.

AGENDA

1. CALL TO ORDER:
   A. ROLL CALL
   B. INVOCATION:
   C. PLEDGE OF ALLEGIANCE

2. MINUTES:
   A. City Council Meeting of October 17

3 COMMUNICATIONS:
   A. Oath of Office:
      Crescent Beach City Councilman J.O. Baldwin III
   B. Recognition of North Myrtle Beach Election Commission.
   C. PROCLAMATION: National Runaway Prevention Month

4. ANNOUNCEMENTS BY MAYOR AND CITY COUNCIL:

5. CONSENT AGENDA:
   A. MOTION: A motion to approve the Eastern Surfing Association Surfing NSC Contest
   B. MOTION: A motion to approve the Fun in the Sun Classic Car show

6. OLD BUSINESS:
7. NEW BUSINESS:

A. ORDINANCE/ FIRST READING: A proposed zoning text amendment establishing design principles and standards for “big box” retail developments known as Developments of Regional Significance, greater than or equal to 75,000 square feet, in exchange for greater parking allowance.

B. Discussion: Laser Ordinance

C. Discussion: Farmers Market Structure

D. Discussion: Water Taxi Proposal

8. PUBLIC COMMENT:
Please address the Mayor and Council from the lectern and state your name and address for the record.

9. ADJOURNMENT:
Prepared by:

Mike Mahaney
City Manager
EXECUTIVE SESSION: 6:30 p.m. Council met in Executive Session for a legal briefing regarding Horry County State Bank vs. Russell Burgess, Jr. and Sr. et al and the City of North Myrtle Beach. The motion to go into session was made by Councilman Cavanaugh and seconded by Councilman Duckworth. Council returned from Executive Session at 6:45 p.m. Councilwoman Williams made the motion to adjourn the Executive Session and Councilman Baldwin seconded the motion. The motion passed 6-0. No votes were taken at the session. Councilman White was absent.

Meeting Minutes

City Council
Marilyn Hatley, Mayor
Hank Thomas
Doris Williams
Bob Cavanaugh
Greg Duckworth
JO Baldwin

Absent
Terry White

City Manager
Mike Mahaney

City Attorney
Chris Noury

City Clerk
Merideth Smith

1. CALL TO ORDER:
A. Mayor Hatley called the meeting to order at 7:00 p.m.
   The clerk then called the roll. A quorum was established.

B. Mr. Mahaney delivered the invocation.

C. Mayor Hatley led the Pledge of Allegiance.

2. MINUTES:
The Mayor called for a motion to approve the minutes of October 3, 2011. Councilman Cavanaugh made the motion to approve and Councilman White seconded the motion. The motion to approve passed 7-0.

3. COMMUNICATIONS:
A. Recognition: Kerry O’Brien Coaching Award- Diane Bartlett
The audience and Council were shown a short video concerning the new program developed by Diane Bartlet of the A&F Center. This program was recognized nationally and she received this award.

B. Proclamation: Mayor Hatley read a Proclamation from the City recognizing Mr. Connelly Phelps Parker Jr. for receiving the Carnegie Medal for Civilian Heroism.

C. Do the Right Thing Awards: Mayor Hatley recognized the following students who were nominated by their teachers and selected by the committee.

- Katherine LaPierre - NMB Middle grade 7
- Denzail Livingston - NMB Middle grade 6
- Christian “Alex” Roberts - NMB Middle grade 7
- Hampton Slagle - NMB Middle grade 8
- Alyssa Weatherly - NMB Middle grade 6

D. Presentation: Judge Blake Martin. Judge Martin reviewed the process for sentencing by remote from J Ruben Long Detention Center. This procedure saves about four hours in transportation and expense to the city. It has been very successful. He thanked the Council for approving the expenditure for the equipment needed to accomplish this.

E. Employees of the Month: Mr. Mahaney recognized Devin Shirkey for his work setting up the remote for the Court system. He recognized John Page for his efforts training new personnel in his department.

- Devin Shirkey
- John Page

F. Longevity Awards: Longevity Awards were presented to the following employees by the City Manager.

- Frances Williamson 5 years
- Kevin Oleniczak 5 years
- Jessica Holt 5 years
- Ryan Beck 5 years
- Carolyn Moody 10 years
- Darwin Reed 15 years
- David Barnhill (Greg) 30 years

G. Department Monthly Reports: Reports are filed online @ www.nmb.us

Department update by Director of Public Works-Kevin Blayton
Department update by Director of Parks & Recreation-John Bullard

4. Announcements by Mayor and City Council:

5 Consent Agenda:

A. Ordinance/Second Reading: An Ordinance to amend the Zoning Text of the BC (Business Commercial) district that would allow residential uses.
B. **ORDINANCE/SECOND READING:** Annexation & Zoning Designation of one lot containing 4.00 acres as R-1 (River Wynde)

C. **MOTION:** Motion to approve a special permit for Freedom Boat Club Cancer Society Event.

Mayor Hatley read the items by title and called for a motion to accept. The motion to accept was made by Councilman Baldwin and seconded by Councilman Duckworth. The motion passed 6-0.

6. **OLD BUSINESS:** None

7. **NEW BUSINESS:** None

8. **PUBLIC COMMENT:**
   Susan Trexler thanked the Council for the work done for parks in the cherry Grove area.
   Ed Callaway 1812 Edge Drive asked if any provisions could be made for recycling for apartments in the area.
   Director Blayton stated that there are igloos available for apartment complexes. He will see about getting them one.
   Lawton Dews asked Mr. Blayton if a schedule for the bridge closing has been set.
   Director Blayton stated that the city is waiting for word from the Coast Guard.

9. **ADJOURNMENT:** The meeting adjourned at 8:06 p.m.

Respectfully submitted,

Merideth J. Smith, City Clerk

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 19th day of September, 2011

**SUMMARY MINUTES OF CITY COUNCIL MEETING.** Audiotapes of the meeting are on file and are included by reference as part of this meeting. An agenda of this meeting has been either mailed or made available to persons, organizations, and local news media as per their request. The agenda gives the date, time, and place of the meeting as well as the order of business. This disclosure is in compliance with the South Carolina Code of Laws of 1976, Section 30-4-80(e).
Beach Services Division

- Developed and implemented employee job descriptions, handbooks, policies and procedures, and in-service training

- Employed 183 seasonal people during summer 2011. This figure includes ocean lifeguards, Italian Ice and Beach Umbrellas/Chairs rental sales personnel, and other personnel.

- Of the 183 seasonal hires for 2011, 65 were ocean lifeguards. This is 15 fewer guards than were required in 2010. The City achieved this reduction in the lifeguard force by improving the earnings potential for ocean lifeguards. Lunch hours and more working hours were provided for 2011 lifeguards. This resulted in more hours worked per guard, which enabled most to avoid having to take a second job, and gave the City better lifeguard coverage with fewer employees.

- New and taller lifeguard stands were introduced to the beach in 2011. They were constructed at a cost of $7,000. About $4,000 was spent on materials and $3,000 in part-time labor. Volunteers also helped with construction. The taller chairs provide a much better sight line for the City’s ocean lifeguards, and they have made it easier for beach-goers to identify lifeguard stand locations from the beach and from the water.

- For the first time, the City accepted credit cards for consumer purchases of Italian Ice cups on the beach. During the 2011 season, Beach Services sold 132,285 cups of Italian Ice at $3 per cup for a total of $396,855. This compares to 118,916 cups of Italian Ice sold in 2010 for a total of $356,748. This represents an increase of $40,107 in Italian Ice cup sales over 2010.

- During 2011, the City rented 48,891 daily chair & umbrella combos, compared to 43,055 in 2010. Financially, that resulted in revenue of $1,222,280 for 2011 versus $1,076,375 in 2010, an increase of $145,905 over 2010.
For the third year in a row, the inflatable Hippo Waterslide was located on the beach at 1st Avenue South. The Hippo Waterslide was purchased three years ago out of the General Fund. Beach Services is paying the General Fund back over a five year period at $17,500 per year. This was the Hippo’s third year in operation. It costs about $50,000 per year to operate the Hippo, including the $17,500 annual pay back to the General Fund. The Hippo has made a net profit each of the three years it has been in operation. In 2011, the Hippo generated over $116,000 in ride ticket sales, a profit of about $66,000 over 2010.

To further reduce opportunity for theft in all beach oriented sales activities, the Beach Services Division implemented daily audits of cash boxes by supervisors in addition to Finance Department audits. The City’s Information Services Department wrote software applications for inventory management, as well as the daily check-in and check-out of umbrellas/chairs. The Information Services Department also wrote an audit module for the Finance Department to use in making their audits. iPads were used to facilitate the on-site audits.

**Beach Services: Operating Revenues Vs. Operating Expenditures**

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<tr>
<th></th>
<th>2010</th>
<th>2011</th>
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<tbody>
<tr>
<td>Revenues</td>
<td>$1,469,940</td>
<td>$1,606,400</td>
</tr>
<tr>
<td>Expenditures</td>
<td>$1,318,317</td>
<td>$1,196,391</td>
</tr>
<tr>
<td>Difference</td>
<td>$ 151,623</td>
<td>$ 410,009</td>
</tr>
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**Aquatic & Fitness Center (AFC)**

- Rearranged the Aquatic & Fitness Center’s organizational and budget structure to maximize accountability and efficiency.

- Restructured the Corporate Membership package, resulting in an increase in Corporate Membership packages from six in 2010 to 124 in 2011. The change involved giving a true discount of 20% for the purchase of Corporate Membership packages, as opposed to only eliminating origination fees. This step made Corporate Membership packages more attractive to their intended audience, resulting in increased sales.

- Placed a renewed emphasis on Personal Training as an option at the AFC. Revenue generated in this category was $88,600 in 2010 and, $107,750 in 2011, an increase of $19,150 over 2010.
• Implemented new programs and enhanced others in order to increase the AFC’s outreach into the community. For example—the AFC organized wheelchair games, wheelchair basketball, and a free learn-to-swim class that attracted 120 children and adults. The AFC also continued the Dolphin Swim Team, power lifting meets, and U.S. Masters Swimming swim meets.

• The number of AFC memberships continues to increase. In 2011, the AFC has seen 2,098 average monthly membership packages versus 2,024 in 2010. This equates to 3,524 total members in 2011 versus 3,400 total members in 2010. In financial terms, this means that in 2010 revenue from memberships amounted to $1,371,451. In 2011 membership revenue has grown to $1,455,651, an increase of $84,200 over 2010. There has been an increase in total AFC memberships each year since the facility opened.

• ** AFC: Operating Revenues vs. Operating Expenditures  

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
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<tbody>
<tr>
<td>Revenues</td>
<td>$1,632,299</td>
<td>$1,757,174</td>
</tr>
<tr>
<td>Expenditures</td>
<td>$1,457,154</td>
<td>$1,421,832</td>
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<tr>
<td>Difference</td>
<td>$175,145</td>
<td>$335,342</td>
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** AFC operating costs are supported entirely by membership and user fees.**
The Public Works Department is pleased to provide the following updates for our customer service and infrastructure improvement initiatives.

- Roll Cart delivery is complete in the Crescent Beach section of the City and collection begins this week. Only 11 blocks remain in the Ocean Drive Section to complete the transition city-wide.

- The Sanitation Division will be ordering additional recycle Roll Carts to improve recycling collection. The department has received a grant of $4,000 from the South Carolina Department of Health & Environmental Control (SCDHEC) to begin this Pilot program. We plan to transition fully to this program over the next few years.

- Engineering Division personnel spent a full day with SCDHEC storm water personnel undergoing an audit of our permitted MS4 program. Audit results are expected within 30 days but initial results appear to be positive.

- Street resurfacing is now underway on sections of 15 streets throughout the city.

- SCDOT has scheduled paving for the Highway 17 widening project in the Cherry Grove section over the next few weeks. Some work is scheduled for night hours. According to the paving contractor, there will be temporary lane closures but at least one lane of traffic will be open at all times.

- Design is complete on beachfront street end improvements and will be presented at an upcoming council workshop prior to bidding for construction this winter. Improvements are planned for 46th Avenue South, 39th Avenue South, Shorehaven Drive and 17th Avenue South.

- Engineering and Street Division staff are working with the Barefoot Resort & Golf community on traffic safety improvements in the neighborhood.
I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States.

As Council Member of the municipality of North Myrtle Beach, I will equally, fairly and impartially, to the best of my ability and skill, exercise the trust imposed in me, and I will use my best endeavors to preserve the peace and to carry into effect, according to the laws, the purpose for which I have been elected. So help me God.

__________________________
Sworn to before me, this 7th day of November, 2011

Merideth J. Smith,
Notary Public for South Carolina
My Commission expires May 18, 2014
Proclamation

STATE OF SOUTH CAROLINA
COUNTY OF Horry
CITY OF NORTH MYRTLE BEACH

WHEREAS, the future well-being of our nation is dependent on the value we place on our young people; and

WHEREAS, we must provide opportunities for young people to acquire the knowledge, skills, and abilities necessary to develop into healthy and productive adults; and

WHEREAS, we must also enlist their families and other adults in the community to serve as mentors and role models, guiding them toward wise choices and available resources and supports; and

WHEREAS, young people with the least access to these essential opportunities and supports are those in runaway and homeless situations; and

WHEREAS, up to 2.8 million young people run away annually due to home environments that are unsafe and unhealthy; and

WHEREAS, by working together we can prevent situations that compel young people to run away from home by assisting them in discovering the delicate balance of life-saving skills; by letting them know what it means to run away and why running away will not solve their problems; by helping to build a safety net of trusted people and organizations to turn to for help; by teaching them how to speak and listen effectively; and by showing them how to reduce or manage stressors and solve problems; and

WHEREAS, community-based, faith-based, and public organizations in North Myrtle Beach are working diligently to increase public awareness about, advocate on behalf of, and provide positive and safe alternatives to runaway and homeless young people and their families.

NOW, THEREFORE, I, Marilyn Hatley, Mayor by virtue of the authority vested in me, do hereby proclaim November as National Runaway Prevention Month in North Myrtle Beach, SC. I call upon the people of this community to observe this month by supporting young people who have run away or who are at high risk of doing so by developing a mentoring relationship with them; teaching them skills that promote positive life choices, providing a safety net of trusted friends, adults, and resources to them; and being available to them as they transition to adulthood.

IN WITNESS THEREOF, I have hereunto set my hand this 7th day of November, in the year of our Lord two thousand eleven.

City Clerk

Mayor North Myrtle Beach
REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: November 7, 2011

<table>
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<tr>
<th>Agenda Item:</th>
<th>Prepared By: Steve Thomas</th>
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<tr>
<td>5A</td>
<td>Assistant City Manager</td>
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<tr>
<th>Agenda Section:</th>
<th>Date:</th>
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<tr>
<td>MOTION: Special Event Application</td>
<td>November 3, 2011</td>
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<th>Subject:</th>
<th>Division:</th>
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<tr>
<td>Request by Eastern Surfing Assoc. NSC for Surf Contest</td>
<td>Administration</td>
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**BACKGROUND:**

The Eastern Surfing Association NSC District is requesting approval of their Surf Contest special event application. The event is to be held on November 12, 2011 between the hours of 8:00 am and 5:00 pm. Set-up will be between the hours of 7:00 am and 8:00 am. Dismantling will take place between the hours of 6:00 pm and 7:00 pm.

The event is to be held on the beach between 25th and 27th Avenues South.

All applicable departments have reviewed and signed off on the Special Events Application.

**RECOMMENDED ACTION:**

Approval of the Special Event Application.

Reviewed by Assistant City Mgr. | Reviewed by City Manager | Reviewed by City Attorney

Council Action: Motion By _2nd By_ To _

Page _____ of _____
Please review the attached Festival/Special Event permit. If you feel there is an area your department will be involved in that has not been covered, please contact Steve Thomas so he can address the issue.

Once you have reviewed the permit and it is acceptable with your department, please pass on the next department for their review.

Debbie Brown
Human Resources

Public Safety: Authorized Official: [Signature] (y) (n)
Risk: Authorized Official: [Signature] (y) (n)
Revenue: Authorized Official: [Signature] (y) (n)
Streets: Authorized Official: [Signature] (y) (n)
Water: Authorized Official: [Signature] (y) (n)
Sanitation: Authorized Official: [Signature] (y) (n)
Planning & Dev: Authorized Official: [Signature] (y) (n)
Recreation: Authorized Official: [Signature] (y) (n)

Comments:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
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________________________________________________________________________
________________________________________________________________________
PERMIT #_____  
City of North Myrtle Beach  
Special Event/Festival Permit Application

Instructions: To apply for a Festival Permit, please complete this application and submit it, including required attachments, to the Department of Public Safety Community Services Division no later than sixty (60) days before your event.

I. APPLICANT AND SPONSORING ORGANIZATION INFORMATION

SPONSORING ORGANIZATION NAME:  
Eastern Surfing Association NSC District

CHIEF OFFICER OF ORGANIZATION:  
Debbie Hodges

APPLICANT NAME:  
Kenneth McDade

ADDRESS:  
341 Sparrow Dr, Surfside Beach, SC 29576

DAYTIME PHONE: (843) 742-4296  
EVENING PHONE: (843) 742-4296  
FAX: 

ON-SITE CONTACT PERSON: Kenneth McDade  
PAGER/CELL PHONE: (843) 742-4296

(Note: This person must be in attendance for the duration of the event and until last vendor leaves and immediately available to City officials)

YES  NO  N/A

IS THE CITY A CO-SPONSOR.

WHAT IS THE NAME OF THE CITY CONTACT PERSON.

II. EVENT INFORMATION

EVENT NAME:  
Surf Contest

PURPOSE OF EVENT:  
Surf Contest

EVENT DATE(S): 12/11/2011  
TOTAL EXPECTED ATTENDANCE: 

LOCATION:  
Between 27th - 25th Ave South on Beach

EVENT HOURS: 8am - 5pm

SET-UP HOURS: 7am - 8am

DISMANTLE HOURS: 6pm - 7pm

(includes same-day clean-up of all trash and debris generated by event)
List any street(s) you are requesting to be closed as a result of this event Include street name(s), day, date and time of closing and reopening. Street (providing between X and Y Streets) Date/Time Closed Date/Time Opened

1. 
2. 
3. 
4. 

III. EVENT DESCRIPTION

<table>
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<tr>
<th>YES</th>
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Does the event involve the sale of alcoholic beverages? If “YES”, please describe.

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<th>YES</th>
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Has State Permit been applied for or received?

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<tr>
<th>YES</th>
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Will items or services be sold at the event? If “YES”, please describe.

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<th>YES</th>
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Will there be musical entertainment at your event? If “YES”, please provide the following info:

- Number of Stages: __________
- Number of Band(s): __________
- Type(s) of Music: __________
- Time(s) Music will start and stop: __________
- Name of Band(s): __________

(Attach additional sheet if necessary.)

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<tr>
<th>YES</th>
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Will there be any tents or canopies at the proposed event site? If “YES”: No. of tents 3-4

- Will any tent be over 30’ by 30’ in the area? __________ (how many?) __________

<table>
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<tr>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
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<tr>
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Will there be any amusement or carnival type rides at your event? If “YES”, please describe.

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
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Will there be any fireworks associated with this event? If “YES”, please describe.

- Name of Fireworks Company: __________

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<th>YES</th>
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Has State and City Permit applied for or received?

<table>
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<tr>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
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Will food be served at this event? If “YES”, please describe.

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<th>YES</th>
<th>NO</th>
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<tr>
<td></td>
<td>YES</td>
<td>NO</td>
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<td></td>
<td>Have DHEC requirements been met? Permit number.</td>
<td></td>
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<td></td>
<td>Will you provide portable toilets for the general public attending the event? If &quot;YES&quot;, number of Portable Toilets, number of ADA Accessible Toilets. (SUGGESTED: 1 for every 250 people)</td>
<td></td>
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<tr>
<td></td>
<td>Will you require the use of City electricity?</td>
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<td></td>
<td>Will you require the use of City water?</td>
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<td>Will you require Traffic Control?</td>
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<td>Will you require the use of City Personnel for Trash Removal?</td>
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Please list any other services you are requesting from the City of North Myrtle Beach.

### IV. FEES AND PROCEEDS

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
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<tbody>
<tr>
<td></td>
<td>Is the SPONSORING ORGANIZATION a &quot;Tax Exempt, non-profit&quot; organization as defined by the IRS?</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Will admission fees be charged to attend the event? If &quot;YES&quot;, please provide amount(s) of all tickets.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Will fees be charged to vendors to participate in this event? If &quot;YES&quot;, please provide amount(s).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>If the SPONSORING ORGANIZATION is not a &quot;Tax Exempt, non-profit&quot; organization, will donations be made to any charitable organization(s)? If &quot;YES&quot;, please list the names of the organization(s) and the expected amount of donation.</td>
<td></td>
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</table>

### V. EVENT SITE MAP (Attachment)

**REQUIRED:** Attach a site map of the proposed event site indicating the locations of the following items:

1. Fencing, Barriers and/or Barricades
2. Gates or points of Admission
3. Scaffolding, Bleachers, Stages or Related Structures
4. Alcohol Outlets
5. Food and Beverage Vendors
6. Portable and Permanent Toilets
7. First Aid Facilities
8. Canopies or Tent Locations
9. Trash Receptacles or Dumpsters
10. Location(s) of Portable Generator(s)
11. Points of Connection to City Water
12. Points of Connection to City Electric
13. Tables and Chairs
14. Vehicles and/or Trailers
15. Location of Vendor Parking
16. Other Components Not Covered Above
17. Amusement or Carnival Type Rides

*(Prior to issuance of a FESTIVAL PERMIT, you will be required to submit a FINAL EVENT SITE map to the City.)*
VI. SECURITY

YES ☐ NO ☑ N/A ☐

Will this event require security to handle the event? If so,

Security Source: ________________________________
Address: ______________________________________
On-site Contact: ________________________________ Phone No. __________________

VII. INSURANCE INFORMATION

> REQUIRED: Prior to the issuance of a Special Events Permit, proof of insurance will be required.

You must provide an ORIGINAl CERTIFICATE OF INSURANCE showing you have purchased commercial general liability insurance that names “The City of North Myrtle Beach, its officers, employees and agents” as an additional insured. Insurance coverage must be maintained for the duration of the event. The amount of insurance coverage required will depend on the risk level of the event and will be determined by the City’s Risk Management Office. Depending on the nature of the event, additional coverage may be required.

VIII. AFFIDAVIT

> ADVANCE CANCELLATION NOTICE REQUIRED: If this event is cancelled, notify the Department of Public Safety Community Services Division at 843/280-5618. Otherwise, City personnel and equipment may be needlessly dispatched and approvals of your future applications may be jeopardized.

I certify that the information contained in the foregoing application is true and correct to the best of my knowledge. That I have read, understand and agree to abide by the rules and regulations governing the proposed Special Event established by the City Council and/or the City Manager or the City Manager’s designee. I agree to abide by these rules, and further certify that I, on behalf of the organization, am also authorized to commit that organization, and therefore agree to be financially responsible for any costs and fees that may be incurred by or on behalf of the Event by the City of North Myrtle Beach.

Name of Applicant (print) Kenneth McDade __________________________ Title Director __________________________

Signature of Applicant

ORIGINAL APPLICATION SHOULD BE TYPED AND MAILED TO:

Department of Public Safety – Community Services Division
1015 2nd Avenue South
North Myrtle Beach, SC 29582

Phone: (843) 280-5555
Fax: (843) 280-5635

Email: communityservices@nmb.us

Direct all inquiries to Community Service Sergeant
Department of Public Safety
(843) 280-5618
Map of Surf Contest Location

Highways
- Limited Access Highways
- Major Roads

Parcels
- TMS Numbers

County Boundary

2009_Color
- Red: Band_1
- Green: Band_2
- Blue: Band_3

http://www.horrycounty.org/aspnet_client/ESRI/WebADF/PrintTaskLayoutTemplates/def... 3/27/2011
## Certificate of Liability Insurance

**Producer**
The Maksin Group  
Two Aquarium Drive  
Suite 200  
Camden, NJ 08103

**Insured**
Eastern Surfing Association  
P.O. Box 825  
Virginia Beach, VA 23451

### Coverages

This Certificate of Liability Insurance is issued as a matter of information only and confers no rights upon the Certificate Holder. This certificate does not amend, extend or alter the coverage afforded by the policies below.

#### Companies Affording Coverage

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Starr Indemnity &amp; Liability Company</td>
</tr>
<tr>
<td>C</td>
<td>G</td>
</tr>
<tr>
<td>D</td>
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</tr>
</tbody>
</table>

### Description of Operations/locations/vehicles/special items

- **Eastern Surfing Assn. - City of North Myrtle Beach**  
  Attn: Dept. of Public Safety, Special Events  
  10-15 2nd Ave S  
  N Myrtle Beach, SC 29582

### Limits

<table>
<thead>
<tr>
<th>Type of Insurance</th>
<th>Policy Number</th>
<th>Policy Effective Date (MM/DD/YYYY)</th>
<th>Policy Expiration Date (MM/DD/YYYY)</th>
<th>Limits</th>
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<td>General Liability</td>
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<td>2/12/11</td>
<td>2/12/12</td>
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<td>Workers' Compensation and Employers' Liability</td>
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</table>

### Other

- **Accident Medical Coverage**  
  CHS0064191  
  2/12/11  
  2/12/12  
  $10,000 Accident Medical Expense  
  $19,000 Accidental Death Benefit  
  $10,000 Accidental Dismemberment Benefit  
  $2,500 Deductible  
  5-Year Benefit Period  
  Full Excess Coverage

### Cancellation

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability upon the company, its agents or representatives.
Eastern Surfing Association
Mission Statement

The Eastern Surfing Association (ESA) is dedicated to the sport of amateur surfing, to the operation of a program of amateur competition for surfers of all ages and abilities, and to the establishment and preservation of free access to a clean shoreline and ocean environment. It was founded in 1967 by East Coast surfers to promote, preserve, and protect the sport of surfing on the East Coast.

ESA is the largest amateur surfing association in the world, with a current membership of over 7,000 surfers. Our family oriented programs promote a healthy and active lifestyle. It is not uncommon to find two or three generations of the same family involved as members of the ESA, and actively competing in our program. Two of the original founders of the ESA, Cecil Lear and David Reese, are still active in the association forty years later.

The Association's activities are organized into a total of twenty-six districts, which extend along nearly 2,000 miles of coastline. Stretching from Maine through the Gulf Coast of Florida, Alabama, and the Great Lakes across the Atlantic to the Caribbean, each district's programs are developed and operated by a dedicated group of volunteer directors and staff.

At the national level, the ESA is a founding member association of Surfing America (SA), the National Governing Body for amateur surfing in the United States. The ESA is empowered by SA to carry out qualifying amateur events on the East Coast for the American Surfing Championships, the USA Surfing Championships and the U.S. National Surf Team. The ESA is also empowered by Surfing America to conduct ASP WQS rated professional surfing competitions under contract to ASP North America.

At the international level, the ESA is linked to amateur surfing through Surfing America's recognition by the International Surfing Association (ISA). The ISA serves as the international governing body for the sport of surfing, and is officially recognized by the International Olympic Committee (IOC). ESA surfers may also qualify for international events through our SA & ISA associations.
REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: November 7, 2011

Agenda Item: 5B

<table>
<thead>
<tr>
<th>Agenda Section: MOTION: Special Event Application</th>
<th>Prepared By: Steve Thomas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date: November 3, 2011</td>
<td>Assistant City Manager</td>
</tr>
<tr>
<td>Subject: Request by Cruis’n the Streets Prod. and Norman Communications Inc.</td>
<td>Division: Administration</td>
</tr>
</tbody>
</table>

BACKGROUND:

Cruis’n the Streets Production along with Norman Communications, Inc. is requesting approval of their Fun in the Sun Classic Car Cruise special event application. The event portion being held in North Myrtle Beach will be a display of cars on Saturday, November 19, 2011 between the hours of 10:00 am and 2:00 pm. Set-up will be between the hours of 7:00 am and 9:30 am. Dismantling will take place between the hours of 2:00 pm and 3:00 pm.

They are also requesting that Main Street between Hillside and Ocean Boulevard be closed on Saturday, November 19, 2011 between the hours of 6:00 am and 3:00 pm.

Donations will be accepted to go to the Humane Society of North Myrtle Beach.

All applicable departments have reviewed and signed off on the Special Events Application.

RECOMMENDED ACTION:

Approval of the Special Event Application.

Reviewed by Assistant City Mgr. | Reviewed by City Manager | Reviewed by City Attorney

Council Action: Motion By 2nd By To

Page _____ of _____
FESTIVAL/SPECIAL EVENT

Permit

Festival/Special Event - Fun in the Sun - Classic Car Show

Event Date - November 18th – 20th, 2011

Please review the attached Festival/Special Event permit. If you feel there is an area your department will be involved in that has not been covered, please contact Steve Thomas so he can address the issue.

Once you have reviewed the permit and it is acceptable with your department, please pass on the next department for their review.

Debbie Brown
Human Resources

Public Safety: Authorized Official: ___________ (y) (n)
Risk: Authorized Official: ___________ (y) (n)
Revenue: Authorized Official: ___________ (y) (n)
Streets: Authorized Official: ___________ (y) (n)
Water: Authorized Official: ___________ (y) (n)
Sanitation: Authorized Official: ___________ (y) (n)
Recreation: Authorized Official: ___________ (y) (n)

Comments:

________________________________________________________________________
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12 October 2011

Mr. Steve Thomas, Assistant City Manager
City of North Myrtle Beach

Dear Steve:

Attached is the special events application form. On behalf of the Humane Society of North Myrtle Beach, which will be the beneficiary of donations, The Cruising The Streets Production based in Lexington, N. C., and WNMB Radio here in North Myrtle Beach, we request a special event permit to close Main Street in North Myrtle Beach on Saturday, November 19, 2011 between the hours of 7 a.m. to 3 p.m. in order to hold a classic car show, free to the public.

We have many automobiles coming to North Myrtle Beach on the 18th of November in a caravan from North Carolina. We will invite the local Chicora Region of the Antique Automobile Club of America to join us on the 19th on Main Street for the showing of the automobiles.

All the Main Street merchants and businesses are going to be open for us with their facilities.

The Humane Society will have a presence in order to accept donations and we will have pets which are available for adoption. They will be under the care of the Humane Society personnel all during the car show.

WNMB and other media will publicize the event, and we will be doing a live broadcast of the entire event from Main Street.

Our object is provide yet another manner in which visitors are invited to come and stay with us in North Myrtle Beach, and, at the same time, to publicize and accept donations which are very necessary for the Humane Society of North Myrtle Beach.

We will appreciate the cooperation of the City in making this event possible.

Thank you.

Bill Norman
PERMIT # ____________
City of North Myrtle Beach
Special Event/Festival Permit Application

Instructions: To apply for a Festival Permit, please complete this application and submit it, including required attachments, City of North Myrtle Beach Administration no later than sixty (60) days before your event.

I. APPLICANT AND SPONSORING ORGANIZATION INFORMATION

SPONSORING ORGANIZATION NAME: Cruisin' the Streets Production / Norman Communication Inc.

CHIEF OFFICER OF ORGANIZATION: Benny Huff

APPLICANT NAME: Benny Huff

ADDRESS: 140 Tom Everhart Rd. Lexington, NC 27292

DAYTIME PHONE: 336-918-5812 EVENING PHONE: 336-475-7874 FAX: ____________

ON-SITE CONTACT PERSON: Benny Huff PAGER/CELL PHONE: 336-918-5812 (NOTE: This person must be in attendance for the duration of the event and until last vendor leaves and immediately available to City officials.)

YES NO N/A

□ □ □ IS THE CITY A CO-SPONSOR.

WHAT IS THE NAME OF THE CITY CONTACT PERSON.

II. EVENT INFORMATION

EVENT NAME: Fun in the Sun Classic Car Cruise.

PURPOSE OF EVENT: Classic Car Cruise; Display of Cars

EVENT DATE(S): Nov 18, 19 & 20 TOTAL EXPECTED ATTENDANCE: 100 cars about 130 people

LOCATION: N. Main St between Hillsider Ocean Blvd.

EVENT HOURS: To Be Determined 10:00 AM - 2:00 PM Sat. 11/19

SET-UP HOURS: 7:00 AM - 9:30 AM

DISMANTLE HOURS: 2:00 PM - 3:00 PM

(Includes same-day clean-up of all trash and debris generated by event)
List any street(s) you are requesting to be closed as a result of this event. Include street name(s), day, date and time of closing and reopening.

<table>
<thead>
<tr>
<th>Street (specify between X and Y Streets)</th>
<th>Date/Time Closed</th>
<th>Date/Time Opened</th>
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</thead>
<tbody>
<tr>
<td>Main St</td>
<td>11/19/2023</td>
<td>5:00pm</td>
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<td>(between Hillside &amp; Ocean Blvd.)</td>
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</table>

111. **EVENT DESCRIPTION**

YES  NO  N/A

- Does the event involve the sale of alcoholic beverages? If “YES”, please describe.

- Has State Permit been applied for or received?

- Will items or services be sold at the event? If “YES”, please describe.

- Will there be musical entertainment at your event? If “YES”, please provide the following info:
  - Number of Stages: _______
  - Number of Band(s): _______
  - Type(s) of Music: _______
  - Time(s) Music will start and stop:__________
  - Name of Band(s): __________ (Attach additional sheet if necessary).

- Will there be any tents or canopies at the proposed event site? If “YES”: No. of tents ______
  - Will any tent be over 30' by 30' in the area? _______ (how many?) ________

- Will there be any amusement or carnival type rides at your event? If “YES”, please describe.

- Will there be any fireworks associated with this event? If “YES”, please describe.
  - Name of Fireworks Company: _______ Phone: ________

- Has State and City Permit applied for or received?

- Will food be served at this event? If “YES”, please describe.
Have DHEC requirements been met? Permit number

Will you provide portable toilets for the general public attending the event? If “YES”, number of Portable Toilets __________________ number of ADA Accessible Toilets __________________
(SUGGESTED: 1 for every 250 people) __________________
(SUGGESTED: 10% of total portable toilets)

Will you require the use of City electricity?

Will you require the use of City water?

Will you require Traffic Control?

Will you require the use of City Personnel for Trash Removal?

Please list any other services you are requesting from the City of North Myrtle Beach.

IV. FEES AND PROCEEDS

Is the SPONSORING ORGANIZATION a “Tax Exempt, non-profit” organization as defined by the IRS?

Will admission fees be charged to attend the event? If “YES”, please provide amount(s) of all tickets.

Will fees be charged to vendors to participate in this event? If “YES”, please provide amount(s).

If the SPONSORING ORGANIZATION is not a “Tax Exempt, non-profit” organization, will donations be made to any charitable organization(s)? If “YES” please list the names of the organization(s) and the expected amount of donation.

HUMANE SOCIETY OF NMB

V. EVENT SITE MAP (Attachment)

REQUIRED: Attach a site map of the proposed event site indicating the locations of the following items:

1. Fencing, Barriers and/or Barricades
2. Gates or points of Admission
3. Scaffolding, Bleachers, Stages or Related Structures
4. Alcohol Outlets
5. Food and Beverage Vendors
6. Portable and Permanent Toilets
7. First Aid Facilities
8. Canopies or Tent Locations
9. Trash Receptacles or Dumpsters
10. Locations(s) of Portable Generator(s)
11. Points of Connection to City Water
12. Points of Connection to City Electric
13. Tables and Chairs
14. Vehicles and/or Trailers
15. Location of Vendor Parking
16. Other Components Not Covered Above
17. Amusement or Carnival Type Rides
VI. SECURITY

Will this event require security to handle the event? If so,
Security Source: __________________________________________
Address: _________________________________________________
On-site Contact: ____________________________ Phone No. __________

VII. INSURANCE INFORMATION

REQUIRED: Prior to the issuance of a Special Events Permit, proof of insurance will be required.

You must provide an ORIGINAL CERTIFICATE OF INSURANCE showing you have purchased commercial
general liability insurance that names "the City of North Myrtle Beach, its officers, employees and agents" as an
additional insured. Insurance coverage must be maintained for the duration of the event. The amount of insurance
coverage required will depend on the risk level of the event and will be determined by the City's Risk
Management Office. Depending on the nature of the event, additional coverage may be required.

VIII. AFFIDAVIT

ADVANCE CANCELLATION NOTICE REQUIRED: If this event is cancelled, please call (843) 280-5555
with this information. Otherwise, City personnel and equipment may be needlessly dispatched and approvals of
your future applications may be jeopardized.

I certify that the information contained in the foregoing application is true and correct to the best of my
knowledge. That I have read, understand and agree to abide by the rules and regulations governing the
proposed Special Event established by the City Council and/or the City Manager or the City Manager's
designee. I agree to abide by these rules, and further certify that I, on behalf of the organization, am also
authorized to commit that organization, and therefore agree to be financially responsible for any costs and
fees that may be incurred by or on behalf of the Event by the City of North Myrtle Beach.

Name of Applicant (print) ____________________________________
Signature of Applicant _______________________________________
Title ____________________________________________________
Date ________________________

ORIGINAL APPLICATION SHOULD BE CLEARLY PRINTED OR TYPED AND MAILED TO:

City of North Myrtle Beach
1018 2nd Avenue South
North Myrtle Beach, SC 29582

Attention: Steve Thomas
Phone: (843) 280-5555
**CERTIFICATE OF LIABILITY INSURANCE**

**PRODUCER**

ISCA / E & O LIABILITY CONSULTANTS
24 SALEM STREET
THOMASVILLE NC 27360

**INSURED**

BENNY HUFF
DBA CRUI$N THE STREETS PRODUCTIONS
140 TOM EVERHART ROAD
LEXINGTON NC 27292

**CONTACg

ISCA / E & O Liability Consultants
PHONE: (336) 475-9762 Fax: (336) 475-9764
E-MAIL: Nancy@eollability.com

**CERTIFICATE NUMBER**: 4072

**CERTIFICATEHOLDER**

Steve Thomas

**DATE**: 10/03/2011

**COVERAGES**

<table>
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<tr>
<th>INSR LIM</th>
<th>TYPE OF INSURANCE</th>
<th>ACC/ND</th>
<th>BUR W/O</th>
<th>POLICY NUMBER</th>
<th>POLICY EFF (ISSUING DATE)</th>
<th>POLICY EXP (ISSUING DATE)</th>
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</thead>
<tbody>
<tr>
<td>A</td>
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<td>X</td>
<td>6806479X879</td>
<td>04/01/11</td>
<td>04/01/12</td>
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</tbody>
</table>

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES**

The City of North Myrtle Beach, its officers, employees and agents are listed as additional insured at NAIA where required by written agreement.

**CERTIFICATE HOLDER**

City of North Myrtle Beach
1018 2nd Ave. South
North Myrtle Beach, SC 29582

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**AUTHORIZED REPRESENTATIVE**

[Signature]

**IMPORTANT**: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. IF SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).
North Myrtle Beach, SC Nov. 18, 19 & 20, 2011

Join Cruisn' the Streets Productions, Cruisin Carolina Magazine and Uncle Benny for a fun cruise AND party weekend to the fabulous Ocean Drive Beach & Golf Resort in North Myrtle Beach, SC

Leaving Thomasville, NC on Friday Nov. 18th at 7:15am

You can join the caravan in Albemarle, NC or Bennettsville, SC

Arrangements for other areas to join in the caravan can be made also.

Registration with payment must be received no later than October 16, 2011

You will receive a confirmation from us

Cost of this Package: $85.00 per person/$150.00 per couple

Special room rates (separate from the cruise package) at the Ocean Drive Beach & Golf Resort; starting at $47.00 per night.

Included in YOUR package:

* Exclusive tour of private classic car museum in Ansonville, NC • BRUNCH provided by Bennettsville's Downtown Merchants Assoc.
* Friday Night PRIVATE PARTY at OD Cafe' and Beach Club • Saturday, your classic cars on review MAIN STREET
* Saturday Lunch at Duck's Beach Club • Saturday afternoon, Fat Harold's Beach Club
* Sunday morning full breakfast including "eye openers" at Duck's Beach Club 9am till noon
* CTSP sweatshirts • CD's of 50's, 60's and beach music • DASH plaques • AND many more gifts and surprises

Name: ____________________________________________
Address: ____________________________________________
Phone #_________________________ Email address:___________________________
Your Sweatshirt Size: S M L XL XXL
Cruise Partner Name: ____________________________________________
Sweatshirt Size: S M L XL XXL

Registration with payment must be received no later than October 16, 2011

Send registration and payment by check to:
Cruisn the Streets Productions
Attn. Carol Huff
112 Kathland Ave.
Thomasville, NC 27360

For info call 336-475-7674
Join Cruisin' the Streets Productions, Cruisin Carolina Magazine and Uncle Benny for a fun cruise AND party weekend to the fabulous Ocean Drive Beach & Golf Resort in North Myrtle Beach, SC

Leaving Thomasville, NC on Friday Nov. 18th at 7:15am

You can join the caravan in Albemarle, NC or Bennettsville, SC
Arrangements for other areas to join in the caravan can be made also.

Registration with payment must be received no later than October 1, 2011
Driving with the caravan or joining us at the beach, DEADLINE with no exceptions
You will receive a confirmation from us
Cost of this Package: $85.00 per person/$150.00 per couple

Special room rates (separate from the cruise package) at the Ocean Drive Beach & Golf Resort; starting at $47.00 per night.

Included in YOUR package:
★ Exclusive tour of private classic car museum in Ansonville, NC
★ BRUNCH provided by Bennettsville’s Downtown Merchants Assoc
★ Friday Night PRIVATE PARTY at OD Cafe’ and Beach Club
★ Saturday, your classic cars on review MAIN STREET
★ Saturday afternoon, Fat Harold’s Beach Club and Duck’s Beach Club will have free hors d’oeuvrs, special drink prices, entertainment and more just for our cruise group
★ Saturday night at Fat Harold’s Beach Club, Too Much Sylvia Band At Duck’s Beach Club, The Attractions Band
★ CTSP sweatshirts
★ CD’s of 50’s, 60’s and beach music
★ DASH plaques
★ AND many more gifts and surprises

Name:__________________________________________________________
Address:______________________________________________________
Phone #_________________ Email address:__________________________

Your Sweatshirt Size: S M L XL XXL

Cruise Partner Name:____________________________________________
Sweatshirt Size: S M L XL XXL

Where will you start with us: Tville Albemarle Bennettsville Other _______

Registration with payment must be received no later than October 1, 2011
Driving with the caravan or joining us at the beach, DEADLINE with no exceptions You will receive a confirmation from us

Send registration and payment by check to:
Cruis’n the Streets Productions
Attn. Carol Huff
112 Kathland Ave.
Thomasville, NC 27360

For info call 336-475-7874

Cruis’n the Streets Productions
www.cruisnthestreets.com
Cruis'n the Streets Productions

Cruis'n back in time

Big Chair Cruise in
Downtown Main Street
THOMASVILLE, NC
3rd Saturday • May - October
4pm-8pm

Downtown Sunset
4th Saturday April-September
2pm-7pm

www.cruisnthestreets.com

Uncle Benny 336-918-5812
view@triad.rr.com
REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: November 7, 2011

Agenda Item: 7A

Prepared By: Aaron Rucker, Senior Planner

Agenda Section: New Business: Ordinance: 1st Reading

Date: November 3, 2011

Subject: A proposed zoning text amendment establishing design guidelines for "big box" retail developments, known as Developments of Regional Significance, greater than or equal to 75,000 square feet in exchange for greater parking allowances [ZTX-11-08].

Division: Planning & Development

Background:
The City's current off-street parking ordinance establishes parking maximums for all uses. The parking cap was initially created to reduce large expanses of excess paved areas associated with parking lots of increasing size. At issue is a proposal whereby a large shopping center development could request parking above the cap, in exchange for agreeing to implement design standards that would improve the aesthetic appeal of such centers.

Staff discussed with City Council at the August 2011 workshop various policy approaches other local jurisdictions have taken with respect to large retail and/or office developments and parking allowances. At the workshop, Council expressed support for an approach similar to Horry County's existing "Developments of Regional Significance" ordinance. Horry County's ordinance contains design standards for large developments greater than 100,000 square feet.

Proposal:
The amendment would allow Developments of Regional Significance, defined as retail and/or office developments with single or multiple building(s) greater than or equal to 75,000 square feet, the option of exceeding our parking caps in exchange for agreeing to the design standards set forth in the ordinance.

The request for additional parking above and beyond the cap would be the trigger causing the design standards to be applied. It further keeps the existing requirement that all parking over the maximum allowable would be constructed using pervious materials.

Within the attached ordinance, Section 14 is the core of the amendment addressing:

- Facades and exterior walls,
- Roofs,
- Entryways,
- Outparcels and auxiliary uses,
- Parking areas,
- Outdoor storage, trash collection, loading areas and utility locations,
- Central features and community spaces and
- Sign regulations.

Because the amendment also affects other areas of the Zoning Ordinance, Sections 1 through 13 have been included to address needed references and revisions essential to tying all of this together.

Planning Commission Action:
The Planning Commission held a public hearing on the proposed zoning text amendment on October 4, 2011 and unanimously recommended approval to City Council. There was no public comment. The staff report to the Planning Commission, along with the proposed ordinance, accompanies this issue paper.

Recommended Action:
Adopt the proposed Ordinance on First Reading.
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 ARTICLE II, SECTION 23-27 OF SAID CODE.

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 23-2. Definitions, be amended to include the following (new matter underlined, deleted matter struck-through):

*Developments of Regional Significance:* Retail and/or office uses in which the gross floor area of combined buildings within a development equals or exceeds seventy-five thousand (75,000 s.f.) square feet.

Section 2:

That Section 23-26. HC Highway Commercial District, be amended to include the following (new matter underlined, deleted matter struck-through):

(1) *Purpose:* The purpose of this district is to provide commercial opportunities to the traveling public, and areas in the community where large scale commercial projects may take place with minimal impact on contiguous residential development.

This district is designed to support local as well as regional shopping centers, and business complexes. As such, this district will accommodate a wide range of business and commercial uses, clustered where feasible for "cumulative attraction" and located for optimum accessibility.

(2) *Permitted uses:* Within the HC District, a building or lot shall be used only for the following purposes:

(a) Personal service establishments such as barber and beauty shops; laundromats; laundry pick-up; tailor; dressmaker; shoe shops; photo studio; libraries; child care centers; restaurants; and similar personal service establishments, but not massage parlors.

(b) Convenience retail establishments such as drug, hardware, grocery and beverage stores; bakery; flower and gift shops; newsstands and bookstores, and similar uses.
(c) Primary retail establishments such as department stores, general mercantile stores, clothing, variety, and similar low-bulk comparison items. Any single retail establishment that exceeds fifty thousand (50,000) square feet but is less than seventy-five (75,000) square feet in gross sales floor area is separately defined as "big box" retail. Establishments that are seventy-five thousand (75,000) gross square feet or greater are separately defined as "Developments of Regional Significance" and found in Section 23-129.5 Developments of Regional Significance.

(d) Secondary retail establishments such as those selling principally one-stop items, usually high bulk, including furniture, appliances, home furnishings, floor coverings, business machines, heating and air conditioning sales and service, and similar establishments, also including establishments selling automobiles, truck, boats, farm equipment, building and plumbing supplies, tombstones, surplus materials, and heavy machinery, bicycle sales and service. Any single retail establishment that exceeds fifty thousand (50,000) square feet in gross sales floor area is separately defined as "big box" retail. Establishments that are seventy-five thousand (75,000) gross square feet or greater are separately defined as "Developments of Regional Significance" and found in Section 23-129.5 Developments of Regional Significance.

(e) General business services such as duplicating, mimeographing, and multilithing shops, addressing and mailing services, blueprinting, photostating and film development.

(f) Funeral homes and accessory crematoriums provided there are no obnoxious odors, fumes, or emissions generated by the use.

(g) Professional offices such as business, financial, medical, clinics, and governmental offices.

(h) Commercial recreation establishments, including theaters, pool and video gamerooms, bowling alleys and skating rinks, miniature golf, water slides and arcades, but not amusement parks with rides.

(i) Churches, places of worship, religious institutions including accredited educational facilities when accessory thereto.

(j) Motels, hotels, lodges, [and] inns.

(k) Multifamily dwellings.

(l) Hospitals, clinics, nursing and convalescent homes.

(m) Educational institutions, primary through graduate, public and private.

(n) Armories, lodges and civic clubs.
(o) Commercial schools and schools providing training of any of the arts, sciences, trades and professions.

(p) Animal hospitals, veterinary clinics provided all boarding arrangements are maintained within a building and no noise connected with the operation of the facility is discernible beyond the premises.

(q) Automobile service and repair provided that there shall be no openings toward adjoining residential districts, and no junked or salvaged vehicles shall be kept on the premises.

(r) Public and private transportation service and facilities, including bus terminals and taxi stands.

(s) Commercial parking lots and structures.

(t) Adult entertainment establishments, as defined in and subject to the provisions of Article VI.

(u) Signs in accordance with Article III of this chapter.

(v) Accessory uses customarily incidental to multifamily dwellings.

(w) Accessory uses customarily incidental to hotels, motels, inns, lodges and resort residential; provided such uses for hotels are located within the principal building and are accessible only from an interior court, lobby, corridor or pool deck except for poolside activities as regulated under section 23-118; further provided that such uses for hotels, motels, inns, lodges and resort accommodations shall be limited to the following: restaurants, newsstands, snack bars, florists, gift shops, confectionery stores, beach and convenience retail shops, automobile rental agencies, drug and sundry shops, nightclubs and radio broadcasting studios, health clubs, barbershops, and beauty shops.

(x) Other accessory uses.

(y) Cemeteries, including mausoleums, columbariums, administrative offices, mortuary, chapel, maintenance facility, crematoriums provided there are no obnoxious odors, fumes, or emissions generated by the use, caretakers residence and other accessory uses.

(z) Video gaming machines or stations limited to five (5) or fewer as accessory to arcades, restaurants/taverns and convenience stores.
(3) *Development standards:*

<table>
<thead>
<tr>
<th></th>
<th>Single-Family Dwelling</th>
<th>Multifamily Dwellings</th>
<th>Hotels, Motels, Resort Accommodations</th>
<th>All Other Uses 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum site area (square feet)</td>
<td>NA</td>
<td>15,000</td>
<td>15,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Minimum lot area per dwelling unit</td>
<td>10,000</td>
<td>1,350</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Minimum lot width</td>
<td>NA</td>
<td>100 feet</td>
<td>100 feet</td>
<td>NA</td>
</tr>
<tr>
<td>Minimum yards:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>25 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Side</td>
<td>10 feet 5</td>
<td>1</td>
<td>1</td>
<td>8 2</td>
</tr>
<tr>
<td>Rear</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Maximum impervious surface ratio</td>
<td>60%</td>
<td>80%</td>
<td>80%</td>
<td>90%</td>
</tr>
<tr>
<td>Common open space</td>
<td></td>
<td>20%</td>
<td>20%</td>
<td>NA</td>
</tr>
<tr>
<td>Maximum height of structures</td>
<td>35 feet</td>
<td>50 feet</td>
<td>70 feet</td>
<td>50 feet 4</td>
</tr>
<tr>
<td>Maximum height of signs</td>
<td>NA</td>
<td>10 feet</td>
<td>40 feet</td>
<td>40 feet</td>
</tr>
</tbody>
</table>

Notes:

1 Ten (10) feet for the first thirty-five (35) feet plus one (1) foot for each one and one-half (1 1/2) feet over thirty-five (35) feet; for each building in excess of eighty (80) feet in width, one (1) additional foot on each side shall be required for each seven (7) feet in building width over eighty (80) feet. For the purpose of calculating side setbacks and/or building separations, the height of the roof section (if not devoted to living or storage space) shall not be considered in determining the height of the structures.

2 On buildings two hundred (200) feet in width or less, an eight-foot setback shall be required, except that commercial condominium projects shall be allowed to share interior property lines; for buildings greater than two hundred (200) feet in width, the following
setbacks shall be required on the end units; further provided that such projects (buildings) shall not exceed six hundred (600) feet in width.

<table>
<thead>
<tr>
<th>Width of Project</th>
<th>Side Yard Required (two (2) sides)</th>
</tr>
</thead>
<tbody>
<tr>
<td>To 200 feet</td>
<td>8 feet</td>
</tr>
<tr>
<td>201- 400 feet</td>
<td>16 feet</td>
</tr>
<tr>
<td>401- 600 feet</td>
<td>30 feet</td>
</tr>
</tbody>
</table>

3 "Big box" retail shall provide the following: All lighting systems installed within the parking area shall use a ninety-degree (or less) cutoff luminare angled away from noncommercial properties with a maximum height of thirty (30) feet measured from the base of the pole when installed. All lamp posts shall be contained within a landscape island. Reference Article VII. General Supplemental, *Developments of Regional Significance*, for guidelines and standards affecting gross retail square footage of 75,000 square feet or greater.

**Section 3:**

That Section 23-26.1. GC General Commercial District, be amended to include the following (new matter underlined, deleted matter struck-through):

(3) Notes

Reference Article VII. General Supplemental, *Developments of Regional Significance*, for guidelines and standards affecting gross retail square footage of 75,000 square feet or greater.

**Section 4:**

That Article III, Purpose, Scope of this Article, and Definitions, be amended to include the following (new matter underlined, deleted matter struck-through):

**ARTICLE III. SIGN REGULATIONS**

(1) *Purpose*: The purpose of this section of the North Myrtle Beach Zoning Ordinance is to provide fair and comprehensive regulations that will:

(a) Provide a pleasing overall environmental setting and good community appearance which is deemed vital to tourism and to the continued economic attractiveness of the city;

(b) Allow signs appropriate to the planned character of each zoning district;
(c) Promote highway safety, the welfare and comfort of travelers, the convenience of the public, and the enjoyment of public travel;

(d) Restrict private signs which overload the public's capacity to receive information and increase the probability of accidents by distracting attention or obstructing vision;

(e) Protect property values within the City of North Myrtle Beach; and,

(f) Reduce conflict among private signs and between private and public information systems.

(2) Scope of this article: The provisions set forth in this article shall apply and govern in all districts, except Planned Development Districts (PDD's) and Developments of Regional Significance found in Sec. 23-129.5, and shall regulate the construction, erection, alteration, use, location, size and height of all signs, regardless of their cost of construction. The provisions of this article shall not apply to:

(a) Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare, right-of-way, or beach.

(b) Traffic signs, and all other signs, erected or maintained by a municipal or governmental body or agency, including danger signs, and signs of businesses on governmental property. Signs of a commercial nature shall not be exempt.

(c) Temporary signs customarily associated with the Sun Fun and Can Am Festivals and other festivals or occasions recognized by City Council during the duration of these festivals.

(n) (d) Animated signs, except in PDD's (Planned Development Districts) with more than twenty-five (25) acres when fronting U.S. Highway 17 and approved by City Council as a part of the PDD sign package.

(3) Definitions: Except as specifically defined herein, all words used in Article III have their customary dictionary definitions. For the purpose of the sign ordinance, certain words or terms used are herein defined as follows:

(o.9) Monument Sign: A freestanding sign with a supporting base and a secondary architectural element designed to contain and frame or enclose sign copy, whose width falls within a range of 65 percent to 85 percent of the width of the base.

Section 5:

That Article III, (e) and (g), be amended to include the following (new matter underlined, deleted matter struck-through):

(e) Signs permitted in HC district:
1. All signs permitted in residential districts shall be permitted in HC, subject to the requirements of section 23-36(10)(a).

2. Signs for commercial uses:
   
a. There shall be permitted one (1) freestanding sign per location not exceeding forty (40) feet in height.

b. Total sign area per location shall not exceed one hundred fifty (150) square feet, except for designated historical signs between one hundred fifty (150) and three hundred (300) square feet where no other signage is located on the property.

c. Wall signs with an area of one (1) square foot per linear foot of building frontage are allowed provided area does not exceed total allowable area.

d. Window signs not to exceed twenty-five (25) percent of glazed area.

3. Signs for commercial centers, except Developments of Regional Significance found in Sec. 23-129.5:
   
a. Commercial centers shall be allowed one (1) freestanding commercial center identification sign per location, except for commercial centers with more than fifty thousand (50,000) square feet of floor area, more than one (1) principal structure on site, and more than (1) street frontage shall be allowed an additional freestanding sign which shall be separate from the primary commercial center sign by no less than one hundred (100) feet and be no greater than twenty-five (25) feet high.

b. Allowable area for one (1) freestanding identification sign shall not be greater than one (1) square foot per linear foot or principal frontage and shall not exceed three hundred (300) square feet, except for the larger commercial centers with two (2) freestanding signs as referenced above, allowable square footage for combined freestanding signs shall not exceed three hundred and fifty (350) square feet.

c. Individual businesses within a commercial center shall be allowed one (1) business identification sign attached to the structure in which the business is located. Such signs shall:

   (1) Not exceed one (1) square foot per linear foot of building frontage for each business; or

   (2) Excluding anchor store(s) (establishment(s) greater than twice the size of the average of the adjacent establishments) which shall use the above requirement for area calculation,
support establishments may use an average building frontage should uniform wall signs wish to be utilized.

d. Window signs not to exceed twenty-five (25) percent of glazed area.

e. Individual business within a commercial center shall be allowed one (1) business identification sign attached to the commercial center identification sign provided total area of freestanding sign does not exceed the allowable area.

(g) Signs permitted in the GC district:

1. Signs regulations for commercial uses not in shopping centers:

   (a) There shall be one (1) permitted freestanding sign per location not exceeding twelve (12) feet in height.

   (b) Total sign area per location shall not exceed one hundred fifty (150) square feet.

   (c) Wall signs with an area of one (1) square foot per linear foot of building frontage are allowed provided area does not exceed total allowable area.

   (d) Window signs not to exceed twenty-five (25) percent of glazed area.

2. Signs for commercial shopping centers, except Developments of Regional Significance found in Sec. 23-129.5:

   (a) There shall be one (1) permitted freestanding sign per location not exceeding twenty-two (22) feet in height.

   (b) Total sign area per freestanding sign shall be one (1) square foot of signage for each one (1) linear foot of property frontage on the primary street frontage not to exceed three hundred (300) square feet.

   (c) Individual businesses within the shopping center shall be allowed one (1) business identification sign attached to the shopping center identification sign provided the total area for the freestanding sign does not exceed the allowable area.

   (d) Individual businesses within a shopping center shall be allowed one (1) business identification sign attached to the structure in which the business is located. Such sign shall not exceed one (1) square foot per linear foot of commercial unit frontage for each business.
Section 6:

That Article V. Landscaping Requirements, Section 23-56, be amended to include the following (new matter underlined, deleted matter struck-through):

Sec. 23-56. Parking lot landscape requirements.

(1) Perimeter landscaping shall comply with the requirements of section 23-58, perimeter landscaped areas.

(2) Interior landscaping requirements:

   a. General Commercial (GC) District: Parking lots of more than thirty (30) spaces shall provide fifteen (15) percent of the total parking area for landscaping within the parking area. Parking lots of thirty (30) spaces or fewer shall provide fifteen (15) percent of the total parking area for landscaping in the parking area if possible. If not possible, the fifteen (15) percent shall be located somewhere on the site in addition to required perimeter landscaping.

   b. All other zoning districts: Parking lots of more than thirty (30) spaces shall provide ten (10) percent of the total parking area for landscaping within the parking area. Parking lots of thirty (30) spaces or fewer shall provide ten (10) percent of the total parking area for landscaping in the parking area if possible. If not possible, the ten (10) percent shall be located somewhere on the site in addition to required perimeter landscaping.

1. The interior landscaped areas shall be located in a manner that:

   a. Assists and helps to control the movement of vehicular and pedestrian traffic;

   b. Provides visual relief from a large expanse of paving;

   c. Preserves existing trees, where possible; and

   d. Screens loading and service areas.

2. A landscaped area shall be provided at the end of each parking area adjacent to the travel lane serving the parking aisle.

For perimeter landscape buffer requirements affecting Developments of Regional Significance, refer to Article VII, General and Supplemental Regulations, Section 23-129.5

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3. With the exception of town centers in PDD's and the General Commercial (GC) District, no required landscape area shall be larger than three hundred fifty (350) square feet unless a larger area is necessary to save or protect existing trees. Interior landscaped areas shall contain a minimum of seventy-five (75) square feet.

   (a) In the GC district the landscape island shall contain a minimum of two hundred fifty (250) square feet. No parking space shall be located further than seventy-two (72) feet from a landscape island.

4. Within the landscaped areas there shall be one (1) small tree at least three (3) caliper inches in size and four (4) shrubs per each ten (10) parking spaces in addition to other plant materials and ground cover.

5. Where the parking area is located under a building or parking deck, the ten (10) percent interior landscaping shall be calculated and provided somewhere on the site other than beneath the structure.

6. Required perimeter landscape areas shall not be used in the calculation of required interior landscape areas.

(3) All interior landscaped areas and perimeter landscape areas which abut parking areas and driveway aisles shall be enclosed and protected by concrete curbing at least four (4) inches in height or by any other acceptable stable means, curbing, and/or wheel stops, with intermittent voids allowing for stormwater runoff into parking islands as part of the stormwater management is also allowed as per the City Engineer.

(4) When a building is erected over required interior landscaping as permitted in the development standards of R-4 (Resort Residential) and RC (Resort Commercial), the amount of required interior landscaping covered by the building shall be replaced and added to the perimeter landscaping requirement.

(Ord. No. 88-35, 11-1-88; Ord. No. 89-15, § 4, 4-4-89; Ord. No. 98-10, § 2, 4-20-98; Ord. No. 98-23, § 1, 8-17-98; Ord. No. 00-18, § 3, 3-20-00; Ord. No. 07-13, § 2, 3-5-07; Ord. No. 09-36, § 8, 11-16-09)
Section 7:

That Article V. Landscaping Requirements, Section 23-58, be amended to include the following (new matter underlined, deleted matter struck-through):

Sec. 23-58. Perimeter landscaped areas.

(1) Size: With the exception of PDD's, and the General Commercial (GC) District, 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.

In a PDD, when and if a setback of less than five (5) feet has been approved by City Council, it is not possible to provide the five-foot perimeter yard setback, an equal amount of area, which has been reduced, shall be provided elsewhere within the affected site. Twice the number of trees and shrubs, which would have been provided in the reduced area, shall be planted in the alternate area. On adjacent parcels within a PDD, where the developer can demonstrate that the parcels will act in coordination and conjunction with each other to form a continuous development site, perimeter landscaping on each individual parcel shall not be required when an equal amount of landscaping area and planting is provided elsewhere within the subject coordinated development as shown on the PDD master site plan. The perimeter landscaping requirement shall not be reduced on the outer perimeter of the coordinated development. A maintenance agreement is required to be signed and submitted by all property owners involved in this arrangement.

(2) Screening requirements: Subsections (a) and (b) set forth the minimum requirements for screening between incompatible uses. The listed proposed uses shall provide screening on their property when bordered by the listed adjoining uses.

<table>
<thead>
<tr>
<th>Proposed Use</th>
<th>Adjoining Use</th>
<th>Screening Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restaurants, retail sales shopping centers, auto sales or repair, nightclubs,</td>
<td>Single-family,</td>
<td></td>
</tr>
<tr>
<td>taverns, amusement or entertainment establishments, industrial uses,</td>
<td>duplex</td>
<td>A finished six-foot high solid masonry wall on the</td>
</tr>
<tr>
<td>warehouses, wholesale businesses, trucking facilities</td>
<td></td>
<td>rear property line and six-foot high vegetative</td>
</tr>
<tr>
<td>(a)</td>
<td></td>
<td>screen, per subsection 23-58(2)(d) on side property line</td>
</tr>
</tbody>
</table>

For perimeter landscape and screening requirements affecting Developments of Regional Significance, refer to Article VII, General and Supplemental Regulations, Section 23-129.5
<table>
<thead>
<tr>
<th>Restaurants, retail sales, shopping centers, auto sales and repair, nightclubs, taverns, amusement or entertainment establishments, industrial uses, warehouses, wholesale businesses, trucking facilities</th>
<th>Multifamily mobile homes</th>
<th>Vegetative screen, per [subsection] 23-58(2)(d), on rear and side property lines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business and professional offices, churches, schools, day care centers, parking lots, townhouses, multifamily</td>
<td>Single-family duplexes</td>
<td>Six-foot high solid wooden fence or vegetative screen, per [subsection] 23-58(2)(d), rear property lines; vegetative screen, per [subsection] 23-58(2)(d), on side property line</td>
</tr>
<tr>
<td>Business and professional offices, churches, schools, day care centers, parking lots, townhouses, multifamily</td>
<td>Multifamily mobile homes</td>
<td>Vegetative screen, per [subsection] 23-58(2)(d), on rear and side property lines</td>
</tr>
</tbody>
</table>

(c) **Planting requirements:** Perimeter landscape area. Where the perimeter landscape area is not functioning as a buffer between two (2) incompatible uses, then the landscape plan shall indicate at least one (1) tree for each twenty-five (25) linear feet of landscape area and one (1) shrub for every ten (10) linear feet of landscape area. A minimum of fifteen-hundredths (.15) inch caliper of trees is required for each linear foot of perimeter landscape area.

(d) **Planting requirements for vegetative screens:** Where a vegetative screen is required between two (2) incompatible uses, the screen shall contain shrubs at least thirty (30) inches high at the time of planting. The screen shall be planted in the required perimeter yard. The spacing of the shrubs shall be according to the vegetative screen section contained in this article.

The type of shrub used needs to be capable of attaining a height of at least six (6) feet at maturity. Maturity shall mean that, within five (5) years of planting, the entire vegetative screen shall achieve at least seventy-five (75) percent opacity from twelve (12) inches to six (6) feet above ground level. A list of plants capable of achieving this desired effect is found in section 23-66.
(e) Screening requirements, streets: Where the rear property line abuts a street, a vegetative screen shall be required. The screen shall contain shrubs at least four (4) feet high at the time of planting. The screen shall be planted in the required perimeter yard. The spacing of the vegetation shall be according to the vegetative screen section contained in this article.

(f) Screening requirements, "big box" retail establishments: A finished six-foot high masonry wall shall be constructed within five (5) feet of the rear property line. In exchange, a berm within a ten-foot perimeter landscape area, measuring, five (5) feet in height with trees or shrubbery planted atop the berm (each tree having a three-inch caliper measured three (3) feet from the base when installed) may be substituted. The height of the wall or berm shall be measured from the highest elevation point on either side.

All loading and receiving docks (or bays), and the area within one hundred (100) feet of multi-axle vehicle parking, shall be screened with an additional row of trees within the adjacent landscape area or areas. Each tree shall have a minimum three-inch caliper (measured three (3) feet from the base at planting) installed to achieve an opaque screening at maturity. Loading docks (or bays) shall be constructed to enclose both sides to shield from view trucks making deliveries.

(Ord. No. 88-35, 11-1-88; 90-11, 1(a)--(d), 5-1-90; Ord. No. 98-23, §§ 2--4, 8-17-98; Ord. No. 98-24, § 1, 8-17-98; Ord. No. 98-33, § 1, 10-19-98; Ord. No. 99-46, § 5, 11-15-99; Ord. No. 00-18, § 3, 3-20-00; Ord. No. 02-22, § 1, 6-3-02; Ord. No. 02-27, § 1, 7-1-02; Ord. No. 02-28, § 1, 7-1-02; Ord. No. 06-54, § 1, 8-21-06; Ord. No. 07-13, § 3, 3-5-07; Ord. No. 09-36, § 9, 11-16-09)

Section 8:

That Article V. Landscaping Requirements, Section 23-60, be amended to include the following (new matter underlined, deleted matter struck-through):

Sec. 23-60. Screening of garbage containers.

(1) All dumpsters whether side loading or front loading shall be screened on three (3) sides by a fence. The screening shall exceed the height of the intended container by twelve (12) inches.

(2) The opening for the removal of trash pickup shall allow for a clearance of eighteen (18) inches on each side of the container. In addition, metal guard posts shall be filled with concrete.

(3) In Developments of Regional Significance, areas for trash collection or compaction shall not be visible from abutting streets as per Sec. 23-129.5(7).
Section 9:

That Article V. Landscaping Requirements, Section 23-61, be amended to include the following (new matter underlined, deleted matter struck-through):

Sec. 23-61. Driveway and curb-cut requirements.

All site plans conform to the following:

(1) Two (2) driveway/curb-cuts shall be permitted per lot and if needed one (1) additional driveway for each one hundred (100) feet of road frontage in excess of two hundred (200) feet. The only exception to this rule is as follows:

(a) One (1) single-family or duplex on a single lot.

(b) The lot has double-frontage on nonintersecting streets. On these lots, two (2) additional driveway/curb-cuts shall be permitted on the second street provided no driveway/curb-cut on the property is greater than twenty-two (22) feet in width.

(2) Driveway openings shall not exceed thirty (30) feet in width, except where the property has more than one hundred (100) feet of street frontage, or where the state highway department recommends a larger driveway opening. For properties with more than one hundred (100) feet of street frontage driveway widths may be increased to a maximum of forty (40) feet.

For properties with more than two hundred (200) feet of frontage, boulevard entrances may be allowed, provided such entrances do not exceed sixty-five (65) feet in width, are at least one hundred (100) feet apart.

(3) Raised curbs or barriers a minimum of four (4) inches in height shall be installed at designated ingress and egress points to prevent other vehicular traffic. Raised curbs or barriers shall be of asphalt or concrete and permanently affixed to the paving. Curbing with intermittent voids for stormwater runoff to enter into parking islands as part of the stormwater management is also allowed as per the City Engineer.

(4) No entrance or exit drive shall be located within fifty (50) feet of a street corner or intersection extended lines. This provision excludes oceanfront lots adjacent to street ends.

(5) No driveway shall be closer than twenty (20) feet to another entrance or exit, with the exception of driveways for single-family or duplex residential structures.

(6) Where the application of [sub]section 23-61(4) and/or [sub]section 23-61(5) render access to an existing lot of record impossible, entrance and exit drives shall be allowed provided such drive is located as far from the street intersection as possible.
Section 10:

That Article V. Landscaping Requirements, Section 23-63, be amended to include the following (new matter underlined, deleted matter struck-through):

Sec. 23-63. Irrigation.

(1) All required landscape areas shall be irrigated or utilize plants which are drought tolerant, as indicated in section 23-66, Plant lists and illustrations, unless incorporated into the stormwater management plan as bioretention and infiltration areas wherein irrigation is provided via stormwater runoff per Sec. 23-129.4(6). For bioretention and infiltration, use the recommended plant list entitled List III, Plants for Bioswales and Infiltration in Sec. 23-66.

(2) Irrigation plans shall be submitted for city review. This is in addition to the landscaping plan. Irrigation plans shall show location, size and type of sprinkler heads, and whether the system is automatic or manual. The irrigation plan shall be reviewed by the city engineer for compliance with all city codes.

(3) Irrigation systems shall minimize spray onto any pedestrian or vehicular access or abutting property.

(4) Water preservation should be considered in the design of all irrigation systems.

(Ord. No. 88-35, 11-1-88)

Section 11:

That Article V. Landscaping Requirements, Section 23-64, be amended to include the following (new matter underlined, deleted matter struck-through):

Sec. 23-64. Landscape maintenance.

The owner(s) and their agent, if any, shall be jointly and severally responsible for the continued proper maintenance of landscaped areas with additional standards required for Developments of Regional Significance. The owner(s) or their agent shall be notified in writing by the Zoning Administrator, of any areas which are not being properly maintained, and the owner(s) and their agent shall, within fifteen (15) calendar days from the time of notification, restore the landscaped area to a satisfactory condition.

It is the intent of this section to require the continuance of healthy landscape areas as represented in the approved site plan and/or landscape plan.

(Ord. No. 88-35, 11-1-88)
Section 11:

That Article V. Landscaping Requirements, Section 23-66, be amended to include the following (new matter underlined, deleted matter struck-through):

Sec. 23-66. Plant material.

**List III**
Plants for Bioretention and Infiltration

<table>
<thead>
<tr>
<th>Large Trees (over 30' tall)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Deciduous</strong></td>
</tr>
<tr>
<td><strong>BOTANICAL NAME</strong></td>
</tr>
<tr>
<td>Acer rubrum</td>
</tr>
<tr>
<td>Betula nigra</td>
</tr>
<tr>
<td>Betula lenta</td>
</tr>
<tr>
<td>Salix species</td>
</tr>
<tr>
<td>Taxodium distichum</td>
</tr>
<tr>
<td>Platanus occidentalis</td>
</tr>
<tr>
<td>Aesculus octandra</td>
</tr>
<tr>
<td>Diospyros virginiana</td>
</tr>
<tr>
<td>Halesia carolina</td>
</tr>
<tr>
<td>Nyssa sylvatica</td>
</tr>
<tr>
<td>Prunus serotina</td>
</tr>
<tr>
<td>Tilia heterophylla</td>
</tr>
<tr>
<td>Acer negundo</td>
</tr>
</tbody>
</table>

**Evergreen**


<table>
<thead>
<tr>
<th>Small Trees (under 30’ tall)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Deciduous</strong></td>
</tr>
<tr>
<td>Carpinus caroliniana</td>
</tr>
<tr>
<td>Cercis canadensis</td>
</tr>
<tr>
<td>Chionanthus virginicus</td>
</tr>
<tr>
<td>Crataegus phaenopyrum</td>
</tr>
<tr>
<td>Magnolia tripetala</td>
</tr>
<tr>
<td>Asimina triflora</td>
</tr>
<tr>
<td>Alnus serrulata</td>
</tr>
<tr>
<td>Amelanchier arborea</td>
</tr>
<tr>
<td>Cornus alternifolia</td>
</tr>
<tr>
<td>Species</td>
</tr>
<tr>
<td>-------------------------------</td>
</tr>
<tr>
<td><em>Hamamelis virginiana</em></td>
</tr>
<tr>
<td><em>Cornus amomum</em></td>
</tr>
<tr>
<td><em>Ilex opaca</em></td>
</tr>
<tr>
<td><em>Magnolia virginiana</em></td>
</tr>
<tr>
<td><strong>Evergreen</strong></td>
</tr>
<tr>
<td><em>Ilex verticillata</em></td>
</tr>
<tr>
<td><em>Itea virginica</em></td>
</tr>
<tr>
<td><em>Lindera benzion</em></td>
</tr>
<tr>
<td><em>Physocarpus opulifolius</em></td>
</tr>
<tr>
<td><em>Sambucus canadensis</em></td>
</tr>
<tr>
<td><em>Spiraea latifolia</em></td>
</tr>
<tr>
<td><em>Spiraea tomentosa</em></td>
</tr>
<tr>
<td><em>Rhododendron viscosum</em></td>
</tr>
<tr>
<td><em>Rosa palustris</em></td>
</tr>
<tr>
<td><em>Vaccinium ashei</em></td>
</tr>
<tr>
<td><em>Viburnum dentatum</em></td>
</tr>
<tr>
<td><em>Viburnum nudum</em></td>
</tr>
<tr>
<td><strong>Shrubs</strong></td>
</tr>
<tr>
<td><strong>Deciduous</strong></td>
</tr>
<tr>
<td><em>Aronia arbutifolia</em></td>
</tr>
<tr>
<td><em>Calycanthus floridus</em></td>
</tr>
<tr>
<td><em>Cephalanthus occidentalis</em></td>
</tr>
<tr>
<td><em>Corylus americana</em></td>
</tr>
<tr>
<td><em>Euonymous americanus</em></td>
</tr>
<tr>
<td><em>Ilex verticillata</em></td>
</tr>
<tr>
<td><em>Itea virginica</em></td>
</tr>
<tr>
<td><em>Lindera benzion</em></td>
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<td><em>Physocarpus opulifolius</em></td>
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<td><em>Rhododendron viscosum</em></td>
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<tr>
<td><em>Rosa palustris</em></td>
</tr>
<tr>
<td><em>Vaccinium ashei</em></td>
</tr>
<tr>
<td><em>Viburnum dentatum</em></td>
</tr>
<tr>
<td><em>Viburnum nudum</em></td>
</tr>
<tr>
<td><strong>Perennials</strong></td>
</tr>
<tr>
<td><em>Amsonia tabernaemontana</em></td>
</tr>
<tr>
<td><em>Athyrium felix-femina</em></td>
</tr>
<tr>
<td><em>Asclepias incarnata</em></td>
</tr>
<tr>
<td><em>Asclepias tuberosa</em></td>
</tr>
<tr>
<td><em>Baptisia species</em></td>
</tr>
<tr>
<td><em>Chelone glabra</em></td>
</tr>
<tr>
<td>Plant Name</td>
</tr>
<tr>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Chrysongonum virginianum</td>
</tr>
<tr>
<td>Coreopsis auriculata</td>
</tr>
<tr>
<td>Coreopsis lanceolata</td>
</tr>
<tr>
<td>Hibiscus moscheutos</td>
</tr>
<tr>
<td>Hibiscus coccineus</td>
</tr>
<tr>
<td>Impatiens capensis</td>
</tr>
<tr>
<td>Iris versicolor</td>
</tr>
<tr>
<td>Iris virginica</td>
</tr>
<tr>
<td>Liatris spicata</td>
</tr>
<tr>
<td>Lobelia cardinalis</td>
</tr>
<tr>
<td>Osmunda cinnamomea</td>
</tr>
<tr>
<td>Osmunda regalis</td>
</tr>
<tr>
<td>Phlox paniculata</td>
</tr>
<tr>
<td>Phlox subulata</td>
</tr>
<tr>
<td>Pontedara cordata</td>
</tr>
<tr>
<td>Rudbeckia fulgida</td>
</tr>
<tr>
<td>Rudbeckia laciniata</td>
</tr>
<tr>
<td>Solidago rugosa</td>
</tr>
<tr>
<td>Stokesia laevis</td>
</tr>
<tr>
<td>Vernonia novaboracensis</td>
</tr>
</tbody>
</table>

**Ornamental Grasses**

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chasmanthium latifolium</td>
<td>River Oats (1,3)</td>
</tr>
<tr>
<td>Panicum virgatum</td>
<td>Panic Grass (1,3)</td>
</tr>
<tr>
<td>Sorghastrum nutans</td>
<td>Indiangrass (1,2)</td>
</tr>
</tbody>
</table>

**Sedges and Rushes**

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carex lurida</td>
<td>Lurid Sedge (3)</td>
</tr>
<tr>
<td>Carex crinita</td>
<td>Fringed Sedge (3)</td>
</tr>
<tr>
<td>Scirpus cyperinus</td>
<td>Woolgrass (3)</td>
</tr>
<tr>
<td>Juncus effuses</td>
<td>Soft Rush (3)</td>
</tr>
</tbody>
</table>

1 Plants that, once established*, can withstand considerable drought (3-4 weeks without rainfall)

2 Plants that grow best in moist to average soils and will only tolerate short periods (1-2 days) of flooding.

3 Plants that will tolerate longer periods of flooding (3-5 days), but will also
grow in moist to average soils.

*Establishment usually takes 1-2 years for trees and shrubs and 1 year for perennials.

(Ord. No. 88-35, 11-1-88; Ord. No. 90-11, § 1(e), 5-1-90; Ord. No. 98-23, § 5, 8-17-98)

**Section 12:**

That Article VII. General and Supplemental Regulations, Section 23-128, be amended to include the following (new matter underlined, deleted matter struck-through):

**Sec. 23-128. Display of outdoor merchandise.**

Except for landscaping material and normal yard ornamentation, the display of outdoor merchandise shall not be located in any required perimeter landscape area or ten (10) feet from the front property line on properties abutting Highway 17, Main Street and Sea Mountain Highway and five (5) feet from any other property line on all commercial properties. For outdoor storage regulations concerning Developments of Regional Significance, see Sec. 129.5(7).

(Ord. No. 03-12, § 1, 4-21-03)

**Editor's note:** Ord. No. 03-12, § 1, adopted April 21, 2003, added new provisions to the Code as § 23-126. As other provisions relative to a different subject matter previously had been included in the Code as § 23-126, the provisions of Ord. No. 03-12 have been redesignated as § 23-128 at the editor's discretion.

**Section 13:**

That Article VII. General and Supplemental Regulations, Section 23-128, be amended to include the following (new matter underlined, deleted matter struck-through):

**Sec. 23-129.2. Outside displays of goods and merchandise.**

With the exception of automobiles, boats, golf carts, bicycles, recreational vehicles and other transportation vehicles where such is for sale as a principal use, oil and other automobile products located within the pump area at full service gasoline stations, live nursery products, pre-packaged lawn, garden and landscape items such as topsoil, fertilizer, mulch, stone and gravel (excluding tools and equipment) displayed outside, furniture, hammocks and other merchandise made to be used outside, landscape and work trailers, storage sheds, prepackaged firewood, newspaper dispensers, vending machines and Christmas trees from November 1 to December 31, all other goods or merchandise displayed or stored outside of a building shall be so arranged not to obstruct walkways, doorways, parking lots or landscape areas. Additionally, the location of regulated outside displays shall be limited to an area in front of the building not exceeding twenty (20) percent of the linear footage of the building frontage. For outdoor storage regulations concerning Developments of Regional Significance, see Sec. 129.5(7).
Section 14:

That Article VII. General and Supplemental Regulations, be amended to include the following (new matter underlined, deleted matter struck-through):

Sec. 23-129.5 Developments of Regional Significance. Design Principles and Standards

(I) Purpose – The intent and purpose of the Design Principles and Standards for Developments of Regional Significance greater than or equal to seventy-five thousand (75,000 s.f.) square feet is to minimize the environmental, aesthetic, and transportation impacts caused by the bulk, scale, and size of such establishments. These principles and standards allow for an evaluation of the appropriateness of such structures and promote a design that is compatible with the surrounding community, visually appealing, and environmentally and economically sustainable.

(II) Applicability – The Design Principles and Standards are applicable for single or multiple building/s greater than or equal to seventy-five thousand (75,000 s.f.) square feet, where the developer wishes to exceed the maximum allowable number of parking spaces permitted in Sec. 23-43 of this ordinance. For the purposes of this ordinance, a Development of Regional Significance shall be defined as singular or multiple building/s master planned retail and/or office development occupying in seventy-five thousand (75,000 s.f.) square feet or greater.

(III) Modifications to the mandatory Standards - The Zoning Administrator is empowered to grant modifications to the mandatory standards when alternative site planning and building designs are equal to, or better than, the design objectives as stated in the standard.

1. Facades and Exterior Walls

PRINCIPLE: Facades should be articulated to reduce the massive scale and the uniform, impersonal appearance of large buildings and provide visual interest that will be consistent with the community's identity, character, and scale.

STANDARD:

A. No portion of a building shall be treated with smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.

B. Predominant exterior building materials shall be high quality materials, including but not limited to:
(i) Brick, stucco.
(ii) Glass.
(iii) Synthetic clapboard siding (vinyl, metal or wood).
(iv) Split Face decorative block.
(v) Wood.
(vi) Sandstone, stone, other native stone or cementious siding.
(vii) Tinted, textured, concrete masonry units.

C. Façade colors shall be low reflectance, subtle, neutral or earth tone colors.

D. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.

E. Building facades must include a repeating pattern with no less than three (3) of the elements listed below. At least one (1) of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.

(i) Color change
(ii) Texture change
(iii) Material module change
(iv) Expression of architectural or structural bay through a change in plane no less than twelve (12) inches in width, such as an offset, reveal, or projecting rib.

F. Façades shall incorporate wall plane projections or recesses having a depth of at least three (3) percent of the length of the façade and extending at least twenty (20) percent of the length of the façade.

G. No length of any façade shall exceed one-hundred (100) linear feet without including at least two (2) of the following: pilasters, columns, canopies/porticos, colonnades, windows, trellis with vines, or an equivalent element that subdivides the wall into human scale proportions.

H. Building walls facing the front yard or street side yard shall have window(s) and door(s). Such façades shall have display windows a minimum of six (6) feet in height along no less than thirty (30) percent of their horizontal length.

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3 For letters f, g, and h, Refer to Fig. 1.
Fig. 1: Principal Building showing façade projections.

projections / recesses shall comprise at least 20% of façade length with a minimum depth of 3% of façade length

I. Side or rear walls that face walkways may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations of the wall instead of actual doors and windows if those are not feasible because of the nature of the use of the building; however, safety via actual windows establishing visibility of the walkway will also be weighed. Such façades shall have windows (real or false) a minimum of three (3) feet in height along no less than thirty (30) percent of their horizontal length (see Fig. 2).

Fig. 2: Principal Building showing side walls facing walkway.
1. Single and/or adjoining buildings or uses exceeding twenty-five thousand (25,000) gross square feet shall provide a covered pedestrian arcade at least eight (8) feet in width extending for the length of the main entrance façade. Buildings separated by alleyway or service drives shall be considered adjoining for purposes herein (see Fig. 3).

Fig. 3: Principal Building and Adjoining Building showing façade projections.

2. Roofs

PRINCIPLE: Variations in rooflines should be used to add interest to and reduce the massive scale of large buildings. Roof features should complement the character of adjoining neighborhoods.

STANDARD: Rooftop equipment shall be shielded from the public view via architectural treatment.
A. Rooflines shall be varied with a change in height every one hundred (100) linear feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs.

3. Entryways

PRINCIPLE: Entryway design elements and variations should give orientation and aesthetically pleasing character to the building. Large retail establishments should feature at least two (2) sides of customer entrances depending on the context, and especially if the orientation and massing reflects traditional, form-based site design; where building(s) abut street right-of-way and parking is to the side or rear. The two (2) suggested sides for entrances should be those planned to have the highest level of pedestrian activity, and one (1) of the sides should be
that which most directly faces a street with pedestrian access. The other of the
two (2) sides may face a second street with pedestrian access, and/or a main
parking lot area. The standard identifies desirable entryway design features.

STANDARD:
A. Each building on a site shall have clearly defined, highly visible customer
entrances from the abutting street featuring no less than three (3) of the
following:

   (i) Awnings, Canopies or porticos
   (ii) Overhangs, recesses, arcades or projections
   (iii) Raised corniced parapets over the door, peaked roof forms or arches
   (iv) Outdoor patios
   (v) Display windows
   (vi) Integrated architectural detail
   (vii) Integral planters or wing walls that incorporate landscaped areas
        and/or places for sitting

4. Outparcels and Auxiliary Uses

PRINCIPLE: The presence of smaller retail stores and office buildings gives a
center a “friendlier” appearance by creating variety, breaking up large expanses,
and expanding the range of the site’s activities.

STANDARD: Where development contains separately owned stores which
occupy less than twenty-five thousand (25,000) square feet of gross floor area;
A. The architecture of the outparcel buildings shall complement the architectural
design of the non-outparcel buildings in types of colors, roof treatments, and
architectural details.
B. Outparcels shall conform to the master architectural, signage, lighting and
landscaping plan prepared by the developer of the primary retail and/or office
establishments.
C. Sidewalks and pedestrian connections shall be installed between outparcels
and the primary building/s, and between each outparcel, to enhance internal
circulation and create a streetscape experience for pedestrians.

5. Landscaping, Screening and Vegetation

PRINCIPLE: The City of North Myrtle Beach has recognized a need for proper
vegetation and the use of native species wherever possible to promote a healthier
environment. Existing trees should be incorporated into the design of large
establishments to assure ecological and aesthetic benefits. Parking lot
landscaping is an important element in reducing the heat island effect, controlling
water runoff, and improving the aesthetics of a site.
STANDARD: The following landscaping and screening provisions apply:

A. Acceptable plant and tree species, maintenance standards, and sizes to meet the above requirements can be found in Article V, Landscaping Requirements of the Zoning Ordinance.

B. Perimeter Landscaping:
   
   (i) Where the development abuts a residential use or district, the amount of landscape buffer material shall be increased by fifty (50) percent and the buffer width increased twenty-five (25) percent along the shared property line. A privacy fence no less than six (6) feet in height inset not more than three (3') feet from any property line.
   
   (ii) In all other instances the development shall meet the perimeter landscape requirements of Article V. Where a development abuts a public or private right-of-way, the landscape buffer shall be no less than twenty-five (25) feet.
   
   (iii) When a new residential development is created adjacent to an existing Development of Regional Significance, it is the responsibility of that new residential development to meet the additional buffer requirements.
   
   (iv) Existing specimen and protected trees within the perimeter landscaped area shall be retained to the extent possible (see Article V.5. Tree Preservation Regulations).
   
   (v) Permitted uses within the required landscaping areas shall include driveway access, transit oriented uses including bus stops and shelters, pedestrian and bike paths, lighting fixtures, signs, benches, and other streetscape furniture.

b. Foundation Landscaping
   
   (i) A five (5) foot foundation landscape strip shall be required along the façade and exposed sides of all buildings within a development. Foundation landscaping shall incorporate stormwater runoff from disconnected roof drains as part of the irrigation plan.

C. All required planting areas shall be artificially irrigated as per Sec. 23-63, Irrigation, of the Zoning Ordinance unless incorporated into the stormwater management plan wherein irrigation is provided via stormwater retention per Section 6 of this article.

D. Maintenance shall consist of mowing, removal of litter, and replacement of dead plant materials, necessary pruning, and maintenance of screens in conformance with the surrounding area. Natural watercourses within a buffer shall be maintained as free flowing and free of debris. Stream channels shall be maintained. It shall be unlawful to deviate from an approved landscape plan unless otherwise permitted by the Zoning Administrator. Failure to comply with the above maintenance requirement shall constitute a violation of the Zoning Ordinance and be subject to the fines and penalties specified therein.

E. Drainage and utility encroachment into the perimeter landscaping – New stormwater facilities, including conveyances, shall not be located on the exterior of any required perimeter landscaping. If an existing conveyance or
stormwater facility exists along the property line or in the area which would normally constitute the landscaping location, then the required landscape width must be met internal to said facility or conveyance. Any encroachment into the perimeter landscape area shall be on the interior of the landscaped area and may not encroach more than ten (10) percent into the total required width. An encroachment includes any required easement width necessary to access and/or maintain the facility.

6. Parking Areas

PRINCIPLE: Parking areas should provide safe, convenient, and efficient vehicular access. They should also be incorporated into the overall stormwater management design by including Low Impact Development (LID) features intended to mimic the natural hydrological cycle. Additionally, parking areas serve not only vehicles but pedestrians as well, and should be designed to meet their needs.

STANDARD: To reduce the visual mass, simultaneously meeting the needs of vehicular and pedestrian traffic, and incorporate LID standards, parking areas shall meet the following:

A. Parking spaces above the minimum number required as per Sec. 23-43 shall consist of alternative pervious paving material including, but not limited to, porous/pervious brick pavers, grass pavers, porous asphalt or porous concrete, or any other technique approved by the City Engineer evenly distributed throughout all parking modules. Driveways and circulation aisles shall be constructed with hard surface impervious materials, unless the City Engineer approves an alternate design.

B. All parking shall be located no more than one hundred (100) feet from a pedestrian facility/sidewalk.

C. Parking areas shall be designed so that no one parking module contains more than one hundred (100) spaces. Individual modules shall have no more than four (4) points of vehicular ingress/egress.

D. The design of the parking module shall be surrounded by a minimum fifteen (15) foot wide landscaping strip. Within these two outside landscaping strips, two five (5) foot-wide pedestrian walkways shall also be provided. The landscaped portion of the strip shall be incorporated into the stormwater master plan for the site and be designed according to LID standards including, but not limited to, bioretention and infiltration. In addition, a minimum five (5) foot-wide middle landscaping strip shall also be provided and designed according to LID standards (see Figs. 4 and 5). All LID design must meet the City's stormwater management regulations found under Chapter 13, Stormwater Management and Erosion Control, of the Code of Ordinances.
Fig. 4: Parking Module.
Vegetative swale within a parking lot.

The graphic helps represent the intended outcome of incorporating LID into landscaping strips and traffic islands to control stormwater runoff, in this case vegetative swales.

Fig. 5: Parking module cross-section.

E. Each parking module shall contain at least four (4) internal canopy trees provided within traffic islands. The dimensions of the traffic islands shall be sufficient to support the health of the canopy trees at maturity. The remaining area of the traffic islands and landscaping strips shall be planted with vegetation that complements the design. Acceptable plant and tree species.
maintenance standards, and sizes to meet the above requirements are found in Article V., Landscaping Requirements, Section 23-66 Plant Material, of the Zoning Ordinance.

7. Outdoor Storage, Trash Collection, Loading Areas, and Utility Locations

PRINCIPLE: Loading areas and outdoor storage areas exert visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed or enclosed. While screens and recesses can effectively mitigate these impacts, the selection of inappropriate screening materials can exacerbate the problem.

STANDARD:
A. Loading and unloading of commercial vehicles or of any other vehicles used for commercial purposes is only permitted between the hours of 7:00 a.m. and 10:00 p.m. when property assigned a residential zoning classification or used for residential purposes is within two-hundred (200) feet of the loading area. Within such areas, such activities are prohibited at all other times.
B. Areas for outdoor storage, truck parking, shipping and storage containers, trash collection or compaction, loading, cart storage areas (excluding parking lot corrals), or other such uses shall not be visible from abutting streets. Outdoor storage areas should not be located in front of the principal building and, when possible, shall be located to the side of the building not facing a public street.
C. Outdoor storage areas shall comply with the most restrictive screening requirements set forth within the City’s Zoning Ordinance. Materials stored outdoors, excluding vehicles, trailers, or mobile machinery or equipment shall be stacked no higher than one foot below the top of required screening device.
D. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from, or inferior to, the principal materials of the building and landscape.
E. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Non-enclosed areas for the storage and sale of seasonal inventory shall not be located within parking areas.

8. Pedestrian Flows

PRINCIPLE: Pedestrian accessibility opens auto-oriented developments to the neighborhood, reducing traffic impacts and enabling the development to project a friendlier, more inviting image. This section sets forth standards for sidewalks.
and internal pedestrian circulation systems that can provide user-friendly pedestrian access as well as pedestrian safety, shelter, and convenience within the development.

STANDARD:
A. Pedestrian facilities shall be included in any landscaping plan submitted for review.
B. Sidewalks at least five (5) feet in width shall be provided along all sides of a lot that abuts a public or private right-of-way.
C. Continuous internal pedestrian walkways, no less than five (5) feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, central features and community spaces transit stops, parking areas, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than fifty (50) percent of their length.
D. Sidewalks, no less than five (5) feet in width, shall be provided along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas. Such sidewalk shall be located at least five (5) feet from the façade of the building to provide planters or planting beds for foundation landscaping, except where features such as arcades or entryways are part of the façade. In instances where arcades are incorporated into the wall, foundation landscaping shall be located outside of the covered area.
E. All internal pedestrian crosswalks shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete/stamped asphalt to enhance pedestrian safety and comfort, as well as the aesthetic. However, care must be taken to utilize these materials in a manner that does not violate the standards of the Americans with Disabilities Act.

9. Central Features and Community Spaces

PRINCIPLE: Buildings should offer attractive and inviting pedestrian scale features, spaces and amenities. Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations. Bus stops and drop-off/pick-up points should be considered integral parts of the configuration. Special design features such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces should anchor pedestrian ways. Examples of outdoor spaces are plazas, patios, courtyards, and window-shopping areas. The features and spaces should enhance the building and the center as integral parts of the community fabric.
STANDARD: Each retail and office development shall contribute to the enhancement of the public space. At least two of the following shall be provided:
A. Any establishment to be located along or adjacent to a naturally occurring water feature shall provide a portion of their community space requirement along said water frontage. Streams, creeks, wetlands and other natural corridors located within the development site shall be preserved and shall count toward the Community Spaces requirement.
B. Patio seating area and/or pedestrian plaza with benches.
C. Transportation center.
D. Window shopping walkway.
E. Outdoor playground area.
F. Kiosk area.
G. Water feature, i.e. fountain.
H. Clock tower.
I. Park area incorporating elements above.

10. Lighting

Refer to Sections 23-41 (4)(f), 23-42(12), and 23-129 of the Zoning Ordinance.

11. Sign Regulations

PRINCIPLE: Commercial signs should be aesthetically cohesive with the overall building design and facade features and should be visually integrated within the main entrance road corridor. Branding incorporated as an architectural feature of a sign is encouraged.

STANDARD: The following signs are permitted within the development:
A. Freestanding Signs: Freestanding monument signs are permitted with the following provisions:
   (i) Types of Signs - Free standing signs shall be limited to multi-tenant and/or single tenant monument signs.
   (ii) Maximum number of signs - The number of freestanding signs shall be permitted as follows.
      (a) Basic Allowance:
         I. The minimum separation for all signs shall be at least two hundred (200) linear feet.
         II. One (1) identification sign may be erected which shall not exceed two-hundred (200) square feet of copy area. Such identification sign shall specify only the name of the development. Alternatively, such sign may display the names of tenants as well as the name of the development if:
            1. The portion of a sign on which tenant names are displayed does not exceed seventy (70) percent of the total sign area; and
2. The portion of a sign on which tenant names are displayed is of a uniform design background color.

III. One (1) sign with a copy area of seventy-five (75) square feet shall be permitted per outparcel with right-of-way frontage regardless of singular or multiple tenants.

IV. Branded architectural elements that do not contain any advertising copy of recognized corporate logos shall not be considered signage.

V. A minimum depth of thirty-six (36) inches of landscaping shall be incorporated around the base of all signs to include low growing shrubs and ground cover and/or flowering annuals to promote color. The landscaping may also be credited to the required landscaping of this ordinance.

(b) Additional Allowance:

I. Developments with one-thousand (1,000) feet of frontage or more on a single public right-of-way with more than one (1) ingress/egress shall be permitted one (1) additional sign, which shall not exceed one hundred (100) square feet in total copy area.

II. Iconic signage. One (1) additional iconic sign is permitted per building face. An iconic sign is a sign whose form suggests its meaning. Such a sign is unique and creates an image and/or defines a place. An iconic sign may be sculptural in style and demonstrate extraordinary aesthetic quality, creativity or innovation. Branding, for purposes herein, shall not qualify alone as iconic.

(c) Location- Sign(s) shall be located no closer than ten (10) feet from a public right-of-way, side or rear property lines, and outside all sight triangles.

(d) Height- Sign(s) for parcels with public right-of-way frontage shall be a maximum of twelve (12) feet in height measured from the finished grade to the top of the sign face. Center identification signs shall be permitted a maximum height of twenty-five (25) feet except for those identified in the additional allowance section of this ordinance.

(e) The maximum size of the background structure of a sign shall not exceed one-hundred ten (110) percent of the total square footage of copy area. Branded architectural elements shall not count as background structure.

(f) Support Base - The monument sign base shall be encased or provide external support and meet the following standards:

I. An enclosed base possessing a minimum width of two-thirds (2/3) the width of the sign.

II. If any support, upright, bracing or framework is utilized or proposed to support a monument sign, said support, upright, bracing or framework shall be encased in an
ornamental shell of stone, brick, stucco, ornamental metal or similar and/or compatible materials with the architecture of the building or other site features.

B. Facade Signs (building wall, awning, marquee, canopy)

(i) Building Signs - Building signs are permitted with the following provisions:

(a) Types of Signs - Building signs shall be limited to wall, canopy, awning, marquee, and projecting signs.

(b) Building signs shall only advertise one (1) person, firm, company, corporation or major enterprise occupying the premises.

(c) The sign shall be clearly integrated with the architecture of the building and shall be consistent in design and materials with the architecture of the proposed building.

(d) Single Tenant Development

I. Maximum number of signs - One (1) building sign is permitted. Said sign shall be located along the front façade, defined as that which incorporates the main customer entrance area.

II. Maximum Size -

1. One (1) square foot for every linear foot of building frontage.
2. Additional square feet for every linear foot of building frontage for buildings located beyond one-hundred (100) feet from the right-of-way.
3. The size of an individual sign shall not exceed one-hundred fifty (150) square feet.

(e) Multi Tenant Development

I. Maximum number of signs - One (1) building sign is permitted per tenant frontage.

II. Maximum Size -

1. 2.0 square feet for every linear foot of store frontage.
2. The size of an individual sign shall not exceed one-hundred fifty (150) square feet.
3. Placement - The building signs permitted may be placed on the wall or awnings.
4. Wall signs shall display only one (1) surface and shall not be mounted more than six (6) inches from any wall.
5. The length of the sign may occupy up to fifty (50) percent of the linear feet of the storefront the business occupies.

C. Illumination

(i) The sign shall be constructed with either an opaque background and translucent letters and symbols; or, a translucent darker
colored background with a lighter contrasting color for the letters and symbols.

(ii) The darker background color shall have a luminous transmittance, which does not exceed fifteen (15) percent. The lighter lettering or symbols shall have a luminous transmittance, which does not exceed thirty-five (35) percent.

(iii) No internal lighting shall include exposed luminescent elements.

(iv) Externally illuminated signs shall meet the following standards:

(a) The lighting of signs must be from the top of the sign and directed downward;

(b) The lighting of signs that have a height of ten (10) feet or less may be illuminated from the top of the sign or from the ground.

(c) Indirect light sources must be shielded from the view of persons viewing the sign and be further shielded and directed so that the light shines only on the sign and that illumination beyond the copy area is minimized.

Section 15:

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 ________________, 2011.

ATTEST: ____________________________ Mayor Marilyn Hatley

______________________________
City Clerk

APPROVED AS TO FORM:

FIRST READING: ____________________________

SECOND READING: ____________________________

REVIEWED:

______________________________
City Manager
6. A. ZONING TEXT AMENDMENT ZTX-11-08: A proposed zoning text amendment establishing design principles and standards for "big box" retail developments, known as Developments of Regional Significance, greater than or equal to 75,000 square feet in exchange for greater parking allowances.

Background:
The City's current off-street parking ordinance establishes parking maximums for all uses. A maximum parking cap was initially created to reduce the large expanse of paved areas associated with parking lots.

Relevant to this report and the current amendment is a discussion of retail and/or office uses requiring more than two hundred (200) parking stalls, where a maximum of one hundred ten (110%) percent of the required minimum parking, plus nine (9) additional stalls, may be provided. For example, if 650 parking stalls were required, an additional 65 plus 9 (to make 74) parking stalls could be provided; thus the total allowable parking stalls would be 724. Additionally, all additional parking stalls exceeding the minimum number required must be constructed as pervious parking.

Staff is interested in the Planning Commission's opinion of parking maximums as it relates to larger retail/office developments considering neighboring jurisdictions, such as Horry County, allow greater parking but also require certain design standards. Staff met and discussed various policy approaches with City Council at their August 2011 workshop and received support for this amendment.

Amendment:
The amendment would allow retail and/or office developments with single or multiple building(s) greater than or equal to seventy-five thousand (75,000 s.f.) square feet, known as Developments of Regional Significance, to offer additional parking beyond the maximum in exchange for greater control over design. Using the example above, a developer would now be able to offer 1,000 parking stalls instead of just 724; provided the additional 276 parking stalls were pervious. The amendment was modeled after Horry County's existing ordinance regulating developments greater than one hundred thousand (100,000 s.f.) square feet and the County's proposed amendment to that same ordinance currently working through review.

In exchange for more parking, new standards would be created allowing for an evaluation of the appropriateness of such structures and promotion of a design that is compatible with our community, visibly appealing, and environmentally and economically sustainable. The intent is to minimize environmental, aesthetic, and transportation impacts caused by the bulk, scale, and size of such large developments.

The new principles and standards are intended to be used by developers proposing retail and/or office developments greater than or equal to 75,000
square feet and as an evaluation tool for the Planning & Development Department in our review process. Under this set of review, standards are mandatory, whereas principles are provided to inform reviewing departments, developers, and the community of the objectives of our code.

Within the attached ordinance, Section 14 is the core of the amendment; where building design and materials, roofs, entryways, outparcels and auxiliary uses, landscaping, parking areas, outdoor storage, pedestrian flows, central features and community spaces, and signage is addressed.

Because the amendment also affects other areas of the Zoning Ordinance, Sections 1 through 13 have been included to address needed references and revisions essential to tying all of this together.
MEMO

TO: Mayor and City Council
FROM: James W. Wood, AICP  
Director of Planning and Development
DATE: November 4, 2011
RE: Laser Pointer Regulation

In response to some complaints the City has been receiving regarding the use of laser pointers, staff has prepared a draft ordinance that would establish regulations on the use and to a limited extent, on the sale and possession of such devices within the City.

The nature of the complaints that we have received involves folks walking on the beach shining laser pointers up into condo units and causing annoyance and harassment with the beams. The problem is considerably worse with so-called ‘green’ lasers, due to their higher intensity beams and longer reach.

Further, it has been shown that shining lasers up at passing aircraft can cause aviation hazards, and if shined upon sea turtle nests, could cause confusion and disorientation to baby sea turtles in their attempt to reach the ocean.

The attached ordinance takes a two-pronged approach to the regulation of laser pointers.

- It bans the sale to, and possession of laser pointers to and by minors under the age of 18. This is identical to language being considered by the City of Myrtle Beach, whose proposed laser ordinance recently passed on first reading.
- It prohibits certain behaviors and uses of laser pointers, such as the directing of laser beams at persons, animals, or vehicles.

The ordinance also builds in responsible exemptions for the legitimate use of lasers for industrial, educational, and commercial purposes.

If Council agrees with the general direction of this ordinance, staff recommends scheduling it as an agenda item at a future regular 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 CHAPTER 16 "OFFENSES AND MISCELLANEOUS PROVISIONS," ARTICLE I, "IN GENERAL," SECTION 16, TO REGULATE THE USE OF LASER DEVICES.

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

ARTICLE I: IN GENERAL

Sec. 16-1. Definitions.

The following words or phrases, as used in this chapter, shall have the following respective meanings as set out in this section, unless a different meaning clearly appears from the context:

*Handheld* means any light emitting device whose longest dimension is fifteen (15) inches or less.

*High divergence* refers to the rapid spreading out of laser light in such a manner as to avoid concentration of such light into a beam.

*Laser* means a device that emits light through a process of optical amplification based on the stimulated emission of photons

*Laser pointer* means a battery-powered portable handheld device that emits visible laser light in a narrow beam. Laser pico projectors and other high-divergence laser light sources are not included in this definition.

*Pico projector* means a small-format projector that can be used as a standalone projector or as an integrated component in mobile devices, and uses the same technology that powers standard projectors for purposes of projecting images or videos or other similar displays onto a surface.
Portable laser means any laser light emitting device that is not affixed to an immovable base, or any component of a fixed device that can be separated from its base and activated.

Structure means anything constructed, erected or established, including but not limited to swimming pools, buildings, trailers, screened enclosures, patio walls, decks, or similar man-made features.

Sec. 16-2. Regulating the sale and possession of laser pointers to persons under the age of 17.

(a) Sale to minors prohibited: It shall be unlawful for any person to knowingly sell, lease, give or otherwise provide a laser pointer to anyone under the age of 18, except as otherwise permitted by this section.

(b) It shall be unlawful for any person under the age of 18 to possess a laser pointer except within the permanent residence of that minor.

(c) The provisions of subsections a and b do not apply if:

1. The laser pointer is temporarily transferred to the minor for an educational or other lawful purpose and the minor is under the direct supervision of a parent, legal guardian, teacher, employer or other responsible person eighteen years of age or older; or

2. The minor's possession of the laser pointer is necessary for his or her employment, trade or occupation and it is necessary for the laser pointer to be carried on his or her person.

Sec. 16-3. Regulating the use of laser pointers.

(a) Prohibited activities. It shall be unlawful to utilize a laser pointer in any of the following manners:

(1) Aiming the beam at or into a structure or any portion thereof in such a manner as to be visible from the inside of the structure.

(2) Aiming the beam at or toward any person without their consent and/or knowledge, or into or near the eyes of any person regardless of consent or knowledge.

(3) Aiming the beam at any animal or the nest or habitat of any animal, including but not limited to turtles, dogs, cats, birds, livestock, pets, or other wild or domesticated animals.
(4) Aiming the beam at any car, truck, bicycle, motorcycle, bus, golf cart, boat or other watercraft, airplane, helicopter or other aircraft, or any other type of motorized or non-motorized vehicle while it is occupied or being operated by a person.

(5) Aiming the beam at any reflecting device such as mirrors, lenses, polished surfaces and similar items in such a manner as to cause the beam to be redirected or amplified in a manner which may violate any of the above provisions.

(b) Law enforcement exemption. Nothing in this ordinance shall be deemed to preclude the legitimate use of laser pointing devices by law enforcement personnel in the discharge of their duties.

Sec. 16-4. Penalty.

Any person who violates any provision of Article I of this chapter shall be deemed guilty of an offense and shall be subject to punishment under Chapter 1, section 1-6 of the Code of Ordinances upon conviction.
MEMO

TO: Mayor and City Council

FROM: James W. Wood, AICP
Directer of Planning and Development

DATE: November 3, 2011

RE: Farmer’s Market

By all accounts, the 2011 season for the Farmer’s Market was very successful at its location on 1st Ave. South. There were significant numbers of vendors present on each of the two days per week the market was open, and discussions with them indicate that they were pleased with their sales numbers.

In addition to the vendors expressing interest in returning next season, the number one comment we heard was that the market would be even more successful if it were set up similar to Myrtle’s Market in Myrtle Beach, i.e. with permanent shed-roof structures under which the vendors could sell their wares. This would eliminate the need for the vendors to set up canopies, and would lend an air of permanency to the market that would signal we are committed to its success.

Staff has come up with a conceptual design for an L-shaped roof structure that would neatly fit onto the site, and we also incorporated an idea for a semi-circular ceremonial area within which various flags can be flown and honored, such as flags for veterans of war, POW’s, and other subjects. All of this while still preserving existing parking spaces.

Staff believes that by utilizing in-house labor, this concept could be constructed for approximately $40,000 to $50,000 if we use a wooden beam / metal roof type of construction, and approximately $90,000 if we select a prefabricated steel structure. The Clemson Extension agency said they could apply for a grant from the USDA to help fund construction of the project, but if we wait for that process to play itself out, we would likely lose next season; and there is no guarantee the grant will be awarded. If Council desires to build this concept and have it ready for next season, the money would need to be found in this year’s budget.

It should be noted that the concept includes an ADA accessible bathroom and a small storage area for use by the market manager. The space is also designed so that it can accommodate small scale musical performances and other similar ceremonies.
The repainting of the Barefoot swing bridge requires up to 49 days of bridge closure to all vehicular traffic. Barefoot residents and visitors will use the rear exit of Barefoot Resort & Golf and take Water Tower Road to Highway 22 or to Highway 90. This will require additional travel time.

It may be possible to have a water taxi service that would operate between Barefoot Landing and the Barefoot Marina.

Barefoot residents and visitors could either drive or take their existing internal shuttle system to the Barefoot Marina. They would then take a water taxi across the Intracoastal Waterway to the Barefoot Landing boat docking facility. This would be a trip of a few hundred yards and should only take a total of about 10 minutes, including the loading and unloading of passengers.

Residents could then enjoy Barefoot Landing’s shops and restaurants. The water taxi would not necessarily have a fixed schedule, but could accommodate passengers on an ‘as-needed’ basis.

The approximate cost of the water taxi portion of this proposal for the duration of the bridge closure would be about $21,000.

Issues to be further researched and discussed include:

1. Is there sufficient interest within the community to justify the expense of providing the service?
2. Should there be some nominal user fee for those who take advantage of the service?