

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: October 6, 2025

Agenda Item: 7D	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM	
Agenda Section: New Business: Ordinance. First Reading	Date: October 1, 2025	
Subject: Amendments to Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina, revising murals [ZTX-25-10]	Division: Planning and Development	
<u>Background:</u> The City’s current ordinance defines any painting that includes a commercial message as a sign. Murals are only exempt when they contain no commercial message at all. As a result, property owners who have reached their maximum sign allotment are unable to install murals if the design incorporates even a small reference to their business. This limitation has the unintended effect of discouraging murals, even when the artistic content is the dominant feature and the commercial reference is minimal. <u>Proposal:</u> Staff is proposing a text amendment revising the definition of “sign” to allow murals that are primarily artistic in nature to include incidental commercial references without being regulated as signage. The amendment would permit up to ten percent of the total mural area to contain commercial content, such as a business name or logo. Importantly, the mural content would be in addition to the sign area otherwise permitted for the property, meaning it would not count against the maximum sign allotment, but it would also be limited in size to 15% of the total sign area otherwise allowed on the property. This change would support the creation of more murals, encourage public art, and provide recognition for sponsoring businesses while ensuring that murals remain primarily artistic in nature rather than serving as advertising. <u>Planning Commission Action:</u> The Planning Commission conducted a public hearing on September 16, 2025, and voted to recommend approval of the zoning amendment. There was no public comment. <u>Recommended Action:</u> Approve or deny the proposed ordinance on first reading		
Reviewed by Department Head	Reviewed by City Manager	Reviewed by City Attorney
Council Action: Motion By _____ 2nd By _____ To _____		

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 23, ZONING, ARTICLE III,
SIGN REGULATIONS, § 23-36(3)(Y) 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 23-36(3)(y)*. - *Sign*, be revised to read as follows (*new matter underlined, deleted matter struck-through*).

Sec. 23-36. - Sign regulations.

(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:

(y) *Sign*: Any device, fixture, painting (~~excluding artistic murals with no commercial message~~), or visual image using words, graphics, symbols, numbers, or letters designed and used for the purpose of communicating a message or attracting attention, including structures whose purpose can be reasonably construed to communicate a message or attract attention. Customary graphics found on soft drink and newspaper dispensers and similar machines shall not be considered as signs. Murals that are primarily artistic in nature shall not be considered signs. A mural may include incidental commercial references, provided that such commercial content does not exceed ten percent (10%) of the total mural area. This incidental commercial content shall be considered in addition to the signage otherwise permitted for the property and shall not count against the maximum sign allotment but is limited to fifteen percent (15%) of the total sign area otherwise allowed on the property.

Section 2. 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 _____, 2025.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: 10.6.2025
SECOND READING: _____

REVIEWED:

City Manager

ORDINANCE: _____

6C. ZONING ORDINANCE TEXT AMENDMENT ZTX-25-10: City staff has initiated a text amendment revising the definition of sign regarding murals.

Background:

The City's current ordinance defines any painting that includes a commercial message as a sign. Murals are only exempt when they contain no commercial message at all. As a result, property owners who have reached their maximum sign allotment are unable to install murals if the design incorporates even a small reference to their business. This limitation has the unintended effect of discouraging murals, even when the artistic content is the dominant feature and the commercial reference is minimal.

Proposed Changes:

Staff is proposing a text amendment revising the definition of "sign" to allow murals that are primarily artistic in nature to include incidental commercial references without being regulated as signage. The amendment would permit up to ten percent of the total mural area to contain commercial content, such as a business name or logo. Importantly, the mural content would be in addition to the sign area otherwise permitted for the property, meaning it would not count against the maximum sign allotment. This change would support the creation of more murals, encourage public art, and provide recognition to sponsoring businesses while ensuring that murals remain primarily artistic in nature rather than serving as advertising.

The proposed amendment addresses **§ 23-36. - Sign regulations, (3) *Definitions*, (y) *Sign***, of Chapter 23, *Zoning*, and would appear in the Ordinance as follows (new matter underlined; deleted matter struck-through):

(y) Sign: Any device, fixture, painting (~~excluding artistic murals with no commercial message~~), or visual image using words, graphics, symbols, numbers, or letters designed and used for the purpose of communicating a message or attracting attention, including structures whose purpose can be reasonably construed to communicate a message or attract attention. Customary graphics found on soft drink and newspaper dispensers and similar machines shall not be considered as signs. Murals that are primarily artistic in nature shall not be considered signs. A mural may include incidental commercial references, provided that such commercial content does not exceed ten percent (10%) of the total mural area. This incidental commercial content shall be considered in addition to the signage otherwise permitted for the property and shall not count against the maximum sign allotment but is limited to fifteen percent (15%) of the total sign area otherwise allowed on the property.

According to § 23-4, *Amendments*, of the Zoning Ordinance, the advertisement requirement for Zoning Ordinance amendments is 15 days, and that advertisement notice has been met. The amendment is presented to the Planning Commission for a recommendation that will be forwarded to City Council at their next meeting scheduled for October 6, 2025.

Planning Commission Action:

The Planning Commission may recommend approval, recommend approval with modifications and/or conditions, or recommend denial of the proposal as submitted.

Alternative Motions

- 1) I move that the Planning Commission recommend approval of the zoning ordinance text amendment [ZTX-25-10] as submitted.

OR

- 2) I move that the Planning Commission recommend denial of the zoning ordinance text amendment [ZTX-25-10] as submitted.

OR

- 3) I move (an alternate motion).