

**REQUEST FOR CITY COUNCIL CONSIDERATION**

Meeting Date: May 2, 2022

Agenda Item: 5G	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: Consent: Ordinance. Second Reading	Date: April 25, 2022
Subject: Amendments to Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina regarding exempt public service uses [ZTX-22-2]	Division: Planning and Development

**Background:**

Within our City’s zoning ordinance, bathrooms cannot be a primary or accessory use on a site. To meet citizen demand for parking, the City has been purchasing oceanfront parcels for conversion to parking areas. The proposed design of bathroom facilities on some of these properties has created a need to revise the City’s Zoning Ordinance regarding exempt public uses.

**Proposal:**

Staff is proposing a text amendment to the Zoning Ordinance adding public off-street parking lots with or without public bathrooms and/or bathing facilities to the list of exempt public service uses. A proposed ordinance has been attached for Council’s review.

**Planning Commission Action:**

The Planning Commission conducted a public hearing on March 22, 2022 and voted unanimously to recommend approval to City Council as submitted. There was no public comment.

**Action:**

Approve the proposed ordinance on second reading

Reviewed by Division Head	Reviewed by City Manager	Reviewed by City Attorney
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Council Action:  
Motion By \_\_\_\_\_ 2<sup>nd</sup> 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 VII, GENERAL AND SUPPLEMENTAL REGULATIONS, § 23-110 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 23-110. - Certain public service uses exempt., be amended to read as follows (new matter underlined, deleted matter struck-through):*

### **Sec. 23-110. - Certain public service uses exempt.**

*Uses:* Due to the nature of certain public/private service uses and the need to locate such uses in certain areas of the city irrespective of prevailing district regulations, the following list of uses may be established in any zoning district, provided such uses meet all the dimensional requirements of the district, except height and minimum lot size, within which they will be located:

- (1) Post office.
- (2) Police and fire stations.
- (3) Sewerage treatment facilities.
- (4) Water treatment and storage facilities.
- (5) Telephone exchange and repeater stations.
- (6) Radio and TV station masts.
- (7) Electrical transformers.
- (8) Spoilage easements and basins for deposition of dredged materials from area waterbodies.
- (9) Public off-street parking lots with or without public bathrooms and/or bathing facilities.

### **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 \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
Mayor Marilyn Hatley

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

FIRST READING: 4.4.2022

SECOND READING: 5.2.2022

REVIEWED:

\_\_\_\_\_  
City Manager

ORDINANCE: 22-19

**6B. ZONING ORDINANCE TEXT AND MAP AMENDMENT ZTX-22-2:** City staff has initiated an amendment to the zoning ordinance text to revise the exempt public service uses to include public off-street parking lots with or without public bathrooms and/or bathing facilities.

**Background**

Within our City’s zoning ordinance, bathrooms cannot be a primary or accessory use on a site. To meet citizen demand for parking, the City has been purchasing oceanfront parcels for conversion to parking areas. The proposed design of bathroom facilities on some of these properties has created a need to revise the City’s Zoning Ordinance regarding exempt public uses.

**Proposed Changes**

Staff is proposing a text amendment to the Zoning Ordinance adding public off-street parking lots with or without public bathrooms and/or bathing facilities to the list of exempt public service uses.

The proposed amendment addresses one existing section in *Chapter 23, Zoning*, and would appear in the Ordinance as follows (new matter underlined).

**Sec. 23-110. - Certain public service uses exempt.**

*Uses:* Due to the nature of certain public/private service uses and the need to locate such uses in certain areas of the city irrespective of prevailing district regulations, the following list of uses may be established in any zoning district, provided such uses meet all the dimensional requirements of the district, except height and minimum lot size, within which they will be located:

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- (5) Telephone exchange and repeater stations.
- (6) Radio and TV station masts.
- (7) Electrical transformers.
- (8) Spoilage easements and basins for deposition of dredged materials from area waterbodies.
- (9) Public off-street parking lots with or without public bathrooms and/or bathing facilities.

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 April 4, 2022.

**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 forward the Zoning Ordinance Text Amendment [ZTX-22-2] to the Mayor and City Council with a recommendation of approval.

OR

- 2) I move that the Planning Commission forward the Zoning Ordinance Text Amendment [ZTX-22-2] to the Mayor and City Council with a recommendation of denial.

OR

- 3) I move (an alternate motion).