Article 15. Conditional and Accessory Uses and Special Exceptions

Section 1501. Conditional Use
Section 1502. Accessory Uses
Section 1503. Special Exceptions
Section 1501. Conditional Use:
A use allowed in a particular zoning district provided all the conditions, restrictions or limitations set forth in the text of the Ordinance are met. The conditions imposed are in addition to the restrictions applied to all land in the zoning district.

The conditions provided in this section apply to uses permitted conditionally (C) in the appropriate zoning districts as provided in section 1407 - Table of Uses.

1501.A. Adult Day Care Facilities. The facility and its operator shall hold all licenses required by the State of South Carolina.

1501.B. Amusement rides, open or unenclosed over 80' in height.
   1. Proof of ownership or control of the minimum site area shall be provided. For the purpose of this requirement minimum site area shall be defined as the land area occupied by a ride or amusement device when fully extended plus the land necessary to accommodate required setbacks and separations.
   2. Increased setbacks from all property lines shall be required at a rate of one foot for every two feet of height above 80 feet, not to exceed a total setback of 10 feet. Setbacks shall be measured from the limits of the ride at full extension. All moving parts must be at least five feet from any property line.
   3. 15 feet of clearance shall be maintained from any surrounding rides or structures on the same parcel. Clearance shall be measured from the limits of the ride through full extension.
   4. No portion of the ride, at maximum extension, shall be closer than ten feet, measured horizontally, to any right-of-way line.
   5. Foundations for an amusement ride require a building permit and the design must satisfy all applicable criteria of the Standard Building Code.
   6. Before issuance of a building permit, proof of SC Department of Labor approval of the ride design shall be proved.
   7. Before issuance of the certificate of occupancy or certificate of compliance, proof of approval of the ride from SC Department of Labor.

1501.C. Body Piercing Establishments and Tattoo Parlors provided they shall not be located on properties abutting Mr. Joe White Avenue or Robert Grissom Parkway.

1501.D. Child Care Centers (CCC); Child Care Homes, Family (FCCH); and Child Care Homes, Group (GCCH) provided the facility and its operator holds all licenses required by the State of South Carolina and that in all zoning districts except C6 (Urban Village) the center is located only on the ground floor of the structure.

1501.E. Correctional Placement Residences; Independent Living, Older Adult; Unlicensed group residential (caregiving), Commercial group residential:
1. The facility and its operator shall hold all licenses required by the State of South Carolina.

2. No facility listed in this section shall be located on any lot or parcel within 1200 feet of any other facility listed in this section.

3. Recreation areas/open space: In all permitted zoning districts except multifamily (RM) districts, there shall be provided 200 square feet of usable open space for each resident, within which required landscaping may be included. All open space area shall be suitably landscaped with at least one shade tree for each 1,000 square feet of yard area or part thereof.

1501.F. Congregate Housing, Older Adult; Continuing Care Retirement Community; Nursing Home Facilities:

1. The facility and its operator shall hold all licenses required by the State of South Carolina.

2. Except in the Medical/Professional (MP) district which has no maximum, the number of dwelling units must be included in the computation of allowable density for the zoning district in which the facility is located and shall not exceed the maximum number of residential units allowed within the zoning district. For the purposes of density calculations, a rooming unit shall be counted as ½ a dwelling unit.

3. Bathroom facilities: A minimum of one full bathroom with toilet, sink and tub or shower per five residents plus an additional toilet and sink shall be provided for each additional group of three persons or less.

4. Recreation areas/open space: There shall be provided 200 square feet of usable open space for each resident, within which required landscaping may be included. All open space area shall be suitably landscaped with at least one shade tree for each 1,000 square feet of yard area or part thereof.

1501.G. Customer Service/Reception Centers for Interval Ownership Operations. Interval ownership real estate marketing and sales transactions provided the lot upon which the facility is located is a minimum of 3 acres in size.

1501.H. Dry Cleaning Establishments:

1. Only non-combustible dry cleaning solvents (such as perchlorethlene) shall be used in the dry cleaning process.

2. The dry cleaning machines must be closed systems.

1501.I. Facilities for Active or Passive Recreation, including playgrounds, parks, tennis courts, ball fields, swimming pools and golf courses:

1. No recreational facility may be lit for night play or uses unless located upon the same parcel or tract as a K-12 school and meets lighting requirements as provided in Article 12 – Lighting and Glare.
2. Required yards shall not be used for parking or accessory buildings.

1501.J. Game Arcades:

1. An arcade shall not contain any machines prohibited by state law.

2. With the exception of game arcades located in the Amusement (A) District, the maximum number of machines in any arcade shall not exceed one machine for every 40 square feet of gross floor area of the area allocated to the arcade operations.

1501.K. Golf Courses, Miniature:

1. **Lighting.** No lighting shall be permitted to shine on any adjacent property or street. A lighting plan prepared by a lighting engineer must be submitted for review and approval by the zoning administrator.

2. **Buffer.** A landscape buffer shall be provided on any side adjacent to any residential district. Such buffer shall be as follows:
   
   a. The buffer strip shall have a minimum width of eight feet.
   b. Trees shall be planted the entire length of the buffer with a minimum spacing of 12 feet. Each tree shall be at least eight feet tall and 1 and 1/2 inches caliper.
   c. Chain link fencing shall be:
      i. Coated in black or green vinyl; and
      ii. Screened by providing three-foot tall shrubs every three feet on the exterior of the fence for the entire length of the fence.

3. **Loudspeakers.** If located within 100 feet of a residential district, loudspeakers must be turned off after 10:00 p.m. Refer to sec. 14-62 - *Noise* of the code of ordinances for additional noise regulations.

1501.L. Home Occupations:

1. Such occupation is conducted by no other persons than members of the family residing on the premises.

2. Such occupation is conducted within the dwelling, is clearly incidental and secondary to the use of the structure for dwelling purposes, and does not detract from the residential character of the immediate area.

3. No stock in trade is kept or commodities sold or leased on the premises.

4. No mechanical equipment is used except such that is normally used for family, domestic, or household purposes.

5. Such occupation(s) utilizes no more than 25 percent of the total floor area of the principal building.
6. Such occupation creates no offensive noise, vibrations, smoke, dust, odors, heat, or glare noticeable at or beyond the property line.

7. Such occupation is not evident from outside the dwelling and there is no exterior indication that the building is being used for any purpose other than a dwelling.

8. Musical instruction is limited to a maximum of two (2) pupils at a time.

9. Child care is limited to a maximum of six (6) children.

10. Under no circumstances shall any of the following be considered a home occupation: adult oriented businesses, aerobic exercise studio, ambulance service, auto repair service, barber shop, beauty parlor, body piercing establishment, child care center, chiropractor, dentist, doctor, drug/alcohol counseling services, escort services, firearms manufacturing, group day care home, gym, health salon, kennel, mortuary, musical or dancing instruction involving more than two pupils at one time, nightclub, nursing home, psychiatrist or psychologist office, restaurant, substance abuse clinics, swimming pool companies, tattoo parlor, trucking company, welding service, wig styling clinic, veterinarian's clinic.

1501.M. Outdoor Vending and Concession Stands. When associated with a specific temporary event, not otherwise regulated by any specific law of general application, outdoor vending and concession stands are permitted if the following conditions are met. This permissive use does not exempt the owner from compliance with the regulations of any law dealing specifically with the subject of special events in general application.

1. Tents, tractor trailers and other temporary structures. Tents, tractor-trailers and other temporary structures may be erected or established provided they are in compliance with the International Building Code and the International Fire Code.

2. City Council reserves the right to set vendor fees at its discretion.

3. Merchandise shall be displayed in a manner that it will not be visible from any public right-of-way, with the exception of Celebrity Circle.

4. A clear walkway of not less than 20 feet shall be maintained along the front of temporary structures.

5. Temporary event structures shall be placed no less than ten feet from a public right-of-way provided that the activity area of the structure is facing away from the right-of-way.

In the event a temporary event structure is to face the right-of-way it shall be no closer than 50 feet from the right-of-way, screened by other structures so that it is not visible from the right-of-way or screened by a six foot high opaque fence.
6. The temporary structure must be removed within 24 hours of the end of the temporary event and cleaning of the premises must be completed once vacated.

1501.N. Manufactured Homes.

1. The home shall:
   a. be built after June 15, 1976;
   b. meet Department of Housing and Urban Development standards pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974 (commonly referred to as “HUD Code”) for single family manufactured homes; and
   c. be inspected and “sealed” in accordance with HUD regulations.

2. All homes relocated within the City shall meet the minimum standards of S.C. Reg. 79-43 Used Manufactured Home Minimum Habitability Requirements.

3. All homes brought into the City or relocated within the City shall meet the minimum specifications for South Carolina Wind Zone 2 (model year starting July 1, 1995) and be labeled as such.

4. The home shall be designed for long-term occupancy, containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.

5. The home shall be designed to be transported in one or more sections after fabrication on its own wheels, or on a flatbed or other trailers or detachable wheels.

6. The home shall arrive at the site where it is to be occupied as a dwelling complete, often including major appliances and furniture, and ready for occupancy except for minor incidental unpacking and assembly operation, location on foundation supports, connections to utilities and the like.

7. The home shall be placed by an installer licensed to do so by SCLLR according to manufacturer instructions on a site-built concrete or masonry foundation capable of transferring design dead loads and live loads and other design loads unique to the site due to wind, seismic and water conditions that are imposed by or upon the structure into the underlying soil or bedrock without failure.

8. All tie-down devices shall be in accordance with the manufacturer’s recommendations or an engineered design approved by the City Construction Services Department.

9. The home must be approved for and permanently connected to all required utilities.

10. Parking standards shall be determined by the zoning district in which the manufactured home is placed.
11. In addition to the regulations listed in 1-10 above, single-family manufactured homes on individual lots shall adhere to the following:
   a. The home shall have a minimum floor area on the main floor (exclusive of garage) of 1,000 square feet.
   b. The home shall be placed so that the main entrance or front of the home faces or parallels the principle street frontage.
   c. All axle and hitch assemblies shall be removed at the time of placement on the foundation.
   d. The space beneath the home shall be enclosed at the perimeter of the home in accordance with the manufacturer’s recommendations, shall have ventilation as required by the City, and shall be constructed of materials consisting of wood, brick, concrete, stucco stone, vinyl, or fiber cement siding, and shall be pest and weather resistant.
   e. The roof shall have a surface of asphalt or composition shingles, or fiberglass, clay or slate tiles, or standing-seam metal roofing.
   f. Homes shall have exterior siding materials consisting of wood, hardy board, brick, concrete, stucco, glass, vinyl, tile or stone.
   g. Additions and modifications to the home shall be manufacturer produced specifically for the manufactured home model and shall be attached or modified by an installer licensed to do so by SCLLR.

12. In addition to the regulations listed in 1-11 above, manufactured homes in the R5 and R8 districts shall adhere to the following:
   a. The roof shall have a pitch of not less than five (5) feet of rise for each 12 feet of horizontal run, with interior attic access.
   b. There shall be a roof overhang at the eaves and gable ends of not less than twelve (12) inches, excluding rain gutters, measured from the vertical side of the dwelling. The roof overhang requirement shall not apply to areas above porches, alcoves, and other appendages that together do not exceed 25% of the length of the dwelling.
   c. Homes shall have a covered porch extending from the main entrance. The porch shall be a minimum of 8’ deep and 8’ long.
   d. In order to add architectural interest and variety, and to relieve the visual affect of a plain long wall, front facades shall include wall offsets, including projections and recesses, a minimum of six inches in depth. These may include the porch required in section 1501.N.12.c. - Homes Shall Have A Covered Porch. No uninterrupted length of the face shall exceed 30 horizontal feet.

1501.O. Manufactured Homes, Multifamily. The following regulations are for developments in which there is more than one manufactured home per lot. Individual homes within the development shall meet the standards set forth in section 1501.N – Manufactured Homes.

1. Density. No more than seven home-sites per acre shall be allowed.

2. Minimum area required for the development. A lot of three acres or more shall be necessary to establish a multifamily manufactured home development. A minimum street frontage of 50 feet shall be required to provide access from any public street right-of-way.
3. Minimum development setbacks.
   Front yard. 15 feet minimum
   Side yard. 10 feet minimum
   Rear yard. 12 feet minimum

4. Minimum home-site requirements. The minimum site size for a manufactured home shall be 5,000 square feet.

5. Minimum home-site setbacks.
   Front yard. 15 feet minimum
   Side yard. 10 feet minimum
   Rear yard. 12 feet minimum

6. Solid waste collection. One 6 or 8 cubic yard solid waste container per 12 home-sites (or part thereof) shall be installed by the developer for solid waste collection. Any other method that is mutually acceptable to the developer and the public works director may be approved.

7. Streets. Streets within the multifamily manufactured home development shall have a minimum pavement width of 24 feet. All streets and other vehicular use areas including parking pads for cars shall meet or exceed the minimum requirements for subgrade, roadway base and surfacing in the Myrtle Beach subdivision regulations. All streets shall be named in accordance with the procedures found in the Myrtle Beach subdivision regulations.

8. Street lighting. All areas of the development shall be lighted sufficiently to safely provide for vehicular and pedestrian traffic. A minimum of 0.3 foot candles shall be required at grade, in the horizontal plane, along the pavement edge of any street within the development.

9. Landscaping. The following minimum landscape requirements apply to multifamily manufactured home developments:
   a. Along streets: One tree is required per 15 linear feet of street. Trees may be clustered, but no more than three per cluster.
   b. Along all side and rear lot lines: One tree is required per 30 feet per lot. Trees may be clustered, but no more than three per cluster.
   c. Around home: One shrub every 15 feet.
   d. If the property has security fencing, a shrub shall be planted every three feet along the exterior of the fence.
   e. Plant material:
      i. Evergreen trees; 1 1/2 inch caliper at least five feet in height.
      ii. Deciduous trees; 1 1/2 inch caliper at least eight feet in height.
      iii. Shrubs; three gallon size.
   f. Also see other requirements in Article 9 – Landscaping and Tree Protection.

10. Utilities. All utilities shall be underground, including cable television. Water and sewer facilities shall be provided in accordance with the standard procedures of the City of Myrtle Beach and South Carolina Department of Health and Environmental Control (D.H.E.C) and shall be approved by the city engineer. Suitable fire hydrants shall be installed as specified by the city engineer.
11. Access. All lots shall be accessible only from an interior street.

1501.P. Motor Vehicle Repair and Maintenance:
1. In the Highway Commercial (HC1 and HC2) districts such use shall provide a minimum 50 feet front and a minimum 50 feet side street setback.
2. In the Downtown Commercial (C7 and C8) districts no outdoor storage is allowed, including but not limited to motor vehicles, recreational vehicles, parts, supplies, salvaged materials and mobile homes.

1501.Q. Outdoor Dining: When the outdoor dining area is adjacent to the property line, a buffer shall be installed that provides a clear delineation between the properties, including any public right-of-way.

1501.R. Outside Display and Merchandise Areas. Only the following merchandise shall be displayed or stored outside of a building (in this case only, building is defined as any structure having completely enclosed walls and a roof):

1. Heavy durable goods at establishments where the sale of same is the permitted principal use,
2. Live nursery products,
3. Fresh produce,
4. Cut flowers,
5. Prepackaged firewood,
6. Newspaper and magazine racks,
7. Christmas trees from November 1st to January 2nd of the next year, and
8. Vending machines where not otherwise prohibited, provided that the vending machines are screened from public view from off the property upon which they are located.

9. In addition to the above listed exceptions, the following items may be displayed in Highway Commercial (HC1 and HC2) and Wholesale/Manufacturing (WM) zoning districts provided the items are at least 150 feet from any property line:
   a. Lawn mowers and gardening equipment.
   b. Outdoor cooking grills.
   c. Playground equipment.
   d. Wheelbarrows.
   e. Building material samples.
   f. Lawn furniture.

1501.S. Schools, Elementary and Secondary, including school stadiums:

1. The lot or lots for the school is at least 5 acres in size.
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2. No structure or parking area shall be placed within 50 feet of any property line.

1501.T. *Reserved.*

1501.U. *Reserved.*

1501.V. *Reserved*

1501.W. Transportation Facility for Urban Passengers of Conveyances Including Bus, Passenger Rail, Taxicab provided that such facility is designed to accommodate no more than one vehicle at a time.

1501.X. Therapeutic Massage Establishments:

1. All massage therapists shall be licensed by the State of South Carolina.

2. Hours of operation are limited to 7:00 a.m. to 10:00 p.m.

1501.Y. Gasoline Stations provided that gas pump islands shall be set back a minimum of 17’ from any property line.

1501.Z. Cabanas:

1. The cabana shall not exceed a 200 square feet (covered or uncovered) area

2. The cabana shall not exceed a height of 15 feet measured above the existing base flood elevation.

3. Cabanas shall be used as bathing quarters, for temporary storage of swimming and beach paraphernalia, and for protection from sun and weather.

4. Cabanas shall not be equipped with kitchen facilities and accommodations for overnight lodging; provided, however, that a toilet and shower are permitted.

1501.AA. Marinas:

1. No net loss of protected wetlands and/or other unique wildlife habitat shall be permitted.

2. Fueling facilities (including underground storage, pipelines and pumps) shall be permitted only at commercial marinas, not at communal or individual docks.

1501.BB. Campgrounds:

1. Minimum lot size. A site of five acres shall be required for development of a campground.

2. Density. A maximum of 18 camp sites per acre shall be allowed.

3. Sites.
   a. The minimum area of a campsite shall be 1,600 square feet.
b. Recreational vehicles, cabins, or tents shall be placed a minimum of five feet from any site boundary and at least ten feet from any other recreational vehicle, cabin, or tent.

c. Cabins shall be a maximum of 800 square feet.

   a. Minimum front setback. 25 feet, except when campground use fronts on Ocean Boulevard, Kings Highway, or U.S. 17; then the minimum shall be 50 feet.
   b. Minimum side setbacks. When abutting a Single-family (R), Multifamily (RM), or residential Planned Unit Development (PUD), the side setback shall be 50 feet; when abutting a public right-of-way, the side setback shall be 25 feet on the side street; when abutting any other zone, the setback side shall be 15 feet.
   c. Minimum rear setback. When abutting a Single-family (R), Multifamily (RM), or residential Planned Unit Development (PUD), the rear setback shall be 50 feet; when abutting a public right-of-way the rear setback shall be 25 feet; when abutting any other zone, the rear setback shall be 15 feet.

5. Streets. Streets within the campground shall conform to the requirements of the Myrtle Beach subdivision regulations with regard to their construction and drainage requirements. Pavement width shall be at least 20 feet. However, in the case of a one way street that is immediately adjacent to a campsite, the pavement requirement shall be ten feet with the right-of-way to remain the same at 20 feet; and further provided, that the ten feet paved streets are not dead end streets.

6. Street lights. All areas of the campground shall be lighted sufficiently to safely provide for vehicular and pedestrian traffic. A minimum of 0.3 foot candles shall be required at grade, in the horizontal plane, along the pavement edge of any street within the park.

7. Utilities. All utilities shall be underground, including cable television. Water and sewer facilities shall be provided in accordance with the standard procedures of the City of Myrtle Beach and South Carolina Department of Health and Environmental Control and shall be approved by the city engineer. Suitable fire hydrants shall be installed as specified by the city engineer. Electricity shall be provided to each recreational vehicle or campsite, supplying at least 20 amps and 115 volts.

8. Solid waste collection. Each campsite shall be provided with at least one fly tight, watertight, rodent proof container of a capacity of not less than four gallons and not more than 30 gallons. However, this may be waived when the campsites are within 200 feet of a solid waste container. In addition, there shall be provided one six or eight yard solid waste container for every 24 camp or recreational vehicle sites (or part thereof). All individual site containers shall be emptied by the park management into the solid waste containers for collection. Any other method that is mutually acceptable by the developer, Department of Health and Environmental Control and the public works director may be allowed.

9. Sanitary facilities. Appropriate separate sanitary facilities shall be provided as follows:
a. For dependent recreational vehicles and campers for any park having more than 100 camp sites, there shall be provided: one additional toilet and lavatory for each sex per each additional 30 camp sites (or part thereof); one additional shower for each sex per each additional 40 camp sites (or part thereof); and one additional men's urinal per each additional 100 camp sites (or part thereof).

b. Where a park is designed for and exclusively limited to use by self-contained (nondependent) recreational vehicles, the following minimum emergency sanitary facilities shall be required: For each 100 camp sites (or part thereof), two flush toilets and two lavatories for each sex.

c. All such facilities shall conform to city building code.

10. Minimum landscape and buffer requirements:
   a. Along interior streets. One tree is required per 15 linear feet of street. Trees may be clustered, but not more than trees per cluster.
   b. In the required setback area for park. One tree and one shrub is required per 15 feet of boundary, per side.
   c. Plant material:
      i. Evergreen trees; 1 1/2 inch caliper at least five feet in height.
      ii. Deciduous trees; 1 1/2 inch caliper at least eight feet in height.
      iii. Shrubs; three gallon size.

11. Insect and rodent control. Insect and rodent control measures to safeguard the public health and comfort shall be used in the park as required by the S. C. Department of Health and Environmental Control.

12. Site plan. Site plans shall be provided for review showing the following items:
   a. Title, scale, north point, date, and the name of site planner.
   b. Buildings and structures.
   c. Streets.
   d. Reserved.
   e. Recreational vehicle sites, numbered consecutively.
   f. Driveways and parking spaces for automobiles and camping units.
   g. Recreational facilities.
   h. Drainage system plans and documents meeting all regulations of the Myrtle Beach stormwater management ordinance.
   i. Sanitary sewer system including sizes of lines.
   j. Water distribution system and fire hydrants.
   k. Street lighting system.
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ZONING ORDINANCE

I. Landscaped areas.

m. Location of all electrical installations.

n. Location of all solid waste containers.

o. Existing tree survey.

1501.CC. Storage Yards:

1. Storage yards are a minimum of 20 feet from the front and side street and a minimum of 10 feet from the side and rear property line.

2. Material incapable of being reused in some form shall not be placed in the storage yard.

3. Material shall not be placed in any storage yard in such a manner that it is capable of being transferred out of the storage yard by wind, water or other natural causes.

4. All storage yard materials and activities not within fully enclosed buildings shall be enclosed by a mesh fence of sufficient gage and weave to screen the view or a wall of at least six feet in height, but not greater than eight feet in height; along any and all street frontages. It must be mesh of sufficient gage, weave and consistency as to completely hide the use of the storage yard from public view.

5. The storage yard shall have a minimum 5-feet wide landscape buffer. Landscape materials in the buffer along any front or side street will consist of at least one 10-foot tree placed at 25-foot intervals and one 3-gallon shrub placed at 5-foot intervals.

1501.DD. Horse farms subject to the following:

1. Horse farms shall have a minimum contiguous area of 6 acres.

2. There shall be no other livestock kept except horses. For the purpose of this ordinance, “horse” does not include donkey, burro or mule.

3. Barns and stables shall set back a minimum of 50’ from the rear or side property line and a minimum of 300’ from the nearest adjacent primary residence, and a minimum of 50’ from any swimming pool. The size of the barn or stable shall be determined by the size regulations for accessory structures in the zoning district in which it is located.

4. Manure piles shall be located a minimum of 200’ from any dwelling, pool, patio, water body or property line and shall meet all SCDHEC requirements.

5. There shall be no more than 1 residential unit per acre.

6. There shall be no more than 1 horse per 1 acre.

7. Fencing shall be sufficient to restrain horses. No wire fencing shall be visible from any public right-of-way.
8. No barbed-wire fencing shall be allowed. If electric fencing is used it shall be installed so as not to be visible from off premise and shall include a warning sign that meets the provisions of Article 8 - Sign Regulations.

1501.EE. Assisted living facilities subject to the following:

1. The facility must be licensed as such by the State of South Carolina.

2. The number of dwelling units must be included in the computation of allowable density for the zoning district in which the facility is located. For the purposes of density calculations, a rooming unit (see definition in Article 2) shall be counted as ½ a dwelling unit. In no instance shall the number of dwelling units exceed the maximum number of residential units allowed within the zoning district.

3. The facility shall have 24-hour on-site management.

1501.FF. Moped rental and sales establishments subject to the following:

1. Moped leasing, maintenance and all related functions shall be conducted within a building on site or offsite that meets all building code regulations as well as the area dimension regulations of the district.

2. Display of units available for rental shall be permitted outside the building so long as parking or pedestrian passage is not diminished as required.

3. The operators of such establishments shall provide one motorcycle safety helmet per moped offered for lease or use while the moped is being rented.

4. Any signage shall be within the allowable signage for the property.

5. Amortization of non-conformities. As to this specific zoning amendment pertaining to moped rental uses, those uses made non-conforming which were in existence legally as of May 1, 2010, that are also current with all taxes, fees and assessments with the City, shall have a period of one year from the date of May 1, 2010 for legal operation. On May 1, 2011, the non-conforming uses must end completely.

1501.GG. Veterinary offices, clinics, and hospitals provided there are no outdoor kennels and the facility is licensed by appropriate state boards.

1501.HH. Restaurants provided that hours of operation are limited to 6:00 a.m. to 2:00 a.m.

1501.II. Reserved.

1501.JJ. One-family and two-family dwellings provided they are attached to nonresidential uses. One-family detached dwellings may be allowed when included in an approved master plan.

1501.KK. Reserved

1501.LL. Accessory parking lots are allowed in the RMH under the following conditions:
1. The accessory parking lot serves a commercial use in an abutting or adjacent MU-M district. No parking lots in the RMH may be standalone commercial ventures or be separated from the MU-M use they serve by a major corridor.

2. No portion of the accessory parking used to serve the MU-M use shall be more than 300 feet from a major commercial corridor.

3. The accessory parking lot located in the RMH district will follow landscape buffering requirements of parking lots in the adjacent MU-M district or RMH district, whichever is greater.

1501.MM. Outpatient substance abuse treatment programs must meet all State of South Carolina licensing requirements.

1501.NN. Farm Stands or shelter for the retail sales of seasonal agricultural produce, plants, seed, garden supplies, honey, prepared foods and beverages, dairy and dairy products, poultry, eggs, fish, shrimp and ice provided that:

1. All stands and shelters must meet applicable South Carolina DHEC and Department of Agriculture regulations and be appropriately licensed by all appropriate licensing organizations;

2. All stands and shelters must be on or adjacent to land occupied by a compliant farm use. For real property tax assessment purposes, where the farm is classified as agricultural, the adjacent land upon which such sales are conducted shall also be classified agricultural;

3. All stands and shelters must be on private property, limited to one such venue per parcel, and must meet the setbacks of the zoning district in which they are located;

4. No preparation of food on premises in conjunction with the farm stand operation;

5. Parking spaces equaling one space per 250 square feet of stand must be provided, at a minimum graded with gravel and suitably maintained;

6. The size of stands or shelters shall not exceed six hundred (600) square feet;

7. Ingress and egress of vehicular traffic shall not create a hazard for traffic on an adjacent street, as determined by city code enforcement and public works staff; and

8. Allowed signage meets the following criteria:
   a. For fixed stands: one primary sign, affixed to the stand or shelter, either projected or parallel to the wall (flat).
      i. If sign is projected, it shall not exceed 32 sq ft (64 sq ft aggregate).
      ii. If sign is parallel (flat), it shall not exceed 32 sq ft.
   b. For all uses: one menu board sign, listing the prices and varieties of products, not to exceed eight sq ft (16 sq ft aggregate).
   c. For all uses: No signage will be allowed to encroach into the adjacent rights-of-way.

1501.OO. Indoor Storage Facility: The following conditions are required to ensure that the design and use of an indoor storage facility occur in a manner that is compatible with the appropriate zoning characteristics:

1. Indoor storage facilities are allowed in buildings of 40,000 sq ft or more.

2. Each unit will be within a single building and must have a private entrance that is accessible from inside the facility. Direct exterior access to any individual unit is prohibited.
3. No unit within an indoor storage facility shall be utilized as a place of business. No business license, other than that of the indoor self-storage operator, shall be approved for a business operation in the facility.

4. Lighting and temperature control may be provided to units. No utilities, namely, electricity, water, hvac, telephone, cable TV, or gas, will be provided on an individual basis to the individual units. The use of generators of any kind is prohibited except for emergency backup for the general operations of the indoor storage facility.

5. No outside storage of commercial vehicles, heavy equipment, boats, RVs and the like shall be permitted.

6. The use or storage of hazardous materials is prohibited.

7. No individual storage unit shall be visible from exterior.

8. Facility must maintain a working surveillance camera system capable of clearly showing the flow of traffic in and out of the building, and capable of interconnection with the City’s surveillance camera system.

1501.PP. Reserved. Food Truck Regulations see sec. 1314 Food Vending.

1501.QQ Solar Farms:

1. Intent. The intent of these standards is to provide for safe, attractive, orderly and functional sustainable energy options in furtherance of the goals of the comprehensive plan.

2. Application. These standards shall apply to the installation and/or placement of any solar farm within the City of Myrtle Beach.

3. Installation.
   a. Solar farms shall be installed and maintained in compliance with the International Building Code, National Electric Code and all local regulations, directives and codes.
   b. Installation of any solar farm shall require the issuance of any applicable permits such as building and/or electrical.
   c. Solar farms may have transformers with substation capabilities in the design and installation.
   d. A building permit shall not be issued without Community Appearance Board approval.

4. Setbacks and buffers.
   a. Front street setbacks. Any solar farm installation will set back from the front street 30 feet or the front street setback of the underlying zoning, whichever is greater.
   b. Side/Rear setbacks. 10 feet.
   c. 15-foot minimum landscape buffers as required by CAB.

5. Structural Height Limit. 35 feet.

1501.RR Restaurant with Drive-Through Service in MU-M: Restaurants with drive-through service are prohibited in the MU-M district except for those structures that abut Kings Hwy, structures are less than 5,000 square feet in area, and had drive-through facilities in place prior to the adoption of Ordinance 2014-34 (June 10, 2014).
1501. SS. Indoor Urban Farm. The purpose of this ordinance is to provide standards for indoor urban farms while balancing the interests of public health, safety, and overall community wellbeing.

1. All activities, including but not limited to growing, production, storage and packaging, shall be conducted within completely enclosed buildings.
2. The space in which indoor urban farming occurs shall be no more than 2,000 square feet in size.
3. The Indoor Urban Farm shall have a retail component.
4. Vehicles used for product delivery shall have a capacity no larger than one (1) ton.
5. The facility and its operator shall hold all licenses required by the State of South Carolina.
6. Operating hours shall be consistent with those of surrounding businesses.
7. No use may generate any odor that reaches the odor threshold, measured at the outside walls of the building or structure within which the urban farm operates.
8. There shall be no exterior dumping or disposal of wastewater.
9. No use shall create any electrical disturbance that adversely affects any operations or equipment other than those of the creator of such disturbance.
10. No use may generate noise that is audible by a panel of healthy listeners standing outside the walls of the building or structure within which the urban farm operates.
11. No use may generate any ground-transmitted vibration that is perceptible to the human sense of touch outside the walls of the building or structure within which the urban farm operates.

Section 1502. Accessory Uses

1502.A. An accessory use is defined as a use of land or of a building or structure or portion thereof customarily incidental and subordinate to the principal use thereof. Any use may be established as an accessory use to any permitted use in any district provided that:

1. The use is customarily incidental to (as provided in this section) and is maintained and operated as a part of the permitted use;
2. The use does not create levels of hazard, noise, odor, vibration, lighting, traffic congestion, dust or other pollutants, or impair the use or enjoyment of nearby property in a greater amount than that customarily created by the principal use;
3. In the case of commercial or business uses, the use does not produce gross proceeds which exceed 40 percent of the combined gross proceeds produced by the accessory use and the permitted principal use; and does not occupy in excess of 40 percent of the available floor space in the business.

The accessory uses provided in this section apply to uses permitted in the appropriate zoning districts as provided in section 1407 - Table of Uses.


1. Private garage, open storage space or parking area for motor vehicles, provided
that such is designed and/or used for the storage of motor driven vehicles, owned and used by the occupants of the dwelling to which it is accessory. An accessory garage, open space or parking area shall not be used for:

a. More than one commercial vehicle licensed as such by the State of South Carolina per dwelling unit
b. Any vehicle more than one ton in capacity.

2. Shed or tool room for the storage of equipment used in grounds or building maintenance.

3. Children's playhouse and play equipment.

4. Private, noncommercial recreational facilities including swimming pool and bathhouse or cabana, tennis courts, etc., owned, used and maintained by the owner and/or tenants of the dwelling units.

5. Structures designed and used for purposes of shelter in the event of man-made or natural catastrophes.

6. Noncommercial flower, ornamental shrub or vegetable garden or greenhouse.

1502.C. Uses Customarily Accessory to Multi-family Complexes. The customary incidental accessory uses of multi-family complexes including but not limited to:

1. Parking provided that such is designed and/or used for the storage of motor driven vehicles, owned and used by the occupants of the dwelling to which it is accessory. Accessory parking shall not be used for:
   a. More than one commercial vehicle licensed as such by the State of South Carolina per dwelling unit
   b. Any vehicle more than one ton in capacity.

2. Mailbox clusters

3. Swimming pools and equipment

4. Tennis courts

5. Laundry facilities

Such accessory uses shall be on the same lot as the permitted use they support.

1502.D. Uses Customarily Accessory to Congregate Housing, Elderly.

1. Nursing home facility.

2. Professional and medical offices.

3. Convenience retail.

5. Facilities for recreation and physical therapy.

6. Educational, social, and occupational training facilities.

7. Beauty or barber shop within the permitted use building.

8. Storage building.


2. Child day care centers confined to religious educational buildings.

3. Parsonage, pastorium or parish house, together with any use accessory to those dwellings.

4. Off-street parking area or garage for use without charge and only as an accessory use to a permitted use on the same parcel or tract.

5. Completely enclosed building for storage of supplies or equipment.

6. Cemetery, mausoleum, or memorial garden, provided that:
   a. The tract of land is screened with a permanent fence installed along any abutting property zoned Single-family (R), Multifamily (RM), or residential Planned Unit Development (PUD);
   b. The burial area does not exceed 0.25 acres in size; and
   c. Burial plots are set back a minimum of 20’ from the property line.

1502.F. Use Customarily Accessory to Funeral Homes: Crematorium shall only be permitted as an accessory to a funeral home. In no case shall a crematorium be permitted as a primary use.

1502.G. Uses Customarily Accessory to Golf Courses, Tennis Facilities and Other Recreational Facilities.

1. Off-street parking areas.

2. Completely enclosed building for the storage of supplies, stock or merchandise, provided the building is either:
   a. Screened from public view; or
   b. Architecturally compatible with the primary structure or the surrounding neighborhood.

3. Clubhouse facilities in more than one building; provided the building(s) shall be setback from the parcel property lines no less than 200 feet. The facilities may include restaurants, bars, pro shops, gift shops, clothing stores, and limited visitor accommodations (not more than one unit per 2 1/2 acres in the golf course tract). These facilities may be open to the public.

1502.H. Uses Customarily Accessory to Marinas.
1. Off-street parking areas.
2. Completely enclosed building for the storage of supplies, stock or merchandise.
3. Restaurants.
4. Boat service facilities.
5. Stores for the sale of incidental supplies.
7. Fueling facilities.

1502.I. Uses Customarily Accessory to Tennis Facilities.
1. Off-street parking areas.
2. Completely enclosed building for the storage of supplies, stock or merchandise.
3. Tennis shops.
4. Locker rooms.
5. Maintenance facilities.
6. Rest rooms.
7. Snack bars.

1502.J. Uses Customarily Accessory to Active Recreation Facilities.
1. Off-street parking areas.
2. Completely enclosed building for the storage of supplies, stock or merchandise.
3. Locker rooms.
4. Rest rooms.
5. Maintenance facilities.

1. Off-street parking areas.
2. Completely enclosed building for the storage of supplies, stock or merchandise.


5. Rest rooms.

**1502.L. Uses Customarily Accessory to Visitor Accommodations.**

1. Structures or facilities under the same operation and control as the permitted use and on the same or contiguous property (which in this case shall not exclude properties on opposite sides of public rights-of-way):
   a. Recreational facilities.
   b. Laundry facilities.
   c. Convention facilities.
   d. Meeting rooms.
   e. Spas and exercise facilities.
   f. Parking facilities.
   g. Offices.

2. Restaurant within a permitted use building.

3. Game rooms and arcades provided that they are located within the permitted accommodations building and that no identifying signs or machines are visible from the outside of the building. The facilities may be used by registered guests of the accommodations and shall be accessible only through the lobby or interior corridor of the permitted use building.

4. Facilities with 100 accommodation units or more may establish the following provided they are located within a permitted use building of 50 units or more and are accessible through the lobby, interior corridor or exterior doorway located 20 feet or more from a public street, alleyway or walkway. No signs or merchandise shall be visible from the outside of the building except that one public service sign as set forth in Article 8 – Sign Regulations may be located immediately over or within 2 feet adjacent to the door:
   a. News stands.
   b. Snack bars.
   c. Florists.
   d. Gift shops.
   e. Confectionary stores.
   f. Automobile rental agencies.
   g. Drug and sundry shops.
   h. Bars.
   i. Hair salons.

**1502.M. Uses Customarily Accessory to Campgrounds.**

Provided that such uses are intended to serve the occupants of the park; such establishments and their parking areas shall not occupy more than five percent of the gross area of the park; such establishments shall present no visible evidence, from any street outside the park, of their commercial character which would attract customers other than occupants of the park; and the structures housing such
facilities shall be situated at least 75 feet from any public street and shall not be directly accessible from other than a street within the park.

1. Management headquarters
2. Recreational facilities
3. Toilets and showers
4. Dumping stations
5. Coin-operated laundries
6. Trailer storage
7. Convenience store
8. Snack bar
9. Fuel sales
10. Recreational vehicle sales

1502.N. Uses Customarily Accessory to Retail Operations.

1. Off-street parking areas.
2. Completely enclosed building for the storage of supplies, stock or merchandise.
3. Coin operated amusement devices subject to the following restrictions:
   a. Maximum number of machines per use is five.
   b. Only allowed as an accessory use to retail facilities of at least 2,000 sq. ft. of gross floor space.


1. Off-street parking areas.
2. Completely enclosed building for the storage of supplies, stock or merchandise.
3. Restaurants not to exceed ten percent (10%) of the total square footage of the building within which the restaurant is contained, provided that drive-up or drive-through windows are not allowed, and further provided that signage is limited to the characteristics of signage allowed for other tenants in the building. A seating area may be provided outdoors as an amenity.

1502.P. Uses Customarily Accessory to Hospitals.

1. Pharmacies
2. Gift shops
3. Restaurants

1502.Q. Uses Customarily Accessory to Bakeries, Bars and Restaurants.

   1. Off-street parking areas
   2. Completely enclosed building for the storage of supplies, stock or merchandise
   3. Wholesale prepared foods
   4. Catering services
   5. Rooftop seating

1502.R. Uses Customarily Accessory to Commercial Trade or Commercial Light Industry Facilities.

   1. Manufacturing and repair facilities incidental to the principal use provided that dust, odor, smoke, noise, vibration, heat or glare produced as a result of such manufacturing or repair operation is not perceptible from any boundary line of the lot on which said principal and accessory uses are located.
   2. Fuel and oil pump and storage tanks.

1502.S. Additional Permitted Uses Accessory to Full Service Administrative Offices of Public Utilities within the Medical/Professional (MP) District. Limited retail sales, provided that no indication of the accessory use or products for sale shall be visible more than 20 feet from the perimeter of the building in which the accessory use is located. All accessory use functions must be located within the same building as the permitted use.

1502.T. Additional Permitted Uses Accessory to Facilities within the Airport (AP) District.

   1. Retail or wholesale commercial activities are permissible if conducted within, or as a part of, a transportation terminal.
   2. Vehicle storage yards are permissible if they have a minimum of ten feet wide landscape buffer from the front property line and side street property lines. Landscape materials will consist of at least one 10' tree placed at 20' intervals and one 3 gallon shrub placed at 3' intervals.

1502.U. Additional Permitted Uses Accessory within the Entertainment (E) District. The following uses allowed as accessory uses in the Entertainment (E) District do not exempt the owner from compliance with the regulations of any law dealing specifically with the subject of special events in general application. City Council reserves the right to set vendor fees at its discretion.

   1. Concession services (indoor/outdoor).
   2. Amusement concessions.
3. Indoor/outdoor concessionaires both static and mobile.
4. Event associated exhibits.
5. Outdoor display of exhibitions and sponsors equipment.
6. Arts and crafts shows.
7. Animal attractions and exhibitions (including the display and temporary housing of animals).
8. Onsite containment of circus/performing troupes.
10. Interconnecting means of conveyance (boats, carts, trains) between theme park/amusement parks and adjacent venues.

1502.V. Additional Permitted Use Accessory within the Light Manufacturing (LM) District:
Dwelling or lodging units for occupancy by owners, guards or caretakers, provided that such dwelling or lodging units be located above or behind principal uses in such a way that they do not interrupt commercial or industrial frontage.

1502.W. Uses Customarily Accessory to Go Carts, Electric, Indoor or Outdoor: Amusements, open or unenclosed, limited to the following restrictions:
1. proof of ownership or control of the minimum site area shall be provided (minimum site area is the land area occupied by a ride or amusement device when fully extended plus the land necessary to accommodate required setbacks and separations);
2. fifteen feet (15') of clearance shall be maintained from any surrounding rides or structures on the same parcel (measured from the limits of the ride through full extension);
3. no portion of the ride, at maximum extension, shall be closer than ten feet (10'), measured horizontally, to any right-of-way line;
4. before issuance of a building permit and before issuance of the certificate of occupancy or certificate of compliance, proof of approval of the ride from SC Department of Labor;
5. maximum 20 feet in height; and
6. may only be powered by electricity; gasoline-powered amusements are not permitted.

Section 1503. Special Exceptions.
In addition to the regulations of Article 5 – Board of Zoning Appeals, the following provisions apply to uses permitted as Special Exceptions (S) in the appropriate zoning districts as provided in section 1407 - Table of Uses.

1. The use will be located within an existing structure or facility located on the subject property.
2. A specific maximum period of time for operation of this use shall be established, not to exceed two years; but such use may be extended for a period not to exceed one additional year upon application for such extension to the Board of Zoning Appeals. If the property subject to the interim conditional use is rezoned prior to the expiration of that maximum time, the interim conditional use, if not permitted in the new zone shall be discontinued within 90 days of the rezoning.

1503.B. Reserved.

1503.C. Reserved.

1503.D. Religious Establishments providing for religious service and development, including churches, temples, synagogues, educational buildings, and rectories subject to the following:

1. The parcels constituting the religious establishment total at least 2 acres in size and are no further apart than 300 feet, airline measurement, as measured from any property line to any property line.

2. Required yards shall not be used for parking or accessory buildings.

1503.E. Storage Tanks, above ground (liquid substances) subject to appropriate state and/or federal agency permits.

1503.F. Correctional Facilities provided they are in a totally enclosed building and meet all state regulations.

1503.G. Parolee-probationer Home:

1. The facility and its operator must hold all licenses required by the State of South Carolina.

2. Except in the Medical/Professional (MP) district, the number of dwelling units must be included in the computation of allowable density for the zoning district in which the facility is located and shall not exceed the maximum number of residential units allowed within the zoning district. For the purposes of density calculations, a rooming unit shall be counted as ½ a dwelling unit. There is no maximum number of dwelling units in the Medical/Professional (MP) district.

3. Bathroom facilities: A minimum of one full bathroom with toilet, sink and tub or shower per five residents plus an additional toilet and sink shall be provided for each additional group of three persons or less.

4. Recreation areas/open space: There shall be provided 200 square feet of usable open space for each resident, within which required landscaping may be included. All open space area shall be suitably landscaped with at least one shade tree for each 1,000 square feet of yard area or part thereof.