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1 **2022-6 (1<sup>ST</sup> READING): TO AMEND THE CODE OF ORDINANCES, CITY OF**  
2 **MYRTLE BEACH, APPENDIX A ZONING SECTION 1305 AWNING AND CANOPY**  
3 **STANDARDS, TO ADD THE C7, C8, AND ART DISTRICTS TO THE LIST OF**  
4 **DISTRICTS THAT ALLOW AWNINGS AND CANOPIES TO OVERHANG PUBLIC**  
5 **SIDEWALKS.**

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6 **Applicant/Purpose:** Myrtle Beach City Council/ to allow awnings and canopies in the Arts &  
7 Innovation District (ART) and Downtown Commercial Districts (C7 and C8) to extend over public  
8 rights-of-ways.  
9

10 **Brief:**

- 11 • The Code currently allows awnings and canopies to extend over public rights-of-way in  
12 the Amusement (A) and Mixed Use (MU) districts;
- 13 • *The Downtown Myrtle Beach Design Guidelines*, adopted Sept. 1999, is specific to the  
14 Downtown area and provides design solutions and suggestions for rehabilitating the  
15 exterior facades of buildings with the use of awnings and other features.
- 16 • At the January 11, 2022 meeting Myrtle Beach City Council asked staff to add the Arts  
17 & Innovation District (ART) and Downtown Commercial District (C7) by amending Section  
18 1305.B. of Appendix A - Zoning Code.
- 19 • Planning Commission (2.15.22): PC recommends approval (7/0) with an amendment to  
20 add the Downtown Commercial District (C8) for consistency. The Downtown Commercial  
21 District (C8) is immediately adjacent to the A District.  
22

23 **Issues:**

- 24 • The front setback for the zoning districts ART and C7 & C8 are zero from the front  
25 property line.
- 26 • The front setback for the MU districts and the A district is also zero from the front  
27 property line.  
28

29 **Public Notification:** Agenda published and posted. Legal ad ran in the Myrtle Beach Herald.  
30

31 **Alternatives:**

- 32 • Modify or deny the proposed ordinance.  
33

34 **Financial Impact:** N/A. The cost and maintenance of the canopy's will be borne by the property owner  
35 whose property they are attached to.  
36

37 **Manager's Recommendation:** I recommend approval.  
38

39 **Attachment(s):** Ordinance, staff report  
40  
41

CITY OF MYRTLE BEACH  
COUNTY OF Horry  
STATE OF SOUTH CAROLINA

TO AMEND THE CODE OF  
ORDINANCES, CITY OF MYRTLE  
BEACH, APPENDIX A ZONING SECTION  
1305 AWNING AND CANOPY  
STANDARDS, TO ADD THE C7, C8, AND  
ART DISTRICTS TO THE LIST OF  
DISTRICTS THAT ALLOW AWNINGS  
AND CANOPIES TO OVERHANG  
PUBLIC SIDEWALKS.

IT IS HEREBY ORDAINED that the Myrtle Beach Code of Ordinances, Appendix A  
Zoning, Section 1305 Awning and Canopy Standards is amended as follows:

**Section 1305. Awning and Canopy Standards.**

Awnings and canopies are allowed in all districts subject to the following regulations:

1305.A. Except in the Amusement (A) zoning district, translucent or any other type of  
material that allows internal light to illuminate any part of the awning or  
canopy is prohibited.

1305.B. Awnings and canopies are permitted to extend over public rights-of-way in the  
Amusement (A), Downtown Commercial (C7 & C8), Arts & Innovation (ART),  
and Mixed Use (MU) districts; provided they do not extend beyond the back  
edge of the curb line or more than a distance of eight feet inside the right-of-  
way line, further provided that these structures do not rely on public property  
for structural support nor interfere with pedestrian or vehicular traffic. Any  
architectural element that protrudes or encroaches in a permitted fashion must  
maintain a minimum 9-foot clearance from grade.

This ordinance will take effect upon second reading.

\_\_\_\_\_  
BRENDA BETHUNE, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER ADKINS, CITY CLERK

1<sup>st</sup> Reading: 2-22-2022

2<sup>nd</sup> Reading:

## Staff Report

**Downtown Myrtle Beach Design Guidelines** adopted by the Myrtle Beach City Council, September 21, 1999

*The guidelines provide design solutions and suggested direction for the individual building owner to address the exterior façade of their building, thus impacting the look and character of the Downtown area. Specifically stating that “Storefronts, window displays, signs, color, awnings and architectural details all play an integral part in the successful design of rehabilitating these buildings.”*

*Excerpts from the Downtown Myrtle Beach Design Guidelines -*

### **Awnings & Canopies**

A standard street level awning should be mounted so that the lowest point, including any valance, is a minimum of nine (9) feet above grade and projects no further than eight (8) feet into the right-of-way and no closer than twelve (12) inches from the curb.

Remember that our area is prone to high winds (100 miles per hour is not unusual). Awning materials should be chosen carefully and should be strong enough to withstand extreme weather conditions. Metal frames are recommended.

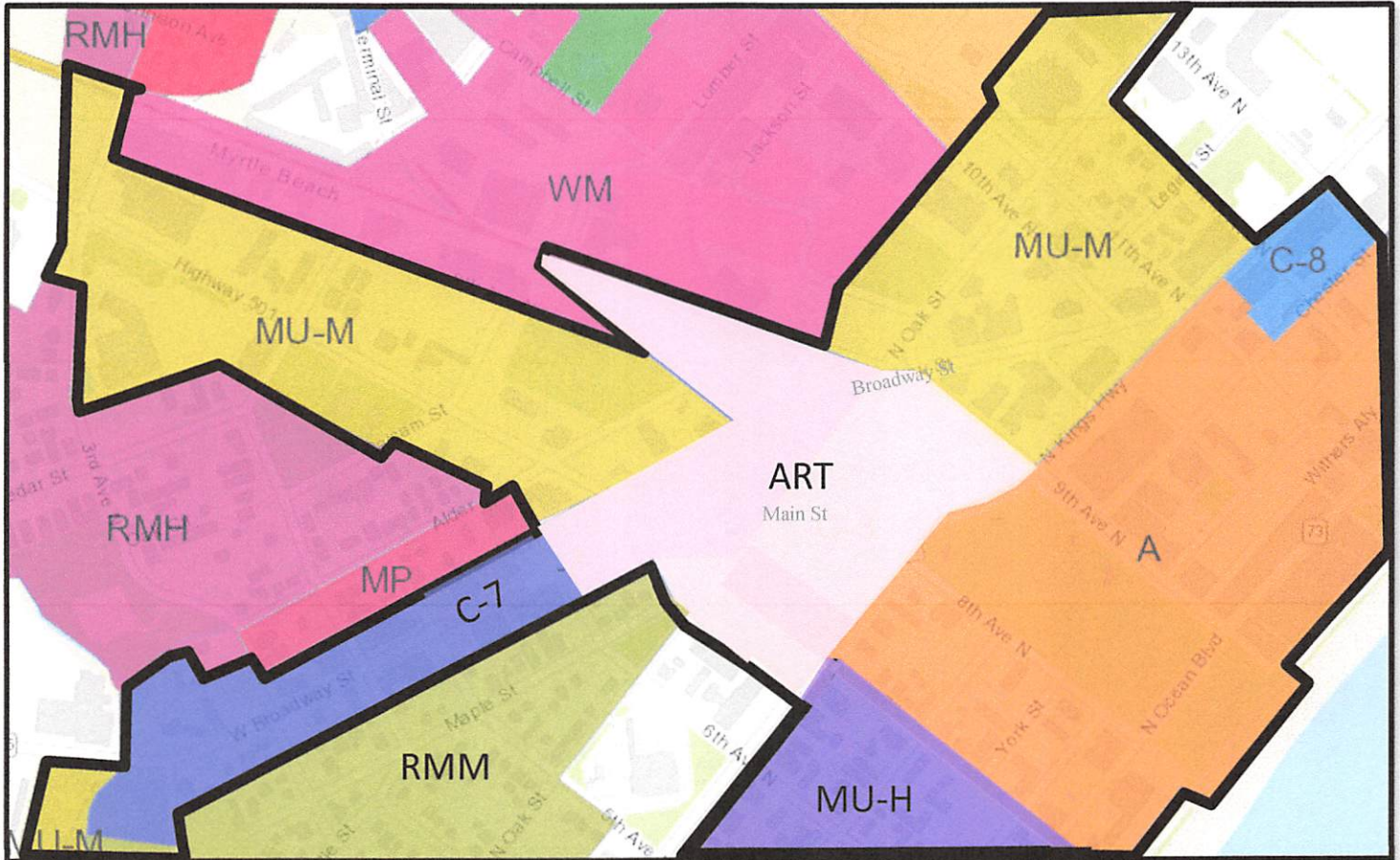
### **Proportions of the Openings**

Detailing of street walls with awnings and a variation of building materials adds to this interest.

### **B. Definitions**

**Awning / Canopy:** A framework covered with fabric or metal, located on a storefront or individual window openings, projecting from the façade of a building. Its primary purpose is to shade the interior of the building and provide protection to pedestrians.

Current Zoning Map of Downtown and walkable community areas within the City of Myrtle Beach



**STAFF COMMENTS:**

Zoning: No concerns.

### **Section 403. Findings of Fact Required**

In reviewing any petition for a zoning amendment, the Planning Commission shall identify and evaluate all factors relevant to the petition, and shall report its findings in full, along with its recommendations for disposition of the petition, to the City Council. Factors shall include, but shall not be limited to, the following:

- 403.A. Whether or not the requested zoning change is consistent with the Comprehensive Plan or is justified by an error in the original ordinance.
- 403.B. The precedents and the possible effects of such precedents, which might result from approval or denial of the petition.
- 403.C. The capability of the City or other government agencies to provide any services, facilities, or programs that might be required if the petition were approved.
- 403.D. Effect of approval of the petition on the condition or value of property in the City.
- 403.E. Effect of approval of the petition on adopted development plans and policies of the City.