

Planning Commission Meeting

September 2019

6:00PM

PUBLIC HEARING

- Amendments to the Town's Code of Ordinances specifically Chapter 17 [Zoning Ordinance] Article III District and use regulations. Full review of specific permitted uses within the town limits, special conditions for certain uses.
- Massage Parlors as permitted uses
- Define – Long Term Rental

SECTION 17-395.

USE TABLE

Residential Uses	Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MP	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code	
Residential Dwelling Types	Single Family, detached	P	P	P	C		C		P			\$17-396.32 (C1, C3)		E	
	Single Family, semi-attached		C	C			C		C			\$17-396.32 (C3)		E	
	Single Family, attached			C			C		C			\$17-396.32 (C3)		E	
	Two-Family (duplex)		P	P			C		P			\$17-396.36		E	
	Multi-family			P			C		C			\$17-396.32 (C3)		E	
	Upper story dwelling						C		C			\$17-367(2) (MU)		E	
										C			\$17-396.5 (C2)		E
										C			\$17-396.37 367 (MU)		E
		Manufactured Home								C			\$17-391		P
		Manufactured Home Park											PROHIBITED		
Dwelling Uses	Mobile Home											PROHIBITED			
	Accessory dwellings/garage apartment		Pa	Pa					Pa			\$17-396.4		E	
	Efficiency units		P	P	P	P	P	P	P			\$17-396.20		D	
Home Business	Group dwelling		C	C	C	C	C	C	C			\$17-007 – Home Occupation Definition		E	
	Home Occupations	C	C	C	C	C	C	C	C	C					
Agricultural	Agriculture and Horticulture (non-commercial), excluding the keeping of poultry and livestock	P	P	P					P						
Accommodations Uses	Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MP	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code	
				C	P	P						\$17-396.23 (R3)	Article IX (C1)	H or S (C3)	
				C	C	C						\$17-396.33	Article IX (C1)	H or S (C3)	
Civic, Governmental / Public, Institutional Uses	Specific Use	P	P	P	P	P	P	P	P			\$17-396.10		E	
		Long Term rentals	P	P	P	P	P	P	P			\$17-396.10		E	
Assembly	Assembly Hall											Applicable Standards	Design Overlay Applicable Article	Parking Code	
													Article IX	B	

Civic, Governmental / Public, Institutional Uses Continued	Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MP	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code
Assembly Continued	Banquet Facility				P								Article IX	B
	Civic Club				P	P							Article IX	C
	Gymnasium				P								Article IX	B
	Religious Institution/Church	S	C	C	P	P						\$17-396.12	Article IX (C1 & C2)	B
Day Care Facilities	Child Day Care Center				C							\$17-396.1	Article IX	\$17-396.19
	Family home daycare	C	C	C	C							\$17-396.19		
												\$17-007 – Home Occupation (9)		
Other Care Facilities	Funeral Home, mortuaries				P								Article IX	B
	Hospital				P								Article IX	G
Educational	Library										C	\$17-396.26		B
	Museum and similar cultural activities										C	\$17-396.26		B
	Private, trade, and vocational School										C	\$17-396.30 (R1,R2)		O
	Public, trade, and vocational School										C	\$17-396.26		
Governmental Uses/ Public Owned	Correctional Institutions or jails										C	\$17-396.6		R
	Court of Law										C	\$17-396.6		
	Offices for governmental, business, professional or general purposes										C	\$17-396.26		K
	Parks, neighborhood and community (Public)										P			B
	Police and Fire Station										C	\$17-396.26		B
	Police Substation										C	\$17-396.26		B
	Post Office										C	\$17-396.26		L
	Public Works Facilities										C	\$17-396.6		K
	Warehouse/Storage Facility										C	\$17-396.6		R
		Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MH	PL	Applicable Standards	Design Overlay Applicable Article
Business Office	Accounting Firm, Bookkeeping Office				P	P	P						Article IX (C1 & C2)	K or S(C3)

Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MH	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code
Administrative Office				P	P	P						Article IX (C1 & C2)	K or S(C3)
Advertising Agency				P	P	P						Article IX (C1 & C2)	K or S(C3)
Architect/Engineering/Design Office				P	P	P						Article IX (C1 & C2)	K or S(C3)
Brokerage Firm				P	P	P						Article IX (C1 & C2)	K or S(C3)
Business Consulting Office				P	P	P						Article IX (C1 & C2)	K or S(C3)
Computer Programming & Support				P	P	P						Article IX (C1 & C2)	K or S(C3)
Consulting Firm				P	P	P						Article IX (C1 & C2)	K or S(C3)
Contractors Office				P	P							Article IX	K
Employment Agency				P	P							Article IX (C1 & C2)	K
Engineering or Surveying				P	P	P						Article IX (C1 & C2)	K or S(C3)
Financial Institution & Offices				P	P							Article IX (C1 & C2)	K
Insurance Agency				P	P							Article IX	N
Investigator/Detective Office				P	P							Article IX	N
Law Office				P	P	P						Article IX (C1 & C2)	K or S(C3)
Loan Office				P	P							Article IX	K
Other Professional Offices				P	P	P						Article IX (C1 & C2)	K
Paralegal Office				P	P	P						Article IX (C1 & C2)	K
Real Estate Office				P	P	P						Article IX (C1 & C2)	K or S(C3)
Real Estate Management Office				P	P	P	P					Article IX (C1 & C2)	K
Secretarial Service				P	P							Article IX	K
Travel Agency				P	P	P						Article IX (C1 & C2)	K or S(C3)
Antique Stores				P	P							Article IX (C1 & C2)	N
Artist's Studio & Gallery				P	P	P						Article IX (C1 & C2)	N or S (C3)
Frame Shop				P	P	P						Article IX (C1 & C2)	N or S (C3)
Gift, Novelty and Souvenir Shop				P	P	P	P					Article IX (C1 & C2)	N or S (C3)
Hobby/Craft Shop				P	P							Article IX	N
Photography Studio & Sales, Film Developing				P	P							Article IX	N
Bridal, Formal Wear				P	P						\$17-367 (MU)	Article IX (C1 & C2)	L
Clothing Store, Specialty shops				P	P						\$17-367 (MU)	Article IX (C1 & C2)	L

Commercial General	Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MH	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code	
Dining	Café, Coffee Shop				P	P	P	P	P			\$17-367 (MU)	Article IX (C1 & C2)	M	
	Restaurant with drive-thru or drive up facilities				P								Article IX	M	
	Restaurant and other dining establishments without lounges (Indoor/Only)				P	P	P	P	P			\$17-367 (MU)	Article IX (C1 & C2)	M S (C3)	
	Restaurant and other dining establishments with open or outdoor dining				C	C	C	C	C			\$17-396.1 (C1) \$17-367 (MU) \$17-396.34 \$17-396.35	Article IX (C1 & C2)	M S (C3)	
	Restaurants, taverns, bars or other places where alcohol is consumed				C	C	C	C	C			\$17-396.1 (C1) \$17-367 (MU) \$17-396.34 \$17-396.35	Article IX (C1 & C2)	M S (C3)	
	Restaurants where alcohol is consumed				C	C	C	C	C			\$17-396.1 (C1) \$17-367 (MU) \$17-396.34 \$17-396.35	Article IX (C1 & C2)	M S (C3)	
	Food & Convenience Stores	Bakery				P	P	P	P	P			\$17-367 (MU)	Article IX	
		Bakery (Retail Only) with or without the sale of hot/cold drinks, sandwiches/snack				P	P	P	P	P			\$17-367 (MU)	Article IX (C1 & C2)	
		Butcher Shop				P	P							Article IX	
		Candy Store				P	P	P	P	C			\$17-367 (MU)	Article IX (C1 & C2)	
Convenience/General Store					P	P	P	P	P				Article IX (C1 & C2)		
Delicatessen					P	P	P	P	P				Article IX (C1 & C2)		
Fruit & Nut Store					P	P	P	P	C			\$17-367 (MU)	Article IX		
Grocery Store					P								Article IX		
Health, Nutrition Food Store, Vitamin Store					P	P	P	P	P				Article IX		
Ice Cream Shop					P	P	P	P	C			\$17-367 (MU)	Article IX (C1 & C2)		
Medical/Clinical	Specialty Food Store				P	P	P	P	C			\$17-367 (MU)	Article IX (C1 & C2)		
	Animal Hospital/Veterinarian Clinic				C							\$17-396.1 (C1) \$17-396.2	Article IX	J	
	Chiropractor				P	P	P	P					Article IX (C1 & C2)	J or S(C3)	
	Counseling Service				P	P	P						Article IX	J	

Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MH	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code
Dentist/Orthodontist/Oral Surgeon				P	P	P						Article IX (C1 & C2)	J or S(C3)
Doctor's Office				P	P	P						Article IX (C1 & C2)	J or S(C3)
Medical and Diagnostic Laboratories, Home Health Care Services, and other Ambulatory Health Care				P								Article IX	J
Optometrist/Eye Doctor				P	P	P						Article IX (C1 & C2)	J
Outpatient Care Centers				P								Article IX	J
Physical Therapy/Physical Rehabilitation				P								Article IX	J
Veterarian Clinics - MOVED				C							\$17-396.1 (C1) \$17-396.2	Article IX	J
Call Center				P								Article IX	L
Charitable Institution (office)				P	P							Article IX	L
Religious Institution Office (no assembly)				P	P							Article IX	L
Barber Shop/Beauty Shop				P	P							Article IX (C1 & C2)	K or S (C3)
Clothing Alterations, Tailor/Seamstress				P	P							Article IX	K
Dry Cleaner (no drive thru)				P	P							Article IX	L
Dry Cleaner (with drive thru)				P								Article IX	K
Coin Operated Laundromat				P								Article IX	L
Nail Salon				P	P		C				\$17-367 (MU)	Article IX (C1 & C2)	L
Pharmacy/Drug Store				P	P							Article IX	L
Shoe Repair				P	P							Article IX	K
Tanning Salon				P	P							Article IX	L
Art Shop				P	P	P	P					Article IX (C1 & C2)	N or S (C3)
Blueprinting services				P	P							Article IX	N
Bookstore				P	P	P						Article IX (C1 & C2)	N
Bicycle & Accessory Sales				P	P	P	P					Article IX (C1 & C2)	N
Coin Shop				P	P							Article IX	N
Cosmetics Store				P	P							Article IX	N
Drapery Shop				P	P							Article IX	N
Engraving Shop				P	P							Article IX	N

Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MH	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code
Eye-glass Sales				P	P							Article IX	N
Farmers Market				P						C	\$17-396.7	Article IX (C1)	L
Florist/Flower Shop				P	P							Article IX	N
Hardware Store				P								Article IX	N
Interior Design Shop				P	P							Article IX	N
Jeweler/Jewelry Shop				P	P			C			\$17-367 (MU)	Article IX (C1 & C2)	N
Laundry and Linen Supply Service				P								Article IX	L
Locksmith				P	P							Article IX	N
Medical Supply Store				P	P							Article IX	N
Music Shop				P	P							Article IX	N
Musical Instrument Sales and Repair				P	P							Article IX	N
Paint, glass and wallpaper stores				P	P							Article IX	N
Party Supply Store				P	P							Article IX	N
Pet Supply (no selling of animals, no grooming, no training & no boarding)				P	P			C			\$17-367 (MU)	Article IX (C1 & C2)	L
Pet Supply (grooming, training and boarding)				P								Article IX	L
Phone sales and service store				P	P							Article IX	N
Stationary Shop				P	P			C			\$17-367 (MU)	Article IX (C1 & C2)	I
Secondhand Retail Store				P	P							Article IX	N
Surf Shop				P	P			C			\$17-367 (MU)	Article IX (C1 & C2)	N or S (C3)
Toy Store				P	P							Article IX	N
Vintage Clothes Shop				P	P			C			\$17-367 (MU)	Article IX (C1 & C2)	I or S (C3)
Water Sports Shop				P				C			\$17-367 (MU)	Article IX (C1)	N or S (C3)
Wine Tasting/Retail Wine Shop				P	P			C			\$17-367 (MU)	Article IX (C1 & C2)	N
Appliance Sales and Service				P	P							Article IX	N
Bat and Tackle Store				P				P				Article IX (C1)	L S (C3)
Beachwear Store				P	P			P				Article IX (C1 & C2)	L S (C3)
Bicycle/Scooter/Moped Rentals/Shop				P	P			P				Article IX (C1 & C2)	N S (C3)

Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MH	PL	Applicable Standards	Design Overlay Applicable	Parking Code
Big Box Retail Store, Department Store/Warehouse Clubs				P								Article IX	L
Boat Sales & Service				P								Article IX	N
Building Supplies and equipment sales				P								Article IX	Q
Catering Establishment				P	P							Article IX	I
Computer/Electronics Sales and Service				P								Article IX	N
Consignment Store (not flea market or pawn shop)				P	P							Article IX	N
Copying Center/Print shops/Business Service Centers				P	P							Article IX	N
Sign Company				P								Article IX	I
Discount Store				P	P							Article IX	L
Electrical appliances and equipment, sales and service				P	P							Article IX	N
Exterminating & Disinfecting Service				P	P							Article IX	N
Equipment Sale and rental store				P	P							Article IX	N
Fabric Shop				P	P							Article IX	N
Fish Market				P								Article IX	N
Furniture Repair & Upholstery				P	P							Article IX	N
Furniture Store and Showroom				P	P							Article IX	N
Gas and Service Station				P								Article IX	F
Golf cart sales/rentals/service				P								Article IX	N
Hardware Store				P	P							Article IX	N
Heating & Air Conditioning Supply, Sales and Service				P								Article IX	N
Home decorating accessory shops/sales				P	P							Article IX	N
Lawn and Garden equipment sales and service				C							\$17-396.1	Article IX	N
Liquor Store/Package store				P								Article IX	I
Lumber Yards and sales				C							\$17-396.1 \$17-396.25	Article IX	Q

Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MH	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code
Meat/Fish Market				P								Article IX	N
Nursery, flower or plant store				P								Article IX	N
Plumbing Sales and Service				P								Article IX	N
Postal services (Private)				P								Article IX	N
Shoe Store				P	P							Article IX	N
Sign Shop				P								Article IX	N
Sporting Goods Store				P								Article IX	L
Auto Accessory Store				P								Article IX	N
Automotive paint /body shop/repair and/or maintenance				P								Article IX	A
Automotive parts store				P								Article IX	N
Automotive Sales/Rental /leasing				P								Article IX	N
Auto service station				C							\$17-396.3	Article IX	A
Automotive wrecker service				C							\$17-396.8	Article IX	A
Motorcycle & Motor scooter sales				P								Article IX	N
Wash/Detail Service				P								Article IX	A
Tire Sales and Service				P								Article IX	F
Entertainment/Amusement Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MH	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code
Amusement Park											Planned Development Only		
Aquarium				P			P					Article IX (C1)	L
Amusement Arcade				P			P					Article IX (C1)	N or S(C3)
Battling Cage				P						P		Article IX	F
Billiard Parlor				P	P							Article IX (C1,C2)	R
Bowling Alley				P								Article IX	L
Miniature Golf				P								Article IX	L
Theater/Multiplex Theater				C							\$17-396.39	Article IX	B
Performing Arts				P	P							Article IX	B
Pier							P					Article IX	L
Skating Rink (Indoor)				P								Article IX	L

Entertainment/ Amusement Continued	Specific Use	R1	R2	R3	C1	C2	C3	C4	M	MH	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code
	Sports Facilities not otherwise listed				P						P		Article IX	L
Other	Health Clubs				P								Article IX	L
	Fitness Center				P						P		Article IX	L
	Studios (art, dance or music)				P	P							Article IX	L
	Studios (martial arts, athletic)				P	P							Article IX	L
	Tennis Facilities				P						P		Article IX	L
	Water Slides and similar forms of indoor recreation				P								Article IX	L
Manufacturing Industrial Uses	Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MH	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code
	Cold Storage Freezer/locker				Pa	Pa	Pa	Pa				Accessory to Businesses requiring cold storage freezer and or locker	Article IX (C1,C2)	
	Custom Manufacturing				C							\$17-396.8		I
	Fabricating shops, e.g. cabinet or upholstery				C							\$17-396.8		I
	Fence and Fence Material Dealer				C							\$17-396.8		I
	Fuel or chemical storage, excluding incidental or accessory storage				S							\$17-396.8		I
	Genetic Research Institutions				C							\$17-396.8		I
	High Technology Industry				C							\$17-396.8		I
	Industrial Service establishments sales that supply other businesses, industries or individuals				C							\$17-396.8		I
	Manufacturing, processing, assembling, packaging and distribution establishment				C							\$17-396.8		I
	Metal Shop				C							\$17-396.8		I
	Medical or dental laboratory				C							\$17-396.8		I
	Microbrewery				Pa	Pa						Accessory to restaurant uses only	Article IX	I

Manufacturing Industrial Uses	Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MH	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code
Public Infrastructure	Warehouse, Mini Storage Units/storage facilities				C						C	\$17-396.8		R
	Research facility				C							\$17-396.8		R
	Science Laboratory				C							\$17-396.8		I
	Screen Printing				C							\$17-396.8		I
	Sheet metal/Machine Shop				C							\$17-396.8		I
	Sign Manufacturing				C							\$17-396.8		I
	Welding Shop				C							\$17-396.8		I
	Wholesale Bakeries				P	P						\$17-396.8	Article IX	I
	Wholesale Business establishments for selling bulk goods or commodities, but not toxic											\$17-396.8		I
	Wholesaling, storage & distribution (light)				C							\$17-396.8		I
Transportation	Parking Lot				P	P							Article IX (C1, C2)	R
	Courier/Local delivery				Pa	?	?	?				Accessory to permitted uses in C-1 only	Article IX	R
	Taxi Service				P								Article IX	R
	Truck or bus terminal				C							\$17-396.1 \$17-396.40	Article IX	R
Utilities	Cellular/Wireless Communication Tower				C						C	\$17-396.13		
	Public Utility				C	C	C	C	C	C	P	\$17-396.41		
	Water Tower				C						P	\$17-396.41		
Restricted Uses	Specific Use	R1	R2	R3	C1	C2	C3	C4	MU	MH	PL	Applicable Standards	Design Overlay Applicable Article	Parking Code
	Body Piercing				Pa							\$17-396.1 & \$17-396.11	Article IX	
	Sexually Oriented Businesses				C							Article IV Division 3	Article IX	\$17-435(a)
Restricted Uses	Massage Therapy/Bodywork Therapist				Pa							\$17-396.9	Article IX	
	Parking deck				Pa							\$17-396.14		
	Radio/Television Station				C							\$17-369.1 & \$17-396.31	Article IX	K



Long Term Rental Defined.

The existing Chapter 17 [Zoning Ordinance] does not define Long Term Rental. Staff requested the former Planning Commission propose a definition. There was much discussion regarding what truly defined “Long Term”. The current proposal (below) was decided on at that time. Staff now request the current Planning Commission recommend a definition for “Long Term” rentals.

SECTION 17-396.10 TRANSIENT RENTAL AND LONG TERM RENTAL

Transient Rentals, also known as short term rentals are permitted in the R3 and C3 zoning districts and are defined as a dwelling or other accommodation used as a dwelling or other place of human habitation with sleeping accommodations which is rented, leased, or subleased for periods less than a calendar month or thirty (30) days.

Long Term Rentals are permitted in all zoning districts allowing residential uses. Long term rental is defined as twelve (12) consecutive months or longer.

In researching the Planned Developments (PD) in town the following information was found (not all Planned Developments (PD) were found to have information regarding rentals.)

- **Camellia Park – No transient rentals**
- **South Beach – nothing less than 180 days**
- **Palmetto Cove – Nothing less than 180 days**
- **The Palms – Nothing less than 180 days**
- **Ocean Breezes – No Transient rentals**
- **Ocean Oaks – Nothing less than 30 days**
- **Ocean Pines I – No Transient rentals**

*** May not be inclusive**

SECTION 17-396.9 MASSAGE BODYWORK THERAPIST

Massage Therapy/Body Therapy shall not be permitted as a principal use in any zoning district. Massage Therapy/Body Therapy shall be approved as an accessory/incidental use as provided for in this ordinance. Notwithstanding any conflicting provisions of this ordinance any business which was lawfully performing such services in the town immediately before the effective date of this ordinance that is thereafter in violation of this section shall be deemed a nonconforming use. Any use found to be nonconforming by application of this ordinance shall be permitted to continue for a period not to exceed two (2) years from the initial date of nonconformity.

Massage Therapy/Body Therapy shall be permitted as an accessory/incidental use only inside state licensed hair salons, health care establishments engaging in the science and art of preventing, curing or alleviating disease, including medical, surgical, psychiatric, chiropractic and osteopathic offices but excludes gyms, health clubs, dental offices and veterinary clinics and associated uses.

In addition to the above requirements all massage therapy/body therapy shall meet all requirements set forth in the SC Code of Laws Title 40-Professions and Occupations; Chapter 30 Massage /Bodywork Practice Act as required by state law. A copy of the current state license from the South Carolina Labor, License and Regulations (LLR) for massage/bodywork therapy must be presented prior to zoning approval.