PLANNING COMMISSION – REGULAR MEETING
TOWN COUNCIL CHAMBERS
Tuesday, December 5, 2017 6:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. AGENDA APPROVAL

4. MINUTES APPROVAL - November 7, 2017

5. PUBLIC COMMENTS - AGENDA ITEMS

6. DEPARTMENT REPORT

7. BUSINESS ITEM
   E- Entertainment District

8. DISCUSSION ITEM
   a. Text amendments to Ch 17 Article VI - Signs
   b. Review of Design Overly District

9. PUBLIC COMMENTS - GENERAL

10. COMMISSION COMMENTS

11. ADJOURNMENT
1. CALL TO ORDER.

Chairman Abrams called the Planning & Zoning Commission meeting to order at 6:00 p.m.
Commission members present: Chairman Abrams, Vice Chairman Seibold, and members Gambino,
Johnson, Lauer, Mastrosante and McKeen. A quorum was present. Others present: Town Administrator
Fellner, Town Clerk Herrmann and Deputy Administrator Harrah.

2. PLEDGE OF ALLEGIANCE.

Chairman Abrams led the Pledge of Allegiance.

3. SWEARING IN OF NEW MEMBERS.

Ms. Herrmann administered the oath of office to Ms. Mastrosante and Mr. McKeen. The signed
oath is filed in the clerk’s office.

4. AGENDA APPROVAL.

Ms. Johnson moved to approve the agenda as presented. Mr. Lauer second. All voted in favor.
MOTION CARRIED.

5. MINUTES APPROVAL.

Ms. Johnson moved to approve the October 3, 2017 meeting minutes as submitted. Ms. Gambino
second. All voted in favor. MOTION CARRIED.

6. PUBLIC COMMENTS- Agenda Items.

Ms. Carol Cook, 7th Avenue South, said I have issues with this entertainment district. I don’t
understand. I’m old school. So I pulled out the dictionary looked up entertainment. I googled
entertainment. I even asked Siri what entertainment meant and at no time did Siri list guns, secondhand
shops, thrift shops, auction houses, if you’re going to rezone the pier area you need to rezone it is a
boardwalk area and include things that you would find on a boardwalk. This is the family beach. Nothing
about guns and thrift shop says family beach. The pier is supposed to be the jewel of our community.
And that’s where you want people to go and visit. I don’t understand how you can propose putting a gun
shop there and think that people are going to want to stroll by with their toddlers on a Sunday afternoon.
I think this needs to be rethought and reworked. I think the proposed businesses for this area are totally
out of alignment with the family beach and an area where you want people to come and relax. Thank
you.

7. DIRECTOR'S REPORT.

Mr. Harrah said staff issued 155 permits during September, including 4 new home permits, 152
inspections, and 5 plan reviews. Code enforcement received 120 complaints. The building official has 6
complaints under investigation, and one stop work order. He announce that Tina Mazoo passed the
Certified Floodplain Manager Certification and Scott Henrick was licensed with South Carolina License,
Labor, and Regulations as a building officials as of September 19. South Carolina Department of Natural
Chairman Abrams said she also read what Ms. Cook was talking about with all the different types of businesses. I thought the word 'not' was before those businesses, but that was not the case. Why don't we try to clear that up before we get any farther into this? It seems to me the without a prohibition in there, we are probably maybe allowing uses that we may not want. Mr. Seibold said I totally agree with Ms. Cook's comments. I was also concerned with some of the businesses listed. Ms. Gambino said absolutely. Chairman Abrams asked Mr. Harrah if the list could be edited. Mr. Harrah said the list is the current ordinance for the C3 district. Mr. Seibold said the C3 district is commercial and residential. Mr. Harrah said yes. Mr. Seibold asked if that district was an amusement area at one time. Several members responded yes. He thought C3 was kept because of the amusement, but he did not see that in the code. Chairman Abrams said I am taken aback by the fact that all these things are allowed in C3 as it stands now. Mr. Seibold said I'm surprised that it was. At one time there was an amusement park with rides in that area, so I thought it was amusement and commercial. Ms. Gambino said in the 70s. Chairman Abrams suggested making changes to the businesses in the C3, because I want a gun shop there, Mr. Seibold said it’s not going to happen. We will have this done before somebody puts a gun shop there. Chairman Abrams explained only a piece of the district was being changed. Mr. Harrah presented a PowerPoint and said the planning commission discussed this June 7, 2016 and concurred to move forward. Unfortunately, due to higher priorities of other circumstances the action was never taken. This is particularly appropriate time to move forward with rezoning, since plans are currently underway for rebuilding the pier. Staff drafted the attached amendment to the zoning ordinance, which accommodates the town's desire to ensure that only commercial properties are built in this district to prevent a commercial establishment from being redeveloped as residential property. The planning commission directed staff to schedule a public hearing. These are the recommendations as move forward for a notice to the affected property owners. If the commission concurs, the public hearing will be scheduled December 5th. Mr. Harrah said he came across these minutes as he was doing other research. He presented a map and explained the area that would be included in the E Entertainment District, which would prohibit residential development in the town’s pier area. Mr. Seibold asked what would happen with property that was purchased expecting that residential development was allowed Mr. Harrah said that is the purpose for the hearing is so that discussion with everybody. This will impact not only property owners in the E district, but those within a 150 feet of the E district perimeter, all of whom will receive notification. Chairman Abrams said we are not eliminating C3, but retaking a piece out of it that current does not have any houses in it. Mr. Harrah said correct; there's no residential in this current E zone. Mr. Seibold said we are rezoning a portion of C3 to restrict residential. Mr. Harrah said yes, and explained that the E district was kept as square as possible to prevent confusion.

Mr. McKeen believed the parking lots on Yaupon Drive should be included in the E district. There's only one residence on that block where the parking lot is located. Including those lots would prevent any future residential use, if the town decided to sell that property. If the River City property was included in the E district, they can only rebuild another commercial establishment. Ms. Johnson agreed with Mr. McKeen and wanted to include the River City property as well as the parking lots. Mr. Harrah said that certainly can be done. Mr. Seibold said residential property is located right next to River City;
Mr. Harrah said the Surfside Drive business district was recently amended to allow residences about the businesses, and said the commission might want to consider that. Mr. Harrah said not point is the tax base generated by the entertainment district would be more than in a residential district. From the revenue side, two floors of restaurants will bring in more accommodations tax than a mixed use would. The height is still limited to 55 feet, so that height is going to restrict some of those things as far as being able to get a viable piece of real estate that won’t cost a lot of money per square foot with residential unit on top. Mr. McKeen said if those were destroyed, and were rebuilt they have to be built at a higher level than now, correct? Mr. Harrah said yes, new construction must be elevated to meet the current Base Flood Elevation (BFE). Chairman Abrams liked the idea of including the River City property, if they’re amenable. I don’t see how can be good news for the town to have River City turned rental houses. Mr. Harrah said he would make adjustments to include the River City property, and the Yaupon parking lots, as well. Ms. Johnson asked if the Yaupon area would be squared off or leave the house and other parking lot out. Mr. Harrah said we will just leave the house out. Chairman Abrams asked for consensus to ask Mr. Harrah to redraw the draft map to include the River City property, and the Yaupon parking lot, minus the residence. Commission CONCURRED. Chairman Abrams said there is a unanimous consensus.

Mr. Harrah said regulations for the E district include:

- The intent provision is for this division is to allow a small pedestrian oriented commercial environment.
- Dining and entertainment venues
- Complete the pier area as a destination
- Enable property owners to redevelop their lots.
- Minimum lot size and 3500 ft.².
- Building width of 35 feet
- Zero setbacks

There is a small law firm office in front of the pier that is built on a zero setback. But, the C3 district requires a 5 foot setback. If they change that property, they would have to provide a 5 foot setback. We’re reverting back to the historical intention for the C district. That gives the owners the maximum footage to allow development. Chairman Abrams said we’re maximizing the commercial business area in that confined space. Mr. Harrah said yes, and the maximum building height is the same as the C3, which is 55 feet. I know that there’s some reservations about the height of that, but there’s also been some comments about the pier being rebuilt with the new 25 foot height required by FEMA. If the Surfside wants to rebuild and have a two-story restaurant, that 55 foot will not accommodate it. Because the pier will be 25 foot high, 10 foot walls, 1 foot floor system, another 10 foot wall, and then the roof system, you will be pushing 55 feet and will probably have a very slow pitch on the roof. It’s something to think about; maybe giving another 10 feet to make the design look right to accommodate that. Mr. Seibold asked if the height on Highway 17 was 55 feet. Mr. Harrah said the C3 district is 55 height. Mr. Seibold asked what the residential limit was. Mr. Harrah said if it was in a C3 district, it was at a 55 feet maximum actual roof height.

The District Use Table will have a column added for the E district. Under the parking requirements in this district is no parking required other than accommodations for the hotel that would
be required to keep the same parking requirements. The reason being is trying to make a walking area around these establishments, we’re already currently crunched for parking spaces. The idea is with the reconstruction of the pier, if any business owners decide they want to come in and redevelop the property, they would have more square footage to use on the lot, and then they wouldn’t have to designate that area for parking. Entertainment wise, this would be looking mostly at dining and evening entertainment. During the day, parking is used mostly by beach goers. Making efforts to create a pedestrian community with residents, tourists, and guests walking into this district makes any sense. Mr. Seibold said parking would always be a problem, but it would be nice if people walked. Mr. Harrah said currently only the east side of Ocean Boulevard has a sidewalk. If a pedestrian circle could be created in that area it would be encourage walking between those businesses in the area. Chairman Abrams asked if the Yaupon parking lot filled during the evenings. Mr. Seibold said it fills up during the day; he hasn’t seen it in the evenings. (**Several speaking at once.) Mr. Harrah said the accommodation use would stay the same. If they ever wanted to add on a wing to the hotel, he would still have to retain his parking requirements for whatever amount of rooms added. The hotel could extend out the zero property line, but any and all parking requirements per square foot per room has to be maintained.

The list of businesses in the C3 district has not been reviewed in a while, and can be amended. Under 17-396.34 restaurants and other dining establishment with outdoor dining, it was added that outdoor entertainment shall be limited to hours from 8:00 p.m. to 12 midnight. The district must comply with the noise ordinances. After a lengthy discussion about the hours for outdoor entertainment, the commission CONCURRED to eliminate the start time, and only cite that the outdoor entertainment shall end by 12 midnight.

Article IV is the supplemental district regulations. In 17-404, the E district was added to the one principal building on a lot requirement as an exemption so the property can be developed upwards up to the maximum height. That is, instead of tearing a building down, they could build another building above the existing building as long as it was within the 48-percent and meet the flood requirements. The cost of raising a building in the commercial side is a lot more expensive than a residential structure. Mr. Harrah continued citing changes, copies of which are on file.

Chairman Abrams suggested the allowed businesses in the C3 and E district be evaluated. The commission concurred to the following:

- One product line including appliances, radios and TVs Prohibit
- Shopping appropriate to the district (gifts, souvenirs, towels, etc.) Allow
- Arcades, subject to public safety comments* *No decision
- Restaurants Concurred
- High traffic retail Prohibit
- Bakery, Coffee Shop Allow
- Jewelry, Books Allow

The commission asked that Chief Hofmann to bring comments on an arcade use at the next meeting. Mr. Seibold asked if the commission could assume that the ordinance has the support of Town Council. I want ensure that the recommendations the commission considers are in line with Town Council’s thought process. Mr. Harrah said this discussion was based on minutes from a previous meeting. Chairman Abrams said it was brought to the commission a year and a half ago. The commission agreed that it was a good idea, but it was never presented to Town Council. Mr. Harrah said the issue was being reviewed, because of the upcoming pier construction and his review of the planning commission minutes to ensure I understood the commission’s work. There was nothing about this after that June 2016 date.

Mr. Seibold said it makes sense; but I want to make sure we’re in line with Town Council. Chairman Abrams said I think what happened was that both the sign ordinance, and the tree ordinance
all of sudden got to be really high priority for Town Council; everything else was put aside. This topic
never came to the surface again. I’ve never had any guarantee that Town Council supports anything.
We’re supposed to recommend to them; not act on their guarantees. We have no guarantee they’re
going to approve the overlay ordinance that they told us to write. Mr. Lauer said we want to do our job
and pass it on. It is somebody else’s decision after that. I’d like to look at what we have now, and say we
want to structure this so that allows the things that are there now to stay? Probably, yes. Then what
other things we want to see added on there. Those would be things that would make the list. Try to keep
it as concise as possible. We don’t want to open it up to a million different things. We look at areas that
are entertainment facilities for families, and what do they have? Those are the things that we want in the
code. Chairman Abrams said I’m really only seeing bicycles and tackle shops that I think are appropriate
in that first paragraph. Mr. Lauer said there is a tackle shop there now. Bicycle rentals are there.
Chairman Abrams said the other businesses do not seem either beach or family oriented. Mr. Lauer
suggest that we think about the walking traffic, but much of it walks along the beach and doubles back to
where they live. They do not actually come off the beach and to the pier area businesses. We’re missing
something there by not getting people to come up into the pier area and utilize the shops there. There
may be nothing there they want. Maybe we’re missing something. Ms. Johnson said that’s why I think an
arcade would draw the kids, because there is nothing really to do there except eat. Mr. Lauer said I think
we’ve always been lacking in that. Is that something we can do? Mr. Harrah said if you opened that box
for them to start seeing this is where the district is going, of this is the vision, you may get potential
property owners to redevelop their property as an arcade or another type restaurant, because of the type
of environment created. Having good signage is a must, because people driving down Surfside Drive
would be drawn in by the signage. Mr. Lauer said we always struggle with do we really want people
here? If we make it too good, they’re going to come.

Chairman Abrams said my idea for the second paragraph, high traffic retail businesses, is just
that we don’t want anything high traffic retail down there, do we? Mr. Harrah asked the edits to the list
were just for the E district, because this list was the current list for all C districts. Chairman Abrams said
I’m looking at it for E, and possibly for all of C3. Ms. Johnson said she was also thinking along those lines.
Mr. McKeen said I’m a little worried about the restricting the rest of C3. We have enough vacant buildings
as it is. Chairman Abrams said C3 is along Ocean Boulevard. Mr. McKeen said okay, thank you. I don’t
see any of those businesses in C3. Chairman Abrams said it would be like taking a rental house and
turning it into a department store. Mr. Harrah said there is a small portion of the district up Surfside
Drive. Chairman Abrams said I don’t think we need to sell guns or TV sets there either. Several other
members agreed. Mr. McKeen said I don’t think those businesses would come in, because they wouldn’t
be successful. Chairman Abrams said do these paragraphs apply to all of the town? Mr. Harrah said this is
the use table for C3. Chairman Abrams said I would rather develop some new language. There has to be
a better way. Mr. Harrah asked if the E district have some businesses defined. That is we gift shops, the
arcade, the restaurants, the entertainment businesses so we can move along, and then address C3 at our
next meeting with ideas from looking at what this table actually refers. Commission CONCURRED.
Chairman Abrams asked Mr. Harrah if he had an understanding of what businesses the commission wants
in the E district. Mr. Harrah said yes.

Chairman Abrams asked if the commission was prepared to have staff send the notice letters,
and post the property for a public hearing on the E District recommendations at the next planning
commission meeting. Commission CONCURRED.

9. Discussion Item. Continue Review of Design Overlay District (Beginning at
Pedestrian Walkway).

Mr. Harrah discussed the entire section in detail and made the following notations:

**Section I, Pedestrian Walkways**, was to connect the public walkways to the building
entrances and any amenities, and proceeded to detail the proposed code, a copy of which is on file. The
only lots in town to which this applies are the BILO and Piggly Wiggly parking lots. Paragraph 8, Pedestrian Zones in front of Commercial Buildings, width was changed to no less than five feet (5').

**Paragraph J Lighting**, (9) was changed to state canopies are permitted at .8w per square foot under any area that is illuminated and drive-thru facilities are permitted maximum 400w per drive thru. J(10)b. "With wattage equal to or less than one hundred fifty (150) watts" was omitted, and changed to state The number of fixtures are calculated at .15 w per square foot of illuminated wall surface or 3.75w per linear foot for each illuminated wall or surface length.

**Paragraph K Landscaping**, amended to add (1) a. A minimum 5 foot foundation landscape strip shall be required along the façade and exposed sides of all buildings within a development at 1 shrub per 5 foot. The landscaping shall be composed of mixtures of planting materials. If the building is taller than 25 foot the foundation landscaping shall incorporate two (2) canopy trees per building.

(2) b. Perimeter adjacent to public right-of-way: A visual clearance area between the height of two and one-half (2 1/2) feet and ten (10) feet shall be maintained on the corners of all property adjacent to the intersection of two (2) streets or a driveway providing access to a public or private street within twenty-five (25) feet of the intersection of the right-of-way of streets or of streets and driveways (see diagram below.)

The Commission **CONCURRED unanimously to allow staff to allow alternate landscaping plans when it was not technically feasible to have a traditional plan, so long as staff maintained conformity application of the code.**

(7) **Alternate designed allowed** "Planning, Building and" was inserted before Zoning Department in three places, and "county" was changed to "town" on the fourth line from the bottom.

(L) **Sign Regulations reference Article VI- Signs** was eliminated in its entirety.

(8) **Illumination** was eliminated in its entirety.

(10) **Exempted Signs** was eliminated in its entirety.

(11) **Maintenance** was eliminated in its entirety.

Ms. Gambino said in (F) Special Design Standards that the chain link security fence enclosure was omitted from the code. Mr. Harrah said that was an oversight and it would be included next time. He asked the members to please let him know if there were other omissions.

Chairman Abrams said there is a statement that signs have to be professionally designed and approved in the overlay ordinance, but not the sign ordinance. She did not want homemade signs on Highway 17. Mr. Harrah said that question would be sent to the attorney.

**10. Public Comments – General.**

Mr. Tom Dodge, 8th Avenue South, said did I understand that there are no parking restrictions in the new entertainment district? You don't have to have parking, because there isn't enough parking down there down. If you bring in new businesses that means new employees and new cars. I just think that you just really have to think about this from a parking standpoint. Additions to the pier will require more parking. At one point the pier parking lot was half owned by the town and half owned by Scalis. Mr. Harrah said the reality company owns five spaces right beside the law firm at the pier lot.

Ms. Carol Cook 7th Avenue South, said you know that council passed first reading of the revised
home occupation ordinance. Thank you again for that. If you are going to recommend this E district, I
would like to see a list of allowable businesses, not just beachy things, because someone could say I can
paint a seagull on the side of a gun and that’s a beachy thing. If you are going to look at C3, I think that
you need to have staff provide a list of current C3 businesses so that you can see who is there. Again, if
you’re going to redo that list, I would also like to see a list of approved businesses; not gun shops, thrift
shops that sort of thing. I think we need to start getting very specific. I’m not anti-business. I just want
businesses that are good for the town. Businesses that will bring in tourists, and their money. Thank you.

Ms. Patti Magliette, Harbor Lights Drive, said I know that we want beachy businesses in the
entertainment area, but first thing that came to my mind was oh, my God, another towel and swimsuit
place. I think 17 is inundated with them. I don’t know that we want to waste our valuable real estate on
this pier area with another towel and swimsuit place, where you buy a jacket and the zipper never works.
You know what I’m saying? I think we want to go for something a little bit different. The fact that y’all
are putting a lot of thought into which businesses specifically is something that makes me very happy.
Thank you for that. Not needing duplication, but something that will really draw people that’s not already
out there. Thank you.

Mr. Boyd Sadler, 8th Avenue South, said I have to agree with Ms. Cook. I don’t want to see gun
shops. I like gun shops myself, but I just don’t want to see one down there. Beach shops in this entire
region carry beach balls and towels, and they have switch blade knives. They’re not really good quality
knives, but kids with knives like that...we don’t need that at the family beach. We have to think about
what we’re bringing into town. We do need businesses. We really need ’em. It should be relevant to the
family beach, though. That’s all I have to say about that. Thank you.

Chairman Abrams said some excellent points were made during public comments. We appreciate
you staying this long to do it.


Mr. Lauer said we do have to do a lot of thinking about what would best support Surfside Beach.
We can’t make those decisions. We’re not buying the property. We just have to set the guidelines for
who can come in. It’s all we can do. Thank you very much.

Ms. Gambino said thank y’all for coming out tonight and for staying this late. But I am excited
about this overlay, because I do think that it’s gonna bring in possible businesses that will not even
entertain Surfside Beach unless there is a stricter overlay. We know that for sure. We know that’s
happened. So we absolutely need a stricter overlay so the businesses that do, would even want to come
in would absolutely know that something wouldn’t come in next to them that would look trashy, or
wouldn’t have standards to it. I would advise all of us to speak to our council people and let’s see if we
can’t get this overlay through. Thank you.

Mr. McKeen said I’d just like to say it was interesting this time to hear the public comments from
this side of the dais instead of in the audience like I have for the past couple of years. (Laughter.) It’s a
lot easier to understand and you get the facial expressions, which help with communication. So, thank
you for coming, and thank’s for the comments.

Ms. Johnson said thank you all for coming. We appreciate your comments. I would like to
welcome again our two new members.

Ms. Mastosante said thank you for coming. I’m really honored to be part of the commission, and
help plan for the future of Surfside Beach, the Family Beach.

Mr. Seibold said I certainly appreciate your comments. I agree with 99-percent of what you’ve
said, especially about parking. I want to welcome you, too. It’s very important what we do up here. This
is a really a big step for that entertainment district. We have to make sure we get it right. So, let’s give it
some thought and move forward. Thank you.

Chairman Abrams said I just want to say it’s really nice to have a full commission seated here
again. This is going to be great. Tonight’s meeting was great. Thank you, Mr. Harrah. Thank you citizens
for sticking with us through all that. We really appreciate your comments tonight.

12. ADJOURNMENT. Mr. Lauer moved to adjourn at 7:51 p.m. Ms. Gambino second. All voted
in favor. MOTION CARRIED.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: December 5, 2017.

Mary Ellen Abrams, Chairman

Clerk’s Note: This document constitutes minutes of the meeting that was digitally recorded, and is not
intended to be a complete transcript. Appointments to hear recordings may be made with the town
clerk; a free copy of the audio will be given to you provided you bring a flash drive. In accordance with
FOIA §30-4-80(E), meeting notice and the agenda were distributed to local media and interested parties
via the town’s email subscription list. The agenda was posted on the entry door at Town Council
Chambers. Meeting notice was also posted on the town website at www.surfsidebeach.org and the
marquee.
Permits/Inspections/Code Enforcement Information

Staff issued
- 168 permits
- 7 New permits (6 residential, 1 Commercial)
- 171 inspections (including tree inspections)

Code Enforcement investigated a total of 94 complaints/concerns.

The Building Official has several ongoing complaints that are currently under investigation. These include permit violations, accessory structures location and structures in the process of demolition.

Staff attended training on ICC International Property Maintenance code; the class is 12 hours of training that applies toward the required 24 hours state mandated training for licensed code enforcement.
Staff also attended training on 2017 changes to SC Laws as they relate to architect and engineering law, building codes enforcement officers regulation, Building Codes Council registration, fees and disciplinary procedures and what to expect when a complaint is filed against me with SC LLR. The class is a 3 hour continuing education that goes toward the 24 hours of training that is required by the state.
Mike Farria attended a 2 day training for Stormwater plan review class in preparation for the exam in November.
Discussion Paper

Written by: Jon Harrah 12/5/2017

1. SUBJECT: Proposed text amendments to Chapter 17 Article VI - Signs

2. FOR: Amending text in Article VI to establish Code Enforcement Officer to issue violation, establish a reasonable correction of violation timeframe, and update definitions

3. PURPOSE: To clarify the ordinance of which establishes who enforces and give the owner reasonable time to correct any violations.

4. FACTS:
   a. The current ordinance provides an unreasonable time of two days to correct any violation after receiving notice.
   b. Adding text to designate building identification numbers instead of property, clearly identify the building and not a vacant lot without a structure.
   c. The Town Attorney has reviewed the recommends that Town Council adopt the proposed ordinance.

5. IMPACT OF SUCCESS OR FAILURE:
   Success By clarifying the text in the ordinance, business owners will have a clear understanding of the time frame to correct any violations and clear defined time for temporary signs for election period.

   Failure to in act these changes will result in unreasonable time for corrective action to violation and possible legal issues.

6. RECOMMENDATION: For Planning Commission to recommend Town Council to adopt the text amendments.

12/5/2017 PC Meeting
12/14/2017 Council Meeting Discussion
ARTICLE VI. - SIGNS

DIVISION 1. - INTRODUCTORY SIGN PROVISIONS

Sec. 17-602. - Display of noncommercial messages/severability.

Any sign allowed under this article may contain, in lieu of any other copy, any otherwise lawful noncommercial message that does not direct attention to a business operated for profit or to a commodity or service for sale, and that complies with all other requirements of this article. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding must not affect the validity of other provisions of this article which can be given effect without the invalid provision.

DIVISION 2. - PERMITS

Sec. 17-620. - Sign permits and administration.

(2) Violations/penalty: The planning director or his/her designee code enforcement official shall give one (1) written warning to the owner of any sign placed in violation of this article. The planning director or his/her designee code enforcement official shall give the owner thirty (30) days to correct the violations (unless the violation may cause imminent danger). Any person violating any provision of this article at any property after written warning shall be guilty of a misdemeanor. The violation of any such provision shall be punished by a fine not exceeding five hundred dollars ($500.00), plus fees and assessments, or by imprisonment for a period not exceeding thirty (30) days. However, no penalty shall exceed the penalty provided by the state law for similar offenses. Each day any violation of this Code or any such ordinance, rule or regulation shall continue shall constitute a separate offense. No town business license shall be issued or renewed until all fines outstanding against the applicant are paid in full.

Sec. 17-621. - Enforcement.

(a) The planning director or his/her designee code enforcement official shall be empowered to enter upon the premises of any person subject to this article for the purpose of enforcing the provisions herein. Any person violating provisions of this article shall be subject to penalties as specified in section 17-620(a)(2) violations/penalties.

(b) For signs within any public right-of-way, public beach, public beach access or other public lands: The planning director or his/her designee code enforcement official is authorized to remove the sign without notice to the owner thereof.

(c) For signs on private property: Where it is determined by the planning director or his/her designee code enforcement official that a sign is illegal, abandoned, not being maintained, or is no longer being used for the purposes under which the original permit was issued, the planning director or his/her designee code enforcement official shall notify the owner of the violation. If the violation is not corrected within fifteen (15) business days following notification, the planning director or his/her designee code enforcement official shall give the owner one (1) written warning. If the violation is not corrected within fifteen (15) days following the written warning, the planning director or his/her designee code enforcement official may remove the sign without notice to the owner thereof. The planning director or his/her designee code enforcement official shall notify the owner of the violation and the reason for the removal of the sign.

12/5/2017 PC Meeting
enforcement official may have the sign removed, and the land owner will be charged for the costs incurred by the town. The town may place a lien upon such owner's property and foreclose the same to collect the charges.

(d) Any enforcement decision or order made in connection with the sign ordinance may be appealed in accordance with Sections 17-223 & 17-224 of the Code of Ordinances for the Town of Surfside Beach, S.C.

Sec. 17-622. - Authorized signs.

(5) Building Identification numbers: Numerals used by property owner to comply with the requirement that property owners must mark their property using numerals that identify the address of the property so that public safety departments can easily identify the address from the public street.

Sec. 17-623. - Sign standards/requirement chart(s).

Charts 17-623(A), 17-623(B) and 17-623(C) below provide a summary of the signs permitted within the town's various districts. Chart 17-623(D) provides signs permitted for temporary uses:

<table>
<thead>
<tr>
<th>Chart 17-623(C)</th>
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<tbody>
<tr>
<td><strong>SUMMARY OF MIXED USE DISTRICT SIGN STANDARDS</strong></td>
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<table>
<thead>
<tr>
<th>Signs for residential uses</th>
<th>Same standards for residential districts. See Chart 17-603(A)</th>
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<tbody>
<tr>
<td>Freestanding (non-residential)</td>
<td></td>
</tr>
<tr>
<td>Illumination:</td>
<td>YES</td>
</tr>
<tr>
<td>Size Limit:</td>
<td>1 sq. ft. of sign area per every 1 linear ft. of lot</td>
</tr>
<tr>
<td>Height Limit:</td>
<td>Five (5) ft.</td>
</tr>
<tr>
<td>Display Limit:</td>
<td>One (1)</td>
</tr>
<tr>
<td>Front Setback:</td>
<td>5 ft. from property line</td>
</tr>
</tbody>
</table>

| Special Standards: N/A |

| Wall (non-residential) | |
| Illumination: | NO | |
| Size Limit: | 1.25 sq. ft. per linear ft. of building frontage (100 sq. ft. maximum) | |
| Height Limit: | Not applicable | |
| Display Limit: | Two (2) | |
| Front Setback: | Not applicable | |

12/5/2017 PC Meeting
Special Standards: Any combination of wall signs, awning or canopy signs within a total area allowed is permitted. Except the maximum sign area permitted on each awning or canopy is three (3) square feet.

<table>
<thead>
<tr>
<th>Window Sign</th>
<th>Illumination:</th>
<th>25% of each window</th>
<th>Height Limit:</th>
<th>Display Limit:</th>
<th>Front Setback:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NO *</td>
<td></td>
<td>Not applicable</td>
<td>Per window</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

Special Standards: * "OPEN" sign shall be allowed with a maximum size of 24"x 36" and shall not be counted in the sq. ft. limits.

Directional Signs (Freestanding or wall) | Illumination: | Size Limit: | Height Limit: | Display Limit: | Front Setback: |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NO</td>
<td>4 sq. ft. per sign</td>
<td>4 ft.</td>
<td>Four (4)</td>
<td>5 ft. from property line (freestanding)</td>
</tr>
</tbody>
</table>

Special Standards: N/A

NOTE: The Board of Zoning Appeals may restrict signage for uses requiring a special exception permit.

---

**Chart 17-623(D)
SUMMARY OF TEMPORARY SIGNS ALLOWED**

<table>
<thead>
<tr>
<th>Residentially Zoned Properties</th>
<th>Temporary signs are subject to the following standards:</th>
<th>Special Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Temporary Signs Allowed at any time</td>
<td>a) A property owner may place one non-illuminated sign with a sign face no larger than six (6) square feet on their property at any time. b) Sign shall not exceed a height of two (2) feet. c) A property owner may place a sign no larger</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Owner consent to property being offered for sale or lease</th>
<th>Owner's property on a day when the property owner is opening the property to the public</th>
</tr>
</thead>
</table>
| Elections involving candidates for a federal, state or local office that represents the area in which the property is located or involves an issue on the ballot of an election within the area where the property is located per issue and per candidate | than 8.5 inches by 11 inches in one window on the property at any time.  
d) Signs must not be located within any public property, right-of-way or easement. |
| a) Temporary non-illuminated signs may be located on the owner's property for a period of thirty (30) forty-five (45) days prior to an election.  
b) Sign shall not have a sign face larger than six (6) square feet.  
c) Sign shall not exceed a height of two (2) feet.  
d) Signs must not be located within any public property, right-of-way or easement.  
e) Signs must be removed within 5 days after such election. | One temporary non-illuminated sign no larger than six (6) square feet on the property when:  
a) The owner consents and that property is being offered for sale through a licensed real estate agent;  
b) If not offered for sale or lease through a real estate agent, when the sign is owned by the property owner; and  
c) Signs must not be located within any public property, right-of-way or easement, and shall not exceed five (5) feet in height.  
d) For a period of 15 days following the date on which a contract of sale has been executed by a person purchasing the property.  
One temporary non-illuminated sign no larger than six (6) square feet on the property provided:  
a) Sign shall not exceed five (5) feet in height.  
b) Sign must not be located within any public property, right-of-way or easement; and |
<table>
<thead>
<tr>
<th>Period</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>During the 52 day period November 20 to January 10</td>
<td>A property owner may place temporary signs on their property and may use lights between the hours of 8 a.m. and 10 p.m. to decorate the property even if the lights might be arranged to form a sign.</td>
</tr>
<tr>
<td>July 4&lt;sup&gt;th&lt;/sup&gt;</td>
<td>A property owner may place and maintain one temporary sign on their property no larger than six (6) square feet and shall not exceed 2 ft. in height. Signs may remain for a period of 3 days.</td>
</tr>
<tr>
<td>Commercially Zoned Properties</td>
<td>Special Standards</td>
</tr>
</tbody>
</table>
| Temporary signs are subject to the following standards: | Two temporary signs: no more than six (6) square feet each and no height to exceed 2 ft. (if placards) and no more than twenty-four (24) square feet (each) if a banner is used.  
a) Must only be located on property that is owned by the person or business whose sign it is and must not be placed on any utility pole, street light, similar object, right of way, easement or on public property;  
b) Must not be illuminated  
c) Must be maintained and free of tears, fading and deterioration.  
d) Permit applications for banners/placards can be found on the town website @ www.surfsidebeach.org or at the Planning, Building and Zoning Department. |
DIVISION 3. - GENERAL REQUIREMENTS APPLICABLE TO ALL SIGNS

Sec. 17-631. - Construction and maintenance requirements.

(2) Any sign, after thirty (30) days' notice, that remains in noncompliance with this section shall thereafter be declared to be abandoned or dilapidated.

DIVISION 4. - DEFINITIONS

[Sec. 17-640. - Definitions.]

Abandoned sign shall mean any sign which advertises or pertains to a business, product, service, event, activity or purpose which is no longer conducted or publicly available for a period of three (3) months, or which has not been in use or publicly available for three (3) months which has not been in use or publicly available for three (3) months, or which is no longer imminent within a period of three (3) months, or any sign structure that fails to display any sign copy for three (3) months, or any sign which, for a period of three (3) months, has vegetation growing upon it, clinging to it, touching it or obscuring the sign face or sign parts or structure or any sign, for a period of three (3) months, which has not been maintained to be free of peeling, chipping, rusting, wearing and fading so as to be legible at all times or to be free of rusting, rotting, breaking or other deterioration of the sign parts shall be deemed to be an obsolete or abandoned sign. The passage of time alone under the above-delineated circumstances establishes abandonment or obsolescence. Abandonment does not require any element of personal or business intent to relinquish the rights one might have in sign placement as the term is used or defined in this article. Obsolete or abandoned signs, sign copy or sign structures are declared to be a public nuisance, are prohibited and shall be removed by the owner of the property or his agent after written notification from the planning director or designee code enforcement official.

12/5/2017 PC Meeting
ARTICLE IX. - DESIGN OVERLAY DISTRICT

(A) **Purpose**

(1) The Overlay Zone is established to provide standards relative to accessibility, appearance and safety in the development of commercial and office projects. Therefore, single-family lots of record are excluded from the overlay requirements. Furthermore, the overlay is established to provide unified development that promotes a sense of place and provides opportunities to develop projects to be compatible with the carrying capacity of an urban corridor.

(2) When any existing town ordinance is amended, the more restrictive provisions of such revised ordinance shall apply even if these Overlay Zone standards are less restrictive.

(3) The following standards provide the minimum requirement that must be met in order to receive Planning, Building and Zoning Department authorization to develop or redevelop property within the Overlay Zone as established by the Zoning Ordinance.

(4) The standards established herein address only site plan or design-related issues encountered in the development or redevelopment of property within the Overlay Zone. Specific zoning-related standards are established in the Zoning Ordinance and must also be met prior to beginning development or redevelopment activities in the Overlay Zone.

(B) **Applicability**

(1) The boundaries of the Overlay Zone are established herein. The standards that follow shall be applicable to any development as established in the table below which is located partially or completely within the boundaries established within the Boundaries section of this ordinance.

<table>
<thead>
<tr>
<th>Levels of Modification</th>
<th>Percent of value (cost of modification divided by existing bldg. value, times 100)</th>
<th>Applicable sections of this overlay district that must be adhered to.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Minor</td>
<td>Any percentage up to 9 percent – including Existing structure – no modification</td>
<td>All new or existing structures must adhere to building paint color and must comply within 12 months of the effective date of this ordinance</td>
</tr>
<tr>
<td>Minor</td>
<td>10 percent to 39 percent</td>
<td>Above plus all new or existing exterior walls must adhere, foundation landscaping requirements must be met plus signage.</td>
</tr>
<tr>
<td>Significant</td>
<td>40 percent to 74 percent</td>
<td>Above plus all existing exterior walls must adhere to requirements/materials.</td>
</tr>
<tr>
<td>Major</td>
<td>75 percent or more</td>
<td>All sections of the overlay must be adhered to</td>
</tr>
<tr>
<td>Change of Ownership</td>
<td>_______</td>
<td>All sections of the overlay must be adhered to</td>
</tr>
<tr>
<td>Change of Tenant</td>
<td>_______</td>
<td>All sections of the overlay must be adhered to</td>
</tr>
<tr>
<td>Change of Use</td>
<td>_______</td>
<td>All sections of the overlay must be adhered to</td>
</tr>
</tbody>
</table>

(2) General maintenance and repair of any water, sewer, or electrical expenditures incurred in

Design Overlay District 10-3-17  **Blue Strike need to be reassessed**
11-27-17 Revised
updating an existing structure where no new expansion will occur are exempt from the
standards established below.

(3) Any building that is partially located within the boundaries, shall comply with these
regulations. If an existing business is damaged or destroyed due to an act of nature (flood,
hurricane, tornado, etc.), or catastrophic event and the building permit is acquired within
twelve (12) months and is reconstructed within twenty four (24) months of the date such
damage or destruction occurred as evidenced by insurance claim or other documentation, the
standards contained herein shall not apply. This exemption, however, shall not relieve the
property owner of having to meet applicable building or zoning regulations that may be in
place at the time of reconstruction.

(C) **Boundaries**

1. All parcels either partially or completely within the C1 and C2 zoned area of the town,
excluding parcels that front on Sandy Lane.

2. Parcels located on Sandy Lane but combined with parcels fronting on Hwy 17 or frontage
   Road must comply.

3. Properties that are rezoned to C1 or C2 after adoption of this ordinance.

(D) **Non-Conforming properties/buildings**

None conforming properties/buildings shall be brought into compliance with landscaping and
building paint color(s) within one (1) year of approval of this ordinance regardless if any work
has been performed on the building(s).

(E) **Development and design requirements.** Development of specific uses in the Design Overlay
District shall be consistent with the underlying zoning district. In addition to the requirements
of the applicable underlying zoning district the following supplemental development
regulations shall apply:

(1) **Building Exterior**
   a. **Facades**

1. Building facades facing the corridor must include a repeating pattern with no less than
   three (3) of the elements listed below. At least one (1) of these elements shall repeat
   horizontally. All elements shall repeat at intervals of no more than thirty
   (30) Feet, either horizontally or vertically.

   (a) Color change

   (b) Texture change

   (c) Material module change

2. No length of any front façade facing the corridor shall exceed thirty (30) linear feet
   without including at least one (1) of the following: pilasters, columns, offsets, reveals,
   projecting ribs canopies/porticos, colonnades, windows, trellis with vines, or an
   equivalent element that subdivides the wall into human scale proportions.

3. Shutters, if used, shall be sized so that they would fully cover the window opening if
   they were operable. Operable shutters are preferred, but not required.

4. Where parapets are not used, all rooftop mechanical equipment shall be
   screened. False parapets shall be limited to 20% of the total height of the façade.
   The measurement shall be the average height of the parapet wall at each section of the
   façade as a ratio to width.

5. Where sloping roofs are used on the front or sides of a building facing the corridor the
   cornices shall be a minimum of one (1) foot deep.

   c. **Materials**

1. No portion of a building shall be treated with unadorned or plain concrete block, tilt-up

Design Overlay District 10-3-17  Blue-Strike need to be reassessed
11-27-17 Revised
concrete panels or prefabricated steel panels for exterior walls or surfaces of the
building unless the visible finish is comprised of a suitable finish material. Materials
suitable for treating visible facades may include but are not limited to brick, glass,
synthetic clapboard siding (vinyl, metal or wood), split-face decorative block, stone,
hardiplank siding or cementitious siding, or stucco.

2. Except as provided in this section, the rear and side facades shall be of materials and
design characteristics consistent with that of the front; use of inferior or lesser quality
materials for side or rear facades shall be prohibited.

d. Entrances
   A minimum one (1) entrance shall front the primary corridor. A commercial or institutional
building shall feature one (1) or more prominent entries on the primary façade highlighted by
at least three (3) of the details listed below. Secondary entrances to smaller tenants in multi-
tenant buildings shall also have at least two (2) of the features listed below.
   1. Canopy/porticos above the entrance;
   2. Roof overhangs above the entrance;
   3. Entry recesses/projections;
   4. Arcades that are physically integrated with the entrance;
   5. Raised corniced parapets above the entrance;
   6. Architectural details, such as tile work and moldings, that are integrated into the
      building structure and design; or
   7. Integral planters or wing walls that incorporate landscaped areas or seating areas. A
      wing wall is a wall secondary in scale projecting from a primary wall and not having
      a roof.

e. Glazing
   Reflective or heavily tinted glass shall not be used on the primary or secondary
   façade.

(2) Building Roof.
   a. Shingles, metal standing seam, tile or other roofing materials with similar appropriate
      texture and of earthen appearance shall be utilized on roofs visible from the corridor.
   b. Flat roofs are allowed however they must be surrounded by parapet walls which enclose and
      screen all rooftop mounted mechanical equipment.
   c. Roof mounted mechanical equipment visible from the corridor shall be enclosed or
      screened to ensure that such features are not visible. Enclosures and screens shall be
      compatible to the architectural style of the proposed building;

(3) Accessory structures/uses
   a. Accessory structures such as garbage dumpster enclosures shall be the same in style,
      color, and materials with the principal building structure(s).
   b. The requirements of the underlying zoning district shall govern the distance separation
      requirements from the principal structure and other accessory structures.
   c. Accessory structures shall be limited in size to twenty-five (25) percent of the primary
      structure or one thousand (1000) square feet; whichever is less.

(F) Special Design Standards
   (1) Gas stations and commercial convenience stores shall utilize either sloping roof (gable or hip
       roof design) or parapet walls which properly screen any rooftop mounted mechanical
       equipment. The canopies over the gas pumps are encouraged to be attached to the main
       building and integrated into the architectural roof design. The canopy portion of the structure
       shall be subject to a twenty-five (25) foot setback from any property line. The canopy shall
not encroach upon any required buffer area. The principal structure/building shall still be subject to all setback requirements as set forth within the zoning ordinance. If the canopy is placed forward of the primary building structure, then the support columns of the canopy shall be clad in brick, brick veneer, decorative split-face block or stucco covered block.

(2) Menu stands, order boxes, pick-up windows, service/teller windows, required queuing associated with drive thru services shall be located to the side or rear of the building. For the purpose of this section, the side and rear shall mean the area behind a projected line running parallel from the front (street facing) side(s) of the structure to the side property line.

(3) Pedestrian access shall be maintained and prioritized across any intersecting drive through land through provision of a concrete walkway or other similar treatment that emphasizes the pedestrian routes between parking areas and buildings in order to provide a safe and comfortable pedestrian crossing.

(4) Outdoor freestanding propane stations and storage facilities shall be opaqueley screened from public view with landscaping or a solid fence of wood, stone or brick material. Fences exceeding six (6) feet in height shall have landscape plantings on any side facing the main corridor or residientially zoned property. Materials stored outdoors, excluding vehicles, trailers, or mobile machinery or equipment shall be stacked no higher than one (1) foot below the top of required screening device.

(5) Retail Garden Center
   a. The outdoor storage and display of living plant material (i.e. garden center) and its associated materials may use a combination wrought iron and masonry screen.
   b. Any merchandise typically associated with a retail garden center such as mulch, lawn equipment, propane items, barbeque grills, paving stones, landscaping timbers, bird baths, garden chemicals, etc. may be stored within this area provided that these items are not prominently displayed or featured from the public right of-way through the wrought iron portion of the screen. This may be accomplished by placing living plant materials such that these plants serve as a semi-opaque screen for the non-living plant material.

(6) Ancillary Outdoor Storage: The following are requirements for ancillary outdoor storage in non-residential districts located within the Overlay. All uses with ancillary outdoor storage and display of any goods, materials, merchandise, equipment, parts, or vehicles (overnight parking) shall not be permitted unless in conformance with the following regulations:
   a. All proposed areas used for ancillary outdoor storage and the associated method of screening shall be indicated on an approved site plan along with scaled elevation drawings indicating the type of screening and materials proposed to be used.
   b. Outdoor storage shall be screened from the corridor by a seven (7) foot high opaque enclosure or equal to the height of the stored material (not to exceed seven (7) feet in height). No portion of the screening device shall be used for advertising and display of signage. Fencing shall consist of wood, stone, or brick materials. Chain link, plastic or concrete materials are prohibited. Materials stored outdoors, excluding vehicles, trailers, or mobile machinery or equipment shall be stacked no higher than one (1) foot below the top of required screening device.
   c. Outdoor storage shall observe the same setback requirements as that of the principal building.
   d. Outdoor storage areas cannot be located forward of the principal building and when possible shall be located to the side of the building not facing a public street.
e. The following activities are excluded from the requirements:
   1. General construction activities
   2. Operations with primary outside storage.

(7) Structures (not parcels) Exceeding Twenty Five Thousand (25,000) Square Feet of Building must be separated from lands designated, zoned or used for a residential purpose by at least fifty (50) feet.

(8) Businesses engaged in the sale and/or rental of autos, boats, or recreation-related vehicles that have frontage within the overlay shall adhere to the following:
    Each business shall be permitted one display pad for merchandise sold at such establishment. The display pad shall be permitted as follows:
    a. Automobiles and boats shall be no larger than 200 square feet
    b. Recreational Vehicles shall be no larger than 400 square feet
    c. An additional display pad of the same size shall be permitted for each 200 feet of corridor frontage.
    d. The display pad shall be located behind the required perimeter buffer.
    e. The display pad may be elevated a maximum of 18 inches above finished grade.

(9) Businesses engaged in salvage operations, repair of automobiles or storage of possessions in individually enclosed units/garages that have frontage along the Corridor shall adhere to the following:
    a. Storage areas for salvaged materials or vehicles waiting for repair shall be screened from the corridor by a seven (7) foot high opaque enclosure or equal to the height of the stored material not to be higher than seven (7) feet located to the rear of the primary structure on the site. Fencing shall consist of wood, stone, or brick materials. Chain link, plastic or concrete materials are prohibited.
    b. An eight (8) foot wide landscaped buffer shall be provided around the base of the enclosure to "soften" its appearance. Landscaping utilized shall be consistent with the foundation landscaping requirements of the principle structure as defined herein.
    c. A minimum seven (7) foot solid or opaque fence shall be required around any storage of recreational vehicles and mini-storage units.

(G) **Shipping/receiving areas, utility locations and dumpsters:**

(1) Shipping/receiving areas

a. Proposed structures, requiring shipping docks for the receipt or shipping of merchandise shall locate such docks in the rear of the structure or within a service courtyard shared by different businesses. Shared courtyards may be accessed from the front of the structure provided the entrance to such area is designed to blend into the architectural style of the structure and no docks are visible from the corridor or adjacent parking areas. If no courtyard is present then landscaping or a solid screen made of durable architectural materials used in the buildings primary façade shall be provided to ultimately create an opaque screen at least eight (8) feet in height. The screening shall be designed to obscure views from on and offsite public areas, except for necessary penetrations.

b. Loading and unloading of commercial vehicles or of any other vehicles used for commercial purposes is only permitted between the hours of 6:00 a.m. and 11:00 p.m. when a residential structure is within one hundred (100) feet of the loading area.

(2) Utility services shall be located underground when possible.

(3) Dumpsters shall be placed in the rear yard. In the case of a double frontage lot the front shall be considered the primary corridor.

   a. Dumpsters shall be surrounded on at least three (3) sides with solid walls. Solid walls shall...
be constructed of materials used in construction of the principal building, brick, stucco or
split-face block and be at least six (7) feet in height. The dumpster gate shall be solid metal
or wood fabrication.

b. An opaque wooden fence may be used in lieu of architectural materials for locations not
visible from off-site public areas.

(H) **Access Management**

(1) Nonconforming Driveways

a. Driveways that do not conform to the regulations in this Ordinance and constructed
before the adoption of this Ordinance shall be considered legal nonconforming
driveways. Existing driveways granted a temporary permit are legal nonconforming
driveways until such time as the temporary permit expires.

b. Loss of legal nonconforming status results when a nonconforming driveway ceases to be
used for its intended purpose, as shown on an approved site plan for a period of six (6)
months or more. Any reuse of the driveway may only take place after the driveway conforms
to all aspects of this Ordinance.

c. Legal nonconforming driveways may remain in use until such time as the use of the
driveway or property is changed or expanded. If it is changed then it must follow. (See
section (3) Change of Use, below.)

d. Nothing in this Ordinance shall prohibit the repair, improvement, or modification of
lawful nonconforming driveways.

(2) Driveway Location and Design

a. Driveways across from median openings shall be consolidated wherever feasible to
coordinate access at the median opening.

b. Driveways with more than one (1) entry and one (1) exit lane shall incorporate above grade
channelization features to separate the entry and exit sides of the driveway. Where above
grade channelization impairs truck off-tracking, said mechanism shall be setback from the
right-of-way so as not to impede the necessary turning radius for safe truck off-tracking.

Driveway medians shall be improved with at least one (1), two and one-half (2
½) inch caliper canopy tree to reduce parking lot heat and glare for every fifty (50) feet of
median length. Five (5) shrubs must be provided per tree. Two (2) understory trees may be
substituted for each required canopy tree in areas constrained by overhead utility line or in
limited cases at the discretion of the Planning Department to provide visibility to signage and
or architectural features. The remaining area of the driveway median shall be planted with
vegetation that complements the structure or a suitable groundcover. All landscaping shall be
located so as not to impede any required sight triangles. Acceptable plant species, maintenance
standards, and sizes to meet the above requirements are listed below.

c. Driveways shall be designed with adequate on-site storage for entering and exiting
vehicles to reduce unsafe conflicts with through traffic or on-site traffic and to avoid
congestion at the entrance.

d. On site storage for entering and exiting vehicles shall be buffered from the parking area. Said
buffer shall consist of an above grade landscaping strip no less than three (3) feet in width and
vegetated with at least one (1) two and one-half (2 ½) inch caliper canopy trees to reduce
parking lot heat and glare for every twenty-five (25) feet of median length. Five
(5) shrubs shall be provided per tree. Two (2) understory trees may be substituted for each
required canopy tree in areas constrained by overhead utility lines or in limited cases at the
discretion of the Planning Department to provide visibility to signage and or architectural
features. The remaining area of the buffer shall be planted with vegetation that complements
the structure or a suitable groundcover. Acceptable plant species, maintenance standards, and sizes to meet the above requirements are listed in Horry County Landscaping Species Booklet.

(3) Change in Use
a. Properties with access connections that do not meet the requirements of the Overlay District shall be brought into compliance when modifications to the roadway are made or when there is a significant change in use of the property, including land, structures or facilities, resulting in an increase in the trip generation of the property exceeding twenty five (25) percent (either peak hour or daily) and exceeding one hundred (100) vehicles per day, as determined by one (1) of the following methods:

1. An estimation based on the latest edition of “Trip Generation” by the Institute of Transportation Engineers for typical land uses, or;
2. Traffic counts made at similar traffic generators located in the area, or;
3. Actual traffic monitoring conducted during the peak hour of the adjacent roadway traffic for the property

b. If the principal activity on a parcel with access connections that do not meet the regulations herein is discontinued or out of service for a period of one (1) year or more, then that parcel must comply with all applicable access requirements of this overlay district.

(4) Parking lot access. Parking lots that directly access the corridor or a frontage roadway shall:

(5) Be designed to ensure that entering vehicles maintain a travel speed of fifteen (15) miles per hour (mph) to assist in reducing interference with through street traffic movements.

(6) Setback required landscaping or optional berming to ensure that a sight triangle, conforming to SCDOT standards, exists.

(I) Parking

To reduce the visual mass and enhance the appearance of parking areas from the corridor, the following standards shall be met

(1) To soften the transition between active commercial areas and the street, all parking facilities shall be buffered from the corridor. Such screening shall be provided for utilizing the area provided for in the perimeter buffer and setback areas.

(2) Parking areas shall be designed so that parking within modules shall be designed such that a 10’ x 18’ island is provided every (10) continuous parking spaces in a row, for a maximum of twenty (20) spaces per bay between islands. At the end of each parking bay within a module a 10’ x 38’ planted island will be provided. Parking islands shall be surrounded by curbing to prevent vehicular intrusion and limit vehicle overhand.

(3) Parking Islands shall be improved with at least one, two and one-half (2 1/2) inch caliper canopy tree to reduce parking lot heat and glare. Five (5) shrubs must be provided per tree. Two (2) understory trees may be substituted for each required canopy tree in areas constrained by overhead utility line or in limited cases at the discretion of the Planning, Building and Zoning Department to provide visibility to signage and or architectural features. The remaining area of the parking island shall be planted with vegetation that complements the structure or a suitable groundcover. Acceptable landscaping shall meet the requirements of Section 17-403 Installation of landscaping.
(4) Parking of any vehicle for anyone other than persons engaging in commerce at the business located on the property is prohibited. Overnight parking of commercial motor vehicles, tractor trailers, boats, vessels, recreational vehicles, campers, motor homes or similar means of conveyance or places of abode is prohibited, except in conjunction with a special event where a permit has been issued by the Town.

Planning, Building and Zoning administrator is provided the flexibility to work with businesses with tight parking situations to have them enhance appearance by other means than landscape buffers.

(1) Pedestrian Walkways—November 7

(1) Pedestrian pathways shall connect building entrances, site amenities and connections to the public sidewalk system, including through landscaped areas in parking lots when necessary to provide a reasonable direct path for entrance/exit. If no public sidewalk system exists adjacent to the property then the pedestrian access shall be constructed up to the right of way.

Footpath design: The zone system

Good footpaths have 3 clear zones:

1. Pedestrian zone: continuous space for walking
2. Frontage zone: buffer between street-side activities and the pedestrian zone
3. Furniture zone: space for landscaping, furniture, lights, bus stops, signs and private property access ramps

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For parking uses of over five hundred (250) spaces a pedestrian network shall be provided to connect parking areas to the building areas. In the case of office and institutional uses, a pedestrian path leading to the building entrance shall be provided within one hundred eighty (180) feet of all parking spaces. In case of retail or other commercial uses a pedestrian path shall be provided within one hundred eighty (180) feet of all parking spaces.

Internal pedestrian access shall be provided to connect off-street surface parking areas with primary building entrances and the public sidewalk system.

Pedestrian pathways shall be constructed with asphalt, cement or other comparable material.

At least one internal pedestrian walkway with a minimum width of five (5) feet shall be provided from the primary building entrance to the public sidewalk system. In the case of the corner lots, a connection shall be made to the sidewalk of both streets.
(6) The pathways shall be of contrasting color or materials when crossing drive aisles (painted or striped crosswalks do not satisfy this requirement). Speed table or textured surfaces creating a rumble effect shall be required at high volume crossings.

(7) All internal pedestrian walkways shall be distinguished from driving surface materials through the use of durable, low maintenance surface materials such as pavers, bricks, or scored/stamped concrete/asphalt to enhance pedestrian safety, as well as the attractiveness of the walkways.

(8) Pedestrian Zones in front of Commercial Buildings, Retail and Linear Multi-entrance Office. A pedestrian zone including sidewalks, landscape planters and amenities such as benches, special paving areas or insets, trash receptacles, fountains or public art shall be provided adjacent to the entrances of every retail or linear multi entrance office building in scale with the size of building. The width shall be no less than ten (5) feet.
(J) **Lighting**

A lighting plan shall be required with submittal of all commercial development plans within the overlay in order to reduce unnecessary dispersal of light and glare to surrounding lands and/or right of way. Emergency lighting for public safety and hazard warning, holiday decorations, residential lighting, and public streetlights are exempt from the provisions of this ordinance.

1. **Detailed Lighting Plan**
   - The lighting plan shall show the location of all site lighting including lights mounted on buildings that are intended to illuminate spaces adjacent to the building. The lighting plan shall include specifications and details of all fixtures, and a photometric plan. The photometric plan may be waived for small or infill sites where code compliance and compatibility can be determined through other data.

2. **Orientation and Shielding**
   - Light fixtures in excess of one hundred (100) watts or two hundred (200) lumens shall use full cut-off lenses or hoods to prevent glare or spillover from the project onto adjacent lands or right of way. Standard decorative street lights are exempt. No illumination across any residentially zoned lot line is allowed. The orientation of all lighting shall be downward.

3. **Height**
   - a. Luminary heights shall not exceed eighteen (18) feet except in areas where the total number of parking spaces exceeds one hundred (100); in such instances the luminaries shall be no higher than twenty-five (25) feet provided they are limited to the central areas of the parking lot and lower fixtures not exceeding eighteen (18) feet in height are utilized along the
primary vehicular/pedestrian corridors.

b. If a luminary is within fifty (50) feet of a residentially zoned parcel, the height of the
luminary shall be no greater than eighteen (18) feet with the fixture located along the edge
of the parking area and light directed back into the site.

c. Wherever possible, illumination of outdoor seating areas, building entrances, and walkways
shall be accomplished by use of ground mounted fixtures not more than four
(4) feet in height.

(4) Type
Each outdoor luminary shall be a recessed or a full cutoff luminary, and the use of
decorative luminaries with full cutoff optics is desired.

(5) Location
All exterior lighting fixtures shall be located a minimum of five (5) feet from a property line
or right-of-way line and shall not be located within a required buffer area unless they are
located at the interior edge.

(6) Hue
Lighting sources shall be color neutral types such as led, halogen or metal halide. Light types
of limited spectral emission such as low-pressure sodium or mercury vapor lights are
prohibited.

(7) Floodlights and Spotlights
Floodlights or other type of lighting attached to light poles that illuminate the site and/or
buildings are prohibited.

(8) Prohibited Lighting
The following lighting fixtures are prohibited: searchlights, laser source lights, or any
similar high-intensity light, except in emergencies by police and fire personnel.

(9) Canopy Lighting
Lighting installed on canopies are permitted at 8w/per square foot under any area that is
illuminated and drive-thru facilities are permitted maximum 400w per drive-thru. Lighting
shall use diffusers and be shielded. No light source or lens in a canopy structure shall extend
downward further than the lowest edge of the canopy ceiling, unless the fixture is of a full cut-
off design.

(10) Building Lighting
a. Property owners and managers are encouraged to safely illuminate building entry/exit
locations; however, such areas shall only be illuminated using wall mounted lights as
described below or off-building lighting that does not generate glare or otherwise allow the
light to be viewed directly from off the property or from adjacent roadways or the corridor.
Building walls may be illuminated.

b. Wall Mounted Lights
Wall mounted lights shall be fully shielded luminaries to prevent the light source from being
visible from any adjacent residential property or public street right-of-way. Nothing in this
subsection shall prevent the use of sconces or other decorative lighting fixtures. The number
of fixtures are calculated at .15w per square foot of illuminated wall surface or 3.75w per
linear foot for each illuminated wall or surface length.

(K) Landscaping

(1) Foundation Landscaping.
Landscaping shall be provided adjacent to buildings to enhance architectural features, provide
a visual transition from building to the side and define and enhance building entrances.
Material shall be generally massed at corners, entrances and other features. The majority of
flowerbed/groundcover areas shall be oriented toward pedestrian paths and other high
visibility areas.

a. A minimum 5 foot foundation landscape strip shall be required along the façade and exposed
sides of all buildings within a development at 1 shrub per 5 foot. The landscaping shall be
composed of mixtures of planting materials. If the building is taller than 25 foot the
foundation landscaping shall incorporate two (2) canopy trees per building.

b. The measurement of public area building perimeter does not include loading and service
areas, building facades adjacent to permanent natural or wooded areas, or other areas not
normally visible 1) to the public visiting the site, 2) from other buildings on the site; or 3)
from public areas off-site.

(2) Perimeter landscaping

a. A landscaped buffer shall be provided around all perimeters for parcels that abut the
corridor. The buffer width shall be ten (10) feet. In addition, the buffer widths may be
reduced to five (5) feet if land is restricted in size. Landscaping within the buffer shall be
provided in accordance with these designs and is dependent on the type of commercial or
residential use on the property. These buffer provisions affect no setback dimensions.

b. Perimeter adjacent to public right-of-way: A visual clearance area between the height of two
and one-half (2 1/2) feet and ten (10) feet shall be maintained on the corners of all property
adjacent to the intersection of two (2) streets or a driveway providing access to a public or
private street within thirty (30) feet of the intersection of the right-of-way of streets or of
streets and driveways (See diagram below).

c. When any commercial property being developed abuts a single family residential property, a
buffer as shown below shall be utilized to mitigate the transition from all levels of
commercial development to residential development.

d. No fence, berm, or landscape material shall be designed or located in a manner that
obstructs the vision of vehicular traffic at street and/or driveway intersections. When a
new residential development is created adjacent to or abutting to an existing non-
residential zoned property within the corridor, it is the responsibility of that new
residential development to meet the buffer requirements and improvement standards.
e. Permitted uses within the required buffer include driveway access; transit oriented uses
including bus stops and shelters; pedestrian and bike paths; and lighting fixtures, signs,
benches, and other streetscape furniture.

(3) Irrigation
All required planting areas shall be mechanically irrigated. Bubbler or drip irrigation
systems are encouraged in order to reduce water consumption and overspray onto pedestrian
and vehicle use area. This shall include all tree islands, medians and all areas of required
frontage landscaping between the parking lot and public streets. Required planting areas
associated with parking lots containing less than thirty (30) parking spaces are not required
to be irrigated. However, an exterior water source (such as a hose bib) shall be located
within one hundred (100) feet of all required planting areas. If the project area is required to
be irrigated, the following statement on the Site and Landscaping Plan must be provided
"All planting areas shall be mechanically irrigated." and/or, an irrigation plan must be
provided.

(4) Maintenance
Maintenance shall consist of mowing, removal of litter and dead plant materials, necessary
pruning, and maintenance of screens in conformance with the surrounding area. Natural
watercourses within a buffer shall be maintained as free flowing and free of debris. Stream
channels shall be maintained to improve floodplain areas. It shall be unlawful to deviate from
approved landscape plan unless otherwise permitted by the Zoning Administrator or designee.

(5) Berm construction requirements
When a berm is utilized to provide separation between non-similarly zoned properties or for
the purpose of modifying other standards elsewhere required by these regulations, it shall
adhere to the following:
a. Have side slopes no greater than 3:1. Any alternative designs shall be noted on all
plans; and
b. Be vegetated with the plant materials that are suitable to high well drained soils.
c. Plants used for landscaping shall be indigenous to the local climate and properly
maintained in a healthy, controlled manner by the property owner.
d. Non-vegetated areas on the berm shall be covered with a groundcover, mulch, or grass
suitable to stabilize the side slopes of the berm (used when modifying parking lot location);
and
e. Breaks in the berm may be allowed every six (6) to eight (8) feet or as needed for
drainage.

(6) Drainage and utility encroachment into the perimeter buffer
a. Stormwater facilities and conveyances encroaching into the perimeter buffer- New stormwater
facilities including conveyances shall not be located on the exterior of any required landscape
buffer. If an existing conveyance or stormwater facility exists along the property line or in the
area which would normally constitute the buffer location, then the buffer width must be met
internal to said facility or conveyance. Any encroachment into the buffer area may not
encroach more than ten (10) percent into the total required width of the buffer. An
encroachment includes any required easement width necessary to access and/or maintain the
facility or conveyance to meet the requirements of Stormwater Ordinance.
b. Utility encroachment into the perimeter landscaping – Water, gas and electric utilities shall
not encroach into the landscaped areas of the perimeter buffer, but may encroach into the
streetscape buffer.

(7) Alternate designs allowed
The Planning, Building and Zoning Administrator may, at their discretion, approve an
alternate buffer design incorporating visually appealing fencing or earthen berms. The
Planning, Building and Zoning Department may, at its discretion, approve alternate species
not included on the approved plant list if the property owner submits a letter from a registered
landscape architect, horticulturist, botanist, or plant nursery operator stating that the growing
conditions in the Town County favor the healthy growth and maintenance of that species. The
Planning, Building and Zoning Department may also require landscaping to be installed in
locations left empty from the parking layout, such as corner islands associated with angled
parking layouts, at its discretion.

Tree preservation

The following standards apply to all properties within overlay.

a. The Planning Department can grant up to a five (5) percent reduction in the number of off-street parking spaces required on the site if the reduction in pavement will preserve the root zones of existing healthy trees of eight (8) inches or greater.

(L) Sign Regulations reference Article VI - Signs