PLANNING COMMISSION REGULAR MEETING
TOWN COUNCIL CHAMBERS
Tuesday, October 2, 2018 at 6:00PM

1. CALL TO ORDER – Carrie Johnson, Chair

2. PLEDGE OF ALLEGIANCE

3. AGENDA APPROVAL

4. MINUTES APPROVAL – JULY 9, 2018, AUGUST 13, 2018 & SEPTEMBER 4, 2018

5. PUBLIC COMMENTS ON AGENDA ITEMS

6. PUBLIC HEARINGS
   a) Proposed amendments to the town's code of ordinances, specifically Chapter 17, Zoning Ordinance to include language where necessary to establish a new zoning district to be identified as the Entertainment District (C-4).
   b) Proposed amendment to the town's code of ordinances, specifically Chapter 17, Zoning Ordinance to establish an Entertainment Overlay for the C-4 zoning district.
   c) Proposed rezoning of certain properties shown on attached map and listed by PIN#s obtained from the Horry County GIS system from the Amusement District (C-3) to Entertainment District (C-4).

7. BUSINESS ITEMS
   a) Recommendations to council on the Item 6(a).
   b) Recommendations to council on the Item 6(b).
   c) Recommendations to council on Item 6(c).

8. COMMISSION DISCUSSION
   Any topic the board wishes to discuss

9. PUBLIC COMMENTS – General Comments

10. PLANNING COMMISSION COMMENTS.

11. ADJOURMENT.

This agenda is published pursuant to the Freedom of Information Act Section 30-4-80(A) and (E).
The public is invited to attend all meetings and events.
1. CALL TO ORDER. Chairman Johnson called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Chairman Johnson, Vice Chairman Lauer, and members Mabry, Mastrobante, McKeen, and Sadler. Member Gambino was absent. A quorum was present. Others Present: Town Clerk Herrmann, and Permit Technician Mazzo.

2. PLEDGE OF ALLEGIANCE. Chairman Johnson led the Pledge of Allegiance.

3. AGENDA APPROVAL. Ms. Mastrobante moved to approve the agenda as presented. Mr. Lauer second. All voted in favor. MOTION CARRIED.

4. MINUTES APPROVAL. Ms. Mastrobante moved to approve the minutes of June 5, 2018 as presented. Mr. Lauer second. All voted in favor. MOTION CARRIED.

5. DIRECTOR’S REPORT. Deferred as Ms. Morris was absent.

6. PUBLIC HEARING. Chairman Johnson declared the public hearing open at 6:03 p.m. Topics open for discussion are (a) Proposed Amendments to the Mixed Use District to include additional uses and restrictions Section 17-395 Use Chart, Section 17-396.34 Restaurants and other dining establishments with open or outdoor dining, and (b) Certain Properties fronting on Surfside Drive from Poplar Drive to Dogwood drive to rezone the properties from R-2 Medium Density Residential and a small portion of C3 Amusement District to a Mixed Use District (MU) as shown on the Future Land Use Map found in the Town’s Comprehensive Plan, Land Use Element, Part Three, Future Land Use.

Ms. Carol Cook, 7th Avenue South; Mr. Cecil Chandler, Surfside Drive; Mr. Mike Romano, Surfside Drive; Mr. Brian Hollifield, 1st Avenue North; Mr. Walter Jones, (?); Ms. Terryl Browder, Surfside Drive; Ms. Julie Faber, 1st Avenue North; Mr. Philip Chereko, 3rd Avenue South; Mr. Randy Gantt, Surfside Drive; Mr. Bernie Warton, South Myrtle Drive; Mr. Dennis Howell, Ocean Palms Drive; Ms. Diane Bond, North Myrtle Drive; Ms. Danielle Terrant, North Myrtle Drive, and Mr. Gary Domier, 1st Avenue North all spoke against the proposed mixed use on Surfside Drive.

Ms. Jennifer Herrmann, North Cedar Drive spoke in support of the mixed use on Surfside Drive.

Chairman Johnson declared the public hearing closed at 6:25 p.m.

7. ACTION ITEMS

1. Recommendation to Town Council for 6a. Mr. Lauer moved to defer action on this item until the next meeting. Ms. Mastrobante second. Mr. McKeen supported the motion saying the full commission should be present. All voted in favor. MOTION CARRIED.

2. Recommendation to Town Council for 6b. Mr. Lauer moved to recommend adoption of Item 6b to Town Council for its consideration. Mr. McKeen second. All voted in favor. MOTION CARRIED.

3. Resolution to Town Council recommending amendments to the Town’s Comprehensive Plan, specifically the Future Land use Plan to allow for the addition of an Entertainment District to extend the Mixed Use District as shown on the attached map. Chairman Johnson said no action should be taken on this item, since both items 1 was deferred.

8. DISCUSSION ITEMS

a. Entertainment District. Requirements will change when the new flood maps are published, which is controlled by FEMA (Federal Emergency Management Agency.) Mr. McKeen believed the commission was ready to move forward with a recommendation. Chairman Johnson requested that the entertainment district be on the next agenda as a business item.
b. Any topic the board wishes to discuss. Mr. McKeen asked if an ordinance could be recommended to limit the height limit to 55 feet forever. Ms. Mazzo said that question would be given to Ms. Morris.

9. PUBLIC COMMENTS - General.

Mr. Wes Sparks, Dogwood Drive North, said changes to the overlay district would prohibit him from developing a recently purchased property, and asked if the commission would reconsider the prohibitions.

Mr. Ron Ott, 7th Avenue North explained that the commission members were unpaid volunteers and he appreciated their dedication.

Ms. Carol Cook, 7th Avenue South; Ms. Caroline Rouse, (?), a vacation realtor; Ms. Emily Becker, Surfside Drive; Ms. Jennifer Perkins, Myrtle Drive South; Mr. Randy Gant, 516 Surfside Drive; Ms. Nancy Ragin, Surfside Drive, and Mr. John Paul, 1st Avenue North spoke against the mixed use district.

Mr. Jeff Hines, 13th Avenue North, supported the entertainment district. He believed pedestrians would navigate Surfside Drive if there were places to shop and eat.

Mr. Richard Stiles, Hollywood Drive, said Highway 17 should be developed and filled before Surfside Drive; he supported the mixed use district.

10. COMMISSION COMMENTS.

Mr. Lauer said the public's comments were taken under consideration. This issue has much work yet to be done.

Ms. Mastrovante the commission is working on many issues and wished that more public would attend.

Mr. Sadler was very happy that the public turned out for this meeting and encouraged them all to attend the council meetings to share their opinions.

Mr. McKeen shared his address and welcomed anyone to stop by to discuss these issues. In his opinion, Surfside Beach is a walking town. Threats of lawsuits is moot; you can sue for any reason. Drinking occurs in rental homes; you deal with it, because we are a tourist destination where they can walk and drive their golf carts.

Chairman Johnson took three pages of notes of speaker's opinions. She spoke about golf cart use and the town's walkability citing the following statistics: Nationwide data demonstrates that both baby boomers and millennials favor the increased walkability of neighborhoods and communities. Walkable communities command rent premiums of 60 percent higher for multi-family and 71 percent higher for retail. Sales prices for commercial properties are up to 43 percent in highly walkable areas versus 21 percent for car dependent areas. Chairman Johnson continued saying that in her opinion, no one of the commission wanted to change the family atmosphere in town, but would like to give more opportunities for people. The Horry County overlay ordinance is being considered, because it will protect owners from blight on neighboring property.

11. ADJOURNMENT. Mr. Lauer moved to adjourn at 7:45 p.m. Mr. McKeen second. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: September 10, 2018

Carrie Johnson, 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 new, unopened 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.
1. CALL TO ORDER. Chairman Johnson called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Chairman Johnson, Vice Chairman Lauer, and members Gambino, Mabry, Mastrovante, and McKeen. One seat is vacant. A quorum was present. Others Present: Director Morris, and Permit Technician Mazzu.

2. PLEDGE OF ALLEGIANCE. Chairman Johnson led the Pledge of Allegiance.

3. AGENDA APPROVAL. Ms. Mabry moved to approve the amended agenda to allow a presentation by Mr. Baker, owner of Neal & Pam’s Pub. Ms. Gambino second. All voted in favor. MOTION CARRIED.

4. MINUTES APPROVAL. Deferred until a later date.

5. DIRECTOR’S REPORT. Ms. Morris said most of staff’s time was working on the ordinances being presented. There were two subdivisions approved last month. The design overlay ordinance has been postponed until at least September so the business owners have an opportunity to make comments.

   NEAL & PAM’S PUB PRESENTATION. Mr. Baker said his comments were regarding the entertainment district (E District). His business is one of the few that survived Hurricane Hugo and continues to do well. Neal & Pam’s is the oldest operating establishment on Ocean Boulevard between Sam’s Corner in Garden City and Ocean Lakes Campground. The pub always participate in town events and strives to be a good neighbor, and Mr. Baker cited various charities and events with whom they work. He supported zero lot lines in the E District, and named numerous cities similar to Surfside Beach that have zero lot lines. Zero lot lines will allow the pub to enlarge its decks to help it remain competitive. (Proposed plans were given to the commission members showing how the face of the business would change after adoption of the E District.) In his opinion, the E District as proposed will spur substantial investments by businesses that will improve the town. A discussion ensued that covered questions about design, stormwater plans, and infrastructure styles.

6. PUBLIC COMMENTS ON AGENDA ITEMS.
   - Mary Maruca, 7th Avenue South, supports Entertainment District (E District); supports Neal & Pam’s proposed improvements; concerned about parking and stormwater issues; no outdoor music after 10 p.m.
   - Beth Kohlmann, South Ocean Boulevard, supports E District; concerned with stormwater issues; don’t rush the ordinance; we drive and then walk
   - Patricia Magliette, Harbor Lights Drive, concerned about stormwater; praying E District will be successful
   - Everett Goff, Millwood Drive, opposed Mixed Use District (MU District) personally and on behalf of the homeowners association
   - Bill Kinken, North Dogwood Drive, supported MU District, but ordinance needs more work; concerned with parking. Regarding E District, concerned with stormwater, parking, and potential construction styles; overlay should be applied to E District; more planning is needed; opposed zero setbacks
   - Sandra Elliott, 5th Avenue North, concerned about stormwater; discussed water flow and how tides impact flooding
   - Cecil Chandler, Surfside Drive, opposed MU District
   - Randy Gantt, Surfside Drive, opposed MU District; don’t act too quickly
   - Brian Hoff, 1st Avenue North, opposed MU District
   - Harry Kohlmann, South Ocean Boulevard, opposed MU District; supports E District, but concerned about parking, and opposed zero setbacks

5. DIRECTOR’S REPORT. Ms. Morris said regarding the MU District that the town is required by State Law to develop and periodically review a comprehensive plan designed to guide the town’s future actions, and proceeded to explain how the MU District originated by a previous planning commission. Of 250 notices mailed to owners, only nine were returned undeliverable. The public notice sign posted is the same one used by all
municipalities and Horry County. It is designed to have those with questions to contact the office for more
information. Staff distributed more than 12 copies of the proposed ordinance and answered more than 250 telephone
calls. SC Code requires notice in the newspaper. She continued citing specific commission actions, reviews,
consultant opinions, and potential uses in the MU District. Several commission members asked questions that were
answered.

6. ACTION ITEMS

a. Proposed Amendments to the Mixed Use District to include additional uses and restrictions Section 17-
395 Use Chart, Section 17-396.34 Restaurants and other dining establishments with open or outdoor dining. There
was a lengthy discussion by commission members regarding their opinions of the MU District. Commission
concurred to add bed and breakfast.

b. Certain Properties fronting on Surfside Drive from Poplar Drive to Dogwood Drive to rezone the
properties from R2 Medium Density Residential and a small portion of C3 Amusement District to Mixed Use
District (MU) as shown on the Future Land Use Map found in the town’s Comprehensive Plan, Land Use Element,
Part 3, Future Land Use. There was no discussion on this topic. Mr. McKeen moved to delay action until the next
meeting. Mr. Lauer second. (Audience disruption; member votes unclear.) Chairman Johnson said motion carried;
vote was four in favor.

c. Resolution to Town Council recommending amendments to the Town’s Comprehensive Plan, specifically
the Future Land Use Plan to allow for the addition of an Entertainment District and to extend the Mixed Use District
as shown on attached map. After a lengthy discussion, Ms. Mabry moved to postpone this item for at least
one more meeting. Ms. Gambino second. Members Mabry, Gambino and Mastrosante voted in favor. Chairman
Johnson and Members Lauer and McKeen voted against. MOTION FAILED, NO MAJORITY. (Clerk’s note: The
commission incorrectly interpreted the vote as carried, and Chairman Johnson said the action was postponed until the
next meeting.)

7. DISCUSSION ITEMS.

a. Entertainment District. The commission discussed various aspects of the proposed district at length.
Commission concurred to zero setbacks on the sides and front; no big bands on rooftops.

b. Proposed Change in Layout/Concept of Article III, Section 17-394 & Section 17-395 Use Chart. Ms.
Morris said currently if anyone requests a retail store, there are no provisions to prohibit unwanted businesses,
except for sexually oriented businesses. Most municipalities actually list the specific types of retail allowed; the
recommendations for changes were explained. The commission liked the recommendation as a whole, but no
instructions were given.

c. Design Overlay District Guidelines. Chairman Johnson, who is an insurance agent, said metal buildings
hold up better during wind storms, and insurance is less expensive. She supported allowing having the fronts of
metal buildings covered, except that any side wall facing a street should be covered with approved material for at
least six feet. Commission concurred.

d. Any other matters of concern or information to be discussed by Planning Commission. There was no
other discussion.

8. PUBLIC COMMENTS - General.

- Wes Sparks, North Dogwood Drive, asked the commission to allow multiple shops on one property so he
can develop a recently purchased property on Azalea Drive as planned based on current codes
- Sam Williams, North Myrtle Drive, encouraged the commission to vote its convictions
- Randy Gant, Surfside Drive, opposes a walking area and MU District on Surfside Drive
- Patricia Magliette, Harbor Lights Drive, complained about the microphones and the manner that votes were
counted; there is already too much traffic on Surfside Drive; she opposes MU District
- Ron Ott, 7th Avenue North, town council sent the E District back to the commission because originally
information was presented incorrectly; he wants to know what will be constructed before he supports the
ordinance; businesses have the right to have music, but it needs to be controlled; no development has occurred in the current mixed use district, in his opinion, it doesn’t work in town
• Tom Davis, (address not given), asked if Neal & Pam’s Pub should go for a zoning variance instead of waiting for the E District to be adopted to increase the size of the deck and add a second deck. Chairman Johnson said the commission could not advise him.
• Diana Ward, Surfside Drive, opposes MU District
• Robin Partin, Pine Drive, ambivalent about the MU District; more centralized shops would encourage business, but having them on the other end of Surfside Drive wouldn’t help; her business on Surfside Drive is year round; she challenged to commission to help existing businesses
• Mary Maruca, 7th Avenue South, complained that the meeting date was changed and in her opinion proper notice not given; appreciated the commission’s due consideration of the E District

9. PLANNING COMMISSION COMMENTS

Ms. Mabry said the commission listens to comments. She is concerned with each proposal and questions are being answered. This commission’s work affects the town 20 years from now, so she didn’t want to rush. People always ‘scream’ when there is change. Having experienced a flood in her home during a hurricane makes her more cautious about stormwater issues. She appreciates the efforts current and past councils and employees who worked to improve the town’s stormwater system. In her opinion, the MU District would not be developed for 20 years; property prices will definitely increase. Regardless of the outcome for these ordinances, not everyone will be happy.

Mr. Lauer agreed that the commission considers public comments.

Ms. Mastrosante also agreed that public comments are heard. She was concerned about the E District stormwater and parking issues, and believes an overlay should be created before it is recommended to council. Instead of MU District, the town should concentrate on filling the businesses on Highway 17, and get the design overlay finished. She supported the proposal for Neal & Pam’s Pub, but was concerned a precedent would be set.

Mr. McKeen agreed with Mr. Sparks’ comments on the Azalea Drive property, which is occluded from Highway 17. He responded to several public comments.

Ms. Gambino said the commission needs public input and encouraged everyone to attend the town council meetings.

Chairman Johnson said public comments were considered and appreciated. The businesses along Highway 17 have any bearing on the MU District; they are two different types of businesses.

10. ADJOURNMENT. Ms. Mastrosante moved to adjourn at 8:12 p.m. Ms. Mabry second. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: __________, 2018

Carrie Johnson, Chairman

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1. CALL TO ORDER. Chairman Johnson called the Planning & Zoning Commission meeting to order at
6:00 p.m. Commission members present: Chairman Johnson, Vice Chairman Lauer, and members Gambino,
Mabry, and McKeen. Member Mastrozante was absent. One seat is vacant. A quorum was present. Others Present:
Town Clerk Herrmann, Planning, Building & Zoning Director Morris, Public Works Director Adair, and Permit
Technician Mazzo.

2. PLEDGE OF ALLEGIANCE. Chairman Johnson led the Pledge of Allegiance. Chairman Johnson
expressed condolences to family and friends of former commission member Boyd Sadler who passed away
September 1st. His service to the town and on this commission were much appreciated.

3. AGENDA APPROVAL. Mr. Lauer moved to approve the agenda as presented. Ms. Mabry second. All
voted in favor. MOTION CARRIED.

4. MINUTES APPROVAL. Deferred until a later date.

5. PUBLIC COMMENTS ON AGENDA ITEMS.
   • Mary Maruca, 7th Avenue South, was concerned about stormwater drainage in the Entertainment District (E
   District); she didn’t believe the requirement to keep the same number of parking spaces was equitable,
because some businesses had no parking; she supports the E District, but don’t rush
   • Gary Wade, Lakeside Drive, regarding the E District believed it set a bad precedent to prohibit rebuilding
   residential property if it was destroyed
   • Beth Kohlmann, South Ocean Boulevard, disagreed with the proposed timeline and any action to move
   forward. All public hearings some be held first and council be given time to review the comments; in her
   opinion, this was a ‘done deal.’ What is the rush? She cited several code sections that, in her opinion,
   conflict with the proposed ordinance. Change every code to comply so there is no conflict. She supports the
   E District.

6. ACTION ITEM. Resolution to Town Council recommending amendments to the Town’s
   Comprehensive Plan, specifically the Future Land Use Plan to allow for the addition of an Entertainment District
   (C-4) as shown on the attached map. Ms. Mabry moved to recommend to council a change to the Future Land Use
   Plan to include an Entertainment District (C-4) in the Comprehensive Plan. Mr. McKeen second. All voted in favor.
   MOTION CARRIED.

7. DISCUSSION ITEMS.
   a. Entertainment District/Entertainment Overlay District. The commission discussed the topic throughout a
   PowerPoint presentation given by Ms. Morris. After discussion, the commission concurred to
   b. Proposed Change in Layout/Concept of Article III, Section 17-394 & Section 17-395 Use Chart. Ms.
   Morris said currently if anyone requests a retail store, there are no provisions to prohibit unwanted businesses,
   except for sexually oriented businesses. Most municipalities actually list the specific types of retail allowed; the
   recommendations for changes were explained. The commission liked the recommendation as a whole, but no
   instructions were given.
   c. Design Overlay District Guidelines. Chairman Johnson, who is an insurance agent, said metal buildings
   hold up better during wind storms, and insurance is less expensive. She supported allowing having the fronts of
   metal buildings covered, except that any side wall facing a street should be covered with approved material for at
   least six feet. Commission concurred.
   d. Any other matters of concern or information to be discussed by Planning Commission. There was no
   other discussion.

8. PUBLIC COMMENTS - General.
   • Wes Sparks, North Dogwood Drive, asked the commission to allow multiple shops on one property so he
can develop a recently purchased property on Azalea Drive as planned based on current codes
Planning Commission  
September 4, 2018

- Sam Williams, North Myrtle Drive, encouraged the commission to vote its convictions
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- Robin Partin, Pine Drive, ambivalent about the MU District; more centralized shops would encourage business, but having them on the other end of Surfside Drive wouldn’t help; her business on Surfside Drive is year round; she challenged to commission to help existing businesses
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9. PLANNING COMMISSION COMMENTS

- Ms. Mabry said the commission listens to comments. She is concerned with each proposal and questions are being answered. This commission’s work affects the town 20 years from now, so she didn’t want to rush. People always ‘scream’ when there is change. Having experienced a flood in her home during a hurricane makes her more cautious about stormwater issues. She appreciate the efforts current and past councils and employees who worked to improve the town’s stormwater system. In her opinion, the MU District would not be developed for 20 years; property prices will definitely increase. Regardless of the outcome for these ordinances, not everyone will be happy.
- Mr. Lauer agreed that the commission considers public comments.
- Ms. Mastrovante also agreed that public comments are heard. She was concerned about the E District stormwater and parking issues, and believes an overlay should be created before it is recommended to council. Instead of MU District, the town should concentrate on filling the businesses on Highway 17, and get the design overlay finished. She supported the proposal for Neal & Pam’s Pub, but was concerned a precedent would be set.
- Mr. McKeen agreed with Mr. Sparks’ comments on the Azalea Drive property, which is occluded from Highway 17. He responded to several public comments.
- Ms. Gambino said the commission needs public input and encouraged everyone to attend the town council meetings.
- Chairman Johnson said public comments were considered and appreciated. The businesses along Highway 17 have any bearing on the MU District; they are two different types of businesses.

10. ADJOURNMENT. Ms. Mastrovante moved to adjourn at 8:12 p.m. Ms. Mabry second. All voted in favor. MOTION CARRIED.

Approved: ________________, 2018

Debra E. Herrmann, CMC, Town Clerk

Carrie Johnson, Chairman

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Planning Commission
Issue Paper
Proposed Entertainment District/Design Overlay

Written By: Sabrina Morris, PB&Z Director

October 2, 2018

Background:

The following information is the outcome of the September 4, 2018 meeting:

Setback requirements — The commission agreed to allow for a twenty (20) foot front setback requirement; Zero (0) setbacks on the sides and twenty (20) on the rear (based on the allowance of 60% impervious per lot)

Stormwater Management — The Commission agreed to allow up to 60% of the lot be impervious.

Parking — Added “T” to the parking chart and added corrected language “The number of existing parking spaces provided per parcel shall remain”.

Outdoor entertainment - After corresponding with the town’s Police Chief Kenny Hofmann he suggested staying in line with the R3 district ordinance. This ordinance states between the hours of 10:00PM and 7:00AM noise levels cannot exceed *50 db. This would not cause any conflicts in the current ordinances.

*During the first reading of the Design Overlay for the entertainment district by town council, council requested the 50 db be reconsidered. We will have additional options at the meeting for consideration.

Overlay — Additions have been added to the architectural standards and the Landscaping design standards. Proposed color schemes will be presented at the meeting. Examples of the proposed architecture is attached for review.

Staff request the planning commission discuss the proposed Entertainment District (C-4) as presented, make amendments as needed and after public hearing make recommendations to town council on the proposed amendment.
DIVISION 1. DISTRICTS IN GENERAL

SECTION 17-300. APPLICATION OF REGULATIONS

Except as may be otherwise provided in this chapter, no building or land shall hereinafter be used and no building or part thereof shall be erected, moved, or altered unless for a use expressly permitted by and in conformity with the regulations specified in this article for the district in which it is located.

SECTION 17-301. ESTABLISHMENT OF DISTRICTS

For the purpose of this chapter, the town is hereby divided into nine (9) ten (10) zoning districts as follows:

1. R-1 low density residential district.
2. R-2 medium density residential district.
3. R-3 high density and accommodations residential district.
4. C-1 highway commercial district.
5. C-2 central business district (commercial).
6. C-3 amusement commercial district.
7. **C-4 entertainment district.**
8. MU mixed use district
9. PD planned development district.
10. MP manufactured home park district.

The individual districts may be cited by full title, e.g. R-1 low density residential district, or by abbreviated reference, e.g. R-1 district.

SECTION 17-302. OFFICIAL ZONING MAP

(a) The boundaries of the zoning districts established by this chapter are shown on the official zoning map entitled the “Zoning Map of the Town of Surfside Beach South Carolina”. This map shall be identified by the signature of the mayor, attested by the town clerk, and maintained at town hall. The official zoning map and all amendments, certifications, citations, and other matters entered on to the official zoning map are hereby made a part of this chapter and have the same legal effect as if fully set out herein. No change of any nature shall be made to the official zoning map or matters shown thereon except in conformity with the procedures set forth by this chapter.

(b) Where uncertainty exists as to the boundaries of districts shown on the official zoning map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, alleys, or public utility easements shall be construed to follow such lines.
2. Boundaries indicated as approximately following platted lot or tract lines shall be construed as following such lines, whether public or private.
3. Boundaries indicated as approximately following the town limit line shall be construed as following such town limit.
4. Boundaries indicated as following the center lines of natural barriers such as marshes and streams, shall be construed to follow such center lines.
5. If distances are not specifically indicated on the official zoning map, or if other circumstances are not addressed by parts 1 through 4 above, the boundaries shall be determined by the use of the scale of such map.
6. All questions involving district boundaries, as illustrated on the official map, shall be submitted to the code enforcement official for a determination. Any appeal of a determination by the code enforcement official is made to the board of zoning appeals as provided by this chapter.
## SECTION 17-303. DISTRICTS SUBJECT TO DIMENSIONAL AND DENSITY STANDARDS

Parcels within the zoning districts created by this chapter are subject to dimensional and density standards including, but not limited to: lot size, lot width, setbacks and required yards, building height, coverage maximums, and limitations on the number of dwelling units per lot or acre. These dimensional and density standards are set out in the text of this chapter and are provided in summary form in Table 17-303 below:

<table>
<thead>
<tr>
<th>Table 17-303</th>
<th>District Dimensional Standards (1) (8)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STANDARDS</strong></td>
<td><strong>DISTRICTS</strong></td>
</tr>
<tr>
<td>Minimum Lot Area (in square feet)</td>
<td>R-1</td>
</tr>
<tr>
<td>Single Family (detached)</td>
<td>9,000</td>
</tr>
<tr>
<td>Single Family (semi-attached)</td>
<td>N/A</td>
</tr>
<tr>
<td>Single Family (attached)</td>
<td>N/A</td>
</tr>
<tr>
<td>Two-Family (Duplex) or Single Family (detached) with Accessory Unit</td>
<td>N/A</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>N/A</td>
</tr>
<tr>
<td>Dwelling Group</td>
<td>N/A</td>
</tr>
<tr>
<td>Nonresidential Lots or Uses</td>
<td>9,000</td>
</tr>
<tr>
<td>Minimum Lot Width (in feet)</td>
<td>75</td>
</tr>
<tr>
<td>Minimum Yard Setback (in feet)</td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td>25</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>20</td>
</tr>
<tr>
<td>Side Yard</td>
<td>10</td>
</tr>
<tr>
<td>Maximum Building Height (in feet)</td>
<td>35</td>
</tr>
<tr>
<td>Maximum Impervious Coverage (in percent)</td>
<td>40</td>
</tr>
<tr>
<td>Maximum Building Coverage (in percent)</td>
<td>30</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Table Notes:

1. The dimensional standards illustrated in Table 17-303 are the minimum standards for the above districts. Where the text of this chapter provides more restrictive dimensional standards than those summarized above, the more restrictive standard shall apply.

2. Dwelling groups in the R-3, C-1, and C-3 district are subject to the conditional use standards of §17-396.20.

3. The side yard setback is five (5) feet for single family detached buildings up to fifty-five feet (55) high and ten (10) feet for all other uses.

4. The greater area and yard requirements apply to those lots fronting on the U.S. 17 Highway Corridor (including frontage roads). Access to the rear of buildings for fire and garbage trucks by a drive aisle or an unobstructed side yard setback of at least twenty (20) feet shall be provided in the C-1 highway commercial district except where the property is strictly developed for single-family and two-family buildings. The code enforcement official may reduce the side yard requirement to ten (10) feet when a combined unobstructed side yard of (20) feet is provided by two abutting property owners.

5. Corner and double frontage lots are subject to the special setback standards of §17-402 and §17-403. Semi-attached single-family dwelling units are exempt from one (1) side yard setback. Attached single family dwelling units are exempt from side yard setbacks subject to the provisions of § 17-396.36.

6. Maximum floor area ratio requirements apply only to two-family residential dwelling units (duplex) in the R-2 district.

7. The side yard setback is five (5) feet for single family detached buildings and ten (10) feet for all other uses.

8. The PD and MH districts are subject to the dimensional standards required by Divisions 9 and 10 of this article, respectively.

9. Pier and all appendages of the pier shall be measured from the mean roof height. Measured from the lowest finished grade at ground level, within one (1) foot of the structure footprint to the highest point of the roof.

SECTIONS 17-304 and 17-305. [RESERVED]
NEW DIVISION – MUNICODE TO ADJUST NUMBERS

DIVISION (NEW) C-4 ENTERTAINMENT DISTRICT

SECTION 17- INTENT

The intent of the provisions of this division is to provide a unique set of commercial uses for a small portion of commercial area around the town owned pier. This district should promote and encourage entertainment opportunities for all ages in a family friendly setting.

SECTION 17- USES

Uses are allowed by right, are allowed as conditional uses, may be permitted as special exceptions, or are prohibited in the Entertainment district in accordance with the Use Regulations of Division 11 of the article. Uses not specifically listed as permitted uses, conditional uses or special exceptions shall not be permitted.

SECTION 17- MINIMUM LOT SIZE

The minimum size of lots in the Entertainment district is five thousand (5,000) square feet.

SECTION 17- MINIMUM LOT WIDTH AT BUILDING LINE

The minimum width of lots at the building line in the Entertainment district is sixty (60) feet.

SECTION 17- MAXIMUM BUILDING AND IMPERVIOUS COVERAGE

On any lot within a C-4 Entertainment District, the area occupied by all buildings including accessory buildings (if applicable), shall not exceed sixty (60) percent of the total area of such lot. The maximum impervious coverage on any lot within the C-4 district shall not exceed sixty (60) percent of the total area of such lot.

Areas of a parcel not occupied by a building shall utilize landscaping, permeable pavers and/or pervious concrete. All allow water from precipitation and other sources to pass directly through, thereby reducing the runoff from a site and allowing groundwater recharge.

SECTION 17- AREA REQUIRED TO BE LANDSCAPED

At least twenty (20) percent of the front setback area shall be landscaped. Landscaping must be regional coastal natives that endure drought, wind and salt.

SECTION 17- YARD SETBACKS

The yard setback requirements in the entertainment district are as follows:

1. Front yard setback: Twenty (20) feet
2. Rear yard setback: Twenty (20) feet
3. Side yard setback: Zero (0) feet

SECTION 17- MAXIMUM BUILDING HEIGHT

The maximum building height in the entertainment district is fifty-five (55) feet. Building height shall mean the highest vertical distance measured from the lowest finished grade at ground level, within one (1) foot of the structure footprint to the highest point of the roof or building appendages whichever is greater.
SECTION 17- STORMWATER MANAGEMENT

A stormwater management plan shall be designed and submitted meeting the requirements set forth in Chapter I4 Article III of the town’s code of ordinances.

DIVISION 11: USE REGULATIONS

SECTION 17-394 USE TYPES

Within each zoning district, a use is either a Use Permitted by Right, a Conditional Use, a Special Exception, or a Use Not Allowed:

(1) **P** USES PERMITTED BY RIGHT. A “P” in the zoning district column of Table 17-395 indicates that a use is permitted in the respective zoning district, subject to compliance with the applicable regulations of this chapter.

(2) **C** CONDITIONAL USES. A “C” in the zoning district column of Table 17-395 indicates that a use is allowed in the respective zoning district only if it complies with use-specific conditions and all other applicable regulations of this chapter. A cross-reference to the use-specific conditions can be found in the “Special Standards” column of Table 17-395.

(3) **S** SPECIAL EXCEPTION USES. An “S” in the zoning district column of Table 17-395 indicates that a use is allowed in the respective zoning district only if reviewed and approved in accordance with the special exception approval procedures of this chapter. In addition, these uses must comply with the general and use-specific conditions of this chapter and other conditions which may be imposed by the board of zoning appeals in the granting of a special exception permit. A cross-reference to the use-specific conditions can be found in the “Special Standards” column of Table 17-395.

(4) **D** USES NOT ALLOWED. A blank cell in the zoning district column of Table 17-395 indicates that a use is not allowed in the respective zoning district, unless said use is otherwise expressly allowed by other provisions within this chapter.
SECTION 17-395. USE TABLE

Uses are allowed by right, may be allowed as a conditional use or special exception, or are prohibited within the zoning districts of this chapter in accordance with Table 17-395 “Use Chart”.

<table>
<thead>
<tr>
<th>USE CLASSIFICATIONS</th>
<th>Districts</th>
<th>SPECIAL STANDARDS</th>
<th>PARKING CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R-1</td>
<td>R-2</td>
<td>R-3</td>
</tr>
<tr>
<td>Residential Uses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family, detached</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Single Family, semi-attached</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Single Family, attached</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Two-Family (duplex), accessory dwellings,</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>efficiency units</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multi-family</td>
<td>P</td>
<td>C</td>
<td>C</td>
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<tr>
<td>Upper story dwelling</td>
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<td></td>
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<tr>
<td>Dwelling Group</td>
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</tr>
<tr>
<td>Manufactured Home</td>
<td>C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufactured Home Park</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobile Homes</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Related Uses</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Agriculture and Horticulture (noncommercial),</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>excluding the keeping of poultry and livestock</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Home Occupations</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Accommodation Uses</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Hotels, motels, tourist courts</td>
<td>C</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Resort accommodations, 25 or more units</td>
<td>C</td>
<td>C</td>
<td>C</td>
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<tr>
<td>Transient short term rental units and boarding</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>houses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Civic, Governmental, and Institutional Uses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assembly halls, gymnasiums, and similar uses</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Churches and other religious uses</td>
<td>S</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Hospitals</td>
<td>S</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Libraries</td>
<td>S</td>
<td>C</td>
<td>C</td>
</tr>
</tbody>
</table>

Page 6 of 17
<table>
<thead>
<tr>
<th>USE CLASSIFICATIONS</th>
<th>Districts</th>
<th>SPECIAL STANDARDS</th>
<th>PARKING CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lodges, fraternal organizations</td>
<td>R1 R2 R3 C1 C2 C3 C4 MU MP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Museums and similar cultural activities</td>
<td>S C C P P P P</td>
<td>§17-396.24</td>
<td>B</td>
</tr>
<tr>
<td>Parks, neighborhood and community (public)</td>
<td>S P P P P P</td>
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<td>B</td>
</tr>
<tr>
<td>Public Buildings and uses</td>
<td>S S C P P P</td>
<td>§17-396.26</td>
<td>B</td>
</tr>
<tr>
<td>Public Safety including Police and Fire Station</td>
<td>P P P P P</td>
<td></td>
<td>B</td>
</tr>
<tr>
<td>Public buildings and uses including courts of law, correctional institutions or</td>
<td>S</td>
<td>§17-396.1</td>
<td>R</td>
</tr>
<tr>
<td>jails, parole or probation offices, rehabilitation centers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public, private, trade, and vocational schools</td>
<td>S C P C P</td>
<td>§17-396.30</td>
<td>O</td>
</tr>
</tbody>
</table>

**Entertainment, Recreation, and Dining Uses**

<table>
<thead>
<tr>
<th>Entertainment, Recreation, and Dining Uses</th>
<th>Districts</th>
<th>SPECIAL STANDARDS</th>
<th>PARKING CODE</th>
</tr>
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<tbody>
<tr>
<td>Amusement Parks</td>
<td></td>
<td>PD ONLY</td>
<td>L</td>
</tr>
<tr>
<td>Amusement Arcades</td>
<td></td>
<td>L S (C3) T (C4)</td>
<td></td>
</tr>
<tr>
<td>Art Shop</td>
<td></td>
<td>S T (C4)</td>
<td></td>
</tr>
<tr>
<td>Bakery (Retail)</td>
<td></td>
<td>L S (C3) T (C4)</td>
<td></td>
</tr>
<tr>
<td>Bait &amp; Tackle Shop</td>
<td></td>
<td>L S T (C4)</td>
<td></td>
</tr>
<tr>
<td>Beachwear Shop</td>
<td></td>
<td>L S (C3) T (C4)</td>
<td></td>
</tr>
<tr>
<td>Bicycle Rentals</td>
<td></td>
<td>L S (C3) T (C4)</td>
<td></td>
</tr>
<tr>
<td>Billiard parlors</td>
<td></td>
<td>R S (C3)</td>
<td></td>
</tr>
<tr>
<td>Bowling alleys, skating rinks, water slides, and similar forms of indoor recreation</td>
<td>C</td>
<td>§17-396.1</td>
<td>L</td>
</tr>
<tr>
<td>Café and Coffee Shop</td>
<td></td>
<td>L S (C3) T (C4)</td>
<td></td>
</tr>
</tbody>
</table>
### Table 17-395 (Continued)
#### USE CHART

<table>
<thead>
<tr>
<th>USE CLASSIFICATION</th>
<th>DISTRICTS</th>
<th>SPECIAL STANDARDS</th>
<th>PARKING CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entertainment, Recreation, and Dining Uses (continued)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Golf driving range, par-3, tennis courts and similar outdoor recreation</td>
<td>P</td>
<td></td>
<td>L</td>
</tr>
<tr>
<td>Health clubs, gyms, fitness centers, dance studios</td>
<td>P P P</td>
<td></td>
<td>L</td>
</tr>
<tr>
<td>Ice Cream Shop</td>
<td>P P P P P</td>
<td></td>
<td>S (C3)</td>
</tr>
<tr>
<td>Restaurants with drive-in or drive-up facilities</td>
<td>P</td>
<td></td>
<td>M</td>
</tr>
<tr>
<td>Restaurants and other dining establishments without lounges (Indoor only)</td>
<td>P P P P</td>
<td>§17-367</td>
<td>M</td>
</tr>
<tr>
<td>Restaurants and other dining establishments with open or outdoor dining</td>
<td>C C C P S</td>
<td>§17-396.34</td>
<td>M</td>
</tr>
<tr>
<td>Restaurants, taverns, bars, nightclubs or other places where alcohol is consumed* (Indoor except as noted*)</td>
<td>C P P P P</td>
<td>§17-396.35</td>
<td>M</td>
</tr>
<tr>
<td>Theaters</td>
<td>C C C C</td>
<td>§17-396.39</td>
<td>B</td>
</tr>
<tr>
<td>Theaters, drive-in</td>
<td>C</td>
<td>§17-396.1</td>
<td>R</td>
</tr>
<tr>
<td></td>
<td></td>
<td>§17-396.39</td>
<td></td>
</tr>
</tbody>
</table>

**Note**: Restaurants and other dining establishments, defined as "bona fide engaged primarily and substantially in the preparation and serving of meals," by Title 61, Chapter 6 of the Code of Laws of South Carolina, may include outdoor dining in the C-1, C-2, and C-3 and C-4 districts subject to the conditional use standards of §17-396.34.

### Commercial, Office, and Professional Uses

<table>
<thead>
<tr>
<th>USE CLASSIFICATION</th>
<th>DISTRICTS</th>
<th>SPECIAL STANDARDS</th>
<th>PARKING CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal hospitals, veterinarian clinics, pet boarding facilities, retail pet shops</td>
<td>C</td>
<td>§17-396.1</td>
<td>J or L (pet shops and boarding)</td>
</tr>
<tr>
<td>Auto/truck sales, service, repair and/or washing</td>
<td>C</td>
<td>§17-396.1</td>
<td>A</td>
</tr>
<tr>
<td>Auto Service Station</td>
<td>C</td>
<td>§17-396.1</td>
<td>F</td>
</tr>
<tr>
<td>Banks, loan agencies, and other financial institutions</td>
<td>P P</td>
<td>§17-396.1</td>
<td>K</td>
</tr>
<tr>
<td>Barber or Beauty Shops</td>
<td>P P C C</td>
<td>§17-396.4</td>
<td>K</td>
</tr>
<tr>
<td></td>
<td></td>
<td>§17-396.3</td>
<td>S (C3)</td>
</tr>
<tr>
<td>Boat sales and service</td>
<td>C</td>
<td>§17-396.1</td>
<td>N</td>
</tr>
<tr>
<td>Body Piercing</td>
<td>C</td>
<td>§17-396.1</td>
<td></td>
</tr>
<tr>
<td>USE CLASSIFICATIONS</td>
<td>DISTRICTS</td>
<td>SPECIAL STANDARDS</td>
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<td>----------------------------------------------------------</td>
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</tr>
<tr>
<td></td>
<td>R1</td>
<td>R2</td>
<td>R3</td>
</tr>
<tr>
<td>Commercial, Office and Professional Uses (continued)</td>
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<td></td>
</tr>
<tr>
<td>Building supplies and equipment sales</td>
<td>P</td>
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</tr>
<tr>
<td>Charitable Institution (office)</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Cold storage, freezer locker</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communication towers</td>
<td>C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day care centers</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dressmaker, seamstress, tailor</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Electrical appliances and equipment, sales and repair</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fabricating shops, e.g., cabinet or upholstery</td>
<td>C</td>
<td></td>
<td></td>
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<tr>
<td>Fuel or chemical storage, excluding incidental or accessory storage</td>
<td>S</td>
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<tr>
<td>Funeral Homes and mortuaries</td>
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<td></td>
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</tr>
<tr>
<td>Laundry and dry cleaning pick up stations</td>
<td>P</td>
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<td></td>
</tr>
<tr>
<td>Laundromats</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Lawn and garden equipment sales and service</td>
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<td></td>
<td></td>
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<tr>
<td>Liquor sales</td>
<td>P</td>
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</tr>
<tr>
<td>Lumber yards and sales</td>
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<td></td>
</tr>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical and dental offices (clinics)</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Nail Salon</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Offices; business, professional, and governmental</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Parking lots</td>
<td>P</td>
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<td>P</td>
</tr>
<tr>
<td>Pharmacy</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Plumbing shops</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Produce markets and stands</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Radio/Television station</td>
<td>C</td>
<td>C</td>
<td></td>
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<td></td>
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<tr>
<td>USE CLASSIFICATIONS</td>
<td>DISTRICTS</td>
<td>SPECIAL STANDARDS</td>
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<td>-------------------------------------------------------------------------------------</td>
<td>-----------</td>
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<tr>
<td>Commercial, Office, and Professional Uses (continued)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Real Estate Office</td>
<td>P P P P</td>
<td></td>
<td>L</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>S (C3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>T (C4)</td>
</tr>
<tr>
<td>Repair shops, excluding auto</td>
<td>P P</td>
<td></td>
<td>A</td>
</tr>
<tr>
<td>Retail Businesses (low traffic) including specialty establishments selling primarily one (1) product line, including stores selling appliances, radios, televisions, floor coverings, furniture, home furnishings, antiques, automobiles and accessories, motorcycles, auction houses, business machines, computers, pawn shops, office equipment, restaurant equipment, secondhand items, bicycles, guns, light fixtures, tackle shops, and other similar uses.</td>
<td>P P P</td>
<td></td>
<td>N (C3)</td>
</tr>
<tr>
<td>Retail Businesses (high traffic) and establishments selling commodities in small quantities to the consumer, usually low bulk comparison items, including department stores, supermarkets, discount stores and stores selling general merchandise, variety merchandise, foods including bakeries where products are consumed onsite, shoes, millery, clothing, jewelry, books, flowers, gifts, music, cameras, stationary, watches, art supplies, hobby supplies, stamps and coins, furs, leather goods,</td>
<td>P P P C</td>
<td>§17-367</td>
<td>L (C3)</td>
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</table>
### Table 17-395 (Continued)

**USE CHART**

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<tr>
<th>USE CLASSIFICATIONS</th>
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<th>R-2</th>
<th>R-3</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>C-4</th>
<th>MO</th>
<th>MP</th>
<th>SPECIAL STANDARDS</th>
<th>PARKING CODE</th>
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</thead>
<tbody>
<tr>
<td>Commercial, Office, and Professional Uses (continued)</td>
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<td></td>
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<td></td>
<td>Article IV, Division 3</td>
<td>§17-435(a)</td>
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<td>Sexually oriented businesses</td>
<td>C</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>$17-396.1</td>
<td>L</td>
</tr>
<tr>
<td>Sheet metal/machine shop</td>
<td>C</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$17-396.1</td>
<td>L</td>
</tr>
<tr>
<td>Shopping center</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$17-396.1</td>
<td>L</td>
</tr>
<tr>
<td>Surf Shop</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$17-396.1</td>
<td>L</td>
</tr>
<tr>
<td>Tanning Salon</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>§17-396.40</td>
<td>R</td>
</tr>
<tr>
<td>Taxi stands</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>§17-396.40</td>
<td>R</td>
</tr>
<tr>
<td>Truck or bus terminal</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>§17-396.40</td>
<td>R</td>
</tr>
<tr>
<td>Water tower/public utilities</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td></td>
<td></td>
<td>$17-396.41</td>
<td>N/A</td>
</tr>
<tr>
<td>Warehouse/storage facility</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$17-396.42</td>
<td>R</td>
</tr>
</tbody>
</table>

**Table Notes:** The “Special Standards” column of this table is a cross-reference to use specific standards that apply to conditional and special exception uses. The “Parking Code” column establishes the parking requirement (key) for specific uses and is to be used with Table 17-420 in Article IV of this chapter.

### Sec. 17-396.34 Restaurants and other dining establishments with open or outdoor dining.

Restaurants and other dining establishments with open or outdoor dining are permitted subject to the following standards:

- a. Outdoor facilities shall be located on the same parcel as the restaurant or dining establishment.
- b. Outdoor facilities shall be used for seated patrons only.
- c. In the districts permitting the sale or consumption of alcohol in combination with the restaurant use (C-1, C-2, and C-3 and C-4), no outdoor bars for the service of alcohol shall be permitted. Any restaurant use with open or outdoor dining shall be further subject to the requirements imposed by this code and state law regulating the licensing, sale, or public consumption of alcohol including, but not limited to, the requirements and restrictions imposed by section 8-95 of this code.
- d. Except where specifically authorized by this code, outdoor dining areas shall not be located in any public right-of-way.
- e. The Entertainment district (C-4) shall allow for outdoor entertainment with hours no later than 10:00PM.
- f. Rooftop and outdoor entertainment, when offered shall not exceed 50db during the hours of 10:00PM to 7:00AM.
NON-CONFORMING SECTION OF THE ZONING ORDINANCE

SECTION 17-502. NONCONFORMING USES

(3) Commercial uses located within the Entertainment District (C-4) that are deemed to be nonconforming with the creation of the district and as of the date of the ordinance, that is damaged by fire or any other cause shall be permitted to restore or reestablish the use using the same footprint, height and square footage as existed prior to the fire or other cause. Structures must comply with the current Flood Damage Prevention Ordinance and all other federal, state and local laws that are applicable.

(2) A nonconforming residential use that is damaged by fire or any other cause may be restored. In such cases, the use may be re-established to the extent that existed before the time of damage, provided that the repairs or rebuilding do not increase the degree of nonconformity, do not increase the footprint and/or height of the damaged or destroyed building, and that the restoration or reconstruction begin within six (6) months and is completed within twelve (12) months of such damage. This section does not include residential uses in the Entertainment District. Non-conforming residential uses within the Entertainment District (C-4) shall not be permitted to be restored after fire or any other cause of damage exceeding 48% of the value of the structure.

(3) All construction authorized by this section shall conform to the requirements of the building code and Flood Prevention Ordinance (Chapter 14 of this code).

(e) Accessory Uses. No use that is accessory to a principal nonconforming use shall continue after such principal use shall have ceased, unless it complies with the regulations of this chapter. Accessory uses shall conform to the requirements of all local, state and federal requirements.

SECTIONS 17-507 through 17-599 (RESERVED)
### CHART 17-623(B)
**SUMMARY OF COMMERCIAL DISTRICTS SIGN STANDARDS**

**SIGNS PERMITTED IN COMMERCIAL DISTRICTS (C1, C2, C3 & C4)**

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Illuminated:</th>
<th>Size Limit:</th>
<th>Height Limit:</th>
<th>Display Limit:</th>
<th>Front Setback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freestanding</td>
<td>YES</td>
<td>1 sq. ft. of sign area per every one linear foot of lot frontage (200 sq. ft. maximum)</td>
<td>35 ft.</td>
<td>One (1)</td>
<td>5 ft. from property line</td>
</tr>
<tr>
<td>Special Standards: N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Wall**

<table>
<thead>
<tr>
<th>Illuminated:</th>
<th>Size Limit:</th>
<th>Height Limit:</th>
<th>Display Limit:</th>
<th>Front Setback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>1.25 sq. ft. per linear foot of building frontage (150 sq. ft. maximum)</td>
<td>No height above roof line</td>
<td>Two (2) front</td>
<td>Not Applicable</td>
</tr>
<tr>
<td></td>
<td>Rear of structure allowed one (1) sign .50 sq. ft. per linear foot of rear (30 sq. ft. maximum)</td>
<td>One (1) rear facing sign</td>
<td>One (1) side (for corner lots only)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Corner lots shall be permitted one additional sign facing secondary street at .75 sq. ft. per linear foot of side (75 sq. ft. maximum)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**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. Signs shall not project beyond property lines except for projecting signs (only allowed in C2 district). Projecting signs in the C-2 central business district shall have minimum height above grade or sidewalk level of no less than ten (10) feet and shall not extend over a public right-of-way a distance greater than three (3) feet. Any projection over or upon a public right-of-way shall require the written authorization and consent of the right-of-way’s maintaining authority (town, county, or state) prior to the issuance of a permit. Walls signs attached flat against a wall may extend not more than six (6) inches from the wall. In no case shall a sign be installed over the roofline.

**Window Sign**

<table>
<thead>
<tr>
<th>Illumination:</th>
<th>Size Limit:</th>
<th>Height Limit:</th>
<th>Display Limit:</th>
<th>Front Setback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>25% of each window</td>
<td>N/A</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"x36" and shall not be counted in the sq. ft. limits.

**Electronic Message Boards (wall or freestanding)**

<table>
<thead>
<tr>
<th>Illumination:</th>
<th>Size Limit:</th>
<th>Height Limit:</th>
<th>Display Limit:</th>
<th>Front Setback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>Subject to sq. ft. applicable to wall or freestanding sign</td>
<td>Subject to the same freestanding requirements – Wall signs cannot extend over roofline</td>
<td>One (1)</td>
<td>Subject to freestanding requirements</td>
</tr>
</tbody>
</table>

**Special Standards:**
1. Electronic message boards are permitted as a wall or freestanding sign (or portion thereof) and are subject to the height and square footage requirements applicable to wall or freestanding signs. Electronic message boards shall not be used, in whole or in part, as a component of or in conjunction with a roof sign or billboard.
2. All electronic copy shall have a minimum display time interval of ten (10) seconds or greater.
3. Time, temperature, and/or date displays shall have a minimum display time interval of three (3) seconds or greater.
4. Letters, numbers, or other graphics shall remain illuminated at a constant intensity through the duration of the required display time interval. Simulations of motion characteristic of chasing, running, blinking, oscillating, twinkling, or expanding or contracting light patterns are prohibited.

**Wall (3 businesses in common structure)**

<table>
<thead>
<tr>
<th>Illumination:</th>
<th>Size Limit:</th>
<th>Height Limit:</th>
<th>Display Limit:</th>
<th>Front Setback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>10 sq. Ft.</td>
<td>Not Applicable</td>
<td>(one per entrance)</td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

**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. Signs shall not project beyond property lines except for projecting signs (only allowed in C2 district). Projecting signs in the C-2 central business district shall have a minimum height above grade or sidewalk level of no less than ten (10) feet and shall not extend over a public right-of-way a distance greater than three (3) feet. Any projection over or upon a public right-of-way shall require the written authorization and consent of the right-of-way’s maintaining authority (town, county, or state) prior to the issuance of a permit. Walls signs attached flat against a wall may extend not more than six (6) inches from the wall. In no case shall a sign be installed over the roofline.
SECTION 17-412. OPEN DISPLAY

(a) In all districts, no merchandise for sale, rental, or display shall be located outside of an enclosed building except in conformance with this section.

(b) Permanent and Routine Displays.

(1) C-1 and C-2 districts. The following open displays are permitted in the C-1 and C-2 districts, without restriction on the duration or frequency of display: Newspaper containers, vending machines, automobiles, motorcycles, golf carts, and similar motorized vehicles, bicycles, motor homes, travel trailers, boats, propane bottle exchange cages, nursery and agricultural products, and electrically refrigerated block and bagged ice machines.

(2) C-3 and C-4 districts. The following open displays are permitted in the C-3 and C-4 districts, without restriction on the duration or frequency of display: Newspaper containers, motorcycles, golf carts, and similar motorized vehicles, bicycles, and small snack food carts.

(3) The merchandise or rentals permitted in parts (1) and (2) above may be displayed only by the owner of the principal business within the property's boundary in compliance with section 17-400. No permanent or routine display shall extend over any sidewalk, be placed in a manner as to block or impede vehicular or pedestrian ingress or egress to a site, or obstruct any parking space required by this chapter.
(4) Except in the C-2 district, all open displays permitted in parts (1) and (2) above shall observe a setback of ten feet from a street’s right-of-way and five feet from any rear or side property line. Open displays permitted along ocean front lots shall observe a rear yard (ocean front) setback of twenty feet and shall not be placed closer than twenty feet landward on the shore protection line as established in Article VIII of this chapter.

(5) The use of a tent in conjunction with a permanent or temporary display is subject to the limitation imposed by subsection (d).

(c) Temporary Displays.

1. Religious outdoor displays are permitted for the following purposes:

   a. Religious meetings on church property or in nonresidential districts (C-1, C-2, C-3);

   b. Fund-raising events for local nonprofit organizations, only in nonresidential districts (C-1, C-2, C-3 and C-4); and

   c. Special sales promotion events for local businesses licensed in the town.

2. Outdoor displays, as provided in subsection (c)(1), shall require the issuance of a temporary certificate of zoning compliance as provided in section 17-208 of this chapter. Each temporary certificate of zoning compliance shall permit an outdoor display for no more than ten consecutive days. No more than six certificates authorizing such displays shall be issued per lot within a calendar year (sixty day maximum).

3. Notwithstanding the limitations imposed by subsection (c)(2), on lots containing three or more businesses, where each business has a separate principal entrance, two additional certificates of zoning compliance may be issued per business within a calendar year. Each certificate shall authorize no more than ten consecutive days of outdoor display.

4. Temporary outdoor displays as authorized by this subsection shall be under a tent and/or within ten (10) feet of the store front. The outdoor displays described above may be displayed only by the owner of the principal business within the property’s boundary in compliance with section 17-400. No outdoor display shall impede vehicular or pedestrian ingress/egress into a site or building, nor shall any outdoor display obstruct a parking space(s) as required by this chapter.

(d) Tents. Tents used in conjunction with permanent, routine, or temporary displays are authorized by this section subject to the following limitations:

1. Except in the C-2 and C-4 district, a tent shall not be placed closer than twenty feet from any right-of-way or ten feet from any side or rear property line. Tents larger than two hundred square feet shall observe the setback requirements applicable to the district in which the tent is located.

2. The placement of a tent requires the issuance of a temporary certificate of zoning compliance in accordance with section 17-208. Each temporary certificate of zoning compliance shall permit the placement of a tent for no more than ten consecutive days. No more than six certificates authorizing the placement of a tent shall be issued per lot within a calendar year (sixty day maximum). In the case of a temporary outdoor display, the certificate authorizing the placement of a tent is to be issued concurrently with the certificate required by section 17-412(c)(2).

3. Notwithstanding the limitations imposed by subsection (d)(2), on lots containing three or more businesses, where each business has a separate principal entrance, two additional certificates of zoning compliance may be issued per business within a calendar year. Each certificate shall authorize the placement of a tent for no more than ten consecutive days. In the case of a temporary outdoor display, the certificate authorizing the placement of a tent is to be issued concurrently with the certificate required by section 17-412(c)(3).
DIVISION 2. OFF-STREET PARKING

SECTION 17-420. SPACES REQUIRED FOR CERTAIN USES

Off-street vehicular parking space shall be provided on every lot on which any of the following uses are hereafter established or at such time any building or structure is erected, enlarged, or increased in capacity except in the C-2 central business district. The number of vehicular parking spaces provided shall be at least as great as the number specified below in Table 17-420.

<table>
<thead>
<tr>
<th>PARKING CODE (1)</th>
<th>PARKING SPACES REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>One (1) space for each regular employee, plus one (1) space for each 250 square feet of floor space used for repair work.</td>
</tr>
<tr>
<td>B</td>
<td>One (1) space for each four (4) seats.</td>
</tr>
<tr>
<td>C</td>
<td>One (1) space for each three hundred (300) square feet of floor space over 1,000 square feet.</td>
</tr>
<tr>
<td>D</td>
<td>One and one-half (1 ½) spaces for each efficiency unit.</td>
</tr>
<tr>
<td>E</td>
<td>One (1) space per bedroom.</td>
</tr>
<tr>
<td>F</td>
<td>Two (2) spaces for each bay or similar facility, plus one (1) space for each employee.</td>
</tr>
<tr>
<td>G</td>
<td>One (1) space for each two (2) staff or visiting doctors, plus one (1) space for each two (2) employees and one (1) space for each four (4) beds, computed on the largest number of employees on duty at any time.</td>
</tr>
<tr>
<td>H</td>
<td>One (1) space for each accommodation, plus one (1) space for each four (4) employees computed on the largest number of employees at any time. In addition, hotels, motels and tourist courts which have restaurants and/or lounges must add one (1) space for each one hundred (100) square feet of floor space devoted to the restaurant and/or lounge.</td>
</tr>
<tr>
<td>I</td>
<td>One (1) space for each three (3) employees computed on the largest number of employees at any period of time.</td>
</tr>
<tr>
<td>J</td>
<td>Five (5) spaces for each doctor or dentist.</td>
</tr>
<tr>
<td>K</td>
<td>One (1) space for each four hundred (400) square feet of floor space.</td>
</tr>
<tr>
<td>L</td>
<td>One (1) space for each two hundred (200) square feet of floor area devoted to patron use.</td>
</tr>
<tr>
<td>M</td>
<td>One (1) space for each two (2) employees, plus one and one-half (1 ½) spaces for each one hundred (100) square feet of floor area devoted to patron use.</td>
</tr>
<tr>
<td>N</td>
<td>One (1) space for each five hundred (500) square feet of floor area.</td>
</tr>
<tr>
<td>O</td>
<td>One (1) space for each faculty member, plus one (1) space for each four (4) pupils except in elementary or junior high.</td>
</tr>
<tr>
<td>P</td>
<td>Two (2) spaces for each manufactured home space.</td>
</tr>
<tr>
<td>Q</td>
<td>One and one-half (1½) spaces per employee during maximum seasonal employment, with a minimum of four (4) required.</td>
</tr>
</tbody>
</table>
### Table 17-420 (CONTINUED)
#### PARKING CHART

<table>
<thead>
<tr>
<th>PARKING CODE (1)</th>
<th>PARKING SPACES REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>R</td>
<td>One (1) space for each employee, plus one (1) space for each 250 square feet of floor space.</td>
</tr>
<tr>
<td>S</td>
<td>Number of spaces shall be at least 80% of the potential spaces for each parcel/business. Any lot(s) containing parking areas for existing businesses relinquish the right to develop the area devoted to parking until such time as parking is provided elsewhere by the business/property owner meeting the requirements of this chapter.</td>
</tr>
<tr>
<td>T</td>
<td>The number of existing parking spaces provided per parcel shall remain.</td>
</tr>
</tbody>
</table>

**Figure Notes:**

1. The parking code assigned to the various uses is provided in Table 17-395.
2. In cases of mixed or joint uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
3. Where a fractional space results, any fraction less than one-half may be dropped and any fraction of one-half or more shall be counted as one parking space.
4. If parking requirements for a specific or similar use are not provided in this or subsequent sections, then the parking requirement shall be one (1) space for each employee, plus one (1) space for each 250 square feet of floor area (Parking Code R).
Planning Commission
Issue Paper
Proposed Entertainment District/Design Overlay

Written By: Sabrina Morris, PB&Z Director

Background:

The following information is the outcome of the September 4, 2018 meeting:

*Setback requirements* -- The commission agreed to allow for a twenty (20) foot front setback requirement; Zero (0) setbacks on the sides and twenty (20) on the rear (based on the allowance of 60% impervious per lot)

*Stormwater Management* -- The Commission agreed to allow up to 60% of the lot be impervious.

*Parking* -- Added “T” to the parking chart and added corrected language “The number of existing parking spaces provided per parcel shall remain”.

*Outdoor entertainment* -- After corresponding with the town’s Police Chief Kenny Hofmann he suggested staying in line with the R3 district ordinance. This ordinance states between the hours of 10:00 PM and 7:00 AM noise levels cannot exceed *50 db*. This would not cause any conflicts in the current ordinances.

*During the first reading of the Design Overlay for the entertainment district by town council, council requested the 50 db be reconsidered. We will have additional options at the meeting for consideration.*

*Overlay* -- Additions have been added to the architectural standards and the Landscaping design standards. Proposed color schemes will be presented at the meeting. Examples of the proposed architecture is attached for review.

Staff request the planning commission discuss the proposed Entertainment District (C-4) as presented, make amendments as needed and after public hearing make recommendations to town council on the proposed amendment.
SECTION 17-1000. PURPOSE AND INTENT

The regulations of this Article are intended to promote a unique set of land uses and design criteria for a small area surrounding the town owned pier. A specific emphasis on providing multiple entertainment opportunities for people of all ages, both permanent residents and visitors. The Entertainment District shall incorporate employment opportunities, shopping and dining in a compact pedestrian friendly area. All construction and design shall comply with this article.

SECTION 17-1001 OVERLAY DISTRICT ESTABLISHED

This District shall include: All parcels within the Entertainment zoning district shown on the Town’s Zoning Map.

SECTION 17-1002 DESIGN OVERLAY DISTRICT STANDARDS ARE MINIMUM STANDARDS

Regulations in this article apply in addition to the underlying zoning district regulations to impose different development rules properties with the Entertainment District. In case of conflict between the regulations of this Article conflict with the requirements of any other lawfully adopted rule, regulation or ordinance, the most restrictive, or that imposing the higher standard shall govern.

All requirements herein are considered minimum standards for the district.

SECTION 17-1003 APPLICABILITY

The standards in this Article shall apply to all development, redevelopment and renovations within the district.

SECTION 17-1004 BUFFERS

Buffers are required on all exterior properties adjoining residential uses. Buffers may include landscaping to help buffer any noise or a fence meeting the guidelines in Article IV, Section 17-409.

SECTION 17-1005 ISSUANCE OF PERMITS/Certificate of Occupancy

(a) The Planning Director or designee shall review each application for a zoning or building permit to determine if it adheres to these criteria.
(b) No zoning or building permit will be issued unless these requirements have been addressed to the satisfaction of the Planning Director or designee.
(c) No Certificate of Occupancy will be issued until the requirements of this Article have been met.
SECTION 17-1006 ARCHITECTURAL AND BUILDING DESIGN STANDARDS

In addition to the Architectural and landscape design standards contained in this Article no building elevation shall be constructed of unadorned concrete masonry units or corrugated and/or sheet metal.

SECTION 17-1007 UTILITY LINES

All utility lines such as electric, telephone, cable or other similar lines serving individual sites as well as all utility lines necessary with the property shall be placed underground. All junction and access boxes shall be screened with appropriate landscaping.

SECTION 17-1008 STORMWATER DRAINAGE

The stormwater management plan shall be designed to meet the requirements set forth in Chapter 14 Article III.

SECTION 17-1009 ARCHITECTURAL STANDARDS

The intent of the design requirements for this area is to reflect a more coastal visual context and character. The following regulations apply to all development within the district.

1. Architectural integrity and compatibility with the town's pier shall be demonstrated. All structures shall use a uniform architectural theme applied through appropriate use of scale, proportion, detail, materials, color and landscape treatment.

2. Building materials shall consist of cementitious siding to give the appearance of wood siding rather than brick, adorned masonry siding or any other exterior material. The use of porches are encouraged.

3. Roofing materials: Pitched Roofs: The preferred roofing material for pitched roofs is standing seam metal roofs. Not only for the beauty, but the longevity, weather resistance, and energy efficiency. Cedar shake roofs are also permitted and hold up well near salt water. Architectural grade shingles are discouraged in the district, but will be permitted when meeting requirements of the International Building Code.

4. Flat roofs may be utilized to allow for rooftop dining.

5. Shutters for windows are encouraged. Shutters are decorative and continue to be a staple on coastal buildings.

6. Decorative wall-mounted lighting along the sides and front of a building is encouraged to provide a sense of security for pedestrians. This lighting shall compliment the coastal architectural style of the building.

7. Mechanical equipment raised or on roof-top if visible from any street or right of way shall be shielded and screened from public view through the use of a parapet wall or other decorative feature. The public view includes front facades, and side and rear facades visible from public right(s) of way and adjacent properties.

8. Tinted windows that reflect and/or prevent visibility from the interior/ exterior of a building shall not be permitted.

9. Service, loading and solid waste receptacles or dumpster locations shall be designed to minimize the impacts on the pedestrian areas and customer parking...
areas and shall be located in the rear or side yard. No such facility shall be located in the front yard. Dumpsters shall be surrounded on at least 3 sides by a wall or solid fence. Such enclosures shall be designed compatible with the primary structure onsite by using compatible materials with the primary structure. This requirement does not apply to moxy roll carts.

SECTION 17-1010  SIGN DESIGN STANDARDS

The intent of the Sign Design Standards is to assure each is compatible with materials and the architectural style of the business which it advertises. In addition to the requirements set forth in Article VI of this chapter the following applies to any new signage, additional signage or any sign changes within the design overlay district.

1. Signage shall be designed, constructed and installed by a licensed sign company.

2. All proposed signage shall be indicated on the architectural elevation plan and include location and dimensions to scale.

3. Freestanding signs and wall signs shall compliment the architectural style of the building and shall be designed as an architectural element of the building.

4. Materials, colors, and lighting of signs shall be compatible with the materials used in the construction of the building.

5. Wall signs shall be proportionately sized with other architectural features of the building and fit within the confines of the architectural details of the building as to not obscure or detract from those details.

SECTION 17-1011  COLOR SCHEME STANDARDS

The intent of the color scheme standards is to assure respect for the character, integrity, quality of design, location and unify designs within the district.

Required Color Palette: Paint colors for exterior finishes shall be selected from the approved color range chart. These colors are typically coastal environment colors and accent the area in which the entertainment district is located.

SECTION 17-1012  LANDSCAPING DESIGN STANDARDS

Existing properties having pavement and/ or concrete where landscaping and landscape buffers are required shall remove the existing pavement/concrete in order to meet the buffer requirements herein.

At least twenty (20) percent of the front setback area shall be landscaped. All landscaping must be regional coastal natives that endure drought, wind and salt.
SECTION 17-1013  REQUIRED PERVIOUS AREAS

Areas of a parcel not occupied by a building shall utilize permeable pavers or pervious concrete. Both allow water from precipitation and other sources to pass directly through, thereby reducing the runoff from a site and allowing groundwater recharge.

SECTION 17-1014  APPEALS/VARIANCES

Any person aggrieved by the Development Directors action or decision, or seeking relief from a requirement of the design overlay district shall make a formal request to the Board of Zoning Appeals.

SECTION 17-1015  VIOLATIONS DECLARED MISDEMEANOR; REMEDIES

A violation of this ordinance is hereby declared to be a misdemeanor under the laws of the state, and upon conviction thereof, an offender 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. Each day any violation of this ordinance shall continue shall constitute a separate offense.

SECTION 17-1016 – SECTION 17-1020  RESERVED
Planning Commission
Issue Paper
Proposed Rezoning of Certain parcels from Amusement District (C3) to Entertainment District (C-4)

Written By: Sabrina Morris, PB&Z Director

October 2, 2018

Background:

The commission has been working diligently to develop an ordinance that represents the best intent and use of the area surrounding the pier. The proposed entertainment district has been reviewed and recommendations will be made from the commission to council at the meeting.

Properties from Surfside Drive to 1st Ave. North including the East side of Dogwood Drive S. down to the ocean; Ocean Blvd. S. to include 1st parcel on the south corner of 1st Ave. S and Ocean Blvd. and 1st parcel on Seaside Drive S. (south side) and 1st Ave. S.; Ocean Blvd. N. to include double parking area for River City Café and Seaside Drive N. to include River City Café.

Properties are identified on the Horry County GIS as PIN#'s:

46107020093; 46107020092; 46107020091; 46107020090; 41107030047; 46107020087; 46107020088; 46107020089; 46107030036; 46107030037; 46107030038; 46107030001; 46107020028; 46107030002; 46107030003; 46107020029; 46107020030 and 46107020027 (See attached map of area).

The purpose of the rezoning is to allow for the area to evolve into a commercial district that promotes entertainment and not allow for residential uses.

Staff request the commission discuss the proposed rezoning and after the public hearing make recommendations to town council on the proposed rezoning of the above parcels.
STATE OF SOUTH CAROLINA) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
COUNTY OF Horry ) TO REZONE PARCELS OF LAND FROM AMUSEMENT
) COMMERCIAL (C3) TO ENTERTAINMENT DISTRICT (C4)
TOWN OF SURFSIDE BEACH )

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in
council duly assembled on this ______ day of __________, 2018; and

WHEREAS, the properties identified as parcel identification numbers:
46107020093; 46107020092; 46107020091; 46107020090; 41107030047;
46107020087; 46107020088; 46107020089; 46107030036; 46107030037;
46107030038; 46107030001; 46107020028; 46107030002; 46107030003;
46107020029; 46107020030 and 46107020027 consisting of approximately 7 acres
currently zoned Amusement Commercial (C3); and

WHEREAS, the town initiated the rezoning for promote commercial
establishments and limit residential growth in the area surrounding the pier making the
area a destination place for locals and tourist alike; and

WHEREAS, the planning commission reviewed the request for rezoning and
adopted a resolution, by majority vote of the entire membership, recommending town
council approve the rezoning based on the procedures established in South Carolina
law and Section 17-202 of the Town’s Code of Ordinances; and

WHEREAS, town council approved first reading of the amendment to the town’s
comprehensive plan to incorporate the Entertainment District (C-4); and

WHEREAS, after the second reading of council the proposed amendment will be
consistent with the Comprehensive Plan and will allow for development that is
consistent with the future growth the town desires;

NOW, THEREFORE, the properties identified herein is hereby rezoned from
Amusement District (C3) to Entertainment District (C4). The zoning map of the Town
of Surfside Beach is hereby amended to conform to these changes. Any development
on the sites must conform to all requirements of the Town of Surfside Beach Zoning
Ordinance and other applicable laws, rules and regulations.

SEVERABILITY. If any provision, clause, sentence, or paragraph of this
ordinance or the application thereof to any person or circumstances shall be held
invalid, that invalidity shall not affect the other provisions of this article, which can be
given effect without the invalid provision or application, and to this end the provisions
of this article are declared to be severable.
EFFECT OF SECTION HEADINGS. The headings or titles of the sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this ___________ day of _________________ 2018.

Robert F. Childs, III, Mayor

__________________________  ____________________________
Ron Ott, Town Council        Debbie Scoles, Town Council

__________________________  ____________________________
Mark L. Johnson, Town Council David Pellegrino, Town Council

__________________________  ____________________________
Bruce Dietrich, Town Council Randle M. Stevens, Town Council

__________________________
Attest:

Debra E. Herrmann, CMC, Town Clerk

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