PLANNING COMMISSION REGULAR MEETING
TOWN COUNCIL CHAMBERS
Thursday, February 7 at 6:00PM

1. CALL TO ORDER – Carrie Johnson, Chair
2. PLEDGE OF ALLEGIANCE
3. AGENDA APPROVAL
4. MINUTES APPROVAL – January 3, 2019
5. PUBLIC COMMENTS ON AGENDA ITEMS
6. Director’s Report
7. Discussion Item
   
   Article III: District Regulations – complete

8. COMMISSION DISCUSSION
   a. Proposed Entertainment District Construction (12 & 14 Ocean Blvd. S)
   b. 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 Gambino, Hellyer, Mastrovante, and McKeen. Member Mabry was absent. A quorum was present. Others Present: Town Clerk Herrmann, Director Morris, and Permit Flood Coordinator Mazzo.

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

3. OFFICER ELECTION.

A. Chairman. Ms. Mastrovante moved to elect Ms. Johnson chairman. Ms. Gambino second. All voted in favor. MOTION CARRIED.

B. Vice Chairman. Mr. McKeen moved to elect Mr. Hellyer vice chairman. Mr. Lauer second. All voted in favor. MOTION CARRIED.

4. AGENDA APPROVAL. Ms. Mastrovante moved to approve the agenda as presented. Ms. Gambino second. All voted in favor. MOTION CARRIED.

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

6. PUBLIC COMMENTS - Agenda Items. There were no comments.

7. PUBLIC HEARING. Repeal any and all residential uses within the Entertainment District (C4) zoning district. Existing residential uses to be grandfathered as defined by the zoning ordinance. Chairman Johnson opened the public hearing at 6:02 p.m. There were no comments. The public hearing was closed at 6:02 p.m.

8. BUSINESS ITEMS. Recommendations to Town Council on Item 7. After a brief discussion, Mr. Lauer moved to recommend to town council the prohibition of residential uses in the entertainment district, and that existing residential uses shall be grandfathered as defined by the zoning ordinance. Mr. McKeen second. All voted in favor. MOTION CARRIED.

9. COMMISSION DISCUSSION. Any topic the board wishes to discuss.

Ms. Mastrovante asked if information was found about the rental business licenses. Ms. Morris said the licenses are issued for one year. The next planning commission agenda will include a discussion on short term versus long term rentals.

10. PUBLIC COMMENTS – General Comments. There were no public comments.

11. PLANNING COMMISSION COMMENTS.

Mr. Lauer appreciated the short meeting, and wished everyone a Happy New Year. He believed tonight's action was best for the town. He was happy that town council directed the commission to consider it. He thanked Ms. Morris for her work on it.
Ms. Mastrosante thanked everyone for attending. This was the quickest meeting she had ever been to. Thank you, Ms. Morris, for getting the information back, and Ms. Mazzo as well.

Mr. Hellyer thanked everyone for coming. He knows there are some issue that have to be done by the planning commission in reference to attorney fees and stuff like that, and they are gonna be discussing that on Tuesday night at the council meeting. So, I would suggest that if anybody wants any input on the matter, the council meeting would be a place to be to express your opinion. I appreciate being on the commission.

Ms. Gambino thanked everyone for coming out. Please do come Tuesday night. It should be quite interesting, and speak, if you will. Happy New Year, and we'll see you next month, hopefully. And thank you guys, both of you.

Mr. McKeen said I don't have anything else to add. Thanks for coming, and Ms. Crone, you don't have much to write about tonight.

Chairman Johnson thanked everyone for coming. I do thank Ms. Morris and Ms. Mazzo for all the hard work that they do to help us out here.

12. ADJOURNMENT. Ms. Mastrosante moved to adjourn at 6:07 p.m. Ms. Gambino second. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: February 5, 2019

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.
Article III: District Regulations – Complete

Numerous reviews and discussions of Article III of the zoning ordinance has the final document looking significantly different. These changes made will better represent the town when a request is made for a new business or use in each zoning district. Easily layout formats show in one place what district each use is allowed; if the use has special conditions; if the use will be required to meet the town’s design overlay and the parking code for which the business will be required to meet.

Sections of the article were amended to make the read more user friendly. Each use was reviewed and placed in the compatible district.

There are only a few things that were not finalized and needs to have consensus before holding a public hearing.

1. Long Term Rental Defined.
2. Massage Parlor (permitted uses, accessory uses, allowed, not allowed – existing parlors – deadline for removal or allowed to remain until closed).
ARTICLE III. DISTRICT AND USE REGULATIONS

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) 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. MU mixed use district.
8. PD planned development district.
9. MP manufactured home park district.
10. C4 Entertainment 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 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.
ARTICLE III. DISTRICT AND USE REGULATIONS

(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>STANDARDS</th>
<th>R-1</th>
<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>MU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area (in square feet)</td>
<td>9,000</td>
<td>6,000</td>
<td>3,600</td>
<td>3,600 / 10,000</td>
<td>N/A</td>
<td>3,600</td>
<td>N/A</td>
<td>5,000</td>
</tr>
<tr>
<td>Single Family (detached)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family (semi-detached)</td>
<td>N/A</td>
<td>6,000</td>
<td>3,000</td>
<td>3,000 / 10,000</td>
<td>N/A</td>
<td>3,000</td>
<td>N/A</td>
<td>4,000</td>
</tr>
<tr>
<td>Single Family (attached)</td>
<td>N/A</td>
<td>N/A</td>
<td>3,000</td>
<td>3,000 / 10,000</td>
<td>N/A</td>
<td>3,000</td>
<td>N/A</td>
<td>3,000</td>
</tr>
<tr>
<td>Two-Family (Duplex) or Single Family (detached) with Accessory Unit</td>
<td>N/A</td>
<td>6,000</td>
<td>6,000</td>
<td>6,000 / 10,000</td>
<td>N/A</td>
<td>6,000</td>
<td>N/A</td>
<td>6,000</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td>See §17-332</td>
<td>See §17-332 &amp; 17-396.32</td>
<td>N/A</td>
<td>See §17-332 &amp; 17-396.32</td>
<td>N/A</td>
</tr>
<tr>
<td>Dwelling Group</td>
<td>N/A</td>
<td>N/A</td>
<td>7,200</td>
<td>7,200 per lot/3,600 per unit (2)</td>
<td>N/A</td>
<td>7,200 per lot/3,600 per unit (2)</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Nonresidential Lots or Uses</td>
<td>9,000</td>
<td>6,000</td>
<td>6,000</td>
<td>5,000 / 10,000 (4)</td>
<td>0</td>
<td>5,000</td>
<td>3,000</td>
<td>6,000</td>
</tr>
<tr>
<td>Minimum Lot Width (in feet)</td>
<td>75</td>
<td>60</td>
<td>30</td>
<td>50 / 75 (4)</td>
<td>0</td>
<td>60</td>
<td>30</td>
<td>50</td>
</tr>
<tr>
<td>Minimum Yard Setback (in feet)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Front Yard</td>
<td>25 / 75 (4)</td>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Rear Yard</td>
<td>20</td>
<td>0</td>
<td>10</td>
</tr>
</tbody>
</table>

Table 17-303 (Continued)
### District Dimensional Standards

<table>
<thead>
<tr>
<th>STANDARDS</th>
<th>R-1</th>
<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>MU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Yard Setback (In feet)(continued)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Side Yard</td>
<td>10</td>
<td>10</td>
<td>5/10(3)</td>
<td>10'</td>
<td>0</td>
<td>5/10(3)</td>
<td>0</td>
<td>5/10(7)</td>
</tr>
<tr>
<td>Maximum Building Height (In feet)</td>
<td>35</td>
<td>35</td>
<td>55</td>
<td>55</td>
<td>35</td>
<td>55</td>
<td>55'</td>
<td>35</td>
</tr>
<tr>
<td>Maximum Impervious Coverage (in percent)</td>
<td>40</td>
<td>45</td>
<td>50</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>50</td>
</tr>
<tr>
<td>Maximum Building Coverage (in percent)</td>
<td>30</td>
<td>30</td>
<td>40</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>40</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio</td>
<td>N/A</td>
<td>0.4 (6)</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</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.

**SECTIONS 17-304 and 17-305. [RESERVED]**

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**TOWN OF SURFside BEACH ZONING ORDINANCE**

3-3
ARTICLE III. DISTRICT AND USE REGULATIONS

DIVISION 2. R-1 LOW DENSITY RESIDENTIAL DISTRICT

SECTION 17-306. INTENT

The intent of the provisions of this division is to: (1) provide for quiet, livable low density single-family neighborhoods; (2) prohibit the establishment of incompatible land uses; (3) disallow any other use which would substantially interfere with the development or continuation of single-family dwellings in the district; and (4) encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this division.

SECTION 17-307. PERMITTED USES

Uses are allowed by right, are allowed as conditional uses, may be permitted as special exceptions, or are prohibited in the R-1 district in accordance with the Use Regulations of Division 11 of the article.

SECTION 17-308. MINIMUM LOT SIZE

The minimum size of lots in the R-1 low density residential district is nine thousand (9,000) square feet.

SECTION 17-309. MINIMUM LOT WIDTH AT BUILDING LINE

The minimum width of lots at the building line in the R-1 low density residential district is seventy-five (75) feet.

SECTION 17-310. YARD SETBACKS

The yard setback requirements in the R-1 low density residential district are as follows:

1. Front yard setback: Twenty-five (25) feet.
2. Rear yard setback: Twenty (20) feet.
3. Side yard setback: Ten (10) feet.

SECTION 17-311. MAXIMUM BUILDING HEIGHT

The maximum building height in the R-1 low density residential district is thirty-five (35) feet.

SECTION 17-312. MAXIMUM BUILDING AND IMPERVIOUS COVERAGE

On any lot within an R-1 low density residential district, the area occupied by all buildings including accessory buildings, shall not exceed thirty (30) percent of the total area of such lot. The maximum impervious coverage on any lot within the R-1 district shall not exceed forty (40) percent of the total area of such lot.

SECTION 17-313 through 17-315. [RESERVED]
ARTICLE III. DISTRICT AND USE REGULATIONS

DIVISION 3. R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

SECTION 17-316. INTENT

The intent of the provisions of this division is to: (1) Provide an area for medium density residential neighborhoods; (2) encourage the use of land for residential purposes; and (3) prohibit any use which would substantially interfere with the development or the construction of residential development.

SECTION 17-317. PERMITTED USES

Uses are allowed by right, are allowed as conditional uses, may be permitted as special exceptions, or are prohibited in the R-2 medium density residential district in accordance with the Use Regulations of Division 11 of this article.

SECTION 17-318. MINIMUM LOT SIZE

The minimum size of lots in the R-2 minimum density residential district is six thousand (6,000) square feet.

SECTION 17-319. MINIMUM LOT WIDTH AT BUILDING LINE

The minimum width of lots at the building line in the R-2 medium density residential district is sixty (60) feet.

SECTION 17-320. YARD SETBACKS

The yard setback requirements in the R-2 medium density residential district are as follows:

1. Front yard setback: Twenty-five (25) feet.
2. Rear yard setback: Twenty (20) feet.
3. Side yard setback: Ten (10) feet.

SECTION 17-321. BUILDING HEIGHT AND ROOF PITCH

The maximum building height in the R-2 minimum density residential district is thirty-five (35) feet. The minimum roof pitch required in the R-2 district shall be 6/12.

SECTION 17-322. MAXIMUM BUILDING AND IMPERVIOUS COVERAGE

On any lot within an R-2 medium density residential district, the area occupied by all buildings including accessory buildings, shall not exceed thirty (30) percent of the total area of such lot. The maximum impervious coverage on any lot within the R-2 medium residential district shall not exceed forty five (45) percent of the total area of such lot.

SECTION 17-323. MAXIMUM FLOOR AREA RATIO

The floor area ratio shall not exceed four-tenths (0.4) for any two-family (duplex) dwelling within the R-2 medium density residential district.

SECTIONS 17-324 & 17-325. [RESERVED]

TOWN OF SURFSIDE BEACH ZONING ORDINANCE

3-5
ARTICLE III. DISTRICT AND USE REGULATIONS

DIVISION 4. R-3 HIGH DENSITY RESIDENTIAL AND ACCOMMODATIONS DISTRICT

SECTION 17-326. INTENT

It is the intent of the provisions of this division to: (1) provide for high density seasonal type growth; (2) encourage development and continued use of land for high density residential and accommodations purposes; and (3) prohibit incompatible land uses that would interfere with the character of the district.

SECTION 17-327. PERMITTED USES

Uses are allowed by right, are allowed as conditional uses, may be permitted as special exceptions, or are prohibited in the R-3 district in accordance with the Use Regulations of Division 11 of this article.

SECTION 17-328. MINIMUM LOT SIZE

The minimum lot size in the R-3 high density residential and accommodations district is three thousand (3,000) square feet. This is the minimum lot size for a single-family attached or semi-attached dwelling unit. The minimum size lot for a single-family detached dwelling unit is thirty-six hundred (3,600) square feet and the minimum size lot with a two-family structure or for a single-family dwelling unit with an accessory dwelling unit is six thousand (6,000) square feet. The minimum lot size for multi-family uses is provided in Table 17-332.

SECTION 17-329. MINIMUM LOT WIDTH AT BUILDING LINE

The minimum width of lots at the building line in the R-3 high density residential and accommodations district is thirty (30) feet for single-family uses (detached, semi-attached, and attached), sixty (60) feet per lot for two-family uses (duplex), and thirty (30) feet for all other lots and uses.

SECTION 17-330. YARD SETBACKS

The yard setback requirements in the R-3 high density residential and accommodations district are as follows:

1. Front yard setback: Twenty (20) feet.
2. Rear yard setback: Fifteen (15) feet.
3. Side yard setback: Five (5) feet for detached, single-family buildings up to fifty-five (55) feet high, ten (10) feet for all others.

SECTION 17-331. MAXIMUM BUILDING HEIGHT

The maximum building height in the R-3 high density residential and accommodations district is fifty-five (55) feet.

SECTION 17-332. DENSITY STANDARDS FOR MULTI-FAMILY DWELLINGS

Multi-family dwellings are permitted provided they meet the following densities:
ARTICLE III. DISTRICT AND USE REGULATIONS

Table 17-332
Multi-family Units Permitted by Acre and Unit Type

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>One Story</th>
<th>Two Story</th>
<th>Three Story</th>
<th>Four of More Stories</th>
</tr>
</thead>
<tbody>
<tr>
<td>Efficiency</td>
<td>24</td>
<td>36</td>
<td>42</td>
<td>48</td>
</tr>
<tr>
<td>1 Bedroom</td>
<td>24</td>
<td>29</td>
<td>34</td>
<td>38</td>
</tr>
<tr>
<td>2 Bedroom</td>
<td>19</td>
<td>22</td>
<td>26</td>
<td>28</td>
</tr>
<tr>
<td>3 Bedroom</td>
<td>14</td>
<td>17</td>
<td>19</td>
<td>22</td>
</tr>
<tr>
<td>4 or more Bedrooms</td>
<td>10</td>
<td>12</td>
<td>14</td>
<td>16</td>
</tr>
</tbody>
</table>

Figure Note: In instances where the number of permitted units is determined to include a fraction, the less round number will apply.

SECTION 17-333. MAXIMUM BUILDING AND IMPERVIOUS COVERAGE

On any lot within an R-3 high density and accommodations residential district, the area occupied by all buildings including accessory buildings, shall not exceed forty (40) percent of the total area of such lot. The maximum impervious coverage on any lot within the R-3 district shall not exceed fifty (50) percent of the total area of such lot.

SECTIONS 17-334 and 17-335. [RESERVED]

DIVISION 5. C-1 HIGHWAY COMMERCIAL DISTRICT

SECTION 17-336. INTENT

The intent of the provisions of this division is to: (1) Provide compatible locations to serve the automobile oriented commercial activities in harmony with major highway developments; (2) Reduce traffic congestion; and (3) Enhance the aesthetic atmosphere of the town.

SECTION 17-337. USES

Uses are allowed by right, are allowed as conditional uses, may be permitted as special exceptions, or are prohibited in the C-1 district in accordance with the Use Regulations of Division 11 of the article.

SECTION 17-338. MINIMUM LOT SIZE

The minimum size of lots in the C-1 highway commercial district fronting on U.S. Highway 17 (including all frontage roads) is ten thousand (10,000) square feet. The minimum size of lots fronting on streets other than U.S. Highway 17 is five thousand (5,000) square feet.

SECTION 17-339. MINIMUM LOT WIDTH AT THE BUILDING LINE

The minimum width of lots at the building line in the C-1 highway commercial district fronting on U.S. Highway 17 (including all frontage roads) is seventy-five (75) feet. The minimum width of lots at the building line on streets other than U.S. Highway 17 is fifty (50) feet.

SECTION 17-340. YARD SETBACKS

TOWN OF SURFSIDE BEACH ZONING ORDINANCE

3-7
ARTICLE III. DISTRICT AND USE REGULATIONS

(a) The yard setback requirements in the C-1 highway commercial districts for uses fronting on U.S. Highway 17 (including all frontage roads) are as follows:

(1) Front yard setback: Seventy-five (75) feet.
(2) Rear yard setback: Twenty (20) feet.
(3) Side yard setback: Ten (10) feet.

(b) The yard setback requirements for lots fronting on streets other than U.S. Highway 17 are as follows:

(1) Front yard setback: Twenty-five (25) feet.
(2) Rear yard setback: Twenty (20) feet.
(3) Side yard setback: Ten (10) feet.

SECTION 17-341  MAXIMUM BUILDING HEIGHT

The maximum building height in the C-1 highway commercial district is fifty-five (55) feet.

SECTIONS 17-342 and 17-343.  [RESERVED]

DIVISION 6.  C-2 CENTRAL BUSINESS DISTRICT

SECTION 17-344.  INTENT

The intent of the provisions of this division is to: (1) Establish and preserve the C-2 central business district for commercial uses focused on pedestrians; and (2) concentrate comparative shopping, specialty shops and professional or service operations in centrally located areas.

SECTION 17-345.  PERMITTED USES

Uses are allowed by right, are allowed as conditional uses, may be permitted as special exceptions, or are prohibited in the C-2 district in accordance with the Use Regulations of Division 11 of the article.

SECTION 17-346.  MINIMUM SIZE OF LOTS

There is no minimum size of lots in the C-2 central business district.

SECTION 17-347.  MINIMUM LOT WIDTH AT BUILDING LINE

There is no minimum lot width at the building line in the C-2 central business district.

SECTION 17-348.  YARD SETBACKS

There are no yard setback requirements in the C-2 central business district.

SECTION 17-349.  MAXIMUM BUILDING HEIGHT

The maximum building height in the C-2 central business district is thirty-five (35) feet.

SECTIONS 17-350 and 17-351.  [RESERVED]
ARTICLE III. DISTRICT AND USE REGULATIONS

DIVISION 7. C-3 AMUSEMENT COMMERCIAL DISTRICT

SECTION 17-352. INTENT

The intent of the provisions of this division is to allow for the mixing of certain specified land uses in the community where both accommodations and limited business uses are competing for land and accelerated transition is in evidence.

SECTION 17-353. USES

Uses are allowed by right, are allowed as conditional uses, may be permitted as special exceptions, or are prohibited in the C-3 district in accordance with the Use Regulations of Division 11 of the article.

SECTION 17-354. MINIMUM LOT SIZE

The minimum size of lots in the C-3 amusement commercial district is five thousand (5,000) square feet.

SECTION 17-355. MINIMUM LOT WIDTH AT BUILDING LINE

The minimum width of lots at the building line in the C-3 amusement commercial district is sixty (60) feet.

SECTION 17-356. YARD SETBACKS

The yard setback requirements in the C-3 amusement commercial district are as follows:

(1) Front yard setback: Twenty (20) feet.
(2) Rear yard setback: Ten (10) feet.
(3) Side yard setback: Side setback five (5) feet for two and one-half (2.5) story buildings up to fifty-five (55) feet high, ten (10) feet for all others.

SECTION 17-357. MAXIMUM BUILDING HEIGHT

The maximum building height in the C-3 amusement commercial district is fifty-five (55) feet.

SECTIONS 17-358 and 17-359. [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
ARTICLE III. DISTRICT AND USE REGULATIONS

The minimum size of lots in the Entertainment district is three thousand (3,000) square feet.

**SECTION 17- MINIMUM LOT WIDTH AT BUILDING LINE**

The minimum width of lots at the building line in the Entertainment district is thirty (30) feet.

**SECTION 17- YARD SETBACKS**

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

1. Front yard setback: Zero (0) feet
2. Rear yard setback: Zero (0) 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 14 Article III of the town’s code of ordinances.

**DIVISION 8. MIXED USE DISTRICT (MU)**

**SECTION 17-360. INTENT**

The intent of the provisions of this division is to: (1) Provide an area of transition between the town’s residential districts and areas of more intense commercial activity; and (2) encourage the integration of residential uses with compatible cultural, civic, and lower intensity commercial uses. It is further the intent of this division that the arrangement of the MU district should include three or more contiguous lots having common street frontage or one or more larger tracts suitable for future subdivision.

**SECTION 17-361. PERMITTED USES**

Uses are allowed by right, are allowed as conditional uses, may be permitted as special exceptions, or are prohibited in the MU mixed use district in accordance with the Use Regulations of Division 11 of the article.

**SECTION 17-362. MINIMUM LOT SIZE**

The minimum size of lots in the MU mixed use district is as follows:

1. Single family (attached): 3,000 square feet
2. Single family (semi-attached): 4,000 square feet
3. Single family (detached): 5,000 square feet
4. Two family dwelling or single-family with an accessory dwelling unit: 6,000 square feet
5. Multi-family dwellings: Same as R-3 District (see Table 17-332)
6. Non-residential uses: 6,000 square feet
ARTICLE III. DISTRICT AND USE REGULATIONS

SECTION 17-363. MINIMUM LOT WIDTH AT BUILDING LINE

The minimum width of lots at the building line in the MU mixed use district is fifty (50) feet.

SECTION 17-364. YARD SETBACKS

The yard setback requirements in the MU mixed use district are as follows:

1. Front yard setback: Twenty-five (25) feet.
2. Rear yard setback: Twenty (20) feet.
3. Side yard setback: Five (5) feet for single-family detached dwellings and ten (10) feet for all other uses.

SECTION 17-365. BUILDING HEIGHT AND ROOF PITCH

The maximum building height in the MU mixed use district is thirty-five (35) feet. The minimum roof pitch required in the MU district shall be 6/12.

SECTION 17-366. MAXIMUM BUILDING AND IMPERVIOUS COVERAGE

On any lot within a MU mixed use district, the area occupied by all buildings including accessory buildings shall not exceed forty (40) percent of the total area of such lot. The maximum impervious coverage on any lot within the MU mixed use district shall not exceed fifty (50) percent of the total area of such lot.

SECTION 17-367. SUPPLEMENTAL DISTRICT STANDARDS

Uses and lots within the MU district are subject to the following standards:

1. Parking. Off-street parking provided for any use or lot shall not exceed twenty (20) spaces. Parking facilities, excluding driveways and drive aisles, shall not be located in a required front yard.

2. Buildings devoted to permitted nonresidential uses, as provided in Table 17-395, shall not exceed three thousand (3,000) square feet in floor area. When a building contains a mixture of commercial and residential uses, the floor area of a building shall not exceed five thousand (5,000) square feet.

3. Excluding outdoor dining, produce markets, and temporary uses as provided in section 17-208, the storage, display, or sale of merchandise shall be conducted in an enclosed building.

4. All nonresidential uses and activities shall be limited to operating between the hours of 7:00 AM to 10:00 PM.

SECTIONS 17-368 and 17-369. [RESERVED]

DIVISION 9. PLANNED DEVELOPMENT DISTRICT (PD)

SECTION 17-370. INTENT

The Planned Development (PD) district is intended to allow flexibility in development that could not otherwise be achieved through strict application of the standard zoning districts. It is intended to encourage innovative and creative designs that incorporate residential development and commercial development in a cohesive and unified manner. The district should improve design, character and quality of new development; and to preserve the natural open space.

TOWN OF SURF SIDE BEACH ZONING ORDINANCE

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ARTICLE III. DISTRICT AND USE REGULATIONS

SECTION 17-371. GENERAL CONDITIONS

a. Minimum area required: Planned Development districts shall consist of a minimum of three (3) contiguous acres.

b. Shall provide for separate land uses, which would not otherwise be permitted to locate within the same zoning district are proposed for development on one (1) or more adjacent parcels under single or separate ownership or management.

c. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures, street patterns, and uses relationships. There shall be a variety in building types, uses, sizes of structures, street patterns, and use relationships. There shall be a variety in building types, heights and facades.

d. All utilities shall be underground.

e. Wetlands greater than one-quarter (1/4) acre in size do not count toward the minimum site requirements for park and open space dedication, nor can their acreage be counted toward the density calculations for the site.

f. While discouraged, private streets are allowed and lots can be fronted on the private streets. Public access is required on all private streets.

g. Must comply with all local, state and federal laws and requirements applicable to the parcel(s).

SECTION 17-372. ADMINISTRATIVE PROCEDURES

Any request pertaining to the establishment of a Planned Development (PD) zoning district or changes to an existing PD district shall be considered an amendment to the zoning ordinance and be administered and processed in accordance with Section 17-202 of this ordinance.

A sketch plan with all information required under Section 17-373.1 shall first be submitted to the planning director for review. After a conceptual review the planning director shall present the sketch plan to the planning commission for comments and instruction prior to the developer/owner having costly plans drawn.

After the sketch plan has been submitted and comments are made on the proposed Planned Development by the planning commission. A conceptual plan meeting the requirements of section 17-374 shall be submitted to the planning commission for review, public hearing, and recommendation, then forwarded to town council for final action. If approved by the town council, all information pertaining to the proposal shall be adopted as an amendment to the zoning ordinance as the standards of development for that particular planned development district.

After all infrastructure and utilities have been installed and approved by all applicable agencies final plats shall be submitted to the planning commission for their review and approval provided that the final plans and plats are in accordance with the approved conceptual plan and plats.

A building or zoning permit shall not be issued for construction until a final plat for the Planned Development in which the permit is being requested has been submitted and approved by the planning commission and recorded in the Horry County Register of Deeds.

The time established for the final planned development district (PD) survey, to be duly recorded in and authenticated by the County of Horry, SC, shall be thirty (30) days from the approval date of the PD by the planning commission. The thirty-day filing time only applies to development specifically categorized as a "PD" and has been processed and approved by the planning commission and town council as a "PD".
ARTICLE III. DISTRICT AND USE REGULATIONS

SECTION 17-373 PERMITTED USES

Any use proposed by the developer and considered by the planning commission and town council as being compatible to other nearby uses within and beyond the district may be permitted in such district, upon approval by the planning commission and town council. A listing of permitted uses within a particular PD district shall be adopted as part of the regulations applying to that district. After approval by the planning commission and town council, the list or portions thereof shall be adopted as part of the regulations applying to that particular PD district. Thereafter, the uses permitted in the district shall be restricted to those listed, approved, and adopted.

SECTION 17-374 APPLICATION AND APPROVAL OF PLANNED DEVELOPMENT

SECTION 17-374.1 - SKETCH PLAN AND NARRATIVE TO BE SUBMITTED

1. Prior to a formal application being filed to rezone property to Planned Development, a sketch plan shall be submitted to the planning director. Such sketch plan shall:
   a. Illustrate the boundaries of the proposed area to be rezoned to Planned Development;
      1. street layout configuration;
      2. areas (acreage) for each proposed land use;
      3. open space areas
      4. proposed entrance locations from existing streets
   b. A narrative including but not limited to:
      1. Proposed name of the planned development;
      2. proposed land uses;
      3. number of dwelling units by housing type, residential density and/or square footage of nonresidential uses per acre;
      4. open space acreages;
      5. potential traffic generation;
      6. overall character and architectural style;
      7. proposed accessory uses;
      8. proposed signage (temporary and permanent)
      9. a statement of how the proposed development is consistent with the town’s comprehensive plan;
      10. other relevant information as required by the planning director.

2. The planning director shall review the sketch plan with the technical review team and afterwards submit the sketch plan and narrative with comments from the technical review team to the planning commission for review as to whether the proposed design concept is consistent with the Comprehensive Plan and Planned Development standards. The planning commission shall either instruct the applicant to proceed with the drafting of a detailed master plan based on the proposed sketch plan or resubmit a revised sketch plan.

SECTION 17-374.2 CONCEPTUAL MASTER PLAN TO BE SUBMITTED

After the planning commission has reviewed and approved the sketch plan the Applicant shall prepare and submit a detailed conceptual master plan for the entire planned development to the planning director for review and presentation to the technical review team. After the technical review the plans will then be submitted with comments to the planning commission after the sketch plan and narrative has been reviewed and the concept has been approved by the planning commission. The conceptual master plan

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shall contain all relevant information deemed necessary by the planning Commission and/or planning director. Relevant information shall include but not be limited to the following:

1. Narrative:
   a. Proposed name of the planned development;
   b. Total acreage; property dimensions;
   c. Illustrating the proposed location of existing structures, proposed new structures, renovations, and/or additions;
   d. Proposed land use of each lot or tract within the development;
   e. Proposed minimum lot size: This should specify minimum lot sizes for commercial and residential uses proposed within the PD;
   f. Proposed setback requirements for each proposed use;
   g. Building elevations to depict mass, form, roofline, and fenestration patterns;
   h. Building and hardscape materials;
   i. Overall character and architectural style;
   j. Maximum height and number of stories for each proposed use;
   k. Density per acre;
   l. Proposed accessory uses;
   m. Proposed signage (temporary and permanent);
   n. A statement of how the proposed development is consistent with the town’s comprehensive plan;
   o. A description of the procedures of homeowner’s association maintenance agreements.
   p. A statement setting forth development schedule.
   q. Other relevant information as required by the planning director.

2. Environmental plan(s) to scale:
   a. Master stormwater plan of entire development meeting the requirements of Chapter 14, Article III of the Town’s Code of Ordinances.
   b. Topographic plan with contours and elevations; location of existing trees with a minimum caliper of eight (8") inches; flood prone areas, marsh areas or wetlands; erosion control methods.

3. Utilities plan(s) to scale:
   Layout of easements of utilities including water sewer, gas, electricity, cable etc.

4. Statistical data necessary to evaluate the total development including but not limited to:
   a. The names, professional title and address of the architect or engineer who prepared the proposed plan development;
   b. Average daily traffic counts (ADT) of proposed streets;
   c. Gross density of the Planned Development computed by dividing the total number of proposed dwelling units in the development by the gross development area;
   d. Amount of land in the floodplain or unusable land within the project boundary;
      Wetlands greater than one-quarter (1/4) acre in size do not count toward the minimum site requirements for park and open space dedication, nor can their acreage be counted toward the density calculations for the site.
   e. Proposed number of parking spaces for cars and recreational vehicles and the number of parking spaces per unit;

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**TOWN OF SURFSIDE BEACH ZONING ORDINANCE**

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f. Total area of impervious surfaces;
g. Amount of land proposed to be set aside for open space/parks.
   i. A minimum of fifteen (15) percent of the gross project area shall be permanently
      allocated to open space/green space for the gathering of and individual access by
      all residents of a planned development district (PD), and shall include places for
      sitting, strolling, social interaction and informal recreation. These areas shall be
      sited in prominent locations throughout the district. In all developments two and
      one-half (2 1/2) acres or more, a minimum of ten thousand (10,000) square feet of
      the required
   ii. Parks shall be located in all developments over two and one-half (2 1/2) acres in
      size. They shall be a minimum of ten thousand (10,000) square feet and they shall
      be designed to allow for community gatherings as well as for the uses anticipated
      in a square, and at least one (1) park shall be integrated into each designated
      neighborhood center.
   iii. Wetlands greater than one-quarter (1/4) acre in size do not count toward the
      minimum site requirements for park and open space dedication, nor can their
      acreage be counted toward the density calculations for the site.

5. Street Plan(s) to scale:
   a. Illustrating the circulation patterns of vehicular, pedestrian or other traffic;
   b. Street design, layout and width. Streets shall be designed to interconnect with other streets
      when possible.
   c. Sidewalks and or multiuse paths shall be provided and interconnect with existing sidewalks
      and multiuse paths. Sidewalks and multiuse paths shall be developed in accordance with the
      comprehensive plan.
   d. Proposed entrance and exits locations from existing streets.

6. Landscape Plan(s) to scale:

   Landscaped buffers, berms, berm walls or fences shall be provided along the periphery of a PD.
   The type and or width of buffer accepted shall depend on the proposed peripheral use and the
   adjacent land use.

   Street trees. Street trees shall be planted on both sides of all streets. Planting strips and pedestrian
   scale street lights shall be provided in appropriate locations.

7. Parking plan(s) to scale:
   a. Areas designated for parking and loading or for traffic ways shall be physically separated
      from public streets by suitable barriers against unchanneled motor vehicles ingress and
      egress.
   b. Commercial and multifamily uses shall have not more than two (2) access points to any one
      (1) public street, unless unusual circumstances dictate otherwise.
   c. All uses shall be located at least one hundred (100) feet from the intersection of any street
      center lines and shall be designed in a manner conducive to safe ingress and egress.
   d. Parking and other requirements for each PD district may be set by town council upon
      recommendations of the commission.
   e. Shared parking is encouraged in mixed-use developments.
   f. Parking areas are encouraged to be located to the rear of structures and shall be screened
      from public view.
   g. Residential parking areas are encouraged to be located to the side or rear of structures.
ARTICLE III. DISTRICT AND USE REGULATIONS

8. Design Review Plan to scale:

The Planning Commission shall have the authority to require the applicant to submit sketches of proposed facades and signage and landscape plans for uses in Planned Development for review and approval. Approved sketches shall be incorporated into the Planned Development approval.

9. Signage Plan(s) to scale (temporary and permanent):

a. The signs shall enhance the overall development, be in harmony with, and relate visually to other signs to the structures and/or developments they identify, and to surrounding development and neighborhoods.
b. The signs shall not create a safety or traffic hazard.
c. The plan shall accommodate future revisions that may be required because of changes in use or tenants.
d. Flexibility is allowed with regard to sign area, number, location, duration, type, and/or height to the extent that the planning commission recommends will enhance the overall development and will more fully accomplish the purposes of this chapter.
e. Proposed sign size, height and other dimensions and appearance shall be approved by the planning commission.
f. The use and or allowance of temporary signs shall also be addressed in the PD document.

After the planning commission reviews the conceptual master plan the commission shall make a recommendation to town council upon the proposed planned development.

The council may, after fulfilling all applicable requirements of this section and all other local, state and federal requirements act to either approve, approve with modification, or disapprove the application for a Planned Development.

Following approval of the Planned Development district, the official zoning map shall be amended to reflect such approval.

SECTION 17-375. FINAL PLAT REQUIREMENT FOR PD

Before any permits may be issued, the developer shall submit final plats for review and approval to the planning commission. The final plats shall contain the following information:

1) Site plan—Sheet 1. Location map; location of structures; phases of development and timetables; acreages (total and per phase); property dimensions of phase development; ingress and egress (dimensions, acceleration and deceleration lanes and ingress and egress points); yard requirements(distance between buildings, distance of buildings from street, distance from easements and distance from off-street parking); lot sizes; street layout (street names, proximity of dwelling units, relationship to street patterns, right-of-way widths, paving widths, type of streets, directional arrows, type of pavement, street jogs, location of intersections and statement on traffic speed); size of structures (exact dimensions, height and number of units/building); screening buffers, etc.; off-street loading (relationship to commercial and public facilities); public access and recreation-open space(dimensions and locations, proximity to streets and buildings, relationship to streets and buildings and type of recreation area); density (number of units per phase, number of units per acre and overall density); final layout of sidewalks/ pathways (width, type of material and relationship to public street); location and size of all signs; graphics (north arrow, name of developer, name of development, scale, adjoining property owners and uses, engineers signature, date of field survey and dimensions, bearings, angles and reference points).
ARTICLE III. DISTRICT AND USE REGULATIONS

(2) Environmental plan—Sheet 2. Final As-Built of stormwater master plans; contours; drainage plan; flood prone areas; wetlands; tree plan and other principal geographic features; dumpster locations; and erosion control methods.

(3) Utilities plan—Sheet 3. Layout and easements for utilities including water, sewer, gas, electricity, telephone and cable.


(5) Other information required by the planning commission—Sheet 5. Construction timetable with proposed start and completion dates.

SECTION 17-376  CHANGES AND MODIFICATIONS

Any and all changes to an approved planned development (PD) shall require another public hearing, planning commission review, and approval by town council, and shall be treated as an amendment to the ordinance.

SECTION 17-377  CONSTRUCTION TIMETABLE

If the approved planned development project has not begun within one (1) year of its approval date by town council, the planning commission or town council may initiate a map and text amendment to cause the reversion of the property to its previous zoning classification. For purposes of this section, "begun" shall be evidenced by the approval of the preliminary plat and having construction of infrastructure under contract.

SECTION 17-378  RESERVED

SECTION 17-379  GENERAL DESIGN CRITERIA AND DEVELOPMENT STANDARDS

(a) Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures, street patterns, and use relationships. There shall be a variety in building types, heights, and facades.

(b) Densities per acre for residential dwelling units for each PD district shall not exceed those specified in the Surfside Beach Comprehensive Plan.

(c) Accessory dwellings (i.e. garage apartments and guest houses) shall be allowed but the total number shall be included in the multifamily quota for the project.

(d) Landscaped buffers, berms, berm walls or fences shall be provided along the periphery of a PD. The type and or width of buffer accepted shall depend on the proposed peripheral use and the adjacent land use.

(e) Areas designated for parking and loading or for traffic ways shall be physically separated from public streets by suitable barriers against unchanneled motor vehicles ingress and egress. Commercial, industrial, institutional, and multifamily uses shall have not more than two (2) access points to any one (1) public street, unless unusual circumstances dictate otherwise. All uses shall be located at least one hundred (100) feet from the intersection of any street center lines and shall be designed in a manner conducive to safe ingress and egress.

(f) Streets shall be designed to interconnect with other streets when possible. Traditional block patterns are recommended.

(g) Parking and other requirements for each PD district may be set by town council upon recommendations of the planning commission. Shared parking is encouraged in mixed-use developments.

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(h) Adjacent nonresidential parking lots shall have internal connections. On-street parking shall be provided near commercial areas (except for Ocean Boulevard).

(i) Parking areas are encouraged to be located to the rear of structures and shall be screened from public view. Residential parking areas are encouraged to be located to the side or rear of structures.

(j) Sidewalks and or multiuse paths shall be provided and interconnect with existing sidewalks and multiuse paths. Sidewalks and multiuse paths shall be developed in accordance with the comprehensive plan.

(k) A minimum of fifteen (15) percent of the gross project area shall be permanently allocated to open space/green space for the gathering of and individual access by all residents of a planned development district (PD), and shall include places for sitting, strolling, social interaction and informal recreation. These areas shall be sited in prominent locations throughout the district. In all developments two and one-half (2 1/2) acres or more, a minimum of ten thousand (10,000) square feet of the required fifteen (15) percent shall be configured as a park and one (1) such park shall be integrated into each designated neighborhood center.

(1) Proposed additional features not specifically named in the open space/green space definition will be reviewed and approved on a case-by-case basis at initial planned district development (PD) application before the planning commission, with final approval by town council.

(2) Parks shall be located in all developments over two and one-half (2 1/2) acres in size. They shall be a minimum of ten thousand (10,000) square feet and they shall be designed to allow for community gatherings as well as for the uses anticipated in a square, and at least one (1) park shall be integrated into each designated neighborhood center.

(l) Street trees shall be planted on both sides of all streets. Planting strips and pedestrian scale street lights shall be provided in appropriate locations.

(m) Lighting shall be installed and oriented in such a manner as to avoid direct light shining into a residential district.

(n) While discouraged, private streets are allowed and lots can be fronted on the private streets. Public access is required on all private streets.

**SECTIONS 17-380 and 17-381 [RESERVED]**

**SECTION 17-382. AMUSEMENT PARK PLANNED DEVELOPMENTS**

A planned development for an amusement park shall meet the general requirements of section 17-378, the following additional minimum requirements, and such other requirements as may be imposed by the town council to insure that the park will not adversely affect adjoining zoning districts or the public:

(1) Permitted activities may include entertainment rides, water slides, ball batting, miniature golf, driving range, amusement device arcade, bowling, billiards, bumper boats, go-carts, kiddie rides not exceeding eighteen (18) feet in height and forty-five (45) feet in diameter, or other similar devices or activities compatible with the district.

(2) "Hard rides" other than permitted kiddie rides, controlled by someone other than the participant, such as ferris wheels, roller coasters, speed rides, and similar uses are prohibited.

(3) No structure used for amusement and no principal building shall be placed within two hundred (200) feet of a property line contiguous to a residential zoning district.

(4) No alcoholic beverages, beer, or wine shall be sold or consumed on the premises.

(5) All lighting shall be installed and oriented in such a manner as to avoid direct light shining into a residential zoning district.
ARTICLE III. DISTRICT AND USE REGULATIONS

(6) A landscaped hedge or fence shall be provided along the property line adjacent to any residential zoning district and shall be a minimum of twelve (12) feet in height or such height as may be necessary to effectively block the view from a residential district.

(7) A minimum of twenty (20) percent of the usable and improved park land area shall be reserved for vehicular parking.

(8) Internal combustion engines or similar devices shall not exceed five (5) horsepower or equivalent, and no device shall be permitted which produces a noise level exceeding seventy (70) decibels at a distance of fifty (50) feet.

(9) No fireworks shall be sold or discharged on the property.

(10) No entrance or exit to the park through a residential zoning district shall be permitted.

(11) Amusement device arcades in the park shall be operated from within completely enclosed and walled buildings, and no cash awards shall be permitted for any game in the park.

(12) All activity, noise, and lights within the park must cease between 10:00 p.m. and 6:00 a.m. local time, except for park maintenance and cleanup, low-level security lighting and security personnel. No guard dogs shall be permitted.

SECTION 17-383. [RESERVED]

DIVISION 10. MANUFACTURED HOME PARK DISTRICT

SECTION 17-384. INTENT

It is the intent of the provisions of this division to: (1) Provide a sound and healthy residential environment sufficient to meet the unique needs of inhabitants living in manufactured homes; (2) protect manufactured home parks from encroachment by incompatible uses; and (3) encourage the consolidation of manufactured homes into parks.

SECTION 17-385. PERMITTED USES

Manufactured home parks are permitted in the manufactured home district provided a manufactured home development plan is presented that contains the following:

(1) Site plan showing general location of use, plan and dimension of each building or structure to be constructed, and the proposed location of each manufactured home unit;

(2) The location, dimension, and arrangement of all open spaces, yards, access ways, entrances, exits, off-street parking facilities, pedestrian ways, roads, streets, and sidewalks with dimensions;

(3) Location and type of all utilities;

(4) Traffic circulation;

(5) Drainage;

(6) Parking; and

(7) Location and size of signs.

SECTION 17-386. SETBACKS

The yard setbacks of the MP manufactured home park district are as follows:

(1) Minimum side yard: No less than fifteen (15) feet for each side, except when the side lot line of the park abuts any residential zoning district, a minimum side yard of thirty (30) feet will be required.

(2) Minimum rear yard: Same as side yard.

(3) Minimum of ten (10) feet front yard.
ARTICLE III. DISTRICT AND USE REGULATIONS

SECTION 17-387. MINIMUM PARK AND LOT SIZE

The minimum size of a manufactured home park is five (5) acres. Each individual manufactured home space shall consist of not less than five thousand (5,000) square feet of clearly defined area and provide fifty (50) feet of frontage on a road.

SECTION 17-388. COMMON AND OPEN SPACE REQUIRED

Each manufactured home park shall contain a minimum of two thousand five hundred (2,500) square feet set aside for common recreational open space or at least one hundred (100) square feet of space for each manufactured home whichever is greater.

SECTION 17-389. MAXIMUM DENSITY OF MANUFACTURED HOME PARKS

No more than eight manufactured homes per acre are permitted within a manufactured home park.

SECTION 17-390. IMPERVIOUS SURFACE REQUIREMENT

The maximum impervious coverage within any manufactured home park shall not exceed sixty (60) percent of the total lot area.

SECTION 17-391. MANUFACTURED HOME SITING REQUIREMENTS

All manufactured home units placed within the manufactured home park district after the effective date of this section shall meet the following standards:

1. Manufactured homes shall bear certification of compliance with the Federal Manufactured Housing Construction and Safety Standards Act. The placement of a mobile home, as defined by this chapter, is prohibited within the town limits of Surfside Beach;
2. All manufactured homes shall be no more than five years old (model years) at the time of permitting;
3. The tongue or other similar device must be removed or fenced, blocked, or by other means made not visible from the street;
4. Steps meeting the applicable requirements of the International Residential Code (IRC) must be placed at every means of egress or ingress;
5. Manufactured homes must be anchored in accordance with the requirements of the IRC and shall be underpinned and skirted in a manner which completely conceals the undercarriage; and
6. Manufactured homes shall require a zoning permit prior to placement. The code enforcement official shall require documentation necessary to ensure conformance with the requirements of this division.

SECTIONS 17-392 [RESERVED]

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DIVISION 11: USE REGULATIONS

SECTION 17-394. HOW TO USE SECTION 17-395 USE TABLE

Each table looks similar to this example below:

<table>
<thead>
<tr>
<th>Residential Uses</th>
<th>Specific Use</th>
<th>R1</th>
<th>R2</th>
<th>R3</th>
<th>C1</th>
<th>C2</th>
<th>C3</th>
<th>C4</th>
<th>MU</th>
<th>MP</th>
<th>Applicable Standards</th>
<th>Design Overlay Applicable Article</th>
<th>Parking Code</th>
</tr>
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<td>Single Family, detached</td>
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<td>P</td>
<td>P</td>
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<td>C</td>
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<td>$17-396.32 (C1 &amp; C3)</td>
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</table>

- First column list general groupings (e.g. Residential Dwelling Types for the category listed in the column header. (Residential Dwelling Types)
- Second column list specific uses.
- Middle columns represent each Town of Surfside Beach zoning district, with a use code. The letter codes are as follows:

  - **P** USES PERMITTED BY RIGHT. A "P" in the zoning district column of Table 17-395 indicates the use is permitted in the respective zoning district, subject to compliance with the applicable regulations of this code.
  - USE IS 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.
  - **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 code. Cross reference to the use specific conditions are listed under the applicable standards column of Table 17-395.
  - **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 code. 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. Cross reference to the use specific conditions are listed under the applicable standards column of Table 17-395.
  - **Pa** Use is permitted, but only as an accessory use to a permitted use.

- The "Applicable Standards" column gives sections of the code that cross reference the use specific conditions for conditional "C" approved uses.
- The "Design Overlay Applicable Article" indicates the use is or is not required to meet the Town of Surfside Beach Design Overlay Standards. If blank the Design Overlay does not apply. If the Design Overlay does apply the article number for the specific design overlay is listed for cross reference.
- The "Parking Code" indicates the code (e.g. A, B, C) required for the use and indicates the table reference to find the requirement.
- The Planning Director or designee has the authority to consider and treat proposed use that is similar to a specific use in Article III.
- If a use is not explicitly listed it shall not be permitted within a zoning district. Any applicant wishing to operate or establish a use not listed as permitted shall pursue and amend to the ordinance through and by Section 17-202 of this ordinance.
- If a use is not listed or the Planning Director or designee does not feel a use is allowed by right or condition; the use must follow steps in Article II, Section 17-202 to request the ordinance be amended.
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<th>Residential Uses</th>
<th>Specific Use</th>
<th>R1</th>
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<th>R3</th>
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## ARTICLE III. DISTRICT AND USE REGULATIONS

### PROPOSED DRAFT 02/07/19

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## ARTICLE III. DISTRICT AND USE REGULATIONS  PROPOSED DRAFT 02/07/19

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SECTION 17-396. USE CONDITIONS

In addition to the district and supplemental requirements imposed on lands and uses by this chapter, the following conditions shall apply in any zoning district where a use is allowed as a conditional use or special exception as shown in Table 17-395.

Sec. 17-396.1 GENERAL STANDARDS APPLICABLE TO ALL CONDITIONAL AND SPECIAL EXCEPTION USES IN THE C-1 DISTRICT

Excluding residential uses, all uses denoted as a conditional use or special exception by Chart 17-395 within the C-1 district are subject to the following requirements:

The listed uses are permitted in the C-1 highway commercial district provided that no part of the principal building is located closer than one hundred fifty (150) feet to any residential district that no noise or air pollution be associated with the use, and that facilities do not create any safety hazards or nuisances as a result of their operation.

Sec. 17-396.2 ANIMAL HOSPITALS, VETERINARIAN CLINICS, PET BOARDING FACILITIES, RETAIL PET SHOPS.

Retail pet shop, pet boarding facilities, animal hospitals, and veterinary clinics are allowed in the C-1 district provided all boarding arrangements are maintained within a building or courtyard and no noise connected with the operation of the facility is discernible beyond the premises. No noise connected to the operation of the facility shall be discernible beyond the premises.

Sec. 17-396.3 AUTO SERVICE STATION.

Automobile service stations are allowed in the C-1 district provided that:

a. All fuel pumps and/or roof coverings for fuel pumps shall be set back a minimum of at least twenty-five (25) feet from the right-of-way of any street;

b. No part of the principal building or pumps is located within one hundred fifty (150) feet of any residential district;

c. No more than five vehicles may be stored within one hundred fifty (150) feet of any residential district;

d. All vehicles stored overnight in open view of public streets and/or adjoining properties are currently licensed, in operable condition; and

e. All wrecked or disabled vehicles awaiting body or fender repair or legal disposition following an accident are currently licensed, except those waiting for legal disposition, and are stored in an area separated from adjoining properties and public streets by a planting screen, a fence with staves, or a wall at least six (6) feet, but not to exceed eight (8) feet, in height to effectively block the public view.
Sec. 17-396.4 ACCESSORY DWELLING UNIT.

A dwelling unit not to exceed a total square footage of 850 square feet and is located on a lot containing a single family detached dwelling occupied by the owner(s) of the property. The principal structure shall not be used as a rental.

Sec. 17-396.5 UPPER STORY DWELLINGS.

Upper story dwellings are allowed in the C-2 district provided that:
   a. Permitted on the 2nd story or above; in no instance shall residential be allowed in the 1st floor;
   b. Non-residential uses shall not be permitted above a residential use on the same lot;
   c. Utility equipment (electrical boxes, communication equipment and all other mechanical or utility equipment) shall be located on the side or rear of building and not visible on the front façade.
   d. Shall provide complete, independent living facilities for one or more persons, which include provisions for living, sleeping, eating, cooking and sanitation.
   e. Shall provide a separate entrance to the residential unit.
   f. All upper story dwelling units shall be a minimum of six hundred (600) square feet in gross floor area.
   g. On-site parking shall be provided in the rear of same property at one (1) space per bedroom.

Sec. 17-396.6 RESTRICTED LOCATION.

Use is allowed in the C-1 district provided:

1. Use is located on properties fronting on Sandy Lane. No portion of the use shall be located on properties contiguous to the town’s frontage road or Highway 17.
2. If use (other than warehouse, mini storage or other storage facilities) includes outdoor storage of any kind a fence with a minimum height of six (6) feet shall be provided and effectively block the public view.
3. Any use of noxious or offensive odors, dust, noise, fumes, or vibrations shall be prohibited.
4. Warehouse, mini storage or other storage facilities shall also:
   a. Be used for dead storage only.
   b. The storage of flammable or hazardous chemicals, explosives and containers of such materials shall be prohibited.
   c. Auctions, commercial, wholesale, retail, miscellaneous or garage sales shall be prohibited.
   d. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment shall be prohibited inside or outside the mini storage units.
   e. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment shall be prohibited.
   f. Open storage of any item including but not limited to boats, vacant trailers, and recreation vehicles, automobiles, or any other type of motorized vehicle shall be prohibited.
Sec. 17-396.7 MASSAGE PARLOR/BODYWORKS THERAPIST

Massage Parlor/Bodywork Therapist shall not be permitted as a principal use in any zoning district. Massage Parlor/Bodywork Therapist shall be approved as an accessory use as provided for in this ordinance. Notwithstanding any conflicting provisions of this ordinance any business which was lawfully performing such services in the town immediately before the effective date of this ordinance that is thereafter in violation of this section shall be deemed a nonconforming use. Any such business that is lawfully performing such services in Horry County immediately before it is annexed into the town and is thereafter in violation of this ordinance shall also be deemed a nonconforming use. Any use found to be nonconforming by application of this ordinance shall be permitted to continue for a period not to exceed six (6) months from the initial date of nonconformity.

Massage Parlor/Bodywork Therapist shall be permitted as an accessory use only inside state licensed health care establishments engaged in the science and art of preventing, curing or alleviating disease, including medical, surgical, psychiatric, chiropractic and osteopathic clinics and offices; but excluding gymnasiums, health clubs, dental offices and veterinary clinics, and associated uses.

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

Sec. 17-396.8 FARMERS MARKET

Farmers markets located in the R-2 district shall be located on public property. Location(s) must be approved by town council prior to opening and or start of sales.

Sec. 17-396.9 PARKING DECK

Parking decks shall be allowed as an accessory use in an approved Planned Development District (PD). In no case shall parking decks be permitted east of Hwy. 17.

Sec. 17-396.10 RESERVED

Sec. 17-396.11 BODY PIÉRCING

Body piercing is allowed only as a conditional use, subject to the following standards:

The Town of Surfside Beach declares that it is unlawful to perform body piercing on persons under the age of eighteen (18) years without the in person consent of a parent or legal guardian. Body piercing involves an invasive procedure by which the human body is penetrated creating the opportunity for the transmission of infection and disease. The premises upon which body piercing is performed and the equipment to be used must, in the interest of the health and welfare of the public, be maintained in a sanitary and sterile condition to prevent the spread of infection and disease. The conduct of body piercing as an accessory use to most common commercial businesses is not consistent with the emphasis on sanitary and sterile conditions which appears to be necessary to address the health, safety and welfare of the public.
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a. Body piercing shall not be permitted as a principal use only as provided in this ordinance. Notwithstanding any conflicting provisions of this ordinance any business performing body piercing which was lawfully performing such services in the town immediately before the effective date of this ordinance that is thereafter in violation of this section shall be deemed a nonconforming use. Any such business that is lawfully performing such services in Horry County immediately before it is annexed into the town and is thereafter in violation of this ordinance shall also be deemed a nonconforming use. Any use found to be nonconforming by application of this ordinance shall be permitted to continue for a period not to exceed six (6) months from the initial date of nonconformity.

b. Body piercing shall be permitted as an accessory use only inside state licensed health care establishments engaged in the science and art of preventing, curing or alleviating disease, including medical, surgical, psychiatric, chiropractic and osteopathic, and dental hospitals, clinics and offices; but excluding gymnasiums, health clubs, veterinary clinics, and associated uses.

Sec. 17-396.12 CHURCHES AND OTHER RELIGIOUS USES.

In the town’s residential districts, churches, synagogues, mosques, convents, monasteries, and similar religious uses are allowed provided that any structure connected therewith shall be placed no closer than seventy-five (75) feet from any residential property line. This requirement does not apply to church-related activities as defined by § 6-29-715 of the State of South Carolina Code of Laws.

Sec. 17-396.13 COMMUNICATION TOWERS.

Where allowed as a conditional use, communication towers shall meet the following requirements:

a. Communication towers and associated improvements shall meet all applicable zoning district, and applicable landscape and tree protection requirements. Communication towers are allowed in the C-1 zoning district provided they are located west of U.S. Highway 17; and collocation may be located on existing towers or existing structures that currently have towers east of U.S. Highway 17 provided the towers do not exceed the height of the existing structure by more than thirty (30) feet and are not located on parcels adjacent to Hwy. 17.

b. The height of the towers must not exceed two hundred (200) feet measured from grade;

c. The proposed tower must be located such that adequate setbacks are provided on all sides to prevent the tower’s fall zone from encroaching onto adjoining properties (the fall zone determined by an engineer certified in the State of South Carolina in affidavit form which includes the engineers signature and seal);

d. The tower shall not be located within one thousand (1,000) feet of another communication tower. (This does not apply to tower facilities that collocate);

e. The applicant has attempted to collocate on existing communication towers, buildings currently have towers (not located on parcels adjacent to Hwy. 17), or other structures and the applicant is willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities on the structure, frequency consideration, and proper compensation from the additional user. No conditional use permit is required when collocating on an existing tower or structure, however, a building permit is required. Towers located on existing structures are preferred to construction of new towers;
f. The communication tower structures on individual lots must be located no closer to noncommercially zoned lots or residential areas than a distance equal to the height of the tower;

g. The proposed tower is only illuminated as required by the Federal Communications Commission, Federal Aviation Administration or other regulatory agencies. Night time strobe lighting shall not be incorporated unless required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agency;

h. The proposed tower shall not include signage of any nature on any portion of the tower, except for any necessary informational or warning signs related to the safe operation of the tower; and

i. A communication tower taken out of service must be removed within one hundred twenty (120) days of the date such tower ceases to be used for communication purposes and the site dismantled at the expense of the owner.

Applications shall include the following information:

1. A scaled certified site plan showing the location of the tower, guy anchors, buildings and other structures or improvements, parking, driveways, fences, etc. Adjacent land uses shall also be noted on the site plan.

2. The height and typical design of the tower, typical materials to be used, color, all information required by the building codes, and lighting shall be shown on elevation drawings.

3. Documentation indicating that collocation on existing towers or buildings in the vicinity of the proposed tower was attempted by the applicant but found to be unfeasible, with reason noted.

4. Other information as requested by staff to allow adequate review of approval criteria.

Sec. 17-396.14 through 17-396.18 RESERVED

Sec. 17-396.19 DAY CARES

Day cares are allowed subject to the following standards:

a. Such facility meets the rules and regulations established by the South Carolina Department of Social Services.

b. A landscaped hedge or fence shall be provided along any rear or side property line. Any such hedge or fence shall be designed and planted to be at least five (5) feet in height and effectively block the public view.

c. A minimum of one (1) off-street parking space be provided for each three hundred fifty (350) square feet of indoor play and/or instruction space plus adequate off-street loading and unloading space with separate ingress and egress.

Sec. 17-396.20 DWELLING GROUP.

Dwelling groups are allowed subject to the following:
a. In the R-3 district, multiple detached single-family buildings may be located on individual lots provided the lots are at least seven thousand two hundred (7,200) square feet and each unit can meet all the requirements of this chapter. The maximum number of single-family buildings allowed on any one lot is based on one building per three thousand six hundred (3,600) square feet of lot area. There must be a ten-foot separation between the buildings and/or accessory uses.

b. In the R-3 district, multiple detached dwelling units, to include any combination of single-family, two-family, and multi-family structures, are permitted as a conditional use provided:

1. The lot must be at least nine thousand six hundred (9,600) square feet in area. The maximum number of dwelling units permitted per lot shall not exceed one single-family dwelling unit per each three thousand six hundred (3,600) square feet of lot area and one two-family dwelling unit per each six thousand (6,000) square feet of lot area. Multi-family dwellings shall not exceed the maximum density allowable per Table 17-332.
2. Each unit must meet all requirements of this chapter.
3. There must be ten-foot separation between buildings and/or accessory uses.

c. In the C-3 districts, multiple detached dwelling units, to include any combination of single-family, two-family, and multi-family structures, may be permitted as a special exception, subject to the following:

1. The lot must be at least one acre in area and the arrangement of the lot makes future subdivision impractical;
2. The maximum density for the various residential uses shall not exceed the density permitted within the R-3 district; and
3. There is a ten-foot separation between the buildings and/or accessory uses.

Sec. 17-396.21 FUEL OR CHEMICAL STORAGE.

Fuel or chemical storage may be permitted as a special exception provided in no case shall such storage areas be located within 100 feet of a public right-of-way or 150 feet from any off-premises structure. This classification does not include incidental or accessory storage for otherwise permitted uses such as automobile service stations.

Sec. 17-396.22 RESERVED.

Sec. 17-396.23 HOTELS AND MOTELS.

Hotels and motels are allowed in the R-3 district provided the lot is contiguous to the Atlantic Ocean.

Sec. 17-396.24 LIBRARIES AND MUSEUMS.

In the town’s residential districts, libraries, and museums are allowed provided that any structure connected therewith shall be placed no closer than seventy-five (75) feet from any residential property line.
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Sec. 17-396.25 LUMBER YARDS AND SALES.
Lumber yards and sales stations are allowed in the C-1 district provided that all storage is enclosed in a building.

Sec. 17-396.26 PUBLIC BUILDINGS AND USES.
In the town’s residential districts, public buildings and uses are allowed provided that any structure connected therewith shall be placed no closer than seventy-five (75) feet from any residential property line. This classification does not include the following public uses: Courts of law, correctional institutions or jails, parole or probation offices, rehabilitation and detoxification centers, and similar uses.

Sec. 17-396.27 through Sec. 17-396.29 [RESERVED]

Sec. 17-396.30 PUBLIC, PRIVATE, TRADE AND VOCATIONAL SCHOOLS.
In the town’s residential districts, public, private, trade, and vocational schools are allowed provided that any structure connected therewith shall be placed no closer than seventy-five (75) feet from any residential property line.

Sec. 17-396.31 RADIO AND TELEVISION STATIONS.
Radio and television stations are allowed in the C-1 district provided that the transmission tower is not located on the site.

Sec. 17-396.32 RESIDENTIAL USES WITHIN COMMERCIAL DISTRICTS
In the C-1 and C-3 districts dwellings units are allowed subject to the following standards:

a. Residential uses of any kind shall be prohibited on the west side of Highway 17 (including frontage road) and on all parcels having frontage on or are adjacent to the east side of Highway 17.

b. Property, which is subdivided or developed to the lot size, lot width, frontage, or density standards applicable to the R-3 district may not thereafter be used for nonresidential purposes unless the lot size and dimensional standards of the underlying commercial district are met.

c. No new residential structures or lots shall be permitted in the C1 district except where existing lots have been subdivided for single family residences meeting the requirements of Section 17-396.32(b) prior to the approval of this ordinance.

Sec. 17-396.33 RESORT ACCOMMODATIONS.
A resort accommodation containing twenty-five (25) or more rental units shall be permitted to establish accessory uses within the principal building provided they are accessible only from an interior court, lobby, or corridor. Said accessory uses shall be limited to drug and sundry shops, florist and gift shops, confectionery stores, newsstands, lounges, restaurants, snack bars, amusement arcades, beach and automobile agencies.
Restaurants and other dining establishments, defined as “bona fide engaging 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 C1, C2, C3, C4 and MU districts 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. 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 until 12:00 Midnight.

f. Between the hours of 10:00PM and 7:00AM noise with the Entertainment District (C-4) shall not exceed 100 dB when measured from the source.

g. Shielding of all lighting as not to cast undue glare and light onto neighboring properties shall be required.

h. Control noise, so not to create a nuisance condition on or off site.

i. It shall be the responsibility of the owner of the establishment to prevent its patrons from causing a disturbance on public or private property in the vicinity of the restaurant or dining establishment.

j. All associated permits from applicable federal, state and local agencies must be obtained.

k. In addition to the above requirements, within the MU district, the following shall apply:
   1. No live music or sound produced through electronic speakers shall be permitted.
   2. The capacity of the outdoor facility shall be limited to no more than twenty (20) patrons.
   3. Operation of the outdoor facility shall be limited to the overall hours of operation of the dining establishment but in no event shall the facility be occupied by patrons before 7:00 a.m. or after 10:00 p.m.
   4. The outdoor facility shall be placed no closer than twenty feet from the nearest edge of the paved surface of a street and no closer than five feet from the nearest edge of a public sidewalk.
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Sec. 17-396.35 RESTAURANTS, TAvens, BARS, AND NIGHTCLUBS WHERE ALCOHOL IS CONSUMED.

Restaurants, taverns, bars, and nightclubs where alcohol is consumed are permitted in the C-1 highway commercial district provided that no part of the principal building is located closer than one hundred fifty (150) feet to any residential district, that no noise or air pollution be associated with the use, and that facilities not create any safety hazards or nuisances as a result of their operation. This provision and use classification exclude sexually oriented businesses as defined and allowed pursuant to the supplemental district regulations in Article IV of this chapter.

Sec. 17-396.36 SINGLE-FAMILY DWELLINGS (ATTACHED)

Attached single-family dwellings where allowed are subject to the following standards:

a. The side yard setback for the attached interior walls of the structure shall be zero (0) feet. Unless a greater distance is required by the district standards, the exterior (unattached) wall shall observe a minimum side yard setback of ten (10) feet.

b. The front wall of the attached units shall not form long, unblocked lines of row housing, but shall be staggered at the front building line.

c. Not more than six (6) contiguous attached single-family units shall be built in a row.

d. The minimum lot width for the portion of the lot on which the attached single-family unit is to be constructed shall be thirty (30) feet. A lot shall have no less than three thousand (3,000) square feet.

e. Buildings within any single development shall be at least twenty (20) feet apart.

Sec. 17-396.37 SINGLE-FAMILY DWELLINGS (SEMI-ATTACHED)

Semi-attached single family dwelling units where allowed are subject to the following:

The side yard setback for the attached interior walls of the structure shall be zero (0) feet. Unless a greater distance is required by the district’s standards, the exterior (unattached) wall shall observe a minimum side yard setback of ten (10) feet.

Sec. 17-396.38 RESERVED

Sec. 17-396.39 THEATERS AND MULTIPLEX MOVIE THEATER

Sexually oriented theaters are subject to supplementary district regulations in Article IV, Division 3.

Sec. 17-396.40 TRUCK OR BUS TERMINAL.

Truck and bus terminals are allowed in the C-1 highway commercial district provided that no part of the principal building is located closer than one hundred fifty (150) feet to any residential district that no noise or air pollution be associated with the use, and that facilities do not create any safety hazards or nuisances as result of their operation.
Sec. 17-396.41 WATER TOWER/PUBLIC UTILITIES

Public utilities, to include water towers and utility substations are allowed subject to the following standards:

a. No storage of vehicles or equipment outside fencing
b. Sites should be selected where topography minimize visual effects to surrounding properties
c. A natural landscape buffer of 25 feet shall be required between site and any developed parcel.
d. A natural landscape buffer of 60 feet shall be required between site and any undeveloped parcels. The buffer of 60 feet shall be permanent regardless of any future development.
e. All landscape buffers must remain in a natural state with mature trees.
f. Fencing around structure in accordance with town ordinance shall be required.

Sec. 17-396.42 RESERVED

SECTIONS 17-396.43 through 17-399 [RESERVED]
12 & 14 Ocean Blvd. South – Proposed Development

Attached please find pictures of a proposed design build in the Entertainment District. Staff anticipates the architect and possibly the property owner to attend the meeting to answer questions related to the presentation.

If not, staff will present any and all information they have regarding the project.

Keep in mind, these properties are not zoned Planned Development (PD) and the project being presented is non-binding in its design. It will have to meet all required laws and ordinances.
Proposed Entertainment District

(12 & 14 Ocean Blvd. South)

Construction