PLANNING COMMISSION REGULAR MEETING
TOWN COUNCIL CHAMBERS
Monday, July 9, 2018 at 6:00PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. AGENDA APPROVAL
4. MINUTES APPROVAL – June 5, 2018
5. DIRECTOR’S REPORT
6. PUBLIC HEARING
   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
   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.
7. ACTION ITEMS
   1. Recommendations to Town Council for 6a.
   2. Recommendations to Town Council for 6b.
   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 and to extend the Mixed Use District as shown on attached map.
8. DISCUSSION ITEMS:
   a. Entertainment District
   b. Any topic the board wishes to discuss
9. PUBLIC COMMENTS – General Comments.
10. Planning Commission Comments
11. Adjournment

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, Mabry, Mastroselect, and Sadler. A quorum was present. Others Present: Town Clerk Hermann, Director Morris, Public Works Director Adair, and Permit Technician Mazzio. Guest: Jim Gilliam, Esquire, McNair Law Firm.

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

3. AGENDA APPROVAL. Mr. Lauer moved to approve the agenda. Ms. Gambino moved to amend the agenda to allow Mr. Gilliam to make a presentation. Ms. Mastroselect second. All voted in favor. MOTION CARRIED AS AMENDED.

4. MINUTES APPROVAL. Ms. Mastroselect moved to approve the minutes of April 12, 2011, and evaluated. Ms. Gambino second. All voted in favor. MOTION CARRIED.

5. PUBLIC COMMENTS—Agenda Items.

Ms. Carol Cook, 9rd Avenue South: I have some questions about the issue paper. If we have zero proposed lot lines by the builders isn’t that a safety issue? That means that all pedestrians are going to walk around the entire block. I also have a question about the two buildings per lot, since that’s in conflict with our flood zone ordinance. How could that possibly be approved? I have a lot of questions about valet parking. One is where would the proposed parking lots be? I can’t imagine that someone is going to buy $200,000 lot just to put parking on it, and if you allow zero lot lines, I can’t imagine the traffic jam that you’re going to have with the cars waiting for the valets to either pick up or drop off their cars. On page 2 of 20, I have a question about the maximum building height. A couple of meetings ago, Mrs. Mabry spoke of perhaps a dufferino or bar area. Would that be included in the 55 feet, or is it the rooftop, and then everything else like a bar or pergola could go on top of that? I also have a question on page 7 of 20. I don’t understand how you could allow for a cafe and a coffee shop, but why a bakery would be allowed only? I don’t understand why a bakery couldn’t sell me a cup of coffee and a muffin. What is the difference between a bakery and a coffee shop? On page 1 of 20, since the entertainment district is going to butt up against some R3 homes, and that’s where our money comes from, I think that allowing outdoor music until midnight is going to do a great disservice to the people who rent the homes adjoining the E district, and I brought this up before, on page 15 of 20, you’re allowing temporary signs twice a year for periods of six months, that’s a year. So basically you’re saying that they can have a sign up all year long. Why is that? For the mixed-use district, if parking is not allowed in the front yard, does that mean every building will have a driveway and parking behind the building? That’s under Section 17-367. (Time ended.)

6. DISCUSSION ITEMS.

a. Entertainment District.

Guest Speaker: Mr. Gilliam addressed the commission regarding the possible design for two of the buildings located at 12 and 14 South Ocean Boulevard in anticipation of the E District being approved. The buildings are owned by Seaside Partners. A copy of his presentation is on file. The proposal was in compliance with the initial E District proposal; however, there have been some changes. About a 30 minute discussion was held regarding preserving the pier as the heart of the town, options for building design, preservation of the commercial district, walkability and parking. The town needs to ensure it keeps the current tax base and keeps those commercial properties. Mr. Gilliam said his clients would like the E District to have zero setbacks, but could comply with the proposed 10 foot setback for the sides and back, but the “deal breaker” for his clients would be the prohibition of more than one building on one lot, and adopting parking requirements other than what currently exists. Ms. Morris said she would research the requests and report back to the commission.
b. Mixed Use District.

Ms. Morris said several property owners from the SeaTimbers Condominium across from the library would like to be excluded from the mixed use district and asked the commission to consider the request. After discussion, the Commission CONCURRED to omit that property from the mixed use district.

Chairman Johnson asked if the planned development between Cedar Drive and Poplar would be included, because she knew personally that a business was already being operated from one of the homes. Ms. Morris said it probably should be added.

Mr. McKeen asked if any buildings in the area were above the 35 foot height restriction. Ms. Morris said no.

§17-367 Supplemental district standards. Mr. Sadler referred to paragraph 1 and said there was not room for 20 parking spaces on the lots. Most of the space was taken up by the parking put on Surfside Drive by the town. Chairman Johnson said the space taken up belonged to the town. Ms. Sadler didn’t know how parking would be in the back either. Ms. Morris explained that some homes were built in the middle of the lots or closer to Surfside Drive. As long as the fire department approved it, a single car driveway to go behind the house for parking, which is how many of the existing mixed use properties are set up now.

§17-394 Use Types. Ms. Mastroian asked for clarification on bakery type. Mr. Morris said retail outlets would be allowed, but high volume production baking would not be. For instance, Benjamin Bagels could open a shop selling coffee, pastries, and sandwiches in the MU District, but the flagship store in the light industrial district is where products are produced. Chairman Johnson thought retail stores selling things like vintage clothing, bathing suits, and jewelry would be included. Ms. Morris said she was correct, and that wine testing and wine retail was also to be added. Chairman Johnson said bicycle shops and rentals were allowed, but did not include paddle boards, surfboards and other water sports equipment. Ms. Morris said ice cream shops were added.

Ms. Morris explained that during the last meeting, questions were asked about Moby carts versus dumpsters. Public Works Director Adair explained that the ordinance states that commercial establishments may use Moby carts. If the trash volume just exceeds five carts in a week’s pickup, then they must have a container of six or eight yards. The ordinance could be amended to accommodate businesses in the mixed use district. I don’t see trash collection as an obstacle to having businesses, as trash could be picked up early in the morning. Once businesses are established, Moby carts would be assigned and collection days adjusted to meet their needs.

Mr. Sadler said the code should prohibit live animal sales.

Ms. Morris said the code would be amended as directed and then the ordinance would be ready for a public hearing. The Commission CONCURRED to have the public hearing at the next regular meeting.

c. Any topic the board wishes to discuss.

Mr. Lauer said we’ve talked about parking a lot, but I believe a one story parking deck at the Yaupon lot would be a significant improvement to the situation and remain in the town’s character. I think you can make a parking deck a very livable thing, and use it for various activities such as the annual Bar-b-Que. Parking could be on the upper level with the festival vendors and guests under cover on the ground level. I just can’t imagine leaving an idea without looking at. I felt like it’s been dismissed too readily and maybe it’s time to take a look at this and see what you think.

Ms. Mabry appreciated the comment, because she would have never thought to consider a one-story deck. When thinking about a parking garage, you automatically think going as high as possible. It give ideas and some flexibility for the future.

Mr. Sadler said I think the cement extra accessory structure presented by Mr. Gilliam will be in violation of the flood damage prevention code and will compromise the system and that will cost all of us.
7. Public Comments - General Comments.

Ms. Carol Cook, 7th Avenue South: Back to parking. I don't know if you noticed, but that picture was from May of 17, and unlike most of you, we don't leave our house over Memorial Day weekend, because that's a bike festival, and I don't believe that it is a 10-week parking issue. Our season starts way earlier and goes through September, so I don't see how they can say, 'Oh, it's only 10 weeks.' The other thing is if we're getting ready to have a public hearing on the mixed-use district, driving here tonight I passed at least three houses for sale, and a lot for sale, and everybody knows that Surfside is like easy money. So do potential buyers for those lots need to be notified that their dream house could be surrounded by a hole shop and a pet shop the day after they move in? And I'm happy to say that I won't be living next door to a place that has five Moby carts.

Mr. Harry Kohlmann, South Ocean Boulevard: When Mr. Gilliam was talking about parking, he said we would keep it the same way it was. Well, that's the way it was first proposed. The parking committee realized that it would be way too hard to make it one parking space for every four chairs. We understood that. That's what we recommended to the committee. Now, Mr. Harrah took over, and I don't know who got in his ear, but said no parking. He also said no sidewalks. He didn't even think about stormwater. I'm glad Mr. Morris came back and he's bringing up these issues, and he's trying to straighten them out. I liked the rendition, and if he says he's going to keep the same amount of parking, I have no problem with it, and with the stormwater, I have no issue with the stormwater, but what we have now is a parking lot between two buildings. Where's that stormwater going now? It's run off and it's going somewhere. So if they had something that had some kind of the shrubs or something that somewhere the water trickle down and opened the picnic area will seating the problem. Maybe if they had a wood deck up there the water might go through. But it's great to have a nice little drawing, but I don't think you should make your decisions on that. Show us what you gonna put there exactly, because things change, and you know when people do construction they change a lot. Parking garage; the only time it was ever mentioned was about eight years ago when the town pay $75,000 for study. They paid $5,000 for it three years before, and they came up, and a new thing that came up was, they flew a helicopter over Surfside and they showed the parking issues and then they said let's build a parking garage with, get this, McDonald's underneath it. What? (Speaker's emphasis.) We can look into parking garages, fine, but we were getting a little too big city for my liking. I came here, small town. I like it a small town. I don't know what a parking garage is gonna bring. I don't know. Crazy stuff happens in parking garages. People get robbed; cars get broken into. I don't know, you have to weigh it. But, I think that's a bigger decision than what y'all are; you should make. I think that should be up for the town on a vote, because this is a small town. People don't want a big town. I get it. The pier is gonna get bigger. A lot more people are gonna come, but we have to really, really think about this. And I used to be an Uber driver, so I can tell you how much Uber's gonna cost you. You've got 12 people, you said? That's gonna be two $10's. It's about from here to the pier about three quarters of a mile, it's gonna cost $10 each way per car; $40 for that family. So Uber, I don't know. And then when I drop you off at the pier, do you know what I'm gonna do? I'm gonna sit at the pier and wait for my ride. Where am I gonna sit? So you've gotta think a lot on these things. Thank you for all your work. It's always very hard. A lot of pressure. A lot, a lot of pressure on this issue here. Thank you.

Ms. Patricia Magliente, Harbor Lights Drive: Thank you for representing us and our wonderful town up there, and I know it's a lot of man hours. A lot of reading. A lot of hard work, but I do appreciate what you're doing for us to look out for our town. We don't want to turn into Myrtle Beach, because Myrtle Beach is fine, but we just don't want to be there. We're a little place, and when you go down the coast, you will realize we are not like Litchfield or Pawleys Island either, because as nice as those two places are, I don't see them having anything on their beach for families. I don't see them having fancy restaurants on their beach. I may be wrong, because I don't really get into those neighborhoods to the beaches they have, because I don't live there. Much as I realize they're places that have kind of like hosties on the beach, not anything nice like we're trying to do for our town. I'd like to say I'm glad that [Ms. Morris] is back and thank you to Ms. Mcbray, because we are doing a little bit better on stormwater planning, and it's important, because if we have a storm surge, even for 100 year rain or a 50 year rain, and then as I've said before, they're building like hot cakes on the other side of us. We're sandwiched in the middle. We really have to try and respect our property in town, because of the fact that we are sandwiched in the middle, and if you can see the way they're building on the other side of our Bypass 17 that's going to be a real issue in a couple of years. I'd like to thank Mr. Sallier for reminding our guest here today that he was here and saw the parking, but first of all there weren't fishermen on that half of a pier we've got. When the fishermen are here, so in other words, the minute we get that pier done and the fishermen are here we're gonna have packed; they're days when there's elbow to elbow.
Planning Commission
June 5, 2018

Mr. Raines: We have a lot of work ahead of us, and thank you for coming, and we'll study hard and we'll try to make the best decisions we can. Thank you.

Mr. Lauer: Mr. Gilliam, thank you for your presentation. It was very enlightening, and for a PowerPoint almost pointlessly (laughter), thank you I appreciate that. Mr. Cook, I'd like to thank you for always being there to look over our shoulders. I appreciate that very much. I appreciate your pointing things out to us. Thank you all.

Ms. Mastroponte: Thank you all for coming out. I appreciate the presentation, as well. Thank you, Mr. Adair, for being here, as well. It helped out with some answers. We do have a lot of work cut out for us and we do need to make sure we do it right and do it right the first time, because who knows if we'll ever be able to revisit it. Also, we need to really be careful, because we can't just do for one, and not do for the whole on the E District. So, we need to really be careful about what decide, especially with not knowing what we're seeing tonight, which was beautiful, would it be the actual final result of what we would be receiving for our town? Thank you all for being here.

Mr. McKee: I'm just thinking, you know, we all thank you all for being here, which that's what I'm going to be nice, Mr. Gilliam, to see our first possible glimpse of what we might have down in the E District at some time. I do appreciate the other speakers; they all made good points tonight. Thank you.

Ms. Gambino: Thank you for all of you coming out and speaking. Mr. Gilliam, thank you, as well. And, Mr. Adair, thank you; join us anytime. Thank you for your points, you know, because we love input, and because we only do the best we can, and I'm sure we may miss things, it sounds simple, so please bring your friends out, because we have a lot of work ahead of us. Thank you for coming.

Mr. Sadler: I really like to see the civic minded people come out. It's fabulous. I think we should have a lot more; a lot more people interested in the town. Maybe they are; maybe they're too busy. When we have controversial things going on with the Town Council, we have plenty of people here. It fills the room sometimes enough to where the citizens can't get through that door. It's happened to us. But it's nice to see civic minded people. I really appreciate the [PowerPoint.] It was good and it was short, it was clear. That was important. I really enjoy interacting with the staff. Really good, great people. And, I really enjoyed the people up here with me on the commission. Speakers today, Ms. Magliette, Mr. Kohlmann, and Ms. Cook, I think you made fabulous points. You keep me in line and I need it sometimes. Now, the parking situation is really already a situation here. Today I had an experience that is not that unusual. I went to the library to pick my better half up, and while I was sitting there, I was sitting there, it wasn't probably 15 to 20 minutes, I saw two incidents where people were trying to use those parking spaces on Surfside Drive. Well, if they see somebody getting ready to pull out of one they actually stop on Surfside Drive impeding traffic flow, and I just, I know that the parking's an issue, but it's down by the library and that's where the farmers market is, so it happens every time I'm there, and so somebody, like I said, they stop right in the
flow of traffic. When I used to drive a city bus that used to bother me. Now, I just brush it off, but the people behind
them didn't. As they started backing into the space, everybody went around him into the oncoming traffic lane.
There was no real traffic that point, so, wasn’t an issue. But it could’ve been. Now, that’s what’s gonna happen, if
they don’t think to the valet parking through on Ocean Boulevard or around Ocean Boulevard, because there is not
much space to pull off into these places that will be using valet parking. So, most likely, it’s going to be at least one
right-of-way or more than one right-of-way that’s slowed down, because you’ve got 10 cars waiting for the valet to
take their car out or move up to a position where they can turn the keys over. I think it could be a bigger problem
than we’re dealing with now. Just heads up. With that, I’m gonna shut up.

Chairman Johnson: I do want to thank everybody for coming, I want to thank staff. I don’t think they get
thank you enough for all things that they do. As far as the condition goes, I thought it was very, very nice, and maybe
something can be done like, and I can ask you this, [Ms. Morris], a grate between the two buildings where water
could run down to help with stormwater, and as far as the flood issue, there’s always some give-and-take. We could
put something else in its place, so that we don’t lose points. So, I would, as much as we can, I’d like to try to work to
make things happen in a good way to make it really nice down there, and an asset to the town, and this is a very nice
picture here (showing one dock garage). It looks very nice. My concern also was that maybe the crime underneath,
people down there dealing drugs, or something late at night, but you can always have a security person, maybe that
patrols it, stayed down there, I will say that the Uber prices around here are quite high compared to where I’ve been.

(Laughter) I went 20 miles in Arizona for eight dollars, and I was just in DC about three weeks ago, and we went
three or four miles; anywhere we wanted to go for eight dollars or less. They’re quite pricey. Maybe we need more
competition. I do appreciate everybody coming. Thank you for all your comments, and I think maybe we don’t have
as many people, because were not as entertaining as council. Have a good evening. God bless you.

9. Adjournment. Mr. Lauer moved to adjourn at 7:44 p.m. Mr. McKeen second. All voted in favor.
MOTION CARRIED.

Prepared and submitted by,

Debra E. Hermann, CMC, Town Clerk

Approved: July 9, 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 §30-4-8(R)(1)
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.turftidesbeach.org and the marquee.
Planning Commission Issue Paper
Public Hearing Item 6A – Proposed amendments to the Mixed Use (MU) District

Issue

The Mixed-Use District is intended to provide neighborhood-scaled, pedestrian-oriented mixed-use development with a range of residential, retail, service, and office uses that are compatible with adjacent development.

The Planning Commission has reviewed and amended the Mixed Use District (MU) to promote the area as a neighborhood for living and working. Limiting the commercial uses to those compatible with the surrounding existing homes and other features of the area.

This district is not intended to promote large scale commercial projects or high rise apartments or hotels. Controlling the buildings configuration, orientation and disposition marginalizes the buildings ability to effectively host other commercial or office uses that would not be compatible with the ‘neighborhood’ feel of the district. Mixed Use Districts are designed to not only incorporate various types of real estate together, but complement them. Promoting walkability, live, work and play areas and a sense of “small town”.

The uses listed below are being considered for the Mixed Use District (some as permitted uses, some as conditional uses and others as accessory uses only (see attached for explanation):

<table>
<thead>
<tr>
<th>Single family Residence</th>
<th>Cafe, coffee shop</th>
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</thead>
<tbody>
<tr>
<td>Single family, semi attached</td>
<td>Restaurant and other dining establishments with open or outdoor dining</td>
</tr>
<tr>
<td>Single family, attached</td>
<td>Restaurant and other dining establishments without lounges (indoor only)</td>
</tr>
<tr>
<td>Two-family (duplex)</td>
<td>Restaurants alcohol is consumed (indoor except as noted)</td>
</tr>
<tr>
<td>Multi Family</td>
<td>Bridal, Formal Wear</td>
</tr>
<tr>
<td>Upper story dwellings</td>
<td>Clothing store, specialty shops</td>
</tr>
<tr>
<td>Accessory dwellings</td>
<td>Antiques Stores</td>
</tr>
<tr>
<td>Efficiency units</td>
<td>Artist’s studio &amp; Gallery</td>
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<tr>
<td>Home Occupations</td>
<td>Art Shop</td>
</tr>
<tr>
<td>Non-commercial gardens</td>
<td>Frame Shop</td>
</tr>
<tr>
<td>Library</td>
<td>Gift Shop</td>
</tr>
<tr>
<td>Parks, neighborhood and community (public)</td>
<td>Farmers Market</td>
</tr>
<tr>
<td>Police and Fire Station</td>
<td>Jewelry/Jewelry Shop</td>
</tr>
<tr>
<td>Public Buildings and uses</td>
<td>Pet Supply (no selling of animals, no grooming, no training or boarding)</td>
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<tr>
<td>Nail Salon</td>
<td>Stationary Shop</td>
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<tr>
<td>Bakery (retail only) with or without the sale of hot/cold drinks, sandwiches and snacks</td>
<td>Surf Shop</td>
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<tr>
<td>Candy Shop</td>
<td>Vintage Clothing Shop</td>
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<tr>
<td>Fruit &amp; Nut Store</td>
<td>Water Sports shop</td>
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<tr>
<td>Ice Cream Shop</td>
<td>Wine Testing/Retail wine shop</td>
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<tr>
<td>Specialty Food Store</td>
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</tbody>
</table>

There are currently no Mixed Use Zoning Districts within the town. However, the Future Land Use map within the Town’s Comprehensive Plan calls for areas of town to be rezoned to allowed for the Mixed Use District (MU). The first proposal is also on tonight’s agenda. This area is located on Surfside Drive from Poplar Drive to Dogwood Drive.
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

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.

DIVISION 11: USE REGULATIONS

SECTION 17-393. CLASSIFICATION OF USES

It is recognized that various types of land uses will develop and that different forms of land uses will seek to locate within the town. In order to provide for this occurrence, a determination of the appropriate classification for all uses of land shall be made as follows:

1. All questions concerning the classification of uses shall be referred to the code enforcement official for an interpretation of this chapter. The referral of the use classification question shall be accompanied by a statement of facts listing the nature of the use and whether it involves dwelling activity, sales, processing, storage and the amount thereof, anticipated employment, types of products, transportation requirements, and any additional information determined necessary by the code enforcement official in classifying the proposed use.

2. The code enforcement official shall consider the nature and described performance of the proposed use and may assign a use classification descriptive of the proposed uses from Table 17-395 "Use Table" or assign a use classification as is otherwise specifically provided by this chapter.

3. Appeals from the determinations of the zoning administrator are made to the board of zoning appeals pursuant to Section 17-223 of this chapter.

4. If the code enforcement official or the board of zoning appeals, operating under subsections (2) and (3) of this section, determines that a described use does not appear or cannot be classified under the terms of this chapter, the code enforcement official shall transmit a copy of the determination to
the planning commission and town council. The planning commission or town council may initiate a text amendment to classify the proposed use.

(5) Any use, which does not appear or cannot be classified under the terms of this chapter, shall be determined to be a Use Not Allowed within the Town of Surfside Beach.

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) **PU** 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) **CU** 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) **SU** 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) **NU** 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.
### Table 17-395
#### USE CHART

<table>
<thead>
<tr>
<th>USE CLASSIFICATIONS</th>
<th>Districts</th>
<th>SPECIAL STANDARDS</th>
<th>PARKING CODE</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>R-1</td>
<td>R-2</td>
<td>R-3</td>
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<tr>
<td>Residential Uses</td>
<td></td>
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<tr>
<td>Single Family, detached</td>
<td>P</td>
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<tr>
<td>Single Family, semi-attached</td>
<td>C</td>
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<td>Single Family, attached</td>
<td>C</td>
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<td>Two-Family (duplex),</td>
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<td>accessory dwellings,</td>
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<td>Multi-family</td>
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<td>Mobile Homes</td>
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<td>Residential Related Uses</td>
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<tr>
<td>Agriculture and Horticulture</td>
<td>P</td>
<td>P</td>
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<td>(noncommercial), excluding the</td>
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<td>keeping of poultry and livestock</td>
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<td>Home Occupations</td>
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**TOWN OF SURFSIDE BEACH ZONING ORDINANCE**

2-20
## USE CLASSIFICATIONS

<table>
<thead>
<tr>
<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>MU</th>
<th>MP</th>
<th>SPECIAL STANDARDS</th>
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<tbody>
<tr>
<td><strong>Accommodation Uses</strong></td>
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<td>Hotels, motels, tourist courts</td>
<td>C</td>
<td>P</td>
<td>P</td>
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<td></td>
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<td></td>
<td>§17-396.23</td>
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<td>Resort accommodations, 25 or more units</td>
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<td>§17-396.33</td>
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<td>Transient short term rental units and boarding houses</td>
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<td>P</td>
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<td></td>
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<td><strong>Civic, Governmental, and Institutional Uses</strong></td>
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<td>Assembly halls, gymnasiums, and similar uses</td>
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<td></td>
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<td>Churches and other religious uses</td>
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<td>Lodges, fraternal organizations</td>
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<td>§17-396.24</td>
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<td>Museums and similar cultural activities</td>
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<td>Parks, neighborhood and community (public)</td>
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<td>Public Buildings and uses</td>
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<td>Public Safety including Police and Fire Station</td>
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<td>C</td>
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<td>Public buildings and uses including courts of law, correctional institutions or jails, parole or probation offices, rehabilitation centers</td>
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<td></td>
<td></td>
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<td>Public, private, trade, and vocational schools</td>
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<td></td>
<td></td>
<td></td>
<td>§17-396.30</td>
<td>U</td>
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<td><strong>Entertainment, Recreation, and Dining Uses</strong></td>
<td></td>
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<td></td>
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<td>Amusement Parks</td>
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<td></td>
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<td>Bakery</td>
<td>P</td>
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<td>P</td>
<td>C</td>
<td></td>
<td></td>
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<td></td>
<td>L</td>
</tr>
<tr>
<td>Billiard parlors</td>
<td>P</td>
<td>P</td>
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<td></td>
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<td></td>
<td></td>
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<tr>
<td>Bowling alleys, skating rinks, water slides, and similar forms of indoor recreation</td>
<td>C</td>
<td>P</td>
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<td></td>
<td></td>
<td>§17-396.1</td>
<td>L</td>
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<tr>
<td>Café and Coffee Shop</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
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<td>L</td>
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<tr>
<td>Golf driving range, par-3, tennis courts and similar outdoor recreation</td>
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<td></td>
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Table 17-395 (Continued)
### ARTICLE III. DISTRICT AND USE REGULATIONS

<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><strong>Entertainment, Recreation, and Dining Uses (continued)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health clubs, gyms, fitness centers, dance studios</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Ice Cream Shop</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Restaurants with drive-in or drive-up facilities</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restaurants and other dining establishments without lounges (Indoor only)</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Restaurants and other dining establishments with open or outdoor dining</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Restaurants, taverns, bars, nightclubs or other places where alcohol is consumed* (Indoor except as noted*)</td>
<td>C</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Restaurants where alcohol is consumed* (Indoor except as noted*)</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Shooting galleries</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Theaters</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Theaters, drive-in</td>
<td>C</td>
<td></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 districts subject to the conditional use standards of §17-396.34.

---

| Animal hospitals, veterinarian clinics, pet boarding facilities, retail pet shops | C | | | | | | | | §17-396.1 | §17-396.2 |
| Antique Shop | P | P | C | | | | | | §17-367 |
| Auto/truck sales, service, repair and/or washing | C | | | | | | | | §17-396.1 |
| Auto Service Station | C | | | | | | | | §17-396.1 |
| Banks, loan agencies, and other financial institutions | P | P | | | | | | | §17-396.4 |
| Barber or Beauty Shops | P | P | C | | | | | | §17-396.4 |
| Boat sales and service | C | | | | | | | | §17-396.1 |
| Body Piercing | C | | | | | | | | §17-396.1 |
| Building supplies and equipment sales | P | | | | | | | | §17-396.11 |

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*TOWN OF SURF SIDE BEACH ZONING ORDINANCE*

3-22
### Article III. District and Use Regulations

#### Table 17-395 (Continued)

#### 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>Charitable Institution (office)</td>
<td>C-1 C-2</td>
<td>$17-396.13</td>
<td>L</td>
</tr>
<tr>
<td>Cold storage, freezer locker</td>
<td>R</td>
<td>$17-396.13</td>
<td>R</td>
</tr>
<tr>
<td>Communication towers</td>
<td>C-1 C-2</td>
<td>$17-396.13</td>
<td>R</td>
</tr>
<tr>
<td>Day care centers</td>
<td>C-1 C-2</td>
<td>$17-396.13</td>
<td>R</td>
</tr>
<tr>
<td>Dressmaker, seamstress, tailor</td>
<td>P P</td>
<td></td>
<td>K</td>
</tr>
<tr>
<td>Electrical appliances and equipment, sales and repair</td>
<td>P P P</td>
<td></td>
<td>N</td>
</tr>
<tr>
<td>Fabricating shops, e.g., cabinet or upholstery</td>
<td>C</td>
<td>$17-396.13</td>
<td>I</td>
</tr>
<tr>
<td>Fuel or chemical storage, excluding incidental or accessory storage</td>
<td>S</td>
<td>$17-396.19</td>
<td>R</td>
</tr>
<tr>
<td>Funeral Homes and mortuaries</td>
<td>P</td>
<td></td>
<td>B</td>
</tr>
<tr>
<td>Laundry and dry cleaning pick up stations</td>
<td>P P</td>
<td></td>
<td>L</td>
</tr>
<tr>
<td>Laundromats</td>
<td>P P</td>
<td></td>
<td>L</td>
</tr>
<tr>
<td>Lawn and garden equipment sales and service</td>
<td>C</td>
<td>$17-396.13</td>
<td>N</td>
</tr>
<tr>
<td>Liquor sales</td>
<td>P P P</td>
<td></td>
<td>I S (C3)</td>
</tr>
<tr>
<td>Lumber yards and sales</td>
<td>C</td>
<td>$17-396.13</td>
<td>Q</td>
</tr>
<tr>
<td>Medical and dental offices (clinics)</td>
<td>P P P C</td>
<td>$17-367</td>
<td>J</td>
</tr>
<tr>
<td>Nail Salon</td>
<td>P P C</td>
<td></td>
<td>L</td>
</tr>
<tr>
<td>Offices; business, professional, and governmental</td>
<td>P P P C</td>
<td>$17-367</td>
<td>K</td>
</tr>
<tr>
<td>Parking lots</td>
<td>P P P</td>
<td></td>
<td>L</td>
</tr>
<tr>
<td>Pharmacy</td>
<td>P P C</td>
<td></td>
<td>L</td>
</tr>
<tr>
<td>Piers</td>
<td>P</td>
<td></td>
<td>L</td>
</tr>
<tr>
<td>Plumbing shops</td>
<td>P</td>
<td></td>
<td>Q</td>
</tr>
<tr>
<td>Produce markets and stands</td>
<td>P S</td>
<td></td>
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</tr>
<tr>
<td>Radio/Television station</td>
<td>C C</td>
<td>$17-396.13</td>
<td>C</td>
</tr>
</tbody>
</table>

---

**Town of Surfside Beach Zoning Ordinance**

Page 23
### ARTICLE III. DISTRICT AND USE REGULATIONS

<table>
<thead>
<tr>
<th>USE CLASSIFICATIONS</th>
<th>Distric</th>
<th>SPECIAL STANDARDS</th>
<th>PARKING CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial, Office, and Professional Uses (continued)</td>
<td>R-1</td>
<td>P</td>
<td>P</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>R-2</td>
<td>P</td>
<td>P</td>
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<tr>
<td></td>
<td>R-3</td>
<td>C-1</td>
<td>C-2</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, millinery, clothing, jewelry, books, flowers, gifts, music, cameras, stationary, watches, art supplies, hobby supplies, stamps and coins, furs, leather goods, records, savings stores, and similar uses.</td>
<td>C-1</td>
<td>C-2</td>
<td>C-3</td>
</tr>
</tbody>
</table>

§17-395 (Continued)

### USE CHART

<table>
<thead>
<tr>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
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<th>MP</th>
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<tr>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td>S</td>
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§17-367

TOWN OF SURFSIDE BEACH ZONING ORDINANCE

3-24
### ARTICLE III. DISTRICT AND USE REGULATIONS

Table 17-395 (Continued)

<table>
<thead>
<tr>
<th>USE CLASSIFICATIONS</th>
<th>Districts</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>SPECIAL STANDARDS</th>
<th>PARKING CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial, Office, and Professional Uses (Continued)</td>
<td>Retail pet store - no grooming, pet training or selling of animals</td>
<td>C</td>
<td></td>
<td></td>
<td>C</td>
<td></td>
<td></td>
<td>$17-367</td>
<td>L</td>
</tr>
<tr>
<td></td>
<td>Sexually oriented businesses</td>
<td>C</td>
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<td>Article IV, Division 3</td>
<td>$17-435(a)</td>
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<td>Sheet metal/machine shop</td>
<td>C</td>
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<td></td>
<td>Shopping center</td>
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<td>Tanning Salon</td>
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<td>Taxi stands</td>
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<td></td>
<td>Truck or bus terminal</td>
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<td></td>
<td>Water tower/public utilities</td>
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<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
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<td>Wine Tasting/Retail Shop</td>
<td>P</td>
<td>P</td>
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<td>$17-367</td>
<td>L</td>
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</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.

### 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.

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**TOWN OF SURFSIDE BEACH ZONING ORDINANCE**

3-25
ARTICLE III. DISTRICT AND USE REGULATIONS

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. Retail pet shops, pet grooming, pet training permitted in C2 district with rear courtyard. 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 gates, 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 RESERVED

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 through 17-396.10  RESERVED

Sec. 17-396.11 Body Piercing.

Body piercing is allowed 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.

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 Communications 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
ARTICLE III. DISTRICT AND USE REGULATIONS

in the C-1 zoning district provided they are located west of U.S. Highway 17; and communication towers may be located on existing towers or existing structures east of U.S. Highway 17 provided the towers do not exceed the height of the existing structure by more than thirty (30) feet. In this area the town encourages the location of towers on publicly owned land such as water tanks;

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 engineer's 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, 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:

i. 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.

ii. 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.

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

TOWN OF SURFSIDE BEACH ZONING ORDINANCE

3-28
ARTICLE III. DISTRICT AND USE REGULATIONS

iv. 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 (3,660) 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;

TOWN OF SURFSIDE BEACH ZONING ORDINANCE

3-29
ARTICLE III. DISTRICT AND USE REGULATIONS

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 Hospitals.

In the town’s residential districts, hospitals are allowed provided that any structure connected therewith shall be placed no closer than seventy-five (75) feet from any residential property line.

Sec. 17.396.23 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.

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.

TOWN OF SURFSIDE BEACH ZONING ORDINANCE

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ARTICLE III. DISTRICT AND USE REGULATIONS

Radio and television stations are allowed in the C-1 and C-2 districts provided that the transmission tower is not located on the site.

Sec. 17-396.32 Residential uses within commercial districts (amended 4/28/15 Ordinance #15-0800)

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. Where residential uses are permitted, the lot size, lot width, frontage, setbacks and density standards applicable to residential uses within the R-3 district shall apply.

c. 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.

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.

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, C-3, and MU), 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. In addition to the above requirements, within the MU district, the following shall apply:
ARTICLE III. DISTRICT AND USE REGULATIONS

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.

Sec. 17-396.35 Restaurants, taverns, 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. 17-396.35 Single-family dwelling (attached) (amended 4/28/15 Ordinance #13-0800)
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 (3000) square feet.

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

Sec. 17-396.37 Single-family dwelling (semi-attached) (amended 4/28/15 Ordinance #15-0800)
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
ARTICLE III  DISTRICT AND USE REGULATIONS

Sec. 17-396.39 Theaters and Theater, drive-in.

Drive-in theaters are allowed in the C-1 district subject to the following standards:

a. No part of the theater screen, projection booth, or other building shall be located closer than five hundred (500) feet to any residential district or closer than fifty (50) feet to any property line or public right-of-way; and no parking space shall be located closer than one hundred (100) feet to any residential district; and

b. The theater screen shall not face a major street or highway.

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. (amended 10/27/15)

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.
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 Warehouse/storage facility.

Warehouse or other storage facilities are allowed in the C-1 district provided that there is no open storage of junk or salvage materials of any type in conjunction with the operation.

SECTIONS 17-397 through 17-399 [RESERVED]
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Planning Commission Issue Paper
Public Hearing Item 6B – Rezoning of Properties from current zoning to Mixed Use (MU)

Issue
The Future Land Use Map found within the Town’s Comprehensive Plan 2013-2022 denotes areas where mixed use should be considered. These areas include the areas of Surfside Drive, and areas around Surfside Drive down towards the pier area. This area is ideal for mixed use because of location and connectivity to the Central Business District (C2) being closest to Hwy. 17 and the Amusement District (C3) being located nearest the pier area. By creating a Mixed Use District on Surfside Drive it would allow potential property owners the option of living and working at home. It also allows for shoppers to walk down Surfside Drive from the Central Business District (C2) to the Amusement District (C3) and shop along the way.

Land Use Goals include:
The creation of a mixed use zone along portions of Surfside Drive, Poplar Drive, and Ocean Boulevard when the following criteria can be met:
- The area involved includes multiple parcels or one large sub dividable parcel. Small single parcel districts should be avoided.
- The lots involved will complement and not disrupt the block, and the immediate area involved is transitional in nature and/or the allowed uses would provide a buffer from more intense commercial uses.
- Maintain zoning text standards for the mixed use district, to foster compatibility, which:
  - Restrict the size and location of off-street parking,
  - Limit signage, outdoor displays, and hours of operation,
  - Permit the combination of residential and commercial/Professional activities while limiting the overall size and scale of the nonresidential component, and
  - Permit nonintrusive outdoor dining and small restaurant/café uses

The rezoning, initiated by the planning commission having statutory authority through the state code §6-29-340 and Article II, Section 17-202 (b)1 of the town’s zoning ordinance felt the rezoning was good zoning practice being consistent with the Town’s Comprehensive Plan. As required a letter was mailed to all property owners affected by the rezoning and those properties within 150 ft. of the proposed rezoning; notices were posted in the area affected by the rezoning; and a public notice was published in the local paper.

The proposed rezoning would be comprised of 86 parcels and approx. 13.74 acres.

As discussed at the last planning commission meeting the Public Works Director stated changes could be made to the sanitation schedule to accommodate the businesses if it became necessary in the future. Roll out moby carts would be used as opposed to dumpsters that would not be appropriate for the area. The proposed commercial/professional uses were reviewed by the town’s Police Chief, Kenny Hofmann. None of the proposed uses in the area posed a concern.

Staff request the Planning Commission hold a Public Hearing and make recommendations to council.
PROPERTY OWNERS LOCATED WITHIN THE PROPOSED REZONING AREAS PER THE HORRY COUNTY ASSESSOR’S RECORDS

JML BEACH ENTERPRISES, LLC
PO BOX 1527
HARTSVILLE, SC 29551
46107020141
46107020147
46107020146
46107020142

GREEN RYAN & ETAL
5024 PUDDIN SNAPP RD
TURBEVILLE, SC 29162
46107020148

MORRIS ANGELA L ETAL
814 ALDREMAHLE BLVD
FLORENCE, SC 29501
46107020145

LORISQUE LLC
2940 W MAIN ST
SALEM, VA 24153
46107020143

JORDAN DAVID & Betsy C
1533 CLARENCE COKER HWY
TURBEVILLE, SC 29162
46107020144

BRYAN SUZANNE MARIE
518 W CLIFFORD ST
WINCHESTER, VA 22601
46107020154
46107020155

LAIL STACY LEO JR & KATHERINE H
515 US 221 HWY S
RUTHERFORDTON, NC 28139
46107020191

SURFSIDE SEALOF 10 LLC
252 W MAIN ST
HANCOCK, MD 21750
46107020194

BUIE WILSON ROBERT III ETAL
5100 PINESTRAW RD
COLUMBIA, SC 29205
46107020188

CALI SUSAN
10 N OAK DR #7
SURFSIDE BEACH, SC 29675
46107020186
Planning Commission Issue Paper
Action Item 7(3) Resolution Recommending amendments to the Town’s Comprehensive Plan (Future Land Use Map)

Issue

The current Future Land Use Map located within the Town’s Comprehensive Plan calls for properties located on Surfside Drive from Poplar Drive to Willow Dr. to be zoned Mixed Use. The Planning Commission, after reviewing the areas and requirements recommend extending the Mixed Use District from Willow Dr. to Dogwood Drive.

After a comprehensive review of the C3 (Amusement District) the Planning Commission also recommends the addition of a new district to be called the Entertainment District (E-District) (Shown on attached map).

When an amendment is proposed for the Comprehensive Plan, steps must be taken in accord with §6-29-520 and §6-29-530 of the State Code. The requirements include:

- A resolution be approved by affirmative vote of at least a majority of the entire membership of the Planning Commission.
- The resolution must be recorded in the planning commission’s official minutes.
- A copy of the recommended amendment must be sent to the town council requesting the adoption of the amendment.
- Town Council must hold a public hearing after publishing the notice of public hearing at least 30 days prior to the hearing. (Public Notice was published in the local paper on June 29, 2018).
- Town Council must adopt the amendment of the comprehensive plan by ordinance. The town council cannot approve the amendment on final reading of the ordinance until the planning commission has recommended the amendment.

Staff has prepared a resolution recommending the Future Land Use Plan be amended to include the expansion of the Mixed Use District to include properties from Willow Dr. to Dogwood Drive; and to add a new district to be called the Entertainment District (E-District) as shown on attached map.
RESOLUTION OF THE SURFSIDE BEACH PLANNING COMMISSION
RECOMMENDING THE AMENDMENT OF TOWN OF SURFSIDE BEACH COMPREHENSIVE PLAN 2013-2022

WHEREAS, the General Assembly of South Carolina enacted in 1994 an amendment to the Code of Laws of South Carolina by adding Chapter 29 to Title 6, “South Carolina Local Government Comprehensive Planning Enabling Act of 1994” ["the State Code"]; and

WHEREAS, the State Code §6-29-520 requires the planning commission, by resolution carried by the affirmative vote of at least a majority of the entire membership recommend amendments to the comprehensive plan; and

WHEREAS, the Surfside Beach Planning Commission ["the commission"] has identified the Land Use Element of the Comprehensive Plan, specifically the Future Land Use Map as a need to be amended to better fit the town and incorporate walkability from the Central Business District (C2) to the Amusement Commercial District (C3); and

WHEREAS, the commission recommends that the town council hold a public hearing pursuant to §6-29-530 of the state code to receive input to amend the Future Land Use Plan to include an Entertainment District and to extend the Mixed Use District from Poplar Drive down Surfside Drive to Dogwood Drive; and

WHEREAS, a copy of proposed amendments to the Town of Surfside Beach’s Future Land Use Map located within the Town’s Comprehensive Plan is incorporated herein with a map outlining the proposed Entertainment District and the extension of the Mixed Use District;

NOW THEREFORE, THE SURFSIDE BEACH PLANNING COMMISSION, BY A VOTE OF __________ TO __________, RECOMMENDS AMENDING THE TOWN’S COMPREHENSIVE PLAN 2013-2022 SPECIFICALLY THE FUTURE LAND USE MAP TO INCORPORATE A NEW DISTRICT TO BE KNOWN AS THE ENTERTAINMENT DISTRICT (E-DISTRICT) AND TO EXPAND THE MIXED USE DISTRICT (MU) FROM POPULAR DRIVE TO DOGWOOD DRIVE.

THIS RESOLUTION AND ALL REFERENCED ATTACHMENTS ENTERED INTO THE RECORD OF THE PLANNING COMMISSION ON JULY 9, 2018.

Carrie Johnson, Chairman
Planing Commission Issue Paper
Discussion Item 8A – Entertainment District

At the June 5, 2018 planning commission meeting a representative of two property owners within the proposed Entertainment District. The presentation, with PowerPoint showed two existing properties being renovated as is and not being elevated. A proposed deck (not connected to either building) was to expand from one building to the other to allow for a second story restaurant with seating outside. The representative stated parking would be moved to the front and rear of the property but the number of existing parking spaces would remain.

At the May meeting the planning commission recommended the parking requirements remain as is. Requiring the number of all parking spaces on each parcel to remain. If additional square footage is added to an existing building parking must increase.

Staff has reviewed the presentation and offer the following:

- Any renovation, expansion, addition etc. to the existing buildings are limited to 48% of the value of each building unless the structure is brought into compliance with the town’s Flood Damage Prevention Ordinance. The value is determined by the Horry Council Assessor’s office building value, or the owner can submit an appraisal from a SC licensed assessor that has been done in the last 6 months.
- The planning commission has discussed having a 5 ft. setback on each side. Concerns with the stormwater run-off and landscaping was noted as the biggest concerns. If the planning commission allows the side yard setbacks to be zero (0), the commission can also require a stormwater plan designed and engineered by a SC licensed engineer be submitted to the PB&Z department for review and approval on each lot. This would ensure stormwater requirements are met and maintained per lot.
- By eliminating the side yard setback requirements, the deck (being proposed by the developer) could be built to the side property line of each lot. (after meeting all other requirements of the town codes). If zero (0) lot lines are allowed on the sides this allowance must be district wide.
- If zero (0) side yard setbacks are approved, the “two structures per lot” would not be required or needed for this project.
- The commission would have to re-address their proposal and recommendation at previous meetings that state adding square footage to property would require additional parking. The deck would allow for additional square footage and seating. Any changes to this requirement would also apply to all properties within the district.
- Currently the deck being proposed would be classified as an accessory use because it’s not attached to the building. Accessory uses are not allowed within the Coastal A flood zones. These properties are currently within this zone. The proposed Flood Maps have the Coastal A line excluding these properties. If town council would amend the current flood maps to abandon the existing Coastal A line and adopt the newly proposed Coastal A zone the deck could be built as an accessory.
- By adopting the proposed Coastal A zone quite a few other properties would benefit by being removed; while new properties would be included in the zone and have more restrictive requirements. This change can only be made by town council after a public hearing.

(McNair’s presentation is attached for your further review)
E-District: 12 & 14 S. Ocean Blvd

Presented by: Jim Gillham

Attorneys

McNair & Zornung Commission
Presentation to Surfside Beach Planning

June 5, 2015
MEETINGS

- Generate Tax Dollars
- Work & Support their families
- Spend time with their families
- Seek entertainment
- Enjoy the beach

It is where people:

- It is a mixed commercial & residential area.
- It attracts residents, visitors & business.

THE PIER IS THE HEART OF THE TOWN
The Town does not need to lose businesses in the existing C-3 (and proposed E) district. Currently, 82% of the Town's tax base comes from businesses in the C-3 and R-3.
- More dining options
- Keep up with competition
- No building taller than 55 feet of the town
- Attract desirable commercial projects that enhance the area & preserve the legacy
- Promote walkability around the pier
- Preserve mixed-use/preserves (tax base)
- Retain residential structures in the current C-3 District and proposed E-District

The proposed E-District would help preserve the Pier as the heart of the Town
Walkability increases value.

- Prices for commercial properties are up to 43% in highly walkable areas.
- Walkable communities command rent premiums of 66% higher for multi-
- Increased walkability of neighborhoods and communities.
- National data demonstrates that both baby boomers and millennials favor the

- 71% higher for retail.
1214 S. Ocean Blvd. Now
12 x 14 S. Ocean Blvd. Future (TP Approved)
No loss of parking places with proposal.

Buildings will be connected by concrete structure across lot line.

Foot print no bigger than the existing structures on the lots.

- Taco Bar/Mexican
- Ice Cream
- Coffee Shop/Bakery

Will feature 3 restaurants.

APPROVED

12 & 14 S. Ocean Blvd, Future (IP)
The Grandfathered business will remain but for how long and then what will take their place.

In the E district is going to be able to comply with parking requirements.

If we do not want to erect parking garages (and no one wants that) no new business.

Finite space around the Pier and in the proposed E district.

Proposed development cannot take place with parking regulations.

(PARKING)

IMPEDEMENTS TO PROPOSAL
Approximately 45 parking spaces surrounding the Pier

Only 10% full this past Saturday.
10 weeks per year. It gets to capacity.
This parking lot is empty 40 weeks a year.
115 public parking spaces behind 12 6 14 S. Ocean Blvd.

**THE AVAILABLE PARKING**
EMPTY PARKING SPACES
(MAY 2017)
Parking regulations for proposed districts need to be re-examined.

The Town's ordinances require more parking than is currently available at the Pier.

In April 23, 2018, minutes, it was acknowledged that after reconstruction, parking is an issue for all businesses around the Pier.
Colonial Trends estimates that the ride-sharing industry will grow considerably by
increasing miles in the future.

Ride-sharing (Uber, Lyft, etc.) continue to increase in popularity. People are
where they are staying.

Certainly, some people will walk off the beach or walk from a hotel or beach house
driving. People will get to the district in multiple ways, not all of which will involve

DISTRICT
OTHER WAYS OF GETTING TO E
This is no different than what is currently going on at the Pier.

- 12 & 14 S. Ocean Blvd are the only parcels that would be affected by Sec. 17-404.

amended to exclude the B district from its provisions.

- When the B district was initially proposed, it was proposed that Sec. 17-404 be

Sec. 17-404 allows only one building on any lot. (excepts R-3 district)

ON 2 LOTS

PROHIBITION AGAINST 1 STRUCTURE

IMPEDEMENTS TO PROPOSAL
Normally, in central business districts or historic districts, we see Zero Lot Line.

We would like to see a return to 0 setbacks in the E district.

Subsequently, PEZ recommended a 10 ft. front setback and 5 ft. setbacks on each side.

When initially proposed, there were no setback requirements in the E district.

SETBACKS
Return to Zero Setback

Exception for district from Sec. 17-404

Remove parking requirements from E district

FOR PROPOSED PROJECT