

Ordinance No.20-0226
First Reading: 10.27.20
Second Reading: 11.10.20

STATE OF SOUTH CAROLINA) AN ORDINANCE TO THE ZONING ORDINANCE OF THE TOWN OF
SURFSIDE BEACH TO AMEND CHAPTER 17, ARTICLE II
COUNTY OF HORRY) ADMINISTRATION, SECTION 17-201 EXCEPTIONS AND
MODIFICATIONS TO ADD LANGUAGE REGARDING THE PERMITTING
TOWN OF SURFSIDE BEACH) OF HANDICAPPED ACCESSIBLE RAMPS, LIFTS, LANDINGS, AND
ELEVATORS

WHEREAS, the Mayor and the Town Council of the Town of Surfside Beach, in Council duly assembled on this 27th day of October, 2020; and,

WHEREAS, South Carolina Code § 6-29-310 empowers an appointed municipal planning commission to hear and make recommendations on zoning changes; and,

WHEREAS, On September 1, 2020, the Planning Commission discussed the proposed text change favorable and requested that staff schedule a public hearing to vote on the matter so as to forward a recommendation to the Surfside Beach Town Council;

NOW, THEREFORE, by the power and authority granted to the Surfside Beach Town Council by the State of South Carolina that the Surfside Beach Zoning Ordinance is hereby amended as follows:

Chapter 17, Zoning, Article II Administration, Section 17-201 Exceptions and Modifications is hereby amended to include the following:

Sec. 17-201. - Exceptions and modifications.

(g) Enclosed and unenclosed and uncovered handicapped access ramps, lifts, and landings.

1) Residential uses. Unenclosed and uncovered ramps, lifts, and associated landings necessary to provide handicapped access may extend into the required setback, provided the landings are no larger than ADA (Americans with Disabilities Act) requirements for landings. Enclosed elevators may encroach no more than 50% into the required setback without a variance.

2) Commercial uses. Unenclosed and uncovered ramps, lifts, and associated landings necessary to provide handicapped access may extend into the required setback, provided the building existed prior to the adoption of the American with Disabilities Act in 1990, and provided the landings are no larger than ADA (Americans with Disabilities Act) requirements for landings.

SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

EFFECT OF SECTION HEADINGS. The headings or titles of the sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

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

BE IT ORDERED AND ORDAINED, by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof this day of November, 2020.

Bob Hellyer, Mayor

Debbie Scoles, Mayor Pro Tempore

Bruce Dietrich, Town Council

David Pellegrino, Town Council

Paul Holder, Town Council

Cindy Keating, Town Council

Michael Drake, Town Council

Attest: _____
Sheri Medina, Town Clerk