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ZONING ORDINANCE

SURFSIDE BEACH
SOUTH CAROLINA



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TITLE: Zoning Ordinance, Surfside Beach, South Carolina

AUTHOR: Office of Planning, Division of Administration,
Office of the Governor

SUBJECT: Zoning Regulations

DATE: June, 1972

LOCAL
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ABSTRACT: For the purpose of controlling the use and development of land in accordance with a comprehensive plan, the Town of Surfside Beach, South Carolina, has been subdivided into residential, commercial, and other zoning districts. Appropriate land use regulations are set forth in each district.

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June, 1972

Prepared for the
Surfside Beach Planning and Promotion Board
By the Office of Planning
Division of Administration
Office of the Governor

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AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR THE TOWN OF SURFSIDE BEACH, SOUTH CAROLINA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF IN ACCORDANCE WITH THE GENERAL STATUTES OF SOUTH CAROLINA, VOLUME 3, CHAPTER 7.1, ARTICLE 3, SECTION 14-350, 1962 CODE OF LAWS, 1968 CUMULATIVE SUPPLEMENT.

ARTICLE I
TITLE

This ordinance shall be known and may be cited as the Zoning Ordinance of the Town of Surfside Beach, South Carolina.

ARTICLE II
OBJECTIVES

The objectives of this ordinance are to guide development in accordance with present and future needs as defined in the Comprehensive Development Plan, to protect, promote, and improve the public health, safety, morals, and general welfare of the community; to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to provide for adequate light and air; to prevent the overcrowding of land; to avoid undue concentrations of population; to protect scenic areas; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. To accomplish these stated objectives, this ordinance and the accompanying zoning maps have been designed with reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular groups of functionally related land uses. To further provide for the peculiarity of individual districts, the objectives of the separate districts are stated in and made a part of the regulations governing said districts.

ARTICLE III
ESTABLISHMENT OF ZONING DISTRICTS

To achieve the objectives set forth in Article II of this ordinance, the following zoning districts are hereby established.

A-1	Accommodations, single-family residential
A-1-a	Accommodations, single-family residential
A-3	Accommodations, multi-family residential
A-4	Accommodations, resort residential
A-5	Accommodations, mobile residential
A-6	Accommodations, mobile resort residential
AC-1	Accommodations, commercial, resort
C-1	Commercial, primary
C-2	Commercial, highway
OC-1	Commercial, office
I-1	Industrial, limited
CP-1	Conservation - Preservation

The boundaries of the above zoning districts are hereby established as shown on the Official Zoning Map of the Town of Surfside Beach which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

The Official Zoning Map shall be identified by the signature of the Mayor attested by the Town Clerk, and bearing the Seal of the Town under the words: "Official Zoning Map, Town of Surfside Beach, South Carolina," together with the date of the adoption of this ordinance. The Official Zoning Map shall be located in the office of the Building Inspector and shall be the final authority as to the current zoning status of land, water areas, buildings, and other structures in the Town, notwithstanding any other zoning map purported to be a copy of the Official Zoning Map.

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the center of streets, highways, railroad lines, utility easements, or alleys shall be construed to follow such center lines;
2. Boundaries indicated as approximately following platted lot lines and city limit lines shall be construed as following such lines;
3. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shorelines shall be construed as moving with the actual shorelines; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such center lines;
4. Boundaries indicated as parallel to or extension of features indicated in subsections 1 through 3 above shall be so construed;
5. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the Map.

ARTICLE IV USE GROUPS

In order to carry out the provisions of these regulations, the use of the land, buildings, and other structures are hereby divided, combined and classified into functionally compatible use groups. The names of the groups, and a list of permitted uses allowed within the groups are set forth in this Article. The provisions by which these groups are permitted in the several districts are set forth elsewhere in these regulations.

Whenever a use is specifically listed in a use group, and also could be construed to be incorporated within a more inclusive listing in another group, the more specific listing shall control. Land uses, buildings or other structures not specifically included or implied in the description of a use group, shall not be permitted within said use group.

Within the area of jurisdiction of the Town of Surfside Beach, the following use groups are hereby established and herein defined.

NUMBER NAME, DESCRIPTION AND LIST OF PERMITTED USES

1 AGRICULTURE

Permitted Uses:

- (a) Land used for agricultural purposes, including farming, horticulture, truck gardens and commercial nurseries; and the sale of products raised on the premises, provided, processing of such products for sale shall be limited to sorting, grading and packaging and shall not include cooking, canning, juice manufacture, or slaughtering and cleaning of animals or poultry.
- (b) Establishments for housing and treating domestic animals, provided that any treatment rooms, cages, pens, or kennels be maintained in such a way as to produce no objectionable odors outside its walls.
- (c) Private or commercial stables.

Accessory Uses: Customary incidental uses, including sheds, barns and facilities for packing and storing agricultural products.

2 RESIDENTIAL, SINGLE FAMILY

Principal Uses: Single family detached dwelling.

Accessory Uses: Customary incidental uses, including garages, swimming pools, non-commercial greenhouses, and home occupations.

3 RESIDENTIAL, TWO FAMILY

Principal Uses: One and two family dwellings.

Accessory Uses: Customary incidental uses, including garages, swimming pools, and non-commercial greenhouses, and home occupations.

4 RESIDENTIAL, MULTI-FAMILY

Principal Uses:

- (a) One, two and multi-family dwellings, including townhouses, condominiums, apartments and cooperative apartments for permanent occupancy.
- (b) Group Developments.

Accessory Uses:

- (a) One and two family dwellings. Customary incidental uses including garages, home occupations, non-commercial greenhouses and swimming pools;
- (b) Multi-family dwellings and Group Developments. Customary incidental uses including parking lots, swimming pools and coin operated vending machines for candy, tobacco, ice, soft drinks, laundry facilities, and sundries, provided the machine operations are located within a principal building designed to cater primarily to the residents of the development and accessible only from an interior court, lobby or corridor.

5 RESIDENTIAL, RESORT

Principal Uses: Establishments providing for resort type accommodations, including: hotels, motels, and tourist homes, including apartment accommodations for short-term residency.

Accessory Uses:

- (a) A resort accommodation shall be permitted to establish restaurants, newsstands and snack bars within the principal building, designed to cater primarily to the guests of the facility, and accessible only from an interior court, lobby or corridor;
- (b) A resort accommodation containing fifty (50) 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, florists, gift shops, confectionary stores, newsstands, night clubs, restaurants, snack bars, beach and automobile rental agencies;

- (c) Parking lots and swimming pools.

6 RESIDENTIAL, MOBILE HOME

Principal Uses. Mobile homes (trailers), whether on wheels or a foundation, designed to serve as living quarters, whether permanent or occasional.

Accessory Uses. Customary incidental uses including management headquarters, recreational facilities, toilets, showers, coin-operated laundry facilities and other uses provided such establishments shall be restricted in their use to occupants of the park.

7 RESIDENTIAL, TRAVEL TRAILERS

Principal Uses. Travel trailers, tents, campers, and equivalent facilities constructed in or on automotive vehicles for short-term housing or shelter arrangements, provided that such facilities shall not exceed thirty (30) feet in length.

Accessory Uses. Customary incidental uses including management headquarters, recreational facilities, toilets, showers, coin-operated laundry facilities and other uses provided such establishments shall be restricted in their use to occupants of the park.

8 SOCIAL AND CULTURAL

Principal Uses.

- (a) Education - Establishments providing for mental development and enlightenment of the individual, including universities and colleges, kindergartens, primary and secondary schools, music, dance, craft and art schools; business and other specialized training schools; museums; libraries; and art galleries when non-profit;
- (b) Religion - Establishments providing for religious services and development including: churches, temples, synagogues, educational building and rectories;
- (c) Recreation - Places for active or passive play, including: playgrounds, parks, tennis courts, ball fields, swimming pools and golf courses, but not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but including a building for a golf shop, locker room, and snack bar.

Accessory Uses. Customary incidental uses, but not to include open air storage.

9 SOCIAL AND CULTURAL, LIMITED

Principal Uses. Includes all uses permitted in the Social and Cultural Use Group 8, with the exception of music, dance, craft and art schools; business and other specialized training schools; museums; libraries, art galleries, and private kindergartens, which are exclusively prohibited.

Accessory Uses. Customary incidental uses, but not to include open air storage.

10 BUSINESS, PRIMARY RETAIL

Principal Uses. Establishments selling commodities in small quantities to the consumer, usually low bulk comparison items which are normally found in the central business district, including department stores, and stores selling general merchandise, variety merchandise, shoes, millinery, clothing, jewelry, books, flowers, gifts, music, cameras, luggage, opticals, cigars, candy, sewing machines, picture framing, sporting goods, stationery, watches, art supplies, hobby supplies, stamp and coin, furs, leather goods, records, pet shops, saving stamp stores.

Accessory Uses. Customary incidental uses but not to include open air storage.

11 BUSINESS, SECONDARY RETAIL

Principal Uses. Establishments selling primarily one-stop shopping items usually high bulk and very often more expensive items than those listed in Primary Retail Business Use Group, including stores selling appliances, radio, television, floor coverings, furniture, home furnishings, antiques, automobiles and auto accessories, motorcycles, boats, trailers, hardware, lumber, paint, wallpaper, farm equipment, agricultural implements, auction items, business machines, typewriters, adding machines, building materials, road building equipment, loan and pawn shop, office equipment, restaurant equipment, second hand items, used cars, tombstones, surplus material, bicycles, guns, light fixtures, tackle shops, used auto parts.

Accessory Uses. Customary incidental uses, not to include open air storage.

12 BUSINESS, SECONDARY RETAIL, LIMITED

Principal Uses. Establishments selling primarily one stop shopping items compatible with and complementary to primary retail sales establishments, including stores selling appliances, radios, televisions, floor coverings, furniture, home furnishings, antiques, motorcycles, auto accessories, auction houses, business machines, typewriters, adding machines, loan and pawn shops, office equipment, restaurant equipment, second hand items, bicycles, guns, light fixtures, and tackle shops.

13 BUSINESS, CONVENIENCE RETAIL

Principal Uses. Establishments providing convenience items and services to the general public including barber and beauty shops, drug stores, gasoline service stations, grocery and food stores;

flower shops, laundromats and dry cleaning pickup stations; beverage stores, confectionaries, delicatessens, news and magazine stands, and bakeries where products are sold exclusively at retail and on premises.

Accessory Uses. Customary incidental accessory uses, but not to include open air storage.

14 BUSINESS, CONVENIENCE RETAIL, LIMITED

Principal Uses. Establishments limited to five thousand (5,000) square feet of gross floor space, including storage, and providing convenience items and services to the general public. Such establishments are limited to the following uses; barber and beauty shops; drug stores; grocery and food stores; flower shops; beverage stores; confectionaries; delicatessens, and bakeries whose products are sold exclusively at retail and on premises.

Accessory Uses. Customary incidental accessory uses, but not to include open air storage.

15 BUSINESS, WHOLESALE

Principal Uses. Establishments selling commodities in large quantities to retailers, including wholesalers for all types for retail products, bulk stations for gasoline, kerosene, fuel oil, bottled gas, etc., and warehouses, storage sheds and areas.

Accessory Uses. Customary incidental uses, including open air storage.

16 BUSINESS, AMUSEMENT SERVICES

Principal Uses. Establishments providing entertainment primarily as a commercial activity in contrast to play or recreation activities, including theaters, billiards, pool halls, bowling alleys, skating rinks, dance halls, shooting galleries, taverns, clubs, amusement parks, piers, and arcades, miniature golf, boardwalk, bath houses, sight-seeing depots, variety merchandise shops, and eating places.

Accessory Uses. Customary incidental uses, but not to include open air storage.

17 BUSINESS, AMUSEMENT SERVICES, LIMITED

Principal Uses. Establishments providing for limited commercial entertainment activities, including theaters, drive-in theaters, coliseums, golf driving ranges, miniature golf courses, billiards, pool halls, bowling alleys, and skating rinks.

Accessory Uses. Customary incidental uses, but not to include open air storage.

18 BUSINESS, PERSONAL SERVICES

Principal Uses. Establishments providing services pertaining to the person or to his apparel and personal effects, including eating places and drive-ins dispensing food, barber and beauty shops, washerettes, laundromats, dry cleaning and laundry pickup, tailor, dressmaker, photographers studios, jewelry and watch repair, funeral homes, cold storage lockers, exterminating companies, eyeglass sales, and shoe repair shops.

Accessory Uses. Customary incidental accessory uses, but not to include open air storage.

19 BUSINESS, PROFESSIONAL SERVICES, ADMINISTRATIVE

Principal Uses. Establishments of a business character which supply general needs of an intangible nature to the public, including establishments performing the management duties in the conduct of government, business, industry, or welfare, including: administrative offices of Federal, state and local governments; utilities, businesses, and social welfare organizations.

Accessory Uses. Customary incidental accessory uses, but not to include open air storage.

20 BUSINESS, PROFESSIONAL SERVICES, FINANCIAL AND ADVISORY

Principal Uses. Establishments engaged in providing monetary and specialized professional knowledge (except medical) to the community, including offices of lawyers, accountants, engineers, designers, architects, advertising agencies, credit and finance, brokers, banks, Chambers of Commerce, professional organizations, unions, employment agencies, business consultants, photographers, real estate.

Accessory Uses. Customary incidental uses, but not to include open air storage.

21 BUSINESS, GENERAL SERVICES

Principal Uses. Establishments of business character providing maintenance, installation, repair of specialized office needs to individuals, or other businesses, including repair shops, duplicating, mimeographing and multilithing shops, addressing and mailing services, stenographic and letter writing services, blueprinting, photostating and film development establishments.

Accessory Uses. Customary incidental uses, but not to include open air storage.

22 HEALTH AND WELFARE

Principal Uses.

- (a) Medical - Establishments engaged in the science and art of preventing, curing, or alleviating disease, including medical, surgical, psychiatric, and dental hospitals, clinics, and offices, but excluding veterinary clinics and associated uses;
- (b) Institutional - Establishments organized by the community or through corporated efforts for the social care of a class or group of persons, including homes and institutions for the deaf, blind, aged, and mental and medical patients; penal institutions, orphanages and sanitoriums;
- (c) Related - Establishments complementing medical and institutional operations, including flower and gift shops, apothecary shops, and funeral homes.

Accessory Uses. Customary incidental uses, not to include open air storage.

23 TRANSPORTATION AND COMMUNICATION

Principal Uses. Establishments providing for the interchange of passenger and freight, including bus passenger and parking terminals, truck terminals, railroad passenger and freight terminals, railway express freight terminals, air passenger terminals and freight depots, piers, taxicab stands and yards, and establishments carrying and or conveying written, oral or visual information to the general public including newspaper offices and plants, post offices, broadcasting studios, telephone and telegraph offices, etc.

Accessory Uses. Customary accessory uses including maintenance shops and vehicle storage.

24 TRANSPORTATION AND COMMUNICATION, LIMITED

Principal Uses. Bus passenger and parking terminals, taxicab stands and yards, and establishments carrying and/or conveying written, oral or visual information to the general public including newspaper offices and plants, post offices, broadcasting studios, telephone and telegraph offices, etc.

25 MANUFACTURING

Principal Uses. Industrial uses and processing plants, provided that such uses shall not be injurious or obnoxious to surrounding development, as determined by the building inspector.

Accessory Uses. Customary incidental accessory uses, to include open air storage.

26 MANUFACTURING SERVICES

Principal Uses.

- (a) Construction - Establishments engaged in the construction, repair, or demolition of buildings, streets, water and sewer systems, bridges and similar construction, including, but not limited to: building, electrical, heating, air conditioning, heavy construction, paving and earth moving operations;
- (b) Utilities - Establishments producing or generating electricity, gas, water, and sanitary services, including but not limited to: electric generating plants, storage tanks, water plants, and garbage incinerators;
- (c) Miscellaneous - Establishments supplying other businesses industries or individuals, including, but not limited to: laundry and dry cleaning plants, linen supply plants, open and closed storage, cabinet and metal shops, welding shops, and tire retreading operations.

Accessory Uses. Customary accessory uses.

27 CONSERVATION - PRESERVATION

Principal Uses. Open space uses including activities related to soil and water conservation, recreational equipment and facilities, boat docks and marinas, structures or sites acknowledged by the City Council to be of historical significance and public utility, water, and waste disposal facilities.

Accessory Uses. Customary incidental uses including maintenance buildings, club houses, and business activities supplemental to open space use operations.

ARTICLE 5

USE, DIMENSIONAL AND PARKING REGULATIONS

ZONING DISTRICTS	OBJECTIVES	USE GROUPS PERMITTED		SPECIAL REGULATIONS	CONDITIONS						OFF STREET PKNG. REQUIREMENTS	OFF STREET LOADING REGS.
		NO.	NAME		MINIMUM LOT REQUIREMENTS		MIN. YARD REQUIREMENTS : Meas. fr. Prop. Lines In Ft.					
					LOT AREA PER DWLG. UNIT	TOTAL LOT AREA	FRONTAGE	FRONT	SIDE	REAR		
A-1 Accommodation, single-family residential	To provide for quiet, livable, low density, single-family residential neighborhoods.	2	Residential, Single-family	Required yards for Use Group Nine (9) shall be landscaped and shall not be used for parking or accessory buildings.	Nine thousand (9,000) square feet. No minimum specified for Use Group Nine (9)	Nine thousand (9,000) square feet.	Eighty feet.	Thirty (30) feet.	Fifteen (15) feet	Twenty (20) feet.	One (1) space for each dwelling unit. For Use Group Nine (9), one (1) space for each two hundred fifty (250) feet of gross floor area; for educational facilities, one (1) space for each classroom and administrative office.	None
A-1-m Accommodations, single-family residential					Seven thousand (7,000) square feet. No minimum specified for Use Group Nine (9).	seven thousand (7,000) square feet	Sixty-five (65 Feet)	Twenty Five (25) Feet	Ten (10) feet.			
A-3 Accommodations, multi-family residential	To provide for needed high density development within the city	4	Residential Multi-Family	For group developments of three (3) or more units, the maximum number dwelling units per acre shall not exceed the number indicated on the following table. In instances where the permitted figure is determined to include a fraction, the less round number will apply: Permitted Multiple-Family Dwelling Units per Net Acre by Unit Type	For One (1) and two (2) family units, seven thousand (7,000) square feet, for three (3) or more dwelling units, the minimum area per dwelling unit shall not be less than indicated by dwelling unit type of the following schedule. Lot Area Square Footage Required for Multiple-Family Dwelling						One (1) space per dwelling unit for one and two family dwellings. One and one half spaces per dwelling unit are required for multi-family dwellings and group developments. For Use Group Nine (9), one (1) space for each two hundred fifty (250) feet of gross floor area; for educational facilities, one (1) space for each classroom and administrative office.	
					Unit Type	Stories	4 or more					
					Efficiency	21	30	30				
					1 Bedroom	21	24	26				
					2 Bedrooms	16	17	20				
					3 Bedrooms	11	13	16				
					4 or more	9	10	12				
A-4 Accommodations, Resort, Residential	To provide for the orderly development of certain areas within the community where both residential and resort-type land uses are now in evidence, and where, because of proximity to the ocean, the continuation of such "mixed development" would promote year 'round use of public facilities and allow for flexibility of development in accordance with the economic practicability of various types of resort and residential uses.	4	Residential, Multi-Family		For Use Group Four (4), requirements are the same as in the A-3 District. For Use Group Five (5), the following requirements apply: For One-story structures, one thousand, two hundred (1200) sq. feet per room of accommodation. For two-story structures, one thousand (1000) sq. feet per room of accommodation. For three-story structures, seven hundred (700) sq. feet per room of accommodation. For structures of four or more stories, five hundred (500) sq. feet per room of accommodation. No requirement for Use Group Eight (8).	Five thousand (5,000) square feet	Fifty (50) feet.	Front Row Lots 15	7.5	25	One (1) space per dwelling unit for one and two family dwellings. For multi-family units and group developments, one and one half (1.5) space per dwelling unit. For Use Group Five (5), one (1) space for each two (2) employees plus one (1) space for each room of accommodation. For Use Group Eight (8), one (1) space for each two hundred fifty (250) feet of gross floor area; for educational facilities, one (1) space for each classroom and administrative office.	For each building with a gross floor area between 5,000 and 10,000 square feet, one (1) space shall be required; for each building with a gross floor area between 10,001 and 100,000 square feet, two (2) spaces shall be required; for each building with a gross floor area over 100,000 square feet, three (3) spaces shall be required.
A-5 Accommodations, mobile residential	To provide for sound and healthy residential environments sufficient to meet the unique needs of inhabitants of mobile homes, to protect mobile home groups from encroachment by incompatible land uses, and to encourage the grouping of mobile homes into mobile home districts.	6	Residential, mobile home	Applicants to amend the Zoning Ordinance to establish an A-5 district shall be accompanied by a site plan as provided in Article 12, Amendments. The district shall be designed as a single architectural scheme with appropriate landscaping. The number of spaces for occupancy shall be limited to nine (9) per acre.	None		An A-5 district shall have a minimum area of five (5) acres and a minimum street frontage of fifty (50) feet.			No building shall be erected or mobile home parked at a distance of less than fifteen (15) feet from any other mobile home or building in the district; no mobile home or building shall be located closer than ten (10) feet from the exterior boundary of a mobile home park.	One (1) space for each mobile home	None
A-6 Accommodations, Mobile Resort Residential	To provide for the temporary location of travel trailers, campers, and outdoor camping operations in the Town of Surfside Beach, while minimizing any detrimental effects from such transient operations.	7	Residential, Travel trailer	Applications for amending the zoning map to establish an A-6 District shall be accompanied by a site plan as provided for in Section 32-9 Amendments. The District shall be designed as a single architectural scheme with appropriate common landscaping. Spaces for occupancy in the A-6 District shall be rented by the day or week only, and occupants of such spaces shall remain in the same trailer park not more than ten (10) days. Because of the temporary nature of travel trailers, the location of such parks shall be restricted to sites with direct access to the King's Highway or Ocean Boulevard. No entrance or exit from a trailer park shall be through a residential district. The number of spaces for occupancy shall be limited to seventeen (17) per acre.	No applicable. Uses permitted in the A-4 District are not allowed on individual lots unless parked or stored as provided for in Section 32-6.		An A-6 Travel Trailer Park District shall have a minimum tract area of two (2) acres and a minimum street frontage of fifty (50) feet.			No building shall be erected or travel trailer parked at a distance of less than ten (10) feet from any other trailer coach or building in the park area, nor any closer than a distance of forty (40) feet from any street right-of-way, and ten (10) feet from any other Use District.	One (1) space (See Article XI, Definitions) for each principal use permitted in the District.	
AC-1 Accommodations, Commercial, resort	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.	5	Residential, resort	Required yards for Use Group Eight (8) shall be landscaped and shall not be used for parking or accessory buildings. No special regulations applicable to other uses in the district.	Requirements for Use Group Five (5) are the same as apply in the A-4 Accommodations, Resort, Residential District. No requirement for uses other than residential.	Five thousand (5,000) square feet	Sixty (60) feet			No building shall be erected any closer than twenty five (25) feet from any Accommodations district; no requirements elsewhere. A minimum accessible open space shall be provided on the ground floor, equal to three (3) percent of the total lot area, or as much as may be necessary to provide adequate space for: an eight (8) cubic yard Dumpster-Dumpster; service and utility fixtures including electric transformers, gas and fuel oil tanks, air conditioners, heat pumps and all other such items.	For service stations and outdoor retail operations, four (4) spaces for each person employed; for retail stores, one (1) space for each two hundred (200) square feet of gross floor space; for professional and business offices, one (1) space for each two hundred fifty (250) square feet of gross floor space.	One (1) space, twelve (12) by forty (40) feet, for each five thousand (5,000) square feet of gross floor area.
OC-1 Commercial, Office	To encourage the formation and continuance of a quiet, compatible and un congested environment for office type businesses or professional firms and residential uses.	4	Residential, multi-family	None	For Use Group Four (4), requirements are the same as for the A-3 District. For Use Group Five (5), requirements are the same as for the A-4 District. No requirement for uses other than residential.	None	None	Twenty (20) feet	Seven and one half (7.5) feet	Twenty (20) feet	For Use Group Four (4), requirements are the same as for the A-3 District. For Use Group Five (5), requirements are the same as for the A-4 District. For Use Groups Minimum (15), Twenty (20), and Twenty-One (21), one (1) space for each two hundred (200) feet of gross floor area.	
C-1 Commercial, primary	To concentrate comparative shopping and professional or service operations in centrally located areas.	5	Residential, Resort	None	None	None	None	None	None	No building shall be erected any closer than twenty five (25) feet from any Accommodations district; no requirements elsewhere. A minimum accessible open space shall be provided on the ground floor, equal to three (3) percent of the total lot area, or as much as may be necessary to provide adequate space for: an eight (8) cubic yard Dumpster-Dumpster; service and utility fixtures including electric transformers, gas and fuel oil tanks, air conditioners, heat pumps and all other such items.	For Use Group Five (5), the requirements are the same as those applicable in the A-4, Accommodations, Resort, Residential District.	
C-2 Commercial, highway	To serve the automobile and its passengers and to provide for commercial activities in harmony with major highway development.	5	Residential, Resort	None	None	None	None	Twenty (20) feet	Seven and one half (7.5) feet	Twenty (20) feet	For retail stores, one (1) for each two hundred (200) square feet of gross floor area; for professional or business offices, one (1) space for each two hundred fifty (250) square feet of gross floor space; for banks and restaurants, one (1) space for each one hundred fifty (150) square feet of gross floor space; for service stations and outdoor retail operations, four (4) for each person employed. For Use Group Five (5), the requirements are the same as those applicable in the A-4, Accommodations, Resort, Residential District.	
I-1 Industrial, Limited	To provide for areas within the community where certain manufacturing and transportation-related activities may take place.	15	Business, Wholesale	None	None	None	None	None	None	No building shall be erected any closer than thirty (30) feet from any accommodations district or use. No requirements elsewhere	One (1) space for each two (2) employees plus one (1) space for each vehicle operating from the premises.	
CP-1 Conservation-Preservation	To preserve and/or control development within certain land, marsh and/or water areas of Surfside Beach which (1) possess great natural beauty or are of historical interest; (2) provide needed open space for the health and general welfare of the Town's residents; (3) are used for outdoor recreational purposes or (4) are subject to periodic flooding or otherwise unsuitable for intensive development.	27	Conservation-Preservation	No permit shall be issued for the construction of any building or structure including railroads, streets, bridges, and utility lines or for any use within the district until plans for such construction or use have been submitted to the Planning Commission and approval is given in writing							None	None

ARTICLE VI
SIGN REGULATIONS

The regulations herein set forth shall apply and govern in all districts. No sign shall be erected or maintained unless it is in compliance with the regulations of this Article.

1. General Provisions. The following regulations shall apply to all permitted signs in the Town of Surfside Beach.
 - (a) A permit shall be required for the erection, alteration, or reconstruction of any sign unless otherwise noted and shall be issued by the Building Inspector in accordance with Article X of this Ordinance.
 - (b) Signs must be constructed of durable materials, maintained in good condition, and not permitted to become dilapidated.

2. Prohibited Signs.
 - (a) Signs Imitating Warning Signals. No sign shall display intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles nor shall any sign use the words "stop," "danger," or any other word, phrase, symbol, or character in a manner that might mislead or confuse an automobile or other vehicular driver.
 - (b) Signs within Street or Highway Rights-of-Way. Except as herein provided, no sign whatsoever, whether temporary or permanent, except traffic signs and signals and information signs erected by a public agency, is permitted within any street or highway right-of-way.
 - (c) Certain Attached and Painted Signs. Signs painted on or attached to trees, fence posts, and telephone or other utility poles, or signs painted on or attached to rocks or other natural features, are prohibited.
 - (d) Fluttering Ribbons and Banners. Fluttering ribbons and banners and similar devices are prohibited, except the flags of governments and their agencies.

3. Signs for which a Permit is Not Required. A permit is not required for the following types of signs in any Zoning District:
 - (a) Traffic, directional, warning, or information signs authorized by any public agency.

- (b) Official notices issued by any court, public agency, or officer.
 - (c) One nonilluminated "for sale," "for rent," and "for lease" sign each of which shall not exceed six (6) square feet in area in residential districts, and twenty (20) square feet in other than residential districts, and located not less than ten (10) feet back from the street right-of-way line, unless attached to the front wall of a building.
 - (d) One permitted home occupation sign, provided it is non-illuminated no larger than one (1) square foot, and mounted against a wall of the principal building.
4. Regulations Applying to Specified Types of Signs. The following regulations apply to the following specified types of signs:
- (a) Roof Signs. Not more than one (1) roof sign structure may be erected on the roof of any one (1) building. No roof sign shall extend more than thirty (30) feet above the elevation of the roof or exceed in area the amount permitted on the wall over which it is erected.
 - (b) Wall Signs. Signs on the walls of a building (including signs attached flat against the wall, painted wall signs and projecting signs) shall meet the following requirements:
 - (1) Signs on the Front Surface of a Building. The total area of signs on the exterior front surface of a building shall not exceed twenty (20%) percent of the front surface of a building, so long as the figure does not exceed the total amount of sign area permitted within the Zoning District where the sign or signs are to be located.
 - (2) Signs on the Side and Rear Surface of a Building. The total area of signs on a side or rear surface of a building shall not exceed twenty-five (25%) percent of the exterior side or rear surface of the building respectively, so long as this figure does not exceed the total amount of sign area permitted within the Zoning District where the sign or signs are to be located.
 - (3) The combined sign area on the front, side, and rear surface of a building must not exceed the total sign area permitted within the Zoning District where the sign or signs are to be located.
 - (4) Projecting Signs. Wall signs attached flat against a wall may extend not more than twenty-four (24) inches from the wall. Signs projecting from a wall may extend outward from the wall of a building not more than five (5) feet. A projection sign may not extend above the roof line a distance greater than ten (10) feet. In no case shall signs project beyond property lines except as expressly provided.

- (c) Signs on Work under Construction. One (1) nonilluminated sign, not exceeding forty (40) square feet in area displaying the name of the building, the contractors, the architects, the engineers, the owners, the financial, selling and development agencies is permitted upon the premises of any work under construction, alteration, or removal. Such signs shall be removed from the site within thirty (30) days after the completion of the project.
 - (d) Temporary Subdivision Signs. Temporary signs, not exceeding twenty (20) square feet in area announcing a land subdivision development are permitted on the premises of the land subdivision. They shall be nonilluminated and set back not less than ten (10) feet from the right-of-way of any street or from any boundary line of the land subdivision. Such signs shall be limited to one (1) for each principle entrance to the subdivision. They shall be removed when seventy-five (75%) percent of the lots are conveyed.
 - (e) Permanent Subdivision Signs. Permanent signs of durable construction and not exceeding twenty (20) square feet in area announcing a land subdivision. They shall be nonilluminated and set back not less than ten (10) feet from the right-of-way of any street or from any boundary of the land subdivision. Such signs shall be limited to one for each principle entrance to the subdivision.
5. Sign Illumination. Illumination devices shall be so placed and so shielded that rays therefrom or from the sign itself will not be directly cast into any residential district, sleeping room in any district, or the eyes of an automobile or vehicular driver.
6. Signs Permitted in the A-1, A-1-a, A-3, A-4, A-5 and A-6 Accommodations Districts.
- (a) Signs for which permits are not required.
 - (b) Subdivision signs and signs for "work under construction."
 - (c) For the A-4, A-5, and A-6 districts exclusively; one (1) business identification sign provided the sign does not exceed thirty-two (32) square feet in area, is nonilluminated, and is not higher than ten (10) feet from the ground.
7. Signs Permitted in the AC-1 Accommodations, Commercial, Resort District and the C-1, OC-1 and C-2 Commercial Districts.
- (a) Signs for which permits are not required.
 - (b) Signs permitted in the A-1, A-1-a, A-3, A-4, A-5 and A-6 districts.
 - (c) On any occupied lot in a commercial district, not more than four (4) signs of any type having a total area of not more than six hundred (600) square feet shall be permitted. Appeals may permit additional sign area not to exceed seven hundred fifty (750) square feet per commercial enterprise.

- (d) Commercial uses may include as part of their total permitted sign area one (1) business identification sign which shall be erected so that no portion of the sign shall be less than ten (10) feet back from the street right-of-way.
- (e) Signs in the AC-1, C-1 and C-2 districts may be illuminated excepting that flashing or intermittent illumination within two hundred (200) feet of any A-1, A-1-a, or A-3 district is prohibited.
- (f) Roof signs or wall signs shall, in no case, exceed the requirements of Section 4. Signs projecting over the public right-of-way are permissible only in the C-1 district. Projecting signs in the C-1 district shall have a minimum height above grade or sidewalk level of no less than ten (10) feet and may be located not closer than eighteen (18) inches to a vertical plane at the curb line.

8. Signs Permitted in the I-1 Industrial Districts.

- (a) All signs permitted in accommodations and commercial districts are permitted in industrial districts provided all conditions attached thereto are met.
- (b) On any occupied zoning lot in an industrial district, not more than four (4) signs of any type having a total area of more than six hundred (600) square feet shall be permitted. Appeals may permit additional sign area not to exceed seven hundred fifty (750) square feet per industrial enterprise.
- (c) Industrial uses may include as part of their total permitted sign area one (1) business identification sign which shall be erected so that no portion of the sign shall be less than ten (10) feet back from the street right-of-way line.
- (d) Roof signs or wall signs shall, in no case, exceed the requirements of Section 4.
- (e) On any zoning lot in an industrial district on which no business enterprise is located, one freestanding sign structure having a combined total sign area not exceeding six hundred (600) square feet is permitted. Such structures may not exceed fifty (50) feet in height above the thoroughfare from which they are intended to be viewed, and each structure shall be placed a minimum of ten (10) feet from other signs or buildings.
- (f) Signs in Industrial Districts may be illuminated excepting that flashing or intermittent illumination within two hundred (200) feet of any A-1, A-1-a, or A-3 district is prohibited.

9. Signs - Administration and Enforcement. Sign regulations, as set forth in this section, shall be administered under the provisions of Article X, Section 2.

ARTICLE VII
EXCEPTIONS AND SUPPLEMENTARY REGULATIONS

Exceptions and supplemental regulations to the provisions contained in Article V are as follows:

1. Exceptions to Minimum Lot Requirements.

Where the owner of a lot at the time of the adoption of this Ordinance does not own sufficient land to enable him to conform to the minimum lot requirement of the Zoning District in which his lot is located, such lot may nonetheless be used as a building site. If, however, the owner of two or more adjoining lots, with insufficient lot dimensions, decides to build on or to sell off these lots, he must first combine said lots to comply with the dimensional requirements of the Ordinance.

2. Exceptions to Minimum Side Yard Requirements.

- (a) Where a side yard abuts a street, the minimum side yard required shall be the same as the minimum front yard requirements for the zoning district in which the lot is located. In the case of lots which do not meet the minimum lot area requirement of the particular zoning district, the frontage setback shall conform to the requirement of the zoning district while the frontage setback on the side street shall be not less than fifteen (15) feet.
- (b) Where no side yard is required, but such is provided, then said side yard shall have a minimum width of five (5) feet.

3. Exceptions of Off Street Parking Requirements.

- (a) If the required automobile parking spaces cannot reasonably be provided on the same lot on which the principal use is conducted, such spaces may be provided on other off street property provided such property lies within six hundred (600) feet of the main entrance to such principal use. Such automobile parking space shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner;
- (b) Required parking space may extend up to one hundred twenty (120) feet into an accommodations zoning district, provided that: (1) the parking space adjoins a commercial or industrial district; (2) has its only access to or fronts upon the same street as the property in the commercial or industrial district for which it provides the required parking space; and (3) is separated from abutting properties in the accommodations district by a twenty (20) foot wide evergreen buffer strip.

4. Visibility at Intersections

On a corner lot in any zoning district in which a front yard is required, no fence, wall, hedge, or other obstruction to travel vision shall be permitted within the triangular area formed by the intersecting street lines and a straight line connecting such street lines at points thirty (30) feet from the point of intersection measured along such street lines.

5. Vehicular Access to Structures

Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be so located as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

6. Off-Street Vehicle Maneuvering Space

Where off-street parking space is required on lots fronting on U. S. 17 (King's Highway), Ocean Boulevard, and Surfside Drive such off-street parking space shall be provided with adequate space for turning maneuvers on the lot so that no vehicle shall be required to back into the respective highways.

7. Parking, Storage, or Use of Major Recreational Equipment.

No major recreational equipment shall be parked or stored on any lot in an accommodations district except in a garage or other enclosed accessory building, provided however, that such equipment may be parked anywhere on residential premises not to exceed twenty-four (24) hours during loading or unloading. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or store in an accommodations district, or in any location not approved for such use.

8. Double Frontage Lots

On lots having frontage on more than one street, but not located on a corner, the minimum front yard requirements for the district within which the lot is located shall be applicable for each street on which the lot fronts, except where otherwise specified.

9. Ocean Front Setbacks

Front yard setbacks for both front row and second row lots shall be measured from the Ocean Drive Boulevard right-of-way. Rear yard setbacks for front row lots shall be measured from the mean high water mark as determined at the time of the building permit application. Rear yard setbacks for second row lots shall be measured from the adjoining property line or rear street right-of-way.

ARTICLE VIII
APPLICATION OF DISTRICT REGULATIONS

The regulations set by this Ordinance within each zoning district shall be minimum regulations and shall apply uniformly to each class of type of structure or land, except as hereinafter provided:

1. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

2. No building or other structure shall hereafter be erected or altered:
 - (a) to exceed the size or bulk;
 - (b) to accommodate or house a greater number of families;
 - (c) to occupy a greater percentage of lot area by having narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or in any other manner contrary to the provision of this ordinance.
3. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.
4. No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth for the district in which the lot or yard is located. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.
5. No accessory building or use, including swimming pools, required parking and loading space, and signs, shall be erected or located in any required yard in any A-1, A-1-a, or A-3 Zoning District, or in any yard not in an A-1, A-1-a, or A-3 Zoning District, but contiguous to a yard in an A-1, A-1-a or A-3 Zoning District. Signs, required parking and loading space, and swimming pools, however, are permitted in required yards in all other Zoning Districts where the required yards are not contiguous to required yards in an A-1, A-1-a or A-3 Zoning District.
6. When the application of parking requirements results in a fractional space requirement, the next larger requirement shall prevail.
7. Right-of-way easements for streets and roads shall not be considered a part of a lot or open space, or front, rear or side yard for the purpose of meeting yard requirements.
8. All territory which may hereafter be annexed to the town shall be considered to be in the A-1 Accommodations, Single-family Residential district until otherwise classified.
9. No part of a car or parking space or building or structure, if projecting, shall be located in any public walkway.

ARTICLE IX
NON-CONFORMING USES

The following rules apply to non-conforming uses in the Town of Surfside Beach.

1. Continuance of Non-Conforming Land Uses.

Non-conforming land uses are declared by this ordinance to be incompatible with permitted uses in the districts in which they are located. However, to avoid undue hardship, the lawful use of any building or land use at the time of the enactment of this ordinance may be continued even though such use does not conform with the provisions of this ordinance except that the non-conforming building or land use shall not be:

- (a) Changed to another non-conforming use.
- (b) Re-established after discontinuance or removal for one hundred eighty (180) consecutive days or longer.
- (c) Repaired, rebuilt, or altered after damage exceeding sixty (60) percent of its replacement cost at the time of destruction. Reconstruction to begin within six (6) months after damage is incurred. The provisions of this sub-section shall not apply to any residential unit.
- (d) Enlarged or altered in a way which increases its non-conformity.

Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof.

2. Discontinuance of Certain Non-Conforming Land Uses.

Notwithstanding other provisions of this ordinance, certain non-conforming land uses shall be discontinued either generally or in specific districts after periods of time set forth below.

<u>Nonconformities</u>	<u>In Districts</u>	<u>To be Discontinued Within</u>
Automotive storage and sales lots, outdoor farm, major recreational and mobile home equipment sales areas; outdoor storage yards for lumber, building materials, contractors' equipment.	All accommodations districts	Two (2) years
Non-conforming fences and hedges impeding vision at intersections	All	One hundred eighty (180) days

ARTICLE X
ADMINISTRATION, ENFORCEMENT, APPEAL,
AMENDMENTS, COMPLAINTS AND REMEDIES

Procedures for the administration, enforcement and appeal of the provisions of this ordinance are as follows:

1. Administration and Enforcement

It shall be the duty of the duly appointed Building Inspector, and he is hereby given the authority, to administer and enforce the provisions of this ordinance.

If the Building Inspector shall find that any of the provisions of this ordinance are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuances of illegal additions, alterations, or structural changes, or discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to ensure compliance with, or to prevent violation of, its provisions.

2. Building and Sign Permits Required

No building, structure, or free standing, illuminated or business identification sign shall be erected, moved, added to, or structurally altered without a permit therefor, issued by the Building Inspector. No building or sign permit shall be issued by the Building Inspector except in conformity with the provisions of this ordinance, unless he receives a written order from the Board of Adjustment in the form of an administrative review, or variance.

3. Application for Building Permit

All applications for building permits shall be accompanied by plans in duplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Building Inspector, including the number of families or dwelling units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of, this ordinance.

One (1) copy of the plans shall be returned by the Building Inspector to the applicant, after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. The original copy of the plans, similarly marked, shall be retained by the Building Inspector.

The applicant shall place on the lot or lots where construction is proposed, markers showing all property corners. Such markers shall be visible at the time of the initial building inspection.

4. Expiration of Building Permit.

If the work described in any building permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire; it shall be cancelled by the Building Inspector; and written notice thereof shall be given to the persons affected.

5. Complaints Regarding Violations.

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Building Inspector. He shall record properly such complaint, immediately investigate, and take action thereon as provided by this ordinance.

6. Penalties for Violation.

Any person violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined, as determined by the Court for each offense. Each day such violation continues shall constitute a separate offense.

Nothing herein contained shall prevent the town from taking such other lawful action as is necessary to prevent or remedy any violation.

7. Appeal from the Decision of the Building Inspector

Where there is alleged error in an order, requirement, decision, or determination by the Office of the Building Inspector regarding the enforcement of this ordinance, or where, owing to special conditions, the literal enforcement of the provisions of this ordinance, not relating to use of land or building or structure, would allegedly result in an unnecessary hardship, such allegations may be appealed from the office of the Building Inspector to the Zoning Board of Adjustment.

8. Changes and Amendments.

The Surfside Beach Town Council may, from time to time, amend, supplement, or change, by ordinance, the boundaries of the zoning districts or the regulations herein established. But, before such action is taken by the Town Council, an amendment, change or supplement to the zoning map or ordinance must first be submitted, through the Office of the Building Inspector, to the Surfside Beach Planning and Zoning Commission, for review and recommendation.

The Planning and Zoning Commission shall have thirty (30) days within which to submit its report to the Town Council. If said Commission fails to submit a report within the thirty (30) day period, it shall be deemed to have approved the requested amendment.

Where these regulations require the submittal of site plans, said site plans shall be at a scale not less than one (1) inch to fifty (50) feet and shall show the following:

- (a) contours at five (5) feet vertical intervals showing pertinent topographical features;
- (b) the location, use, plan and dimensions of each building or structure to be constructed;
- (c) the location, dimensions and arrangement of all open spaces, yards, access ways, entrances, exits, off-street parking facilities, loading and unloading facilities, pedestrian ways, roads, and streets;
- (d) the capacity of all areas to be used for automobile access, parking, loading and unloading;
- (e) location, dimensions and arrangement of all areas devoted to planting, lawns, trees or similar purposes, with a description, including the names of and density of all trees, or planting to be used for screening;
- (f) location and description of all facilities to be used for sewage disposal, water supply, storm, water drainage and all utilities.

Any communication purporting to be an application for a change shall be regarded as mere notice to seek relief until it is made in the form required. Upon receipt of any communication the interested parties shall be supplied with the proper form for presenting his application by the Building Inspector. In no instance shall a property owner or owners initiate action for a zoning amendment affecting the same parcel of property, or any part thereof, more often than once every twelve (12) months.

9. Public Hearing

Before enacting an amendment, supplement or change to this ordinance, the Town Council shall hold a public hearing thereon, at least fifteen (15) days notice of the time and place of which shall be published in a newspaper of general circulation in the Town of Surfside Beach.

ARTICLE XI DEFINITIONS AND RULES OF INTERPRETATION

Rules of Interpretation

Where uncertainty exists, the following rules of interpretation should apply:

- (1) Except as defined herein, all words and terms used in this ordinance shall be interpreted in accord with their customary dictionary definition;
- (2) Words used in the present tense include the future tense and words used in the future tense include the present;
- (3) Words used in the singular include the plural, and words used in the plural include the singular;

- (4) The word "shall" is always mandatory.
The word "may" is permissive;
- (5) The word "lot" includes the word "plot," "parcel," or "property";
- (6) The word "building" includes the word "structure";
- (7) The word "used" or "occupied", as applied to any land or buildings shall be construed to include the words "intended, arranged, or designed to be used or occupied."

Definitions

For purposes of this ordinance, certain words and terms used herein are defined as follows:

Accessory Building or Use. An accessory building or use is (a) subordinate to and serves a principal building or principal uses; (b) subordinate in area, extent, or purpose to the principal building or principal use served; (c) designed for the comfort, convenience or necessity of occupants of the principal use served; and (d) located on the same zoning lot as the principal building or principal use served, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served.

Accessory Use, Home Occupation. Any occupation within a dwelling and clearly incidental thereto, carried on by a member of the family residing on the premises, provided that no person not a resident of the premises is employed, no stock in trade is kept or commodities sold, no mechanical equipment is used except such that is normally used for family, domestic, or household purposes, and there is no exterior indication other than a sign permitted by the district regulations, that the building is being used for any purpose other than a dwelling. When within the above requirements, a home occupation includes but is not limited to the following: (a) art studio; (b) dressmaking (c) professional office of a lawyer, engineer, architect, accountant, salesman, real estate agent, insurance agent, or other similar occupation; (d) teaching, with musical instruction limited to one (1), or two (2) pupils at a time.

Accessory Use, Garage. An accessory building not exceeding nine hundred (900) square feet in floor area designed or used for the storage of not more than four (4) motor driven vehicles, owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles may be a commercial vehicle and that one, of not more than one (1) ton capacity.

Alley. A public or private way, at the rear or side of property permanently reserved as a means of providing secondary or service vehicular access to abutting property less in size than a street, and which is not designed for general vehicular traffic.

Apartment. A part of a building consisting of a room or rooms intended, designed, or used as a residence by an individual or a single family.

Apartment, Garage. A part of a garage consisting of a room or rooms intended, designed, or used as a residence by an individual or a single family.

Building. A structure having a roof supported by columns or walls for the shelter or enclosure of persons or property.

The connection of two buildings by means of an open porch, breezeway, passageway, carport or other such open structure, with or without a roof, shall not be deemed to make them one building.

Building Line. A line which represents the distance that a building or structure must be set back from a lot boundary line or a street right-of-way lines and lot boundary lines.

Condominium. A multi-family building and land, certain parts of which are held in common ownership, such as yards, foundations, basements, floors, walls, hallways, stairways, elevators and other related common elements, together with individual ownership in fee of a particular dwelling unit within such building.

Cooperative Apartment. A multi-family building and land held in corporate ownership by the occupants of the building, who own stock in the corporation with the right through a propriety lease to occupy the individual units.

Clinic. A facility operated by a group of physicians, dentists, chiropractors, or other licensed practitioners for the examination, care and treatment of outpatients. The term does not include a place for the treatment of animals.

Club. Building and facilities owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

Court. An open space which may or may not have direct street access and around which is arranged a single building or a group of related buildings.

Dwelling. Any building containing one (1) or more dwelling units, but not including hotel, motel, rooming house, hospital or other accommodations used more or less for transient occupancy.

Dwelling, Single Family. A building arranged or designed to be occupied by one (1) family.

Dwelling, Two Family. A building arranged or designed to be occupied by two (2) families living independently of each other.

Dwelling, Multi-Family. A building or portion thereof used or designed as a residence for three (3) or more families living independently of each other with separate kitchen facilities.

Dwelling Unit. A building, or portion thereof used or designed as a residence for three (3) or more families living independently of each other with separate kitchen facilities.

Dwelling Unit. A building, or portion thereof, providing complete and permanent living facilities for one family.

Family. Any individual, or two (2) or more persons related by blood, or a group of not more than five (5) persons (excluding servants) who need not be related by blood or marriage, living together in a dwelling unit.

Group Development. Consists of two (2) or more structures on a parcel of land which has not been subdivided into customary streets and lots, and includes a unified design of buildings and coordinated organization of open space and service areas. The total area shall not be less than two (2) acres, and includes a ten (10) feet wide planted evergreen buffer strip along the rear or side lot lines abutting other residential lots. Although the distance between structures is not specified, all structures must meet specified minimum distances from the lot lines.

Lot Line. The boundary line of a lot.

Lot, Ocean Front. Any lot which is contiguous to the ocean.

Major Recreational Equipment. Major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

Mobile Home. Any portable building or vehicle whether on wheels or a foundation, designed for highway transport, and to permit occupancy therein.

Mobile Home Park. An area where one or more mobile homes or trailers can be and are intended to be parked, designed or intended to be used as temporary or permanent living facilities for one or more families.

Motel. (See Hotel)

Nonconforming Use. A structure or land lawfully occupied by an existing use which does not conform with the permitted uses for the zoning district in which it is situated, either at the effective date of this ordinance or as the result of subsequent amendments to this ordinance.

Off-Street Parking Space. An off-street parking space, including aisles, entrances and exits, shall contain a minimum of three hundred (300) square feet for each automobile to be accommodated and/or one (1)

vehicular parking space not less than nine (9) feet by nineteen (19) feet plus or minus six (6) inches shall be provided for each dwelling or rentable unit. All parking space shall be located so that the occupant of any parking space can enter and leave independently.

Sign. The term "sign" shall mean and include every sign, billboard, outdoor poster panel, free-standing ground sign, roof sign, projecting sign, awning or canopy, and shall include any announcement, declaration, demonstration, display, ribbon, banner, illustration or insignia used to advertise or promote the interests of any person when the same is placed in view of the general public, traveling along a public street right-of-way.

- (a) Free-Standing Sign Structure. A free-standing sign structure may contain a sign or signs on one side only, or it may be a V-shaped structure or one containing signs back-to-back. A free-standing structure is one sign.
- (b) Business Identification Sign. A business identification sign is a sign that contains the name of the business enterprise located on the same premises as the sign and the nature of the business conducted there with not more than one-third of the sign area devoted to commodity or service advertising.
- (c) Home Occupation Sign. A business identification sign that contains the name of the business enterprise located on the same premises as the sign and the nature of the business conducted there.

Sign Area. The area of a sign is the area of the face of the sign formed by a perimeter consisting of a series of straight lines enclosing all parts of the sign. The area of a free-standing sign structure is the area of the face or faces on one (1) side only.

Sign, Illuminated. When artificial illumination techniques are used in any fashion to project the message on a sign, that sign shall be an illuminated sign.

Structure. Anything constructed, erected or established on and at least six (6) inches above the ground, including, but without limiting the generality of the following: buildings, signs, sea walls, trailers, fences, screen enclosures, and patio walls.

Travel Trailer. A portable structure not more than thirty (30) feet long and eight (8) feet wide which is primarily equipped, designed, converted or used for private living quarters by one or more individuals.

Use. The use or property is the purpose of activity for which the land or building thereon is designed, arranged, or intended, or for which it is occupied or maintained.

Yard. Open space on a lot which is unoccupied and unobstructed from its lowest level upward except for drives, landscaping, retaining and sea walls, fences, open patios and entrance steps.

Yard, Front. A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the building line parallel thereto.

Yard, Ocean Front. Any yard contiguous to the ocean shall constitute a front yard, and shall meet the minimum front yard requirements of the district within which it is located.

Yard, Rear. A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the building parallel thereto.

Yard, Side. A yard extending along a side lot line and back to the building line drawn parallel to the side lot line at a distance there from equal to the width of the required minimum side yard, but excluding any area encompassed within a front yard or rear yard. Dimensions of minimum side yards specified in the district regulations of this ordinance refer to the required width of each side yard rather than to the total width of both side yards.

Zoning District. Any areas of the Town of Surfside Beach within which the zoning regulations are uniform.

ARTICLE XII
LEGAL STATUS PROVISIONS

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court or competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

All ordinances and parts of ordinances in conflict herewith are repealed to the extent necessary to give this ordinance full force and effect. This ordinance shall take effect and be in force from and after the date of its adoption.

S. C. STATE LIBRARY

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