

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
TOWN OF ATLANTIC BEACH)

AN ORDINANCE TO AMEND THE LAND MANAGEMENT ORDINANCE TO MODIFY THE DISTRICT BULK, DIMENSIONAL & DENSITY STANDARDS TO SUPPORT INFILL DEVELOPMENT AND REDUCE THE PREVALANCE OF NONCONFORMING LOTS”.

WHEREAS, The Town of Atlantic Beach is empowered to amend its ordinances from time to time, and to update its zoning ordinance and Comprehensive Plan consistent with state law and the changing needs of the Town, in its best interests, after review by the Town Planning Commission, public notice, and public hearing; and

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

WHEREAS, the Land Management Ordinance does not clearly define mixed-use design standards in the Main Street 1 (MS1) District; and,

WHEREAS, the Bulk, Dimensional & Density Standards defined in the Land Management Ordinance render many lots to be non-conforming, thus limiting their development potential; and,

NOW, THEREFORE, be it enacted and ordained by the Town Council of the Town of Atlantic Beach by the power and authority granted by the State of South Carolina that the Town of Atlantic Beach Zoning Ordinance is hereby amended as follows:

1) **Amendment to Article IV. Zoning Districts, Division 1. Districts in General, Section 5.3.401.3 of the Land Management Ordinance.** The Land Management Ordinance is hereby amended with all text shown **underlined and bolded** shall be added.

5.2.401.3 Main Street 1 (MS1). The intent of this district is to provide and encourage a mixture of uses. Single uses are allowed to promote and ease infill development. Permitted uses include neighborhood scale (less than 20,000) retail and office uses as well as multi-family and transient residential uses. **When mixed-use development is utilized in the same building or lot, residential uses shall be located to the rear or upper levels.**

2) **Amendment to Article V. Use Regulations, Division 2. Specific Use Standards, Section 5.3.555 of the Land Management Ordinance.** The Land Management Ordinance is hereby amended with all text in ~~strikethrough~~ shall be deleted and all text shown **underlined and bolded** shall be added.

Multi-family dwellings are permitted in the **MS1**, MS2, HWY, WF1, and WF2 districts as second floor or upper story residences. **Multi-family shall also be permitted as**

standalone use in the MS1 district. Multi-family dwellings shall also be permitted on the first floor of mixed-use structures in the MS1 district, provided the dwellings are have their primary access from the side or rear of the building. Multi-family dwellings in these districts are also subject to the requirements of Section 5.3.570.

- 3) Amendment to Article IV. Zoning Districts, Division 2. Bulk, Dimensional, and Density Standards, Section 5.3.420, Table 5.3.420A of the Land Management Ordinance. The Land Management Ordinance is hereby amended with all text in ~~strikethrough~~ shall be deleted and all text shown **underlined and bolded** shall be added.

Table 5.3.420A									
District Bulk, Dimensional & Density Standards									
STANDARDS	DISTRICTS								
	CP	R2	MS1	MS1R	MS2	G	HWY	WF1	WF2
Minimum Lot Area (in square feet)	None	6,000	7,500 <u>7,000</u>	7,500 <u>7,000</u>	7,500 <u>7,000</u>	7,500	15,000	22,500	22,500
Minimum Lot Width (in feet)	None	50 <u>35</u>	50	50	50	50	100	150	150
Maximum Structure Height		45 feet and no more than 3 stories	55 feet and no more than 5 stories	55 feet and no more than 5 stories	85 feet and no more than 8 stories	55 feet and no more than 5 stories	55 feet and no more than 5 stories	55 feet and no more than 5 stories	125 feet and no more than 12 stories
Maximum Building Coverage		40%	60%	50%	70%	60%	60%	45%	50%
Maximum Impervious Surface Coverage		40%	60%	50%	70%	65%	70%	45%	50%
Minimum Open Space	100%	55%	30%	40%	20%	20%	20%	45%	40%
Maximum Floor Area Ratio					1.75			.75	2.0
Density (minimum lot area in square feet per dwelling unit)									
Single-Family, attached		6,000 <u>3,000</u>		3,750					
Single-Family, detached		6,000		4,500					
Two-Family Dwellings		3,000	3,000	3,750					
Multi-Family		6,000	2,500	3,000	2,000		2,000	3,000	1,500

Table 5.3.420A

District Bulk, Dimensional & Density Standards ⁽¹⁾⁽²⁾⁽³⁾

STANDARDS	DISTRICTS								
	CP	R2	MS1	MS1R	MS2	G	HWY	WF1 (1)	WF2(1)
Front Yard Setback (in feet) by Abutting Street/Feature									
Oceanfront		25	10	10	10	10	10	30 (2)	30 (2)
1 st Avenue		25	10	10	10	10	10	10	10
2 nd Avenue		25	10	10	10	10	10	10	10
3 rd Avenue		25	10	10	10	10	10	10	10
4 th Avenue		25	10	10	10	10	10	10	10
29 th Avenue S.		25	10	10	10	10	10	10	10
30 th Avenue S.		25	10	10	10	10	10	10	25
31 st Avenue S.		25	10	10	10	10	10	10	10
32 nd Avenue S.		25	10	10	10	10	10	10	10
US Hwy 17		25	20	20	20	20	20	25	25
All other Street Frontages		25	10	10	10	10	10	25	25
Front Yard Setback (in feet) for Building Heights Above 35 Feet by Abutting Street/Feature (where applicable)									
3 rd Avenue		25	10	10		10	10		
4 th Avenue		25	20	20		10	20		
29 th Avenue S.		25	20	20		10	20		
30 th Avenue S.		25	20	20		10	20		
31 st Avenue S.		25	20	20		10	20		
32 nd Avenue S.		25	20	20		10	20		
US Hwy 17		25	20	20		20	20		
Front Yard Setback (in feet) for Building Heights Above 45 Feet by Abutting Street/Feature (where applicable)									
Oceanfront								60	60

Table 5.3.420A

District BULK, Dimensional & Density Standards ⁽¹⁾⁽²⁾

STANDARDS	DISTRICTS								
	CP	R2	MS1	MS1R	MS2	G	HWY	WF1	WF2
1 st Avenue								30	
2 nd Avenue					30			30	
29 th Avenue S.					30				30
30 th Avenue S.					60				75
31 st Avenue S.					30			30	30
32 nd Avenue S.					20			30	30
Side Yard Setback (in feet)									
Lots up to 8,000 square feet in area		5	5	5	5	5	5	5 (3)	5 (3)
Lots 8,000 to 15,999 square feet in area		5	10	10	10	5	10	5 (3)	5 (3)
Lots 16,000 square feet in area or greater		5	15	15	15	5	15	5 (3)	5 (3)
Rear Yard Setback (in feet)									
Lots less than 8,000 square feet in area		20	15	15	15	5	15	10	10
Lots 8,000 square feet or greater in area		20	60 30	60 30	60 30	5	15	10	10

Notes:

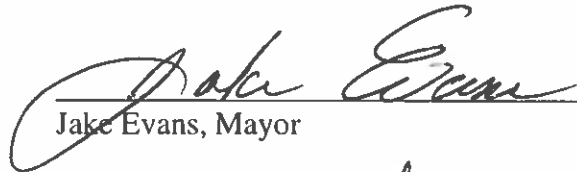
- (1) WF1 and WF2 properties may be eligible for designation as a Flexible Design District. This designation provides alternate height, coverage, FAR, and density standards.
- (2) At structure heights of 45 feet and greater, the front yard setback (oceanfront) in the WF1 and WF2 districts is 60 feet. The oceanfront setback for lots northeast of 29th Avenue South and southeast of 32nd Avenue South is 5 feet, irrespective of height.
- (3) At structure heights of 45 feet and greater, the side yard setback in the WF1 and WF2 districts is increased to a distance equal to the front yard setback applicable to the lot.

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 ordinance, which can be given effect without the invalid provision or application, and any such provisions are declared to be severable. All ordinances or parts thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

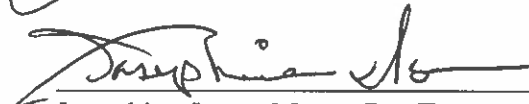
EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption at second reading.

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Atlantic Beach, South Carolina, in assembly and by the authority thereof, this 17th day of April, 2023.

Atlantic Beach Town Council



Jake Evans, Mayor



Josephine Isom, Mayor Pro Tem



Jacqueline Gore, Councilmember

Edward Campbell, Councilmember

Attest:



Town Clerk



Town Manager