

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

**AN ORDINANCE TO AMEND THE LAND MANAGEMENT ORDINANCE TO MODIFY THE ELIGIBILITY FOR DESIGNATION REQUIREMENTS FOR THE PLANNED DEVELOPMENT AND THE FLEXIBLE DESIGN ZONING DISTRICTS.**

**WHEREAS**, The Town of Atlantic Beach is empowered to amend its ordinances from time to time, and to update its Land Management Ordinance to be consistent with state law, the Comprehensive Plan, 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 Land Management Ordinance changes; and,

**WHEREAS**, The Land Management Ordinance currently limits the ability for prospective Planned Development and Flexible Design District projects to be considered by the Town, as all properties are required to have the same ownership or cooperate ownership at the time a rezoning application is filed with the Town; and,

**WHEREAS**, The Planning Commission did not recommend that the Land Management Ordinance be revised to alleviate the eligibility for designation ownership requirements for Planned Development and Flexible Design Districts.

**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 4. Planned Development Districts, Section 5.3.441 of the Land Management Ordinance.** The Land Management Ordinance is hereby amended with all text in ~~striketrough~~ shall be deleted and all text shown **underlined and bolded** shall be added.

**SECTION 5.3.441 Eligibility for Designation**

Any property **or contiguous group of properties** within the Town that **total** is one (1) acre or greater ~~in contiguous area and is held in single or corporate ownership at the time of application~~ may be considered for designation as a planned development district. A planned development district must incorporate a design involving a mixture of housing types and densities and compatible commercial uses, or shopping centers, office parks, and mixed-use developments. Single use or single housing type developments shall not be designated as a planned development.

- 2) **Amendment to Article IV. Zoning Districts, Division 4. Planned Development Districts, Section 5.3.449 of the Land Management Ordinance.** The Land Management Ordinance is hereby amended with all text in ~~striketrough~~ shall be deleted and all text shown **underlined and bolded** shall be added.

- 3) **Amendment to Article IV. Zoning Districts, Division 5. Flexible Design Districts, Section 5.3.458 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.

**SECTION 5.3.458 Eligibility for Designation**

A. Any WF1 zoned property **or contiguous group of WF1 zoned properties** within the Town that **total** is 15,000 square feet or greater ~~in contiguous area and, if multiple parcels, is held in single or corporate ownership at the time of application,~~ may be considered for designation as WF1-FDD.

B. Any WF2 zoned property **or contiguous group of WF2 zoned properties** within the Town that **total** is 20,000 square feet or greater ~~in contiguous area and, if multiple parcels, is held in single or corporate ownership at the time of application,~~ may be considered for designation as WF2-FDD.

**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.

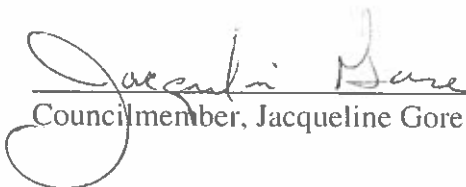
**EFFECTIVE DATE.** This Ordinance shall become effective immediately upon adoption at second reading.

**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

  
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Josephine Isom, Mayor Pro Tem

  
\_\_\_\_\_  
Councilmember, Jacqueline Gore

\_\_\_\_\_  
Councilmember, Edward Campbell

Attest:

  
\_\_\_\_\_  
Town Clerk

  
\_\_\_\_\_  
Town Manager