

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

**AN ORDINANCE TO AMEND THE LAND MANAGEMENT ORDINANCE TO REQUIRE ONLY ONE FRONT SETBACK PER PROPERTY.**

**WHEREAS**, The Town of Atlantic Beach is empowered to amend its Land Management Ordinance to be consistent with 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 zoning ordinance changes; and,

**WHEREAS**, Setback requirements for corner and double frontage lots limit the buildable area on such lots; and,

**WHEREAS**, The Planning Commission recommends that setback requirements of the Land Management Ordinance be revised to only require one (1) front yard setback when a property abuts multiple right-of- ways or the oceanfront.

**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 Land Management Ordinance is hereby amended as follows:

- 1) **Amendment to Article I. Introductory Provisions, Division 3. Definitions. Section 5.3.32 of the Land Management Ordinance.** The Land Management Ordinance is hereby amended with all text shown in ~~strikethrough~~ deleted and all text shown **underlined and bolded** shall be added.

**SECTION 5.3.32 Defined Terms**

**Frontage:** The side of a lot that abuts a **public** street; ~~the front lot line.~~

**Yard, Front:** A yard extending between side lot lines across the front of a lot adjoining a public street ~~or the oceanfront.~~ In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of three (3) feet, and no hedge nor vegetation shall be permitted which materially impedes vision across such yard between the heights of three (3) feet and ten (10) feet. Any yard which abuts a public street ~~or the oceanfront, including corner and double frontage lots,~~ is considered a front yard for the purposes of applying the standards of this Chapter. **In cases of multiple frontages on one lot, only the yard that abuts a public street in which it is addressed off of shall be considered the front yard.**

- 2) **Amendment to Article IV. Zoning Districts, Division 3. Application of Standards. Section 5.3.432 of the Land Management Ordinance.** The Land Management Ordinance is hereby amended with all text shown in ~~strikethrough~~ deleted and all text shown **underlined and bolded** shall be added.

#### **SECTION 5.3.432 Setbacks**

- A. Setbacks, regardless of applicable height, shall be measured from the property line (or upward projection thereof) to the nearest portion of a structure, including overhangs, eaves, private decks, stairways, steps, and mechanical equipment. The setback distance is measured horizontally in a straight-line, irrespective of intervening structures or site features.
- B. Except where otherwise specified, setback requirements are not cumulative (i.e. buffer distances and other setbacks provided by this Chapter, are inclusive of, not in addition to, the standard setbacks for the district). Where a district requires an increased setback above a specified height, only that portion of the structure above the specified height is subject to the increased setback.
- C. In the MS1, MS2, WF1, and WF2 districts, street level arcades, awnings, and other pedestrian amenities may encroach into the setback by a distance of no more than ten (10) feet, provided such projection does not obstruct a sidewalk or other pedestrian way and that a minimum of eight (8) feet of height clearance is maintained.
- D. Any yard abutting a public ~~right-of-way~~ **street or the oceanfront** is subject to the front yard setbacks specified by Table 5.3.420A (see table “notes” for special WF1 and WF2 setbacks). **However, if a lot has multiple front yards, front setbacks shall only be applicable to the yard abutting the public street in which the lot is addressed.**
- E. Special setback standards for accessory structures and parking are provided in Article VI. No setback shall be required for landscaping, lagoons, retaining walls, street lights, and similar amenities.
- F. Zero Lot Line development (single-family, attached), where permitted, are exempt from the interior side yard setback requirements of this Article and are subject to the standards of Section 5.3.572.

**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 2nd day of December, 2024.

**Atlantic Beach Town Council**

\_\_\_\_\_  
Jake Evans, Mayor

  
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John W. David, Jr. Mayor Protem

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Jacqueline Gore, Councilmember

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

  
\_\_\_\_\_  
Carla Taylor, Councilmember

Attest:

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

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