Horry County
South Carolina

ZONING ORDINANCE

Horry County
SOUTH CAROLINA
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Updated October 18, 2022

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ARTICLE I. - ADMINISTRATION

SECTION 100 - AUTHORITY AND ENACTMENT CLAUSE

In pursuance of authority as conferred by Title 6, Chapter 29, Code of Laws of South Carolina, 1976, as amended and for the purpose of promoting the health, safety, morals, and general welfare of the county, lesson congestion in the street; securing safety from fire; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of populations; facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public improvements; protecting scenic areas and protecting development in areas subjected to periodic flooding; all of the above to be in accordance with the Comprehensive Plan, the County Council of Horry County does ordain and enact into law the following articles and sections.

SECTION 101 - SHORT TITLE

This ordinance shall be known and may be cited as "The Zoning Ordinance of Horry County, South Carolina," and the maps herein referenced may be identified as "Zoning Maps of Horry County, South Carolina."

SECTION 102 - LEGAL STATUS PROVISIONS

A. CONFLICT WITH OTHER ORDINANCES.

In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the County of Horry, the most restrictive shall in all cases apply.

B. VALIDITY.

If any section, clause, provision or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this ordinance which is not of itself invalid or unconstitutional, and the remainder of the provisions hereof shall remain in full force and effect.

C. DEVELOPMENT IN PROGRESS.

1. TIME PERIOD.

Within the first year from the date that a parcel is first zoned by County Council, any development project which has plans under review by a public regulatory agency, or which can substantiate that significant development planning is in progress based on information provided in (c) Submittal Requirements (below), may apply for "grandfathering," except for any project which constitutes a public nuisance

2. PROCEDURE.

Applications for "grandfathering" shall be submitted to the Planning Commission for review and recommendation to County Council without charge. In making a recommendation to "grandfather," the Planning Commission shall consider information provided by the applicant under (c) Submittal Requirements (below), compatibility with existing land use, the Comprehensive Plan and the public

health, safety and welfare. Notification procedures—posting of property and newspaper advertising—are the same as those followed in accordance with Article XIII Amendments, except that, once the Planning Commission makes a recommendation to County Council, County Council may approve applications for "grandfathering" by resolution with one (1) reading and a public hearing.

3. SUBMITTAL REQUIREMENTS.

The following information shall be provided with each application for "grandfathering:"

a) Reference and comment to the specific sections of the zoning ordinance which allegedly interfere with the development the property.

b) A statement providing the total investment made in the project, including all costs incurred before zoning the property. The costs may include:

   i. Land acquisition;

   ii. Work performed by professional land planners, architects, engineers, surveyors and attorneys as evidenced by recorded plats and sealed engineering drawings;

   iii. The cost of on-site and off-site infrastructure improvements to service the project.

c) Documentation of any dedication of property made to public entities in accordance with the approved overall development plan for the project.

d) Whether infrastructure improvements which have been installed have been sized to accommodate use as approved in the overall development plan.

e) The acreage of the approved, final overall development plan with phases.

f) Whether the completion of the project has been timely and diligently pursued.

g) The effect of the applicant's existing development loans on the application of zoning to the project.

4. REVOCATION OF "GRANDFATHERED" STATUS.

The completion of a project shall be deemed not-diligently-pursued if within one (1) year after "grandfathering," no additional activity of a development planning nature can be shown, or a building permit has not been obtained. The Planning Commission may then recommend to County Council that the "grandfathered" status be revoked.

SECTION 103 - ADMINISTRATION AND ENFORCEMENT.

If the Zoning Administrator shall find that any of the provisions of this ordinance are being violated, they shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. They shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes, 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.

SECTION 104 USE OF LAND OR STRUCTURES.

No land or structure shall hereinafter be used or occupied unless it is specifically permitted as an allowable use within that zoning district.

SECTION 105 - CERTIFICATE OF ZONING COMPLIANCE FOR NEW, ALTERED OR NONCONFORMING USES.

A. It shall be unlawful to use, occupy or permit the use or occupancy of any building, mobile home, or premises, or all or parts thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of zoning compliance shall have been issued therefor by the zoning administrator stating that the proposed use of the building or land conforms to the requirements of this ordinance.

B. Failure to obtain a certificate of zoning compliance shall be a violation of this ordinance punishable under § 114 of this ordinance.

SECTION 106 - BUILDING AND SIGN PERMITS REQUIRED.

No building, mobile home, sign or other structure shall be erected, located, moved, added to, or structurally altered without a certificate of zoning compliance therefor issued by the Zoning Administrator. No building, mobile home, or sign permit shall be approved by the Zoning Administrator except in conformity with the provisions of this ordinance, unless he is so directed by the Board of Appeals as provided by this ordinance. No building permit issued under the provisions of this ordinance for land use or construction in the jurisdictional area of this ordinance shall be considered valid unless approved by the Zoning Administrator through a certificate of zoning compliance.

SECTION 107 - WITHHOLDING OR REVOKING CERTIFICATES OF ZONING COMPLIANCE OR SIGN PERMITS.

The Zoning Administrator shall be authorized to withhold the issuance of a certificate of zoning compliance or sign permit when a property is in violation of any provisions of this ordinance. The issuance of such certificate or permit shall be granted upon verification that the zoning violation(s) have been corrected.

The Zoning Administrator shall be further authorized to revoke a certificate of zoning compliance or sign permit if it is determined that the property has reestablished any previous violation(s) of the zoning ordinance once a certificate of compliance or sign permit has been issued. In such instances, the property owner shall be fined in accordance with the penalties provided in § 114 of this ordinance and the zoning compliance or sign permit shall be revoked. Re-issuance of the zoning compliance or sign permit shall be authorized once all zoning violations have been corrected.

SECTION 108 - APPLICATION FOR BUILDING PERMIT.

Accessory structures, such as greenhouses, open sheds, tobacco/bulk barns, packhouses, electric water pump sheds used in connection with a bona fide agriculture use within the LFA, FA, CFA, & AG1-7 zoning districts should be shown on a plan, but are not required to be shown to scale or meet the minimum structure spacing requirements of this ordinance; however; shall meet the exterior setbacks of the zoning district. The application shall include such other information as lawfully may be required by the Zoning Administrator, including existing or proposed uses of the buildings and land; the number of families, housekeeping units, or rental units existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this ordinance.

SECTION 109 - EXPIRATION OF BUILDING PERMIT.

If the work described in any building permit has not begun six (6) months from the date of issuance thereof, said permit shall expire; it shall be cancelled by the director of building inspection upon notification by the Zoning Administrator. Permit extensions may be issued after consultation between the director of building inspection and the Zoning Administrator.

SECTION 110 - ENCROACHMENTS WITHIN PUBLIC RIGHTS-OF-WAY.

To ensure the public health, safety, and general welfare as well as the impression upon the traveling public is maintained and improved, encroachments within any public right-of-way shall be limited. Encroachments, including but not limited to, untagged vehicles, untagged or tagged vehicles for sale, landscaping, and structures (except those that are currently established) shall not be permitted within the public right-of-way unless an encroachment permit has been issued by the applicable regulatory agency (Horry County or South Carolina Department of Transportation). Unlawful encroachments may be removed from the right-of-way by the county without further notice to the owner. The owner of the encroachment shall be liable for all costs of removal.

SECTION 111 - CONDITIONAL AND TEMPORARY USES.

Conditional uses, as set forth in Article IX of this ordinance, and temporary uses, as set forth in Article X, are declared to possess characteristics which require certain controls in order to insure compatibility with other uses in the district within which they are proposed for location.

1) *General requirements.* Conditional uses shall be permitted subject to a determination by the Zoning Administrator or their designee that they conform to all regulations set forth herein and elsewhere in this ordinance, with particular reference to those requirements established for those districts in which they are proposed for location.

2) *Conditional use administration and duration.* Application for permission to build, erect, or locate a conditional use shall be submitted and processed in accordance with the regulations set forth in this article, prior to the issuance of any permits.

SECTION 112 - COMPLAINTS REGARDING VIOLATIONS AND REMEDIES.

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Administrator. The Zoning Administrator shall record properly such complaint, immediately investigate, and take whatever action is necessary to assure compliance with the ordinance.

SECTION 113 - REMEDIES.

In case any building or structure is proposed to be or is erected, constructed, reconstructed, altered, maintained, or used; or any land is proposed to be or is used in violation of this ordinance, the county attorney or any other person aggrieved may, in addition to other remedies provided by law, institute an injunction, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

SECTION 114 - PENALTIES FOR VIOLATION.

Any person violating any provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be imprisoned for a period not to exceed thirty (30) days and/or fined not more than five hundred dollars ($500.00) for each offense. Each day such violation continues shall constitute a separate offense.

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

SECTION 115 - APPEAL FROM DECISION OF THE ZONING ADMINISTRATOR.

It is the intention of this ordinance that all questions arising in connection with the enforcement of the ordinance shall be presented first to the Zoning Administrator and that such questions shall be presented to the Board of Zoning Appeals only on appeal from the decision of the Zoning Administrator as provided for in Article XI.

ARTICLE II –ESTABLISHED DISTRICTS

SECTION 200 - ESTABLISHMENT OF DISTRICTS.

For the purpose of this ordinance, portions of Horry County as specified on the Official Zoning Map of Horry County, are hereby divided into the following zoning districts:

RESIDENTIAL	
Single-Family	SF (6-40)
Manufactured / Single-Family	MSF (6-40)
General Residential	GR
General Residential "n"	GR "n"
Multi Residential District	MRD
Planned Development District	PDD
Planned Unit Development District	PUD
Mobile Home Park	MHP
Resort Residential	RR
Resort Housing District	RH
AGRICULTURE	
Limited Forest Agriculture	LFA
Forest Agriculture	FA
Commercial Forest Agriculture	CFA
Rural Estates	RE
Agriculture District	AG1
Commercial Agriculture District	AG2
Agricultural Community Services District	AG3
Agricultural Estate District	AG4
Agricultural Manufactured Estate District	AG5
Agricultural Ranchettes District	AG6
Agricultural Manufactured Ranchettes District	AG7

COMMUNITY RETAIL	
Neighborhood Commercial	NC
Community Commercial	CC
Retailing and Consumer Services	RCS
Transportation Related Services	TRS
Highway Commercial	HC
Neighborhood Retail Services District	RE1
Community Retail Services District	RE2
Convenience and Auto-related Services District	RE3
Retail with Accessory Outdoor Storage District	RE4
PROFESSIONAL AND MEDICAL	
Office/Professional/Institutional	OPI
Education, Institution and Office	EIO
Office-Professional District	PR1
Campus Institution, Office and Research District	PR2
Inpatient Medical Services District	ME1
Outpatient Medical Services District	ME2
COMMERCIAL RECREATION	
Amusement Commercial	AC
Indoor Amusement Commercial District	AM1
Outdoor Amusement Commercial District	AM2
Commercial Recreation	CR
Resort Commercial	RC
Destination Park	DP
Conservation Preservation	CP
INDUSTRIAL/ TRANSPORTATION	
Boating/Marine Commercial District	BO1
Passenger and Product Transportation District	PA1
Limited Industrial	LI
Limited Manufacturing and Industrial District	MA1
General Manufacturing and Industrial District	MA2
Heavy/ Intense Manufacturing and Industrial District	MA3
Marine Industrial	MI
Heavy Industrial	HI

SECTION 201 - DISTRICTS INTENT STATEMENTS

RESIDENTIAL DISTRICTS

SINGLE FAMILY (SF40) / MANUFACTURED SINGLE FAMILY (MSF40)

Intent. It is the intent of this district to be utilized in areas when, due to its remoteness, the impermeability of soil, soil characteristic or the absence of the necessary urban services, development of higher density is undesirable or infeasible. A primary objective of the one (1) acre residential district is to prevent undesirable urban sprawl and to exclude land uses which demand a level of urban services which are impossible to provide.

SINGLE FAMILY (SF20) / MANUFACTURED SINGLE FAMILY (MSF20)

Intent. It is the intent of this district to provide areas which are suitable for moderate low-density development. This district is particularly suitable for areas adjacent to or near urban areas, where adequate public water supply or public sewage service is available. The principal use of land within this district is low density single-family residential.

SINGLE FAMILY (SF14.5) / MANUFACTURED SINGLE FAMILY (MSF14.5)

Intent. It is the intent of this district to create areas that are suitable for low-density development. This district is suitable for areas serviced by public water and sewer services or areas where on-site sewage disposal systems area necessary. The principal land use within this district is detached single-family residential.

SINGLE FAMILY (SF10) / MANUFACTURED SINGLE FAMILY (MSF10)

Intent. It is the intent of this district to provide areas for single-family residential development, low to moderate density, to discourage the encroachment of commercial, industrial, or other uses capable of adversely affecting the residential character and to preserve the architectural character of established neighborhoods

SINGLE FAMILY (SF8.5) / MANUFACTURED SINGLE FAMILY (MSF8.5)

Intent. It is the intent of this district to create areas that are suitable for medium density development. This district is most suitable for areas serviced by public water and sewer services. However, depending on soil characteristics and surrounding development patterns, development within this district may be suitable in a less urbanized area. The principal land use within this district is single-family residential.

SINGLE FAMILY (SF7) / MANUFACTURED SINGLE FAMILY (MSF7)

Intent. It is the intent of this district to create areas that are suitable for medium density development. This district is particularly suitable for areas serviced by public water and sewer services and where access to major transportation arteries is available. The principal land use within this district is single-family residential.

SINGLE FAMILY (SF6) / MANUFACTURED SINGLE FAMILY (MSF6)

Intent. It is the intent of this district to provide areas for medium density one- and two-family residential purposes. Encroachment by high-density multi-family residential, commercial, industrial, or other uses incompatible with or capable of adversely affecting the residential character of this district shall be discouraged.

GENERAL RESIDENTIAL DISTRICT, (GR)

Intent. It is the intent of this section that the General Residential District be established for medium-to-high density residential purposes. These areas need to be served with public water and sewer and have direct access to collector or arterial streets. These areas should be developed within the character of the natural surroundings to insure preservation of critical areas, to be compatible with the existing development and to discourage any encroachment of commercial, industrial or other uses capable of adversely affecting the charm and residential character of this district.

GENERAL RESIDENTIAL "N" DISTRICT, (GRN)

Intent. It is the intent of the General Residential "n" District to provide opportunities for low, medium and high-density residential developments in locations consistent with the 1999 Future Land Use Plan (Attachment 1 to Ordinance No. 46-08) and the goals and objectives of the 1999 Horry County Comprehensive Plan. With adoption of the Envision 2025 Comprehensive Plan, only those lands currently zoned GRn may follow these provisions.

MULTI-RESIDENTIAL DISTRICT, (MRD)

Intent. It is the intent of the Multi-Residential District to provide opportunities for rural, suburban and urban density mixed-residential developments consistent with the objectives of the Horry County Comprehensive Plan. The MRD district encourages the design of a more complete and sustainable environment consistent with the needs of the rural, suburban and urban areas of the County through the application of imaginative approaches to community design that allow and support mixed residential uses, design flexibility, pedestrian-oriented development, interconnectivity, and sensitivity to the needs of the public, economy and natural environment.

PLANNED DEVELOPMENT DISTRICT, (PDD)

***Intent*.** It is the intent of the Planned Development Districts to allow flexibility in development and require the use of innovative site planning techniques resulting in developments with improved design, character, and quality which preserve natural and scenic open spaces. A PDD is characterized by a plan that incorporates residential housing of different types and densities, as well as compatible commercial, institutional and industrial development. Furthermore, a PDD allows for the establishment of dimensional standards, such as setbacks, lot sizes, height and bulk that are unique to the property in order to accommodate the allowed land uses. These requirements are established for the general purpose of promoting and protecting the public health, safety, and general welfare.

PLANNED UNIT DEVELOPMENT, (PUD)

Intent. It is the intent of the Planned Unit Development District to provide the opportunities to create more desirable environments through the application of flexible and comprehensive plan and program professionally prepared. The PUD is intended to be used to encourage the application of new techniques and technology to commercial, residential, office, and industrial development which will result in superior living or development arrangements with lasting values. It is further intended to achieve economic land development, maintenance of street systems and utility networks while providing building groupings for privacy, usable attractive open space, safe circulations, and the general well-being of the inhabitants.

MANUFACTURED HOME PARK DISTRICT, (MHP)

Intent. It is the intent of the Manufactured Home Park District is to provide a sound and healthy residential environment sufficient to meet the unique needs of inhabitants living in manufactured homes; to protect manufactured home parks from encroachment by incompatible uses; and to encourage the consolidation of manufactured home parks. Any manufactured home park within Horry County shall henceforth be in conformance with the regulations set forth herein.

RESORT RESIDENTIAL DISTRICT, (RR)

Intent. It is the intent of this section that the Resort Residential District be established and appropriate land be reserved for medium-to-high density resort residential purposes. The regulations which apply within the district are designed to encourage the formation and continuance of a stable, healthy environment for single and multi-family dwellings in areas having unique aesthetic, environmental and recreational characteristics conducive to resort living; and to discourage any encroachment by residential, commercial, industrial or other use incompatible with or capable of adversely affecting the resort residential character of the district.

RESORT HOUSING DISTRICT, (RH)

Intent. It is the intent of this section to provide opportunities to locate and develop medium to high-density uses that are reliant on the transient population located in Horry County typically located to the east of the Intracoastal Waterway. Additionally, the RH district is intended to provide opportunities to locate and develop uses that are generally associated with the transient population in Horry County.

AGRICULTURE DISTRICTS

LIMITED FOREST AGRICULTURE, (LFA)

Intent. It is the intent of this section that the Limited Forest/Agriculture Zoning District be reserved and utilized for agriculture, forestry, and low-density: residential, limited commercial, social, cultural, recreational, and religious uses.

FOREST AGRICULTURE, (FA)

Intent. It is the intent of this section that the Forest and Agriculture Zoning District be reserved and utilized for agriculture, forestry, and low-density: residential, commercial, social, cultural, recreational, and religious uses.

COMMERCIAL FOREST AGRICULTURE, (CFA)

Intent. It is the intent of this section that the Commercial Forest and Agriculture Zoning District be reserved and utilized for agriculture, forestry, residential, commercial, social, cultural, recreational and religious uses.

RURAL ESTATES, (RE)

Intent. It is the intent of this section that the Rural Estates District be created for rural family farms with restrictions in housing types and agricultural uses. Livestock can be raised to make a farm self-sustaining, however, not to the point where it creates a public nuisance or health hazard.

AGRICULTURE DISTRICT, (AG1)

Intent. It is the intent of the Agriculture District to provide opportunities to locate and develop business geared exclusively to farming in which the primary goal is the raising, care and harvesting of trees and/or plants, animals and crops.

COMMERCIAL AGRICULTURE DISTRICT, (AG2)

Intent. It is the intent of the Commercial Agriculture to provide opportunities to locate and develop businesses that are reliant on the uses permitted in the AG1 District; however, are generally characterized as being more agriculture-commercial in nature.

AGRICULTURAL COMMUNITY SERVICES DISTRICT, (AG3)

Intent. It is the intent of the Agricultural Community Services District to provide opportunities to locate and develop businesses that meet the needs of the rural community. Commercial establishments are necessary to supply everyday items, services, and function as meeting places for the community. Uses in this district are focused toward meeting those needs.

AGRICULTURAL ESTATE DISTRICT / AGRICULTURAL MANUFACTURED ESTATE DISTRICT, (AG4) / (AG5)

Intent. It is the intent of the Agricultural Estate District to provide an environment for single-family, site built residential development in which farming activities are allowed for the pleasure and/or leisure of the residents. No commercial farming activities are allowed. The raising and care of swine is prohibited in this district.

AGRICULTURAL RANCHETTES DISTRICT / MANUFACTURED AGRICULTURAL RANCHETTES DISTRICT, (AG6) / (AG7)

Intent. It is the intent of the Agricultural Ranchettes District to provide opportunities to locate and develop single-family site-built homes on parcels one and one half (1 ½) acres or greater upon which the property owner desires to conduct farming activities for personal pleasure and/or leisure. No commercial farming activities are allowed. The raising and care of swine is prohibited in this district.

CONSERVATION PRESERVATION, (CP)

Intent. As a coastal county, Horry County possesses a vast amount of low-lying areas containing salt, brackish or freshwater, in addition to an abundance of forestlands. These areas possess great natural beauty and serve as breeding grounds and refuges for marine life, birds, and land animals whose survival is economically important to sport and commercial fishing, hunting, and natural study by our citizens and visitors to the area. The preservation of pristine areas in, on, or around rivers, flood prone areas, floodways, marshes, wetlands, green belts, greenways, etc. is encouraged in this district.

COMMUNITY RETAIL DISTRICTS

NEIGHBORHOOD COMMERCIAL DISTRICT, (NC)

Intent. It is the intent of this section that the Neighborhood Commercial District be established and appropriate land be reserved for local or neighborhood-oriented business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy, and compatible environment for uses that are located so as to provide nearby residential areas with convenience shopping and service facilities; reduce traffic and parking congestion; avoid the development of "strip" business districts; and to discourage industrial and other development capable of adversely affecting the localized commercial character of the district.

COMMUNITY COMMERCIAL, (CC)

Intent. It is the intent of this district to promote the creation of harmonious, pedestrian oriented commercial centers which may serve an extensive retail market area. The combination of single-family residential uses with such commercial center shall be encouraged as a means of implementing the county's comprehensive plan.

RETAILING AND CONSUMER SERVICES, (RCS)

Intent. It is the intent of the Retailing and Consumer Services District to provide opportunities to locate and develop businesses focused on providing goods and services that the general public consumes, purchases or participates in as part of their day to day activities

TRANSPORTATION-RELATED SERVICES, (TRS)

Intent. It is the intent of the Transportation Related Services District to provide opportunities to locate and develop businesses generally reliant on the automobile or focused on providing services for automobiles, public or private transportation facilities, services, and communications facilities. Uses in this district are generally located where accessibility to the transportation system is good and exposure to the public is substantial.

HIGHWAY COMMERCIAL DISTRICT, (HC)

Intent. It is the intent of this section that the Highway Commercial District be established and appropriate land reserved for general business purposes and with particular consideration for the automobile-oriented commercial development existing or proposed along the county's roadways. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible and economically healthy environment for business, financial, service, amusement, entertainment and professional uses which benefit from being located in close proximity to each other; and to discourage any encroachment by industrial or other uses capable of adversely affecting the basic commercial character of the district.

NEIGHBORHOOD RETAIL SERVICES DISTRICT, (RE1)

Intent. It is the intent of the Neighborhood Retail Services District to serve the needs of the surrounding residential community through provision of services that have limited impact on the quality of life in the adjacent residential development. Uses within this district are encouraged to incorporate design features and characteristics that are in keeping with the adjacent residential development and shall meet the buffer/landscaping provisions and parking requirements stated within these regulations.

COMMUNITY RETAIL SERVICES DISTRICT, (RE2)

Intent. It is the intent of the Community Retail Services District to provide opportunities to locate and develop businesses primarily engaged in the sale, rental, and provision of goods or merchandise for personal or household use. Uses with this district are generally located outside or on the edge of established residential developments along transportation corridors providing easy access to established business. Uses permitted in this district may freestanding or located in minor retail centers with out-parcel development. Uses permitted in this district are intended to not impair existing or future residential development.

CONVENIENCE AND AUTO RELATED SERVICES DISTRICT, (RE3)

Intent. It is the intent of the Convenience and Auto-related Services District to provide opportunities to locate and develop businesses that meet the convenience shopping and service needs of the community and region as well as the motoring public. This district is typically located adjacent to arterial or collector streets and is convenient to major residential areas. The types of uses permitted within this district are intended to serve consumer needs.

RETAIL WITH ACCESSORY OUTDOOR STORAGE DISTRICT, (RE4)

Intent. It is the intent of the Retail with Accessory Outdoor Storage District to provide opportunities to locate and develop businesses requiring outdoor storage areas. Such businesses are generally located along arterial or collector roadways and are in close proximity to other consumer-related businesses. Uses within this district should not be located adjacent to established residential communities due to their large outdoor storage areas and non-traditional delivery hours.

PROFESSIONAL AND MEDICAL DISTRICTS

OFFICE/PROFESSIONAL/INSTITUTIONAL DISTRICT, (OPI)

Intent. It is the intent of the Office/Professional/Institutional District to provide areas for the development of administrative and professional office space in locations served by primary access, yet inappropriate for commercial development because of close proximity to residential areas.

EDUCATION, INSTITUTION AND OFFICE DISTRICT, (EIO)

Intent. The Education, Institution, and Office District provides opportunities to locate and develop businesses focused on providing services that meet the educational, medical, personal, professional, religious, and social needs of the public. Additionally, this district is intended to provide locations for public or private facilities engaged in the provision of utility services to the public. Uses in this district are generally located in close proximity to the population which they are intended to service; however, may be concentrated into a single area, such as a downtown, where locational advantages are realized.

OFFICE-PROFESSIONAL DISTRICT, (PR1)

Intent. It is the intent of the Office-Professional District to provide opportunities to locate and develop administrative and professional offices and education institutions in locations served by primary access. Uses in this district can be located in close proximity to the population that they are intended to service, or concentrated in a single area, such as a downtown or along a major transportation corridor, where location advantages are realized.

CAMPUS INSTITUTION, OFFICE AND RESEARCH DISTRICT, (PR2)

Intent. It is the intent of the Campus Institution, Office and Research District to promote the development and location of research and research-related uses, institutional uses, and light industrial uses that capitalize on the educational institutions throughout Horry County. Creation of PR2 Districts may result in the creation of settings for the development of high-tech university-related or spin-off uses in a campus setting. Development within this district may create opportunities to enhance the economic vitality of the community and encourage the development of such uses in a park environment. Within this district light industrial, commerce, and office park development may also occur. These parks may include light manufacturing, processing, storage and warehousing, wholesaling and distribution uses.

The principal use of any industrial and office park district is the manufacture of goods and materials as well as the storage and wholesale distribution of those goods and materials. However, for the welfare of the public and for the efficiency of the local economic structure, the PR2 District permits a limited number of commercial uses. The uses permitted are intended to serve principally the employees or patrons of businesses within the PR2 District.

INPATIENT MEDICAL SERVICES DISTRICT, (ME1)

Intent. It is the intent of the Inpatient Medical Services District to provide opportunities to locate and develop businesses providing services that meet general medical needs (inpatient and outpatient) of the public. Uses in this district are generally concentrated into a single area, such as a downtown or along a major transportation corridor, where location advantages are realized.

OUTPATIENT MEDICAL SERVICES DISTRICT, (ME2)

Intent. It is the intent of the Outpatient Medical Services District to provide opportunities to locate halfway houses, residential treatment centers, outpatient clinics for the treatment of drug and alcohol addiction and other facilities of similar nature as might be required to serve a growing population. These uses can have substantial negative impacts on adjacent developments and are often considered noxious uses. Impacts may be mitigated through increased buffering requirements. To avoid possible negative impact upon adjacent development, these uses are not allowed to locate directly adjacent to existing residential development.

COMMERCIAL RECREATION DISTRICTS

AMUSEMENT COMMERCIAL DISTRICT, (AC)

Intent. The intent of the Amusement Commercial District is to allow for the mixing of certain specified land uses in the county where both residential and limited business uses are competing for land and accelerated transition is in evidence.

INDOOR AMUSEMENT DISTRICT, (AM1)

Intent. It is the intent of the Indoor Amusement Commercial District to provide opportunities to locate and develop uses that are amusement-related that are generally located within fully enclosed buildings or facilities. Uses typically located within this district have limited impact upon adjacent properties due to their location within enclosed structures.

OUTDOOR AMUSEMENT COMMERCIAL DISTRICT, (AM2)

Intent. It is the intent of the Outdoor Amusement Commercial District to provide opportunities to locate and develop use that are amusement-related in nature that are generally located outside a fully enclosed building or facility. Uses typically located within this district have significant impact upon adjacent properties do to their large scale, noise, and level of activity. Uses within such district should be sited in a manner that minimizes potential adverse impacts upon adjacent properties.

COMMERCIAL RECREATION DISTRICT, (CR)

Intent. It is the intent of the Commercial Recreation District to provide opportunities to locate and develop businesses focused on commercially operated recreational activities.

RESORT COMMERCIAL DISTRICT, (RC)

Intent. It is the intent of the Resort Commercial District are to create and protect areas wherein compatible residential, recreational, and commercial uses may be established and maintained on a sound basis. Standards are so designed as to encourage both seasonal and permanent occupancy of dwellings within this district; to permit commercial activities, such as marinas, boat service stations restaurants, and other selected retail establishments which are compatible with resort-oriented residential and recreational development; to encourage the discontinuance of nonconforming uses; and to prohibit any use that would substantially interfere with the development or continuance of resort-oriented commercial establishments, recreational, and residential structures in the district.

DESTINATION PARK DISTRICT, (DP)

Intent. It is the intent of the Destination Park District is to provide sound and healthy recreational sites in Horry County in which campers are situated. Furthermore, the Destination Park District is intended for short-term occupancy and is to be used primarily for leisure time activities at or near natural attractions in Horry County.

INDUSTRIAL/ TRANSPORTATION DISTRICTS

BOATING/ MARINE COMMERCIAL DISTRICT, (BO1)

Intent. It is the intent of the Boating/Marine Commercial District to provide opportunities to locate and develop businesses that rely on the ocean, rivers, and streams for their operations. Such businesses may have negative impact on the adjacent community due to odors and noise; therefore; careful consideration should be exercised before permitting such uses adjacent to existing residential developments.

PASSENGER AND PRODUCT TRANSPORTATION DISTRICT, (PA1)

Intent. It is the intent of the Passenger and Product Transportation District to provide opportunities to locate and develop businesses whose primary purpose is the movement of people or goods either within Horry County or between Horry County and other destinations. These facilities are generally located near population centers where accessibility to the transportation network is easily achieved; however; should not be located near established residential communities.

LIMITED MANUFACTURING AND INDUSTRIAL DISTRICT, (MA1)

Intent. It is the intent of the Limited Manufacturing and Industrial District to provide for the manufacture of small articles and products not involving the use of any materials, processes, or machinery which would pose a potential environmental or safety hazard for nearby commercial business districts or residential areas.

MA1 Districts are intended to act as a buffer or transition between commercial business districts and heavier manufacturing and industrial districts or to provide for planned industrial parks located in close proximity to residential areas.

GENERAL MANUFACTURING AND INDUSTRIAL DISTRICT, (MA2)

Intent. It is the intent of the General Manufacturing and Industrial District to meet the general industrial and manufacturing needs of Horry County by providing for uses that may require open-air storage of equipment, materials, and products. MA2 Districts are not intended for locations in close proximity to residential areas, and are not intended to directly abut commercial business districts.

HEAVY/ INTENSE MANUFACTURING AND INDUSTRIAL DISTRICT, (MA3)

Intent. It is the intent of the Heavy/Intense Manufacturing and Industrial District to provide for the heaviest manufacturing and industrial uses, involving the use, handling, and storage of hazardous materials, or industrial uses which require a substantial amount of open-air storage area.

MA3 Districts are not intended to be within one thousand (1,000) feet of any residential structures are not appropriate in close proximity to commercial business districts. MA3 Districts should be surrounded by MA1 and MA2 zoning districts.

MARINE INDUSTRIAL DISTRICT, (MI)

Intent. It is the intent of the Marine Industrial District is primarily to provide adequate space for those water-dependent commercial and industrial uses that require direct marine access for their operation, such as full-service marinas, marine transportation facilities, and tourist attractions which benefit from direct access to the waterways.

LIMITED INDUSTRIAL DISTRICT, (LI)

Intent. It is the intent of the Limited Industrial District to provide areas for limited industrial purposes which are not significantly objectionable in terms of noise, odor, fumes, etc., to surrounding properties. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible environment of uses generally classified to be light industrial in nature; protect and reserve undeveloped areas in Horry County which are suitable for such industries; and discourage encroachment by those residential, commercial, or other uses capable of adversely affecting the basic industrial character of the district.

HEAVY INDUSTRIAL DISTRICT, (HI)

Intent. It is the intent of the Heavy Industrial District to promote the development and continued use of land for large scale basic or primary industrial purposes which involve extensive manufacturing, processing, or assembly operations and preserve sizable tracts of undeveloped land with potential for industrial uses.

SECTION 202 - DISTRICT BOUNDARIES.

The boundaries of the above zoning districts are shown by a series of maps entitled, "Official Zoning Map, Horry County, South Carolina," which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance.

1. Each map bearing the designation "Official Zoning Map, Horry County, South Carolina" shall be identified by the signature of the chairman of the County Council of Horry County, attested by the clerk of the County Council of Horry County, and bear the Seal of the County under the words: "Official Zoning Map, Horry County, South Carolina," together with the date of the adoption of this ordinance [October 20, 1987].
2. If changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be entered on the official zoning map promptly by the zoning administrator within fifteen (15) days after the amendment has been approved by the County Council. No amendment to this ordinance which involves information portrayed on the official zoning map shall become effective until after such change has been made on said map.
3. No changes of any nature shall be made on the official zoning map or information shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this ordinance and punishable as provided by law.
4. Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map, which shall be located in the office of the zoning administrator, shall be the final authority as to the current status of land and water areas, buildings, and other structures in the county.

SECTION 203 - RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES.

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 lines or right-of-way lines of streets, highways, alleys, railways, or public utility easements shall be construed to follow such lines;
2. Boundaries indicated as approximately following plotted lot or tract lines shall be construed as following such lines, whether public or private;
3. Boundaries indicated as approximately following the incorporated area of county limit lines, military reservation boundaries, or special district lines, as amended from time to time, shall be construed to follow such lines;
4. Boundaries indicated within the area known as the Atlantic Ocean shall be construed to be parallel to, and five hundred (500) feet seaward from mean high tide lines or marsh shoreline;
5. Boundaries indicated as approximately following the center, mean high water mark, or shoreline of streams, rivers, canals, lakes, marsh areas, or other bodies of water, low land, or tidal areas, shall be construed to following such boundaries;
6. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the official zoning map, or in other circumstances not covered by subsections 1 through 5 above, the Board of Appeals shall interpret the district boundaries.

SECTION 204 - ZONING USE TABLES

A. INTENT

This section explains how to interpret the use tables. The top of the use tables contains the Zoning Districts and the left side of the table contains the use types. The uses listed in the use tables are permitted or not permitted in each Zoning District according to the letter coding described in Section 204. B through G below.

B. PERMITTED USES

A “P” in a cell indicates that a use category is allowed by right in the respective district. Permitted uses are subject to compliance with all other applicable regulations of this ordinance.

C. CONDITIONAL USES

A “C” in a cell indicates that a use category is allowed conditionally in the respective district, subject to compliance with the use-specific regulations set forth in the final column of the table.

D. TEMPORARY USES

A "T" in a cell indicates that a use category is allowed temporarily in the respective district, subject to compliance with the use-specific regulations set forth in the final column of the table.

E. SPECIAL EXCEPTION USES

A "SE" in a cell indicates that a use category is allowed only if reviewed and approved as a special exception in accordance with the special exception review procedures set forth in the final column of the table.

F. RETIRED ZONING DISTRICTS

A "*" next to a zoning district indicates a zoning district that is no longer available for use in the rezoning of the property. See § 301. B of this ordinance for additional information.

G. USES NOT ALLOWED

A blank cell indicates that a use is not allowed in the respective zoning district, unless it is otherwise expressly allowed by other regulations of this ordinance.

H. USES NOT LISTED

The zoning administrator shall determine whether or not an unlisted use is part of an existing category, or is substantially similar to an already defined use.

I. ADDITIONAL REGULATIONS

Regardless of whether a use category is permitted by right or permitted as a conditional use, temporary use or special exception, there may be additional regulations that are applicable to a specific use. All uses are subject to compliance with all applicable regulations of this ordinance.

SECTION 204.1 - RESIDENTIAL USE CHART

Zoning Districts

Land Uses	SF6	MSF6	SF 14.5/ SF10/ SF 8.5/ SF 7	MSF 14.5/ MSF 10/ MSF 8.5/ MSF 7	SF 20	MSF 20	SF 40	MSF 40	GR*	GRn*	MHP	RR*	RH	LFA*	FA*	CFA*	RE	AG 1	AG 2	AG 3	AG 4/ AG6	AG 5/ AG 7	NC*	CC*	CR*/ TRS*/ RCS*	HC*	RE 1	RE 2	RE 3	OPI*	EIO*	PR 1/ PR 2	RC*	DP	Conditional Uses	Special Exception Uses
Duplex	P	P							P	P		P													P						P		P			
Manufactured Homes		P		P		P		P			P			P	P	P		P	P			P														
Multi-family									P	P		P	P												P			P	P		P		P			
Multiple single-family homes on one parcel														C	C	C	C	C																	917	
Patio Home									C	C															C						C				921	
Quadruplex									P	P		P	P												P			P	P		P		P			
Semi-detached	P	P							P	P																										
Single Family	P	P	P	P	P	P	P	P	P	P	C	P		P	P	P	P	P	P		P	P	P	P	P	P	P			P	P		P	P	931	
Townhouse									P	P		P	P			P									P			P	P		P		P			

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.2 - LODGING & TRANSIENT ACCOMMODATIONS USE CHART

Zoning Districts

Land Uses	SF6/ SF7/ SF8.5/ SF10	MSF6/ MSF7/ MSF8.5/ MSF10	SF14.5 / SF20 / SF40	MSF14.5/ MSF20 / MSF40	GR*	GRn*	RR*	RH	LFA*	FA*	CFA*	AG3	NC*	CC*	RCS*	TRS*	HC*	RE 1	RE 2	RE 3	RE 4	OPI*	EIO*	PR1/ PR2	AC*	AM 1	AM 2	CR*	RC*	DP	Conditional Uses	Special Exception Uses
Boarding House					C		C																								908	
Bed & Breakfast	SE	SE	SE	SE	SE	SE			SE	SE	SE		SE	SE			SE															1106
Hotel/ Motel							P	P						P	P	P	P		P	P	P		P		P	P	P	P	P			
Non-Profit and/or Religious Spiritual Centers and/or Retreats							P	P	P	P	P	P																				
Campground																									C					P	941	
Campers and/or recreation vehicles used as temporary living accomodations									C	C	C					C	C											C	C		909	
Fraternity & Sorority Houses																						C	C								914	
Group home, except fraternities & sororities							P				P	P					P					P		P								

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.3 - AGRICULTURAL USE CHART

Zoning Districts

Land Uses	SF40/ MSF40	LFA*	FA*	CFA*	RE	AG 1	AG 2	AG 3	NC* / CC*	HC*	RE3 / RE4	LI* / HI *	MA1 / MA2 / MI	Conditional Uses	Special Exception Uses
Commercial Crop production	P	P	P	P	P	P	P			P					
Horticulture farm	P	P	P	P	P	P	P			P		P			
Produce Stand	C	C	C	C	C	C	C	C	C	C				923	
Personal use buildings (non-commercial)		C	C			C	C							919	
Value-Added Product Processing			C	C		C	C							938	
Beer, Wine and Spirit Production, tastings, and retail sales of related merchandise			C	C		C	C			C	C	P	P	937	

*= Retired Zoning District P = Permitted Use C = Conditional Use

SE = Special Exception

SECTION 204.4 - ANIMAL FACILITIES USE CHART

Zoning Districts

Land Uses	SF6/ SF7/ SF8.5/ SF10	MSF6/ MSF7/ MSF8.5/ MSF10	SF14.5 / SF20	MSF14.5/ MSF20	GR*/ GRn*	SF40/ MSF40	LFA*	FA*	CFA*	RE	AG 1	AG 2	AG 3	AG 4/ AG 5	AG 6/ AG 7	NC* / CC*/ RCS*/ TRS*/ HC*	RE1 / RE2	RE3 / RE4	OPI* / PR1 / RC*	LI* / MA1/ MA2 / HI*	BO1	Conditional Uses	Special Exception Uses
Aqua farm, fishery/hatchery & associated uses for packaging and shipping								P	P		P	P									P		
Commercial Agriculture Facility greater than 500,001 lbs								SE															1106.C.2
Commercial Agriculture Facility up to 500,000 lbs								C	C		C	C										902	
Commercial Animal Raising Facilities (Does not include Animal Production Facilities)							C	C	C		P	C										902	
Animal Services							C	C	C	C		C	C			C	C	P	C	P		902 / 933	
Livestock/agriculture auction facility									P			P											
Farm Animals Allowed by District																							
Farm Animals (excluding Swine)							C	C	C	C	P	C		C	C							902	
Other Animals							C	C	C													902	
Horses (Equine)	C	C	C	C	C	C	C	C	C	C	P	C		C	C							902	
Pigs (Swine)							C	C	C			C										902	

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.5 - STORAGE USE CHART

Zoning Districts

Land Uses	FA*	CFA*	AG2	AG3	RCS*	TRS*	HC*	RE 4	BO 1	LI*	MA1	MA2	MA3	MI	HI*	Conditional Uses	Special Exception Uses
Automobile Storage , including Tow Yards							C			C	C	C	C	C	C	906	
Accessory Outdoor Storage	C	C	C	C	C	C	C	C		C	C	C	C	C	C	907	
Outdoor Storage			C				C	C				C	C	C	C	907	
Boat Storage			C				C	C	C	C	C	C	C	C	C	907	

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.6 - SALES & RENTAL USE CHART

Zoning Districts

Land Uses	AG2	RCS*	TRS*	HC*	RE 4	BO 1	PA1	MA1	MA2	MA3	MI	HI*	Conditional Uses	Special Exception Uses
Vehicle, Equipment, Manufactured Home & Building Sales / Rental	P	P	P	P	P		P	P	P		P			
Outdoor Sales/ Rental				C					C	C	C	C	907	
Boat Sales/ Rental	P	P	P	P	P	P	P	P	P		P			

*= Retired Zoning District P = Permitted Use C = Conditional Use
SE = Special Exception

SECTION 204.7 - REPAIR & SERVICE USE CHART

Zoning Districts

Land Uses	FA*	CFA*	AG2	NC*	CC*	RCS*	TRS*	HC*	RE2	RE 3	RE 4	CR*	RC*	BO 1	PA1	LI*	MA1	MA2	MA3	MI	HI*	Conditional Uses	Special Exception Uses
Vehicle and Equipment Repairs		C	C			C	C	C		C	C				C	C	C	C	C	C	C	905	
Boat Service		P	P			P	P	P		P	P			P	P	P	P	P	P	P			
Repair Services	C	P		P	P	P	P	P	P	P	P		P			P					P	933	
Car Wash			P	P		P	P	P	P	P	P	P	P										

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.8 - INDOOR AMUSEMENT USE CHART

Land Uses	CC*	RCS*	TRS*	HC*	RE 2	RE 3/ RE 4	AC*	AM 1	AM 2	CR*	LI*	HI*	Conditional Uses	Special Exception Uses
	Zoning Districts													
Indoor Amusement	P	P	P	P		P	P	P	P	P				
Adult entertainment				C							C	C	901	
Auditorium/theater	P	P	P	P	P	P	P	P	P	P				
Event Center		P	P	P		P	P	P	P	P				

*= Retired Zoning District P = Permitted Use C = Conditional Use
SE = Special Exception

SECTION 204.9 - OUTDOOR AMUSEMENT USE CHART

Zoning Districts

Land Uses	All SF/MSF Districts	GR* / GRn *	RR*	RH	LFA*	FA*	CFA*	AG2	AG3	CC*	RCS*	TRS*	HC*	OPI*	EIO*	PR2	AC*	AM 1	AM 2	CR*	RC*	DP*	BO 1	HI*	MI	Conditional Uses	Temporary Uses	Special Exception Uses
Outdoor Amusement										P							P		P									
Batting Cage										P			C				P		P	P						930		
Paintball Facility										P			C				P		P	P						930		
Golf Amusements - driving ranges and miniature golf courses										P			P				P		P	P								
Golf course	P	P	P	P		P	P	P			P	P	P		P		P		P	P	P							
Family Fun Parks													T														1002	
Casino Boat																					SE							1106.C.1
Go-carts & Bumper Cars										P							P		P	C						932		
Racing Motor Sports																	P		P									
Commercial Pier			P								P	P					P		P	P	P		P		P			
Firearm training and sports facilities					C	C	C	C	C															C		912		
Sports facility													P	P	P	P	P	P	P	P								

*= Retired Zoning District P = Permitted Use C = Conditional Use T = Temporary Use SE = Special Exception

SECTION 204.10 - TRANSPORATION USE CHART

Land Uses	RH	FA*	CFA*	RCS*	TRS*	HC*	RE3	RE4	EIO*	AC*	AM2	CR*	RC*	BO1	PA1	LI*	MA1	MA2	HI*	MI	Conditional Uses	Special Exception Uses
	Zoning Districts																					
Residential Subdivision Airparks		C	C																		922	
Bus depot					P										P	P	P	P	P	P		
Taxi, limousine and ground transportation vehicles					P	P	P	P							P	P	P	P	P	P		
Commercial marina, fishing & shipping facility		C	P							P	P	P	P	P						P	933	
Commercial parking lot/ garage	C			P	P	P	P	P	P	P	P		C		P		P	P		P	920	
Motor freight transportation & warehousing															P	P	P	P	P	P		
Railroad depot (passengers & freight)		C	P		P	P									P	P	P	P	P	P	933	
Water transportation service, except casino boats		C	P							P	P		P	P	P					P	933	

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.11 - MEDICAL USE CHART

Land Uses	GR*	FA *	CFA*	AG 3	NC*	CC*	RCS*	TRS*	HC*	RE 1	RE 2	RE 3	RE 4	OPI*	EIO*	PR1	PR2	ME 1	ME 2	RC*	LI*	HI *	Conditional Uses	Special Exception Uses
Zoning Districts																								
Counseling facilities that distribute prescription medication on site, psychiatric hospital									SE					SE	SE				P					1106.C.5
Healthcare Facility, excluding Stand-alone Psychiatric Facilities								P	P					P	P			P						
Medical Offices & Clinics		C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	933	
Outpatient Drug and Alcohol addiction treatment Clinic									SE					SE	SE				P					1106.C.5
Senior Living																								
Continuing Care Retirement Community															P			P						
Assisted Living Facility	P		P						P					P	P			P						

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.12 - PROFESSIONAL USE CHART

Zoning Districts

Land Uses	SF 40/ MSF 40	GR*	GRn*	LFA*	FA *	CFA*	RE	AG1/ AG4/AG5/ AG6/ AG7	AG 2	AG 3	NC*	CC*	RCS*	TRS*	HC*	RE 1	RE 2	RE 3	RE 4	OPI*	EIO*	PR1	PR2	ME 1	ME 2	CR*	RC*	LI*	MA 1/ MA 2	MI	HI *	Conditional Uses	Special Exception Uses
Banks/ Savings and Loans					C	P				P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	933	
Barber/ beauty shop/ Salon/ Stylist/ Hair Dressers					C	P				P	P	P	P	P	P	P	P	P	P	P	P	P					P	P			P	933	
Commercial Cemeteries and Mausoleums - plots for sale/ or assigned	C			C	C	C	C	C	C	C				C	C	C	C	C	C		C	C		C	C							924	
Community and Personal Services					C	P					P	P	P	P	P	P	P	P	P	P	P	P					P	P			P	933	
Fitness center and health spas						P					P	P	P	P	P	P	P	P	P	P	P	P				P	P	P			P		
Funeral Home, Crematory & Mortuary						P						P		P	P		P	P	P														
Laundromat, coin operated/ dry cleaners store and pick up station (Excluding Industrial launderer)						P				P	P	P	P	P	P	P	P	P	P								P	P			P		
Motion picture production studio & allied services															P			P	P									P	P	P			
Offices (administrative, business, general purpose, and professional)		SE	SE		C	P				P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	933	1106.C.3
Tattoo Parlor																				C					P							939	
Therapeutic Massage					C	C				C	C	C	C	C	C	C	C	C	C	C	C	C		C			C	C			C	926 / 933	

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.13 - INDUSTRIAL USE CHART

Zoning Districts

Land Uses	CFA*	AG2	AG3	RCS*/TRS*	HC*	RE3	RE4	PR2	BO1	PA 1	LI*	MA1	MA 2	MA 3	MI	HI*	Conditional Uses	Special Exception Uses
Light Manufacturing											P	P	P		P	P		
Heavy Manufacturing														P		P		
Animal Rendering													P	P	P	P		
Agricultural product processing for crops or animals not grown on-site											P	P	P			P		
Batch plant, asphalt/concrete, aggregate processing														C		C	903	
C&D Transfer Station													P	P		P		
Landfill														P		P		
Linen Supply & Industrial Launderer											P	P	P		P	P		
Medium Manufacturing													P	P	P	P		
Manufacturing of precision instruments					P						P	P	P		P	P		
Mixed Industrial Use											P		P		P	P		
Petroleum & petroleum products (wholesale distribution)										P	P	P	P		P	P		
Boat Construction									P						P			
Recycling Facilities											C	C	P	P	P	P	934	
Salvage yard					C								C	C	C	C	907	
Scrap Metal Processor													P	P	P	P		
Scientific research & testing facility								P			P	P	P		P	P		
Trade Shops (Includes Contractor's Office)	C	C	C	C	C	C	C				C	C	C		C	C	935	
Warehouse	P	P	P	P	P	P	P				P	P	P		P	P		
Wholesale & Distribution		C					P			P	P	P	P		P	P	940	

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.14 - RETAIL USE CHART

Zoning Districts

Land Uses	FA*	CFA*	AG 2	AG 3	NC*	CC*	RCS*	TRS*	HC*	RE 1	RE 2	RE 3	RE 4	EIO*	AC*	AM 2	CR*	RC*	BO 1	LI*	MI	Conditional Uses	Special Exception Uses
Bait & Tackle Shops	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	933	
Grocery store	C	P		P	P	P	P	P	P		P	P	P					P				933	
Retail	C	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P		P		933	
Lawn/ Garden Nurseries	P	P	P	P	P	P	P	P	P				P				P	P					

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.15 - HIGH BULK RETAIL USE CHART

Land Uses	FA*	CFA*	AG 2	AG 3	NC*	CC*	RCS*	TRS*	HC*	RE 2	RE 3	RE 4	CR*	RC*	LI*	MA1	MA2	HI*	Conditional Uses	Special Exception Uses
	Zoning Districts																			
Bulk Landscape material supplier		P	P						P			P			P	P	P	P		
Hardware Store		P	P	P	P		P	P	P			P	P	P						
High Bulk Retail							P	P	P		P	P								
LP Gas (bottled gas) dealer less than 1000 gallons	C	P	P	P	P	P	P	P	P	P	P	P							933	

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.16 - OTHER COMMERCIAL USE CHART

Zoning Districts

Land Uses	FA*	CFA*	AG 2	AG 3	NC*	CC*	RCS*	TRS*	HC*	RE 1	RE 2	RE 3	RE 4	EIO*	AC*	AM 1	AM 2	CR*	RC*	BO 1	LI*	MA1	MA2	MI	HI*	Conditional Uses	Special Exception Uses
ATM and Ice Vending Machine (free-standing)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	904 / 933	
Commercial Center	P	P		P	P		P	P	P	P	P	P	P						P		P	P	P	P	P		
Gas Stations	C	P	P	P	P		P	P	P		P	P	P					P	P		P				P	933	
Mini-warehouse/self-storage	P	P		P			P	P	P			P	P								P	P	P		P		
Restaurants, bars	C SE	P SE		P SE	P SE	C SE	P SE	P SE	P SE	C SE	P SE	P SE	P SE	P SE	P SE	P SE	P SE	P SE	P SE		P SE			P SE		933/936	1106.C.4

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.17 - INSTITUTIONAL USE CHART

Zoning Districts

Land Uses	All SF/ MSF Districts	GR*	RR*	RH	LFA*	FA*	CFA*	RE	AG 3	NC*	CC*	RCS*/ TRS*	HC*	RE 1/ RE 2/ RE 3/ RE 4	OPI*	EIO*	PR 1	PR 2	RC*	CR*	LI*	MI	HI*	Conditional Uses	Special Exception Uses
Civic, fraternal, and social associations					P	C	P		P			P	P	P		P				P				933	
Schools, Private	P	P	P		P	C	P	P		P	P	P	P		P	P	P	P	P			P		933	
Specialty School			P						P		P	P	P	P	P	P	P	P	P		P	P	P		

*= Retired Zoning District P = Permitted Use C = Conditional Use SE = Special Exception

SECTION 204.18 - OTHER USE CHART

Zoning Districts

Land Uses	Conditional Uses	Temporary Uses	Special Exception Uses
Heliports/ Helipads	916		
Churches, synagogues, temples, and other places of worship	910		
Daycare centers	911		
Historic Facilities for weddings/periodic events	1212		
Noncommercial docks	918		
Accessory dwelling units	925		
Home Occupations	927		
Telecommunication Facilities	942		
Public Uses	413		
Rural Tourism Permit			1106.C.7
Temporary Events and Seasonal Uses		1002.5	1106.C.6
Temporary Real Estate Sales Office/ Model Home		1002.3	
Temporary Contractor's Office, construction trailers and equipment sheds		1002.4	
Temporary Vending		1001	
Temporary Christmas Tree Sales		1002.2	
Temporary Religious meeting in a tent or other temporary structure		1002.1	
Temporary Asphalt, Concrete & Aggregate Processing Facilities		1003	

SECTION 205 - DIMENSIONAL & DENSITY STANDARDS

A. APPLICABILITY

In any zoning district the maximum heights of building or structures, the minimum dimensions of yards, the area of lot required and the percent of lot to be occupied by buildings shall be shown on Table 2-1.

B. GENERAL SETBACK PROVISIONS

The following provisions apply to all applicable lots:

1. INCREASED SETBACK ON CERTAIN ROADS

No structures shall be located within sixty (60) feet of the right-of-ways of Hwys 19, 21 (Red Bluff Rd), 57, 90, 319, 378, 701, 905, 917, Hwy 9 (from Olive Drive to Marion County Line), Nichols Hwy, Hardwick Rd (off Hwy 501) and Pee Dee Hwy./ Rd.

2. SHARED PRIVATE DRIVEWAYS

When a shared private driveway easement is utilized for access, the required setback shall be measured from the easement line. In instances when such access serves LFA zoned property, one-half (1/2) of the required setbacks may be located within the shared private driveway easement.

3. DOUBLE FRONTAGE LOTS

Double frontage lots abutting public or private right-of-ways or shared private driveways shall maintain minimum front setbacks on both frontages.

4. CORNER LOTS

The minimum width of a side yard along an intersection street shall be (150) percent of the side yard requirements of the district in which the lot is located. If a corner lot is adjacent to a collector or arterial street it must meet the front yard setback from both streets, unless said lot is within a Commercial Subdivision Development.

Table 2-1 DIMENSIONAL AND DENSITY STANDARDS

Zoning District		Uses	Minimum Required Area	Front Setback	Side Setback	Rear Setback	Corner Side Setback	Maximum Height	Minimum Lot Width at Building Setback Line	Maximum Density (du/ac)	Maximum Floor Area Ratio	Maximum Lot Coverage	Minimum Building Separation	Maximum bldg. Sq. Ft.
SF6	Single Family	Single Family	6,000 SF	20'	7.5'	15'	11.25'	35'	50'					
		Semi-Detached	4,000 SF per d/u	20'	7.5'	15'	11.25'	35'	50'					
		Duplex	8,000 SF	20'	7.5'	15'	11.25'	35'	50'					
		Garden City Overlay		20'	7.5'	15'	11.25'	See Overlay; Section 834	40'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	50'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	50'					
MSF6	Manufactured Single Family	Single Family Manufactured Home	6,000 SF	20'	7.5'	15'	15'	35'	50'					
		Semi-Detached	4,000 SF per d/u	20'	7.5'	15'	15'	35'	50'					
		Duplex	8,000 SF	20'	7.5'	15'	15'	35'	50'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	50'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	50'					
SF7	Single Family	Single Family	7,000 SF	25'	10'	15'	15'	35'	60'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	60'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	60'					
MSF7	Manufactured Single Family	Single Family Manufactured Home	7,000 SF	25'	10'	15'	15'	35'	60'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	60'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	60'					
SF8.5	Single Family	Single Family	8,500 SF	25'	10'	15'	15'	35'	70'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	70'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	70'					
MSF8.5	Manufactured Single Family	Single Family Manufactured Home	8,500 SF	25'	10'	15'	15'	35'	70'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	70'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	70'					
SF10	Single Family	Single Family	10,000 SF	25'	10'	15'	15'	35'	70'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	70'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	70'					
MSF10	Manufactured Single Family	Single Family Manufactured Home	10,000 SF	25'	10'	15'	15'	35'	70'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	70'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	70'					

Table 2-1 DIMENSIONAL AND DENSITY STANDARDS CONTINUED

Zoning District		Uses	Minimum Required Area	Front Setback	Side Setback	Rear Setback	Corner Side Setback	Maximum Height	Minimum Lot Width at Building Setback Line	Maximum Density (du/ac)	Maximum Floor Area Ratio	Maximum Lot Coverage	Minimum Building Separation	Maximum bldg. Sq. Ft.
SF14.5	Single Family	Single Family	14,500 SF	25'	10'	15'	15'	35'	70'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	70'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	70'					
MSF14.5	Manufactured Single Family	Single Family Manufactured Home	14,500 SF	25'	10'	15'	15'	35'	70'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	70'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	70'					
SF20	Single Family	Single Family	20,000 SF	40'	15'	25'	22.5'	35'	90'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	90'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	90'					
MSF20	Manufactured Single Family	Single Family Manufactured Home	20,000 SF	40'	15'	25'	22.5'	35'	90'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	90'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	90'					
SF40	Single Family	Single Family	40,000 SF	50'	20'	30'	30'	35'	100'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	100'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	100'					
MSF40	Manufactured Single Family	Single Family Manufactured Home	40,000 SF	50'	20'	30'	30'	35'	100'					
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	100'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	100'					
GR	General Residential	Single-Family	6,000 SF	20'	10'	15'	15'	35'	60'					
		Duplex	8,000 SF	20'	10'	15'	15'	35'	60'					
		Semi-Detached	4,000 SF per d/u	20'	10'	15'	15'		60'					
		Townhouse	1 Acre *(43,560 SF)*	30'	20'	20' *	30'	35'	100'	See Table 2-3 for Density Requirements		50%	20'	
		Multi-Family	1 Acre *(43,560 SF)*	30'	20'	20' *	30'	120'	100'			50%		
			** Rear setback increases to 30' if property adjions a marsh or ocean.*											
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	60'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	60'					

Table 2-1 DIMENSIONAL AND DENSITY STANDARDS CONTINUED

Zoning District		Uses	Minimum Required Area	Front Setback	Side Setback	Rear Setback	Corner Side Setback	Maximum Height	Minimum Lot Width at Building Setback Line	Maximum Density (du/ac)	Maximum Floor Area Ratio	Maximum Lot Coverage	Minimum Building Separation	Maximum bldg. Sq. Ft.
GRn	General Residential "n"	Residential Uses	Reference Table 2-2 for requirements											
		Ag Bldg, Horses Only	3 acres	60'	25'	40'	37.5'	35'	60'					
		Commercial Horse Facility	10 acres	60'	25'	40'	37.5'	35'	60'					
MRD	Multi-Residential District		See Section 207 for requrirements											
PUD/ PDD	Planned Unit Development / Planned Development District		See individual district for requirements											
MHP	Mobile Home Park		5 Acres					35'	See Section 209 for requirements					
RR	Resort Residential	Single-Family	6,000 SF	20'	10'	15'	15'	35'	60'				20'	
		Duplex	8,000 SF	20'	10'	15'	15'	35'	60'					
		Semi-Detached	4,000 SF per d/u	20'	10'	15'	15	35'	60'					
		Townhouse	1 Acre *(43,560 SF)*	30'	20'	20' *	30'	35'	100'	See Table 2-3 for Density Requirements				
		Multi-Family	1 Acre *(43,560 SF)*	30'	20'	20' *	30'	120'	100'					
			** Rear setback increases to 30' if property adjions a marsh or ocean.*											
		Commercial Uses	1 Acre *(43,560 SF)*	30'	20'	20'	30'	Unlimited	100'					
RH	Resort Housing	Residential & Commercial Uses	1/2 Acre *(21,780 SF)*	50'	20'	20'	30'	36' per 1/2 acre; not to exceed 300'						
CP	Conservation Preservation			25'	25'	25'	25'							

Table 2-1 DIMENSIONAL AND DENSITY STANDARDS CONTINUED

Zoning District		Uses	Minimum Required Area	Front Setback	Side Setback	Rear Setback	Corner Side Setback	Maximum Height	Minimum Lot Width at Building Setback Line	Maximum Density (du/ac)	Maximum Floor Area Ratio	Maximum Lot Coverage	Minimum Building Separation	Maximum bldg. Sq. Ft.
LFA	Limited Forest Agriculture	Residential & Commercial Uses	1 Acre *(43,560 SF)*	60'	25'	40'	37.5'	35'	100'					
		Commercial Animal Facility	3 Acres	60'	25'	40'	37.5	35'	100'					
		Ag Bldg, Farm Animals	1 1/2 Acres	60'	25'	40'	37.5'	35'	90'					
		Non-commercial personal use bldg	3 Acres	60'	25'	25'	37.5'							
FA	Forest Agriculture	Commercial Uses	1 Acre *(43,560 SF)*	60'	25'	40'	37.5'	35'	100'					4,500
		Commercial Center	1 Acre *(43,560 SF)*	60'	25'	40'	37.5'	35'	100'					4,500
		Commercial Animal Facility	3 Acres	60'	25'	40'	37.5	35'	100'					
		Single Family Manufactured Home	1/2 Acre *(21,780 SF)*	40'	10'	15'	15'	35'	90'					
		Ag Bldg, Farm Animals	1 1/2 Acres	60'	25'	40'	37.5'	35'	90'					
		Non-commercial personal use bldg	3 Acres	40'	25'	25'	25'	35'	90'					4,500
CFA	Commercial Forest Agriculture	Commercial Uses	1 Acre *(43,560 SF)*	60'	25'	40'	37.5'	35'	100'					
		Commercial Center	1 Acre *(43,560 SF)*	60'	25'	40'	37.5'	35'	100'					50,000
		Commercial Animal Facility	3 Acres	60'	25'	40'	37.5	35'	100'					
		Single Family Manufactured Home	1/2 Acre *(21,780 SF)*	40'	10'	15'	15'	35'	90'					
		Ag Bldg, Farm Animals	1 1/2 Acres	60'	25'	40'	37.5'	35'	90'					
		Townhouse	3 Acres	60'	25'	40'	37.5'	35'	90'	2 net units/ ac	30%	50%		
		Assisted Living Facilities	1 Acre	60'	25'	40'	37.5'	35'	100'	See Table 2-8 for density requirements				
RE	Rural Estates	Single-Family	1 Acre *(43,560 SF)*	40'	15'	25'	22.5'	35'	100'					
		Ag Bldg, Farm Animals and/ or Commercial Animal Facility	3 Acres	100'	25'	25'	37.5'	35'	100'					

Table 2-1 DIMENSIONAL AND DENSITY STANDARDS CONTINUED

Zoning District		Uses	Minimum Required Area	Front Setback	Side Setback	Rear Setback	Corner Side Setback	Maximum Height	Minimum Lot Width at Building Setback Line	Maximum Density (du/ac)	Maximum Floor Area Ratio	Maximum Lot Coverage	Minimum Building Separation	Maximum bldg. Sq. Ft.
AG1	Agriculture	Single Family Manufactured Home	20 Acres	40'	15'	25'	22.'	35'						
		Ag Bldg, Horses Only	20 Acres	60'	25'	40'	37.5'	65'						
		Ag Bldg, No Animals	20 Acres	40'	15'	25'	22.5'	65'						
		Ag Bldg, Farm Animals	20 Acres	100'	100'	100'	150'	65'						
		Non-commercial personal use bldg	3 Acres	40'	25'	25'	25'	35'						4,500
AG2	Commercial Agriculture	Commercial Uses	1/2 Acre *(21,780 SF)*	50'	10'	15'	15'	65'						
		Commercial Animal Facility	3 Acres	60'	25'	40'	37.5	35'						
		Single Family Manufactured Home	1/2 Acre *(21,780 SF)*	40'	15'	25'	22.5'	35'						
		Ag Bldg, Farm Animals	1 1/2 Acres	60'	25'	40'	37.5'	35'						
		Non-commercial personal use bldg	3 Acres	40'	25'	25'	25'	35'						4,500
AG3	Agriculture Community Services	Commercial Uses	10,000 SF	40'	10'	15'	15'	65'						
		Commercial Center	10,000 SF	40'	10'	15'	15'	65'						4,500
AG4	Agriculture Estate	Ag Bldg, Farm Animals	5 Acres	60'	25'	40'	37.5'	35'						
		Single-Family	5 Acres	60'	25'	25'	37.5'	35'						
AG5	Agriculture Manufacutred Estate	Ag Bldg, Farm Animals	5 Acres	60'	25'	40'	37.5'	35'						
		Single Family Manufactured Home	5 Acres	60'	25'	25'	37.5'	35'						
AG6	Agricultural Ranchettes	Ag Bldg non-livestock	1.5 Acres	60'	25'	25'	37.5'	35'						
		Ag Bldg, Farm Animals	1.5 Acres	60'	25'	40'	37.5'	35'						
		Single-Family	1.5 Acres	40'	15'	25'	22.5'	35'						
AG7	Manufactured Agricultural Ranchettes	Ag Bldg non-livestock	1.5 Acres	60'	25'	25'	37.5'	35'						
		Ag Bldg, Farm Animals	1.5 Acres	60'	25'	40'	37.5'	35'						
		Single Family Manufactured Home	1.5 Acres	40'	15	25	22.5'	35'						
NC	Neighborhood Commercial	Single - Family	10,000 SF	25'	10'	15'	15'	35'	60'					
		Commercial Uses	10,000 SF	25'	10'	15'	15'	35'	60'					
		Commercial Center	10,000 SF	25'	10'	15'	15'	35'	60'					30,000
CC	Community Commercial	Single-Family	6,000 SF	20'	10'	15'	15'	35'	60'					
		Commercial Uses	See Table 2-5 for requirements											

Table 2-1 DIMENSIONAL AND DENSITY STANDARDS CONTINUED

Zoning District		Uses	Minimum Required Area	Front Setback	Side Setback	Rear Setback	Corner Side Setback	Maximum Height	Minimum Lot Width at Building Setback Line	Maximum Density (du/ac)	Maximum Floor Area Ratio	Maximum Lot Coverage	Minimum Building Separation	Maximum bldg. Sq. Ft.
RCS	Retail Consumer Services	Commercial Uses	10,000 SF	50'	10'	15'	15'	65'	50'					
		Residential Uses	Reference Table 2-2 for requirements											
TRS	Transportation Related Services	Commercial Uses	10,000 SF	50'	10'	15'	15'	65'	50'					
		Residential Uses	Reference Table 8-2 for requirements											
HC	Highway Commercial	Single-Family	6,000 SF	20'	10'	15'	15'	35'	60'					
		Commercial Uses	10,000 SF	50'	10' *	15'	15'	120'	60'					
			** Where the district abuts any Residential Zoning District not separated by a street right-of-way, a minimum side yard of thrity (30) feet of the side abutting said residential district shall be required.*											
		Hospitals, Nursing Homes	1 Acre *(43,560 SF)*	50'	10'	15'	15'	120'	60'					
RE1	Neighborhood Retail Servies	Commercial Uses	10,000 SF	25'	10'	15'	15'	36'						
		Commercial Center	10,000 SF	25'	10'	15'	15'	36'						30,000
		Single-Family	10,000 SF	25'	10'	15'	15'	36'						
RE2	Community Retail Services	Commercial Uses	10,000 SF	50'	10'	15'	15'	36'						
		Commercial Center	10,000 SF	50'	10'	15'	15'	36'						50,000
		Townhouse	1 Acre	25'	10'	15'	15'	40'		6 du/ac			20'	
		Multi-Family	1.5 Acres	30'	20'	25'	30'	65'		6 du/ac			20'	
RE3	Convenience & Auto-Related Services	Commercial Uses	10,000 SF	50'	10'	15'	15'	48'						
		Commercial Center	10,000 SF	50'	10'	15'	15'	48'						100,000
		Townhouse	0.75 Acre	25'	10'	15'	15'	40'		15 du/ac			20'	
		Multi-Family	1 Acre	30'	20'	25'	30'	120'		15 du/ac			20'	
RE4	Retail With Accessory Outdoor Storage	Commercial Uses	1/2 Acre *(21,780 SF)*	50'	10'	15'	15'	36' per 1/2 acre; not to exceed 120'						

Table 2-1 DIMENSIONAL AND DENSITY STANDARDS CONTINUED

Zoning District		Uses	Minimum Required Area	Front Setback	Side Setback	Rear Setback	Corner Side Setback	Maximum Height	Minimum Lot Width at Building Setback Line	Maximum Density (du/ac)	Maximum Floor Area Ratio	Maximum Lot Coverage	Minimum Building Separation	Maximum bldg. Sq. Ft.
OPI	Office Professional Institutional	Commercial Uses	10,000 SF					65'	60'	See Table 2-6 for requirements				
		Single-Family		25'	10'	15'	15'	65'	60'					
EIO	Education, Institution, Office	Commercial Uses	10,000 SF	50'	10'	15'	15'	65'	50'					
		Residential Uses	Reference Table 2-2 for requirements											
PR1	Office-Professional	Commercial Uses	10,000 SF	25'	10'	15'	15'	36'						
PR2	Campus Institution, Office & Research	Commercial Uses	1/2 Acre *(21,780 SF)**	50'	25'	25'	37.5'	50						
			** If development within the district is proposed to be in a park-type setting (multiple parcels on a single tract of land) the minimum parcel size shall be increased to three (3) acres.*											
ME1	Inpatient Medical Services	Commercial Uses	10,000 SF	25'	10'	15'	15'	120'						
ME2	Outpatient Medical Services	Commercial Uses	1/2 Acre *(21,780 SF)*	50'	25'	15'	37.5'	36'						
AC	Amusement Commercial	Commercial Uses	15,000 SF	50'	10' *	15'	15'	120'	70'					
			** Where the district abuts any Residential Zoning District not separated by a street right-of-way, a minimum side yard of thrity (30) feet of the side abutting said residential district shall be required.*											
AM1	Indoor Amusement Commercial	Commercial Uses	10,000 SF	25'	10'	15'	15'	36' per 10,000 SF; not to exceed 120'						
AM2	Outdoor Amusement Commercial	Commercial Uses	1/2 Acre *(21,780 SF)*	50'	10'	15'	15'	36' per 1/2 acre; not to exceed 300'						
CR	Commercial Recreation	Commercial Uses	10,000 SF	50'	10'	15'	15'	65'	50'					
		Residential Uses	Reference Table 2-2 for requirements											

Table 2-1 DIMENSIONAL AND DENSITY STANDARDS CONTINUED

Zoning District		Uses	Minimum Required Area	Front Setback	Side Setback	Rear Setback	Corner Side Setback	Maximum Height	Minimum Lot Width at Building Setback Line	Maximum Density (du/ac)	Maximum Floor Area Ratio	Maximum Lot Coverage	Minimum Building Separation	Maximum bldg. Sq. Ft.
RC	Resort Commercial	Single-Family	6,000 SF	20'	10'	15'	15'	Unlimited	60'	See Table 2-3 for Density Requirements			20'	
		Duplex	8,000 SF	20'	10'	15'	15'	Unlimited	60'					
		Semi-Detached	4,000 SF per d/u	20'	10'	15'	15'		60'					
		Townhouse	1 Acre *(43,560 SF)*	30'	20'	20' *	30'	Unlimited	100'					
		Multi-Family	1 Acre *(43,560 SF)*	30'	20'	20' *	30'	Unlimited	100'					
		** Rear setback increases to 30' if property adjions a marsh or ocean.*												
		Commercial Uses	25,000 SF	40'	30'	25'	45'	Unlimited	60'				20'	
DP	Destination Park		5 Acres					25'	See Requirements in Section 208					
BO1	Boating/ Marine Commercial	Commercial Uses	10,000 SF	40'	10'	15'	15'	65'						
PA1	Passenger & Product Transportation	Commercial Uses	1/2 Acre *(21,780 SF)*	50'	10'	15'	15'	36' per 1/2 acre; not to exceed 300'						
LI	Limited Industrial	Commercial Uses	1/2 Acre *(21,780 SF)*	50'	20'	25'	30'	60'	80'					
MA1	Limited Manufacturing and Industrial	Commercial Uses	1/2 Acre *(21,780 SF)*	50'	25'	25'	37.5'	60'						
MA2	General Manufacturing and Industrial	Commercial Uses	1/2 Acre *(21,780 SF)*	50'	25'	25'	37.5'	75'						
MA3	Heavy / Intense Manufacturing and Industrial	Commercial Uses	1 Acres *(43,560 SF)*	50'	25'	25'	37.5'	100'						
HI	Heavy Industrial	Commercial Uses	10 Acres	200' *	50'	50'	75'	60'	400'					
		** Minimum front yard, measured from the nearest abutting major street right-of-way line: Two Hundred (200) feet; all other streets: fifty (50) feet.*												
		Heavy Industrial Park	10 Acres	See Requirements in Table 2-4										

Table 2-2
(GRn) GENERAL RESIDENTIAL "n" DISTRICT DIMENSIONAL & DENSITY STANDARDS

Development District	Maximum Density (du/ac)	Maximum Lot coverage	Lot Requirements (sqft/unit)	Use	Setback from Property Line [1]				Max. Height
					Front	Side	Rear	Corner	
Low Density:									
Wedge Character District									
Single-Family	3	30%	14,520	Single-Family	25'	10' [2]	15'	15'	35'
Duplex	3	30%	12,000						
Semi-detached	3	30%	6,000						
Patiohome	3	30%	6,000						
Townhome & Quadruplex	3	30%	2 acres						
Multi-Family	3	30%	2 acres	Multi-Family	30'	20'	25'	30'	45'
Medium Density:									
Rural Corridor									
Single-Family	5	50%	8,500	Single-Family	25'	10' [2]	15'	15'	35'
Duplex	5	50%	9,000						
Semi-detached	5	50%	4,500						
Patiohome	5	50%	4,500						
Townhome & Quadruplex	5	50%	2 acres						
Multi-Family	5	50%	2 acres	Multi-Family	30'	20'	25'	30'	65'
Urban Corridor									
Single-Family	7	50%	8,500	Single-Family	25'	10' [2]	15'	15'	35'
Duplex	7	50%	9,000						
Semi-detached	7	50%	4,500						
Patiohome	7	50%	4,500						
Townhome & Quadruplex	7	50%	2 acres						
Multi-Family	7	50%	2 acres	Multi-Family	30'	20'	25'	30'	65'

Footnotes:

1. A minimum 20' building seperation shall be maintained between individual buildings.
2. No side yard setback is required where common walls are located.

Table 2-2
(GRn) GENERAL RESIDENTIAL "n" DISTRICT DIMENSIONAL & DENSITY STANDARDS

Development District	Maximum Density (du/ac)	Maximum Lot coverage	Lot Requirements (sqft/unit)	Use	Setback from Property Line [1]				Max. Height
					Front	Side	Rear	Corner	
High Density:									
Hamlet Center District									
Core Area									
Single-Family	10	60%	5,500	Single-Family	25'	10' [2]	15'	15'	35'
Duplex	10	60%	5,000						
Semi-detached	10	60%	2,500						
Patiohome	10	60%	2,500						
Townhome & Quadruplex	10	75%	1 acre						
Multi-Family	10	75%	1 acre	Multi-Family	30'	20'	25'	30'	120'
Secondary Area									
Single-Family	8	60%	5,500	Single-Family	25'	10' [2]	15'	15'	35'
Duplex	8	60%	5,000						
Semi-detached	8	60%	2,500						
Patiohome	8	60%	2,500						
Townhome & Quadruplex	8	75%	1 acre						
Multi-Family	8	75%	1 acre	Multi-Family	30'	20'	25'	30'	120'
Village Center District									
Core Area									
Single-Family	15	60%	5,500	Single-Family	25'	10' [2]	15'	15'	35'
Duplex	15	60%	5,000						
Semi-detached	15	60%	2,500						
Patiohome	15	60%	2,500						
Townhome & Quadruplex	15	75%	1 acre						
Multi-Family	15	75%	1 acre	Multi-Family	30'	20'	25'	30'	120'
Secondary Area									
Single-Family	<10	60%	5,500	Single-Family	25'	10' [2]	15'	15'	35'
Duplex	<10	60%	5,000						
Semi-detached	<10	60%	2,500						
Patiohome	<10	60%	2,500						
Townhome & Quadruplex	<10	75%	1 acre						
Multi-Family	<10	75%	1 acre	Multi-Family	30'	20'	25'	30'	120'
Township Center District									
Core Area									
Single-Family	>20	60%	5,500	Single-Family	25'	10' [2]	15'	15'	35'
Duplex	>20	60%	5,000						
Semi-detached	>20	60%	2,500						
Patiohome	>20	60%	2,500						
Townhome & Quadruplex	>20	75%	1 acre						
Multi-Family	>20	75%	1 acre	Multi-Family	30'	20'	25'	30'	120'
Transition Area									
Single-Family	15-19	60%	5,500	Single-Family	25'	10' [2]	15'	15'	35'
Duplex	15-19	60%	5,000						
Semi-detached	15-19	60%	2,500						
Patiohome	15-19	60%	2,500						
Townhome & Quadruplex	15-19	75%	1 acre						
Multi-Family	15-19	75%	1 acre	Multi-Family	30'	20'	25'	30'	120'
Secondary Area									
Single-Family	<14	60%	5,500	Single-Family	25'	10' [2]	15'	15'	35'
Duplex	<14	60%	5,000						
Semi-detached	<14	60%	2,500						
Patiohome	<14	60%	2,500						
Townhome & Quadruplex	<14	75%	1 acre						
Multi-Family	<14	75%	1 acre	Multi-Family	30'	20'	25'	30'	120'

Footnotes:

1. A minimum 20' building seperation shall be maintained between individual buildings.
2. No side yard setback is required where common walls are located.

Table 2-3
(GR) GENERAL RESIDENTIAL DISTRICT
MULTI-FAMILY & TOWNHOME DENSITY LIMITS

Minimum Lot Area Per Unit					
Unit Type	**1-Story**	**2-Story**	**3-Story**	**4-Story**	**5-Story**
Efficiency units	2,000	1,435	1,410	1,240	1,013
1 bedroom	2,000	1,775	1,625	1,438	1,240
2 bedrooms	2,650	2,475	2,125	1,825	1,438
3 bedrooms	3,525	3,175	2,653	2,200	1,825
4 or more bedrooms	4,375	3,975	3,492	2,725	2,220

Table 2-4
(HI) Heavy Industrial District

Heavy Industrial Park [II]						
Parcel Type [III]	Setbacks [I]				Height	Lot width at Building Site
	Front	Side	Rear	Corner Side		
Industrial	50'	25'	20'	37.5'	60'	200'
Management Office/ Public Saftey	50'	10'	15'	15'	35'	60'

Notes:

I. Setbacks shall be no less than 100 feet if located along an exterior boundary of the park.

II. The minimum lot area of the park is no less than ten (10) acres.

III. The minimum lot area of any parcel within the park is no smaller than two (2) acres except that parcels used for park management offices and/ or public safety facilities may be as small as one (1) acre.

Table 2-5
(CC) COMMUNITY COMMERCIAL DISTRICT
DIMENSIONAL STANDARDS TABLE

	Minimum Required Area	Maximum Lot Coverage	Setback from Property Line			Maximum Height
			Front	Side	Rear	
Interior to the Zoning District	7000 sq. ft.	80% of Gross Area	10'	0'	0'	75'
Exterior to the Zoning District			Side and Rear yards require a planting screen, fence or wall six (6) feet in height adjacent to any other zoning district.			
			25'	30'	30'	

Table 2-6
(OPI) OFFICE/ PROFESSIONAL/ INSTITUTIONAL DISTRICT DIMENSIONAL STANDARDS

Adjacent Zoning District	Height	Min. Lot Width	Lot Coverage	Setback from Property Line				Max. Height
				Front	Side	Rear	Corner	
Non-Residential	Up to 36'	60'	65%	25'	10'	15'	15'	65'
	Greater than 36'	60'	65%	25'	20'	30'	30'	65'
Residential	Up to 36'	60'	65%	25'	30'	30'	45'	65'
	Greater than 36'	Side and Rear yards shall increase by one (1) foot for every two (2) feet of building height above thirty-six (36) feet						
		60'	65%	25'	30'	30'	45'	65'

Table 2-7 (MI) MARINE INDUSTRIAL DISTRICT DIMENSIONAL STANDARDS					
All uses and structures including boat slips, piers and docks	Maximum Lot Coverage	Setback from Property Line[18,19]			Maximum Height**
		Front [9]	Side [9]	Rear [9]	
Interior to the Zoning District	80% of Gross Area	25'	0'	0'	50'
Exterior to the Zoning District		50'*	50'*	50'*	
* Minimum setback for outside storage of bulk materials must be 100 ft. from the AIWW and any wetlands.					
**All structures and accessory uses within 100 ft. of the AIWW or external district boundary are limited to maximum height of 35 ft.					

Table 2-8
(CFA) COMMERCIAL FOREST AGRICULTURE
ASSISTED LIVING FACILITY DENSITY LIMITS

	Minimum Lot Area Per Unit				
Number of Beds Per Room	**1-Story**	**2-Story**	**3-Story**	**4-Story**	**5-Story or more**
1 bed	2,000	1,775	1,625	1,438	1,240
2 beds	2,650	2,475	2,125	1,825	1,438
3 beds	3,525	3,175	2,653	2,200	1,825
4 beds	4,375	3,975	3,492	2,725	2,220
5 beds or more	1050/ bd	950/ bd	850/ bd	650/ bd	550/ bd

SECTION 205.2 EXCEPTIONS AND MODIFICATIONS TO DIMENSIONAL STANDARDS

A. LOT REDUCTION PROHIBITED.

No yard or lot existing prior to the adoption of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.

B. USE OF SUBSTANDARD LOTS OF RECORD.

Where a lot of record exists before the adoption of this ordinance that does not contain sufficient land to conform to the dimensional requirements of this ordinance, such lot may nonetheless be used as a building site and the zoning administrator is authorized to issue a permit for the use of the property which conforms to the requirement for the district in which the lot is located as set forth in this ordinance, provided that said lot requirements are not reduced below the minimum specified in the ordinance by more than twenty-five (25) percent.

C. FRONT YARDS.

The front yard setback requirements of this ordinance for buildings shall not apply to any lot where the average depth of existing front yards on developed lots located within one hundred (100) feet on each side of such lot and within the same block and zoning district and fronting on the same street as such lot, is less than the minimum required front yard depth. In such case, the minimum front yard shall be the average of the existing front yard depths on the developed lots.

D. EXCEPTIONS TO HEIGHT LIMITS.

The height limitations of this ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy, monuments, water towers, observation towers, transmission towers, silos, chimneys, smokestacks, conveyors, flag poles, masts and aerials, and amusement structures, provided evidence from appropriate authorities is submitted to the effect that such building or structure will not interfere with any airport approach zones or flight patterns.

E. GROUP HOUSING PROJECTS.

In the case of a group housing project of two (2) or more buildings to be constructed on a plot of ground of at least one (1) acre not subdivided into the customary streets and lots, a special exception to the terms of this ordinance may be in harmony with the charter of occupancy and an intensity of land use no higher and a standard of open space no lower than that permitted by this ordinance in the district in which the project is to be located, or a smaller lot area per family than the minimum required in such district, or a greater height, or a larger coverage than the requirements of this ordinance permit in such a district.

F. EXCEPTIONS TO MINIMUM LOT SIZES AND SETBACK REQUIREMENTS.

The minimum lot sizes and setback requirements in this ordinance shall not apply to nonresidential lots transferred or subdivided for the purposes of providing utility services or to individual residential lots transferred for townhouses or condominium property regimes. This exception is not intended to provide relief from the requirements for overall development lot size.

G. STRUCTURES PROJECTING INTO REQUIRED YARDS

The following structures within the limits set forth may project into required yards:

1. OVERHANGS

Overhangs may encroach into required setback areas for a distance not to exceed eighteen (18) inches.

2. HVAC UNITS AND GENERATORS.

a) In one and two family dwellings, HVAC units and generators may encroach into side yard and rear yard setback areas.

b) In all other cases HVAC units and generators must meet the setbacks of the Zoning District.

c) Portable generators on a temporary basis are exempt.

3. UNENCLOSED STEPS / LANDINGS

a) Unenclosed steps and landings may extend no more than three (3) feet into the required setback area.

a. Unenclosed steps may extend no more than three (3) feet into the required setback area.

4. UNCOVERED PORCHES AND STEPS

Uncovered porches and steps not exceeding twelve (12) inches in height may extend into the required setback areas.

5. BUILDING EXTERIOR FAÇADE AND FACING MATERIALS

Building exterior facades and facing materials, including but not limited to: brick, block, stone, or brick veneer; and wood, cement, or vinyl siding, may encroach up to six (6) inches into the required setbacks.

6. UNENCLOSED AND UNCOVERED HANDICAPPED ACCESS RAMPS, LIFTS, AND LANDINGS.

a) *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.

b) *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.

H. SETBACKS FOR LOTS WITHIN A COMMERCIAL SUBDIVISION DEVELOPMENT

Lots within a Commercial Subdivision Developments are required to meet the front setback from the main corridor providing access to the development.

1. Corner side setbacks shall be equal to 150% of the minimum side yard requirements from internal commercial cross access easements and reverse frontage roads.
2. Rear setbacks along internal commercial cross access easements and reverse frontage roads shall be equal to the normal rear setback for that district.

SECTION 206 - PLANNED DEVELOPMENT DISTRICT REQUIREMENTS

A. GENERAL PROVISIONS:

1. TYPES OF PDDS.

Proposals to create a PDD will be classified as either "Major" or "Minor."

A "major" PDD is five (5) acres or greater.

A "minor" PDD is less than five (5) acres.

The external 25-foot PDD perimeter buffer requirement may be waived provided that the conceptual plan mitigates the impact of the PDD to the surrounding properties through the establishment of buffering and/or screening requirements so that the future use of the site does not adversely impact the surrounding properties.

2. DENSITY/USE.

The density and uses allowed within a PDD shall be as established within the written narrative. The narrative shall include a statement explaining the differences in land uses between the current and the proposed zoning. The PDD narrative shall include a table summarizing the proposed gross and net densities of the proposed PDD. A breakdown of buildable area versus gross acreage shall be provided with a minimum of twenty (20) percent from the overall project area to be subtracted for the provision of infrastructure and drainage.

For the purposes of determining gross and net densities, the formula below shall be used:

Gross density = the total number of dwelling units ÷ the total project acreage

Net density = the total number of dwelling units ÷ the net (buildable) acreage

Buildable acreage is defined as: That portion of a tract or parcel of land which can be developed, not including existing platted rights-of-way and utility easements, natural water bodies (streams/lakes), and wetlands under the jurisdiction of the U.S. Army Corps of Engineers unless such wetlands are to be filled upon issuance of a "fill" permit. Wetland buffers may be included as developable acreage, but may not be encroached upon unless specified by a permit and approved development plan.

3. BUILDING HEIGHT.

Single-family structures, attached or detached, shall not exceed thirty-five (35) feet unless otherwise approved by the Planning Commission for justifiable cause. All other building heights shall not exceed one hundred eighty (180) feet unless otherwise approved by the Planning Commission for justifiable cause. Increases in building heights shall be decided on a case-by-case basis, taking into consideration current zoning, existing surrounding structures, and the anticipated impact to the area. All other applicable requirements must be met—Parking, airport height restrictions, lot coverage, etc.

B. SPECIFIC REQUIREMENTS.

In order to qualify for a PDD, the following criteria shall be met:

1. The area proposed for rezoning shall be in one (1) ownership or if in several ownerships, the application for amendment to the Zoning Ordinance shall be filed jointly by all of the owners.
2. A written narrative and conceptual plan shall be submitted by the applicant or developer for review by the Planning Commission and approval by the County Council.
3. A minimum 20-foot separation shall be maintained between multi-family buildings and a minimum ten-foot building separation shall be maintained between single-family detached structures. Accessory structure separations from principal structures associated with either multi-family or single-family structures shall be as determined by appropriate building codes.
4. Sidewalks Required. Sidewalks shall be provided within PDDs along roadways. A Pedestrian Flow Plan is highly recommended at the Conceptual Plan stage as is alternative surfaces and designs. Pedestrian sidewalks/pathways shall be provided in the development to connect amenity areas and open space areas to main pods of development. Sidewalks may be platted as easements or as parcels. Sidewalks shall be constructed to ADA requirements.

C. PDD BUFFERS AND OPEN SPACE.

1. PERIMETER BUFFER.

A 25-foot wide natural or landscaped buffer shall be provided around the entire perimeter of the proposed PDD. Platted lots shall not be allowed within the buffer area. Building encroachments shall be prohibited within such buffer; however, stormwater features, bicycle, pedestrian, and equestrian trails, landscape features, and development entrance rights-of-way may be permitted within such buffer. If encroachments are placed within the buffer, any remaining non-disturbed areas shall remain naturally vegetated if proposed infrastructure plans allow such.

The following standards shall apply to specific permitted encroachments within the PDD buffer:

a) Amenity features within the buffer. Recreational and Common open space features that are located within the PDD buffer may be counted toward meeting open space requirements established in subsection 3 , below, provided that:

   i. The buffer shall be platted as an independent parcel of property open space purposes.

   ii. The amount of credit given for the active amenity feature located within the buffer is calculated based on the feature's size as determined by its width and linear feet.

b) Stormwater features. Stormwater features located within the PDD buffer are permitted provided that:

i. Applicable maintenance easements are established on the recorded plat to ensure access to the feature.

ii. No less than twelve and one-half (12½) feet of buffer area is provided outside the drainage/maintenance easements associated with such features. Improvement of the required buffer shall meet the landscape material requirement of Article V of this ordinance. A privacy wall or a four-foot high berm with vegetation may be installed in lieu of the natural vegetation of Article V. If such option is used, the additional buffer area outside the drainage/maintenance easement shall be seven (7) feet.

2. BUFFERS BETWEEN DISSIMILAR USES.

Internal buffers of no less than fifteen (15) feet shall be installed between dissimilar uses and shall be vegetated in accordance with the plant material requirements enumerated in Article V of the zoning ordinance.

3. PDD OPEN SPACE.

Generally: PDDs shall include dedicated acreage for open space in accordance with the formula established in subsection a, below. Open space may include a combination of common and recreational (active or passive) elements as indicated in subsection b, below, so long as a minimum of twenty-five (25) percent of the recreational elements provided are made up of active features. The use of specific elements shall be at the discretion of the developer. Open space shall be provided in a manner that is sensitive to the design and anticipated use of the proposed development and should be designed to provide maximum benefit to the inhabitants of the development through its central location, when possible. Location of features along the exterior boundary of the PDD is discouraged.

a) Open space calculation formulas. To calculate the required open space involves the use of two (2) formulas; the formula for the Recreational open space and the formula for the Common open space. The results obtained from the two (2) formulas are then added together to determine the total required open space:

i. Recreational PDD open space: At a minimum, the amount of Recreational open space within a PDD shall be calculated according to the following formula:

$A_1 = D \times 2.3 \times 0.01$

Where:

A_1 = the required upland open space area;

D = the number of dwelling units in the PDD;

Average household density = 2.3 persons; and the

Number of acres required per person = 0.01 acres per person.

ii. Common PDD open space:

$A_1 = D \times 2.3 \times 0.01 / 2$

where:

A_1 = the required common open space area;

D = Number of dwelling units in a PDD;

Average household density = 2.3 persons; and the

Number of acres required per person = 0.01 acres per person.

b) Acceptable common and recreational open space features.

i. Common open space uses include, but are not limited to:

A. Natural open water bodies and/or water bodies of at least three (3) acres in size capable of supporting aquatic life (generally with a depth of at least four and one-half (4½) feet that can serve for recreational uses.

B. Natural areas of undisturbed vegetation with maintenance limited to removal of litter, dead trees, plant material and brush.

C. Areas of cultural significance such as locally or nationally listed historic and archeological sites (including structures).

A developer proposing to use lakes or stormwater ponds to meet the common space requirements must provide certification to the County Engineer that such lake or stormwater pond has been designated to be perpetually filled and capable of supporting aquatic life (generally a minimum perpetual water depth of four and one-half (4½) feet from the bottom storage or outlet elevation is required).

ii. Recreational open space uses include, but are not limited to:

A. Parks, play grounds, tot-lots, picnic areas, basketball courts, tennis courts, swimming pools and similar uses.

B. Greenways, greenbelts, squares and village greens.

C. Bicycle paths, bridle paths, footpaths and sidewalks provided such paths are improved with a surface suitable for the intended use.

D. Lands and appropriate facilities that provide access to beaches, rivers and waterways.

E. Land burdened with easements may be used provided that the easements do not interfere with the use of the land for open space and recreational purposes and if future development does occur, then alternate open space is provided.

D. DOCUMENTATION OF PDD OPEN SPACE.

The provision of open space shall be documented within the written narrative and shown on the conceptual plan. Expected narrative and conceptual plan contents to address this requirement are stated below.

1. WRITTEN NARRATIVE CONTENTS.

The written narrative shall explain the intended use of any open space and provide detail as to how such spaces will be accessible, integrated to the overall development and maintained. A single statement indicating that open space will be provided is not acceptable.

2. CONCEPTUAL PLAN CONTENT.

The conceptual plan shall show all areas intended for open space with their acreage and intended access points. Additionally, a conceptual layout of the equipment or features that will be located in such areas shall be provided as either an attachment to the PDD application or on the conceptual plan.

E. OPEN SPACE ACCESS.

Open space shall be accessible to all inhabitants of the development. Access to such features shall be provided through a minimum 20-foot dedicated access points, and not via open storm drainage ditches, swales or easements between or across adjacent properties. Access, however, may be provided via a 20-foot wide easement over a piped storm drainage ditches, swales, or easements, subject to Horry County Engineering approval. Access easements to be shared with improvements adjacent to drainage must be approved by the County.

F. OPEN SPACE REQUIREMENT FOR COMMERCIAL AND INDUSTRIAL PDDS:

Commercial and industrial PDDs shall provide a minimum of five (5) percent of the total project area as upland (Recreational) open space.

SECTION 207 - MULTI-RESIDENTIAL DISTRICT REQUIREMENTS

A. ADMINISTRATIVE PROCEDURES.

Any request to establish a MRD Zoning District shall follow the procedures set forth in Article XIII of the ordinance. In presenting requests for rezoning, the applicant must indicate the desired residential mix, gross and net density, and proposed number of units in order for the request to be complete. Additionally, any request incorporating the Sustainable Development Standards listed in § 205(D), below, must attach an addendum to the rezoning packet that clearly describes how sustainability shall be accomplished. Failure to provide the requested information will result in rezoning requests not being presented to the planning commission.

B. LOCATION.

A MRD district may be permitted throughout the county provided it meets the standards established herein.

C. PERMITTED USES.

The following uses shall be permitted subject to any requirement contained herein:

1. Single-family detached dwellings, except mobile homes;
2. Duplex dwellings;
3. Semi-detached dwellings;
4. Patio homes;
5. Quadruplex;
6. Townhomes;
7. Multi-family dwellings;
8. In-Common development incorporating any of the above uses;
9. Golf courses, provided the areas designated for golf courses shall not be used to calculate densities or impervious surface ratios;
10. Accessory uses; and
11. Churches, synagogues, temples, and other places of worship subject to the provisions of Article IX.

D. CONDITIONAL USES

Boarding houses, provided that:

1. The maximum number of occupants per house shall be sixteen (16), including any live-in personnel who are responsible for management and operation
2. The quarters to be utilized by the boarders and the occupants of the premises shall be in the principal residential structure. Separate structures, accessory buildings and garages are not permitted to be used as boarding rooms.
3. Maximum of two (2) boarding houses per parcel, regardless of the total number of acres.
4. Food service facilities shall accommodate only boarders of said establishment and their guests.

E. ACCESSORY DWELLING UNIT.

Accessory dwelling units, within an existing dwelling or in a separate structure, are permissible provided:

1. The accessory living quarters meets all setback requirements for the parcel.
2. The primary dwelling unit shall be owner-occupied.
3. The accessory living quarters shall have a bathroom and cooking facilities.
4. The accessory living quarters, if within the primary dwelling unit, may have a separate entrance.
5. The construction of the accessory living quarters, within existing structures, shall not alter the appearance or character of the structure. When detached from the primary dwelling unit, no less than twenty (20) feet or applicable zoning district setbacks shall separate it and;
6. Adequate off-street parking is provided per Article VII.

F. SPECIAL EXCEPTIONS:

Owing to their potential negative impact on the community, the board of zoning appeals may approve the following uses as a special exception.

1. OFFICES SUBJECT TO THE FOLLOWING CONDITIONS:

a) That the special exception complies with all applicable development standards.

b) That the special exception will be in substantial harmony with the area in which it is to be located.

c) That the special exception will not be injurious to adjoining property.

d) That the special exception will contribute to the economic vitality and promote the general welfare of the community.

e) That the special exception will not discourage or negate the use of surrounding property for use(s) permitted by right.

f) In granting a special exception, the board of zoning appeals may impose such reasonable and additional stipulations, conditions, or safeguards as, in its judgment, will enhance the siting of the proposed special exception.

2. BED AND BREAKFAST ESTABLISHMENTS (B&B) SUBJECT TO THE FOLLOWING CONDITIONS:

a) That the special exception complies with all applicable development standards.

b) That the special exception will be in substantial harmony with the area in which it is to be located.

c) That the special exception will not be injurious to adjoining property.

d) That the special exception will contribute to the economic vitality and promote the general welfare of the community.

e) That the special exception will not discourage or negate the use of surrounding property for uses(s) permitted by right.

f) In granting a special exception, the board of zoning appeals may impose such reasonable and additional stipulations, conditions, or safeguards as, in its judgment, will enhance the siting of the proposed special exception.

G. DIMENSIONAL STANDARDS.

The following dimensional standards shall apply to all uses in this section:

TABLE 1: YARD & HEIGHT REQUIREMENTS						
LAND USE	SETBACK FROM PROPERTY LINE					
	FRONT	SIDE	REAR	CORNER	BUILDING SEPARATION (IV)	MAX HEIGHT
Single and duplex dwellings, patio homes, quadruplex, townhomes and zero lot line developments	25'(I)(II)	10'(I)(III)	15'(I)	15'	20'	40'
Tiny Homes	NA	NA	NA	NA	NA	
Multi-family	30'(I)(II)	20'(I)	25'(I)	30'	20'	Rural: 45' Suburban: 65' Urban: 120'
Boarding Houses	30'	20'	25'	30'	20'	40'
Footnotes:						
I. A 5' reduction in the setback is allowed for projects meeting two (2) sustainable development criteria.						
II. A 10' reduction in the setback is allowed for projects meeting three (3) sustainable development criteria.						
III. No side yard setback is required where common walls are located.						
IV. A 10' reduction in the building separation for projects meeting two (2) sustainable development criteria.						

TABLE 2: STANDARD DEVELOPMENT AREA REQUIREMENTS (IN SQUARE FEET)***									
	MAX. GROSS DENSITY	SINGLE FAMILY	DUPLEX	SEMI-DETACHED	PATIO HOME	TOWNHOME	MULTI-FAMILY	TINY HOME*	BOARDING HOUSE****
MRD-1	3 du/ac	14,250**	10,000	5,000	NA	NA	NA	1,200	NA
MRD-2	6 du/ac	7,000**	9,000	4,500	6,000	1 (acres)	1.5 (acres)	1,200	1 unit / acre
MRD-3	15 du/ac	6,000**	8,000	4,000	4,000	0.75 (acres)	1 (acres)	1,200	1 unit / .75 acres
Footnotes:									
** Tiny home lots are not required to meet the minimum frontage requirements in the Horry County Land Development Regulations. 1.5 parking spaces are required per home, and parking may be provided anywhere in the development, either on individual or shared lots, or a separate parking area.*									
*** Minimum lot size required for a rezoning request.*									
****Areas designated for golf courses shall not be used to calculate densities or impervious surface ratios.*									
***** Unit equivalent to one (1) boarding house*									

TABLE 3: SUSTAINABLE DEVELOPMENT AREA REQUIREMENTS (IN SQUARE FEET)***								
	MAX. GROSS DENSITY	SINGLE FAMILY	DUPLEX	SEMI-DETACHED	PATIO HOME	TOWNHOME	MULTI-FAMILY	TINY HOME*
MRD-1	4 du/ac	7,000	8,000	4,000	5,000	0.75 (acres)	1 (acres)	1,200
MRD-2	8 du/ac	5,000	7,000	3,500	3,500	0.5 (acres)	0.75 (acres)	1,200
MRD-3	20 du/ac	5,000	5,000	2,500	2,500	0.25 (acres)	0.5 (acres)	1,200
Footnotes:								
** Tiny home lots are not required to meet the minimum frontage requirements in the Horry County Land Development Regulations. 1.5 parking spaces are required per home, and parking may be provided anywhere in the development, either on individual or shared lots, or a separate parking area.*								
****Areas designated for golf courses shall not be used to calculate densities or impervious surface ratios.*								

H. DEVELOPMENT STANDARDS.

The standards enumerated below establish the criteria by which a request to rezone property to the MRD district shall be evaluated. The standards follow the generally accepted densities associated with rural, suburban and urban type land uses described in the Land Use Element of the Envision 2025 Comprehensive Plan and the Future Land Use Map of Horry County. These districts and their associated densities are detailed in Table 4, below. Tables 1&2, above, lists the standard density and area requirements for each district. Requests to rezone to MRD in any area of the county shall adhere to the land use districts of the future land use map.

TABLE 4: FUTURE LAND USE DISTRICT DENSITY CHARACTERISTICS

LAND USE DISTRICT	RURAL DENSITY	SUBURBAN DENSITY	URBAN DENSITY
Conservation/Preservation			
Rural Areas	X		
Rural Communities	X		
Rural Corridors	X		
Transitional Growth Areas	X	X	
Suburban Corridors	X	X	
Urban Communities		X	X
Urban Corridors		X	X
Economic Activity Centers		X	X

1. RURAL DENSITY (MRD-1) DEVELOPMENT REQUIREMENTS.

Rural density areas support three (3) or fewer units per acre. An exception to this density is permissible when three (3) or more sustainable development standards listed in § 205(I), below, are incorporated into the development. Lot or unit area requirements shall adhere to the standards shown in Tables 1&2, above.

2. SUBURBAN DENSITY (MRD-2) DEVELOPMENT REQUIREMENTS.

Suburban density is herein defined as no greater than six (6) units per acre. An exception to this density is permissible when three (3) or more sustainable development standards listed in§ 205(I), below, are utilized. Lot or unit area requirements shall adhere to the standards shown in Tables 1&2, above.

3. URBAN DENSITY (MRD-3) DEVELOPMENT REQUIREMENTS.

Urban density is herein defined as no greater than fifteen (15) units per acre. An exception to this density is permissible when three (3) or more sustainable development standards listed in+§ 205(I), below, are utilized. Lot or unit area requirements shall adhere to the standards shown in Tables 1&2, above.

I. SUSTAINABLE DEVELOPMENT STANDARDS.

A thirty (30) percent increase in the allowable gross density shall be granted when three (3) or more of the sustainable development standards below are implemented. Tables 1&3 lists the density and area requirements for requests meeting the sustainable development standards. In no instance

shall meeting the requirements of one standard be applicable to the requirements of another. The requested density increase shall in no way decrease the sustainability of the proposal and the Standards listed herein. In order to qualify for a thirty (30) percent maximum density increase, proposed developments shall meet three (3) or more of the following criteria.

1. SITE DESIGN:

Each count as one (1) standard:

a) Twenty (20) percent of the gross acreage shall remain in a natural vegetated state post-development and owned in common. This increase is in addition to the buffer and landscape requirements in Article V, and any existing wetlands, marshes, swamps, lakes or ponds. Required open space per article 4 of the land development regulations shall not count towards this increase;

b) All residential lots shall abut active or passive recreational open space as defined by the open space requirements in article 4 of the land development regulations on at least one (1) side. A road internal to the development may separate lots from the open space. Sidewalks more than four and one-half (4½) feet in width shall count as recreational open space so long as such walkways are adjacent, or located directly across the street, to all residential lots. Easements for ponds, lakes and wetlands shall not count as recreational open space.

2. RECREATIONAL SPACE:

A one hundred (100) percent increase in the required active recreational open space as defined by the open space requirements, article 4, section 6-2 (B) of the land development regulations. Only fifty (50) percent of said increase shall count towards the site design requirements listed in la and lb. above if utilizing these standards.

3. DESIGN WITH TREES:

Conduct a pre-development tree inventory and keep thirty (30) percent of the canopy tree inventory post-development. Pre-development canopies shall cover at least seventy-five (75) percent of the proposed rezoning. If canopy trees have not reached a mature height, the thirty (30) percent requirement shall be applied using the median diameter at breast height (dbh) calculation. The requirement shall be met when eighty (80) percent of the specimens to be kept are greater than the median dbh. Said trees shall be owned in common and kept in perpetuity unless doing so directly imposes a threat on the health, safety or general welfare of the public or personal property.

4. COMMUNITY GARDENING:

A one thousand (1,000) square foot plot for every twenty-five (25) units. If less than twenty-five (25) units are proposed, one (1) one thousand (1,000) square foot plot shall suffice. The community garden shall be centrally located and accessible from all proposed residential units. Community gardens shall adhere to the standards of the American Community Gardening Association publication titled "Starting a Community Garden." The publication is available at the planning department. Said garden/s shall be owned in common and kept in perpetuity. Maintenance shall be the responsibility of the common ownership.

J. DEVELOPMENT REVIEW.

The approved sustainable development standards shall be noted or clearly drawn on all plans submitted for review by the planning department with the county ordinance number clearly marked. Final development review approval shall not be granted until all standards have been met in accordance with the approved rezoning.

SECTION 208 - DESTINATION PARK DISTRICT REQUIREMENTS.

A. PERMITTED USES.

Unless otherwise set forth herein, occupied travel trailers, pick-up coaches, motor homes, camping trailers, other vehicular accommodations and tents suitable for temporary habitation and uses for travel, vacation, and recreation purposes shall be permitted. No permanent external appurtenances such as carports, cabanas, or patios may be attached to any travel trailer or other vehicular accommodation parked in a destination park.

B. ACCESSORY USES.

Management headquarters, toilets, dumping stations, showers, coin operated laundry facilities, arcades, golf cart rentals, associated retail uses and other uses and structures customarily incidental to operation of a destination park, subject to the following restrictions:

1. Such establishments and the parking areas primarily related to their operations shall not occupy more than eight (8) percent of the gross area of the park.
2. Such establishments shall be restricted in their use to occupants of the park.
3. Such establishments shall present no visible evidence from any street outside the park of their commercial character which could attract customers other than occupants of the park.
4. The structures housing such facilities shall not be located closer than one hundred (100) feet to any public street and shall not be directly accessible from any public street, but shall be accessible only from a street within the park.

C. CONDITIONAL USES.

Permanent vacation homes may be placed in destination parks as long as they comply with the following conditions:

1. Structures are to be placed on minimum lots of three thousand square feet

a) Minimum lot width: Forty (40) feet

b) Front yard setback: Twenty (20) feet

c) Side yard setback: Seven and one half (7.5) feet

d) Rear yard setback: Ten (10) feet

e) Maximum building height: Twenty-five (25) feet

2. The setback requirements established in this subsection, Conditional uses, shall not supersede the general park requirements of § 208 (D), below.

D. PARK PLAN.

Destination parks shall conform to the following requirements:

1. It shall be located so that no entrance or exit from the park shall discharge traffic into any residential district nor require movement of traffic from the park through a residential district. A destination park shall have a minimum of one hundred fifty (150) feet of frontage on a public street.
2. Sites: Such site shall contain a stabilized vehicular parking pad of stone, paving, or other suitable material.
3. Recreation facilities: A minimum of eight (8) percent of the gross area for the destination park shall be set aside and developed as common use area for open or enclosed recreation facilities. No trailer site, buffer strip, street right-of-way, storage area, or utility site shall be utilized in computing recreational area requirements.
4. Design of access to park: Entrances and exits to destination parks shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the park shall be through such entrances and exits. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended, and entrances and exits are to be designed to facilitate easy turning and movements of vehicles with trailers attached. No impediment to visibility shall be created or maintained which obscures the view of an approaching driver.
5. Minimum setbacks for park: These requirements are for the external boundaries:
   a) Front yard, where park abuts a public street, shall by thirty (30) feet
   b) Side yard, where park abuts adjoining properties, shall by twenty (20) feet
   c) Rear yard, where the rear property line of the park abuts adjoining property, shall by twenty (20) feet
6. The plat shall be drawn to scale by a registered civil engineer or land surveyor, and show exact dimensions of the parcels of land under consideration. The elements to be shown are as follows:
   a) All property dimensions, lots, and street systems, proposed location of buildings and size, plans for screening and protection of abutting properties, means of ingress and egress, access and circulation arrangements, open spaces, and other support facilities.
   b) A drainage plan with two (2) foot vertical contour intervals. The number of acres for the park, open space, and campsites shall be shown and each lot shall be numbered.
7. Streets shall be private, but shall be constructed with a stabilized travel way (stone, paving, or other suitable material).

SECTION 209 - MANUFACTURED HOME PARK DISTRICT REQUIREMENTS

A. PERMITTED USES.

Unless otherwise set forth herein, mobile home parks shall be permitted only in an officially approved Manufactured Home Park District for which a certificate of occupancy has been issued. Uses permitted in Manufactured Home Park Districts shall include mobile homes as well as other uses which may be required to serve exclusively, in the opinion of the Planning Commission and County Council, the residents, of that particular Manufactured Home Park District.

B. PARK PLAN.

In order to qualify as a Manufactured Home Park District the proposed park must first meet the following specific requirements:

1. The site to be utilized for the park shall contain an area of not less than five (5) acres, and be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
2. The site shall have a minimum lot width measured at the building line of one hundred fifty (150) feet.
3. The manufactured home park shall not contain more than seven (7) mobile home units per net acre (gross area minus public dedications—streets, etc.).
4. Each individual manufactured home space shall provide a lot consisting of not less than fifty (50) feet in width and five thousand (5,000) square feet of area, and be clearly defined.
5. Each manufactured home park shall have a minimum area of five (5) percent of the gross site area reserved and designated for recreation space. The area must be suitable for recreation and located for convenience and safety of the residents.
6. Other requirements for manufactured home parks:
   a) External Park Setbacks: All manufactured homes shall meet a setback of thirty-five (35) feet from any public roadway and twenty-five (25) feet from any external park boundary.
   b) Internal Park Setbacks: All units must be separated at least twenty (20) feet from any other unit or roadway within the mobile home park.
   c) Maximum building height: Thirty-five (35) feet from grade.
7. The area proposed shall be in one (1) ownership, or if in several ownerships, the application for amendment to the Zoning Ordinance shall be filed jointly by all of the owners of the properties included in the plan.
8. A manufactured home park in a Manufactured Home Park District must conform to the Department of Health and Environmental Control requirements and the site plan must be reviewed by the County Health Department and other appropriate health agencies, which shall

advise the Planning Commission of its findings in writing or by stamped approval on the plan itself prior to the Commission's making a recommendation on the proposal. The Planning Commission shall be restricted from making a favorable recommendation unless the Department of Health and Environmental Control determines that all local and state codes pertaining to health and environmental sanitation in mobile home parks have been met by the applicants.

9. A suitable plot plan shall be submitted by the developers for review and approval by the Planning Commission. Specifically, such plan shall include the following elements when applicable:
   a) A plot plan drawn to scale by a registered engineer, registered surveyor, registered landscape architect or registered architect showing the exact dimensions of the parcel or parcels of land under consideration. The plan shall include the following elements:
      i. all property dimensions;
      ii. all manufactured home space dimensions;
      iii. street systems and dimensions;
      iv. means of ingress and egress;
      v. off-street parking facilities;
      vi. open spaces, including recreational areas together with dimensions;
      vii. provisions for utilities, including water, sewer and drainage facilities approved by the Department of Health and Environmental Control; and,
      viii. park front, side, and rear yard setback dimensions as described in this subsection
   b) A written report shall be submitted by the developers for review and approval by the Planning Commission. The report shall give assurances that all improvements and protective devices, such as buffers [and] waste disposal systems (where applicable) will be properly maintained.

C. POSTING OF CERTIFICATE OF OCCUPANCY.

The developer shall submit to the Zoning Administrator an approved plan before a certificate of occupancy can be issued. The certificate of occupancy shall be conspicuously posted in the office on the premises of the park.

D. ADMINISTRATIVE PROCEDURES WITH REGARD TO MANUFACTURED HOME PARK ZONING DISTRICTS.

Any request pertaining to establishment of a manufactured home park shall be considered an amendment to the Zoning Ordinance and shall be administered and processed in accordance with the regulations set forth in Article III, entitled Amendments, of this ordinance. All data set forth in § 209(B) shall be submitted to the Planning Commission and subsequently forwarded to the County Council. All

information pertaining to the proposal shall be adopted as an amendment to the Zoning Ordinance, and shall become the standards of development for that particular Manufactured Home Park District.

1. All further development shall conform to the standards adopted for the district, regardless of any changes in ownership. Any proposed changes in the district shall be treated as amendments to the Zoning Ordinance and must be considered in accordance with procedures set forth in Article I of this ordinance.
2. Appeals based on hardship or an alleged misinterpretation of the ordinance by the zoning administrator shall be processed in accordance with procedures set forth in Article XI, entitled Zoning Board of Appeals.

E. CONDITIONAL USES.

Modular homes, provided that said homes are placed on individual lots, and meet the following conditions:

1. Modular homes placed on lease-lots, must meet regulations as set forth in this section.
2. Modular homes are subject to all current and applicable land development standards.
3. Modular homes must conform to all current and applicable building codes.

SECTION 210 - CONSERVATION PRESERVATION DISTRICT REQUIREMENTS

A. PERMITTED USES

Public and private forestry management areas, wildlife management areas, passive park space, and conservation areas which meet the intent of the district. On-premise signage is permitted, even if no primary structure is located on the property.

B. CONDITIONAL USES

If more than 20 acres, accessory uses that are subordinate and incidental to any of the above permitted uses are allowed, provided a 20’ building separation is met. Such accessory uses include non-commercial docks, non-commercial personal use buildings, picnic shelters, gazebos, parking areas and restrooms. A minimum 25’ exterior setback shall be maintained on the property.

ARTICLE III - AMENDMENTS

SECTION 300 - AUTHORITY.

Any amendment, change or supplement to the Zoning Ordinance must be submitted through the Horry County Planning Department to the Horry County Planning Commission for public hearing, review and recommendation to County Council. A recommendation for an amendment to the Zoning Ordinance must first be made by Planning Commission prior to County Council approval.

SECTION 301 - REQUIREMENTS FOR CHANGE.

A. DECLARATION OF POLICY.

As a matter of policy, a zoning amendment may be acted upon favorably upon consideration of the following items:

1. Where necessary to implement the Comprehensive Plan;
2. When consistent with the Consolidated Plan, Capital Improvements Plan, and Official Map;
3. To correct an original mistake or manifest error in the zoning ordinance or map;
4. To recognize substantial change or changing conditions or circumstances in a particular locality; or
5. To recognize changes in technology, the style of living, or manner of doing business.

B. AVAILABILITY OF CERTAIN ZONING DISTRICTS FOR REZONING REQUESTS.

The following zoning districts shall no longer be available for use in the rezoning of property within Horry County. Property zoned as any of following districts may remain zoned as such until rezoned and shall be subject to the standards of the district as specified within this ordinance.

Limited Forest Agriculture (LFA)	Neighborhood Commercial (NC)	Commercial Recreation (CR)
Forest Agriculture (FA)	Community Commercial (CC)	Transportation Related Services (TRS)
Commercial Forest Agriculture (CFA)	Highway Commercial (HC)	Retailing Consumer Services (RCS)
Resort Residential (RR)	Amusement Commercial (AC)	Educational Institution Office (EIO)
Resort Commercial (RC)	Limited Industrial (LI)	Planned Unit Development (PUD)
Office Professional Institutional (OPI)	Heavy Industrial (HI)	General Residential (GR)
General Residential “n” (GRn)		

SECTION 302 - PROCEDURE FOR AMENDMENTS.

Requests to amend the Zoning Ordinance shall be processed in accordance with the requirements of this Article.

A. INITIATION OF AMENDMENTS.

Amendments to the zoning ordinance may be initiated by the Planning Commission, County Council, the Board of Zoning Appeals, the Zoning Administrator, the Planning Director, and other County Council appointed boards and commissions. A zoning map amendment may also be proposed by a landowner or agent for a person, business or organization having rights in contract to the land that is subject to the zoning map amendment.

B. APPLICATION PROCEDURE.

Applications for zoning map amendments must be signed by the applicant(s) and submitted, in proper form, at least thirty (30) days prior to a Planning Commission meeting in order to be heard at that meeting. Completed forms, together with the application fee to cover administrative costs, plus any additional information the applicant feels to be pertinent, will be filed with the Planning Department. A maximum of twenty-five (25) applications for zoning map amendments may be taken from property owners on a monthly basis. The same zoning map amendment, affecting the same parcel or parcels of property or part thereof and requesting the same change in district classification by a property owner or owners, cannot be submitted more than once every twelve (12) months. Application fees are not refundable, except in cases where a PDD rezoning is withdrawn prior to Planning Commission action. In such cases, all except the cost of a Standard Rezoning fee may be refunded provided the retained fees cover the cost incurred by the County associated with the request.

C. NOTICE OF DECISION.

Following final action by the County Council, the Planning Director or designee shall be responsible for providing the applicant with written notice of the decision within fifteen (15) days. Any changes to the Official Zoning Map shall occur within this timeframe. Approved text amendments shall be made available to the public upon request.

D. ZONING MAP AMENDMENT APPLICATION SUBMISSION REQUIREMENTS.

An application for a map amendment shall be considered complete if it includes the following information:

1. Signature of current property owner(s) and/or agent;
2. Proposed zoning classification;
3. Property Identification Number of the proposed development;
4. Tract boundaries and total land area;
5. Existing and proposed land uses throughout the development;
6. Adjacent property owners and land uses;
7. Boundary survey of the property, upon request;

8. Restrictive covenant affidavit(s) signed by the applicant or current property owner(s) in compliance with state laws, if applicable;
9. Any rezoning request to establish a PDD, MRD, or major residential development with lots less than or equal to 10,000 ft ^{2} lots must also present a general idea of how the tract of land will be developed. The submission shall contain the following information:

   a) Submission criteria for PDD, MRD, and major residential rezoning requests.

   b) Wetlands Information. The applicant must submit one (1) of the following:

   c) Preliminary wetlands assessment prepared by a qualified environmental consultant as identified by the Corps of Engineers;

   d) Wetlands verification letter from the Corps of Engineers; or

   e) Certified wetlands delineation map and preliminary jurisdictional determination letter from the Corps of Engineers.

   f) Project phasing plan and phase completion schedule; Conceptual Plan shall include, but not limited to:

   g) Plan sheet size not to exceed 30" x 42";

   h) Drawn to scale not smaller than 1" = 200';

   i) Proposed Project Name;

   j) Owner of the property and/or developer;

   k) Adjacent property owners and land uses;

   l) North arrow, written and graphic scales, and a location map drawn to scale and not less than 1" = 2000' to show the relationship between the proposed land development and surrounding area;

   m) Location and types of uses;

   n) Table summarizing project acreage, gross and net density, number of lots, and proposed area, yard, and height requirements;

   o) Number of units by residential dwelling type;

   p) Gross and net densities by phase or residential dwelling type;

   q) Existing road rights-of-way and easements;

   r) Adjacent driveway, roadway, and curb-cut locations;

   s) Proposed rights-of-way and lot layout compliant with the requirements of the Land Development Regulations;

   t) Internal traffic circulation for all residential and non-residential land uses;

   u) Traffic analysis and proposed external improvements;

   v) All planned accessory dwelling units, places of worship, golf courses, public spaces, amenity areas, common areas, ponds, and open space;

   w) All required external buffers;

x) Location of 100 and 500-year regulatory floodplains per FEMA Flood Insurance Rate (FIRM) Maps;

y) Existing wetlands, spoilage areas, and any wetlands that will be filled;

z) Pedestrian Flow Plan, when sidewalks and/or paths included.

aa) Illustrative Plan is optional, but does not replace the need to submit a conceptual plan.

bb) North arrow, name of developer, owner, proposed development, and Parcel Identification Number (PIN) and adjacent PINs;

cc) Location and types of uses;

dd) General road layout for all pods and phases;

ee) Amenity areas and/or active and common open space areas; and

ff) Typical lot layouts per product type and phase.

10. ADDITIONAL SUBMISSION CRITERIA FOR REQUEST WITHIN SCENIC AND CONSERVATION AREA.

Any rezoning request made within a Scenic and Conservation Area of the Comprehensive Plan's Future Land Use Map shall also include:

a) One of the following wetland analyses for all requests over 2.5 acres:

   i. Preliminary wetlands assessment prepared by a qualified wetlands consultant as identified by the Corps of Engineers;

   ii. Wetlands verification letter from the Corps of Engineers; or

   iii. Certified wetlands delineation map and preliminary jurisdictional determination letter from the Corps of Engineers.

b) National Wetlands Inventory Map for all requests under 2.5 acres;

c) Geotechnical exploration investigation report or USDA Soils Map with classifications;

d) Map of the Hydrologic Unit Code (HUC) 8 watershed and identification of existing ditches, ponds/lakes, or other waterbodies on the property; and

e) Topographic survey or LiDAR derived contours overlaid on conceptual plan for all requests over 2.5 acres. Provide survey or LiDAR year on conceptual plan.

11. ADDITIONAL SUBMISSION CRITERIA FOR PLANNED DEVELOPMENT DISTRICT (PDD).

All PDD requests shall also meet additional requirements as defined in §206 of this ordinance, including, but not limited to:

a) Written narrative;

b) Internal buffers between dissimilar uses in accordance with §206 C 3 of this ordinance; and

c) Provision for recycling facility location and documentation for proposed collection of recyclables.

d) A Conceptual Plan with bubble diagrams depicting uses, densities, internal roadways (interconnectivity to be established), and open space may be submitted for projects greater than 100 acres.

12. ADDITIONAL SUBMISSION CRITERIA FOR MULTI-RESIDENTIAL DISTRICT (MRD) WITH SUSTAINABLE DEVELOPMENT STANDARDS.

All MRD requests that include Sustainable Development Standards shall also include:

a) All sustainable development options being utilized.

b) Supporting documentation to convey how the sustainable development standards will be met, such as a pedestrian flow plan, open space plan, tree survey, or other supporting documentation.

c) Expected sustainable development incentives, including any density increases over the standard MRD development standards, setbacks, and dimensions.

13. SUBMISSION CRITERIA FOR THE MARINE INDUSTRIAL (MI) DISTRICT.

Any request to establish a Marine Industrial district (MI) shall meet the following criteria:

a) Minimum size to rezone to MI district is one hundred (100) acres. This can be a group of existing contiguous parcels.

b) Conceptual plan showing major roadways and potential traffic impacts and improvements shall be submitted with the request.

14. Any other information that the Planning Commission determines is reasonably necessary to make an informed decision as to whether the application complies with the Standards of this Article.

E. PLANNING COMMISSION PUBLIC HEARING NOTICE.

Notice of the time and place of the Planning Commission public hearing shall be published in a newspaper of general circulation in the County in advance of the scheduled Planning Commission meeting date in which the proposed amendment shall be heard.

1. ZONING AMENDMENT.

Newspaper notice of a public hearing shall be made at least fifteen (15) days in advance of the scheduled public hearing date.

2. ZONING MAP AMENDMENT.

a) *Property Posting.* When a proposed amendment affects the district classification of a property, conspicuous notice shall be posted on or adjacent to the property affected with at least one (1) such notice being visible from each public thoroughfare that abuts the property.

b) *Notification of Surrounding Property Owners.* Property owners within 500 feet of the property proposed for the zoning map amendment shall be notified by mail at least fifteen (15) days prior to the Planning Commission public hearing.

3. REGISTRATION TO RECEIVE PUBLIC NOTICE.

Any organization or individual may register with the Planning Department to receive public notice by electronic mail at least fifteen (15) days prior to the Planning Commission public hearing.

4. PUBLIC COMMENT.

The Planning Commission may receive public input by written comments being submitted to the Planning Department. Planning Commission shall hold a public hearing on all zoning text and map amendments. If an applicant or land owner is allowed to provide oral or written comments, the commission must give other interested members of the public at least 10 days' notice and an opportunity to comment in the same manner.

F. PLANNING COMMISSION REVIEW AND RECOMMENDATION.

The Planning Commission shall have thirty (30) calendar days to review the proposed amendment and take action, recommending that County Council approve or deny the proposed amendment. The Planning Commission shall state its findings and its evaluation of the request in a report to County Council. If the Planning Commission fails to submit a recommendation within a thirty (30) day period, it shall be deemed to have recommended approval of the proposed amendment.

G. COUNTY COUNCIL HEARING AND DECISION.

Before enacting an amendment, the County Council shall hold a public hearing. In any request for change, County Council shall consider the recommendation of the Planning Commission on each proposed amendment; however, County Council is not bound by the recommendation in making a final decision. All amendments shall be adopted by ordinance.

H. DEFERRAL AND WITHDRAWAL REQUESTS.

An applicant may request their application be deferred or withdrawn by submitting a written request to the Planning Department. If the public cannot be notified of the deferral or withdraw within a reasonable time period prior to the Planning Commission public hearing at which the application is to be heard, the request for deferral shall be considered and acted upon during the public hearing as scheduled. A maximum of two (2) applicant initiated deferrals shall be allowed prior to Planning Commission recommendation. Once Planning Commission has made its recommendation to County Council, all requests for deferral or withdraw shall be submitted by the applicant to the Clerk of Council for Council's consideration.

SECTION 303 - CHANGES IN THE ZONING MAP.

Following final action by the County Council any necessary changes shall be made on the official Zoning Map. A written record of the type and date of such changes shall be maintained by the Planning Commission. Until such change is made, no action by the County Council on amendments to the Zoning Ordinance shall be considered official unless the Planning Commission fails to make the change within fifteen (15) days after formal action by the County Council. In the latter event, action by the County Council shall be considered official fifteen (15) days after the date of the action if the Planning Commission fails to make the appropriate changes.

SECTION 304 - MODIFICATIONS WITHIN PUD, PDD AND MRD DEVELOPMENTS.

Land development of all PUD, PDD and MRD developments shall conform to the County Council approved conceptual plan and written narrative. All developments shall also be reviewed utilizing the procedures established in the Horry County Land Development Regulations. Minor changes in conceptual or master phasing plans for PUD, PDD and MRD developments may be approved by the Zoning Administrator or designee, provided that a request is submitted in writing through a Minor Amendment Application by the owner or agent and that the changes:

1. Do not increase density or intensity;
2. Do not change the outside (exterior) boundaries;
3. Do not change any uses, including mixture of uses and residential housing types, that would significantly alter the character of the development;
4. Do not significantly change the external appearance from those shown on any plans which may be submitted or presented by the developers;
5. Minor changes may include, but are not limited to: minor shifting of the location of buildings, parking, shifting of entrances and internal roadways to resolve regulatory permitting issues, utility easements, parks, amenities, or other public open spaces, or other features of the plan.

Changes which materially affect the plan's basic concept or the designated general use of parcels of land within the development should be considered major changes. All other changes or modifications not enumerated above shall also constitute a major change and will require a full rezoning action, as outlined in §302.

ARTICLE IV – GENERAL PROVISIONS

SECTION 400 - NONCONFORMING BUILDINGS OR USES.

Nonconforming buildings or land uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. However, to avoid undue hardship, the lawful use of any buildings or land uses at the time of enactment or amendments of this ordinance may be continued even though such use does not conform with the provisions of the ordinance, except as follows:

A. NONCONFORMING BUILDING OR USES

The nonconforming building or land use shall not be changed to another nonconforming use.

B. ENLARGEMENTS AND ALTERATIONS.

1. The nonconforming building, if it houses an allowed land use, may be enlarged or altered to any degree provided that the enlargement or alteration meets all setbacks and other requirements of the district.
2. Any building or structure, conforming or nonconforming which houses a nonconforming land use shall not be enlarged or altered in excess of twenty (20) percent of existing floor area. The twenty (20) percent expansion can only occur if all applicable district requirements (setbacks, height restriction, etc.) are met. If not, the twenty (20) percent expansion shall be prohibited.
3. Structures may be elevated for flood protection as long as the structure is not enlarged or altered in a manner that causes further encroachment into the required setback. Any building or structure, conforming or non-conforming may be raised up to three feet above base flood elevation in special flood hazard areas without having to come into compliance with required setback or height restrictions; no structure may exceed the maximum allowable height as allowed by the Airport Environ Overlay.

C. RESTORING SAFE CONDITION

Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition any building or part thereof declared to be unsafe by an official charged with protecting the public safety, upon order of such official.

D. REPLACEMENT OF STRUCTURES.

The intent of this section is to allow existing nonconforming buildings to be replaced or rebuilt if the following conditions are met:

1. A nonconforming structure must obtain a building permit within twelve (12) months of being removed or destroyed.
2. Reconstruction (including replacement) of existing buildings and swimming pools shall be allowed as long as the structures are not enlarged or expanded to the extent that the structure or structures exceed the gross square footage which existed on the lot before enactment of this ordinance. (The gross square footage of previously existing structures, in this case, does not include previously existing structurally enclosed parking spaces. In addition, new structurally

enclosed parking which is developed to meet the parking requirements of the new principal use structure does not count against the gross square footage permitted in this replacement.)

3. No reconstruction of a nonconforming building may be seaward of the existing building line (for oceanfront properties) nor shall it in any manner encroach farther into required setback areas than the existing nonconforming structure that it is replacing. In addition, no reconstruction of a nonconforming building may encroach more than fifty (50) percent into required side yards, rear yards or front yards (with the exception of oceanfront).
4. Such reconstruction is exempt from maximum building coverage and maximum height restrictions of the zone. The reconstruction or replacement of structures is allowed only if such new structures conform to all other development control and/or drainage regulations applicable at the time of reconstruction, redevelopment or replacement.
5. When structures which are to be replaced contain nonconforming uses, the nonconforming uses are not permitted to be continued when the new structure is built.
6. Single-wide manufactured homes may be replaced with double-wide units in any zoning district, provided all applicable district regulations can be met.
7. Reconstruction seaward of the South Carolina Coastal Council (SCCC) 40-year setback line complies with SCCC requirements and has been approved, in advance, by the SCCC. In the event that conflicts exist between the requirements of this section and sections § 400.D.1 through 7, the more restrictive requirements shall apply.

E. EXISTING TOW YARDS.

Locations that were operating and had a business license as of May 2013 may be permitted to continue to operate as "legal nonconformities" subject to the following limitations:

1. They must come into compliance with the signage requirements of § 906 A 3, of this ordinance, by December 31, 2014.
2. They must come into compliance with the fencing and screening requirements of §411 & §906, of this ordinance, by December 31, 2017.

F. EXISTING ASPHALT AND/OR CONCRETE BATCH/BULK PLANTS.

Locations that were legally operating in Limited Industrial (LI) or Heavy Industrial (HI) zoning districts before enactment of these provisions may be permitted to continue to operate as "legal non-conformities" subject to the following limitations:

1. Expansion of the existing facility may occur up to the setbacks of the zoning district in which the facility is located provided all applicable county building permits are obtained.
2. Hours of operation for the facility shall be in accordance with those specified in the Horry County Code of Ordinances (Noise Control).

G. EXISTING HELIPORTS AND HELIPADS.

Locations that were legally operating before the enactment of § 916 in a place other than at a public use airport shall discontinue, or be located in conformity with this ordinance, not later than January 1, 2024.

H. EXISTING COMMERCIAL POULTRY HOUSE OR SWINE FACILITY.

If a commercial poultry house or swine facility is damaged greater than fifty (50) percent or destroyed due to an act of nature (i.e. fire, flood, hurricane, tornado) or a catastrophic event and a building permit is obtained within twelve (12) months and construction is completed within twenty-four (24) months of such damage or destruction, the above standards shall not apply. This exemption; however, shall not relieve the property owner of having to meet all applicable building, zoning, or DHEC regulations in place at the time of reconstruction.

I. EXISTING BARS.

Any building or structure which houses a bar shall not be enlarged or altered in excess of twenty (20) percent of existing floor area, unless all applicable district requirements (setbacks, height restriction, etc.) are met and the addition receives a special exception.

J. FENCES OR WALLS.

A legal nonconforming front yard privacy fence or wall that is destroyed more than fifty (50) percent, not maintained, or removed, may not be replaced or "mirrored" to another non-conforming front yard fence. Replacement of front yard fences or walls must meet current regulations.

K. AIRPORT ENVIRONS OVERLAY.

Pre-existing, legal nonconforming structures, natural vegetation, or uses replaced, replanted, rebuilt or altered within the Airport Environs Overlay shall not be permitted to grow higher, so as to constitute an increase of the degree of nonconformity of § 823.

SECTION 401 - NONCONFORMING BUILDING OR USE DISCONTINUANCE.

Notwithstanding other provisions of this ordinance, certain nonconforming buildings or land uses, after this ordinance is enacted into law, shall be discontinued and/or shall be torn down, altered or otherwise made to conform with this ordinance within the periods of time set forth below. Upon application to the board of appeals, the board, either according to general rule or upon findings in the specific case, may permit not more than one (1) extension as indicated below. Notice shall be sent by the zoning administrator to all nonconforming uses stating wherein they do not conform to said ordinance and stating the date by which they must either comply or cease to exist. The date that a nonconforming use must either comply or cease to exist shall be measured from the date of enactment, or amendment, of this ordinance and shall be observed regardless of whether notice of nonconformity is sent by the zoning administrator or received by the affected owner.

NONCONFORMITIES	TO BE DISCONTINUED WITHIN	EXTENSION PERMITTED
Fences, hedges, signs and appurtenances impeding vision at intersections	30 days	30 days
Dumpsters	24 months	6 months
Body piercing	6 months	None

SECTION 402 - ACCESSORY BUILDINGS, STRUCTURES, AND USES.

Except as otherwise provided, no accessory building, structure, or any use in any zoning district shall be established, erected, or maintained without a principal use. Such buildings, structures and uses must meet setbacks for the district. Accessory uses shall not be located forward of the principal structure.

A. THE FOLLOWING EXCEPTIONS ARE ALLOWED TO THE ABOVE.

1. One (1) accessory structure at a single family residence, two hundred (200) square feet or less in size, may be located no closer than five (5) feet from an adjacent side and/or rear property line and further provided that no accessory structure may be located within any easement. Any additional accessory structures must meet setback requirements.
2. Garages, carports and gazebos may be located in any yard provided all setback requirements are met.
3. ATM kiosks at existing commercial locations are allowed in any yard provided all setback requirements are met.

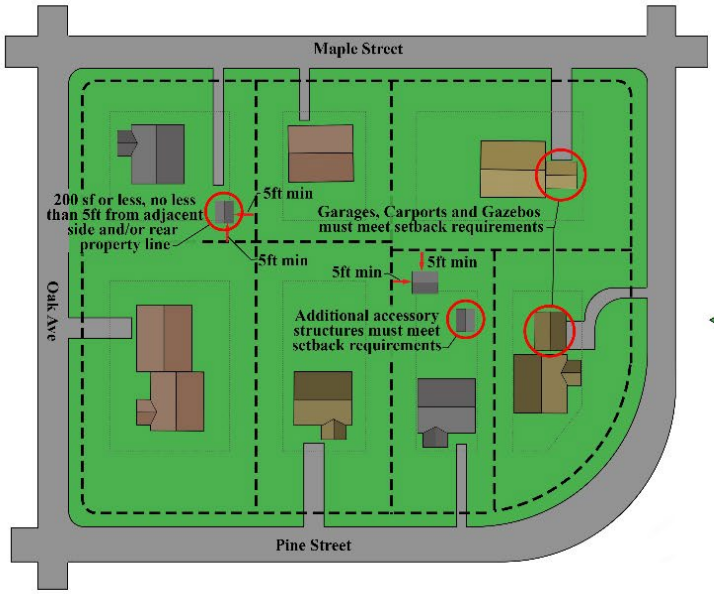
B. HELIPADS.

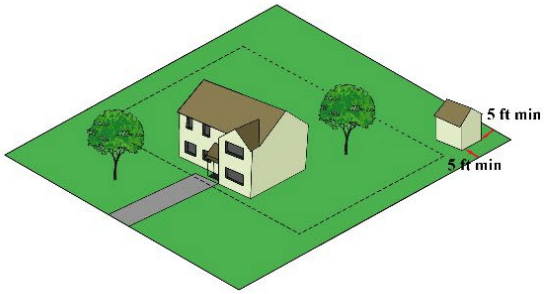
Helipads shall be considered accessory uses incidental and subordinate to hospitals, law enforcement, and firefighting.

C. OUTDOOR DRY RACK.

Outdoor dry rack storage accessory to a Marina must have exterior siding on any side exposed to a residential use or residential zoning district.

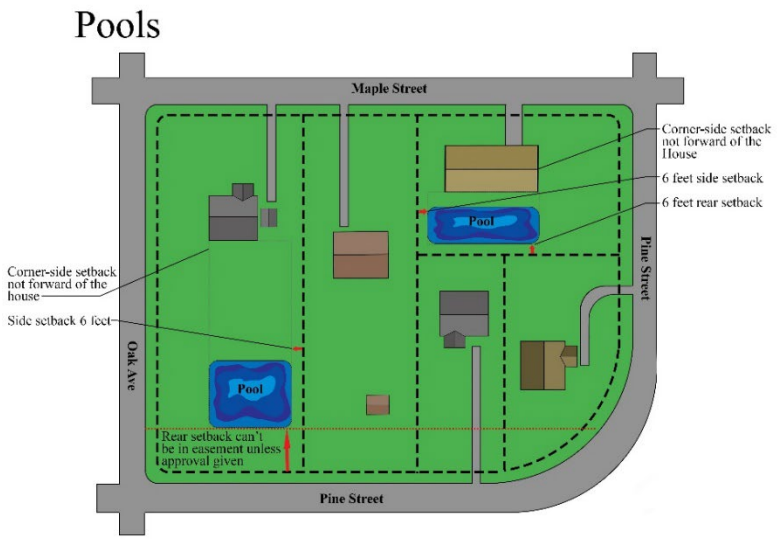
Accessory Buildings, Structures, and Uses





D. SWIMMING POOL EXCEPTIONS TO THE ABOVE.

1. Above-ground swimming pools 33 inches in depth or less and without a pool enclosure or deck are exempt from these standards.
2. Above-ground swimming pools greater than 33 inches in depth that do not have a pool enclosure or deck are exempt from setback requirements provided that: there is a principal use or structure on the land; the pool is not located forward of the principal structure or on a street/corner side; and, the pool is located within and screened by a six (6) foot high opaque privacy fence.
3. Above-ground and in-ground swimming pools may meet a six (6) feet minimum setback requirement in any zoning district; provided that there is a principal use or structure on the land, and that the pool is not located forward of the principal structure or on a street/corner side. Pool enclosures and decks over twelve (12) inches in height must meet setback requirements of the zoning district.



SECTION 403 - VISION CLEARANCE AND OUTDOOR PRODUCT DISPLAY.

In all districts, businesses/person(s) displaying product for sale that directs the attention of persons to such product and is located within the view of the general public, from a public road right-of-way must comply with the following conditions:

1. Place no structures, vehicles or stock so as to obstruct the vision of vehicular or pedestrian traffic using any street, driveway or walkway; and
2. Keep all stock displayed out of the highway right-of-way; and
3. Stock, product or structures that are displayed that are greater than six (6) feet in height shall be no closer than ten (10) feet from the property line abutting any street or driveway. Items under six (6) feet in height shall be no closer than seven (7) feet from the property line abutting any street or driveway.
4. Displaying of motorized vehicles/auto's, boats, jet ski's, motorcycles, etc., not housed under any permitted structure, are exempt from setbacks provided vision clearance is maintained. All display must remain outside of and behind required landscape buffers.
5. Stock or product may be displayed provided:
   a) The product or stock is not displayed in a manner that it could be considered on-site signage.
   b) The stock or product may not be attached to or suspended to structures, trees, utility poles, fences, existing signage.
   c) The stock or product may not be placed in or outside of the required perimeter landscape buffer, or displace any required parking.

d) Any stock or product that is considered overstock or outdoor storage must be stored in an area not in the view of the general public and screened in accordance with § 411.

SECTION 404 - STREET FRONTAGE.

Except as herein provided, no lot shall be created which does not have at least fifty (50) feet of frontage on a street, except:

1. That lots fronting on a cul-de-sac may have a minimum road frontage of twenty-five (25) feet if lot is at least fifty (50) feet in width at the building setback line.
2. That townhouses on individual lots may be excluded from the provision.
3. That semi-detached structures on individual lots may be excluded from the provision.
4. Where a lot without any frontage exists prior to the adoption of the Zoning Ordinance, the planning commission may determine whether private access is adequate for the development of the lot.
5. When such lots are located on streets within a Planned Unit Developments (PUD), Planned Development District (PDD) or Multi-Residential District (MRD). Lots shall have no less than forty (40) feet of street frontage except when such lot is located on a cul-de-sac. The lot frontage may be reduced to twenty-five (25) feet when located on a cul de sac provided a minimum lot width of forty (40) feet is obtained at the building setback line.
6. Tiny home lots may be excluded from the provision.
7. A Destination Park shall have a minimum of one hundred fifty (150) feet of frontage on a public street

SECTION 405 - ONE PRINCIPAL BUILDING ON A SINGLE FAMILY RESIDENTIAL LOT.

Only one (1) principal building and its customary accessory buildings may hereafter be erected on any single-family residential lot unless otherwise specified in § 918. The connection of two (2) buildings by means of an open porch, breezeway, carport, or other such open structure, with or without a roof, shall not make them one (1) building.

SECTION 406 - MULTIPLE COMMERCIAL BUSINESSES ON A SINGLE PARCEL

Any district which allows a commercial business, is permitted to have multiple commercial businesses on the same parcel of land.

SECTION 407 - MULTIPLE COMMERCIAL BUILDINGS ON A SINGLE PARCEL

Any district which allows a commercial building, is permitted to have multiple commercial buildings on the same parcel of land.

SECTION 408 - DUMPSTERS, ROLL-OFFS, AND COMPACTORS

Property owners shall maintain screening, access, and safety for garbage and recycling dumpsters.

A. SCREENING.

1. Dumpsters shall be screened on three (3) sides to a height of at least one (1) foot above the top of the dumpster. Screen material may be either an architectural wall or a privacy fence that forms an opaque enclosure.
2. Dumpsters cluster. Individual screening will not be required when several dumpsters are clustered at one location. Instead, the entire site will be enclosed to prevent dispersal of loose trash.
3. All dumpsters shall be stored on the property behind the front building line of the principle structure. Dumpsters must be fully contained within a gated enclosure if visible from a public right-of-way.

B. ACCESS AND SAFETY.

1. Dumpsters shall not impede the lawful passage of vehicular or pedestrian traffic on public rights-of-way not impede authorized public or private parking or other lawful uses on those public rights-of-way adjacent to the site on which the dumpster is located.
2. No dumpster shall be placed so as to impede or prevent access to any public easement, or public utility installation.
3. No public street or highway shall be used except on an emergency or temporary basis for maneuvering of vehicles accessing or servicing dumpsters.
4. Dumpsters shall be placed on a concrete pad with bollards or similar device to protect enclosure and enclosure must be appropriately sized to accommodate storage of all dumpsters.

C. REFUSE AND GARBAGE.

1. All owners or occupants must have a sufficient capacity of dumpsters to hold all solid waste accumulated between scheduled collections and shall not allow solid waste to be stored or to accumulate on their property in a manner deemed to be a public nuisance.
2. Commercial developments that meet or exceed the total square footage or unit count shown in the table must provide an enclosure of the minimum dimensions as specified below:

MINIMUM ENCLOSURE SIZE BY COMMERCIAL USE		
	SMALL (12'x 8')	***LARGE (30'x 12')***
Office/Professional	10,000 sqft	25,000 sqft
Trade Contractor	5,000 sqft	15,000 sqft
Retail	5,000 sqft	15,000 sqft
Restaurant/food service	1,000 sqft	5,000 sqft
Multi-Family Residential	10 dwelling units	30 dwelling units

D. RECYCLING.

1. Multifamily Recycling. Multifamily projects and developments under common ownership proposing 25 or more units must include an enclosure to accommodate an 8 yard recycling dumpster or roll-off, in addition to any dumpster(s) for garbage. Minimum dimensions of enclosure shall be 22' x 8' as a single or multiple stall design.
2. Enclosure or dumpster used for recycling shall be placarded with a list of the acceptable recyclable materials as determined by Horry County Solid Waste Authority.
3. It shall be unlawful for any person to deposit any material other than acceptable recyclable material in a dumpster which is designated for recycling.
4. In order to facilitate the establishment of recycling programs, and encourage full participation on the part of established businesses, it may be necessary to waive some requirements of this Code of Ordinances relating to siting and screening of dumpsters.

   If there is insufficient area on the property to site the recycling dumpster(s) in full compliance with all of the provisions of this code, the Zoning Administrator shall be authorized to the minimum extent required, to waive the provisions in the following particulars:

   a) Screening requirements may be waived or modified as necessary; provided that the dumpsters will not be visible from any public right-of-way.
   b) Required parking spaces may be reduced by up to two spaces to allow for the placement and access to recycling dumpsters.

E. EXEMPTIONS AND EXCEPTIONS.

1. Collection Service. Dumpsters may be placed outside of the enclosure as required for service.
2. Internal Storage. Projects proposing to design space within a building for the storage of all solid waste materials are exempt from the screening requirements.
3. Temporary Construction. Dumpsters for the collection of construction materials at a permitted building site are exempt from these provisions.
4. Existing Non-Conforming. All dumpsters must meet the requirements for screening, access, and safety within 24 months except for any dumpster that is granted an extension or variance by the Horry County Zoning Board of Appeals. Existing commercial uses may continue to operate without an enclosure unless a dumpster is necessary to comply with D. 1 of this provision.

SECTION 409 - PUBLIC UTILITIES.

Utility installations will be allowed in all zoning districts provided the review as required by section 6-29-540 of South Carolina State Law is complete and the requirements stated herein are met.

When a conflict exists between any standards herein and those of any other county ordinance the more restrictive standards shall apply.

A. INTENT:

This section provides standards relative to the construction and location of utility installations necessary to support the needs of the citizens and all applicable utility providers within Horry County.

This section is further established to:

1. Provide for the appropriate screening and security of utility infrastructure to preserve the health, safety and welfare of the citizens of Horry County; and
2. Provide for the appropriate screening and security of utility infrastructure to preserve property values in Horry County; and
3. To preserve view planes throughout the county, thereby stabilizing and enhancing the aesthetic and economic vitality and values within which such views are preserved.

B. APPLICABILITY:

The standards established herein shall apply to all freestanding utility installations and associated equipment not excluded from § 409.D.

C. REQUIREMENTS:

1. All utilities not excluded in § 409.D shall be required to secure the equipment compound with a fence as defined herein.
2. Utility installations are subject to the landscaping requirements of Overlay Zones if located therein
3. Equipment compounds shall be landscaped and maintained with a buffer of plant materials. Existing mature vegetation and natural landforms on the site shall be preserved to the maximum extent possible, or replaced to present a natural, undisturbed appearance in keeping with the intent of this section. The buffer shall consist of a single row of evergreens no less than twenty-four (24) inches in height at the time of planting and spaced a maximum six (6) feet on center along the outside perimeter of a fenced enclosure. Such plants shall be capable of reaching a height of no less than five (5) feet within two (2) years of planting, reaching a height at maturity no less than eight (8) feet.
4. In instances where these landscape and buffer requirements cannot be met, a site specific screening plan for each utility installation shall be submitted for review by the Zoning Administrator. A utility may establish different landscaping and buffer areas than those established herein if an agreement is reached for such with the applicable development, neighborhood, adjacent property owners or jurisdiction. Upon plan submittal, the Zoning Administrator or designee shall have up to fifteen (15) days to review and provide any comments.
5. Dying, diseased, or dead vegetation shall be removed by the property owner from a buffer provided minimal disturbance occurs to healthy plant materials earmarked to be retained. Vegetation thus removed shall be replaced where necessary to meet the screening requirements contained herein.
6. In locations where the visual impact of equipment compounds would be minimal, or where the requirements of this section are otherwise impracticable, the landscaping and screening requirements of this section may be reduced or waived by the Zoning Administrator. Examples of instances whereby the Zoning Administrator could waive the landscaping requirements are:
    a) If the facility is in a wooded area. The applicant may choose to retain a natural vegetated buffer strip of undisturbed trees that is at least five (5) feet in depth, and at least six (6) feet

in height, around the perimeter of the facility. The area shall remain undisturbed in appearance, except where minimally necessary to allow for an access drive.

b) If the facility is located in an area that is under cultivation during the growing season, the planting of additional screening vegetation is not required. The intent of this subsection is to allow for the maximum use of productive farmland. In this instance it will be suitable to screen the fenced enclosure with a coated fence or fabric wrap.

D. EXCLUSIONS:

1. Overhead transmission/distribution lines and underground utilities of any type and/or use shall be exempt from the standards set forth herein.
2. The landscaping requirements in § 409 C are only applicable to utility installations purchased after the effective date of this ordinance.
3. Utility installations occupying less than seven hundred fifty (750) square feet in area shall be exempt from the standards set forth herein.
4. Telecommunication towers covered under § 942 of the Horry County Zoning Ordinance.
5. Towers that are not telecommunication towers are exempt as long as it is for public utility use only.

E. PROHIBITED:

1. No land shall be used or occupied and no structure shall be designed, erected, altered, used or occupied except in conformity with all regulations established in this ordinance and upon performance of all conditions herein set forth.
2. New wastewater and sewer treatment facilities are prohibited from locating within one thousand (1,000) feet of a residential subdivision as defined herein. Existing wastewater and sewer treatment facilities shall be exempt from the standards set forth herein.

F. REVIEW PROCEDURES:

The supplemental information listed below shall be submitted for a utility installation to the Horry County Planning and Zoning Department.

1. Utility owner(s). Identification of the owner(s) of all infrastructure to be located on the site;
2. Copy of all pertinent permits, if secured, required by federal or state authorities to operate said utility installations.
3. Location map (to scale). A current County map showing the location of the facility and any existing residential subdivisions as defined herein within one (1) mile of the proposed location (measured from the parcel boundary);
4. A site plan, at a scale no less than 1" = 100', that illustrates the following:
   a) A boundary survey of the proposed utility location site.
   b) A description of the principal structure and all associated equipment to support the operation of a utility;

c) The location, height/depth of transmission lines and/or underground equipment to a distance of twenty-five (25) feet from the equipment compound fencing;

d) Screening and landscaping.

SECTION 410 - LIGHT AND GLARE.

Exterior lighting shall meet functional and security needs in a way that does not adversely affect the adjacent properties or street right-of-way. Lighting shall be oriented and shielded to provide onsite illumination that minimally impacts the surrounding environment.

1. *Definition: Footcandle:* The illumination at all points one (1) foot distant from a uniform point source of one (1) candle power.
2. In all districts, any operation or activity which produces light or glare, except for cars, trucks, and other vehicles traveling on highways, streets, or railways, shall not cause illumination in excess of one (1) footcandle across any residential lot line in any residential district.
3. Public streetlights, temporary lighting, seasonal decorations, and decorative lighting are exempt from this requirement.
4. Lighting of predominately horizontal surfaces. Light fixtures shall be full-cutoff that meet Illuminating Engineering Society of North America (IESNA) criteria, and shall be aimed straight down.
5. Lighting of predominately non-horizontal surfaces. Light fixtures in excess of one hundred (100) watts or two hundred (200) lumens shall be full-cutoff or directionally shielded and shall be aimed and controlled so that light is confined, as much as possible, to the objects that are intended to be lit and does not project into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward, or onto a public roadway.
6. Excessive illumination. Lighting within any lot that unnecessarily illuminates and substantially interferes with the use or enjoyment of any other property is prohibited. Blinking or flashing lights shall be prohibited unless the lights are required as a safety feature or as permitted as part of a sign in accordance with Article VI Sign Regulations.

SECTION 411 - STORAGE YARD SCREENING.

To prevent unsightly views from adjacent roadways and land uses, all outdoor storage, junk, salvage, dump yards and high bulk merchandise storage yard areas in commercially zoned districts (unless otherwise defined or directed) shall be screened by a completely opaque fence, or wall not less than six (6) feet in height and shall not be stacked higher than the maximum height allowed for a fence or wall in such commercially zoned district.

Completely opaque screening of all outdoor storage, junk, salvage, dump yards, stock yards and high bulk merchandise areas in industrial and manufacturing districts shall be required if abutting a public roadway (unless otherwise defined) and/or unlike zoning districts. Businesses that are adjacent to like industrial and/or manufacturing are exempt from the screening requirement along the shared property boundaries. Stacking shall also be limited to the maximum allowed fence height. See § 412 [of this Zoning Ordinance]. Items such as recreation vehicles which are not stacked only need be screened to a height of six (6) feet. Junk Cars and salvage yards are required to be screened to a height of eight (8) feet. See section 10-35 of the general code.

Industrial and manufacturing businesses within an industrial park shall be exempt from opaque screening and stacking of stored product.

SECTION 412 - FENCES AND WALLS.

A. HEIGHT:

The maximum height for fences or walls in the AC, HC, LI, AM2, RE4, MA1, MA2, MA3, MI and HI Districts shall be twelve (12) feet. In all other zoning districts, fences or walls shall not exceed eight (8) feet in height. No fence or wall shall be designed in a manner that obstructs the vision of vehicular traffic at street and/or driveway intersections.

B. REQUIREMENTS

1) Apply for a building permit when fence is greater than seven (7) feet.
2) Provide a scaled site plan indicating setbacks, locations and elevations for fences that are required to obtain building permits.
3) Any use requiring privacy fence or wall must locate the fence or wall internal to any required landscape buffers.
4) Privacy fences or walls installed in front and/or corner side yards are required to:
    a) Meet ten-foot setbacks from front and corner side property lines that abut the road right-of-way or shared private drive.
    b) Where legal nonconforming privacy fences that are properly maintained exist along adjacent front and/or corner side yards property lines, a "like type" fence may be installed provided it is no higher or extending no further towards the roadway than the existing fence, and the existing fence is not designed or located in a manner that obstructs the vision of vehicular traffic at a street and/or driveway intersection.
    c) Non-privacy type fences such as split rail, uncluttered chain link and picket fences with less than fifty (50) percent opacity placed in front and/or corner side yards are exempt from setback requirements.
5) *Emergency access:* All fences or walls shall be designed to permit emergency access to the enclosed area, whether by use of gate or a breakaway section.

SECTION 413 - PUBLIC USES

Publicly owned buildings, facilities, or lands, excluding firearm training and sports facilities are allowed in all districts provided the review as required by Section 6-29-540 of South Carolina State Law is complete. Firearm training and sports facilities shall be reviewed under § 912 of the Horry County Zoning Ordinance.

SECTION 414 - DEVELOPMENTS OF REGIONAL SIGNIFICANCE.

A. DESIGN GUIDELINES AND STANDARDS.

1. INTENT:

The intent of the Design Guidelines and Standards for Developments of Regional Significance is to minimize the environmental, aesthetic and transportation impacts caused by the bulk, scale and size of such establishments.

2. APPLICABILITY:

The Design Guidelines and Standards are applicable to all new Developments of Regional Significance which are permitted after the adoption of this ordinance. These standards also apply to any site where an existing Development of Regional Significance is demolished and replaced even if partially where the total square footage of structures to be replaced exceed 100,000 square feet.

3. MODIFICATIONS TO STANDARDS:

The Planning and Zoning Department is empowered to grant variances to the standards, when alternative site planning and building design approach meets the design guidelines.

B. FACADES AND EXTERIOR WALLS.

1. GUIDELINE:

Facades should be articulated to reduce the massive scale and the uniform, impersonal appearance of large buildings and provide visual interest that will be consistent with the community's identity, character and scale.

2. STANDARD:

a) No portion of a building shall be treated with smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels, unless the visible finish is comprised of a suitable finish material.

b) Predominant exterior building materials shall be high quality materials, including but not limited to: Brick, stucco, Glass, Synthetic clapboard siding (cementitious, vinyl, metal or wood),Split face or colored decorative block, Wood, Sandstone, stone, other native stone or cementitious siding, Tinted, textured, concrete masonry units, Brushed, stamped or polished aluminum panels.

c) *Colors.* Facade colors shall be subtle, neutral or earth tone colors. Building trim and accent areas may feature brighter colors, including primary colors.

d) Building facades must include a repeating pattern with no less than three (3) of the elements listed below. At least one (1) of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.

   i. Color change

   ii. Texture change

iii. Material module change

e) No length of any facade shall exceed thirty (30) linear feet without including at least one (1) of the following vertical elements: pilasters, columns, offsets, reveals, projecting ribs canopies/porticos, colonnades, windows, trellis with vines, or an equivalent element that subdivides the wall into human scale proportions.

f) Retail building walls facing the front yard shall have window(s) and door(s). Such facades shall have display windows a minimum of six (6) feet in height along no less than twenty (20) percent of their horizontal length. Side or rear walls that face walkways may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations of the wall.

C. ROOFS.

1. GUIDELINE:

Variations in rooflines should be used to add interest to and reduce the massive scale of large buildings.

2. STANDARD:

a) Rooflines shall be varied with a change in height every one hundred (100) linear feet in the building length.

b) Rooftop equipment shall be shielded from the public view via architectural treatment. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs.

D. ENTRYWAYS.

1. GUIDELINE:

Entryway design elements and variations should give orientation and aesthetically pleasing character to the building.

2. STANDARD:

Each building on a site shall have clearly defined, highly visible customer entrances featuring no less than three (3) of the following:

a) Awnings, canopies or porticos,

b) Overhangs, recesses, arcades or projections,

c) Raised corniced parapets over the door, peaked roof forms or arches,

d) Patios,

e) Display windows,

f) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting

E. LANDSCAPING, SCREENING AND VEGETATION.

1. GUIDELINE:

Existing trees should be incorporated into the design of large establishments to assure ecological and aesthetic benefits.

2. STANDARD:

The following landscaping and screening provisions apply:

Perimeter Landscaping

a) Where the development abuts a residential use or district, the amount of landscape buffer material shall be increased by fifty (50) percent and the buffer width increased twenty-five (25) percent along the shared property line required in Article V of the Horry County Zoning Ordinance. A privacy fence no less than six (6) feet in height shall also be provided interior to the landscaping.

b) Existing specimen and protected trees, within the perimeter landscaped area shall be retained. See Protected and Specimen Trees in Article V of the Zoning Ordinance.

F. OUTDOOR STORAGE, LOADING AREAS, AND UTILITY LOCATIONS.

1. GUIDELINE:

Loading areas and outdoor storage areas exert visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed or enclosed.

2. STANDARD:

a) Loading and unloading of commercial vehicles or of any other vehicles used for commercial purposes including trash/recycling collection is only permitted between the hours of 6:00 a.m. and 11:00 p.m. when property assigned a residential zoning classification or used for residential purposes is within two hundred (200) feet of the loading area.

b) Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, , and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape.

c) Non-enclosed areas for the storage and sale of seasonal inventory shall not be located within required parking areas.

G. PEDESTRIAN FLOWS.

1. GUIDELINE:

Pedestrian accessibility opens auto-oriented developments to the neighborhood, reducing traffic impacts and enabling the development to project a friendlier, more inviting image. This section sets forth standards for public sidewalks and internal pedestrian circulation systems that can provide user-friendly pedestrian access as well as pedestrian safety, shelter, and convenience within the center grounds.

2. STANDARD:

a) Pedestrian facilities shall be included in any landscaping plan submitted for review.

b) Sidewalks at least five (5) feet in width.

c) Sidewalks shall be provided along all public and private rights of way within and adjacent to the project.

d) Sidewalks, shall be provided from the right-of-way to the principal customer entrance of all publicly accessible buildings on the site. .

e) Sidewalks and pedestrian connections shall be installed between outparcels and the primary uses, and between each outparcel, to enhance internal circulation and create a streetscape experience for pedestrians.

f) Sidewalks shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas.

g) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

h) All parking shall be located no more than one hundred eighty (180) feet from a pedestrian facility/sidewalk.

H. LIGHTING.

1. GUIDELINE:

Adequate lighting for public safety is supported, yet excessive lighting resulting in unnecessary waste of energy as well as causing light pollution should be discouraged.

2. STANDARD:

A lighting plan will be required with submittal of all commercial development plans.

a) Detailed Lighting Plan

The lighting plan shall show the location of all site lighting including lights mounted on buildings that are intended to illuminate spaces adjacent to the building. The lighting plan shall include specifications and details of all fixtures, and a photometric plan.

b) Height

i. Luminary heights shall not exceed twenty-five (25) feet.

ii. If a luminary is within fifty (50) feet of a residentially zoned parcel, the height of the luminary shall be no greater than eighteen (18) feet with the fixture located along the edge of the parking area and light directed back into the site.

iii. Wherever possible, illumination of outdoor seating areas, building entrances, and walkways shall be accomplished by use of ground mounted fixtures not more than four (4) feet in height.

c) Canopy Lighting

i. Lighting installed on canopies or drive-thru facilities are permitted an average foot-candle reading of twenty (20) foot candles under any area that is illuminated. Lighting shall use diffusers and be shielded.

ii. Wall Mounted Lights - Wall mounted lights shall be fully shielded luminaries to prevent the light source from being visible from any adjacent residential property or public street right-of-way. Nothing in this subsection shall prevent the use of sconces or other decorative lighting fixtures with wattage equal to or less than one hundred fifty (150) watts.

SECTION 415 - COMMERCIAL CENTERS

1. Sale/rental/lease of Auto/boat/motorcycle/recreation vehicle/truck/construction & farm equipment shall not be located within a commercial center.
2. Sale/rental/lease of Auto/boat/motorcycle/recreation vehicle/truck/construction & farm equipment can be allowed on the same parcel as a commercial center provided:
   a) The zoning districts allows both uses
   b) The zoning district allows multiple commercial structures/uses on the same property.
   c) They are located in a separate approved commercial structure.
   d) The site must have adequate area for the vehicles/trailers for display, rent, lease) in addition to the required parking for the existing commercial use/s on site. Must have a minimum of 2,000sf of display area which can be combination of interior and exterior.
   e) Prior to issuance of a certificate of zoning compliance, a site plan drawn to scale showing existing structure/s, parking and landscaping, the proposed sales/display area and proposed building/s must be submitted for review and approval.

SECTION 416 - WATER AND AIR POLLUTION.

All uses must satisfactorily comply with the requirements of the South Carolina Department of Health and Environmental Control regarding the protection of waterways and atmosphere from pollution by dust, smoke, chemicals, or other waste materials.

Such uses shall not produce noise, vibration, smoke, gas, fumes, odor, dust, fire hazards, dangerous radiation or any other condition that creates a public or private nuisance beyond the premises.

SECTION 417 - MANUFACTURED HOMES.

Manufactured homes or mobile homes on individual lots shall be permitted only where allowed by the district; provided the mobile home shall be placed on a permanent foundation, properly anchored and underpinned in conformance with the current regulations published by the RVIA and HUD regarding the construction of mobile homes.

SECTION 418- IN-COMMON DEVELOPMENT.

A. APPLICABILITY:

It is the intent of this section to provide an alternative to fee simple development by allowing single-family, multi-family, duplexes, quadruplexes and townhomes, or a mix thereof on property held in common by all owners.

B. DEVELOPMENT STANDARDS:

1. Minimum site size—Shall be equal to combined lot size for each dwelling planned to be constructed within the development. The lot size shall, at a minimum, allow for the project to meet the maximum density requirements within that zoning district.
2. Minimum building setback from any exterior project property lines of Twenty-five (25) feet.
3. Minimum building separation required is twenty (20) feet, unless indicated by zoning district.

C. OWNERSHIP AND MAINTENANCE OF COMMON AREAS:

Title to all streets, parks, recreation facilities, planted or forested areas, utilities, and other improved or unimproved real property lying within the project site shall be held as undivided interests by the owners of lots lying within the project site or by an association of the residents thereof, each of whom, jointly or severally, shall be charged with the proper care and maintenance of such property.

SECTION 419 - MINING.

Unless exempt, a certificate of zoning compliance must be obtained by the property owner or operator of any mining operation prior to removal of excavated materials to be hauled off-site. The following exemptions, performance and design criteria and levels of review and approval are hereby established for mining.

A. THE FOLLOWING USES OR ACREAGES ARE EXEMPT FROM THIS SECTION:

1. If all excavated material is kept on-site, no review or approval is required and said excavation is exempt from this section.
2. A mining operation subject to a state or federal approval, Mining Operating Permit, Mining General Permit, mine-related permit for Mining discharges and stormwater, or air emission permitting program is deemed compliant with all county zoning ordinances and is exempt from this section.
3. The removal and hauling of excavated material for the construction of a commercial development or residential subdivision that has received construction plan approval and a county stormwater permit is exempt from this section.
4. The removal and hauling of excavated material if all excavated materials from a site are used solely for the construction of a public project, including projects undertaken by the federal government, the state or any political subdivision of the state, including Horry County, public agency or special purpose district (a "Public Project") is exempt from this section. The exemption in this subsection is limited to the Public Project or SCDOT contract. To qualify for an exemption pursuant to this paragraph, the following information and documentation must be provided by the property owner and/or site operator to the Zoning Administrator:

   A letter from the South Carolina Department of Transportation ("SCDOT") or Public Project engineer identifying the contractor, the SCDOT file# or Public Project name, the start date and end date of the contract, and copy of the Mine-Related NPDES permit for Discharges and Stormwater issued by SCDHEC.
5. Mines / ponds up to and including five (5) acres are exempt from the requirements of this sub-section. To qualify for an exemption pursuant to this section, the following design criteria is established:
   a) Mines / ponds shall be a minimum of twenty-five (25) feet from waters of the U.S. and State, unless a Clean Water Act §404 permit is issued by U.S. Army Corps of Engineers;
   b) Ponds shall be a minimum of twenty-five (25) feet from a property line unless a written agreement with an adjacent property owner is obtained; and
   c) Permits or approvals may be required from SCDHEC and/or UDSA for farm pond approvals.

B. ALL OTHER MINING ACTIVITY SHALL BE ALLOWED IN ALL ZONING DISTRICTS AS CONDITIONAL USES SUBJECT TO THE FOLLOWING CONDITIONS:

Mining activity greater than five (5) acres shall be allowed as conditional uses in all zoning districts subject to the following design and performance criteria:

1. Mines shall be a minimum of twenty-five (25) feet from waters of the U.S. and State, unless Clean Water Act §404 permit is issued by U.S. Army Corps of Engineers;
2. Mines shall be a minimum of twenty-five (25) feet from a property line unless a written agreement with an adjacent property owner is obtained; and

3. Where an unpaved county road is used to access the site, the owner and/or operator shall maintain two hundred (200) feet in the direction of traffic to and from the site, using Best Management Practices, as defined in S.C. DHEC regulations and maintaining the road in a condition such that the road conditions are not less than the pre-existing condition prior to commencement of any mining activity.
4. A pre-construction meeting with county engineering must be held to assess county road conditions for the two hundred feet of site access in the direction of travel and develop a maintenance plan for such roads, which maintenance plan shall address:
   a) grading and watering for county dirt roads;
   b) sweeping for county paved roads;
   c) shall show the anticipated routing of all truck traffic to minimize impact to surrounding residences; and
   d) identify areas that require signage, if needed, for safety purposes.
5. Mining operations must be screened and buffered as follows: (i) by a six (6) foot high opaque screen of natural vegetation within a fifty (50) foot buffer area; or (ii) a six (6) foot high berm, or fence with an opaque privacy screen or wall at least six (6) feet in height above grade shall be required within a twenty-five (25) foot buffer area. Provided, however, that no screen is required along any property boundary where the mining operations are setback two hundred and fifty (250) feet, or more from the property line. These screening and buffering provisions shall supersede the requirements of the parking, landscape, buffer, stormwater and tree preservation standards otherwise delineated in Horry County Code of Ordinances.

SECTION 420– COMMONLY OWNED AMENITIES WITHIN SUBDIVISIONS

Commonly owned amenities are allowed on parcels platted and designated for said amenities in subdivisions. Amenities can include but are not limited to a swimming pool, tennis court, clubhouse and open space. Amenities can also include boat ramps and docks as well as outdoor storage of boats and recreational equipment, subject to provisions elsewhere in this ordinance. Title to all improved and unimproved commonly owned amenities lying within the subdivision shall be held as undivided interests by the owners of lots within the subdivision, each of whom jointly and severally shall be charged with proper care and maintenance of such property through a lawfully established association of lot owners approved by the county and recorded with the final plat documents. One-half (½) of the standard parking requirement for the improved subject amenity shall be provided on site.

A. Licensed Recreational Equipment and Boat Storage.

May be parked or stored on open space amenity lots, subject to the following:

1. Parking or storage of recreational vehicles or boats shall be limited to vehicles or boats owned by the owners or occupants of the development.
2. Maintenance of recreational equipment or boats shall not be permitted with the exception of cleaning or replacement of tires, batteries, spark plugs or other minor repairs which do not involve the exchange of engine parts or paint or body work.

3. At no time while parked or stored shall sewer or electrical service connections be attached to a recreational vehicle or boat, except that electrical service connections may be attached for a maximum of forty-eight (48) hours prior to and in preparation for departure from the property.
4. All boats, except canoes and boats less than twelve (12) feet in length, must be on a boat trailer.
5. Storage areas must have a dust free parking surface.
6. Storage areas must be accessible only from internal to the subdivision.
7. Storage areas must be fenced by a minimum six-foot privacy fence.
8. Storage areas fenced compound must be separated from adjacent residential uses and external roadways by a minimum of thirty (30) feet landscape buffer. Storage areas fenced compound must be separated from internal roadways by a minimum of twenty (20) feet landscape buffer. Said landscape buffer needs to meet at a minimum the supplemental buffer requirement in Article V Landscape, Buffer and Tree Preservation of this Ordinance.
9. In order for an Open Space Area to qualify for use as storage it must either be labeled as "Recreational Equipment and Boat Storage" on the original recorded plat for that phase of the subdivision or the homeowners association must apply for and receive a special exception by the Zoning Board of Appeals.

ARTICLE V - LANDSCAPE, BUFFER AND TREE PRESERVATION STANDARDS

SECTION 500- INTENT

The landscaping and preservation standards of this section are intended to accomplish the following:

1. To protect and preserve the character and aesthetics of the natural environment within Horry County;
2. To enhance property values by ensuring proper transition between land uses;
3. To reduce noise, air and visual pollution, heat island effects, and stormwater runoff; and
4. Improve appearance of parking areas and reduce glare from vehicle lighting.

SECTION 501- APPLICABILITY

A. Landscape Design Standards set by §504, below, apply to any non-residential, quadraplex, townhome, and in-common residential projects within unincorporated Horry County that are being developed or redeveloped. Major residential subdivisions, including single-family and duplexes, must comply with perimeter buffer requirements if located along a road found within *Table 1: Applicable Roads*. Major residential developments that are not on *Table 1* roads must only comply with the Type C streetscape buffer requirements as described in §504 B, *Table 4.*

   1. Properties where renovations modify or expand a structure or business wherein the percent of value, calculated as the cost of modification divided by the existing structure improvement value multiplied by 100, is greater than 50% shall trigger full compliance to the landscaping requirements set forth. General maintenance and repairs including interior work, are exempt from the standards.
   2. If an existing business is damaged or destroyed due to an act of nature (flood, hurricane, tornado, etc.), or catastrophic event and is reconstructed within twelve (12) months of such damage or destruction, the standards contained herein shall not apply. This exemption, however, shall not relieve the property owner of having to meet applicable building or zoning regulations that are in place during time of reconstruction.
   3. Additional design requirements may be set by an overlay district found in Article VIII.
   4. The Zoning Administrator or authorized designee has the authority to allow variation of design standards (§ 504) and tree preservation (§ 505) requirements for unique and challenging projects.

B. Non-residential, multifamily, quadraplex, townhome, and in-common residential projects that are located along *Table 1: Applicable Roads* must meet the Tree Preservation Standards set in § 505 in addition to the required landscape plantings set by §504.

C. Live Oak Standards set by §505.C apply to any property within Horry County including single family residential.

TABLE 1: APPLICABLE ROADS		
US 17 (bypass &business)	Burcale Road	Juniper Bay Road
US 378	Carolina Forest Boulevard	Kings Road
US 501 (bypass & business)	Cates Bay Hwy	Lake Arrowhead Road
US 701	Chestnut Road	Little River Neck Road
Carolina Bays Parkway (SC31)	Cox Ferry Road (West/East)	Long Bay Road
Veterans Highway (SC 22)	Cultra Road	McCormick Road
SC 9 (bypass & business)	Dick Pond Road	McDowell Shortcut
SC 19	Dirty Branch Road	Middle Ridge Avenue
SC 31/Red Bluff Road	Dog Bluff Road	Myrtle Ridge Drive
SC 50	Dunn Shortcut Road	Nichols Hwy
SC 57	El Bethel Road and Extension	Northgate Boulevard
SC 65	Enoch Road	Oak Street and Oak Street Extension
SC 66	Enterprise Road	Old Reaves Ferry Road
SC 90	Fair Bluff Hwy	Peachtree Road
SC 111	Forestbrook Road	Pee Dee Hwy/Road
SC 179	Four Mile Road	Pitch Landing Road
SC 236	Freewoods Road	Postal Way
SC 319	Garden City Connector	River Oaks Boulevard
SC 410	Gardner Lacy Road	Robert Edge Parkway
SC 544 (includes connector)	Gateway Drive	Ronald McNair Boulevard
SC 701	George Bishop Parkway	Salem Road
SC 707	Glenn's Bay Road	Scipio Lane
SC 905	Hardwick Rd (off Hwy 501)	Sea Mountain Highway
SC 917	Hemingway Road	Singleton Ridge Road
Adrian Hwy	Hemingway Chapel Road	Tournament Road
Atlantic Avenue	Holmestown Road	TPC Boulevard
Bakers Chapel Road	Horry Road	Village Center Boulevard
Bay Road	Inlet Square Drive	Waccamaw Boulevard
Beaver Run Boulevard	International Drive	Water Tower Road
Big Block Road	Jordanville Road	West Bear Grass Road

SECTION 502- BUSINESS LICENSING

If a Horry County business license is required for any ditching, clearing, excavating or grading of land or planting, cutting, trimming, pruning, removing, or otherwise modifying trees, applicants must sign an affidavit stating receipt and comprehension of these standards.

SECTION 503- REQUIREMENTS

A. LANDSCAPING PLAN:

To comply with the regulations set by the Landscape Buffer and Tree Preservation Standards, preliminary and construction plans shall include a landscape plan demonstrating how existing and proposed landscaping and tree preservations comply with the requirements of the following sections prior to the issuance of a building permit or construction plan approval, whichever is applicable. Plans shall comply with Horry County plan submittal requirements and contain enough detail to illustrate that the landscape requirements of this ordinance have been met. At a minimum a landscaping plan will include:

1. Location of any structures (existing and proposed);
2. Any preserved tree or shrub indicating species along with diameter at breast height (DBH) of any trees and heights of shrubs. Dripline should be indicated if DBH is greater than twenty four (24) inches. A tree protection method detail will need to be supplied for those trees to be retained on-site;
3. Any planted landscaping and non-vegetated requirements;
4. Vehicle use and parking areas;
5. Easements, overhead and underground utilities, and ditches; and
6. *Irrigation.*
   a) Plantings must be mechanically irrigated.
   b) Required planting areas associated with vehicle use areas containing less than thirty (30) spaces are not required to be mechanically irrigated, however all supplemental plantings shall be located within one hundred (100) feet of a water hose bib on-site. Any alternative water sources will require approval from the Zoning Administrator or designee.
7. Perimeter buffers within a major residential development shall be platted within open space/ common area.

B. MAINTENANCE:

Maintenance of landscaping shall be the responsibility of the property owner. All areas shall be properly maintained to ensure proper functioning, capacity and growth. Landscaping shall be continuously monitored and maintained for the lifetime of the use to assess the need to remove dead, dying or diseased vegetation, along with debris or litter within required areas and ensuring fencing, berms, or walls are in good condition.

1. Any required landscaping that is removed must be replaced in a like fashion and must meet the minimum standards herein.

2. Protected and Specimen Trees may be periodically pruned to enhance growth and prevent public endangerment. Pruning techniques must meet the most recent American National Pruning Standard ANSI A-300 publication.
3. Undisturbed, naturally forested areas within a required perimeter buffer shall be maintained and retained in accordance to § 504.C.3.a.

C. EXEMPTIONS:

The following land use activities are hereby exempt from the requirements of the following sections.

1. Agriculture activities involving the continuous cultivation of field crop, livestock, and evergreen and nursery stock for profit.
2. Aquaculture activities involving the continuous production of fish, amphibian, or crustaceans for profit.
3. Forest management activity including but not limited to timber harvesting, forest regeneration, thinning, site preparation, forest road construction, prescribed burns, reforestation, pesticide application, vector control, wildfire control, animal damage control, and other generally accepted forestry methods and practices as defined by the Dictionary of Forestry published by the Society of American Foresters.
4. Individual single family residential and duplex structures are exempt from all requirements except the Live Oak Protections set forth in the Tree Preservation sections. This exemption does not apply to major subdivisions for which perimeter buffers or streetscape is required.
5. Tee, green, and fairways associated with regulation golf courses and Par 3 golf courses, except for presence of Protected and Specimen trees. Clubhouses and maintenance facilities are not exempt.
6. Roadway, drainage maintenance, and stormwater control activities of Horry County, South Carolina Department of Transportation or any other public agency.
7. Utility (electric, cable, telephone, etc.) and easements involved in facility construction, maintenance, repair or replacement are exempt from the tree preservation sections.
8. Airports provided the removal is for the purpose of maintaining safe clearance for aircrafts as per federal law.
9. Sites classified as home occupations by the Zoning Administrator.
10. Jurisdiction and non-jurisdictional wetlands as certified by the US Army Corps of Engineers are exempt from § 504.

D. PENALTIES:

It shall be illegal to remove or cause the removal of any Protected or Specimen tree or any required landscaping.

1. Removal of said trees without proper permits or permissions are in violation of this ordinance and shall require replacement of such removed trees at four (4) times the rate required for mitigation for Preserved or Specimen Trees.

2. Failure to comply may result in a misdemeanor punishable by the maximum fine of $500.00 per removal. Each tree removed constitutes a separate offense. This fine would be in addition to the penalty stated in section D(1) above.
3. Deviation from the approved landscape plan or failure to comply with industry standard landscape maintenance may also be subject to fines and penalties.

SECTION 504– LANDSCAPE DESIGN STANDARDS

A. GENERAL:

Any new required plantings shall meet the standards described in this section and referenced within the supplemental Landscape Handbook.

1. LANDSCAPING PRESERVATION:

a) Preservation of existing vegetation is the preferred method to meet the buffer requirements.

b) Preserved vegetation should be located within the site in a way that is conducive to plant survival and safety, i.e. clustered tree patches are allowable for stable root systems as long as supplemental landscaping meets the requirements herein.

c) Credit shall be awarded for preserving existing trees on a one to one (1:1) basis for required trees (canopy and understory) as part of supplemental plantings when the existing trees meet the minimum size requirements in landscaped areas and are located within the required buffer.

   i. Preserved Protected Trees receive credit at a two to one (2:1) exchange.

   ii. Preserved Specimen Trees receive credit at a four to one (4:1) exchange.

   iii. Reductions to required planted landscaping shall apply should the DBH of preserved trees be greater than twenty-four (24) inches and the driplines create unsuitable habitat for supplemental plantings.

   iv. Credit is applied per tree, not DBH.

d) Preservation of Protected and Specimen Trees is required. Mitigation is required for any removals of protected or specimen trees. Fines may apply for unlawful removals. See § 505 – Tree Preservation Standards for requirements.

e) In order to reduce the amount of impervious surfaces, the Zoning Administrator can grant a five (5) percent reduction in the number of off-street parking spaces required on the site if the reduction of pavement will preserve the root zones of existing healthy trees with a DBH of eight (8) inches or greater.

2. PLANT MATERIALS:

A supplemental Landscape Handbook of plant species best suited for Horry County along with a list of discouraged species is included as a supplement to this ordinance.

a) The Handbook should be used for landscape requirements where applicable.

b) Prohibited and invasive plants will not count towards any landscape or preservation requirements.

c) Any dead, dying or diseased planting materials must be removed by the property owner prior to development providing minimal disturbance to healthy vegetation.

d) Removed existing vegetation must be replaced to meet the minimum requirements herein.

3. MINIMUM PLANT SIZES:

All new vegetation must meet the minimum size requirements at time of planting.

a) Canopy tree: minimum ten (10) feet in height with two (2) inches in caliper and must reach a mature height of at least thirty (30) feet.

Palms meeting this requirement may be utilized provided two (2) palms are planted per one (1) required canopy tree.

b) *Understory tree:* minimum five (5) feet in height and must reach a mature height between ten (10) and thirty (30) feet.

c) *Shrub:* minimum fifteen (15) inches in height and must reach a mature height of at least three (3) feet.

Palms meeting this requirement may be used.

d) *Ornamental grass:* minimum twelve (12) inches in height and must reach a mature height of at least three (3) feet.

e) *Perennials:* minimum twelve (12) inches in height and must reach a mature height of at least three (3) feet.

4. SITE CONSTRAINTS:

a) Stormwater management devices (such as swales and ponds measured from the top of bank and drainage easements) may not encroach into the required landscape buffers by more than ten (10) percent unless an approved low impact development (LID) design. Stormwater management devices may not encroach into the required Type C Residential (Streetscape) buffer by more than twenty-five (25) percent.

b) Where cross access easements run parallel to property lines, landscaping may be provided within the easement pending approvals from appropriate County departments.

c) Without consent of utility provider, easement holder, or Horry County, only shrubs, ornamental grasses or perennials may be planted in easements for utility services.

i. Overhead Utilities (power lines): only trees or shrubs that reach a maximum height of twelve (12) feet can be planted within the easement.

ii. Underground Utilities (piped utilities): tree species whose roots are known to cause damage to utilities such as underground piped stormwater, sewer, or gas lines, shall not be planted within the easement for such utility or no closer than twelve (12) feet when no easement exists. Approved trees for planting on top of underground utilities can be found within the Landscape Handbook.

d) *Visibility Clearance/Sight Triangle:* Required landscaping or optional berms shall not be planted or constructed within the sight triangle, unless it conforms to SCDOT standards.

Plantings cannot be greater than thirty (30) inches in height and trees must be limbed above six (6) feet in height with no multi-stemmed trunks. For all intersections and corners there shall be 100 feet of visibility for every ten (10) miles per hour of speed limit.

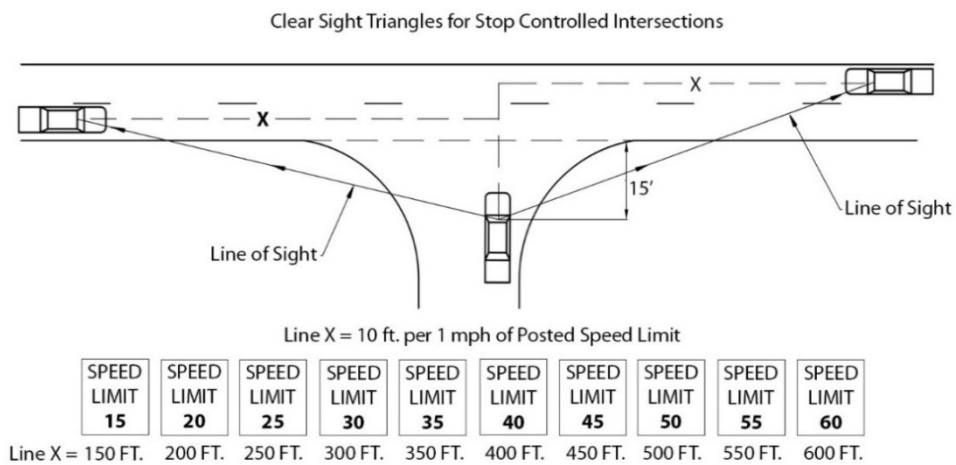


Figure 1: Sight Triangle

5. PLANT DIVERSITY:

In order to maximize success of vegetation and prevent monocultures, new plantings shall comply with the following standards in Table 2: Species Diversity Standards. The standards apply to the total amount of vegetation on site, not just the vegetation within a required buffer.

TABLE 2: SPECIES DIVERSITY STANDARDS

Number of Required Trees	Number of Different Tree Species Required	Number of Required Shrubs/Ornamental Grasses/Perennials	Number of Different Shrub/Ornamental Grass/Perennial Species Required
1 to 5	1	1 to 10	1
6 to 15	2	11 to 20	2
16 to 25	3	21 to 50	4
26 to 50	5	51 to 80	6
51 to 100	7	81 or more	8
101 or more	10		

6. GROUND STABILIZATIONS:

Disturbed areas and required landscape planting areas shall be stabilized and maintained with groundcover, mulches, or other approved materials.

7. BERMS:

Berms are discouraged as standalone landscaping. However, there are cases where berms are appropriate for screening or buffering. The use of a berm does not negate the buffer requirements described herein. Berms should comply with the following:

a) Side slope of earthen berms not to exceed a two to one (2:1) ratio.

b) Berms should be continuous except for drainage breaks every six (6) feet to eight (8) feet.

c) Berms shall be stabilized with understory, shrubs, ornamental grasses, or perennials. Groundcover or lawn and turf grasses shall be used as supplemental stabilizations. Planting shelfs are required for any vegetation.

Planting shelfs must be a minimum of four (4) feet wide and be suited for maximum survival and success of selected plantings.

d) Berms used along a right-of-ways must be designed and constructed to provide adequate sight distances at intersections and shall not impede safe operation of vehicles. Berms shall not encroach into residential lots.

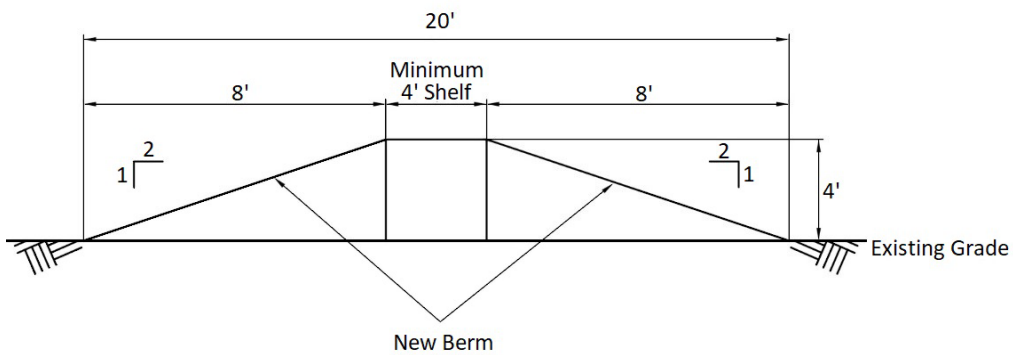


Figure 2: Berm Diagram

8. LOW IMPACT DEVELOPMENT (LID):

Low Impact Development utilizes integrated management practices in order to treat stormwater at the source. The goals of LID are to maximize existing vegetation and create small, landscaped features that encourage infiltration, lengthen the time of concentration, and retain flow to create a hydrologic landscape functionally equivalent to the pre-development conditions.

a) These features must be constructed to meet the Department of Stormwater Management requirements and regulations set forth in the Stormwater Management Design Manual.

b) All LID stormwater features must be planted with water tolerant vegetation in order to qualify for landscape credits and be located within the required landscaped areas. For

suggested LID plants, refer to the Low Impact Development in Coastal South Carolina: A Planning and Design Guide.

c) *LID is prohibited within:*

i. Type A: Opaque Buffers.

ii. Type C: Non- Residential Streetscape Buffers along *Table 1: Applicable Roads*.

d) *Examples of qualifying LID include:*

i. Bioretention

ii. Vegetated swales

iii. Constructed wetlands

e) *Credits for Required Landscaping by using LIDS*

i. For every one (1) linear foot of qualifying low impact development, a credit for one and a half (1.5) feet of required landscaping buffer can be claimed. LID can replace up to fifty (50) percent of the required landscaped area.

ii. To qualify for this credit, the LID method must follow all requirements set by the Horry County Stormwater Department.

iii. If using LID within parking islands, the requirement of every parking space being within fifty (50) feet of a tree can be waved.

B. BUFFERS DEFINED:

A buffer is a specified land area used to transition between land uses or zoning.

1. PERMITTED USE WITHIN BUFFERS:

a) Bicycle and pedestrian facilities (including sidewalks);

b) Appurtenances that require high visibility such as fire hydrants, mail boxes, and utility boxes;

c) Ingress and egress to the proposed use and utilities may cross the buffer provided it is as perpendicular as practical;

d) Permitted and temporary signs; and

e) Site lighting.

2. PROHIBITED USE:

a) Structures or accessory structures, including dumpsters;

b) Any storage or outdoor display of products, unless permitted elsewhere in this ordinance; and

c) Vehicle use areas, including parking or loading areas.

C. PERIMETER BUFFER REQUIREMENTS.

1. INTENT:

a) Opaque: to provide screening between dissimilar uses. Opacity shall be 85% or more during peak summer season from ground to six (6) feet.

b) Spatial: to soften the area between adjacent similar uses.

c) Streetscape: to enhance the visual character and transition between property and street, access or public right-of-way.

2. APPLICABILITY:

a) Perimeter buffers are required surrounding the improved area of the subject property.

b) Opaque (Type A) buffers are required between non-residential and residential property. Spatial (Type B) buffers are required between like use parcels. Streetscape buffers (Type C) are required between any parcel and the street frontage, access or right-of-way. See *Table 3: Perimeter Buffer Type Applicable.*

TABLE 3: PERIMETER BUFFER TYPE APPLICABLE

PROPOSED LAND USE	*ADJACENT LAND USE / ZONING DISTRICT*		
	RESIDENTIAL	*NON-RESIDENTIAL/ MULTIFAMILY/ QUADRAPLEX/ TOWNHOME/IN-COMMON RESIDENTIAL*	*STREET/ ACCESS/ ROW*
Major Residential Development	n/a	A	C
Non-residential/ Multifamily/ Quadraplex/ Townhome/In-common Residential	A	B	C

3. STANDARDS:

Requirements of each buffer type are found in *Table 4: Perimeter Buffer Type Requirements*

TABLE 4: PERIMETER BUFFER TYPE REQUIREMENTS			
BUFFER TYPE & REQUIRED WIDTHS	***MINIMUM PERFORMANCE STANDARD PER 100 FEET***		
	CANOPY TREES	***UNDERSTORY TREES***	***SHRUBS/PERENNIALS/ORNAMENTAL GRASSES***
Type A : Opaque Requirement for Major Residential Development:	**OPTION 1**		
	A six (6) foot privacy fence adjacent to the non-residential property within a min. five (5) foot wide open space / common area lot.		
	OPTION 2		
	A minimum twenty-five (25') wide undisturbed, naturally forested area. Supplemental plantings shall be used to fill in existing gaps in the vegetation and consist of the following breakdown, at a minimum:		
	6	6	Must meet the spacing requirements in the Landscaping Manual for opacity and be at least twenty-eight (28) inches in height at time of initial site inspection.
Type A : Opaque **Requirement Non-Residential, Multi-Family, Quadraplex, Townhome, & In-common Residential**: Equal to setback requirement of zoning district or 25 feet, whichever is less	**OPTION 1**		
	3	3	Must meet the spacing requirements in the Landscaping Manual for opacity and be at least twenty-eight (28) inches in height at planting
	Fifty (50) percent of each planting type must be evergreen		
	OPTION 2		
	An undisturbed, naturally forested area. Supplemental plantings shall be used to fill in existing gaps in the vegetation, meeting the requirements of Option 1.		
	OPTION 3		
	Double row of offset evergreen trees spaced at a maximum of every ten (10) feet with a minimum of eight (8) feet in height. No more than twenty-five (25) percent of the plantings can be pine trees and must provide a variety of screening from top to bottom.		
	ADDITIONAL REQUIREMENTS (OPTION 1, 2, OR 3): A six (6) foot privacy fence, wherein privacy is understood as providing 85% or more opacity, is required when the setback or buffer is less than fifteen (15) feet. Fence must be located interior to the landscaping so that plantings face the residential property.		

Type B: Spatial **Requirement**: 5 feet	2	2	20
	Fifty (50) percent of each planting type must be evergreen		
Type C: Streetscape (Non-Residential) **Requirement**: 10 feet	3	3	Only required when providing screening from vehicle use areas
	Twenty-five (25) percent of each tree type must be evergreen		
Type C : Streetscape (Residential) **Major Residential Development, Multi-Family, Quadraplex, Townhome, & In-common Development:** 25 feet **If located on a Table 1 Road:** 35 feet	**OPTION 1**		
	6	6	30
	OPTION 2		
	An undisturbed, naturally forested area. Supplemental plantings shall be used to fill in existing gaps in the vegetation, meeting the requirements of Option 1.		

Note: A "Privacy Fence" used within a Type A buffer shall be constructed of wood, vinyl, and or masonry. Fencing shall follow associated Overlay District requirement(s) where applicable.

a) Undisturbed naturally forested areas shall meet the following criteria:

i. These areas typically include native and existing vegetation of varied ages, heights, and types (i.e. a mixture of canopy, understory, and ground cover).

ii. A 25' wide buffer shall consist of a minimum of ten (10) existing canopy trees with a minimum 6" DBH or twenty (20) existing canopy trees with a minimum 4" DBH per 100 linear feet. The number of trees shall increase or decrease proportionately based upon the minimum buffer width requirement.

iii. Forested jurisdictional and non-jurisdictional wetlands as certified by the US Army Corps of Engineers qualify as an undisturbed naturally forested buffer area and a tree survey for these areas shall not be necessary.

iv. Supplemental plantings shall be required to fill in gaps in vegetation where the entire buffer is not classified as an undisturbed naturally forested area.

v. Supplemental plantings within this area shall be native species and are not required to be irrigated or provide ground cover (i.e. mulch).

vi. Maintenance of the understory is permitted within the buffer. Maintenance includes, but is not limited to, clearance of dead vegetation, invasive species, and Firewise management practices (where applicable).

vii. A tree survey shall be submitted with the landscape plan to document the buffer area meets the minimum requirements to qualify as an undisturbed, naturally forested buffer.

b) The Type C Residential Streetscape buffer may be educed down to a Type C 10’ buffer under the following conditions:

i. Where the development has frontage along an existing Private R/W;

ii. Where there is less than 300 lf. of frontage along an existing R/W (regardless of width or ownership of that existing R/W) and there are no more than fifty (50) lots /units proposed;

iii. When the proposed development / phase is a continuation of an existing development, as shown on a Master Plan approved on or prior to January 4,2022, unless said Master Plan identifies specific streetscape buffer requirements that exceed these standards.

iv. These exemptions do not supersede any overlay landscape requirements.

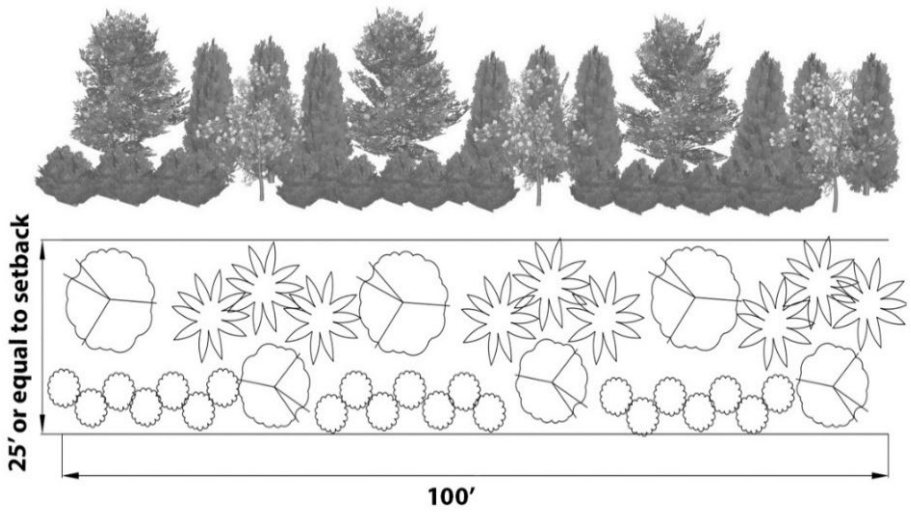


Figure 3: Type A Buffer Option 1

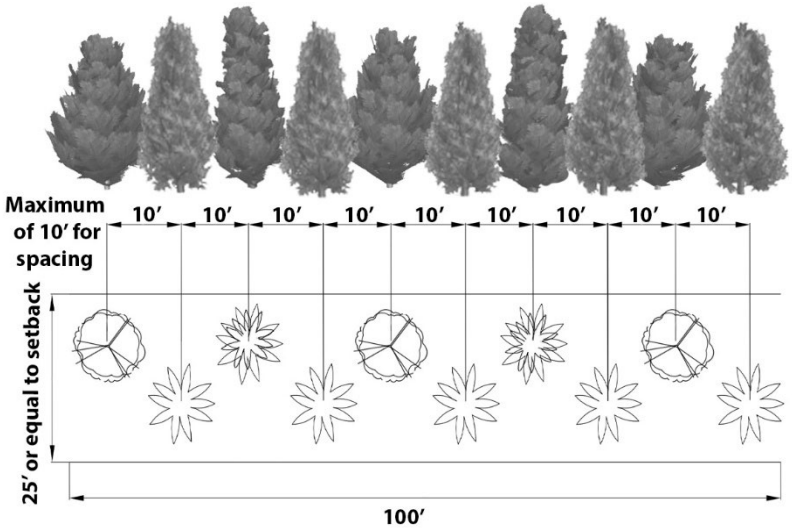


Figure 4: Type A Buffer Option 3

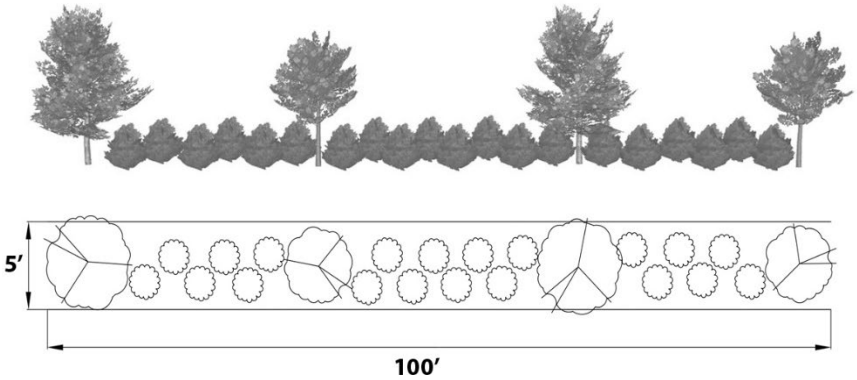


Figure 5: Type B Buffer

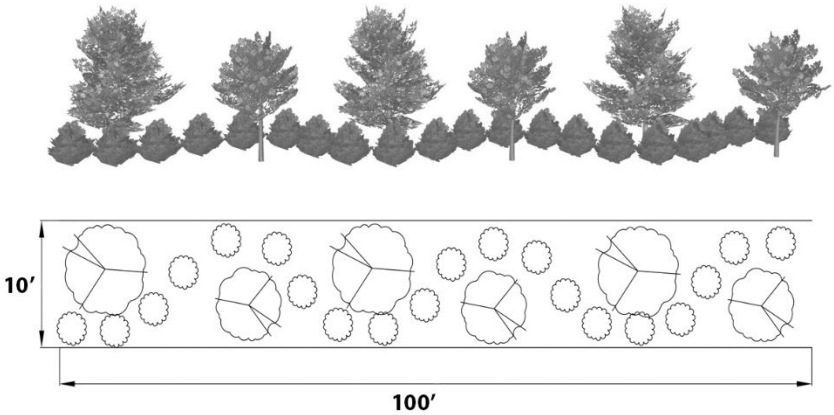


Figure 6: Type C Non-Residential Buffer

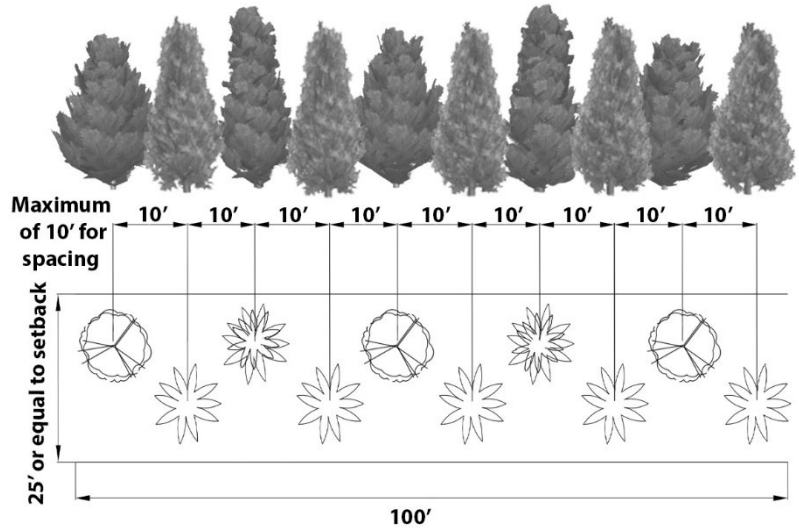


Figure 6: Type C Major Residential Buffer Option 1

D. VEHICLE USE AREA REQUIREMENTS.

1. INTENT:

a) Street Frontage: to reduce the glare and impacts of headlights on road traffic.

b) Parking Islands: to provide shade, reduce heat islands and provide visual character to the parking area.

2. EXEMPTIONS:

Street Frontage plantings are only required when the vehicle use area is located adjacent to the street.

3. STANDARDS:

a) All landscaping areas that abut parking shall be protected by eighteen (18) inches of clearance utilizing staked wheel stops, concrete curbing or other approved stable means. Appropriate breaks for low impact development are permissible when using curbing.

b) Street Frontage: shrubs, perennials or ornamental grasses must meet proper spacing guidelines found in the Landscape Handbook in a continuous row. Plantings can be located within the setback or Perimeter Buffer.

c) Parking islands shall comply with the following:

i. Every parking space must be within fifty (50) feet from a planted tree.

ii. For every fifteen (15) parking spaces in a row, a parking island is required and must include one (1) tree and five (5) shrubs, perennials or ornamental grasses. Twenty-five (25) percent of the total plantings must be evergreens. Fifty (50%) of all trees planted must be canopy. Parking islands containing canopy trees must be at least 200 square feet.

iii. For parking areas of ninety (90) spaces or more, there must be an additional ten (10) foot wide parking island between modules.

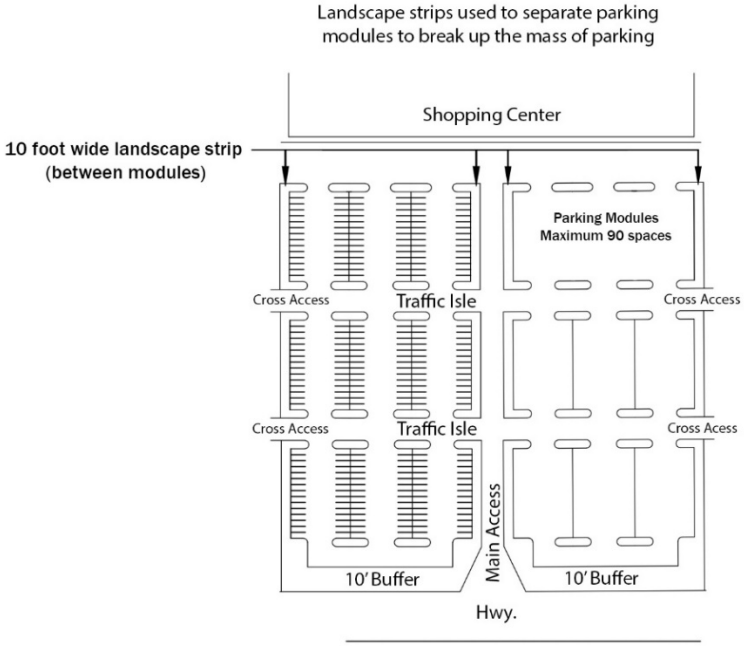


Figure 7: Parking Lot Layout

E. FOUNDATION BUFFER.

1. INTENT:

To enhance architectural features, provide a visual transition from building to site, and define and enhance building entrances.

2. EXEMPTIONS:

a) Building entrances and exits.

b) Areas used for pedestrian activities (sidewalks, plazas, etc.). In these instances, the landscaping must be installed between the building foundation and the back of the curb separating the pedestrian area from the vehicle use area. In no case shall the length of the planted area be less than fifty (50) percent of the length of the building façade, minus the width of the entrances or exits.

c) Portions of buildings which have drive-up services along the side of the building (fast-food restaurants, pharmacies, banks, etc.).

d) Areas not typically accessible by the general public (loading docks, enclosed storage areas, utility enclosures, etc.).

e) Properties where the structure is located less than or equal to twenty-five (25) feet from the property line and no vehicle use or paving is located within this space.

3. STANDARDS:

a) A landscape area of at least five (5) feet in width shall be provided adjacent to buildings along the foundation or between the foundation and the back of the curb separating the pedestrian area from the vehicle use area where applicable.

   i. Foundation buffers are required around any structure on site.

   ii. A mandatory variety of species must be used according to Table 2: Species Diversity Standards.

   iii. The required plantings must include shrubs, perennials or ornamental grasses and meet the spacing requirements set in the Landscape Handbook. Trees may be used if applicable at the discretion of the property owner and approved by the Zoning Administrator.

b) Renovated or redeveloping properties wherein the foundation buffer area is paved may utilize planter boxes to meet the requirements of the foundation buffer.

   i. Planter boxes must be automatically irrigated and be at least two and a half (2.5) feet wide.

   ii. Use of planter boxes does not alleviate proper maintenance requirements and box size must allow for proper root spacing.

   iii. The Zoning Administrator or designee can discuss alternatives and ways to meet the foundation buffer requirements for unique situations.

SECTION 505 – TREE PRESERVATION.

A. TREE SURVEY

1. Non-residential , multi-family, quadraplex, townhome, & in-common residential projects located along *Table 1: Applicable Roads* must provide a tree survey documenting all trees listed in *Table 5: Protected and Specimen Trees* meeting or exceeding the minimum diameter at breast height (DBH). Any property, including single family residential, within Horry County containing Specimen Live Oaks must submit a tree survey. Any new major residential developments will need to identify Specimen live oak trees within the project boundaries on the preliminary plans and plats. If an undisturbed, naturally forested buffer is utilized for a non-residential or major residential development, a tree survey shall be submitted to document the buffer vegetation meets the minimum requirements.
2. Tree surveys submitted must indicate the species and DBH of any Protected or Specimen Trees, denoting Specimen Live Oaks separately from other oak species.
3. Trees shall not be removed until submittal of tree survey. Approval to remove said trees, with exception of Specimen Live Oaks, shall be obtained from the Zoning Administrator, or designee. If approval to remove said tree is granted, removed trees shall be mitigated.

TABLE 5: PROTECTED AND SPECIMEN TREES		
TREE	***PROTECTED DBH (INCHES)***	***SPECIMEN DBH (INCHES)***
Bald cypress	8	24
Beech (American)	8	24
Birch (River)	6	18
Cedar (Eastern Red)	8	24
Dogwood (Flowering)	4	12
Elm (American)	8	24
Elm (Winged)	8	24
Hickory (Mockernut)	8	24
Hickory (Pignut)	8	24
Hickory (Shagbark)	8	24
Holly (American)	6	12
Magnolia (Southern)	8	16
Maple (Red)	8	24
Oak (Laurel)	8	24
Oak (Live)	8	24
Oak (Post)	8	24
Oak (Southern Red)	8	24
Oak (Water)	8	24
Oak (Willow)	8	24
Oak (White)	8	24
Oak (Yellow)	8	24
Pecan	8	24
Sycamore	8	24
Tupelo (Black)	8	24
Tupelo (Water)	8	24

B. METHODS TO CALCULATE TREE SIZE

1. *Caliper:* the diameter of a tree trunk measured six (6) inches above the root ball.
2. *Diameter at Breast Height:* the diameter of a tree trunk measured four and a half (4.5) feet above the ground.
   a) Forks located less than one (1) foot from the ground are to be treated as separate trees and measured at standard DBH. The square root of each DBH (sum of the square of each) is used to derive total DBH.
      a. Total DBH = $\sqrt{(a^2 + b^2 + \cdots)}$, where:
      b. "a" and "b" are the DBH of split trunks.
   b) Forks located between one (1) foot and four and half (4.5) feet from the ground are to be treated as separate trees and calculated with the formula above but measured from three and a half (3.5) feet from the pith, or at the start of the fork.
   c) Forks located at or greater than four and half (4.5) feet from the ground are measured just below the fork beneath the swelling.

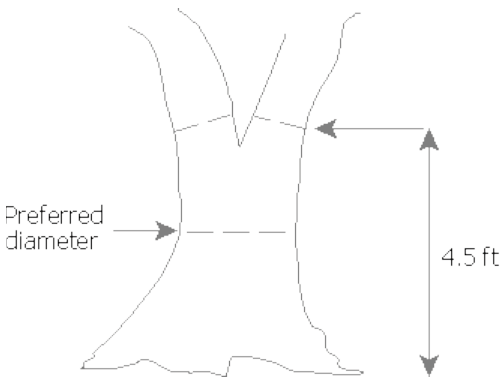


Figure 7: DBH for Forks located at or above 4.5 feet

C. LIVE OAK STANDARDS

It is unlawful to injure, participate in, authorize, or cause the removal of any Specimen Live Oak (DBH of twenty-four (24) inches or greater). Authorization to do so shall come from:

1. *A variance granted by the Zoning Board of Appeals finding that the tree:*
   a) Presented a safety hazard to pedestrian or vehicular traffic, buildings, structures or utility structures;
   b) Removal presented the only reasonable means to comply with appropriate agency requirements including parking, ingress or egress, or other required infrastructure such as stormwater;
   c) Justification according to good urban forestry practices (i.e., to reduce competition among trees or to remove an invasive species) or presence of dead, dying, or diseased trees;

d) A planned grade cut placing the tree protection zone four (4) feet above final grade or introduction of fill twelve (12) inches or greater elevating the parcel above the required flood protection elevation; or

e) Reasonable use of the property will be significantly impaired.

2. For all areas within the Garden City Overlay, the Zoning Administrator shall allow the tree to be removed upon a finding that the tree will be located within the footprint of a proposed structure and the structure cannot be reasonably adjusted to preserve the tree.

D. TREE PROTECTION

Preserved trees must be protected from damages during development. Most trees can tolerate only a small percentage of root zone disturbance or loss.

a) *Root Protection Zone:* the total area beneath the tree canopy, or dripline.

b) If encroachment into the root protection zone is anticipated, preventative methods shall be employed to include:

i. Flagging of Protected or Specimen Trees prior to land disturbance activity;

ii. Mulching the Root Protection Zone during soil compaction;

iii. Vertical root pruning techniques to cut rather than tear or damage root systems during site clearing; and

iv. Installation of Protective Devices.

c) Protective Devices shall be installed surrounding the dripline of the preserved tree and must be kept free of construction materials, vehicles or debris. Areas surrounding the preserved tree must be identified with “tree protection area” signage. Protective Devices shall be one of the following:

i. Fencing a minimum of four (4) feet in height constructed in a post and rail configuration. Two (2) inch by four (4) inch and double one (1) inch by two (2) inch railing is recommended.

ii. Four (4) foot high polyethylene laminar safety fencing provided it is maintained to persist until occupancy.

iii. Continuous rope, flagging (heavy mill, minimum four (4) inches in width) or silt fencing is allowable only in areas that will not be directly impacted by land disturbance activities.

E. MITIGATION STANDARDS

1. *Mitigation:* Mitigation for removal of Protected or Specimen Trees is required. Requirements may be met by either:

a) *Replacement Trees*

i. Total caliper of replacement trees must equal the total DBH of Protected or Specimen Trees removed.

ii. All replacement trees must be a species listed in *Table 5: Protected and Specimen Trees.*

iii. Newly planted replacement trees will follow the following formula:

$D/2.5^{A} = RT^{B}$, where:

D = total DBH of the largest fifteen (15) removed trees per acre (inches)

2.5 = minimum caliper of each replacement tree (inches)

RT = minimum number of replacement trees

A. If the caliper of replacement trees is greater than two and a half (2.5) inches, the total number of replacement trees can be reduced.

B. A multiplier of one and a half (1.5) is applied when trees removed are Specimen Trees

iv. Trees preserved on site that do not meet the size requirements of *Table 5: Protected and Specimen Trees* may count as replacement trees provided each tree has a DBH of four (4) inches or greater.

b) *Fee in lieu*

i. A fee in lieu of replacement trees collected will be equal to:

RT*150 = F, where:

RT = minimum number of replacement trees

150 = fee per replacement tree (dollars)

F = total fee paid to Horry County

ii. Fees collected are deposited into a special fund designated for costs associated with the installation of landscaping, associated materials and irrigation systems or the purchase of additional park or open space lands.

ARTICLE VI – SIGN REGULATIONS

SECTION 600 - PURPOSE.

The purpose of this section of the Horry County Zoning Ordinance is to provide fair and comprehensive regulations that will:

1. Provide a pleasing overall environmental setting and good community appearance which is deemed vital to tourism and to the continued economic attractiveness of the county;
2. Allow signs appropriate to the planned character of each zoning district;
3. Promote highway safety, the welfare and comfort of travelers, the convenience of the public, and the enjoyment of public travel;
4. Restrict private signs which overload the public's capacity to receive information and increase the probability of accidents by distracting attention or obstructing vision;
5. Protect property values within the county; and
6. Reduce conflict among private signs and between private and public information systems.

SECTION 601 - SCOPE OF THIS ARTICLE.

The provisions set forth in this article shall apply and govern in all districts, and shall regulate the construction, erection, alteration, use, location, size and height of all signs, regardless of their cost of construction. The zoning provisions of this article shall not apply to:

1. Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare, right-of-way, or beach.
2. Traffic signs, and all other signs, erected or maintained by a governmental body or agency, including danger signs and signs of businesses on governmental property. Signs of a commercial nature shall not be exempt.

SECTION 602 - DEFINITIONS.

Except as specifically defined herein, all words used in Article VI have their customary dictionary definitions. For the purpose of the sign ordinance, certain words or terms used are herein defined as follows:

Abandoned sign: A sign located on a property where no building is located or where the use of the property has been removed and where there is no permitted use for a period of ninety (90) days; a sign which is damaged, in disrepair, or vandalized and not repaired within ninety (90) days.

Administrative officer: The local official (i.e. Zoning Administrator) or designated agent responsible for granting permits and enforcement of the provisions of this article.

Animation: The movement, or optical illusion of movement of any part of the sign or any part of the sign structure, design or pictoral segment, including the movement of any illumination or the flashing or varying of light intensity.

Architectural feature: Any construction attending to, but not an integral part of the sign, such as, by way of example not limitation, landscape, building, or structural forms that enhance the site in general; it also includes, graphic stripes and other architectural painting techniques applied to a structure that serves a functional purpose, or when the stripes or other painting techniques are applied to a building provided such treatment does not include lettering, logos or pictures.

Awning: A cloth, plastic or other nonstructural covering that projects from a wall for the purpose of shielding a doorway or window. An awning is either permanently attached to a building or can be raised or retracted to a position against the building when not in use.

Awning sign: Any sign painted on, or applied to an awning.

Background structure: The parts of a sign, exclusive of the copy area, such as beams, buttresses, poles, cables, and stringers, which support the sign face.

Balloon sign: A lighter-than-air, gas filled balloon, tethered in a fixed location, which contains an advertisement message on its surface or attached to the balloon in any manner.

Banner: Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners. Banners are temporary in nature and do not include flags.

Beacon lighting: Any source of electric light, whether portable or fixed, the primary purpose of which is to cast a concentrated beam of light generally skyward as a means of attracting attention to its location rather than to illuminate any particular sign, structure, or other object.

Building frontage: The maximum linear width of a building measured in a single straight line parallel, or essentially parallel, with the abutting street, commercial access easement or parking lot. Where a building is arranged to include establishments with exterior public entrances but no wall space facing a street, the horizontal dimension of one wall of each such establishment, which faces a mall, or other private way may be considered to be building frontage.

Building identification sign: A sign bearing only the name, number(s), letter(s), and/or symbol which identifies a particular building.

Building mounted sign: This shall include any signage that is attached to the building including, but not limited to, awning signs, banners, blade signs canopy signs, wall signage

Canopy: A structure other than an awning made of fabric, metal, or other material that is supported by columns or posts affixed to the ground and may also be connected to a building.

Canopy sign: Any sign that is part of, or attached to a canopy.

Changeable copy sign: A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system. The two types of changeable-copy signs are manual changeable copy signs and electronic changeable copy signs, which include: message center signs, digital displays, and Tri-Vision Boards.

Channel letter sign: A sign consisting of fabricated or formed three-dimensional letters, individually applied to a wall or raceway, which may accommodate a light source.

Clearance: The distance above the walkway, or other surface if specified, to the bottom edge of a sign. This term can also refer to a horizontal distance between two objects.

Collocated signage: Signage where adjacent parcels and/or business can locate signage on the same sign.

Commercial parking lot light pole banners: A banner specifically designed to be installed on light poles within commercial parking area.

Digital display: The portion of a sign message made up of internally illuminated components capable of changing the message. Digital displays may include, but are not limited to, LCD, LED, or plasma displays.

Dimming: Changing the brightness of a display, or the capability of increasing or decreasing the overall display intensity. The brightness level should be highest during the day to compete with daylight, and lower at night.

Directional sign: Signs designed to provide direction to pedestrian and vehicular traffic into and out of, or within a site.

Dissolve: A transition between static message displays that is achieved with varying light intensity and where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.

Double-faced sign: A sign with two (2) faces which are usually parallel, but may be v-shaped if the angle of v is no greater than forty-five (45) degrees.

Fade: A transition between static message displays that is achieved with varying light intensity and where the first message gradually loses light intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Feather flag (aka harpoon flag): A sign that contains a harpoon style pole or staff driven into the ground for support.

Flag: Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.

Flashing sign: A sign whose artificial illumination is not kept constant in intensity at all times when in use and which exhibits changes in light, color, direction, or animation. This definition does not include electronic message centers signs or digital displays that meet the requirements set forth herein.

Freestanding sign: A sign supported by a sign structure placed in the ground and which is wholly independent of any building, fence, vehicle or object (other than the sign structure) for support. This sign type includes pole signs, monument and ground mounted signs.

Frontage: The length of the property line of any one (1) premises serving as a public street right-of-way line.

Government or regulatory sign: A government sign is a sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce property owner's rights.

Ground sign: A sign supported by uprights or braces which is placed on, near or at ground level. All supports, upright, bracing or framework utilized or proposed to support the sign, shall be enclosed within the sign base area. The enclosed base must possess a minimum width of two-thirds (⅔) the width

of the sign face, and which is not attached to any building. The definitions of ground sign and pole sign are mutually exclusive.

Height of sign: The vertical distance measured from the ground to the top of the sign face or background sign structure measured from the centerline of the adjacent right-of-way (ROW) or if the sign is more than 50 feet from the (ROW) it will be measured from the adjacent grade.

Illuminated sign*:* A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface.

Incidental sign: A sign that displays general site information, instructions, directives, or restrictions that are primarily oriented to pedestrians and motor vehicle operators who have entered a property from a public street. These signs shall not contain any commercial advertising.

Incidental window sign: Signs displayed in the window displaying information such as the business' hours of operation, credit institutions accepted, commercial and civic affiliations, and similar information. These signs shall be informational only and shall not contain a commercial message.

Inflatable sign: A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.

Interactive sign: An electronic or animated sign that reacts to the behavior or electronic signals of motor vehicle drivers.

Interior project directional sign: A sign located no closer than 100 feet from the exterior public street entrance of a nonresidential project, at a street intersection or along a private driveway within the project. The purpose of this sign is to provide more definitive directional whereabouts of the tenants within the nonresidential project.

Manual changeable copy sign: A sign or portion thereof on which the copy or symbols are changed manually through placement or drawing of letters or symbols on a sign face.

Marquee: A permanent structure, other than a roof or canopy, attached to, supported by, and projecting from a building and providing protection from the elements.

Marquee sign: Any sign attached to a marquee for the purpose of identifying a use or product. If attached to a theater, performing arts center, cinema, or other similar use, it may also advertise films or productions.

Mechanical movement sign: A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means, but shall not include wind-activated movement such as used for banners or flags. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

Menu sign: A permanent sign for displaying the bill of fare available at a restaurant, or other use serving food, or beverages.

Message sequencing: The spreading of one message across more than one sign structure.

Multi-tenant sign: A freestanding sign used to advertise businesses that occupy a shopping center or complex with multiple tenants.

Mural: A large picture/image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical building wall, which may or may not contain text, logos, and/ or symbols.

Neon sign: A sign illuminated by a neon tube, or other visible light-emanating gas tube, that is bent to form letters, symbols, or other graphics.

Nonconforming sign: A sign that was legally erected and maintained at the effective date of this Ordinance, or amendment thereto, that does not currently comply with sign regulations of the district in which it is located.

Off-premises sign: A sign that identifies or communicates a message related to an activity conducted, a service rendered, or commodity sold, which is not the primary activity, service or commodity on the premises where the sign is located. An outdoor sign whose message directs attention to a specific business, product, service, event or activity, or other commercial or noncommercial activity, or contains a non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located. (Also known as a third-party sign, billboard, or outdoor advertising)

On-premises sign: A sign that identifies or communicates a message related to the activity conducted, the service rendered, or the commodity sold, on the premises upon which the sign is located. A sign whose message and design relate to an individual business, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the sign is located.

Pennant: A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

Permanent sign: A sign attached or affixed to a building, window, or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

Personal expression sign: An on-premises non-illuminated sign that expresses a non commercial message.

Reflective sign: A sign containing any material or device which has the effect of intensifying reflected light.

Projecting sign: A sign mounted on a building wall or fascia in such a manner that one or more copy areas are not parallel to the building wall.

Roof sign: Any sign that extends above the parapet wall or above the peak of the principal roofline on a building with a sloping roof.

Sandwich board sign: A type of temporary sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians (Also known as A-frame sign)

Scoreboard*:* A sign contained within an athletic venue and intended solely to provide information to the attendees of an athletic event. The sign may contain commercial messaging.

Security sign: An on-premises sign regulating the use of the premises, such as a "no trespassing," "no hunting," or "no soliciting" sign. (Also known as warning sign)

Shielded: The description of a luminaire from which no direct glare is visible at normal viewing angles, by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, barn doors, baffles, louvers, skirts, or visors.

Sign: A Name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Signs located completely within an enclosed building and not exposed to view from a street, must not be considered a sign. Each display surface of a sign or sign face must be considered to be a sign.

Sign face: The part of the sign that is or can be used for the sign area. The sign area could be smaller than the sign face.

Snipe sign: A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public right-of-way or on any private property without the permission of the property owner. (Also known as bandit sign)

Storefront: The exterior facade of a building housing a commercial use visible from a street, sidewalk, or other pedestrian way accessible to the public and containing the primary entrance to the commercial establishment.

Streamers: A display made of lightweight, flexible materials, consisting of long, narrow, wavy strips hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.

Street frontage: The side or sides of a lot abutting on a public street or right-of-way.

Street pole banner: A banner suspended above a public sidewalk and attached to a single street pole. These signs shall not contain any commercial advertising.

Temporary sign: A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and is intended to be displayed for a limited period of time. Any sign designed or intended to be readily relocated. The term includes signs on wheels or on portable structures, tent signs, A-frame signs and similar devices and any sign not secured or securely affixed to the ground or a permanent structure.

Tri-vision boards: An outdoor unit with a slatted face that allows three different copy messages to revolve at intermittent intervals.

Vehicular sign: A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental to the vehicle's primary purpose. The vehicle will be considered a sign if it does not have a valid registration or if the vehicle projects beyond the manufacturers profile. Professional wraps or vehicles used as a common part of the business will not be considered vehicular signs.

Vending machine sign: A sign displayed on a vending machine indicating the name of the product being sold and/or the price of such product.

Wall sign: A building-mounted sign which is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface. A sign installed on a false or mansard roof is also considered a wall sign. (Also known as: fascia sign, parallel wall sign, or band sign)

Window sign: Any sign that is applied, painted, or affixed to a window, or placed inside a window, within three (3) feet of the glass, facing the outside of the building, and easily seen from the outside. Customary displays of merchandise or objects and material without lettering behind a store window are not considered signs.

SECTION 603 - GENERAL PROVISIONS.

It shall be illegal for a sign to be placed in Horry County except as provided in this article.

A. TRAFFIC HAZARDS AND SIGN ILLUMINATION:

1. No flood lights shall be utilized as a part of a sign illumination system which are not hooded or shielded so that the light source is not visible from any public right-of-way or adjacent property nor shall any sign otherwise reflect or emit a glaring light so as to impair driver vision.
2. No sign illumination system shall contain or utilize any beacon, spot, search or stroboscopic light or reflector which is visible from any public right-of-way or adjacent property, nor shall such lights be operated outside, under any circumstances, except by authorized public agencies. No more than one (1) foot-candle of light shall be detectable at the boundary of any abutting property.
3. Illuminated signs or sign lighting devices shall employ only lights emitting a light of constant intensity and no sign shall be illuminated by or contain flashing, intermittent or moving light or lights unless permitted under the allowance for full animation signs as permitted by this overlay.
4. No sign shall be animated unless otherwise provided for in this ordinance.

B. DESIGN STANDARDS:

1. All signs shall be constructed of durable materials and designed to meet all applicable requirements of the adopted Building Code.
2. A freestanding sign may contain a sign or signs on one (1) side only or it may be a v-shaped structure or one containing signs back-to-back. A free standing sign shall not have more than 2 sides.
3. No freestanding sign may be located in a required parking space, however it may cantilever over a required parking space if the sign portion over the space is greater than 15 feet above grade of the space.
4. Except as otherwise provided, all signs shall be constructed to withstand the wind pressure as designated in the adopted Building Code.
5. Except as otherwise provided, all signs shall be permanently anchored or affixed and constructed as required in the adopted Building Code.

6. SIGN LOCATION.

a) All freestanding signs shall be erected at least ten (10) feet from any side or rear property line. The sign shall be located outside all clear site triangles and a minimum of ten (10) feet from

the edge of the travel way. No sign shall be placed in such a position as to endanger pedestrians, bicyclists, or traffic on a street by obscuring the view or by interfering with official street signs or signals by virtue of position or color.

b) Minimum separation for all onsite freestanding signs shall be at least two hundred (200) linear feet.

7. SIGNS IN DISREPAIR AND UNSAFE SIGNS:

a) All signs, together with all their supports, braces, guys and anchors shall be kept in good repair and perpetually maintained in safe condition, free from deterioration, defective or missing parts or peeling or faded paint and able to withstand the required wind pressure. Any sign not in compliance with this provision is hereby declared to be a nuisance.

b) If a sign is deemed unsafe by the Zoning Administrator or the Building Official, notification shall be made to the sign owner and/or property owner in writing that the unsafe conditions must be corrected within thirty (30) days or action shall be initiated to have the sign removed at the property owner's expense.

c) In the event that a sign is damaged in excess of fifty (50) percent of its construction value or original structural configuration, the sign may only be repaired or replaced in conformity with this article. This excludes sign faces that are not an integral part of the structure.

d) Except as otherwise provided, no existing sign which fails to meet the standards of this article shall be enlarged or replaced.

C. DIGITAL SIGN STANDARDS:

1. BRIGHTNESS:

Digital displays are subject to the following brightness limits:

a) 1,000 nits at night. If sign is within 200 feet of residential (zone or use) the sign must be directed away from the residential zone or it may be reduced to 250 nits brightness at night.

b) Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change. (Permit application must include details from the manufacturer of sign indicating that the sign will automatically dim at night)

2. ANIMATION AND/OR DURATION:

a) No sign on a parcel with less 300 1f of frontage shall be animated.

b) No digital shall be animated except for ten (10) percent of total allowable area in the Highway Commercial (HC) District and twenty (20) percent on signs in the Amusement Commercial (AC) District.

c) Each message or copy must remain static or fixed for at least eight (8) seconds. The transition between messages and/or copy shall change instantly (e.g., no fade-out or fade-in). The sign shall contain a default design which shall freeze the sign message in one position if a malfunction should occur.

3. AREA:

a) When used as an on-premises sign, digital signs shall not exceed 50% of the allowable sign area,

b) When used as an off-premises sign, message center signs may be used for the full permitted sign area.

4. MAXIMUM NUMBER:

Where permitted, one (1) digital sign is permitted per street frontage, up to a maximum of two (2) digital freestanding signs per property.

5. CONVERSION:

Conversion of an existing or any portion of an existing non digital sign to a digital shall require the issuance of a permit.

SECTION 604 - PROHIBITED SIGNS.

A. Roof signs.

B. Signs painted or attached to trees, fences, or fence posts, telephone or utility poles or signs attached to rocks or other natural features.

C. Any commercial identification or advertising signs on benches and refuse containers intended to be viewed from a public way.

D. Any sign located or designed so as to intentionally or effectively deny an adjoining property owner reasonable visual access to an existing sign.

E. Vehicular sign.

F. Any sign which exhibits statements, words or pictures of an obscene or pornographic nature.

G. Animated signs unless specifically allowed by this ordinance.

H. Signs attached to or painted on piers, seawalls or bulkheads for the purpose of advertising as opposed to reasonable identification. Signs on buildings located on piers shall not be prohibited, but shall conform to the other provisions of this article.

I. Abandoned sign.

J. Flashing signs.

K. Snipe signs.

L. Mechanical movement signs, including revolving signs.

M. Pennant strings and streamers.

N. Inflatable devices or balloon signs, with the exception of balloon used in temporary, noncommercial situations.

O. Any signs that imitate, resemble, interfere with, or obstruct official traffic lights, signs, or signals or may be confused with an official traffic sign, signal, or device or any other official sign or which uses the words, "stop," "warning," "danger," "caution" or similar words implying the existence of danger or need for stopping or maneuvering.

SECTION 605 - SIGNS FOR WHICH A PERMIT IS NOT REQUIRED.

A. On-site signs no higher than four (4) feet high in height nor greater than six (6) square feet in size. A maximum of one (1) such sign shall be allowed at each point of ingress or egress and located outside required site triangles.

B. Government, Official traffic signs or regulatory signs.

C. Flat mounted building signs smaller than four (4) square feet per building. Such signs may be mounted on the building, canopy or awning.

D. Personal expression signs of any type, including flags, provided that they do not exceed three (3) sq. ft. in area per side. There is no restriction on the number of personal expression signs permitted per property.

E. WINDOW SIGNS.

1. No more than eight (8) total signs or pieces of information.
2. Limited to 25% of the total glass area of the window.
3. Incidental window signs displaying pertinent business information such as the business' hours of operation and credit cards accepted, shall be excluded from area calculations for window signs.

F. FLAGS.

1. Limited to three (3) total flags per location; unless associated with outdoor amusement uses.
2. Flags and pennants associated with legally existing or permitted outdoor amusement uses are not limited in number provided individual flags or pennants do not exceed fifteen (15) square feet in size.
3. Flags must be on permanent poles.
4. Flags must meet a 10-foot setback from all property line.
5. Feather flags count towards the temporary signage and not regulated under this provision.

G. COMMERCIAL PARKING LOT POLE BANNERS.

1. Must be attached to permanent light standards and set back no less than ten (10) feet from the traveled portion of the road and do not encroach into a right-of-way.
2. The number of such flags/banners shall be limited to no more than one (1) per sixty (60) linear feet of road frontage.
3. Must spaced a minimum of forty-five (45) feet apart.
4. No greater than thirty-two (32) square feet in size.

5. Flags/banners shall be properly maintained. They shall not be tattered or torn, nor faded to the extent the pattern or colors become indiscernible.

H. Vending machine sign.

I. Art and murals, provided such signs do not contain any commercial messaging.

J. Temporary signs in accordance with these regulations.

SECTION 606 - APPLICATION FOR PERMIT.

All applications for sign permits shall be made within the Horry County Planning and Zoning Department for review. The following information shall be submitted for a sign permit:

1. A completed sign permit application, building permit application and sign permit checklist.
2. A master site plan drawn to scale showing the proposed location of the new sign with respect to property lines and any buildings, parking areas and other improvements to the property. Also included must be the location and size of all existing signs on site. For off-site sign applications, all required separations also need to be documented on the plans.
3. A rendering of the proposed sign showing the size, shape, design, height, proposed illumination (if applicable) and type of sign to be erected.
4. Building signs should indicate the height, length and width of the proposed building façade on which the sign will be placed.
5. Information required by Code Enforcement to determine compliance with applicable building codes and wind load requirements.
6. Any other information, specifications, photographs, or the like deemed necessary by the building inspector or zoning administrator in order to assure compliance with county codes.

SECTION 607 - SIGN DIMENSIONAL COMPUTATION.

A. SIGN AREA.

1. The area of a sign is measured by finding the area of the minimum imaginary box of vertical and horizontal lines which fully enclose all extremities of the sign including design features, words, copy, logos or message, excluding support bases, poles and covers.
2. Only one (1) side of a double-faced or V-shaped sign shall be counted in determining area when the interior angle formed by the faces is no greater than forty-five (45) degrees.

B. SIGN HEIGHT.

1. Height shall be measured as the distance from the highest portion of the sign to the mean finished grade of the street closest to the sign. In the case of a sign located greater than 100 feet from a public street, height shall be measured to the mean grade at the base of the sign.
2. Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements.

C. SIGN SPACING.

The spacing between sign structures shall be measured as a straight-line distance along the property line between the closest edges of each sign.

SECTION 608 - SIGNS ALLOWED IN SPECIFIED ZONING DISTRICTS.

A. SIGNS ALLOWED IN RESIDENTIAL DISTRICTS.

1. Developments are allowed two (2) entrance signs per entrance if signs are placed on the face of an entrance wall to said development. Such signs shall not exceed fifty (50) square feet per sign face and an aggregate area of one hundred (100) square feet per entrance, nor shall they exceed a height of ten (10) feet. If a double-faced sign is used without the entrance walls, only one (1) such sign is allowed per entrance. Developments that choose to use a boulevard entrance with a sign placed within a landscaped median shall only be permitted if such sign is protected by an six (6) inch raised curb and approval and/or encroachment permit is granted by engineering prior to submittal for a sign permit.
2. One (1) freestanding identification sign for lawful commercial uses provided it shall not exceed forty (40) square feet in area nor ten (10) feet in height. This does not include parcels that are primarily used for residential purposes.

B. SIGNS ALLOWED IN COMMERCIAL DISTRICTS.

1. ON SITE SIGNAGE ALLOWED.

SIGNAGE ALLOWED BY ROAD FRONTAGE					
TYPE OF PROPERTY	***LENGTH OF CORRIDOR FRONTAGE***	***NUMBER[1]***	***TYPE***	***HEIGHT***	***SIGN AREA[2,5]***
Freestanding parcel	Less than 100 feet	1	Ground	8 feet	1 sq. ft. for each linear ft. of frontage
Freestanding parcel	100—199 feet	1	Ground	20 feet	
Freestanding parcel	200—399 feet	1	Freestanding	35 feet	
Freestanding parcel	More than 400 feet or portion thereof up to 799 feet	2	1 - Freestanding "primary"	50 feet	
			1 - Freestanding "secondary"	25 feet	
	Over 800 feet	1 additional	Freestanding "secondary"	25 feet	
Commercial Subdivision Development[3]	More than 400 feet or portion thereof up to 799 feet	2	1 - Freestanding "primary"	50 feet	
			1 - Freestanding "secondary"	25 feet	
	Over 800 feet	1 additional	Freestanding "secondary"	25 feet	
Out-parcel that is part of a commercial subdivision development[4]	Less than 400 feet	1 per frontage	Monument	8 feet	

Footnotes:
1. In no instance shall a site have more than three (3) freestanding signs.
2. Maximum sign area per site shall be no greater than 750 sf.
3. Signage for commercial subdivision developments, shall be calculated based on the total roadway frontage, along the roadways that the sign will face, that such development has inclusive of all out-parcels.
4. Signage located on Out-parcels of a commercial subdivision development shall not be counted towards the maximum sign area for the development.
5. Collocated Signage Adjacent parcels and/or business can collocate signage on the same sign as long as the allowable height is not exceeded and the total square footage of signage for the combined developments is not exceeded.

2. BUILDING MOUNTED REQUIREMENTS.

a) Wall Signs. Shall not exceed fifteen (15) percent of the surface area of the wall storefront.

b) Canopy, Awning or Marquee Signs.

   i. A canopy or awning without lettering or other advertising shall not be regulated as a sign.)

   ii. Canopy or awning signs must be centered within or over architectural elements such as windows or doors.

   iii. No awning or canopy sign shall be wider than the building wall or tenant space it identifies.

   iv. Canopy and/or awning signs must meet the required building setbacks.

   v. The lowest edge of the canopy or awning sign shall be at least eight (8) feet above the finished grade.

c) Projecting Signs. The lowest edge of a projecting sign shall be at least eight (8) feet above the finished grade.

3. INTERIOR PROJECT DIRECTIONAL SIGN.

Signs are authorized in all developments or planned subdivisions of land within any nonresidential zoning district subject to the following:

a) May not be located within 100 feet of an entrance to a project.

b) Maximum sign area not to exceed 32 sf.

c) Maximum sign height shall not exceed 8 feet.

d) No setback from the right-of-way.

e) Can be located within an easement on nonresidential property within the project.

f) Can be located within a private right-of-way/easement. Cannot be located within a public right-of-way.

g) Must not be located in such a manner as to block visibility of adjacent signage or any required sight triangles.

h) Only 1 sign located at each internal intersection within the project.

SECTION 609 - OFF-PREMISES SIGNS.

A. ZONING DISTRICT, OFF-PREMISE SIGNS ARE ALLOWED ONLY WITHIN THE FOLLOWING ZONING DISTRICT(S):

1. Forest/Agriculture (FA) and Commercial Forest Agriculture (CFA).
2. Highway Commercial (HC).
3. Amusement Commercial (AC).
4. Limited Industrial (LI).
5. Heavy Industrial (HI).
6. Reserved.
7. Office/Professional/Institutional (OPI).
8. PUD's containing the zoning districts listed above.
9. Resort Commercial (RC).
10. Commercial Recreation (CR).
11. Retailing and Commercial Services (RSC).
12. Transportation Related Services (TRS).

B. SPACING.

Spacing between off-premise signs shall be measured linearly on the same side of the road. Off-premise signs shall meet the following spaces requirements:

1. One thousand two hundred (1,200) feet apart in Highway Commercial (HC), Amusement Commercial (AC), Limited Industrial (LI), Heavy Industrial (HI), Office/Professional (OPI), PUD's, Resort Commercial (RC), Commercial Recreation (CR), Retailing and Commercial Services (RSC), and Transportation Related Services (TRS) containing these zoning districts, unless otherwise restricted within this article.
2. One thousand eight hundred (1,800) feet apart in Forest/Agriculture (FA) and Commercial Forest Agriculture (CFA) zoning districts, unless otherwise restricted within this article.
3. No portion of any off-premise sign shall be located within one thousand (1,000) feet from the centerlines of the Carolina Bays Parkway, Veterans Hwy 22 Grissom Parkway, Robert Edge Parkway, or International Drive. No portion of any off-premise sign shall be located within five hundred (500) feet from the nearest point of the beginning or ending of pavement widening at the exit from or entrance to Carolina Bays Parkway or Veteran Hwy 22.

4. No off-premise sign shall be located nearer than three hundred (300) feet from the property line of a church or place of worship, a cemetery, a public or private school, or a public park.
5. No off-premise sign shall be located nearer than one hundred (100) feet to a signalized intersection of two (2) or more streets. The distance is measured from the closest signal head or span wire.
6. No off-premise sign shall be located nearer than six hundred (600) feet, measured linearly following the road, to an elevated bridge abutment.
7. Where state and federal standards are more stringent, those standards shall govern.
8. In zoning districts that allow off-premise signs, there must be a legally permitted commercial structure within six hundred (600) feet measured in a radius from the center point of the proposed sign location or as regulated by current SCDOT or federal governmental requirements.

C. SIZE, HEIGHT, AND CONSTRUCTION STANDARDS.

1. The size of an off-premise sign shall not exceed four hundred (400) square feet of sign surface. Cutouts may be added but may not increase the size of the sign by more than forty (40) square feet.
2. Off-premise signs shall not exceed fifty (50) in height, measured from the highest part of the sign, including its supporting structure and the crown of the adjacent roadway.
3. Stacking or triangulating sign faces shall not be permitted. Off premise signs may only be back to back or "V" shaped no more than forty-five (45) degrees.
4. The minimum height of any off-premise sign face over two hundred (200) square feet in area shall not be less than twenty-five (25) feet measured from the lowest part of any sign face and the crown of the adjacent roadway.
5. Off-premise signs shall be set back ten (10) feet from all property lines as measured from the leading edge of the sign.
6. A permitted off-premise sign may not use any sign face for on premise advertising.

SECTION 610 - TEMPORARY SIGNAGE RESTRICTIONS.

A. TEMPORARY WALL BANNERS SHALL BE ALLOWED AS FOLLOWS:

1. A maximum of two (2) temporary wall banners shall be allowed upon a site that has a single tenant or one (1) temporary wall banner per tenant in a commercial center.
2. The temporary wall banners are attached to permitted commercial building. Banners attached to utility poles or hung between post set into the ground for the purposes of displaying signage shall be considered temporary ground signs and have to meet the standards below.
3. The temporary wall banner's advertising area when combined with other signage on the site does not result in more that fifteen (15) percent of the wall area being covered.

B. TEMPORARY GROUND SIGNS SHALL BE ALLOWED SUBJECT TO THE FOLLOWING:

1. Limited to one (1) temporary ground sign.
2. Signs shall not exceed eight (8) feet in height or thirty-two (32) square feet in size on parcels with a legally existing nonresidential use or on any property which has received construction plan approval for development or up to six (6) square feet on existing single family lots of record.
3. The temporary ground sign cannot be used if it would result in the total amount of signage exceeding what is allowable for that district.
4. Temporary ground signs of any type shall be outside of the road rights-of-way and setback from side and rear property lines by no less than five (5) feet and located outside of required site triangles.
5. All allowed temporary ground signs shall be removed, relocated or disassembled when it is determined by the zoning administrator or designee that a dangerous condition exists.

SECTION 611 - ENFORCEMENT, PENALTIES AND REMEDIES.

The zoning administrator or designated agent shall have the right to remove signs placed within any street or highway right-of-way without notice to the owners.

SECTION 612 - NONCONFORMING SIGNS.

Signs that were legally in existence and lawfully conforming with the Ordinance prior to the effective date of the ordinance from which this section was derived and which, after adoption of this section, do not conform are considered legal nonconforming subject to the following:

A. TERMINATION BY NEGLECT.

Any sign exhibiting conditions of neglect and left in a state of disrepair for a continuous period exceeding six (6) months shall be removed. Replacement of said sign is not required, however if replaced the new sign shall conform to the requirements established herein.

B. MAINTENANCE.

Ordinary maintenance of the exempted sign shall be continued in order to ensure such signs are maintained in a structurally sound condition, with a neat appearance and in a generally good state of repair. Ordinary maintenance may include replacements of supports with different materials or design than the previous supports provided the replaced supports are not enlarged. Nothing in this division shall prevent the strengthening or restoring to a safe condition of any portion of an exempted sign declared unsafe by a code enforcement officer or building inspector provided that any such improvement does not exceed fifty percent (50%) of its construction value or original structural configuration. For purposes of this subsection, the replacement of individual tenant name panels on a multi-tenant center sign shall not constitute an alteration or modification.

C. ALTERATION.

1. No legal nonconforming sign shall be expanded, moved, modified or altered in any manner that would increase the degree of its nonconformity.
2. A lawfully existing non-conforming on-site sign may be altered with the removal of another lawfully existing nonconforming on-site sign located on the property where the alteration is occurring.
3. A lawfully existing non-conforming off-premises sign may be altered with the removal of another lawfully existing nonconforming off-premises sign provided:
   a) The signs that are to be removed or altered have to be under the same ownership.
   b) The sign or signs to be removed are of the same or greater square footage as the sign or signs to be altered.
4. Replacing existing digital or manually changeable copy signage with digital signage shall be considered ordinary maintenance as long as the existing sign structure is capable of supporting the additional weight, the total signage size is not increased and the digital sign does meets all of the requirements of § 603.C. This will be required to be permitted.
5. Nonconforming sign discontinuance. Notwithstanding other provisions of this ordinance, nonconforming temporary signs, flags, banners and pennants, after the adoption of this ordinance shall be removed, altered, or otherwise made to conform with this ordinance within six (6) months. Notice shall be given by the Zoning Administrator or designated agent to the aforementioned nonconforming sign owners stating wherein they do not conform to said ordinance and stating the date that the nonconforming sign must either comply or cease to exist. The date that the nonconforming sign must either comply or cease to exist shall be measured from the date of adoption of this ordinance and shall be observed regardless of whether notice of nonconformity is given by the Zoning Department or received by the affected owner.

ARTICLE VII – PARKING REGULATIONS

SECTION 700 - INTENT/PURPOSE.

The purpose of this article is to provide for the orderly and uniform provision of motorized and non-motorized vehicle parking facilities as applied to various land uses developed in the unincorporated sections of Horry County.

SECTION 701 - GENERAL PROVISIONS.

A. ACCEPTABLE PARKING SURFACES.

Required off-street parking and drive aisles shall be improved to a dust free surface (asphalt, concrete, pavers, stone). Alternative parking surfaces shall require review and approval of the Zoning Administrator or his/her designee.

B. BAY DOORS AND INDOOR PARKING.

Uses and buildings featuring roll up bay doors for vehicular ingress/egress may count each door as a required parking space. Additionally, indoor parking, used to meet the minimum parking standards, shall use the same dimensions as established in § 702 provided a parking plan is reviewed and approved by the zoning administrator or his/her designee.

C. CHANGE OF USE OR EXPANSION.

1. Nothing in this article shall require the furnishing of additional parking spaces for existing buildings which are not enlarged or changed to a new use.
2. When there is a change to a use which has a greater parking requirement than the previous use, the minimum off-street parking requirement in accordance with the provisions of this article shall be provided according to the requirements for the new use.
3. When an existing structure is expanded or enlarged, the minimum off-street parking requirements in accordance with the provisions of this article shall only be required to be provided for the area or capacity of such expansion or enlargement. However, compliance with the minimum off-street parking requirements shall not be required for the expansion or enlargement when such expansion or enlargement is to provide an accessibility improvement.

D. COMPACT CAR PARKING.

Spaces provided for compact cars may constitute a maximum of ten (10) percent of the required. All compact parking spaces shall use signage per § 703.

E. FLEET VEHICLE STORAGE.

Required parking shall not be used for fleet vehicle parking and storage unless the required parking is located to the rear of the primary building.

F. MANEUVERING ROOM.

Maneuvering space for off-street parking shall be located on the lot upon which parking is provided. Individual driveways to single-family units shall be exempt.

G. MAXIMUM PARKING.

A use requiring fifty (50) or more parking spaces shall not exceed 125 percent of the minimum required parking unless pervious surfaces as defined herein are incorporated.

H. MINIMUM PARKING.

All uses (except single-family residential and mail kiosks) shall have a minimum four (4) parking spaces unless otherwise stipulated in § 704.

I. NEW AND USED VEHICLE DISPLAY LOTS.

Businesses engaged in buying, selling or trading new and used vehicles (automobiles, motorcycles, mopeds, recreational vehicles, camping trailers, golf carts, boats) shall not use vehicle display areas for customer or employee parking. Additionally, required parking shall not be used to store vehicles overnight for any purpose.

J. OFF-SITE PARKING.

Off-site parking for residential uses shall be located in common area directly adjacent to the use. Maneuvering room shall be located internal to the project and outside of all right-of-ways. Off-site parking approved prior to this ordinance shall be considered legal and conforming with the standards herein.

K. PASSENGER LOADING/UNLOADING.

Areas designated for passenger loading and unloading shall count towards the minimum parking required herein provided an acceptable drive aisle as defined is maintained.

L. PARKING DELINEATION.

All required parking spaces shall be delineated. Spaces may be delineated on a paved surface by pavement markings while on an acceptable dust free surface wheel stops shall be used. Compact parking and handicap accessible spaces in all instances shall require signage per § 703, below.

M. PERVIOUS SURFACES.

Parking spaces utilizing pervious materials shall be limited to pervious concrete or pavers overlaid on top of an approved drainage design. In no instance shall base material, milled asphalt or crushed stone be considered pervious.

N. PHASED DEVELOPMENTS.

Each phase of a multi-phase development shall meet all applicable parking standards established in this article prior to initiation of the next phase.

O. SQUARE FEET.

Measured as gross floor area for purposes of calculating required minimum parking herein.

P. USE OF OFF-STREET PARKING.

Required parking spaces shall not be used for the display of merchandise, seasonal or otherwise, or for the purpose of advertisement by means of permanent or temporary signage, banners and flags.

Q. USE OF STREET RIGHT-OF-WAY.

In no instance shall a right-of-way or access easement be used to meet the minimum off-street parking requirement of this ordinance.

R. VEHICLE STACKING SPACES.

Off-street stacking shall be provided in accordance with Table 1 below. The following requirements shall be met.

1. Stacking spaces are measured as eight by twenty (8' x 20') feet.
2. Stacking spaces may not impede on or off-site traffic movements or movements into or out of off-street parking spaces.
3. Stacking spaces must be separated from other internal driveways and aisles.
4. Fifty (50) percent of stacking spaces may count as required parking for the use.

TABLE 1: STACKING REQUIREMENTS

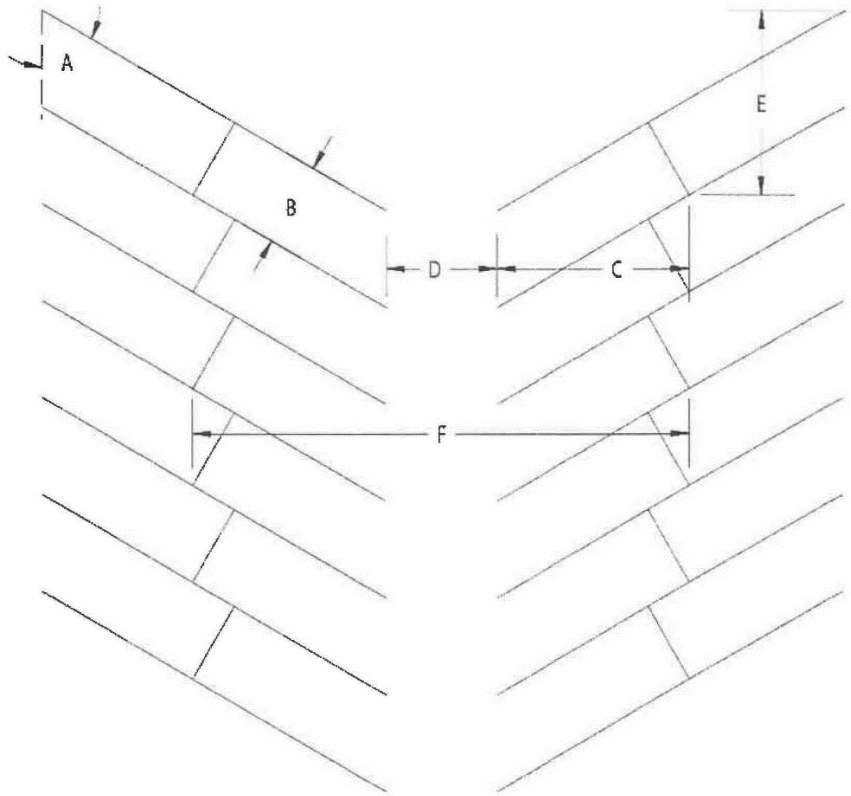
USE TYPE	MINIMUM SPACES	MEASURED FROM
Bank teller lane	3	Teller window
Automated teller machine	3	ATM
Restaurant drive-thru	10	Pick-up window
Car wash stall	5	Entrance
Car wash stall, self-service/automatic per bay	1	Entrance
Dry cleaning service	3	Pick-up window
Gasoline pump island (per dispenser)	1	Pump island
Prescription services	4	Pick-up window
Vehicle quick service	1	Bay door
Ice machine	2	Dispenser

SECTION 702 - PARKING DESIGN CRITERIA.

A. ANGLED PARKING.

Parking stalls intended for standard size cars shall be a minimum of 9' x 19'. Compact car stalls shall be a minimum size of 7' x 15'. Parking stalls for tour buses shall be a minimum size of 10' x 45'. All angled parking stalls shall be provided with the minimum aisle width specified below depending on their angle of entry. The width is designed to accommodate traffic flow within the parking area and allow reasonable room for maneuvering in and out of parking stalls.

PARKING ANGLE DIMENSIONS *					
PARKING ANGLE	*STALL WIDTH*	*STALL TO CURB*	*AISLE WIDTH*	*LENGTH PER CAR*	*TWO ROW OF STALLS WITH ACCESS AISLE BETWEEN*
"A"	*"B"*	*"C"*	*"D"*	*"E"*	*"F"*
0°	9'	9'	12'	23'	30'
20°	9'	15'	11'	26' 3"	41'
30°	9'	17' 3"	11'	18'	46' 6"
40°	9'	19' 1"	12'	14'	50' 2"
45°	9'	19' 8"	13'	12' 7"	52' 6"
50°	9'	20' 4"	16'	11' 7"	56' 8"
60°	9'	21'	18'	10' 4"	60'
70°	9'	21'	19'	9' 6"	61"
80°	9'	20' 3"	** 22'	9' 1"	62' 3"
90°	9'	19'	** 22'	9'	59'
Footnotes:					
** Based on 19' stalls.*					
*** Two-way traffic circulation.*					

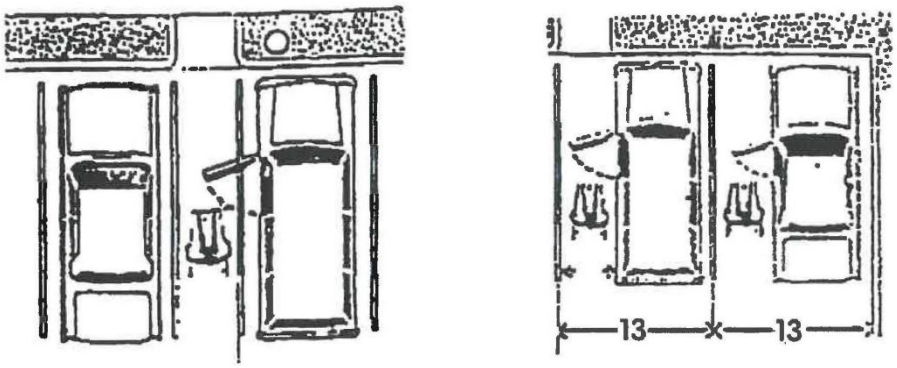


B. PARALLEL PARKING.

Parallel parking stalls for standard size cars shall have a minimum size of 9' x 23' and 8' x 19' for compact cars. Parallel parking stalls for tour buses shall have a minimum size of 9' x 50'. All parallel parking stalls shall have a minimum of twelve (12) feet for maneuvering space in one-way traffic and twenty-two (22) feet in two-way traffic.

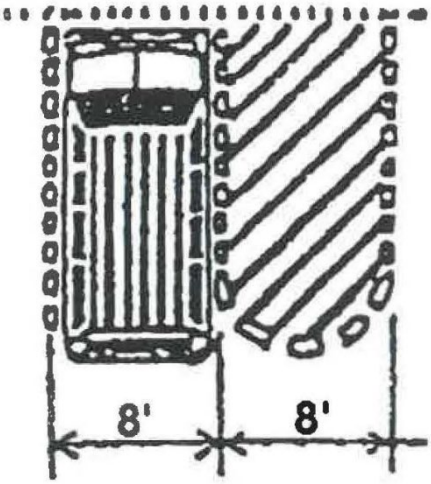
C. HANDICAPPED PARKING.

1. Handicapped parking stalls shall be paved and have a minimum size of 13' x 19' or an eight-foot stall adjacent to a five-foot walkway. Two (2) handicapped spaces may share a common five-foot walkway. Such parking shall be in closest proximity to the building. Accessibility to buildings shall be provided from all handicapped parking to allow easy and unobstructed access.



Handicapped Parking

2. *Van accessible parking stalls shall have a minimum size of 16' x 19' or an eight-foot stall* adjacent to an eight-foot walkway. One (1) out of every eight (8) handicap parking spaces shall be van accessible.



Van accessible parking

3. Determination of the required number of handicapped spaces shall be made in accordance with the following chart:

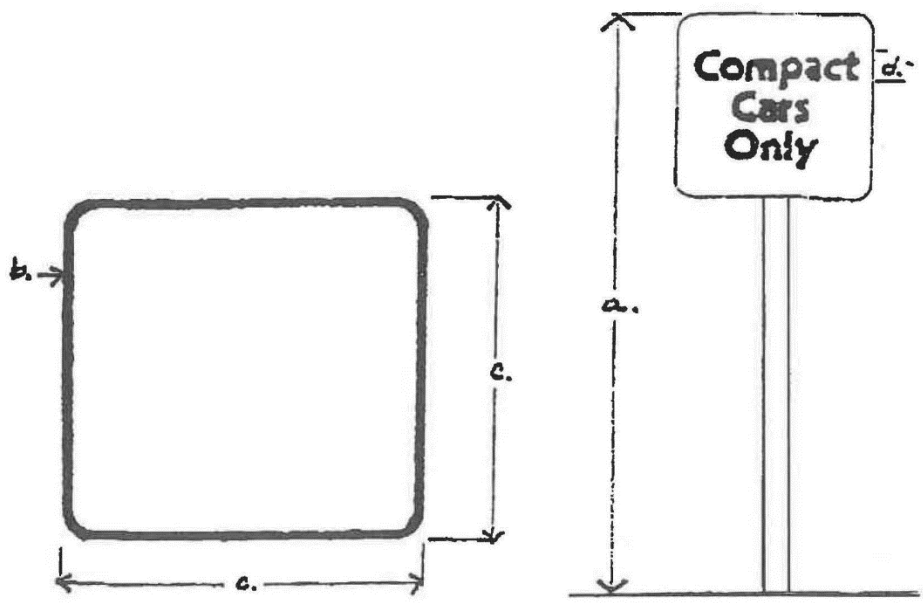
Total # of Spaces In Lot	Required Handicapped Spaces
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total spaces
Over 1,000	20 plus 1 for each 100 over 1,000

SECTION 703 - SIGNAGE.

A. COMPACT PARKING.

When three (3) or more spaces are located together, two (2) compact automobile signs will be required. One (1) sign shall be located at the left corner of the first space, and the right hand corner of the last space. Each sign shall read "Compact Cars Only," with a directional arrow delineating the spaces. Single spaces will require one (1) sign at each space.

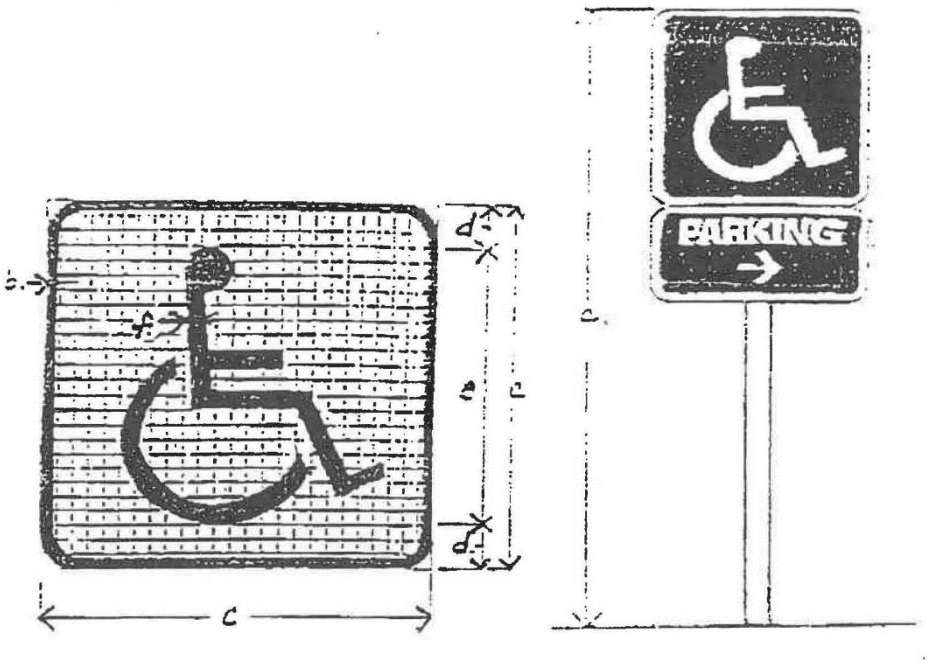
1. *Sign dimensions:*
   (a) 4'0"
   (b) ¼"
   (c) 8"
   (d) 2" centered
2. *Color:* White (reflective) on brown background.

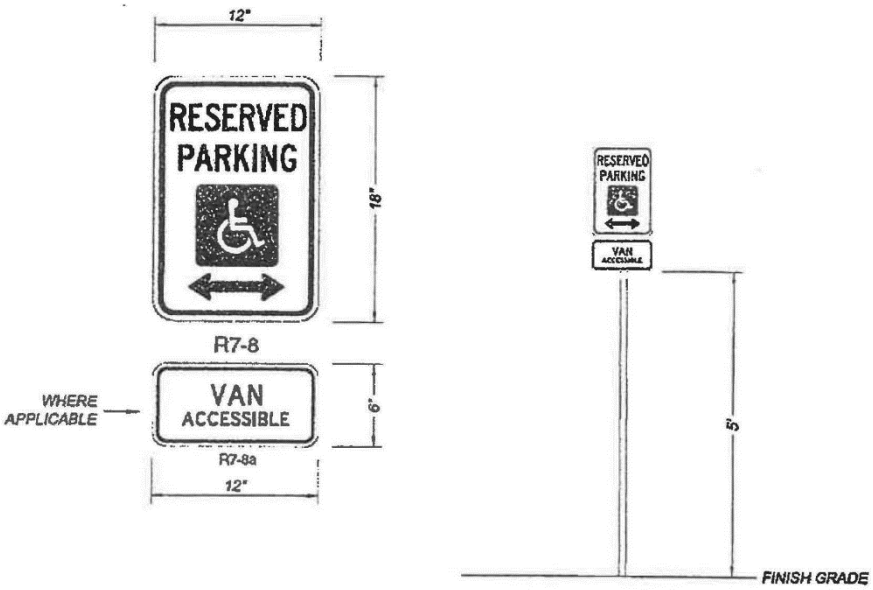


B. HANDICAPPED PARKING.

Each parking space shall display one (1) handicapped parking sign (International Symbol of Access) and the parking surface shall be identified with the handicapped parking symbol and pavement striping. Such sign shall be located four (4) feet on center from the wheel stop.

1. *Sign dimensions:*
   (a) 4'0"
   (b) ¼"
   (c) 8"
   (d) 1"
   (e) 6"
   (f) 3/8"
2. *Color:* White (reflective) on blue background, or without border, blue on white background.





NOTE:
HANDICAP SIGN TO CONFORM WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" LATEST EDITION

C. ONE-WAY DRIVE AISLES.

Access to parking provided via one-way drive aisles shall be posted with "Begin One Way" at the entrance to the drive aisle and "End One Way" at the exit to the drive aisle. Signs shall measure 24" x 30". The top of the sign shall measure 4' from the adjacent finished grade. Color shall be black lettering on a white (reflective) background.

SECTION 704 - OFF-STREET PARKING REQUIREMENTS PER LAND USE.

USE GROUP	SPACES REQUIRED
RESIDENTIAL:	
Single family:	
Single family, Mobile homes, duplexes	2 per unit
Multi-family:	
Apartments; townhouses; condominiums; timeshares	1 per unit—Efficiencies and one bedroom 1.5 per unit—Two bedrooms 2 per unit—Three bedrooms 0.5 per each additional bedroom above 3 1 per 5 units—Additional parking (except timeshares)
LODGING & TRANSIENT ACCOMMODATIONS:	
Condotels	Same as multi-family residential for living units 1 per 3 employees on largest shift 1 per 350 square feet of gross floor space for meeting or banquet rooms 50% of spaces otherwise required for accessory uses—Restaurants, lounges
Hotels, motels	1 per room or suite 1 per every 5 rooms or fraction 1 per 3 patrons of maximum capacity of each meeting or banquet room 50% of spaces otherwise required for accessory uses—Restaurants, lounges
Fraternity/sorority houses; student residence halls, student apartments	1 per unit—Efficiencies 1.5 per unit—One bedroom 2.5 per unit two bedrooms 1 per additional bedroom 1 per 5 units—Additional parking
Group dwellings; boarding houses	1 per bedroom or sleeping room
RV Parks; campgrounds; recreational rental	1.5 per RV site or dwelling unit 1 per employee

COMMERCIAL:	
Commercial Agricultural Use	1 per 250 gross retail area 1 per employee on largest shift
Commercial Recreational Uses	1 space per 4 patrons 1 space per 2 employees on largest shift
Banks	1 space per employee on largest shift 1 space per 150 sq. ft. of gross floor area
Beauty parlors; barber shops	1 space per employee 2 spaces per chair
Bingo Hall	1 per 150 square feet
Funeral home	1 space per 4 chapel seats 1 space per funeral vehicle
Grocery or supermarket	1 space per 300 sq. ft. of gross floor area
Retail	1 space per 300 sq. ft. of gross floor area
High bulk retail including furniture and appliance stores	1 space per 1,000 sq. ft. of gross floor area
Office uses	1 space per 300 sq. ft. of gross floor area
Outdoor theater	1 space per 3 patrons at maximum capacity
Repair services	1 space per 300 sq. ft. of gross floor area
Restaurant	1 space per 100 square feet
Road Service	4 space per rack or bay 1 space per employee on largest shift

Shopping center—With less than 50% of gross floor area used as restaurant use	
Up to 300,000 sq. ft. of GFA	1 space per 300 sq. ft. of gross floor area
300,000 up to 500,000 sq. ft. of GFA	Add 1 space per 200 sq. ft. of gross floor area
Over 500,000 sq. ft. of GFA	Add 1 space per 1,000 sq. ft. of gross floor area; 5% of total required parking can be in a reserved area to be improved if all required parking is necessary.
Taxi, limousine, transport service	1 space per 300 square feet 1 space per licensed fleet vehicle stored overnight
Theaters and auditoriums, event center, sports park, concert hall	1 space per 3 seats—Fixed seating 1 space per 150 sq. ft. of gross floor area—No fixed seating
Theaters within a shopping center with an equal or greater amount of retail area and shared common parking	1 space per 5 seats
Vehicle sales and services	1 space per 300 sq. ft. 1 space per employee
Lounges, nightclubs	1 space per 100 sq. ft. of gross floor area.
INDOOR/ OUTDOOR RECREATIONAL:	
Community/recreation center	1 space per employee 1 space per 4 seats or 1 space per 50 sq. ft of useable seating area
Gym	1 space per 400 sq. ft. of gross floor area
Swimming facility	1 space per 75 sq. ft. of gross water area 1 space per employee
Outdoor recreational	1 space per 4 patrons at maximum capacity

Golf courses	5 spaces per hole 1 space per employee on largest shift 50% of spaces normally required for accessory uses
Golf, par three	40 spaces per 9 holes 1 space per employee on largest shift
Golf driving range, batting cages, firearm range	1 space per tee 1 space per employee
Miniature golf	2 spaces per hole 1 space per employee on largest shift
Tennis, bocce ball, racquetball, handball courts	4 spaces per court
Basketball court, soccer, baseball, lacrosse, football field	20 spaces per court/field
Bowling alley	1 space per employee on largest shift 5 spaces per lane 1 space per 150 sq. ft. of gross floor area
Arcades, billiard parlors	1 space per 200 sq. ft. of gross floor area
Skating rink, ice rink	1 space per 300 sq. ft. of gross floor area
Riding stables	1 space per 3 stalls 1 space per employee on largest shift
Marina, marina with landing	3 spaces per 4 slips 10% of spaces large enough for cars with boat trailers
Tours (boats, vehicle)	1 per 3 seats (COI or vehicle capacity) 1 per crew member 1 per jet ski/moped

INDUSTRIAL / WAREHOUSING:	
Heavy industrial	1 space per company vehicle left on-premises
Extraction uses	1 space per employee on largest shift
Light industrial	1 space per vehicle stored on site 1 space per 2 employees on largest shift
Warehouse	1 space per 4,000 sq. ft. of gross floor area 1 space per 2 employees on largest shift
Mini-warehouse	1 space per 50 storage cubicles 4 spaces per manager's residence or office
Truck terminal	1 space per employee 1 space per truck parked on site
Junkyards	1 space per 10,000 sq. ft. of gross land area 1 space per employee on largest shift
Tradeshops	1 space per 2,000 sq. ft of gross floor area 1 space per employee (minimum 3)
Mixed Industrial Use Multiple Industrial and/or Commercial Uses located within a single building or on the same parcel of land. When more than 50% of the gross floor area is used by restaurant, retail or office the parking spaces required shall equal the sum of the requirements of the various uses computed separately	1 space per 1,000 square feet of gross floor area up to 20,000 square feet, plus 1 space per 2,000 square feet in excess of 20,000 square feet

SCHOOLS / CAMPS:	
School, commercial and trade	1 space per 2 students 1 space per employee (teachers) at capacity class attendance period
College	1 space per staff member 1 space per classroom 1 space per 2 students during largest class period 1 space per 100 sq. ft. of main auditorium floor space
Senior high	1 space per teacher and staff member 1 space per classroom 1 space per 100 sq. ft. of main auditorium floor space 1 space per 5 non-bused students
Schools, elementary and junior high	1 space per teacher and staff member 1 space per 2 classrooms
Day or nursery school	1 space per teacher and employee 1 space per 6 children
Camps, day or youth	1 space per employee 1 space per camp vehicle left on property
MEDICAL:	
Hospital	1 space per doctor and each 2 employees on largest shift
Nursing homes	1 space per 6 patient beds 1 space per employee on largest shift 1 space per staff member and visiting doctor
Medical offices, clinic, rehabilitation, physical therapy, dental, optometry	5 per treatment room
Veterinary office	5 spaces per doctor 1 space per employee

INSTITUTIONAL:	
Public service	1 space per employee on largest shift 1 space per vehicle stored on site
Libraries or museums	1 space per 300 sq. ft. of gross floor area 1 space per employee
Church, synagogue, mosque	1 space per 4 seats in main assembly room Each 24" of pew space shall count as a seat
Monasteries, convents	1 space per 6 residents 1 space per employee 1 space per 5 chapel seats (if possible)
Cemetery	2 spaces per gross acre 1 space per employee
Mail kiosks	17—50 units: 2 spaces 51—80 units: 3 spaces 81—100 units: 4 spaces 101 units and above: 4 spaces plus 1 space per 50 additional units
UNIQUE LAND USES:	
The minimum number of parking spaces required for a use not specifically mentioned in this section shall be for the most similar use listed herein as determined by the Zoning Administrator.	

ARTICLE VIII. OVERLAY ZONES

SECTION 800 - ESTABLISHMENT OF OVERLAY ZONES

The following are overlay zones, which provide supplemental regulations to the underlying zoning districts to achieve particular development objectives:

CORRIDOR OVERLAY ZONES
Highway 501 Overlay Zone
Highway 544 Overlay Zone
Highway 707 Overlay Zone
Burgess Area Overlay Zone
Little River Overlay Zone
Socastee Boulevard Overlay Zone
Restaurant Row Overlay Zone
Highway 17 Business South Overlay Zone
South Kings Highway Overlay Zone
HEIGHT OVERLAY ZONES
Little River Height Overlay Zone
Airport Environs Overlay Zone
OTHER OVERLAY ZONES
Temporary Vending Overlay Zone
Coastal Carolina University Neighborhood Overlay Zone
Racepath Community Priority Investment Overlay Zone
Garden City Overlay Zone
Veteran’s Highway Overlay Zone

SECTION 801 - CORRIDOR OVERLAY GENERAL PROVISIONS

These provisions apply to all corridor overlays

A. PURPOSE.

Corridor Overlay Zones are established to provide standards relative to accessibility, appearance and safety in the development of commercial, industrial, major residential subdivision, multi-family residential and office projects. Furthermore, the overlays provide a unified development that promotes a sense of place and provides opportunities to develop projects to be compatible with the carrying capacity of the corridor.

B. APPLICABILITY.

The standards that follow shall be applicable to any development which is located partially or completely within the boundaries established within the boundaries section of the corridor overlay. The terms corridor and overlay are used interchangeably throughout these regulations. There may be additional standards listed below in the specific corridor overlay.

1. Any change of use that requires additional parking shall bring the entire parking lot into compliance with the parking lot standards of this overlay, including the landscaping.
2. Multi-family development existing at the time of adoption of this overlay shall only adhere to the sign standards. No other sections shall apply.
3. Single family is exempt, except for the Major residential subdivisions shall incorporate the perimeter landscaping, lighting, and signage requirements herein into the overall subdivision site design

C. COST OF MODIFICATIONS.

a) Cost of modification shall be determined by the total permit value of all building permits over a rolling five (5) year time period.

b) Permit values where interior and exterior values are broken out, only the exterior portion of the permit value shall count towards the cost of the modification. If the values are not separated the whole value of the permit shall count towards the cost.

i. Expenses incurred for general maintenance and repair of water; sewer and electrical where no new expansion will occur does not count towards the cost of modification.

D. DEVELOPMENT AND DESIGN REQUIREMENTS.

1. BUILDINGS.

a) Roof.

Roof mounted mechanical equipment shall be enclosed or screened to ensure that such features are not visible from beyond the property. Enclosures and screening shall be compatible to the architectural style of the proposed building;

Roof drains shall allow runoff to the required foundation landscaping specified below unless it is determined to be infeasible by the Horry County Stormwater Department.

b) Materials.

No portion of a building, excluding the roof, or canopy support column which is visible off the property shall be treated with smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels. Materials suitable for treating visible facades include, but are not limited to, brick, glass, synthetic clapboard siding (vinyl, metal or wood), split-face decorative block, stone, hardiplank siding or cementitious siding, or stucco; brushed, stamped or polished aluminum panels.

c) Façade.

Blank or uninterrupted building facades visible from the corridor shall be designed in a manner that reduces the building mass by breaking the facade into smaller segments. Design techniques that include repetitive features or similar architectural elements may be utilized to accomplish this.

2. LIGHTING.

These are general requirements; individual overlays may apply more restrictive requirements.

a) Luminary heights shall not exceed thirty-five (35) feet except in the following cases:

b) If a luminary is within fifty (50) feet of a residentially zoned parcel, the height of the luminary shall be no greater than eighteen (18) feet. The fixture cannot be located within the buffer and light must be directed back into the site.

3. PEDESTRIAN FACILITIES.

a) At least one (1) internal pedestrian walkway with a minimum width of five (5) feet shall be provided from the primary building entrance to the public sidewalk system to provide a reasonable direct path for entrance/exit. In the case of corner lots, a connection shall be made to the sidewalk of both streets. If no public sidewalk system exists adjacent to the property then the pedestrian access shall be constructed up to the right-of-way.

b) Pedestrian pathways shall be constructed with asphalt, cement or other comparable material. All internal pedestrian walkways shall be distinguished from driving surface materials through the use of durable, low maintenance surface materials such as pavers, bricks, or scored/stamped concrete or asphalt to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways (painted or striped crosswalks do not satisfy this requirement). Use of pervious materials is encouraged for pedestrian areas and facilities.

c) A speed table or textured surfaces creating a rumble effect shall be required at high volume pedestrian crossings (where use generates above 2,000 ADT's).

d) Pedestrian zones in front of commercial buildings, retail, commercial center and linear multi-entrance office. A pedestrian zone including sidewalks, landscape planters and amenities such as benches, fountains or public art shall be provided adjacent to the entrances of every retail or linear multi entrance office building in scale with the size of building. The width shall be no

less than five (5) feet of walkable area. Said pedestrian zone can be located internal or external to the foundation landscaping requirement of this ordinance.

4. SHIPPING/RECEIVING AREAS, & UTILITY LOCATION

a) Shipping docks shall locate such docks in the rear of the structure or within a shared service courtyard. Shared courtyards may be accessed from the front of the structure provided the entrance to such area is designed to blend into the architectural style of the structure and no docks are visible from the main corridor or adjacent parking areas.

b) Utility services shall be located underground when possible. If underground utility location is not possible, above grade utilities shall be located behind structures in a utility "alley" easement approved by the applicable utility authority.

E. ACCESS MANAGEMENT.

To ensure that development within the overlay does not impact the carrying capacity or future improvement of the corridor, the following access management strategies shall be employed.

a) Parcels located at an intersection of the corridor and another improved public roadway shall only obtain access from the adjacent public roadway unless the parcel has adequate corridor frontage and driveway spacing to meet the access management requirements of the regulatory agency which maintains the right of way.

b) Shared access to serve adjacent parcels abutting the corridor is required for new lots where there is less frontage than required to obtain a separate standalone access to the corridor.

1. SHARED OR JOINT ACCESS.

Use of shared or joint access between two (2) or more properties is encouraged even for parcels that may meet the spacing and frontage requirement. Where a parcel uses such access the parking requirements for those adjacent uses may be reduced up to ten (10) percent for each business.

2. CROSS ACCESS.

Cross-access easements shall be required on all parcels fronting the main corridor. A stub for future access shall be provided to all adjacent vacant land fronting the main corridor OR all adjacent vacant land zoned for commercial or multi-family uses.

a) Cross access ways shall allow for two-way traffic between parcels through the use of a single drive aisle with a minimum width of twenty-two (22) feet or one-way aisles each with a minimum width of eleven (11) feet.

b) The cross access standard may be waived by the planning department if the applicant demonstrates it is impractical to provide access due to;

   i. Topography and natural features.

   ii. Size and configuration of the site.

   iii. Vehicular safety factors.

   iv. Existing development patterns on adjacent developed sites that make cross access impossible.

v. A cross access easement shall be recorded by the owner/developer prior to the issuance of zoning compliance.

3. CHANGE IN USE.

Properties with access connections that do not meet the requirements of the overlay district shall be brought into compliance when required by the levels of modification table within this overlay or when there is a significant change in use of the property, including land, structures or facilities, resulting in an increase in the trip generation of the property exceeding twenty-five (25) percent (either peak hour or daily) and exceeding one hundred (100) vehicles per day.

4. DRIVEWAY LOCATION AND DESIGN.

a) Driveways with more than one (1) entry and two (2) exit lane(s) shall incorporate above grade channelization features to separate the entry and exit sides of the driveway. Where above grade channelization impairs truck off tracking, said mechanism shall be setback from the right-of-way so as not to impede the necessary turning radius for safe truck off tracking.

   Driveways shall be designed with adequate on-site storage for entering and exiting vehicles to reduce unsafe conflicts with through traffic or on-site traffic and to avoid congestion at the entrance. On site storage for entering and exiting vehicles shall be buffered from the parking area by curbing or other means.

b) *Parking lot access*. Parking lots that directly access the corridor or a frontage roadway shall:

   i. Be designed to ensure that entering vehicles maintain a travel speed of 15 mph to assist in reducing interference with through street traffic movements.

   ii. Provide an entrance drive "throat" length of no less than 100 feet to reduce conflicts between entering and exiting vehicles, parcels may only be exempt from this if a waiver is received from the Horry County Engineering Department . Developments that generate less than 500 ADTs shall be exempt from this standard.

5. PUBLIC TRANSIT

Public transit accommodations shall be provided for sites containing structures totaling eighty thousand (80,000) gross square feet or greater. This can be waived by the zoning administrator if adequate sites already exist within the area.

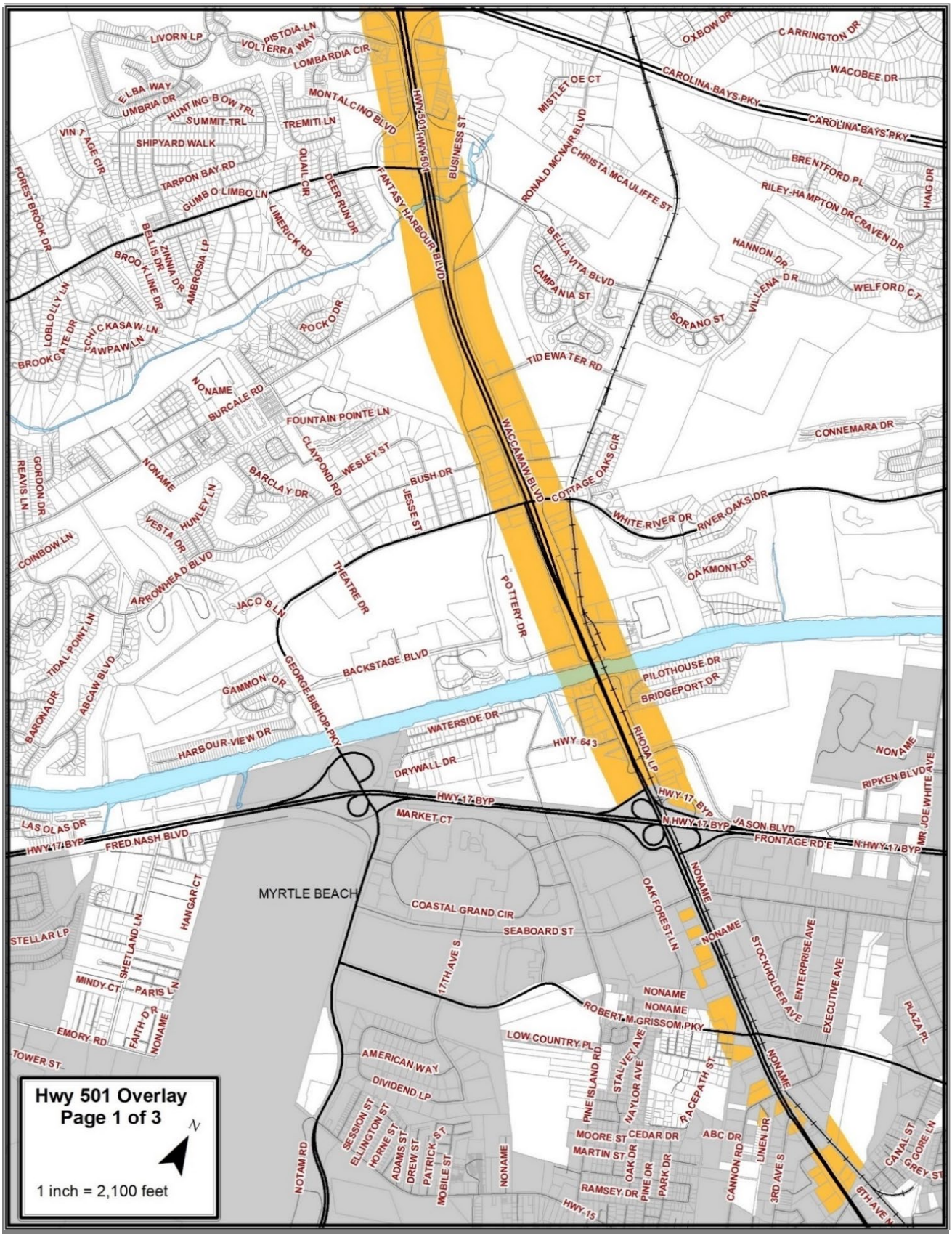
CORRIDOR OVERLAY ZONES.

SECTION 802 - HIGHWAY 501 OVERLAY ZONE.

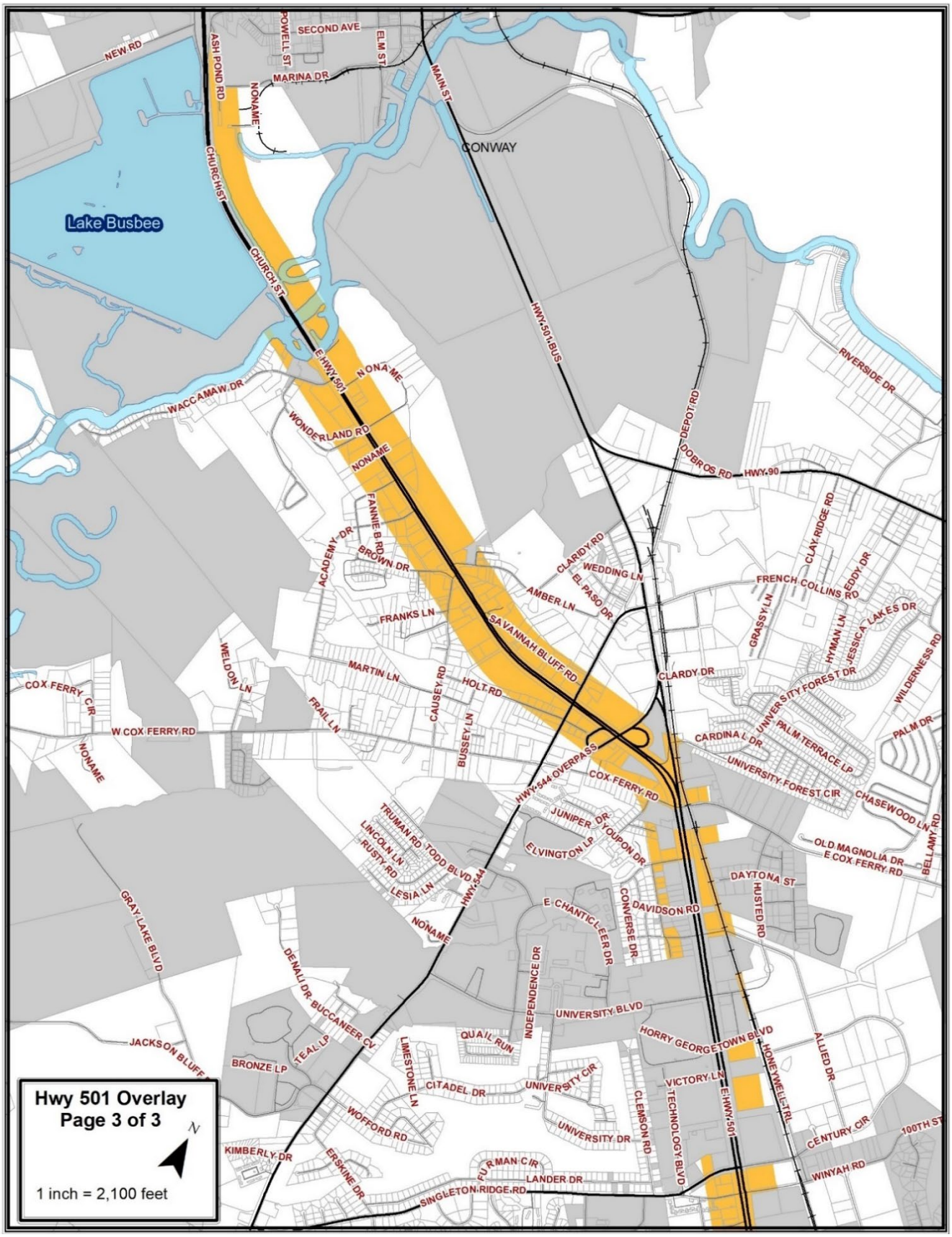
LEVEL OF MODIFICATION		
LEVEL OF MODIFICATION	***PERCENT OF VALUE (COST OF MODIFICATION DIVIDED BY EXISTING IMPROVEMENT VALUE, TIMES 100)***	***APPLICABLE SECTIONS OF THIS OVERLAY DISTRICT THAT MUST BE ADHERED TO.***
Very minor	>0 percent to 4 percent	All new exterior walls must adhere to the facade and foundation landscaping requirements.
Minor	5 percent to 20 percent	Above plus all window signage must be brought into compliance.
Significant	21 percent to 49 percent	Above plus all existing exterior walls must adhere as well as all landscape requirements.
Major	50 percent or more	All sections of the overlay must be adhered to including existing signage.

A. BOUNDARIES.

The Highway 501 Overlay Zone shall begin at Highway 501 intersection with Hwy 378 and terminate at the intersection of Canal Street and Highway 501 in the City of Myrtle Beach. The overlay shall extend 500 feet to the north and south of the right-of-way line of Highway 501 as shown in Attachment.


Hwy 501 Overlay
Page 1 of 3
N
1 inch = 2,100 feet
MYRTLE BEACH
HWY 501
FANTASY HARBOUR BLVD
WACCAMAW BLVD
BUSINESS ST
CAROLINA BAYS PKY
RONALD MCNAIR BLVD
CHRISTA MCAULIFFE ST
BELLA VITA BLVD
CAMPANIA ST
SORANO ST
TIDEWATER RD
COTTAGE OAKS CIR
WHITE RIVER DR
RIVER OAKS DR
POTTERY DR
THEATRE DR
JESSE ST
BUSH DR
WESLEY ST
CLAYPOND RD
BARCLAY DR
BURCALE RD
FOUNTAIN POINTE LN
MONTALCINO BLVD
TREMITI LN
QUAIL CIR
DEER RUN DR
LIMERICK RD
TARPON BAY RD
GUMBO LIMBO LN
SHIPYARD WALK
SUMMIT TRL
HUNTING BOW TRL
UMBRIA DR
ELBA WAY
LIVORN LP
PISTOIA LN
VOLTERRA WAY
LOMBARDIA CIR
OXBOW DR
CARRINGTON DR
WACOBEE DR
MISTLETOE CT
BRENTFORD PL
RILEY-HAMPTON DR
CRAVEN DR
HAIG DR
HANNON DR
VILLENA DR
WELFORD CT
CONNEMARA DR
ROCK DR
NONAME
HUNLEY LN
VESTA DR
ARROWHEAD BLVD
JACOB LN
GEORGE BISHOP PKY
BACKSTAGE BLVD
GAMMON DR
HARBOUR VIEW DR
WATERSIDE DR
DRYWALL DR
HWY 643
RHODA LP
PILOTHOUSE DR
BRIDGEPORT DR
OAKMONT DR
RIPKEN BLVD
MR. JOE WHITE AVE
HWY 17 BYP
N HWY 17 BYP
JASON BLVD
FRONTAGE RD E
MARKET CT
FRED NASH BLVD
LAS OLAS DR
COASTAL GRAND CIR
SEABOARD ST
OAK FOREST LN
STOCKHOLDER AVE
ENTERPRISE AVE
EXECUTIVE AVE
PLAZA PL
17TH AVE S
ROBERT M GRISSOM PKY
LOW COUNTRY PL
AMERICAN WAY
DIVIDEND LP
STALVEY AVE
NAYLOR AVE
PINE ISLAND RD
RACEPATH ST
MOORE ST
CEDAR DR
MARTIN ST
ABC DR
LINEN DR
CANNON RD
3RD AVE S
CANAL ST
GREY ST
GORE LN
5TH AVE N
RAMSEY DR
PINE DR
PARK DR
OAK DR
HWY 15
NOTAM RD
SESSION ST
ELLINGTON ST
HORNE ST
ADAMS ST
DREW ST
PATRICK ST
MOBILE ST
STELLAR LP
HANGAR CT
SHETLAND LN
MINDY CT
PARIS LN
FAITH DR
EMORY RD
TOWER ST
FOREST BROOK DR
VINTAGE CIR
LOBLOLLY LN
BROOKGATE DR
CHICKASAW LN
PAWPAW LN
BROOKLINE DR
BELLIS DR
ZINNIA DR
AMBROSIA LP
REAVIS LN
GORDON DR
COINBOW LN
TIDAL POINT LN
ABCAW BLVD
BARONA DR

Hwy 501 Overlay
Page 2 of 3
N
1 inch = 2,100 feet
CONWAY
CONWAY
CYPRESS CIR
WESTVILLE DR
RIDGE POINT DR
HELMS WAY
TIMBER RIDGE RD
GLENWOOD DR
BURNING RIDGE RD
BERRY TREE LN
MYRTLE TRACE DR
SAND RIDGE RD
REGENCY DR
FOREST LAKE DR
CEDAR RIDGE LN
MYRTLE RIDGE DR
WELLSPRING DR
WOODHOLME DR
EASTLYNN DR
WALDEN LAKE RD
FAIRBANKS DR
GREENRIDGE DR
LAKESIDE CROSSING DR
MERRYMOUNT DR
E HWY 501
NONAME
MIDDLE RIDGE AVE
E HWY 501
HWY 501
NONAME
HWY 501
FAIRWAY LN
WILD WING BLVD
WILLET CV
KISKADEE LP
SANCTUARY BLVD
SOUTHERN TRL
WIGEON DR
LIMPKIN DR
WOOD STORK DR
WHOOPING CRANE DR
ALLSPICE LN
NATIONAL DR
WILDFLOWER TRL
MARSHWOOD DR
GARDNER LACY RD
TOUHEY DR
TIBWIN AVE
SPARKLE CT
GLENBROOK DR
GOLDEN STONE DR
CONBRACO CIR
POSTAL WAY
LEESHIRE BLVD
WESTWIND DR
BAYHAVEN DR
WINDSOR GREEN WAY
SEABREEZE LN
HARVEST DR
FINNEGAN CT
RONNIE CT
DEBO DR
RENEE DR
GATEWAY DR
BLACKBERRY LN
WEST PERRY RD
WHITTY DR
OAKHEART RD
HIBERNIA RD
ROCKDALE ST
WEYBURN ST
ORCHARD RD
OVERCREST ST
GLENBRIAR DR
KENT LN
SPRINGLAKE DR
CLANDON DR
COVINGTON DR
LEGENDS DR
CYCAD DR
COCAS DR
BABYLON PINE DR
JADE DR
ENGLEMANN OAK DR
PALMETTO PALM DR
SAGO PALM DR
FICUS DR
CAROLINA FOREST BLVD
QUINN RD
BILLY K TRL
FACTORY STORES BLVD
WACCAMAW PINES DR
IRA DR
HENRY JAMES DR
CELENE CT
E COVINGTON DR
SOUTHGATE PKY
DARBY LN
SAND BINDER DR
UNIOLA DR
RODEO DR
FERNWOOD RD
GREENLEAF CIR
HOSPITALITY LN
PLUM CT
WILD ROSE DR
GATEWICK CT
CAROLINA BAYS PKY
CAROLINA BAYS PKY
VIA EGGIO RD
WOODBURN DR
OXBOW DR


Hwy 501 Overlay
Page 3 of 3
1 inch = 2,100 feet
N
Lake Busbee
CONWAY
NEW RD
ASH POND RD
POWELL ST
SECOND AVE
ELM ST
MARINA DR
NONAME
MAIN ST
CHURCH ST
HWY 501 BUS
E HWY 501
WACCAMAW DR
WONDERLAND RD
DEPOT RD
DOBROS RD
HWY 90
RIVERSIDE DR
ACADEMY DR
FANNIE B RD
BROWN DR
CLARDY RD
WEDDING LN
EL PASO DR
AMBER LN
FRENCH COLLINS RD
CLAY RIDGE RD
EDDY DR
GRASSY LN
HYMAN LN
JESSICA LAKES DR
WILDERNESS RD
FRANKS LN
SAVANNAH BLUFF RD
WELDON LN
MARTIN LN
HOLT RD
CAUSEY RD
CLARDY DR
UNIVERSITY FOREST DR
COX FERRY CIR
W COX FERRY RD
FRAIL LN
BUSSEY LN
CARDINAL DR
PALM TERRACE LP
PALM DR
UNIVERSITY FOREST CIR
CHASEWOOD LN
HWY 544 OVERPASS
COX FERRY RD
JUNIPER DR
TOUPON DR
TRUMAN RD
TODD BLVD
LINCOLN LN
RUSTY RD
LESIA LN
HWY 544
ELVINGTON LP
OLD MAGNOLIA DR
E COX FERRY RD
BELLAMY RD
DAYTONA ST
HUSTED RD
GRAY LAKE BLVD
E CHANTICLEER DR
CONVERSE DR
DAVIDSON RD
DENALI DR
BUCCANEER CV
INDEPENDENCE DR
UNIVERSITY BLVD
HORRY GEORGETOWN BLVD
HONEYWELL TRL
ALLIED DR
JACKSON BLUFF
TEAL LP
BRONZE LP
QUAIL RUN
LIMESTONE LN
CITADEL DR
UNIVERSITY CIR
VICTORY LN
CLEMSON RD
TECHNOLOGY BLVD
E HWY 501
CENTURY CIR
100TH ST
WOFFORD RD
UNIVERSITY DR
KIMBERLY DR
ERSKINE DR
FURMAN CIR
LANDER DR
WINYAH RD
SINGLETON RIDGE RD

B. DEVELOPMENT AND DESIGN REQUIREMENTS.

Development of specific uses within the Highway 501 corridor shall be consistent with the underlying zoning district. In addition to the requirements of the applicable underlying zoning district, the following supplemental development regulations shall apply:

1. SPECIAL DESIGN STANDARDS.

Retail garden center. Any merchandise typically associated with a retail garden center other than living plant material such as mulch, lawn equipment, propane items, barbeque grills, paving stones, landscaping timbers, bird baths, garden chemicals, etc. that is within two hundred fifty (250) feet of the corridor must be screened by either:

a) A six-foot high privacy fence; or

b) The items are screened by placing living plant materials, which may be for sale, such that these plants serve as a semi-opaque screen for the other materials, items and equipment. (This is not a replacement for the required perimeter landscaping.)

c) Chain link fencing is prohibited except within an industrial area and only when screened by landscape material to create a six-foot tall opaque screen. If permitted, chain link fences, including posts and rails, shall be black, brown or green and vinyl coated.

2. ACCESS MANAGEMENT.

The following access management strategies shall be employed to ensure that development does not impact the carrying capacity or future improvement of Highway 501.

a) *Shared or joint access.* Reductions of access points to the corridor are encouraged due to the increases in operational efficiency that result.

b) Extension of frontage roads (applies to properties west of Forestbrook Road only). When the construction of or transfer of property for the construction of (reverse) frontage roads, consistent with the Horry County. SCDOT and GSATS road plan, occurs the following shall apply:

i. Required parking for adjacent uses may be reduced up to 25%;

ii. Landscaping and buffer requirements along the frontage road may be reduced up to 30%; and

iii. Individual parcels accessing the frontage road shall be allowed one access point for each 200 feet of frontage. Additional accesses may be permitted if approved by Horry County Engineering and they meet required separation and offset from other accesses or driveways.

3. SIGNAGE .

The following standards shall apply to signage:

a) Temporary wall signage.

One (1) Temporary wall banner on a property which has received a zoning compliance for a new business within the last 30 days

b) Temporary ground sign

i. One (1) on-site temporary sign not exceeding eight (8) feet in height or sixteen (16) square feet in size; or

ii. One (1) temporary sign, no more than thirty-two (32) square feet in area, located on the property on which there is an active building permit or an active stormwater permit.

c) Prohibited signs. The following signs shall be prohibited in the corridor:

i. Animated signs and full motion video signs are prohibited

ii. Temporary signs except as allowed above.

SECTION 803 - HIGHWAY 544 OVERLAY ZONE.

LEVEL OF MODIFICATION		
LEVEL OF MODIFICATION	***PERCENT OF VALUE (COST OF MODIFICATION DIVIDED BY EXISTING IMPROVEMENT VALUE, TIMES 100)***	***APPLICABLE SECTIONS OF THIS OVERLAY DISTRICT THAT MUST BE ADHERED TO.***
Very minor	>0 percent to 4 percent	All new exterior walls must adhere to the facade and foundation landscaping requirements.
Minor	5 percent to 20 percent	Above plus all window signage must be brought into compliance.
Significant	21 percent to 49 percent	Above plus all existing exterior walls must adhere as well as all landscape requirements.
Major	50 percent or more	All sections of the overlay must be adhered to including existing signage.

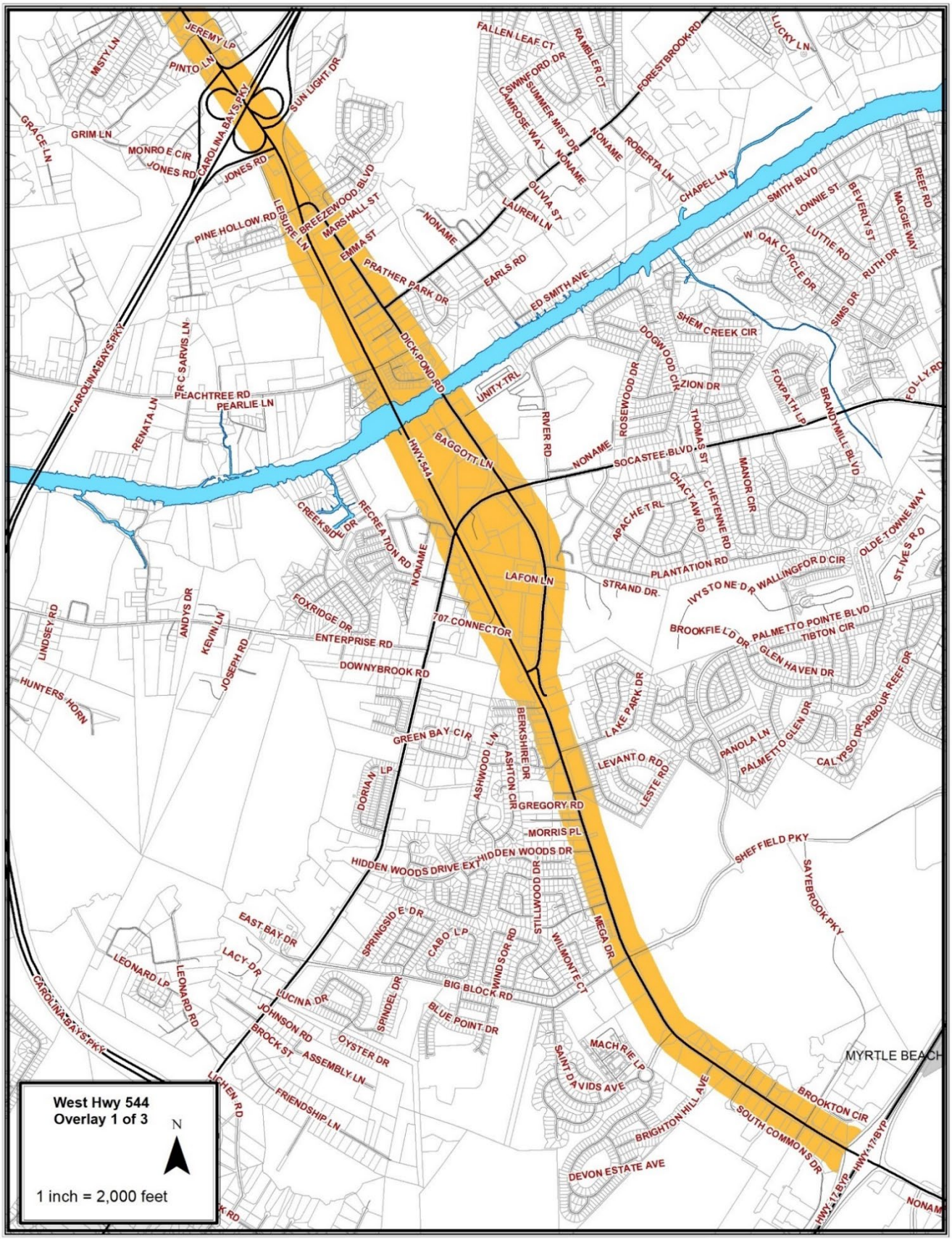
A. BOUNDARIES.

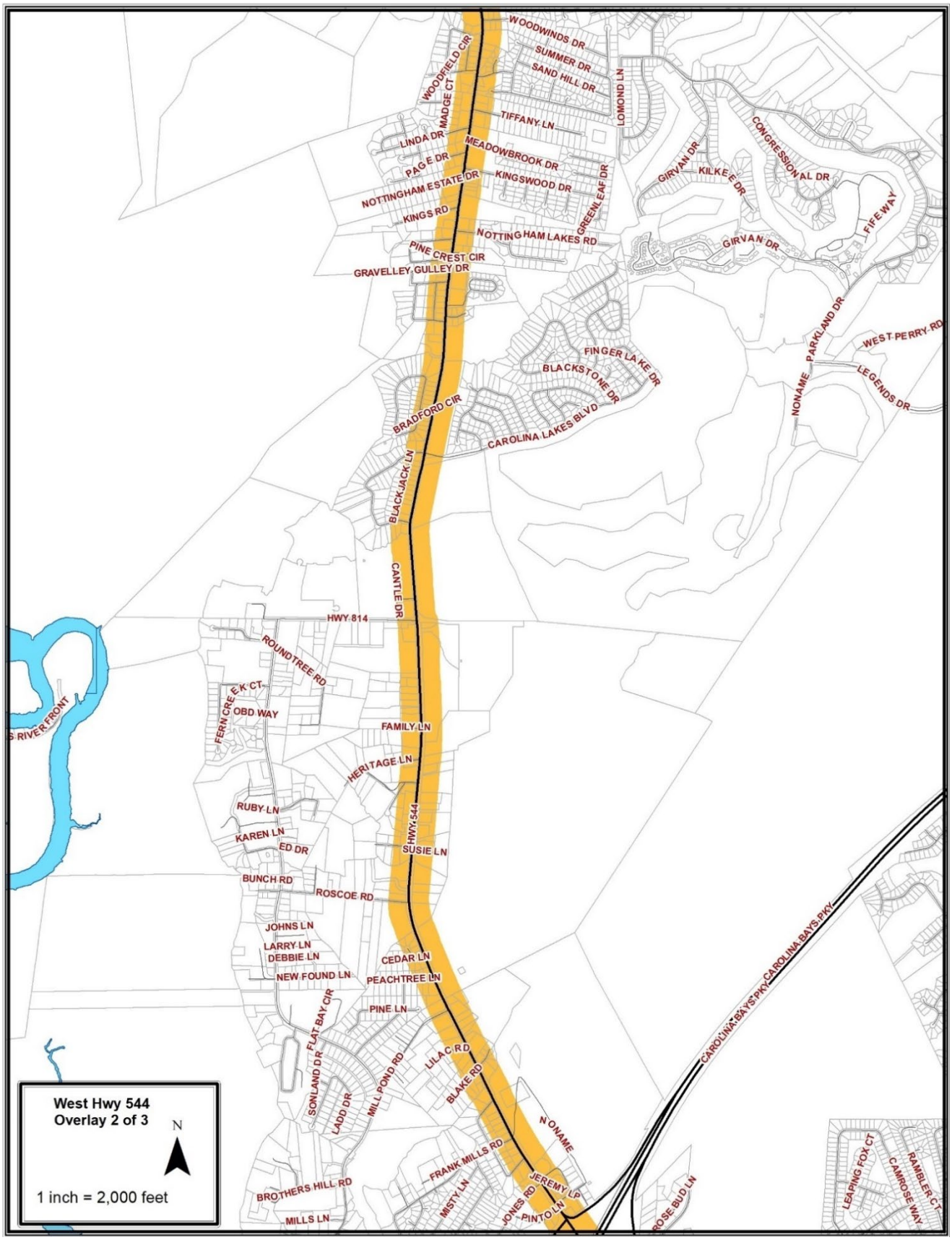
The Highway 544 Overlay Zone shall be divided into two segments. The first section shall be called the East Highway 544 Overlay and shall begin at the intersection of Highway 17 Bypass and Highway 544 and terminate at the intersection of Highway 17 Business and Highway 544 near Surfside Beach, SC. The second section will be called the West Highway 544 Overlay and shall begin at the intersection of Highway 17 Bypass and Highway 544 and will run north to the intersection of old Highway 544 and

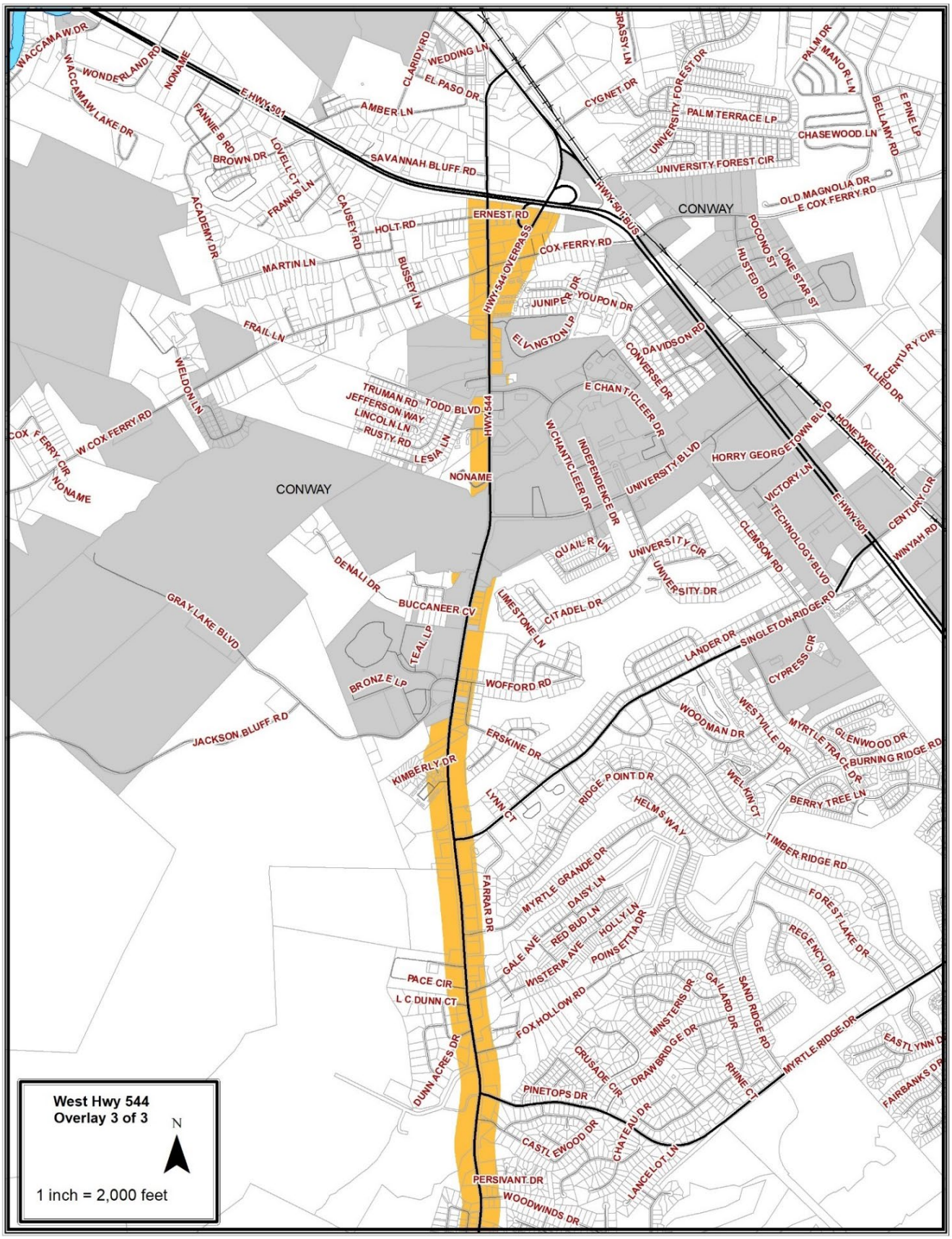
Highway 501 Bypass and end at the stoplight as well as run north and terminate at the beginning of the Highway 544 bridge over Highway 501 Bypass near Conway, SC.

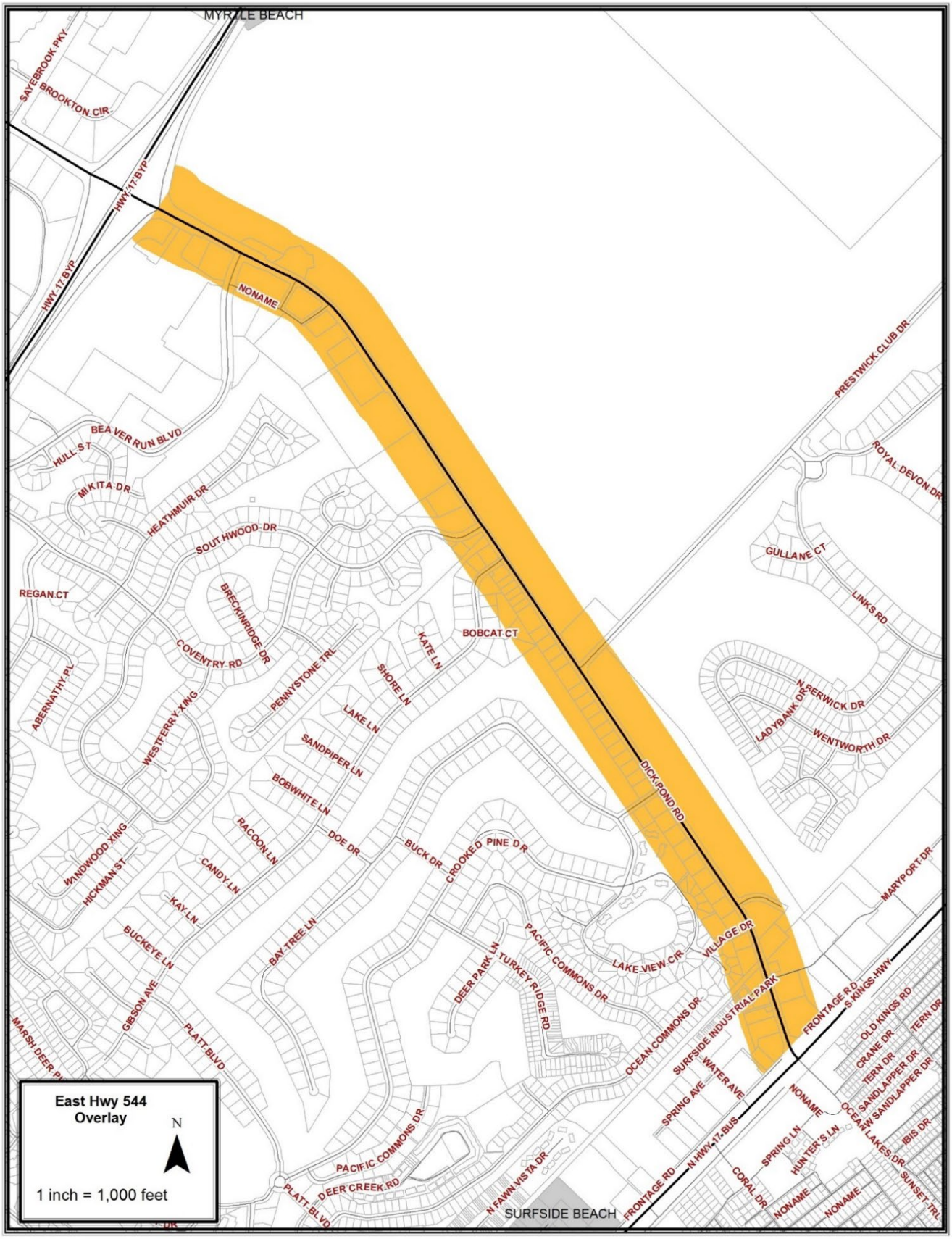
The Overlay segments shall generally extend 300 feet to either side of the right-of-way lines of Highway 544 except where Highway 544 has been relocated from its former alignment that followed Dick Pond Road. In such instance, the boundaries of the Overlay shall include the properties that are located between these roadways and shall extend 300 feet to the east and west of the right-of-way lines of those roadways. Furthermore, at the northern terminus of the Overlay, the boundaries shall include the rights-of-way of the old Highway 544 which splits to the left from Highway 544 Bypass just south of Highway 501 Bypass and which runs north and ends at the intersection of old Highway 544 and Highway 501 Bypass at the stoplight. The northern terminus also includes the section of Highway 544 Bypass which splits to the right from the old Highway 544 intersection just south of Highway 501 Bypass. See map in attached maps for Hwy 544 East and West.

Where appropriate, specific standards applicable to either the East or West segments of the Overlay will be duly noted. When no specific segment has been identified within the standards, such standard shall apply to the entire Overlay.


West Hwy 544
Overlay 1 of 3
N
1 inch = 2,000 feet
MYRTLE BEACH
JEREMY LP
PINTO LN
MISTY LN
SUN LIGHT DR
GRACE LN
GRIM LN
MONROE CIR
JONES RD
CAROLINA BAYS PKY
FALLEN LEAF CT
RAMBLER CT
FORESTBROOK RD
LUCKY LN
SWINFORD DR
SUMMER MIST DR
LAMROSE WAY
NONAME
ROBERTA LN
CHAPEL LN
SMITH BLVD
LONNIE ST
BEVERLY ST
MAGGIE WAY
REEF RD
LUTTIE RD
RUTH DR
W OAK CIRCLE DR
SIMS DR
OLIVIA ST
LAUREN LN
BREEZEWOOD BLVD
MARSHALL ST
LEISURE LN
PINE HOLLOW RD
EMMA ST
PRATHER PARK DR
EARLS RD
ED SMITH AVE
SHEM CREEK CIR
DOGWOOD DR
DOGWOOD CIR
ZION DR
FOXPATH LP
BRANDYMILL BLVD
FOLLY RD
DICKPOND RD
UNITY TRL
PR C SARVIS LN
PEACHTREE RD
PEARLIE LN
RENATA LN
RIVER RD
ROSEWOOD DR
THOMAS ST
SOCASTEE BLVD
MANOR CIR
HWY 544
BAGGOTT LN
CHACTAW RD
CHEYENNE RD
APACHE TRL
CREEKSIDE DR
RECREATION RD
OLDE TOWNE WAY
ST IVES RD
PLANTATION RD
WALLINGFORD CIR
IVYSTONE DR
STRAND DR
LAFON LN
FOXRIDGE DR
ANDYS DR
KEVIN LN
LINDSEY RD
JOSEPH RD
ENTERPRISE RD
707 CONNECTOR
BROOKFIELD DR
PALMETTO POINTE BLVD
TIBTON CIR
GLEN HAVEN DR
DOWNYBROOK RD
HUNTERS HORN
LAKE PARK DR
BERKSHIRE DR
GREEN BAY CIR
ASHWOOD LN
ASHTON CIR
LEVANTO RD
LESTE RD
PANOLA LN
PALMETTO GLEN DR
CALYPSO DR
ARBOUR REEF DR
DORIAN LP
GREGORY RD
MORRIS PL
SHEFFIELD PKY
HIDDEN WOODS DR
HIDDEN WOODS DRIVE EXT
SAYEBROOK PKY
EAST BAY DR
SPRINGSIDE DR
CABO LP
WINDSOR RD
STILLWOOD DR
WILMONT CT
MEGA DR
LACY DR
LEONARD LP
LEONA RD RD
LUCINA DR
SPINDEL DR
BIG BLOCK RD
BLUE POINT DR
JOHNSON RD
BROCK ST
OYSTER DR
ASSEMBLY LN
MACHRIE LP
SAINT DAVIDS AVE
LICHEN RD
FRIENDSHIP LN
BROOKTON CIR
BRIGHTON HILL AVE
SOUTH COMMONS DR
DEVON ESTATE AVE
HWY 17 BYP


West Hwy 544
Overlay 2 of 3
N
1 inch = 2,000 feet
WOODWINDS DR
SUMMER DR
SAND HILL DR
WOODFIELD CIR
MADGE CT
LOMOND LN
TIFFANY LN
LINDA DR
MEADOWBROOK DR
PAGE DR
KINGSWOOD DR
NOTTINGHAM ESTATE DR
GREENLEAF DR
KINGS RD
NOTTINGHAM LAKES RD
PINE CREST CIR
GRAVELLEY GULLEY DR
GIRVAN DR
KILKEE DR
CONGRESSIONAL DR
FIFE WAY
PARKLAND DR
WEST PERRY RD
LEGENDS DR
NONAME
FINGER LAKE DR
BLACKSTONE DR
BRADFORD CIR
CAROLINA LAKES BLVD
BLACKJACK LN
CANTLE DR
HWY 814
ROUNDTREE RD
FERN CREEK CT
OBD WAY
S RIVER FRONT
FAMILY LN
HERITAGE LN
RUBY LN
KAREN LN
ED DR
HWY 544
SUSIE LN
BUNCH RD
ROSCOE RD
JOHNS LN
LARRY LN
DEBBIE LN
NEW FOUND LN
CEDAR LN
PEACHTREE LN
PINE LN
FLAT BAY CIR
SONLAND DR
LADD DR
MILL POND RD
LILAC RD
BLAKE RD
CAROLINA BAYS PKY
NONAME
FRANK MILLS RD
JEREMY LP
BROTHERS HILL RD
MISTY LN
JONES RD
PINTO LN
MILLS LN
ROSE BUD LN
LEAPING FOX CT
CAMROSE WAY
RAMBLER CT


West Hwy 544
Overlay 3 of 3
N
1 inch = 2,000 feet
CONWAY
CONWAY
WACCAMAW DR
WONDERLAND RD
NONAME
WACCAMAW LAKE DR
E HWY 501
FANNIE B RD
BROWN DR
LOVELL CT
FRANKS LN
ACADEMY DR
CLARIDY RD
WEDDING LN
EL PASO DR
AMBER LN
SAVANNAH BLUFF RD
CAUSEY RD
HOLT RD
ERNEST RD
MARTIN LN
BUSSEY LN
FRAIL LN
WELDON LN
COX FERRY RD
W COX FERRY RD
COX FERRY CIR
NONAME
TRUMAN RD
TODD BLVD
JEFFERSON WAY
LINCOLN LN
RUSTY RD
LESIA LN
NONAME
HWY 544
HWY 544 OVERPASS
GRASSY LN
CYGNET DR
UNIVERSITY FOREST DR
PALM TERRACE LP
UNIVERSITY FOREST CIR
PALM DR
MANOR LN
CHASEWOOD LN
BELLAMY RD
E PINE LP
OLD MAGNOLIA DR
E COX FERRY RD
HWY 501 BUS
POCONO ST
RUSTED RD
LONE STAR ST
COX FERRY RD
JUNIPER DR
YOUPON DR
ELVINGTON LP
DAVIDSON RD
CONVERSE DR
E CHANTICLEER DR
W CHANTICLEER DR
INDEPENDENCE DR
UNIVERSITY BLVD
HORRY GEORGETOWN BLVD
ALLIED DR
CENTURY CIR
HONEYWELL TRL
VICTORY LN
TECHNOLOGY BLVD
E HWY 501
CENTURY CIR
WINYAH RD
CLEMSON RD
QUAIL RUN
UNIVERSITY CIR
UNIVERSITY DR
DENALI DR
BUCCANEER CV
LIMESTONE LN
CITADEL DR
GRAY LAKE BLVD
TEAL LP
BRONZE LP
WOFFORD RD
SINGLETON RIDGE RD
LANDER DR
CYPRESS CIR
JACKSON BLUFF RD
ERSKINE DR
WOODMAN DR
WESTVILLE DR
MYRTLE TRACE DR
GLENWOOD DR
BURNING RIDGE RD
KIMBERLY DR
RIDGE POINT DR
WELKIN CT
BERRY TREE LN
LYNN CT
HELMS WAY
TIMBER RIDGE RD
FARRAR DR
MYRTLE GRANDE DR
DAISY LN
RED BUD LN
HOLLY LN
POINSETTIA DR
FOREST LAKE DR
REGENCY DR
GALE AVE
WISTERIA AVE
PACE CIR
L C DUNN CT
FOX HOLLOW RD
MINSTERIS DR
GAILARD DR
SAND RIDGE RD
MYRTLE RIDGE DR
EASTLYNN DR
FAIRBANKS DR
DUNN ACRES DR
CRUSADE CIR
DRAWBRIDGE DR
RHINE CT
PINETOPS DR
CHATEAU DR
CASTLEWOOD DR
LANCELOT LN
PERSIVANT DR
WOODWINDS DR


East Hwy 544
Overlay
N
1 inch = 1,000 feet
MYRTLE BEACH
SURFSIDE BEACH
SAYEBROOK PKY
BROOKTON CIR
HWY 17 BYP
NONAME
PRESTWICK CLUB DR
ROYAL DEVON DR
BEAVER RUN BLVD
HULL ST
MIKITA DR
HEATHMUIR DR
SOUTHWOOD DR
REGAN CT
BRECKINRIDGE DR
COVENTRY RD
PENNYSTONE TRL
KATE LN
BOBCAT CT
SHORE LN
LAKE LN
SANDPIPER LN
BOBWHITE LN
ABERNATHY PL
WESTFERRY XING
WINDWOOD XING
HICKMAN ST
RACOON LN
DOE DR
BUCK DR
CROOKED PINE DR
CANDY LN
KAY LN
BUCKEYE LN
BAY TREE LN
GIBSON AVE
PLATT BLVD
MARSH DEER PL
DICK POND RD
GULLANE CT
LINKS RD
N PERWICK DR
LADYBANK DR
WENTWORTH DR
VILLAGE DR
MARYPORT DR
PACIFIC COMMONS DR
LAKE VIEW CIR
DEER PARK LN
TURKEY RIDGE RD
OCEAN COMMONS DR
SURFSIDE INDUSTRIAL PARK
FRONTAGE RD
S KINGS HWY
OLD KINGS RD
CRANE DR
TERN DR
SANDLAPPER DR
OCEAN LAKES DR
IBIS DR
SUNSET TRL
WATER AVE
SPRING AVE
SPRING LN
HUNTER'S LN
CORAL DR
N HWY 17 BUS
N FAWN VISTA DR
DEER CREEK RD

B. DEVELOPMENT AND DESIGN REQUIREMENTS.

Development of specific uses in the Highway 544 Overlay Zone shall be consistent with the underlying zoning district. In addition to the requirements of the applicable underlying zoning district the following supplemental development regulations shall apply.

1. STRUCTURE HEIGHTS.

a) Structures within the East Highway 544 section located to the south of the Highway 544 right-of-way shall not exceed 35 feet in height. The structures east of Southwood Drive and going all the way to Highway 17 Business shall maintain the general appearance of a typical two story residential type construction with a pitched roof; and

b) Structures within the East Highway 544 section located to the north of the Highway 544 right-of-way as well as the entire West Highway 544 section shall not exceed 50 feet, except that copulas, spires, or other ornamental features are permitted to increase such building heights to 75 feet. However, new proposed structure located within 100 feet of an existing residential structure for which a certificate of occupancy has been issued, shall have a maximum height of 35 feet of living space. The roof, copulas, spires, or other ornamental features are permitted to increase building height to 50 feet.

2. LANDSCAPING AND BUFFER REQUIREMENTS.

The perimeter landscaping should follow the standards of Article V except that the non-residential streetscape buffer shall be 25 feet or 10% of a parcel's depth, whichever is less.

3. PARKING AREAS

Parking space reductions. The number of required parking spaces may be reduced by up to fifteen (15) percent of the total required parking for the proposed use, if:

a) The perimeter buffer is increased to thirty-five (35) feet; and

b) Required landscaping materials are increased at a rate of twenty-five (25) percent of that required.

4. LIGHTING.

Lighting shall be mounted no higher than 25 feet in height.

5. SIGNAGE.

a) On-site signage requirements

SIGNAGE ALLOWED BY ROAD FRONTAGE					
TYPE OF PROPERTY	LENGTH OF FRONTAGE	NUMBER[2]	TYPE	HEIGHT	SIGN AREA [1,3]
Freestanding parcel	Less than 200 feet	1	Ground Sign	8 feet	½ sq. ft. for each linear ft. of frontage
Freestanding parcel	200—399 feet	1	Freestanding	25 feet	½ sq. ft. for each linear ft. of frontage
Freestanding parcel	200—399 feet	1	Freestanding	25 feet	½ sq. ft. for each linear ft. of frontage
Freestanding parcel	More than 400 feet or portion thereof up to 799 feet	1	Freestanding "primary"	35 feet	½ sq. ft. for each linear ft. of frontage up to 400 feet plus 1 sq. ft. for each linear ft. of frontage over 400 feet.
	Each additional 400 feet of frontage	1	Freestanding "secondary"	25 feet	
Commercial Subdivision Development	< 400feet	1	Freestanding "primary"	35 feet	½ sq. ft. for each linear ft. of frontage up to 400 feet plus 1 sq. ft. for each linear ft. of frontage over 400 feet.
	≥400 feet	1	Freestanding "secondary"	25 feet	
Out-parcel of a commercial subdivision development	Less than 400 feet[4]	1	Ground Sign	8 feet	½ sq. ft. for each linear ft. of frontage

Notes:

1. *A minimum of 50 square feet of sign area will be allowed for all parcels.*
2. *Maximum three (3) freestanding signs per parcel or per Commercial.*
3. *Maximum sign area for the East Highway 544 section located to the south of the Highway 544 right-of-way shall have a maximum of 200 square feet. Maximum sign area per site shall be no greater than 750 sf.*
4. *Outparcels with greater than 400feet of frontage will be reviewed under the freestanding parcel.*

b) *Prohibited signs.* The following signs shall be prohibited in the corridor:

Animated signs and full motion video signs are prohibited

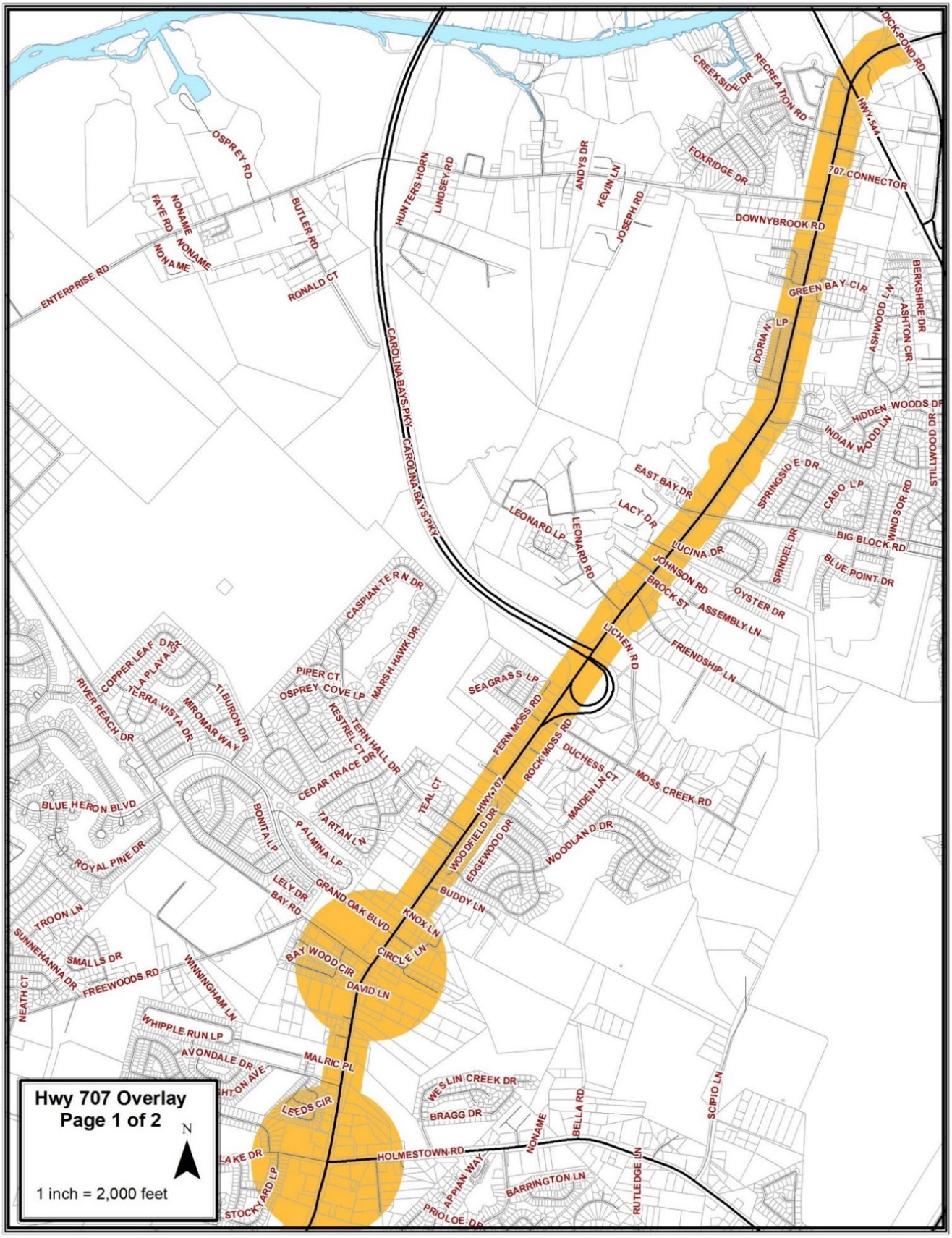
SECTION 804 - HIGHWAY 707 OVERLAY ZONE.

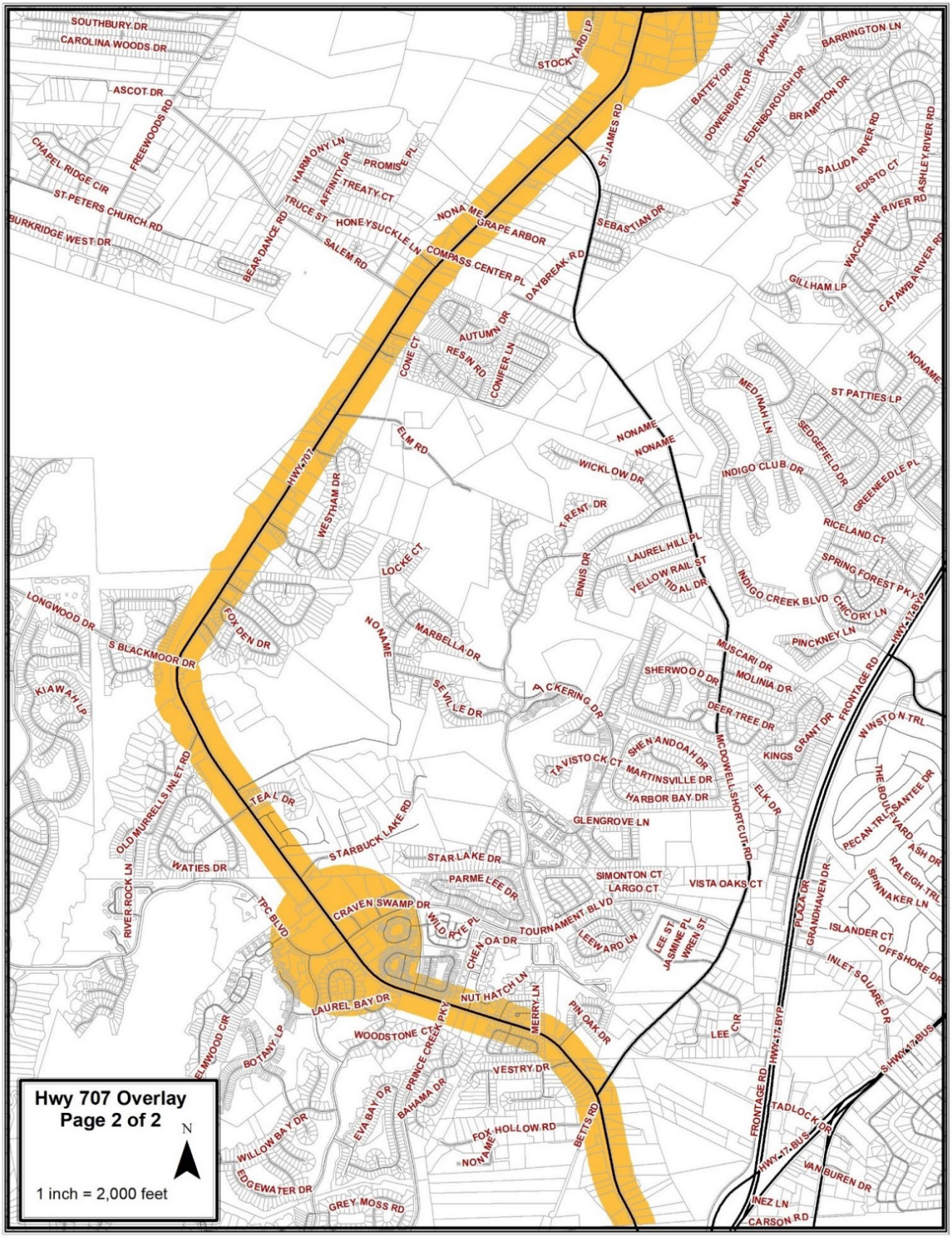
LEVEL OF MODIFICATION		
LEVEL OF MODIFICATION	***PERCENT OF VALUE (COST OF MODIFICATION DIVIDED BY EXISTING IMPROVEMENT VALUE, TIMES 100)***	***APPLICABLE SECTIONS OF THIS OVERLAY DISTRICT THAT MUST BE ADHERED TO.***
Very minor	>0 percent to 4 percent	New vehicle use areas shall comply with parking requirements
Minor	5 percent to 20 percent	Above plus foundation landscaping and signage requirements must be adhered to
Significant	21 percent to 49 percent	Above plus all exterior walls, creation of cross access easements and perimeter landscaping
Major	50 percent or more	All sections of the overlay must be adhered to

A. BOUNDARIES.

The Highway 707 Overlay Zone shall begin at the stoplight at the intersection of Highway 707 and Dick Pond Road or the old alignment of Highway 544 and travel south to the Georgetown County line.

Corridor and overlay are used interchangeably throughout these regulations. When referenced, it shall mean the area generally three hundred (300) feet from the edge of the Highway 707 right-of-way lines between the established beginning and ending points indicated above, and the Commercial Nodes measured one-quarter (¼) mile in diameter from the centerline intersections of Highway 707 and Bay Road, Holmestown Road, and Tournament Boulevard. The maps herein of the Highway 707 Overlay Zone provide the location of the boundaries of this Overlay.


Hwy 707 Overlay
Page 1 of 2
N
1 inch = 2,000 feet
DOCK POND RD
CREEKSIDE DR
RECREATION RD
HWY 544
707 CONNECTOR
FOXRIDGE DR
DOWNYBROOK RD
GREEN BAY CIR
DORIAN LP
ASHWOOD LN
ASHTON CIR
BERKSHIRE DR
HIDDEN WOODS DR
INDIAN WOOD LN
STILLWOOD DR
SPRINGSIDE DR
CABO LP
WINDSOR RD
BIG BLOCK RD
BLUE POINT DR
SPRINDEL DR
OYSTER DR
ASSEMBLY LN
FRIENDSHIP LN
EAST BAY DR
LACY DR
LUCINA DR
JOHNSON RD
BROCK ST
LICHEN RD
LEONARD LP
LEONARD RD
HUNTERS HORN
LINDSEY RD
ANDYS DR
KEVIN LN
JOSEPH RD
OSPREY RD
BUTLER RD
FAYE RD
NONAME
ENTERPRISE RD
RONALD CT
CAROLINA BAYS PKY
CASPIAN TERN DR
MARSH HAWK DR
PIPER CT
OSPREY COVE LP
KESTREL CT
TERN HALL DR
CEDAR TRACE DR
COPPER LEAF DR
LA PLAYA
TERRA VISTA DR
MIROMAR WAY
TIBURON DR
RIVER REACH DR
BLUE HERON BLVD
ROYAL PINE DR
BONITA LP
TARTAN LN
PALMINA LP
TEAL CT
SEAGRASS LP
FERN MOSS RD
ROCK MOSS RD
DUCHESS CT
MAIDEN LN CT
MOSS CREEK RD
WOODLAND DR
HWY 707
WOODFIELD DR
EDGEWOOD DR
BUDDY LN
KNOX LN
CIRCLE LN
GRAND OAK BLVD
LELY DR
BAY RD
BAY WOOD CIR
DAVID LN
TROON LN
SUNNEHANNA DR
SMALLS DR
FREEWOODS RD
NEATH CT
WINNINGHAM LN
WHIPPLE RUN LP
AVONDALE DR
MALRIC PL
LEEDS CIR
WESLIN CREEK DR
BRAGG DR
BELLA RD
SCIPIO LN
HOLMESTOWN RD
LAKE DR
STOCKYARD LP
APPIAN WAY
BARRINGTON LN
RUTLEDGE LN
PRIOLOE DR


Hwy 707 Overlay
Page 2 of 2
N
1 inch = 2,000 feet
SOUTHBURY DR
CAROLINA WOODS DR
ASCOT DR
FREEWOODS RD
CHAPEL RIDGE CIR
ST PETERS CHURCH RD
BURKRIDGE WEST DR
HARMONY LN
AFFINITY DR
PROMISE PL
TREATY CT
TRUCE ST
HONEYSUCKLE LN
BEAR DANCE RD
SALEM RD
NONAME
GRAPE ARBOR
COMPASS CENTER PL
DAYBREAK RD
STOCKYARD LP
ST JAMES RD
SEBASTIAN DR
BATTEY DR
DOWENBURY DR
APPIAN WAY
EDENBOROUGH DR
BARRINGTON LN
BRAMPTON DR
MYNATT CT
SALUDA RIVER RD
EDISTO CT
ASHLEY RIVER RD
WACCAMAW RIVER RD
CATAWBA RIVER RD
GILLHAM LP
AUTUMN DR
CONE CT
RESIN RD
CONIFER LN
ELM RD
HWY 707
WESTHAM DR
WICKLOW DR
TRENT DR
MEDINAH LN
ST PATTIES LP
SEDGEFIELD DR
GREENEDLE PL
INDIGO CLUB DR
RICELAND CT
SPRING FOREST PKY
LAUREL HILL PL
YELLOW RAIL ST
TIDAL DR
ENNIS DR
INDIGO CREEK BLVD
CHICORY LN
HWY 17 BYP
LOCKE CT
LONGWOOD DR
S BLACKMOOR DR
FOX DEN DR
MARBELLA DR
PINCKNEY LN
MUSCARI DR
MOLINA DR
SHERWOOD DR
DEER TREE DR
FRONTAGE RD
WINSTON TRL
KIAWAH LP
SEVILLE DR
ACKERING DR
KINGS GRANT DR
SHENANDOAH DR
MCDOWELL SHORTCUT RD
LA VISTO CK CT
MARTINSVILLE DR
HARBOR BAY DR
ELK DR
THE BOULEVARD
SANTEE DR
PECAN TRL
ASH DR
RALEIGH TRL
SPINNAKER LN
OLD MURRELLS INLET RD
TEAL DR
GLENGROVE LN
STARBUCK LAKE RD
STAR LAKE DR
WATIES DR
PARME LEE DR
SIMONTON CT
LARGO CT
VISTA OAKS CT
RIVER ROCK LN
TPC BLVD
CRAVEN SWAMP DR
WILDRYE PL
TOURNAMENT BLVD
LEEWARD LN
LEE ST
JASMINE PL
WREN ST
PLAZA DR
GRANDHAVEN DR
ISLANDER CT
OFFSHORE DR
INLET SQUARE DR
CHENOA DR
NUT HATCH LN
MERRY LN
PIN OAK DR
LAUREL BAY DR
WOODSTONE CT
PRINCE CREEK PKY
LEE CIR
ELMWOOD CIR
BOTANY LP
VESTRY DR
BAHAMA DR
EVA BAY DR
WILLOW BAY DR
FOX HOLLOW RD
BETTS RD
FRONTAGE RD
HWY 17 BYP
S HWY 17 BUS
TADLOCK DR
HWY 17 BUS
VAN BUREN DR
EDGEWATER DR
GREY MOSS RD
INEZ LN
CARSON RD

B. DEVELOPMENT AND DESIGN REQUIREMENTS.

In addition to the requirements of the applicable underlying zoning district, the following supplemental development regulations shall apply:

1. BUILDINGS.

a) Roof.

Roof drains shall allow runoff to the required foundation landscaping specified below unless it is determined to be infeasible by the Horry County Stormwater Department.

b) Façade.

i. No length of any facade shall exceed twenty (20) linear feet without including at least one (1) of the following: pilasters, columns, offsets, reveals, projecting ribs, canopies/porticos, colonnades, windows, trellis with vines, or an equivalent element that subdivides the wall into human scale proportions.

ii. Facade colors shall be subtle, neutral or earth tone colors.

iii. Building trim and accent areas may feature brighter colors, including primary colors, but in no instance shall trim incorporate neon paint.

iv. Garage doors and shipping doors shall not face Highway 707 or any public right-of-way within the Commercial Nodes.

c) Structure heights.

Structures within the Highway 707 Overlay shall not exceed thirty-five (35) feet in height. The roof, copulas, spires, or other ornamental features are permitted to increase building height to fifty (50) feet, but the height of the living space can be no higher that thirty-five (35) feet. The height of steeples, bell towers, or spires of churches, synagogues, temples, or other places of worship may be increased up to seventy-five (75) feet in height.

2. WETLAND PROTECTION.

Setbacks shall be measured from the edge of wetlands located on a parcel. Landscape materials and buffer requirements shall be reduced along the periphery of undisturbed wetlands by fifty (50) percent. In the instance that a wetland is disturbed and/or timber is removed, the landscaping requirements herein shall be met. Wetland delineation is required on all plans submitted for development review.

3. IMPERVIOUS SURFACE AREA.

In no instance shall impervious surfaces constitute more than sixty-five (65) percent of total lot area unless parking areas utilize Low Impact Development (LID) standards. Ponds used for drainage design shall not be included in the impervious area calculations. Impervious surfaces exceeding the threshold shall use pervious materials to meet the regulations herein.

4. PERIMETER LANDSCAPING.

The perimeter landscaping should follow the standards of Article V except that the non-residential streetscape buffer along the main corridor shall be 25 feet or 10% of a parcel's depth, whichever is less.

5. NON-RESIDENTIAL STREETSCAPE BUFFER.

The non-residential streetscape buffer along Hwy 707 shall include the following mixture of plant materials per one hundred (100) feet of buffer length:

a) Four (4) canopy trees, equally spaced in a continuous row;

b) Four (4) understory trees that flower or have foliage that changes color seasonally, equally spaced in a continuous row; and

c) Twenty-five (25) shrubs; and

d) Ten (10) evergreens (may be tree or shrub variety).

6. RETAIL GARDEN CENTER.

That is within two hundred fifty (250) feet of the corridor must be screened by either:

a) A six-foot high privacy fence; or

b) The items are screened by placing living plant materials, which may be for sale, such that these plants serve as a semi-opaque screen for the other materials, items and equipment. (This is not a replacement for the required perimeter landscaping)

7. PARKING.

a) No more than fifty (50) percent of total parking may be located in front of the principal building.

b) When parking is located completely to the side and rear of the principal building , it shall be eligible to encroach into the front building setback up to the required streetscape buffer. This requirement only applies to the streetscape buffer adjacent to Hwy 707.

c) Parking areas shall be designed so that no one (1) parking module contains more than seventy-five (75) spaces.

d) In order to be exempt from the impervious area percentage calculation above, parking islands shall incorporate Low Impact Development (LID) measures listed below.

   i. Parking islands shall be constructed below the grade of the parking surface so as to accept surface water runoff. When curbing is used, sufficient curb cuts shall be included to allow proper drainage of the parking area.

   ii. Parking islands shall be incorporated into the stormwater management and grading plan utilizing one (1) of the following treatments:

      A. Vegetated filter strips;

      B. Bioretention areas;

      C. Infiltration bio-swales;

      D. Vegetated swales;

E. Infiltration basins;

F. Infiltration trenches;

G. Sand filters; and

H. Created wetlands.

e) *Maximum Parking.* Parking may be increased above the minimum required utilizing pervious paving material including but not limited to brick pavers, grass pavers, porous asphalt and porous concrete.

8. LIGHTING.

Parking lot lighting shall have lighting no greater than sixteen (16) feet in height.

9. SIGN REGULATIONS.

a) Off-premise signage.

No new or additional off-premise signs shall be permitted in the Overlay Zone.

b) On-premise signs.

SIGNAGE ALLOWED BY ROAD FRONTAGE					
TYPE OF PROPERTY	LENGTH OF FRONTAGE	NUMBER[1,2]	TYPE	HEIGHT	SIGN AREA
Freestanding parcel	≥200ft	1	Ground Sign	12 feet	1 sq. ft. for every 1 linear foot of frontage—not to exceed 400 sq. ft.
Freestanding parcel	Less than 200ft	1		8 feet	
Commercial Subdivision Development[3]	N/A	1		12 feet	
Footnotes:					
1. Maximum two (2) signs per parcel.					
2. Signs shall have a minimum separation of fifty (50) feet.					
3. Outparcels to a Commercial Subdivision Development will be reviewed as Freestanding Parcels.					

c) Temporary Signs

One (1) Temporary wall banner on a property which has received a zoning compliance for a new business within the last 30 days

d) Prohibited signs.

i. Temporary signs shall be prohibited except as allowed above.

ii. Changeable manual signs are prohibited in the Overlay.

iii. Animated signs and full motion video signs are prohibited

SECTION 805 - BURGESS AREA OVERLAY ZONE.

LEVEL OF MODIFICATION		
LEVEL OF MODIFICATION	***PERCENT OF VALUE (COST OF MODIFICATION DIVIDED BY EXISTING IMPROVEMENT VALUE, TIMES 100)***	***APPLICABLE SECTIONS OF THIS OVERLAY DISTRICT THAT MUST BE ADHERED TO.***
Very minor	>0 percent to 4 percent	All new exterior walls must adhere to the facade and foundation landscaping requirements.
Minor	5 percent to 20 percent	Above plus all window signage must be brought into compliance.
Significant	21 percent to 49 percent	Above plus all existing exterior walls must adhere as well as complete foundation landscaping.
Major	50 percent or more	All sections of the overlay must be adhered to including signage.

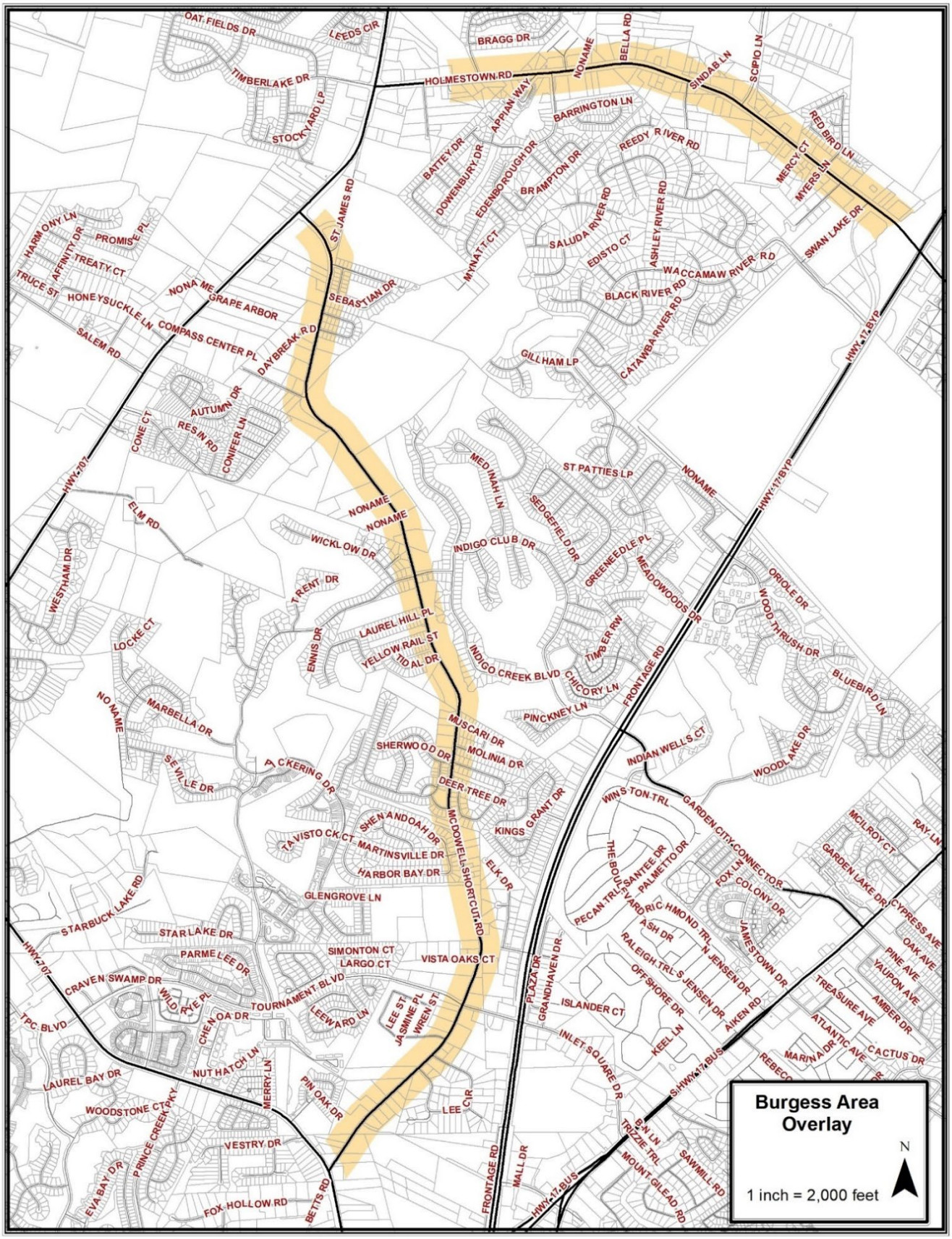
A. BOUNDARIES.

The Boundaries referenced below will be referred to as the "Main Corridor" throughout this ordinance.

The Burgess Area Overlay Zone shall begin at the boundary of the Commercial Node at Highway 707 and Holmestown Road (SC #1240) and travel east until Holmestown Road ends at the intersection of Highway 17 Bypass and Holmestown Road. The Overlay does not include those parcels located within the Commercial Node at Highway 707 and Holmestown, measured one-quarter (¼) mile from the centerline intersection.

The second portion of the Burgess Area Overlay zone shall encompass the entirety of McDowell Shortcut Road (S-477). The boundaries shall commence from the initial intersection of McDowell Shortcut Road and Highway 707 and proceed south to the terminal intersection of McDowell Shortcut Road and Highway 707.

The Overlay shall extend three hundred (300) feet to either side of the right-of-way lines of Holmestown Road and McDowell Shortcut Road as shown in the map herein. Corridor and overlay are used interchangeably throughout these regulations.


Burgess Area Overlay
N
1 inch = 2,000 feet
OAT FIELDS DR
LEEDS CIR
BRAGG DR
BELLA RD
NONAME
HOLMESTOWN RD
SINDAB LN
SCIPIO LN
TIMBERLAKE DR
STOCKYARD LP
APPIAN WAY
BARRINGTON LN
RED BIRD LN
REEDY RIVER RD
BATTEY DR
DOWENBURY DR
EDENBOROUGH DR
BRAMPTON DR
MERCY CT
MYERS LN
ST JAMES RD
SALUDA RIVER RD
ASHLEY RIVER RD
MYNATT CT
EDISTO CT
SWAN LAKE DR
HARMONY LN
AFFINITY DR
PROMISE PL
TREATY CT
TRUCE ST
HONEYSUCKLE LN
NONAME
GRAPE ARBOR
SEBASTIAN DR
WACCAMAW RIVER RD
BLACK RIVER RD
CATAWBA RIVER RD
SALEM RD
COMPASS CENTER PL
DAYBREAK RD
GILLHAM LP
HWY 17 BYP
AUTUMN DR
CONE CT
RESIN RD
CONIFER LN
HWY 707
MEDINAH LN
ST PATTIES LP
NONAME
ELM RD
NONAME
NONAME
WICKLOW DR
INDIGO CLUB DR
SEDGEFIELD DR
GREENEEDLE PL
MEADOWOODS DR
ORIOLE DR
WOOD THRUSH DR
WESTHAM DR
TRENT DR
LOCKE CT
LAUREL HILL PL
ENNIS DR
YELLOW RAIL ST
TIDAL DR
INDIGO CREEK BLVD
TIMBER RW
CHICORY LN
FRONTAGE RD
BLUEBIRD LN
NONAME
MARBELLA DR
PINCKNEY LN
MUSCARI DR
SHERWOOD DR
MOLINIA DR
INDIAN WELLS CT
WOODLAKE DR
SEVILLE DR
ACKERING DR
DEER TREE DR
WINSTON TRL
GARDEN CITY CONNECTOR
KINGS GRANT DR
SHENANDOAH DR
TAVISTOCK CT
MARTINSVILLE DR
MCDOWELL SHORTCUT RD
ELK DR
HARBOR BAY DR
THE BOULEVARD
SANTEE DR
PALMETTO DR
FOX LN
COLONY DR
MCILROY CT
RAY LN
GARDEN LAKE DR
CYPRESS AVE
GLENGROVE LN
STARBUCK LAKE RD
PECAN TRL
RICHMOND TRL
ASH DR
JAMESTOWN DR
OAK AVE
STAR LAKE DR
PINE AVE
YAUPON AVE
PARMELEE DR
SIMONTON CT
LARGO CT
VISTA OAKS CT
RALEIGH TRL
N JENSEN DR
S JENSEN DR
AIKEN RD
TREASURE AVE
AMBER DR
CRAVEN SWAMP DR
WILD RYE PL
TOURNAMENT BLVD
PLAZA DR
GRANDHAVEN DR
OFFSHORE DR
ISLANDER CT
ATLANTIC AVE
CACTUS DR
TPC BLVD
CHENOA DR
LEEWARD LN
LEE ST
JASMINE PL
WREN ST
INLET SQUARE DR
KEEL LN
MARINA DR
LAUREL BAY DR
NUT HATCH LN
MERRY LN
PIN OAK DR
LEE CIR
S HWY 17 BUS
WOODSTONE CT
PRINCE CREEK PKY
VESTRY DR
BN LN
TRIZZIE TRL
SAWMILL RD
MOUNT GILEAD RD
EVA BAY DR
FOX HOLLOW RD
BETTS RD
FRONTAGE RD
MALL DR
HWY 17 BUS

B. DEVELOPMENT AND DESIGN REQUIREMENTS.

In addition to the requirements of the applicable underlying zoning district the following supplemental development regulations shall apply.

1. BUILDINGS.

a) Façade.

i. No length of any façade shall exceed twenty (20) linear feet without including at least one (1) of the following: pilasters, columns, offsets, reveals, projecting ribs canopies/porticos, colonnades, windows, trellis with vines, or an equivalent element that subdivides the wall into human scale proportions.

ii. Facade colors shall be subtle, neutral or earth tone colors.

iii. Building trim and accent areas may feature brighter colors, including primary colors, but in no instance shall trim incorporate neon paint.

iv. Garage doors and shipping doors shall not face the main corridor.

b) Structure heights.

Structures within the main corridor shall not exceed thirty-five (35) feet in height as defined in the zoning ordinance. The roof, copulas, spires, or other ornamental features are permitted to increase building height to fifty (50) feet, but the height of the living space can be no higher than thirty-five (35) feet. The height of steeples, bell towers, or spires of churches, synagogues, temples, or other places of worship may be increased up to seventy-five (75) feet in height.

2. WETLAND PROTECTION.

Setbacks shall be measured from the edge of wetlands located on a parcel. Landscape materials and buffer requirements shall be reduced along the periphery of undisturbed wetlands by fifty (50) percent. In the instance that a wetland is disturbed and/or timber is removed, the landscaping requirements herein shall be met. Wetland delineation is required on all plans submitted for development review.

3. IMPERVIOUS SURFACE AREA.

In no instance shall impervious surfaces constitute more than sixty-five (65) percent of total lot area unless parking areas utilize Low Impact Development (LID) standards. Ponds used for drainage design shall not be included in the impervious area calculations. Impervious surfaces exceeding the threshold shall use pervious materials to meet the regulations herein.

4. PERIMETER LANDSCAPING

The perimeter landscaping should follow the standards of Article V except that the non-residential streetscape buffer along the main corridor shall be 25 feet or 10% of a parcel's depth, whichever is less.

5. NON-RESIDENTIAL STREETSCAPE BUFFER.

The non-residential streetscape buffer along the main corridor shall include the following mixture of plant materials per one hundred (100) feet of buffer length:

a) Four (4) canopy trees, equally spaced in a continuous row;

b) Four (4) understory trees that flower or have foliage that changes color seasonally, equally spaced in a continuous row; and

c) Twenty-five (25) shrubs; and

d) Ten (10) evergreens (may be tree or shrub variety).

6. RETAIL GARDEN CENTER.

Any merchandise typically associated with a retail garden center other than living plant material such as mulch, lawn equipment, propane items, barbeque grills, paving stones, landscaping timbers, bird baths, garden chemicals, etc. that is within two hundred fifty (250) feet of the corridor must be screened by either:

a) A six-foot high privacy fence; or

b) The items are screened by placing living plant materials, which may be for sale, such that these plants serve as a semi-opaque screen for the other materials, items and equipment. (This is not a replacement for the required perimeter landscaping)

7. PARKING.

a) No more than fifty (50) percent of total parking may be located in front of a building.

b) Parcels wherein parking is located completely to the side and rear of the principal building shall be eligible to encroach into the front setback requirement of the underlying zoning district up to the required streetscape buffer.

c) Parking areas shall be designed so that no one parking module contains more than seventy-five (75) spaces.

d) In order to be exempt from the impervious area percentage requirements above, parking islands shall incorporate low impact development (LID) measures listed below.

   i. Parking islands shall be constructed below the grade of the parking surface so as to accept surface water runoff. When curbing is used, sufficient curb cuts shall be included to allow proper drainage of the parking area.

   ii. Parking islands shall be incorporated into the stormwater management and grading plan utilizing one (1) of the following treatments:

      A. Vegetated filter strips;

      B. Bioretention areas;

      C. Infiltration bio-swales;

      D. Vegetated swales;

      E. Infiltration basins;

      F. Infiltration trenches;

G. Sand filters; and

H. Created wetlands.

e) *Parking spaces above the minimum required.* Parking may be increased above the minimum required utilizing pervious paving material including but not limited to brick pavers, grass pavers, porous asphalt and porous concrete.

8. LIGHTING.

Parking lot lighting shall have lighting no greater than sixteen (16) feet in height;

9. SIGN REGULATIONS.

a) Off-premise signage.

No new or additional off-premise signs shall be permitted in the overlay zone.

b) On-premise signs.

SIGNAGE ALLOWED BY ROAD FRONTAGE					
TYPE OF PROPERTY	LENGTH OF FRONTAGE	NUMBER[1,2]	TYPE	HEIGHT	SIGN AREA
Freestanding parcel	Less than 200ft	1	Ground Sign	8 feet	1 sq. ft. for every 1 linear foot of frontage—not to exceed 400 sq. ft.
Freestanding parcel	≥200ft	1		12 feet	
Commercial Subdivision Development[3]	N/A	1		12 feet	
Footnotes:					
1. Maximum two (2) signs per parcel.					
2. Signs shall have a minimum separation of fifty (50) feet.					
3. Outparcels to a Commercial Subdivision Development will be reviewed as Freestanding Parcels.					

c) Temporary Signs

One (1) Temporary wall banner on a property which has received a zoning compliance for a new business within the last 30 days

d) Prohibited signs.

Temporary signs shall be prohibited except as allowed above

e) Animated signs and full motion video signs are prohibited

f) Changeable manual signs and portable signs shall be limited only to parcels which contain either a produce stands or a church.

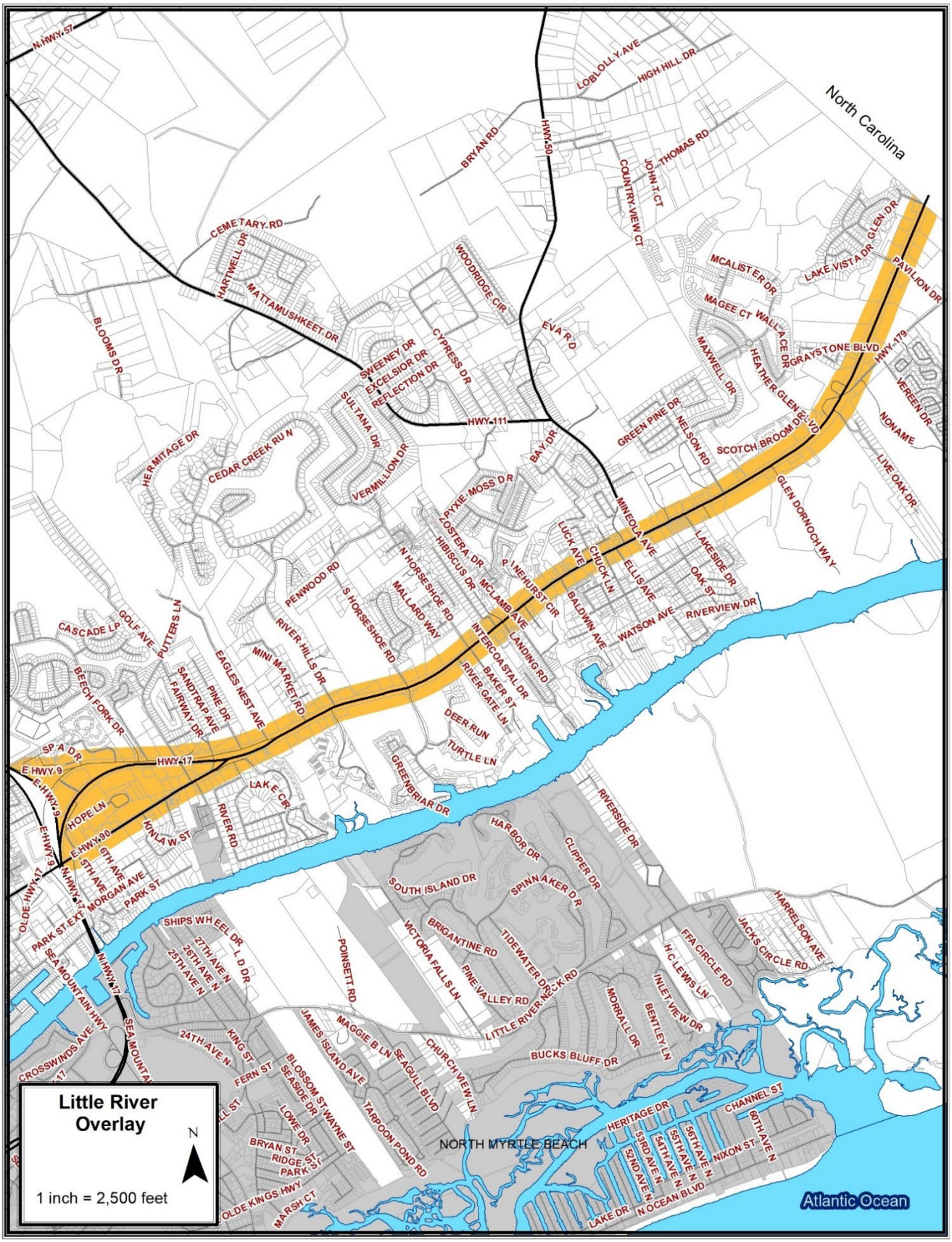
SECTION 806 - LITTLE RIVER OVERLAY ZONE.

LEVEL OF MODIFICATION		
LEVEL OF MODIFICATION	***PERCENT OF VALUE (COST OF MODIFICATION DIVIDED BY EXISTING IMPROVEMENT VALUE, TIMES 100)***	***APPLICABLE SECTIONS OF THIS OVERLAY DISTRICT THAT MUST BE ADHERED TO.***
Very minor	>0 percent to 24 percent	New vehicle use areas shall comply with parking requirements
Significant	25 percent or more	All sections of the overlay must be adhered to

A. BOUNDARIES.

The boundaries of the overlay zone are established herein. Corridor and overlay are used interchangeably throughout these regulations. When referenced, it shall mean the area generally 250 feet to the east and west of the Highway 17 right-of-way lines between the established beginning and ending points specified in this section of the Zoning Ordinance.

The overlay zone shall begin at the North and South Carolina State Line and travel south to the overpass of HWY 90 at the Intersection HWY 9 and HWY 17.


Little River Overlay
N
1 inch = 2,500 feet
North Carolina
Atlantic Ocean
NORTH MYRTLE BEACH
N HWY 57
HWY 50
HWY 111
HWY 17
HWY 179
E HWY 9
E HWY 90
N HWY 17
LOBLOLLY AVE
HIGH HILL DR
BRYAN RD
THOMAS RD
JOHN T CT
COUNTRY VIEW CT
CEMETARY RD
HARTWELL DR
MATTAMUSHKEET DR
WOODRIDGE CIR
CYPRESS DR
EVA RD
SWEENEY DR
EXCELSIOR DR
REFLECTION DR
SULTANA DR
VERMILLION DR
BLOOMS DR
HERMITAGE DR
CEDAR CREEK RUN
MCALISTER DR
MAGEE CT
WALLACE DR
LAKE VISTA DR
GLEN DR
PAVILION DR
GRAYSTONE BLVD
MAXWELL DR
HEATHER GLEN BLVD
VEREEN DR
NONAME
LIVE OAK DR
GREEN PINE DR
NELSON RD
SCOTCH BROOM DR
GLEN DORNOCH WAY
BAY DR
PIXIE MOSS DR
MINEOLA AVE
LUCK AVE
CHUCK LN
ELLIS AVE
LAKESIDE DR
OAK ST
RIVERVIEW DR
WATSON AVE
BALDWIN AVE
PINEHURST CIR
LOSTERA DR
HIBISCUS DR
N HORSESHOE RD
MALLARD WAY
MCLAMB AVE
LANDING RD
INTERCOASTAL DR
BAKER ST
RIVER GATE LN
DEER RUN
TURTLE LN
GREENBRIAR DR
PENWOOD RD
S HORSESHOE RD
RIVER HILLS DR
MINI MARKET RD
EAGLES NEST AVE
PINE DR
SANDTRAP AVE
FAIRWAY DR
BEECH FORK DR
CASCADE LP
GOLF AVE
PUTTERS LN
SPA DR
HOPE LN
KINLAW ST
RIVER RD
LAKE CIR
6TH AVE
5TH AVE
MORGAN AVE
PARK ST
PARK ST EXT
OLDE HWY 17
SEA MOUNTAIN HWY
CROSSWINDS AVE
RIVERSIDE DR
HARBOR DR
CLIPPER DR
SPINNAKER DR
SOUTH ISLAND DR
BRIGANTINE RD
TIDEWATER DR
VICTORIA FALLS LN
PINE VALLEY RD
LITTLE RIVER NECK RD
POINSETT RD
SHIPS WHEEL DR
27TH AVE N
26TH AVE N
25TH AVE N
24TH AVE N
KING ST
FERN ST
JAMES ISLAND AVE
MAGGIE B LN
SEAGULL BLVD
CHURCH VIEW LN
BUCKS BLUFF DR
MORRALL DR
BENTLEY LN
INLET VIEW DR
H C LEWIS LN
FFA CIRCLE RD
JACKS CIRCLE RD
HARRELSON AVE
BLOSSOM ST
WAYNE ST
SEASIDE DR
LOWE DR
BRYAN ST
RIDGE ST
PARK ST
TARPOON POND RD
OLDE KINGS HWY
MARSH CT
HERITAGE DR
CHANNEL ST
60TH AVE N
NIXON ST
56TH AVE N
55TH AVE N
54TH AVE N
53RD AVE N
52ND AVE N
N OCEAN BLVD
LAKE DR

B. DEVELOPMENT AND DESIGN REQUIREMENTS.

In addition to the requirements of the applicable underlying zoning district, the following supplemental development regulations shall apply:

1. BUILDINGS.

a) Roof.

i. Roof mounted mechanical equipment visible from the corridor shall be enclosed or screened to ensure that such features are not visible. Enclosures and screens shall be compatible to the architectural style of the proposed building;

ii. Buildings of less than 5,000 square feet of gross floor area shall be designed with gabled or pitched roofs, with a minimum pitch of 6 in 12.

b) Facades.

i. No wall that faces a street or connecting walkway shall have a blank, uninterrupted length exceeding one hundred (100) linear feet without including at least two (2) of the following: pilasters, columns, canopies/porticos, arcades, colonnades, change in texture or masonry pattern, windows, trellis with vines, or an equivalent element that subdivides the wall into human scale proportions. Such walls shall also incorporate wall plane projections or recesses having a depth of at least two (2) feet in offset and extending at least twenty (20) feet in length.

ii. Building walls facing the front yard or street side yard shall have window(s) and door(s). Such facades shall have display windows a minimum of six (6) feet in height along no less than sixty percent (60%) of their horizontal length. Side or rear walls that face walkways may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations of the wall, only when actual doors and windows are not feasible because of the nature of the use of the building.

iii. Within planned shopping centers and multi-tenant buildings, distinct architectural entry identity for individual tenants' entrances shall be provided for suites exceeding 10,000 square feet of leasable area.

iv. Building design shall include minimum one (1) foot deep cornices, extending along the entire front of buildings and the sides of buildings at least ten feet.

v. Building design shall include a minimum two (2) foot high contrasting base, extending along the entire front of buildings and down the sides of buildings at least ten (10) feet.

2. STRUCTURES WITH SPECIAL DESIGN STANDARDS.

a) Gas stations and commercial convenience stores shall utilize either gable or hip roof structures. The canopies over the gas pumps shall be attached to the main building and integrated into the architectural roof design. The canopy portion of the structure shall only be subject to a 10' foot setback from any property line. The canopy is not allowed to encroach upon any required buffer area. The principal structure/building shall still be subject to all

setback requirements as set forth within the zoning ordinance. Bays, regardless of amount, shall not face the corridor.

b) Outdoor freestanding propane stations must be opaquely screened from public view with landscaping or a solid fence of vinyl, wood, stone or brick material. Fences exceeding six (6) feet in height shall have plantings on any side facing the main corridor or residentially zoned property.

c) Non-Residential Uses With Structures Exceeding Twenty-Five Thousand (25,000) Square Feet of Building Area or an Improved Surface Area Exceeding Fifty Thousand (50,000) Square Feet.

   i. Such buildings must be separated from lands designated, zoned or used for a residential purpose by at least fifty (50) feet, which distance shall be measured by the shortest distance between the building occupied by the use and nearest property line of the residential use.

   ii. All shopping centers, complexes of buildings designed as a group, retail uses or uses exceeding twenty-five thousand (25,000) gross square feet shall provide a covered pedestrian arcade at least eight (8) feet in width extending for the length of the main entrance facade.

3. LANDSCAPING AND BUFFER REQUIREMENTS.

The following standards shall apply. Additional landscaping, buffering, and tree preservation requirements may be required per Article V of the Zoning Ordinance.

a) Existing protected and specimen trees as identified in the § 505 of the landscape ordinance, shall be retained within the buffer area.

4. SHIPPING/RECEIVING AREAS, UTILITY LOCATIONS AND DUMPSTERS.

a) Loading and unloading of commercial vehicles or of any other vehicles used for commercial purposes is only permitted between the hours of 6:00 a.m. and 11:00 p.m. when property assigned a residential zoning classification or used for residential purposes is within one hundred (100) feet of the loading area. Within such areas, such activities are prohibited at all other times.

b) Utility services shall be located underground when possible. If underground utility location is not possible, above grade utilities shall be located behind structures in a utility "alley" easement approved by the applicable utility authority.

c) Dumpsters, which may be seen from adjacent properties or public parking lots, shall be screened from view on all four sides.

d) Screening shall consist of three solid walls of brick, stucco or split-face block construction, at least six feet in height. The wall shall include a continuous cap feature and a closing gate. The gate shall be a 100 percent solid metal or wooden gate.

5. ACCESSORY STRUCTURES/USES.

a) Accessory structures shall be compatible in style, color, and materials with main structure(s).

b) Structures shall be limited in size to 25% of the primary structure or 1000 sf whichever is less.

6. LIGHTING.

Mounting heights shall not exceed eighteen (18) feet except in areas where the total number of parking spaces exceed 100 spaces; in such instances the mounting height shall be no higher than twenty-five (25) feet provided that they are limited to the central areas of the parking lot and lower fixtures not exceeding eighteen (18) feet in height are utilized along the primary vehicular/pedestrian corridors. If a light is within fifty (50) feet of a residentially zoned parcel, the mounting height shall be no greater than twelve (12) feet.

7. OUTDOORS DISPLAY AND STORAGE.

(a) Commercial outdoor display areas, sales areas, tents are prohibited, except where a special event is held and a permit is issued. This Subsection does not apply to Auto/boat/storage building/sales. Chain link fences, including posts and rails, shall be black, brown or green and vinyl coated.

(b) Outdoor Storage. Outdoor storage and display of any goods, materials, merchandise, equipment, parts, junk or vehicles (overnight parking) cannot be located forward of the principal building and when possible shall be located to the side of the building not facing a public street.

8. RETAIL GARDEN CENTER.

Any merchandise typically associated with a retail garden center other than living plant material such as mulch, lawn equipment, propane items, barbeque grills, paving stones, landscaping timbers, bird baths, garden chemicals, etc. that is within two hundred fifty (250) feet of the corridor must be screened by either:

(a) A six-foot high privacy fence; or

(b) The items are screened by placing living plant materials, which may be for sale, such that these plants serve as a semi-opaque screen for the other materials, items and equipment. (This is not a replacement for the required perimeter landscaping)

9. PARKING AREAS.

(a) Required parking spaces may be increased by up to 10% above the parking minimums of this ordinance provided all excess spaces shall consist of alternative pervious paving material including but not limited to, brick pavers, grass pavers, porous asphalt and porous concrete.

(b) Shared parking agreements may be utilized where circumstances permit the reduction of the required parking ratio.

10. SIGN REGULATIONS.

a) Off-Premise Signage. Off premises advertising signage shall be prohibited except as follows:

i. Digital billboards may be permitted as a replacement of existing non-digital billboard signage and only as a two for one replacement. Two legally existing non-digital billboards within the overlay must be removed to allow for the installation new digital billboard.

ii. Digital billboards must meet a separation of 2,400 feet from other digital billboards.

iii. Digital billboards cannot be located within 500 feet of an existing residence. This distance shall be measured from the actual billboard location to the nearest property boundary of the nearest residentially used property.

b) On-premise Signage:

i. Allowed Signage

SIGNAGE ALLOWED BY ROAD FRONTAGE					
TYPE OF PROPERTY	LENGTH OF FRONTAGE	NUMBER	TYPE	HEIGHT	SIGN AREA
Freestanding Parcel	<300ft	1	Ground	12 feet	32sf
	300-499 ft	1		25 feet	48sf
	≥500	2		25 feet	64sf per individual sign or up to a total of 100sf between two signs.
Commercial Subdivision Development[1]	N/A	1	Ground	25feet	100 sf
Footnotes:					
1. Outparcels to a Commercial Subdivision Development will be reviewed as Freestanding Parcels.					

ii. Design Standards for on premise signage

A. Changeable Copy or Digital Signage. Signs may have up to 50% of the permitted copy area as changeable copy (manual or automatic) or digital. Replacing existing LED/electronic/ or manually changeable signage with digital signage shall be considered ordinary maintenance as long as the existing sign structure is capable of supporting the additional weight, the total signage size is not increased and the digital sign does not exceed more than fifty (50) of the total existing sign.

B. The maximum size of the background structure of a sign shall not exceed one hundred ten (110) percent of the total square footage of copy area.

iii. Building Signs. Building signs shall be limited to the following:

BUILDING SIGNAGE ALLOWED PER TENANT FRONTAGE		
TYPE OF DEVELOPMENT	NUMBER	SIGN AREA
Single Tenant Development	1	• One (1) sf per one (1) lf of building frontage. • Additional One Half (1/2) sf for every lf of building frontage for buildings located beyond one hundred (100) feet from the right-of-way.
Multi-Tenant Development	1	• 2.0 square feet for every linear foot of store frontage.

iv. Design Standards for building signage

A. The maximum size of sign letters and logos, including any sign backgrounds, shall be twenty-four (24) inches in height for single tenants.

B. The maximum height of letters and logos for anchor tenants in a retail center shall not exceed twenty (20) percent of the building height.

C. The length of the sign may occupy up to fifty (50) percent of the linear feet of the storefront the business occupies.

D. Maximum size is 150sf.

c) Temporary signage.

i. Temporary wall signage.

One (1) Temporary wall banner on a property which has received a zoning compliance for a new business within the last 30 days

ii. Temporary ground sign

A. One (1) on-site temporary sign not exceeding eight (8) feet in height or sixteen (16) square feet in size; or

B. One (1) temporary sign, no more than thirty-two (32) square feet in area, located on the property on which there is an active building permit or an active stormwater permit.

d) Prohibited Signs.

i. Temporary signs shall be prohibited except as allowed above.

ii. Animated signs and full motion video signs are prohibited.

SECTION 807 - SOCASTEE BOULEVARD OVERLAY ZONE.

LEVEL OF MODIFICATION		
LEVEL OF MODIFICATION	***PERCENT OF VALUE (COST OF MODIFICATION DIVIDED BY EXISTING IMPROVEMENT VALUE, TIMES 100)***	***APPLICABLE SECTIONS OF THIS OVERLAY DISTRICT THAT MUST BE ADHERED TO.***
Very minor	>0 percent to 4 percent	All new exterior walls must adhere to the facade and foundation landscaping requirements.
Minor	5 percent to 20 percent	Above plus all window signage must be brought into compliance.
Significant	21 percent to 49 percent	Above plus all existing exterior walls must adhere as well as complete foundation landscaping.
Major	50 percent or more	All sections of the overlay must be adhered to including signage.

A. BOUNDARIES.

The Socastee Boulevard Overlay Zone shall apply to renovated or newly constructed development located 200 feet to either side of the Socastee Boulevard right-of-way lines as shown in Attachment 1. The existing Socastee Overlay Zone is located on the northern section of Highway 707 between Highway 17 Bypass and ends at the stoplight at the intersection of Highway 707 and Dick Pond Road or the old alignment of Highway 544 and should not be confused with this Highway 707 Overlay Zone.

Socastee Blvd
Overlay
N
1 inch = 1,500 feet
FORESTBROOK RD
SUMMER MIST DR
RAMBLER CT
OAK MANOR DR
SEA TURTLE DR
CLOEY RD
CAPERS CREEK DR
PLANTERS CREEK DR
TRIPLE CROWN CT
ASHEPOO CREEK DR
LUCKY LN
NONAME
LAUREN LN
ROBERTA LN
EL DUCE PLEARLS RD
CHAPEL LN
CLOVIS CIR
JOHN HENRY LN
ED SMITH AVE
SMITH BLVD
BEVERLY ST
MEREDITH CT
W OAK CIRCLE DR
LONNIE ST
SHIRLEY DR
ROSEWOOD DR
WHITE PINE DR
MOSSY TRL
UNITY TRL
GOVERNORS LP
ROSE DR
INLAND DR
BONNIE DR
MAGGIE WAY
GOLDEN DR
REEF RD
RIVER BEND RD
DORA DR
JOHNNY LN
NOLLIE RD
COLBY CT
REID CT
ELLA CT
GAVIN CT
SIMS DR
RUTH DR
MAMMIE DR
FOLLY ESTATES DR
KEYSTONE LN
FOLLY RANCH LN
FOLLY RD
DICK POND RD
RIVER RD
BOXWOOD DR
DOGWOOD CIR
BRIDGECREEK DR
STONEBROOK DR
FOXPATH LP
RUNG RD
OAK CIRCLE DR
LUTTIE RD
JOHN LUTHER RD
ANN ST
THOMAS ST
RITTENHOUSE RD
APACHE TRL
CIMERRON DR
SIOUX TRL
CHEYENNE RD
MANOR CIR
RICE MILL DR
BRANDYMILL BLVD
FOLLY RD DR
FAIRYLAND DR
SOCASTEE BLVD
PAMPASS DR
STRAND DR
PLANTATION RD
FIGURE EIGHT RD
WEEKS DR
EVERETT ST
TYNER ST
LEE LN
VILLAGE DR
BELLAMY LN
CREON ST
ROCKY RD
GWEN DR
TERRI DR
HOLLY CIR
BUCK HILL DR
IVYSTONE DR
BROOKFIELD DR
APRIL PINE DR
MAYPOP CIR
OLDE TOWNE WAY
ST IVES RD
MACKLEN RD
NORTH GATE RD
COALITION DR
LAKE PARK DR
BUPCHWOOD LN
GRESHAM LN
TIBTON CIR
PALMETTO POINTE BLVD
PALM COVE CIR
ST CHARLES CIR
RIDGE DR
FLAGSTONE DR
FARROW PKY
GLEN HAVEN DR
ATOLL DR
PALMFROND DR
BROOKSHIRE DR
DRY VALLEY LP
CROW LN
LESTE RD
PANOLA LN
PALMETTO GLEN DR
HARBOUR REEF DR
BANKS DR
WOOLCOCK DR
CAPE LANDING DR
BUTKUS DR
CALYPSO DR
GREAT LAKES CIR
SANTO DR
GLADIOLA CT
AZALEA LAKES BLVD
COLDWATER CIR
HWY 17 BYP
NORTHGATE BLVD
MORLYNN DR
TRIUMPH DR
TEMPERANCE DR
BREWSTER DR
OXFORD ST
CADUCEUS DR
SHEFFIELD PKY
MYRTLE BEACH
MAPLECRESS WAY
EDGEWOOD DR
SUNCREST DR
GOLDFINCH DR
HERITAGE LP
LEGACY LP
COVENTRY BLVD
CULBERTSON AVE

B. DEVELOPMENT AND DESIGN REQUIREMENTS

Development of specific uses in the Socastee Boulevard Overlay Zone shall be consistent with the underlying zoning district. In addition to the requirements of the applicable underlying zoning district the following supplemental development regulations shall apply:

1. BUILDINGS.

a) Facades.

i. Buildings wider than one hundred (100) feet shall be designed to break up the scale of the building. This can be done using differing facade treatments including changes in color, material, articulation, windows, doors, etc. Principal facades facing overlay corridor may not have blank walls that exceed fifteen (15) feet in length without windows, doors or other decorative elements. Other building facades visible from the corridor or adjacent general customer areas must be designed so that no blank facade exceeds thirty (30) in width. The spacing shall be measured from edge of window, door or other decorative element to other element.

ii. Where parapets are used, the parapet must wrap around the entire length of the front and side of the buildings. Where parapets are not used, all rooftop mechanical equipment shall be screened. Parapets shall be limited to twenty (20) percent of the total height of the facade, unless the increased height is needed solely to screen the rooftop equipment.

iii. If the building design includes cornices than they should be a minimum one (1) foot deep cornice and extend along the entire front of buildings and the sides of buildings at least ten (10) feet.

iv. If the building design includes a contrasting base than it should be a minimum two (2) foot high contrasting base and extend along the entire front of buildings and down the sides of buildings at least ten (10) feet.

b) Glazing.

i. Reflective or heavily tinted glass shall be limited to twenty-five (25) percent of the linear length of any facade.

ii. Glazing located on the ground floor of the primary and/or secondary facade of commercial structures shall be forty (40) percent or less.

c) Heights

Structure heights shall not exceed 36 feet, except copulas, spires, or other ornamental features are permitted to increase building heights to 50 feet

2. ACCESSORY STRUCTURES/USES.

Structures shall be limited in size to twenty-five (25) percent of the primary structure or one thousand (1,000) square feet; whichever is less.

3. SPECIAL DESIGN STANDARDS.

a) Outdoor Display

Commercial outdoor display areas, sales areas, and tents are prohibited, except in the following situations and subject to the following standards:

i. Where a special event is held and a permit is issued.

ii. This subsection does not apply to auto/boat/RV/storage building sales.

b) Outdoor Freestanding Propane Stations

Outdoor freestanding propane stations and storage facilities shall be opaquely screened from public view with landscaping or a fence meeting eighty (80) percent opacity.

c) Retail garden center.

Any merchandise typically associated with a retail garden center such as mulch, lawn equipment, propane items, barbeque grills, paving stones, landscaping timbers, bird baths, garden chemicals, etc., that is within two hundred fifty (250) feet of the corridor must be screened by either:

i. A six-foot high privacy fence; or

ii. The items are screened by placing living plant materials such that these plants serve as a semi-opaque screen for the other materials, items and equipment. (This is not a replacement for the required perimeter landscaping)

d) Fencing

Chain link fencing is prohibited except within an industrial area and only when screened by landscape material to create a six-foot tall opaque screen. If permitted, chain link fences, including posts and rails, shall be black, brown or green and vinyl

4. LIGHTING.

a) Mounting heights shall not exceed eighteen (18) feet, except in areas where the total number of parking spaces exceeds one hundred (100); in such instances the mounting heights shall be no higher than twenty-five (25) feet provided they are limited to the central areas of the parking lot and lower fixtures not exceeding eighteen (18) feet in height are utilized along the primary vehicular/pedestrian corridors.

b) If a light is within fifty (50) feet of a residentially zoned parcel, the height of the light shall be no greater than eighteen (18) feet with the fixture located along the edge of the parking area and light directed back into the site.

c) Wherever possible, illumination of outdoor seating areas, building entrances, and walkways shall be accomplished by use of ground mounted fixtures not more than four (4) feet in height.

5. SIGN REGULATIONS.

a) On-premise signs.

SIGNAGE ALLOWED BY ROAD FRONTAGE					
TYPE OF PROPERTY	LENGTH OF FRONTAGE	NUMBER	TYPE	HEIGHT	SIGN AREA
Freestanding Parcel	≤100 LF	1	Ground	8 feet	50 sf
	100 to 199 LF	1	Freestanding	20 feet	One (1) sf per one (1) lf of frontage up to a maximum of 500 sf
	200 to 399 LF	1		30 feet	
	≥400 LF	2		40 feet	
Commercial Subdivision Development	N/A	1	Freestanding	40 feet	
Out-parcel of a commercial subdivision development[1]	<400 feet	1	Ground	8 feet	
Footnotes:					
1. Outparcels with greater than 400 feet of frontage will be reviewed under the freestanding parcel.					

b) Temporary

i. Temporary wall signage One (1) Temporary wall banner on a property which has received a zoning compliance for a new business within the last 30 days

ii. Temporary ground sign

A. One (1) on-site temporary sign not exceeding eight (8) feet in height or sixteen (16) square feet in size; or

B. One (1) temporary sign, no more than thirty-two (32) square feet in area, located on the property on which there is an active building permit or an active stormwater permit.

c) Prohibited signs. The following signs shall be prohibited in the corridor:

i. Temporary signage except as allowed above

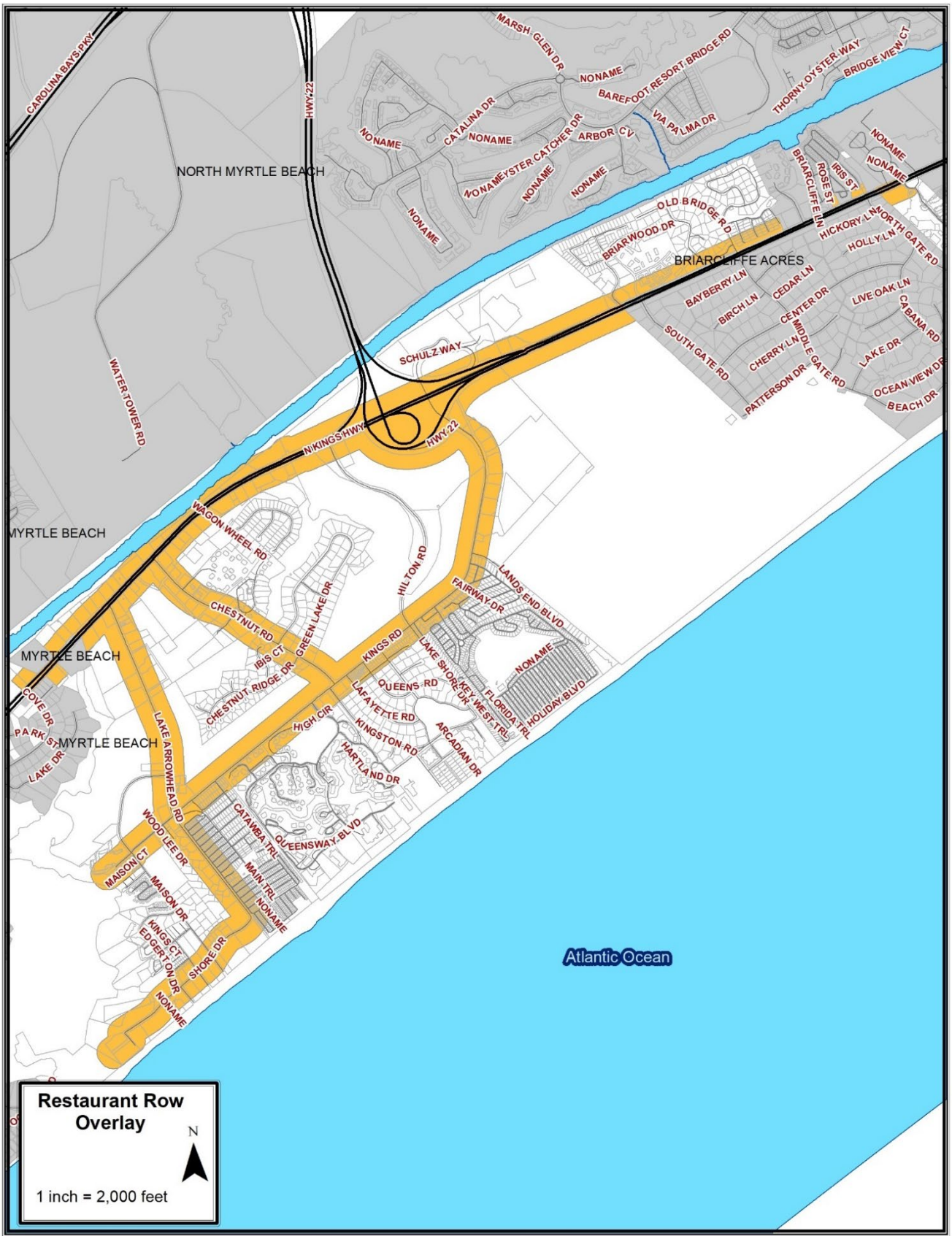
ii. Animated signs and full motion video signs are prohibited

SECTION 808 - RESTAURANT ROW OVERLAY ZONE.

LEVEL OF MODIFICATION		
LEVEL OF MODIFICATION	***PERCENT OF VALUE (COST OF MODIFICATION DIVIDED BY EXISTING IMPROVEMENT VALUE, TIMES 100)***	***APPLICABLE SECTIONS OF THIS OVERLAY DISTRICT THAT MUST BE ADHERED TO.***
Very minor	>0 percent to 4 percent	All new exterior walls must adhere to the facade and foundation landscaping requirements.
Minor	5 percent to 20 percent	Above plus all window signage must be brought into compliance.
Significant	21 percent to 49 percent	Above plus all existing exterior walls must adhere as well as complete foundation landscaping.
Major	50 percent or more	All sections of the overlay must be adhered to including signage.

A. BOUNDARIES.

1. When referenced, it shall mean the area generally extending two hundred and fifty (250) feet from the edge of the right-of-way lines of those roads listed herein.
2. The overlay zone shall begin along US 17 from Cove Drive and continue north to Ocean Creek Drive.
3. The overlay zone shall also continue along Kings Road, Chestnut Road, Lake Arrowhead Road, and Shore Drive.


Restaurant Row Overlay
N
1 inch = 2,000 feet
Atlantic Ocean
NORTH MYRTLE BEACH
MYRTLE BEACH
MYRTLE BEACH
MYRTLE BEACH
BRIARCLIFFE ACRES
CAROLINA BAYS PKY
HWY 22
WATER TOWER RD
SCHULZ WAY
N KINGS HWY
WAGON WHEEL RD
CHESTNUT RD
GREEN LAKE DR
IBIS CT
CHESTNUT RIDGE DR
HILTON RD
FAIRWAY DR
LANDS END BLVD
KINGS RD
QUEENS RD
LAKE SHORE DR
KEY WEST TRL
FLORIDA TRL
HOLIDAY BLVD
LAFAYETTE RD
KINGSTON RD
ARCADIAN DR
HARTLAND DR
HIGH CIR
LAKE ARROWHEAD RD
WOOD LEE DR
CATAWBA TRL
QUEENSWAY BLVD
MAIN TRL
MAISON CT
MAISON DR
KINGS CT
EDGERTON DR
SHORE DR
COVE DR
PARK ST
LAKE DR
MARSH GLEN DR
BAREFOOT RESORT BRIDGE RD
CATALINA DR
ARBOR CV
VIA PALMA DR
OYSTER CATCHER DR
THORNY OYSTER WAY
BRIDGE VIEW CT
OLD BRIDGE RD
BRIARWOOD DR
BRIARCLIFFE LN
ROSE ST
IRIS ST
HICKORY LN
HOLLY LN
NORTH GATE RD
BAYBERRY LN
BIRCH LN
CEDAR LN
CENTER DR
LIVE OAK LN
CABANA RD
SOUTH GATE RD
CHERRY LN
MIDDLE GATE RD
LAKE DR
PATTERSON DR
OCEAN VIEW DR
BEACH DR
NONAME

B. DEVELOPMENT AND DESIGN REQUIREMENTS

Development of specific uses in the restaurant row overlay zone shall be consistent with the underlying zoning district. In addition to the requirements of the applicable underlying zoning district the following supplemental development regulations shall apply:

1. BUILDINGS.

a) Facades.

i. Buildings wider than one hundred (100) feet shall be designed break up the scale of the building. This can be done using differing facade treatments including changes in color, material, articulation, windows, doors, etc. Principal facades facing overlay corridor may not have blank walls that exceed fifteen (15) feet in length without windows, doors or other decorative elements. Other building facades visible from the corridor or adjacent general customer areas must be designed so that no blank facade exceeds thirty (30) in width. The spacing shall be measured from edge of window, door or other decorative element to other element.

ii. Where parapets are used, the parapet must wrap around the entire length of the front and side of the buildings. Where parapets are not used, all rooftop mechanical equipment shall be screened. Parapets shall be limited to twenty (20) percent of the total height of the facade, unless the increased height is needed solely to screen the rooftop equipment.

iii. If the building design includes cornices than they should be a minimum one (1) foot deep cornice and extend along the entire front of buildings and the sides of buildings at least ten (10) feet.

iv. If the building design includes a contrasting base than it should be a minimum two (2) foot high contrasting base and extend along the entire front of buildings and down the sides of buildings at least ten (10) feet.

b) Glazing.

i. Reflective or heavily tinted glass shall be limited to twenty-five (25) percent of the linear length of any facade.

ii. Glazing located on the ground floor of the primary and/or secondary facade of commercial structures shall be forty (40) percent or less.

2. ACCESSORY STRUCTURES/USES.

Structures shall be limited in size to twenty-five (25) percent of the primary structure or one thousand (1,000) square feet; whichever is less.

3. SPECIAL DESIGN STANDARDS.

a) Outdoor Display

Commercial outdoor display areas, sales areas, and tents are prohibited, except in the following situations and subject to the following standards:

i. Where a special event is held and a permit is issued.

ii. This subsection does not apply to auto/boat/RV/storage building sales.

b) Outdoor Freestanding Propane Stations

Outdoor freestanding propane stations and storage facilities shall be opaquely screened from public view with landscaping or a fence meeting eighty (80) percent opacity.

c) Retail garden center.

i. Any merchandise typically associated with a retail garden center such as mulch, lawn equipment, propane items, barbeque grills, paving stones, landscaping timbers, bird baths, garden chemicals, etc. that is within two hundred fifty (250) feet of the corridor must be screened by either:

ii. A six-foot high privacy fence; or

iii. The items are screened by placing living plant materials such that these plants serve as a semi-opaque screen for the other materials, items and equipment.

d) Fencing

Chain link fencing is prohibited except within an industrial area and only when screened by landscape material to create a six-foot tall opaque screen. If permitted, chain link fences, including posts and rails, shall be black, brown or green and vinyl coated. Fences exceeding six (6) feet in height shall have plantings on any side facing the main corridor or adjacent residentially zoned property, whichever is closer.

4. SHIPPING/RECEIVING DOCKS

If no courtyard is present or the dock is located on the side of the structure then landscaping or a solid screen made of durable architectural materials used in the buildings primary facade shall be provided to ultimately create an opaque screen at least eight (8) feet in height. The screening shall be designed to obscure views from on and offsite public areas, except for necessary penetrations.

5. ACCESS MANAGEMENT.

To ensure that development within the overlay does not impact the carrying capacity or future improvement of the corridor, the following access management strategies shall be employed.

The use of shared access to serve adjacent parcels abutting the corridor is required for new lots where there is less than two hundred (200) feet of frontage on the corridor.

6. LIGHTING.

a) Mounting heights shall not exceed eighteen (18) feet except in areas where the total number of parking spaces exceeds one hundred (100); in such instances the light shall be no higher than twenty-five (25) feet provided they are limited to the central areas of the parking lot and lower fixtures not exceeding eighteen (18) feet in height are utilized along the primary vehicular/pedestrian corridors.

b) If a light is within fifty (50) feet of a residentially zoned parcel, the height of the light shall be no greater than eighteen (18) feet with the fixture located along the edge of the parking area and light directed back into the site.

c) Wherever possible, illumination of outdoor seating areas, building entrances, and walkways shall be accomplished by use of ground mounted fixtures not more than four (4) feet in height.

7. SIGN REGULATIONS.

a) On-premise freestanding signs.

SIGNAGE ALLOWED BY ROAD FRONTAGE					
TYPE OF PROPERTY	LENGTH OF FRONTAGE	NUMBER	TYPE	HEIGHT	SIGN AREA
Freestanding Parcel	≤50 LF	1	Ground	8 feet	50 sf
	51 to 99 LF	1	Freestanding	8 feet	One (1) sf per one (1) lf of frontage up to a maximum of 500 sf
	100 to 199 LF	1		20 feet	
	200-399 LF	1		30 feet	
	≥400 LF	2		40 feet	
Commercial Subdivision Development	N/A	1	Freestanding	40 feet	
Out-parcel of a commercial subdivision development[1]	<400 feet	1	Ground	8 feet	
Footnotes:					
1. Outparcels with greater than 400 feet of frontage will be reviewed under the freestanding parcel.					

b) Prohibited signs

Animated signs and full motion video signs are prohibited

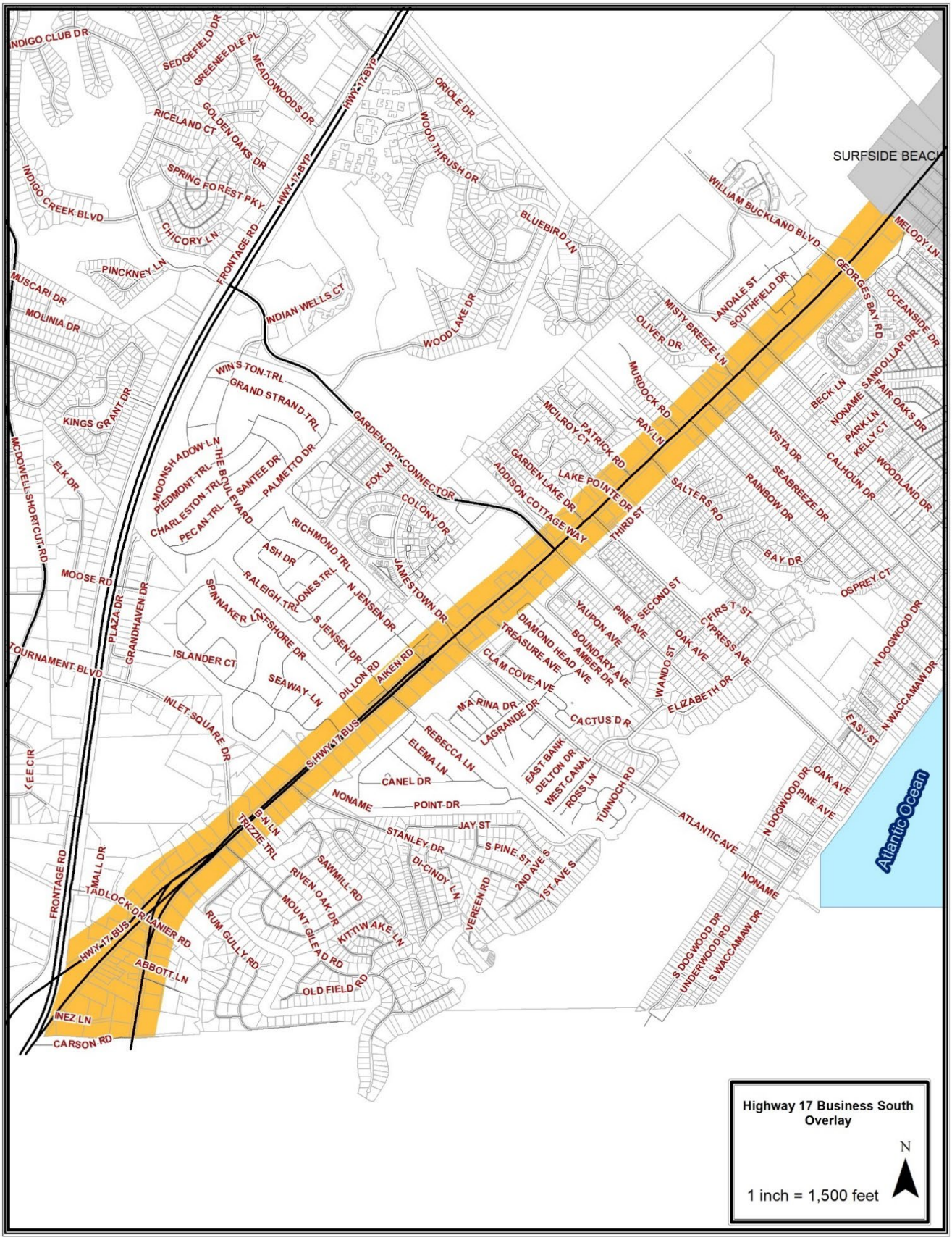
SECTION 809 - HIGHWAY 17 BUSINESS SOUTH OVERLAY ZONE.

LEVEL OF MODIFICATION		
LEVEL OF MODIFICATION	***PERCENT OF VALUE (COST OF MODIFICATION DIVIDED BY EXISTING IMPROVEMENT VALUE, TIMES 100)***	***APPLICABLE SECTIONS OF THIS OVERLAY DISTRICT THAT MUST BE ADHERED TO.***
Very minor	>0 percent to 4 percent	All new exterior walls must adhere to the facade and foundation landscaping requirements.
Minor	5 percent to 20 percent	Above plus all window signage must be brought into compliance.
Significant	21 percent to 49 percent	Above plus all existing exterior walls must adhere as well as all landscaping requirements.
Major	50 percent or more	All sections of the overlay must be adhered to including signage.

A. BOUNDARIES.

Corridor and overlay are used interchangeably throughout these regulations. When referenced, it shall mean the area generally two hundred and fifty (250) feet to the east and west of the right-of-way lines between the established beginning and ending points specified in this section of the zoning ordinance.

The overlay zone shall follow along US 17 Business South from the Town of Surfside Beach south to the Horry County line.


SURFSIDE BEACH
Atlantic Ocean
Highway 17 Business South Overlay
N
1 inch = 1,500 feet
INDIGO CLUB DR
SEDGEFIELD DR
GREENEDALE PL
MEADOWOODS DR
HWY 17 BYP
ORIOLE DR
WOOD THRUSH DR
RICELAND CT
GOLDEN OAKS DR
SPRING FOREST PKY
INDIGO CREEK BLVD
CHICORY LN
FRONTAGE RD
PINCKNEY LN
MUSCARI DR
MOLINIA DR
INDIAN WELLS CT
BLUEBIRD LN
WOOD LAKE DR
WILLIAM BUCKLAND BLVD
MELODY LN
GEORGES BAY RD
OCEANSIDE DR
LANDALE ST
SOUTHFIELD DR
MISTY BREEZE LN
OLIVER DR
MURDOCK RD
RAY LN
WINSTON TRL
GRAND STRAND TRL
KINGS GRANT DR
MCDOWELL SHORTCUT RD
ELK DR
MOONSHADOW LN
PIEDMONT TRL
THE BOULEVARD
CHARLESTON TRL
SANTEE DR
PALMETTO DR
PECAN TRL
GARDEN CITY CONNECTOR
FOX LN
COLONY DR
MCILROY CT
PATRICK RD
GARDEN LAKE DR
LAKE POINTE DR
ADDISON COTTAGE WAY
THIRD ST
SALTERS RD
BECK LN
NONAME
SANDDOLLAR DR
FAIR OAKS DR
PARK LN
KELLY CT
VISTA DR
CALHOUN DR
WOODLAND DR
SEABREEZE DR
RAINBOW DR
BAY DR
OSPREY CT
RICHMOND TRL
ASH DR
JONES TRL
N JENSEN DR
JAMESTOWN DR
MOOSE RD
PLAZA DR
GRANDHAVEN DR
SPINNAKER LN
RALEIGH TRL
S JENSEN DR
OFFSHORE DR
ISLANDER CT
TOURNAMENT BLVD
SEAWAY LN
DILLON RD
AIKEN RD
INLET SQUARE DR
YAUPON AVE
PINE AVE
SECOND ST
FIRST ST
CYPRESS AVE
BOUNDARY AVE
AMBER DR
OAK AVE
WANDO ST
ELIZABETH DR
DIAMOND HEAD AVE
TREASURE AVE
CLAM COVE AVE
MARINA DR
LAGRANDE DR
CACTUS DR
N DOGWOOD DR
N WACCAMAW DR
EASY ST
REBECCA LN
ELEMA LN
EAST BANK
DELTON DR
WEST CANAL
ROSS LN
TUNNOCH RD
CANEL DR
NONAME
POINT DR
JAY ST
STANLEY DR
S PINE ST
2ND AVE S
1ST AVE S
DI-CINDY LN
VEREEN RD
ATLANTIC AVE
N DOGWOOD DR
OAK AVE
PINE AVE
NONAME
S DOGWOOD DR
UNDERWOOD RD
S WACCAMAW DR
HWY 17 BUS
TRIZZIE TRL
SAWMILL RD
RIVEN OAK DR
MOUNT GILEAD RD
KITTIWAKE LN
RUM GULLY RD
OLD FIELD RD
TADLOCK DR
LANIER RD
ABBOTT LN
INEZ LN
CARSON RD
FRONTAGE RD
TMALL DR
KEE CIR

B. DEVELOPMENT AND DESIGN REQUIREMENTS

Development of specific uses in the Hwy 17 Business south overlay zone shall be consistent with the underlying zoning district. In addition to the requirements of the applicable underlying zoning district the following supplemental development regulations shall apply:

1. BUILDING EXTERIOR.

a) Facades.

i. Buildings wider than one hundred (100) feet shall be designed break up the scale of the building. This can be done using differing facade treatments including changes in color, material, articulation, windows, doors, etc. Principal facades facing overlay corridor may not have blank walls that exceed fifteen (15) feet in length without windows, doors or other decorative elements. Other building facades visible from the corridor or adjacent general customer areas must be designed so that no blank facade exceeds thirty (30) in width. The spacing shall be measured from edge of window, door or other decorative element to other element.

ii. Where parapets are used, the parapet must wrap around the entire length of the front and side of the buildings. Where parapets are not used, all rooftop mechanical equipment shall be screened. Parapets shall be limited to twenty (20) percent of the total height of the facade, unless the increased height is needed solely to screen the rooftop equipment.

iii. If the building design includes cornices than they should be a minimum one (1) foot deep cornice and extend along the entire front of buildings and the sides of buildings at least ten (10) feet.

iv. If the building design includes a contrasting base than it should be a minimum two (2) foot high contrasting base and extend along the entire front of buildings and down the sides of buildings at least ten (10) feet.

b) Glazing.

i. Reflective or heavily tinted glass shall be limited to twenty-five (25) percent of the linear length of any facade.

ii. Glazing located on the ground floor of the primary and/or secondary facade of commercial structures shall be forty (40) percent or less.

2. ACCESSORY STRUCTURES/USES.

Structures shall be limited in size to twenty-five (25) percent of the primary structure or one thousand (1,000) square feet; whichever is less.

3. SPECIAL DESIGN STANDARDS.

a) Outdoor Display

Commercial outdoor display areas, sales areas, and tents are prohibited, except in the following situations and subject to the following standards:

i. Where a special event is held and a permit is issued.

ii. This subsection does not apply to auto/boat/RV/storage building sales.

b) Outdoor Freestanding Propane Stations

Outdoor freestanding propane stations and storage facilities shall be opaquely screened from public view with landscaping or a fence meeting eighty (80) percent opacity.

c) Retail garden center.

i. Any merchandise typically associated with a retail garden center such as mulch, lawn equipment, propane items, barbeque grills, paving stones, landscaping timbers, bird baths, garden chemicals, etc., that is within two hundred fifty (250) feet of the corridor must be screened by either:

ii. A six-foot high privacy fence; or

iii. The items are screened by placing living plant materials such that these plants serve as a semi-opaque screen for the other materials, items and equipment. (This is not a replacement for the required perimeter landscaping)

d) Fencing

Chain link fencing is prohibited except within an industrial area and only when screened by landscape material to create a six-foot tall opaque screen. If permitted, chain link fences, including posts and rails, shall be black, brown or green and vinyl coated. Fences exceeding six (6) feet in height shall have plantings on any side facing the main corridor or adjacent residentially zoned property, whichever is closer.

4. SHIPPING/RECEIVING DOCKS

Shipping/receiving docks. If no courtyard is present or the dock is located on the side of the structure then landscaping or a solid screen made of durable architectural materials used in the buildings primary facade shall be provided to ultimately create an opaque screen at least eight (8) feet in height. The screening shall be designed to obscure views from on and offsite public areas, except for necessary penetrations.

5. LIGHTING.

a) Mounting heights shall not exceed eighteen (18) feet except in areas where the total number of parking spaces exceeds one hundred (100); in such instances the lights shall be no higher than twenty-five (25) feet provided they are limited to the central areas of the parking lot and lower fixtures not exceeding eighteen (18) feet in height are utilized along the primary vehicular/pedestrian corridors.

b) If a light is within fifty (50) feet of a residentially zoned parcel, the height of the light shall be no greater than eighteen (18) feet with the fixture located along the edge of the parking area and light directed back into the site.

c) Wherever possible, illumination of outdoor seating areas, building entrances, and walkways shall be accomplished by use of ground mounted fixtures not more than four (4) feet in height.

6. SIGN REGULATIONS.

a) On-premise freestanding signs.

SIGNAGE ALLOWED BY ROAD FRONTAGE					
TYPE OF PROPERTY	LF (LINEAR FEET OF ROAD FRONTAGE)	NUMBER[1]	TYPE	HEIGHT	SIGN AREA
Freestanding Parcel	≤50 LF	1	Ground	12 feet	50 sf
	51 to 99 LF	1	Freestanding	20 feet	One (1) sf per linear foot of frontage up to a maximum of 500 sf
	100 to 399 LF	1		30 feet	
	≥400 LF	2		40 feet	
Commercial Subdivision Development	N/A	1	Freestanding	40 feet	
Out-parcel of a commercial subdivision development[2]	<400 feet	1	Ground	12 feet	One (1) sf per linear foot of frontage up to a maximum of 200 sf
Footnotes:					
1. The minimum separation for all signs on a parcel shall be at least two hundred (200) linear feet.					
2. Outparcels with greater than 400feet of frontage will be reviewed under the freestanding parcel.					

b) Temporary and other.

i. Flags are allowed as follows:

A. Only two (2) flags shall be permitted.

B. The flags shall not be flown higher than a 35-foot pole, measured from grade.

C. Only one flag per pole up to six (6) feet by ten (10) feet, or two (2) flags per pole up to four (4) feet by six (6) feet, may be flown.

D. The flag pole shall not be located within ten (10) feet of any adjacent right-of-way.

ii. Temporary wall signage.

One (1) Temporary wall banner on a property which has received a zoning compliance for a new business within the last 30 days

iii. Temporary ground sign

A. One (1) on-site temporary sign not exceeding eight (8) feet in height or sixteen (16) square feet in size; or

B. One (1) temporary sign, no more than thirty-two (32) square feet in area, located on the property on which there is an active building permit or an active stormwater permit.

c) *Prohibited signs.* The following signs shall be prohibited in the corridor:

Temporary signs except for what is allowed above

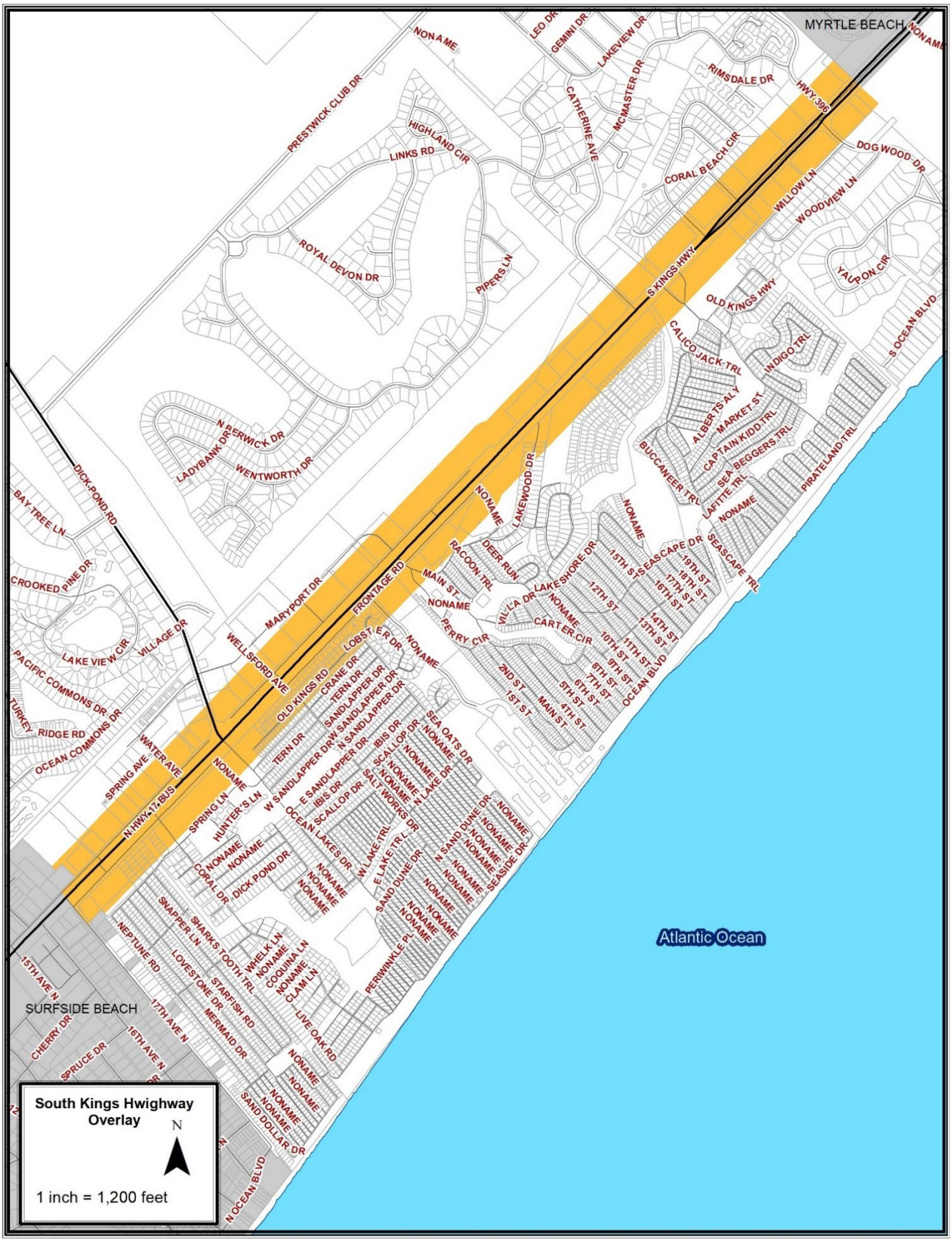
SECTION 810 - SOUTH KINGS HIGHWAY OVERLAY ZONE.

LEVEL OF MODIFICATION		
LEVEL OF MODIFICATION	***PERCENT OF VALUE (COST OF MODIFICATION DIVIDED BY EXISTING IMPROVEMENT VALUE, TIMES 100)***	***APPLICABLE SECTIONS OF THIS OVERLAY DISTRICT THAT MUST BE ADHERED TO.***
Very minor	>0 percent to 4 percent	All new exterior walls must adhere to the facade and foundation landscaping requirements.
Minor	5 percent to 20 percent	Above plus signage
Significant	21 percent to 49 percent	Above plus all existing exterior walls must adhere as well as all landscaping requirements.
Major	50 percent or more	All sections of the overlay must be adhered to

A. BOUNDARIES.

Corridor and overlay are used interchangeably throughout these regulations. When referenced, it shall mean the area generally two hundred and fifty (250) feet to the east and west of the right-of-way lines between the established beginning and ending points specified in this section of the Zoning Ordinance.

The Overlay zone shall follow along S. Kings Highway from the City of Myrtle Beach municipal limits south to the Town of Surfside municipal limits


MYRTLE BEACH
SURFSIDE BEACH
Atlantic Ocean
S KINGS HWY
N HWY 17 BUS
HWY 396
PRESTWICK CLUB DR
HIGHLAND CIR
LINKS RD
ROYAL DEVON DR
PIPERS LN
N BERWICK DR
LADYBANK DR
WENTWORTH DR
DICK POND RD
BAY TREE LN
CROOKED PINE DR
LAKE VIEW CIR
VILLAGE DR
PACIFIC COMMONS DR
TURKEY RIDGE RD
OCEAN COMMONS DR
WATER AVE
SPRING AVE
SPRING LN
HUNTER'S LN
DICK POND DR
CORAL DR
MARYPORT DR
WELLSFORD AVE
FRONTAGE RD
OLD KINGS RD
LOBSTER DR
CRANE DR
TERN DR
SANDLAPPER DR
W SANDLAPPER DR
E SANDLAPPER DR
N SANDLAPPER DR
IBIS DR
SCALLOP DR
SALT WORKS DR
OCEAN LAKES DR
W LAKE TRL
E LAKE TRL
SEA OATS DR
N LAKE DR
N SAND DUNE DR
SAND DUNE DR
SEASIDE DR
PERIWINKLE PL
SNAPPER LN
SHARKS TOOTH TRL
NEPTUNE RD
LOVESTONE DR
STARFISH RD
MERMAID DR
WHELK LN
COQUINA LN
CLAM LN
LIVE OAK RD
SAND DOLLAR DR
15TH AVE N
17TH AVE N
16TH AVE N
CHERRY DR
SPRUCE DR
N OCEAN BLVD
LEO DR
GEMINI DR
LAKEVIEW DR
MCMASTER DR
CATHERINE AVE
RIMSDALE DR
CORAL BEACH CIR
DOG WOOD DR
WILLOW LN
WOODVIEW LN
YAUPON CIR
OLD KINGS HWY
S OCEAN BLVD
CALICO JACK TRL
INDIGO TRL
ALBERTS ALY
MARKET ST
CAPTAIN KIDD TRL
SEA BEGGERS TRL
LAFITTE TRL
PIRATELAND TRL
BUCCANEER TRL
LAKEWOOD DR
DEER RUN
RACOON TRL
MAIN ST
PERRY CIR
VILLA DR
LAKESHORE DR
CARTER CIR
SEASCAPE DR
SEASCAPE TRL
OCEAN BLVD
1ST ST
2ND ST
4TH ST
5TH ST
6TH ST
7TH ST
9TH ST
10TH ST
11TH ST
12TH ST
13TH ST
14TH ST
15TH ST
16TH ST
17TH ST
18TH ST
19TH ST
NONAME
South Kings Hwighway Overlay
N
1 inch = 1,200 feet

B. DEVELOPMENT AND DESIGN REQUIREMENTS.

Development of specific uses in the S. Kings Hwy Overlay Zone shall be consistent with the underlying zoning district. In addition to the requirements of the applicable underlying zoning district the following supplemental development regulations shall apply:

1. BUILDING.

a) Facades.

i. Building facades facing the corridor must include a repeating pattern with no less than three (3) of the elements listed below. At least one (1) of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.

A. Color change.

B. Texture change.

C. Material module change.

ii. No length of any front facade facing the corridor shall exceed thirty (30) linear feet without including at least one (1) of the following: pilasters, columns, offsets, reveals, projecting ribs canopies/porticos, colonnades, windows, trellis with vines, or an equivalent element that subdivides the wall into human scale proportions.

iii. Shutters, if used, shall be sized so that they would fully cover the window opening if they were operable. Operable shutters are preferred, but not required.

iv. Where parapets are not used, all rooftop mechanical equipment shall be screened. False parapets shall be limited to twenty (20) percent of the total height of the facade. The measurement shall be the average height of the parapet wall at each section of the facade as a ratio to width.

v. Where sloping roofs are used on the front or sides of a building facing the corridor the cornices shall be a minimum of one (1) foot deep.

b) Entrances.

A minimum one (1) entrance shall front the primary corridor. A commercial or institutional building shall feature one (1) or more prominent entries on the primary facade highlighted by at least three (3) of the details listed below. Secondary entrances to smaller tenants in multi-tenant buildings shall also have at least two (2) of the features listed below.

i. Canopies/porticos above the entrance;

ii. Roof overhangs above the entrance;

iii. Entry recesses/projections;

iv. Arcades that are physically integrated with the entrance;

v. Raised corniced parapets above the entrance;

vi. Architectural details, such as tile work and moldings, that are integrated into the building structure and design; or

vii. Integral planters or wing walls that incorporate landscaped areas or seating areas. A wing wall is a wall secondary in scale projecting from a primary wall and not having a roof.

c) Glazing.

Reflective or heavily tinted glass shall not be used on the primary or secondary facade.

2. ACCESSORY STRUCTURES/USES.

Accessory structures shall be limited in size to twenty-five (25) percent of the primary structure or one thousand (1,000) square feet; whichever is less.

3. SPECIAL DESIGN STANDARDS.

a) Fencing

Chain link security fence enclosures may only be utilized within industrial areas and only when screened by landscape material to create a six-foot tall opaque screen. If permitted, chain link fences, including posts and rails, shall be black, brown or green and vinyl coated.

b) Outdoor Freestanding Propane Stations

Outdoor freestanding propane stations and storage facilities shall be opaquely screened from public view with landscaping or a solid fence of vinyl, wood, stone or brick material. Fences exceeding six (6) feet in height shall have landscape plantings on any side facing the main corridor or residentially zoned property.

c) Retail garden center.

Any merchandise typically associated with a retail garden center other than living plant material such as mulch, lawn equipment, propane items, barbeque grills, paving stones, landscaping timbers, bird baths, garden chemicals, etc. that is within two hundred fifty (250) feet of the corridor must be screened by either:

i. A six-foot high privacy fence; or

ii. The items are screened by placing living plant materials, which may be for sale, such that these plants serve as a semi-opaque screen for the other materials, items and equipment. (This is not a replacement for the required perimeter landscaping)

d) Outdoor storage.

The following are requirements for outdoor storage in non-residential districts located within the Overlay. All uses with outdoor storage of any goods, materials, merchandise, equipment, parts, junk or vehicles (overnight parking) shall not be permitted unless in conformance with the following regulations:

i. All proposed areas used for outdoor storage and the associated method of screening shall be indicated on an approved site plan.

ii. Fencing shall consist of vinyl, wood, stone, or brick materials. Chain link, plastic or concrete materials are prohibited.

iii. Outdoor storage shall observe the same setback requirements as that of the principal building.

iv. Outdoor storage areas cannot be located forward of the principal building and when possible shall be located to the side of the building not facing a public street.

4. SHIPPING/RECEIVING AREAS

If no courtyard is present then landscaping or a solid screen made of durable architectural materials used in the buildings primary facade shall be provided to ultimately create an opaque screen at least eight (8) feet in height. The screening shall be designed to obscure views from on and offsite public areas, except for necessary penetrations.

5. DRIVEWAY LOCATION AND DESIGN.

a) Driveway medians shall be improved with at least one (1), two and one-half-inch caliper canopy tree to reduce parking lot heat and glare for every fifty (50) feet of median length. Five (5) shrubs must be provided per tree. Two (2) understory trees may be substituted for each required canopy tree in areas constrained by overhead utility line or in limited cases at the discretion of the Planning Department to provide visibility to signage and or architectural features. The remaining area of the driveway median shall be planted with vegetation that complements the structure or a suitable groundcover. All landscaping shall be located so as to not impede any required sight triangles. Acceptable plant species, maintenance standards, and sizes to meet the above requirements are listed below.

b) On site storage for entering and exiting vehicles shall be buffered from the parking area. Said buffer shall consist of an above grade landscaping strip no less than three (3) feet in width and vegetated with at least one (1) two and one-half-inch caliper canopy trees to reduce parking lot heat and glare for every twenty-five (25) feet of median length. Five (5) shrubs shall be provided per tree. Two (2) understory trees may be substituted for each required canopy tree in areas constrained by overhead utility lines or in limited cases at the discretion of the Planning Department to provide visibility to signage and or architectural features. The remaining area of the buffer shall be planted with vegetation that complements the structure or a suitable groundcover. Acceptable plant species, maintenance standards, and sizes to meet the above requirements are listed in Horry County Landscaping Booklet.

6. PARKING.

To reduce the visual mass and enhance the appearance of parking areas from the corridor, the following standards shall be met:

a) Parking plan.

The maximum allowed number of parking spaces is one hundred ten (110) percent of the required number of off-street parking spaces. All parking spaces provided in excess of one hundred ten (110) percent of the required parking spaces shall consist of alternative pervious paving materials unless this creates a requirement where the number of pervious spaces is five (5) or less. In such cases all parking may be impervious.

7. LIGHTING HEIGHT.

a) Mounting heights shall not exceed eighteen (18) feet except in areas where the total number of parking spaces exceeds one hundred (100); in such instances the lights shall be no higher than twenty-five (25) feet provided they are limited to the central areas of the parking lot and lower fixtures not exceeding eighteen (18) feet in height are utilized along the primary vehicular/pedestrian corridors.

b) If a light is within fifty (50) feet of a residentially zoned parcel, the height of the light shall be no greater than eighteen (18) feet with the fixture located along the edge of the parking area and light directed back into the site.

c) Wherever possible, illumination of outdoor seating areas, building entrances, and walkways shall be accomplished by use of ground mounted fixtures not more than four (4) feet in height.

8. SIGN REGULATIONS.

a) Off-premise signage.

No new or additional off-premise signs shall be allowed or permitted in the defined area of this corridor Overlay Zone unless it meets the following:

i. Off-premise signs must be one thousand two hundred (1,200) feet apart except for digital billboards which must meet a separation of two thousand four hundred (2,400) feet from other digital billboards.

ii. Digital billboards cannot be located within five hundred (500) feet of a residential zone or used property.

b) On-premise signs.

I. ALLOWED SIGNAGE

SIGNAGE ALLOWED BY ROAD FRONTAGE					
TYPE OF PROPERTY	LENGTH OF FRONTAGE	NUMBER	TYPE	HEIGHT	SIGN AREA
Freestanding Parcel	<150 LF	1	Ground	8 feet	50sf
	150 to 499 LF	1	Freestanding	25 feet	One-half (.5) sf per one (1) linear foot of frontage up to a maximum of 200 sf
	≥500 LF	2			
Commercial Subdivision Development	<1000 LF	1	Freestanding "primary"	25 feet	
	≥1000 LF	1	Freestanding "secondary"	25 feet	1 additional sign up to 150sf
Out-parcel of a commercial subdivision development	N/A	1	Ground	8 feet	One-half (.5) sf per one (1) linear foot of frontage up to a maximum of 200 sf

II. SIGNAGE DESIGN STANDARDS

A. Maximum number of tenant sign panels incorporated into the freestanding sign:

B. Parcel(s) less three (3) acres may have up to six (6) tenant panels.

C. Parcel(s) greater than or equal to three (3) acres may have up to eight (8) tenant panels.

D. The maximum size of the background structure of a sign shall not exceed one hundred ten (110) percent of the total square footage of copy area. Branded architectural elements shall not count as background structure.

E. The portion of the sign on which tenant names are displayed does not exceed eighty-five (85) percent of the total sign area; and

F. Branded architectural elements shall not count towards the maximum allowable copy area. Branded elements shall not exceed thirty (30) percent of the allowed copy area. Area shall be measured as the smallest box capable of containing all design elements.

c) Building signs:

BUILDING SIGNAGE ALLOWED PER TENANT FRONTAGE		
TYPE OF Development	**NUMBER OF SIGNS**	**SIGN AREA COMPUTATION[1]**
Single Tenant	One (1) building signs per tenant frontage	• One (1) sf per one (1) lf of building frontage. • Additional One Half (1/2) sf for every lf of building frontage for buildings located beyond one hundred (100) feet from the right-of-way.
Multi Tenant	One (1) building signs are permitted per tenant frontage.	• Two (2) square feet for every lf tenant frontage. • The length of the sign may occupy up to seventy-five (75) percent of the linear feet of the storefront the business occupies.
Footnotes:		
1. The size of an individual sign shall not exceed one hundred fifty (150) square feet.		

d) Temporary and other.

i. Temporary wall signage.

One (1) Temporary wall banner on a property which has received a zoning compliance for a new business within the last 30 days

ii. Temporary ground sign

A. One (1) on-site temporary sign not exceeding eight (8) feet in height or sixteen (16) square feet in size; or

B. One (1) temporary sign, no more than thirty-two (32) square feet in area, located on the property on which there is an active building permit or an active stormwater permit.

e) Prohibited signs. The following signs shall be prohibited in the overlay:

i. Animated and full motion video signs are prohibited.

ii. Temporary signs except for what is allowed above.

SECTION 811– SECTION 821 RESERVED

HEIGHT OVERLAY ZONES

SECTION 822 - LITTLE RIVER HEIGHT OVERLAY ZONE.

A. PURPOSE

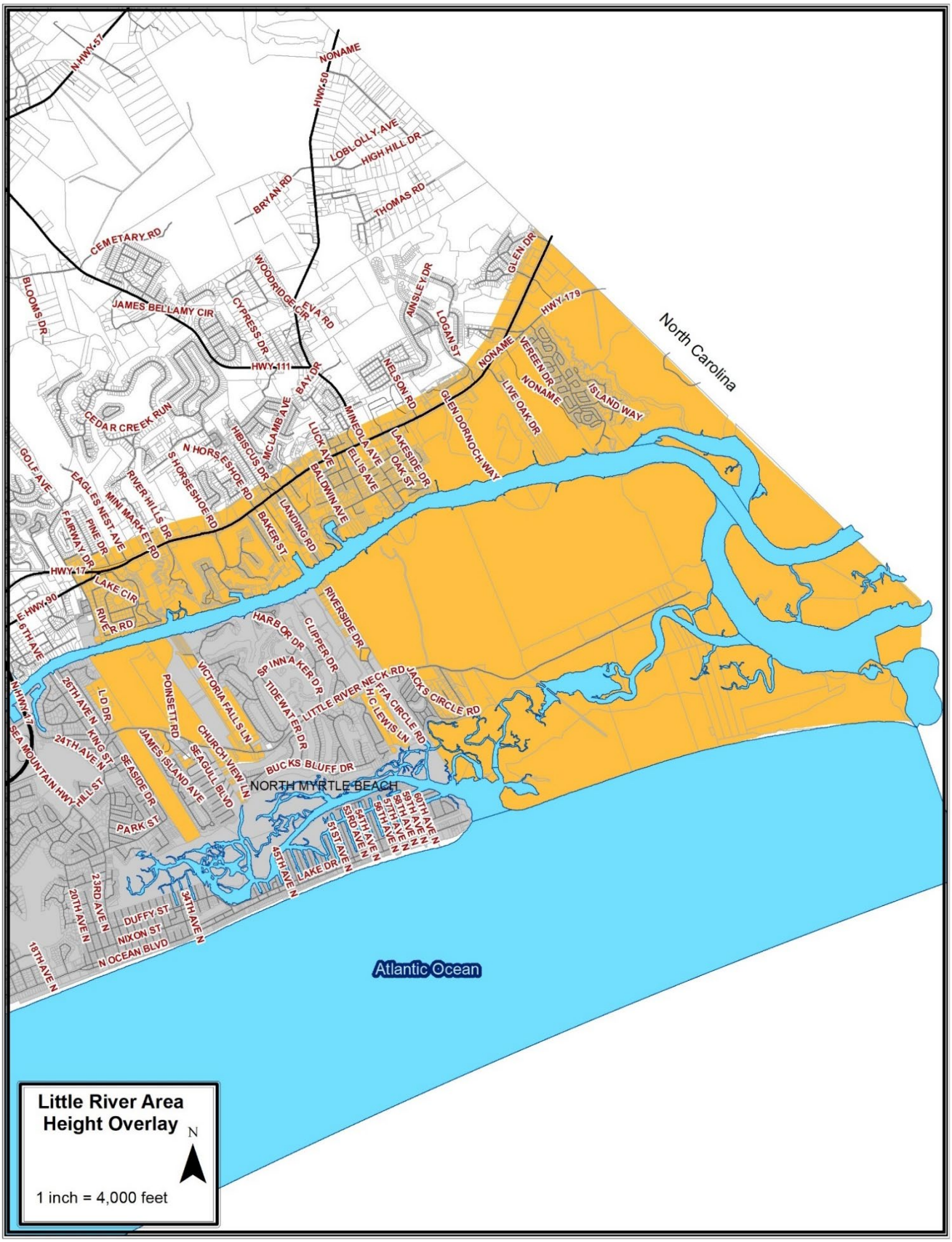
The purpose of the Little River Overlay Zone is established to impose height restrictions on all new construction in the area to prevent over development and development that is incompatible with the area.

B. BOUNDARIES.

The Little River Area Overlay Zone shall begin at the intersection of Golf Avenue, Highway 90 and Highway 17 and Kingsport Road and terminate at the North Carolina State Line. Furthermore, the overlay shall extend 500 feet to the north, northwest of the right-of-way line of Highway 17 and shall extend to the Atlantic Ocean on the east and include the North Myrtle Beach Marina.

C. APPLICABLE HEIGHT RESTRICTIONS.

The height of all new construction within the Little River Height Overlay shall not exceed sixty (60') feet, unless the property is rezoned to a Planned Development District (PDD). A height of up to one hundred twenty (120') feet may be approved in a PDD.


Little River Area
Height Overlay
N
1 inch = 4,000 feet
North Carolina
Atlantic Ocean
NORTH MYRTLE BEACH
N HWY 57
NONAME
HWY 50
LOBLOLLY AVE
HIGH HILL DR
THOMAS RD
BRYAN RD
CEMETARY RD
BLOOMS DR
JAMES BELLAMY CIR
WOODRIDGE CIR
CYPRESS DR
EVA RD
HWY 111
BAY DR
AINSLEY DR
LOGAN ST
GLEN DR
HWY 179
VEREEN DR
ISLAND WAY
LIVE OAK DR
GLEN DORNOCH WAY
NELSON RD
MINEOLA AVE
ELLIS AVE
LAKESIDE DR
OAK ST
LUCK AVE
BALDWIN AVE
MCLAMB AVE
HIBISCUS DR
N HORSESHOE RD
S HORSESHOE RD
CEDAR CREEK RUN
GOLF AVE
EAGLES NEST AVE
RIVER HILLS DR
MINI MARKET RD
FAIRWAY DR
PINE DR
BAKER ST
LANDING RD
HWY 17
LAKE CIR
E HWY 90
6TH AVE
RIVER RD
RIVERSIDE DR
HARBOR DR
CLIPPER DR
SPINNAKER DR
TIDEWATER DR
LITTLE RIVER NECK RD
FFA CIRCLE RD
H C LEWIS LN
JACKS CIRCLE RD
VICTORIA FALLS LN
POINSETT RD
CHURCH VIEW LN
SEAGULL BLVD
JAMES ISLAND AVE
SEASIDE DR
BUCKS BLUFF DR
26TH AVE N
LD DR
24TH AVE N
KING ST
N HWY 17
SEA MOUNTAIN HWY
HILL ST
PARK ST
45TH AVE N
LAKE DR
51ST AVE N
53RD AVE N
54TH AVE N
56TH AVE N
57TH AVE N
58TH AVE N
59TH AVE N
60TH AVE N
23RD AVE N
20TH AVE N
34TH AVE N
DUFFY ST
NIXON ST
N OCEAN BLVD
18TH AVE N

SECTION 823 – AIRPORT ENVIRONS OVERLAY ZONE

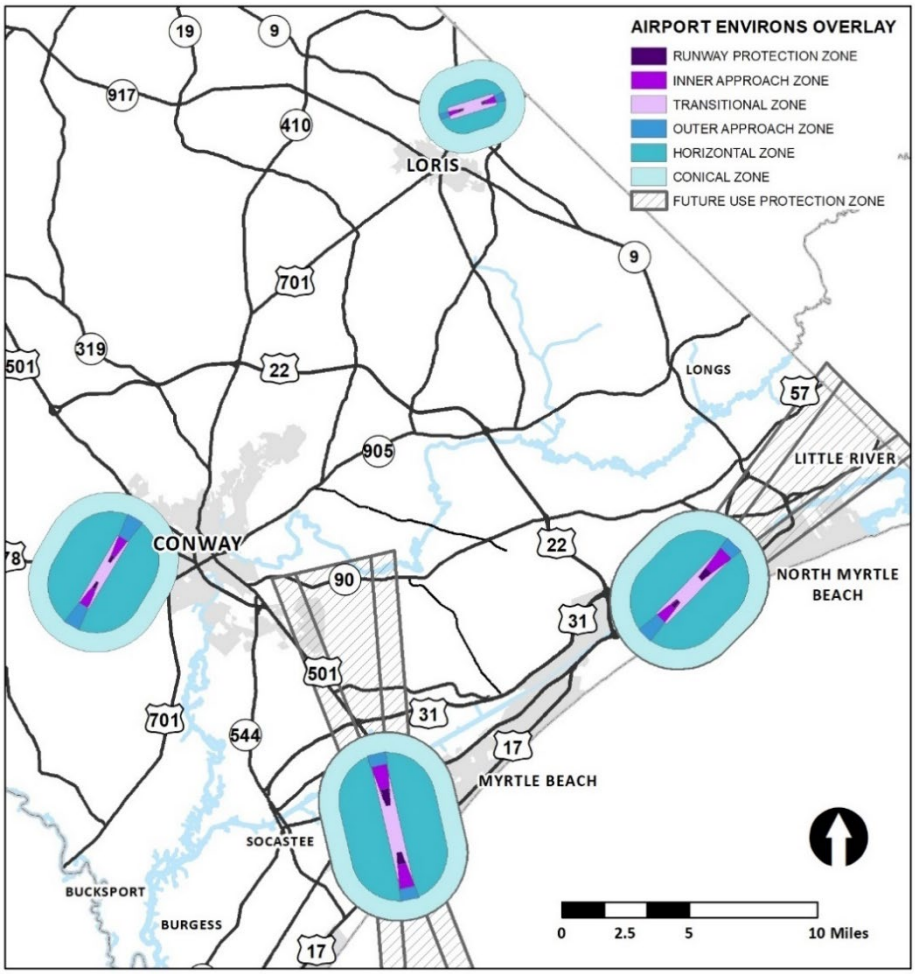
A. PURPOSE.

This overlay zone exists to ensure current operations and future expansions of Horry County's publicly-owned and operated aviation facilities are not hindered by encroachment of structures or objects into required aircraft approach paths or airspace. Protection of such spaces is necessary to ensure compliance with Federal Aviation Administration (FAA) guidelines relative to general aviation airports, to ensure the safety and efficiency of air navigation, to prevent conflict with land development that may result in loss of life and property, to encourage development that is compatible with airports, and to preserve and protect the public investment in Horry County's aviation facilities.

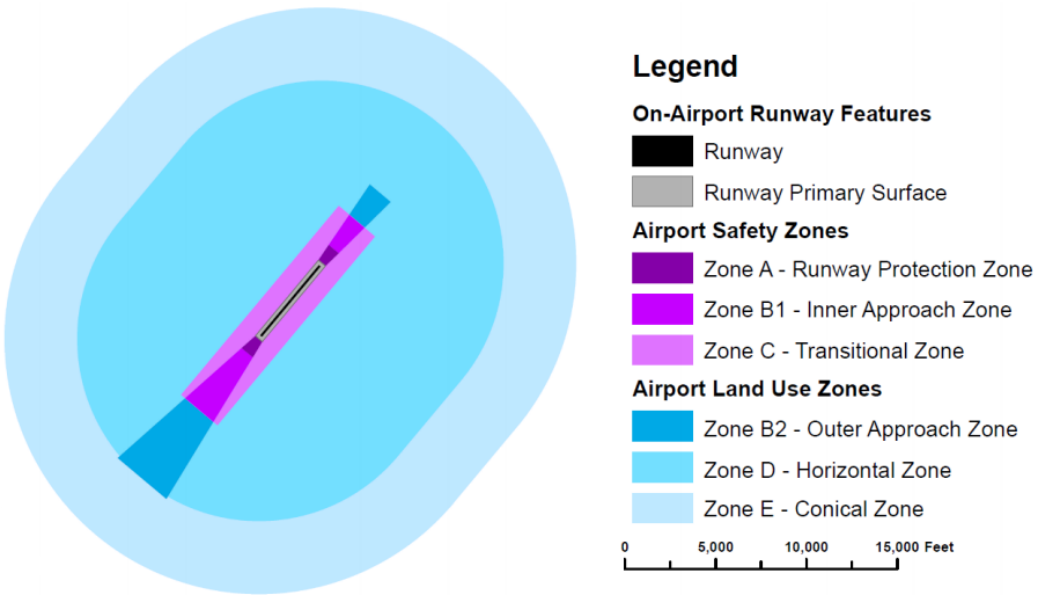
B. APPLICABILITY.

The Airport Environs Overlay Zone shall govern all properties in unincorporated Horry County that fall within the (1) Runway Protection Zone, (2) Inner Approach Zone, (3) Transitional Zone, (4) Outer Approach Zone, (5) Horizontal Zone, (6) Conical Zone, and (6) Future Use Protection Zone, as identified by the South Carolina Aeronautics Commission's Airport Compatible Land Use Evaluation Tool for Myrtle Beach International Airport (MYR), Grand Strand Airport (CRE), Conway-Horry County Airport (HYW), and Loris-Twin Cities Airport (5J9), and as shown in the Airport Environs Overlay Map.

Airport Environs Overlay Map



Airport Environs Typical



C. USE AND HEIGHT RESTRICTIONS.

No permanent or temporary use may be made of areas, land or water within any zone established by this ordinance in such a manner as to:

1. Create electrical interference with navigational signals or radio communications between the airport, aircraft, and/or any Air Traffic Control Facility, whether such facility is operated by the FAA (or its successor) or operated by a non-FAA entity; or
2. Make it difficult for pilots to distinguish between airport lights and others, resulting in glare in the eyes of pilots using the airport, create bird strike hazards, or otherwise in any way creating a hazard or endangering the landing, takeoff, or maneuvering of aircraft intending to use the airport.
3. Conflict with land use recommendations made by the South Carolina Aeronautics Commission through the Airport Compatible Land Use Evaluation Tool. Any of the following shall require a review by the SC Aeronautics Commission and Horry County Department of Airports, and may require a review by the FAA:

Airport Zone	Building Height	Zoning Changes	Residential	Commercial
Runway Protection Zone	> 10 ft	All	All	All
Inner Approach and Transitional Zone	> 30 ft	All 2 or more acres	2 or more units, including multi-family or single family with less than 2 acre lots	All new occupied structures
Outer Approach Zone	> 120 ft	All 5 or more acres	3 or more units, including multi-family or single family with less than 1.5 acre lots	All new occupied structures 5,000 sq ft or greater and non-retail fuel storage and distribution facilities
Horizontal and Conical Zones	> 120 ft	Not Applicable	Not Applicable	Regional shopping centers, large schools, hospitals, indoor and outdoor event centers, and industrial uses that would produce large and/or dense plumes
Future Use Protection Zone	≥ 200 ft	Not Applicable	Not Applicable	Not Applicable

4. A Determination of No Hazard to Air Navigation from the FAA shall be required for any new permanent or temporary structure over 200 feet tall within the overlay zone.

D. REVIEW AUTHORITY.

The Horry County Planning and Zoning Department will be the development review authority in the unincorporated areas in the vicinity of the airport facilities. The Horry County Planning and Zoning Department will act as liaison to the Horry County Department of Airports to solicit comments and recommendations regarding proposed development or redevelopment within the airport environs overlay. The Horry County Department of Airports will coordinate with the FAA to ensure compliance with the Federal Aviation Regulations (FAR) Part 77.

SECTION 824– SECTION 830 RESERVED

OTHER OVERLAY ZONES

SECTION 831 - TEMPORARY VENDING OVERLAY ZONES.

A. PURPOSE.

The Temporary Vending Overlay Zones are established to provide limits on the number of temporary vending permits that may be issued in conjunction with festivals, fairs, or special events occurring within the county. Issuance of temporary vending permits within the zones established below shall follow the standards established in this section.

B. BOUNDARIES.

The Temporary Vending Overlay Zones (TVOZ) are defined as:

1. Southern Strand Temporary Vending Overlay (SSTVO). The SSTVO is defined as the area bounded on the north by South Carolina Highway 501, on the east by the Atlantic Ocean, on the south by the Horry/Georgetown County line, and the west by the Intracoastal Waterway.
2. Northern Strand Temporary Vending Overlay (NSTVO). The NSTVO is defined as the area bounded on the north by the North Carolina/South Carolina State line, on the east by the Atlantic Ocean, on the south by the South Carolina Highway 501, and the west by the Intracoastal Waterway.
3. Southern Waccamaw Temporary Vending Overlay (SWTVO). The SWTVO is defined as the area bounded on the north by the South Carolina Highway 501, on the east by the Intracoastal Waterway, on the south by the Horry/Georgetown County line, and the west by the Waccamaw River.
4. Northern Waccamaw Temporary Vending Overlay (NWTVO). The NWTVO is defined as the area bounded on the north by the North Carolina/South Carolina State line, on the east by the Intracoastal Waterway, on the south by the South Carolina Highway 501, and the west by the Waccamaw River.
5. Western Temporary Vending Overlay (WTVO) is defined as the area of Horry County west of the Waccamaw River.

C. PERMITTING RESTRICTIONS.

1. No more than seventy-five (75) temporary vending permits shall be issued in each of the following overlay zones for the spring or fall bike rallies or other fair, festival, or special event: SSTVO, NSTVO, SWTVO, and NWTVO. In the SSTVO, no more than twenty-five (25) of the allotted seventy-five (75) permits shall be issued for locations south of S.C. Highway 544.
2. No more than one hundred (100) temporary vending permits shall be issued in the WTVO for the spring or fall bike rallies or other fair, festival, or special event.
3. No temporary vending permits shall be issued for areas located within the South Carolina Highway 501 Overlay

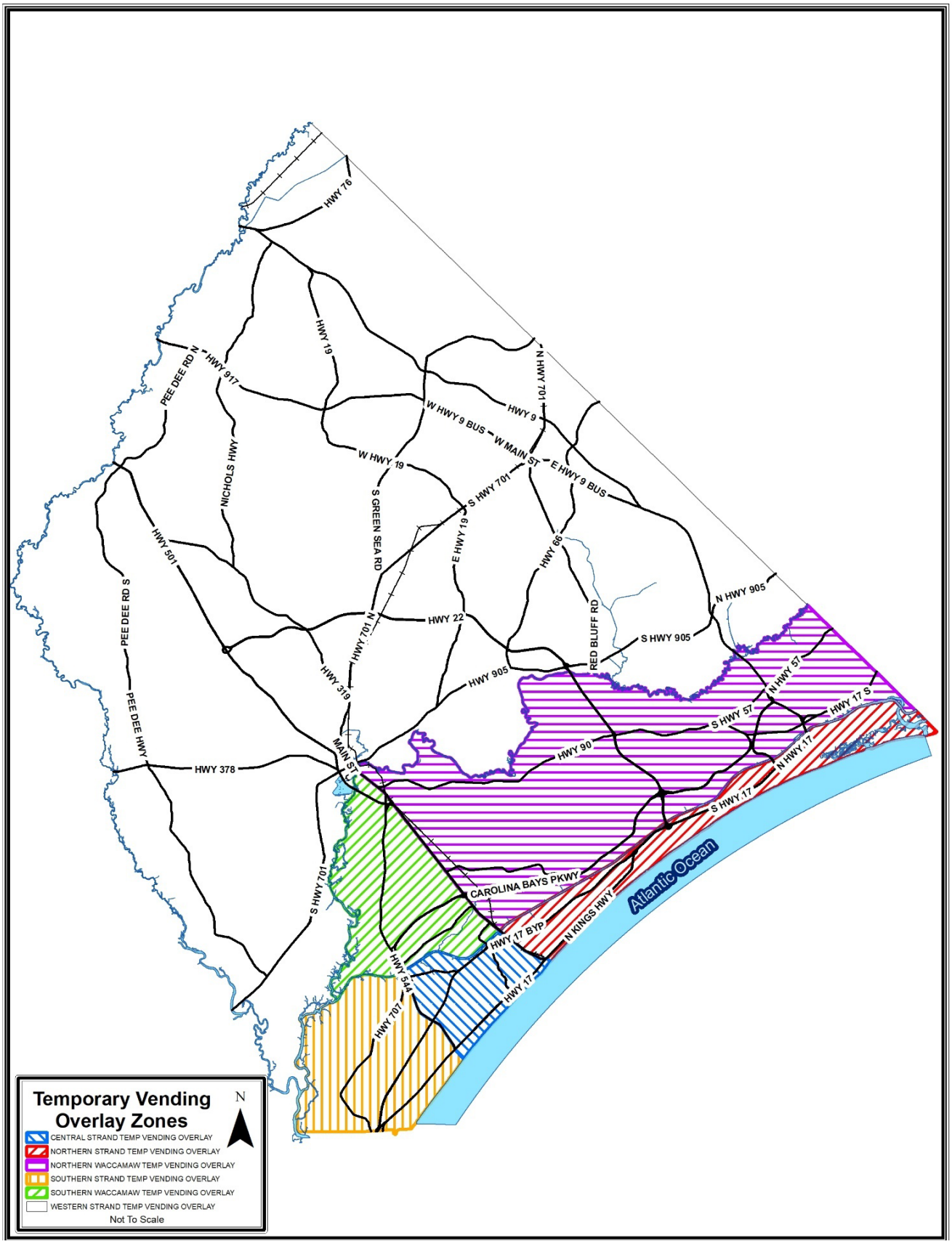
D. TEMPORARY VENDORS FOR FESTIVALS, FAIRS AND SPECIAL EVENTS SUBJECT TO THE FOLLOWING CONDITIONS:

1. Temporary vending shall be allowed as accessory uses to existing businesses provided that;
   a) The existing location is of sufficient size to accommodate additional traffic and vending booths shall not displace more than thirty (30) percent of the existing business parking lot.
   b) Vending booths as a conditional use or structure shall be setback twenty (20) feet from the right-of-way line of any public or private roadway. They shall have a minimum separation of six (6) feet from the principal structure or other uses upon the lot. No more than four (4) vending booths may be joined together without providing a minimum six-foot separation between them and adjacent vending booths.
   c) No vending booth shall be closer than five (5) feet to any abutting side or rear property line. If the property is surrounded by a privacy fence, of at least six (6) feet in height, the side and rear setbacks shall not apply.
   d) Businesses allowing vending shall provide two (2) parking spaces per vendor and the area for vending parking shall be designated as "vehicle parking only" and cordoned off from pedestrian and all other uses.
2. Temporary vending shall be allowed on vacant lots in zoning districts allowing retail sales provided;
   a) The vacant lot is of sufficient size to accommodate additional traffic and vending booths.
   b) No vending booths shall be located on the lot closer than twenty-five (25) feet to any property line abutting a street and no closer than ten (10) feet to any other property line and separated from other vending uses by six (6) feet.
   c) Any vacant lot where the property line abuts a residential use or zoning district shall not be allowed to accommodate a vending use.
   d) Vacant lots allowing vending uses shall provide three (3) parking spaces per vendor and provide a designated area on the lot where they are located strictly for vehicle parking only to accommodate this requirement. The designated area shall not be closer than ten (10) feet to the highway right-of-way.
3. Temporary signage must be permitted in compliance with § 610.
   a) Temporary signage for such locations that allow vending shall be restricted to locating all signage to the vending booth, which is permitted.
   b) No signage other than one (1) temporary road frontage sign advertising the location/name of the vending area shall be permitted.
4. A site plan drawn to scale shall be required showing vendor location, setbacks, existing parking, and designated reserved parking area for vendors and signage location.
5. A letter and/or copy of an official lease agreement from the property owner and a copy of the property owner's business license must be provided where vending permits are requested.

6. Temporary vending booths selling alcoholic beverages shall be separated one hundred (100) feet from other temporary vending booths selling alcohol beverages.
7. All vending locations shall provide proof (receipts for services) of bathroom facilities and litter containment and removal during the permitting process.
8. Any vending location that occupies houses or stores a recreation vehicle for vending or overnight purposes shall be limited to the lot on which they are permitted otherwise; RV's shall not be used or stored on any other location other than in the zoning district that they are allowed (Destination Park Zoning District).
9. The property owner/lessee or assigns shall be responsible for any violation of this section or any other sections of the Horry County Code of Ordinances. Such violations may result in the revocation or denial of a Certificate of Zoning Compliance for this or any future use as a festival, fair or special event.
10. Non profit organizations, exempt from obtaining an Horry County Business License, that sponsor events at which temporary vending occurs shall be required to obtain one (1) Zoning Compliance for such vending locations. A site plan shall be submitted showing the designated area (i.e. blocks, streets, or group of parcels) of-such vending locations. If parking is not being provided within the designated area, the non-profit organization shall provide proof that off-street parking has been reserved and designated to accommodate event patrons. Non profit organizations shall be exempt from certificate of zoning compliance fees.
11. Permits will be valid for the approved dates of such event. No permits will be issued earlier than ninety (90) days prior to the scheduled event and vendors may not setup booths prior to the scheduled event.
12. Temporary vending fees shall be as follows:*

EVENT	EVENT LENGTH	PERMIT AMOUNT
Spring and Fall Bike Rallies	7 consecutive days (includes set-up and take down)	$800.00 SSTVO and NSTVO $500.00 SWTVO and NWTVO $500.00 WTVO
Memorial Weekend Rally	4 consecutive days (includes set-up and take down)	$800.00 SSTVO and NSTVO $500.00 SWTVO and NWTVO $500.00 WTVO
All Other Events		$100.00 per day

**Vendors located within Loris Fairgrounds are not normally subject to temporary vending fees. However, due to the public safety costs incurred during bike rallies, temporary vendors located within Loris Fairgrounds or other similar venues shall be subject to the vending fees set forth herein.*


HWY 76
HWY 19
PEE DEE RD N
HWY 917
N HWY 701
HWY 9
W HWY 9 BUS
W MAIN ST
E HWY 9 BUS
W HWY 19
S HWY 701
NICHOLS HWY
S GREEN SEA RD
E HWY 19
HWY 501
HWY 66
N HWY 905
PEE DEE RD S
HWY 22
S HWY 905
RED BLUFF RD
HWY 701 N
HWY 319
HWY 905
N HWY 57
HWY 17 S
S HWY 57
PEE DEE HWY
HWY 90
N HWY 17
HWY 378
MAIN ST
S HWY 17
S HWY 701
CAROLINA BAYS PKWY
Atlantic Ocean
N KINGS HWY
HWY 17 BYP
HWY 544
HWY 17
HWY 707
Temporary Vending Overlay Zones
N
CENTRAL STRAND TEMP VENDING OVERLAY
NORTHERN STRAND TEMP VENDING OVERLAY
NORTHERN WACCAMAW TEMP VENDING OVERLAY
SOUTHERN STRAND TEMP VENDING OVERLAY
SOUTHERN WACCAMAW TEMP VENDING OVERLAY
WESTERN STRAND TEMP VENDING OVERLAY
Not To Scale

SECTION 832 - COASTAL CAROLINA UNIVERSITY NEIGHBORHOOD OVERLAY ZONE.

A. PURPOSE.

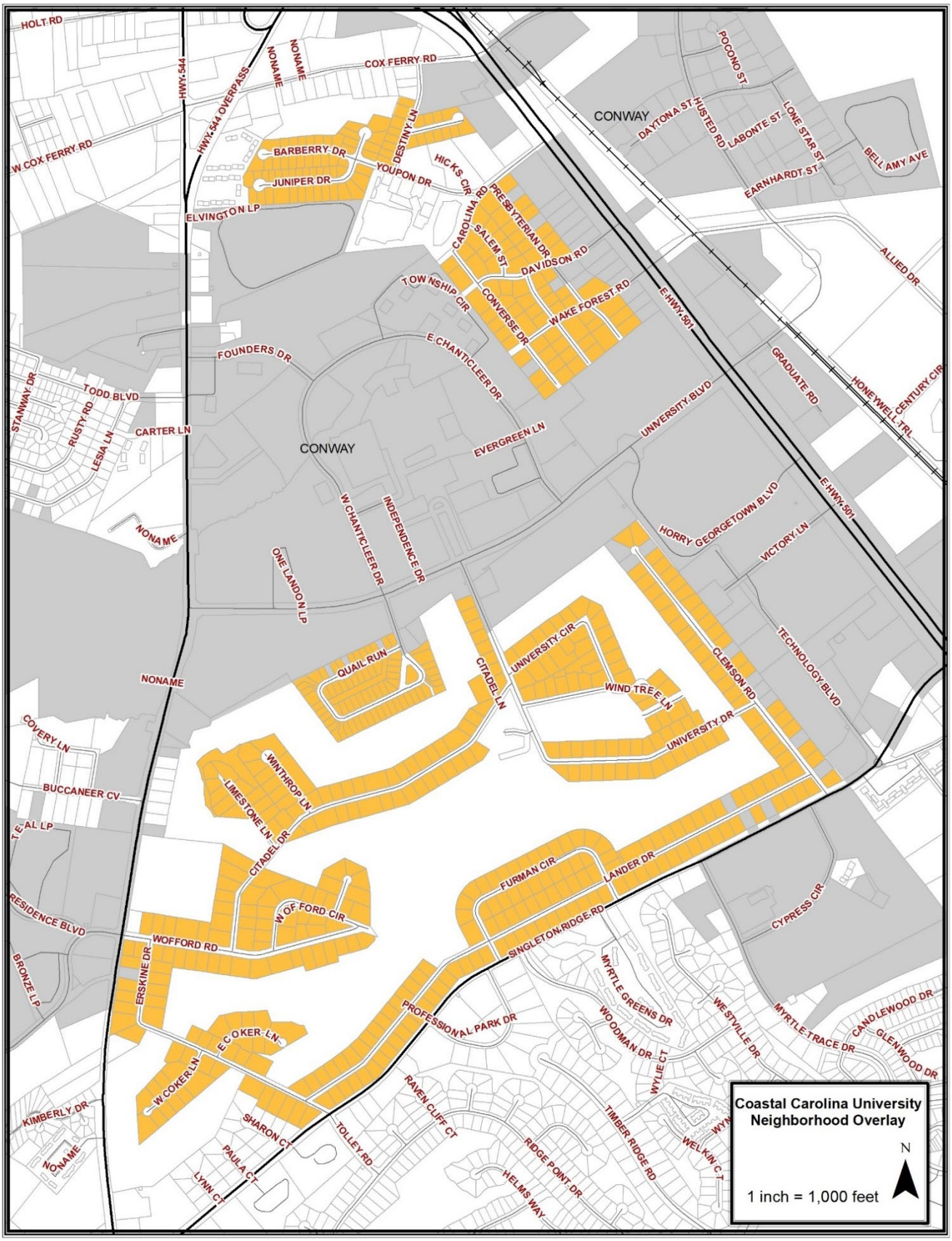
1. The overlay zone is established to provide standards relative to neighborhood appearance and safety in the residential areas surrounding and adjacent to Coastal Carolina University. Furthermore, the overlay is established to provide occupancy limits relative to the residential areas surrounding and adjacent to Coastal Carolina University in order to promote a sense of place in an orderly neighborhood context. The purpose and intent of the governing authority of the county in enacting this section is as follows:
   a) To protect the health, safety and general welfare of the citizens of the county through the enactment of a set of regulations governing property maintenance in the Coastal Carolina University Neighborhood Overlay Zone.
   b) To preserve the value of property and maintain for the county's residents, workers and visitors a safe and aesthetically attractive environment.
2. When any existing county ordinance is amended, the more restrictive provisions of such revised ordinance shall apply even if these overlay zone standards are less restrictive.
3. The following standards provide the minimum requirement that must be met in order to receive Planning Department/Commission authorization to develop, redevelop or occupy residential property within the overlay zone as established by the zoning ordinance.
4. The standards established herein address only neighborhood occupancy, appearance and safety concerns. Specific zoning-related standards are established in the zoning ordinance and must also be met prior to beginning development or redevelopment activities in the overlay zone.

B. APPLICABILITY.

1. The boundaries of the overlay zone are established herein. The standards that follow shall be applicable to any residential building with an issued certificate of occupancy, and any residential building substantially modified and/or newly constructed that is located partially or completely as established in the boundaries subsection of this section. Construction or renovation that is interior to the structure is exempt from these regulations.
2. Any parcel completely contained in the overlay shall comply with these regulations.

C. BOUNDARIES.

Corridor and overlay are used interchangeably throughout these regulations. When referenced, it shall mean those residential properties within the following subdivisions of record: Quail Creek, Quail Creek Village, College Park, College Place and Barberry Drive. A complete list of associated TMS is available by request in the Planning and Zoning Department. The map shown below indicates the boundaries of this overlay.


Coastal Carolina University
Neighborhood Overlay
N
1 inch = 1,000 feet
CONWAY
CONWAY
HOLT RD
COX FERRY RD
W COX FERRY RD
HWY 544
HWY 544 OVERPASS
NONAME
BARBERRY DR
JUNIPER DR
DESTINY LN
YOUPON DR
HICKS CIR
ELVINGTON LP
CAROLINA RD
PRESBYTERIAN DR
SALEM ST
DAVIDSON RD
TOWNSHIP CIR
CONVERSE DR
WAKE FOREST RD
E HWY 501
FOUNDERS DR
E CHANTICLEER DR
TODD BLVD
STANWAY DR
RUSTY RD
LESIA LN
CARTER LN
EVERGREEN LN
UNIVERSITY BLVD
W CHANTICLEER DR
INDEPENDENCE DR
ONE LANDON LP
HORRY GEORGETOWN BLVD
VICTORY LN
QUAIL RUN
CITADEL LN
UNIVERSITY CIR
WIND TREE LN
UNIVERSITY DR
CLEMSON RD
TECHNOLOGY BLVD
COVERY LN
BUCCANEER CV
WINTHROP LN
LIMESTONE LN
CITADEL DR
FURMAN CIR
LANDER DR
W OF FORD CIR
WOFFORD RD
SINGLETON RIDGE RD
RESIDENCE BLVD
BRONZE LP
ERSKINE DR
PROFESSIONAL PARK DR
E COKER LN
W COKER LN
KIMBERLY DR
SHARON CT
PAULA CT
LYNN CT
TOLLEY RD
RAVEN CLIFF CT
RIDGE POINT DR
HELMS WAY
TIMBER RIDGE RD
WYLIE CT
WOODMAN DR
MYRTLE GREENS DR
WESTVILLE DR
WELKIN CT
MYRTLE TRACE DR
CANDLEWOOD DR
GLENWOOD DR
CYPRESS CIR
POCONO ST
DAYTONA ST
HUSTED RD
LABONTE ST
LONE STAR ST
BELL AMY AVE
EARNHARDT ST
ALLIED DR
GRADUATE RD
HONEYWELL TRL
CENTURY CIR

D. DEFINITIONS.

"Owner" is defined as any person, firm, corporation or entity who, alone or jointly or severally with others:

1. Has legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
2. Has charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, prime tenant, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this article to the same extent as the owner.

E. OCCUPANCY OF DWELLING UNITS.

Occupancy. The number of individuals unrelated by blood, marriage, adoption, guardianship or other duly authorized custodial relationship residing in a dwelling unit within this overlay shall not exceed the number of bedrooms in the dwelling, as determined by county records, but shall not exceed four (4), irrespective of the number of bedrooms. The owner, agent and tenants shall be subject to the penalties established in Article I of the Horry County Zoning Ordinance for a violation of this occupancy limit.

F. PARKING REQUIREMENTS.

A violation of any of the parking requirements herein detailed shall be considered unlawful and the owner, agent and tenant shall be subject to the penalties described in Article I of the Horry County Zoning Ordinance. Between the hours of 11:00 p.m. and 8:00 a.m. every day:

1. No vehicle shall be parked within the right-of-way within the boundaries of the overlay as defined herein.
2. Vehicles shall be parked in an off-street facility, including private garages, drives and aisles for maneuvering and gaining ingress and egress, of a residence within the boundary of the overlay.
3. Landscaped, unimproved and naturally vegetated areas shall not be used as parking facilities.
4. Areas of drainage and open space, as specified on the recorded subdivision plat, shall not be improved or used for parking facilities unless documented as such on the original plat of record.

G. EFFECTIVE DATE.

1. This overlay shall become effective upon approval from Horry County Council.
2. The occupancy restrictions herein contained shall not be applicable for any documented unexpired leases existing as of the date of effectiveness. Said leasehold properties shall be allowed to continue their contractual period, not to exceed December 31, 2009. Beginning January 1, 2010, all properties included in this overlay as defined herein, shall be subject to all provisions herein, regardless of contractual obligations.

SECTION 833 - RACEPATH COMMUNITY PRIORITY INVESTMENT OVERLAY ZONE.

A. PURPOSE.

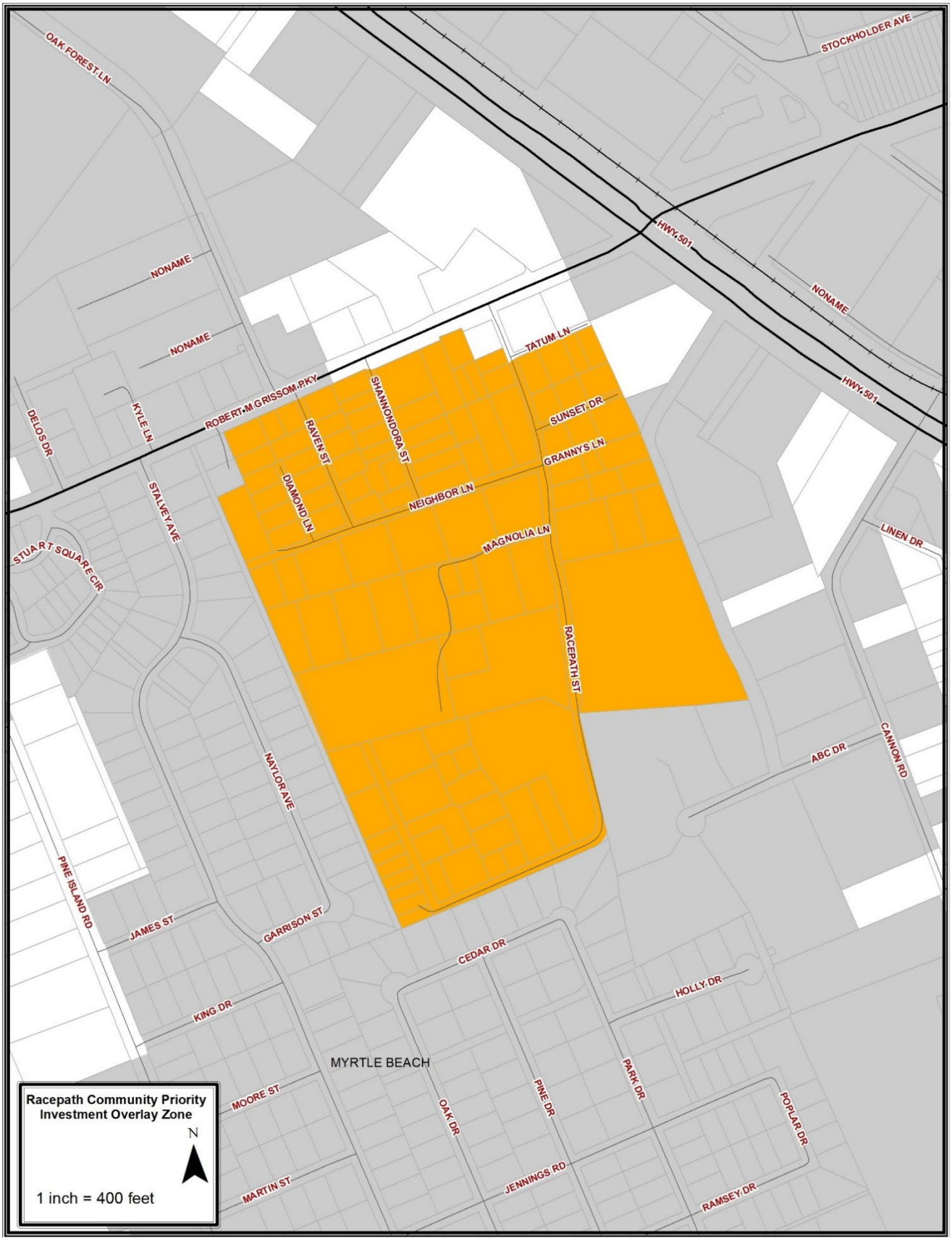
1. The Racepath Community Priority Investment Overlay Zone is herein established to implement strategies identified in the Racepath Neighborhood Plan by providing standards relative to land tenure and density in the continued use, creation, and redevelopment of housing within the community.
2. The zone is established to provide unified standards and requirements for minimum lot size, building setbacks, and multiple structures on a single parcel as defined herein.
3. The standards herein shall be permitted regardless of the underlying zoning. When any existing county ordinance is amended, the standards herein shall remain applicable to properties located within the Zone.

B. APPLICABILITY.

The standards herein shall be applicable to any existing residential parcel having multiple structures that is located within the boundaries of the Priority Investment Zone.

C. BOUNDARIES.

The Racepath Community Priority Investment Zone generally is bounded by Robert Grissom Parkway to the North, the City of Myrtle Beach Stormwater right-of-way to the West, and those parcels internal to the community fronting or accessed from Racepath Street. The map shown below indicates the boundaries of this overlay.


OAK FOREST LN
STOCKHOLDER AVE
HWY 501
NONAME
NONAME
NONAME
HWY 501
TATUM LN
ROBERT M GRISSOM PKY
SHANNONDORA ST
SUNSET DR
DELOS DR
KYLE LN
RAVEN ST
GRANNYS LN
DIAMOND LN
NEIGHBOR LN
STALVEY AVE
MAGNOLIA LN
LINEN DR
STUART SQUARE CIR
RACEPATH ST
ABC DR
CANNON RD
NAYLOR AVE
PINE ISLAND RD
JAMES ST
GARRISON ST
CEDAR DR
HOLLY DR
KING DR
MYRTLE BEACH
PARK DR
MOORE ST
OAK DR
PINE DR
POPLAR DR
JENNINGS RD
MARTIN ST
RAMSEY DR
Racepath Community Priority Investment Overlay Zone
N
1 inch = 400 feet

D. MULTIPLE STRUCTURES.

Multiple structures shall be allowed on residential parcels within the Zone provided the following standards are met;

1. All structures shall adhere to the setbacks herein;
2. Must maintain a 10 foot separation between homes;
3. No more than two (2) residential units on any parcel less than one-half (½) acre in area;
4. No more than four (4) residential units on any parcel greater than one-half (½) to one (1) acre in area; and
5. No more than six (6) structures on any parcel.

E. SETBACKS.

Setbacks in the Zone are as follows, regardless of the underlying zoning:

Setback	Distance
Front	10 feet
Side	5 feet
Corner Side	7.5 feet
Rear	10 feet

F. OCCUPANCY.

Occupancy of parcels with multiple residential structures shall not be limited by blood, marriage, adoption, guardianship or other duly authorized custodial relationship.

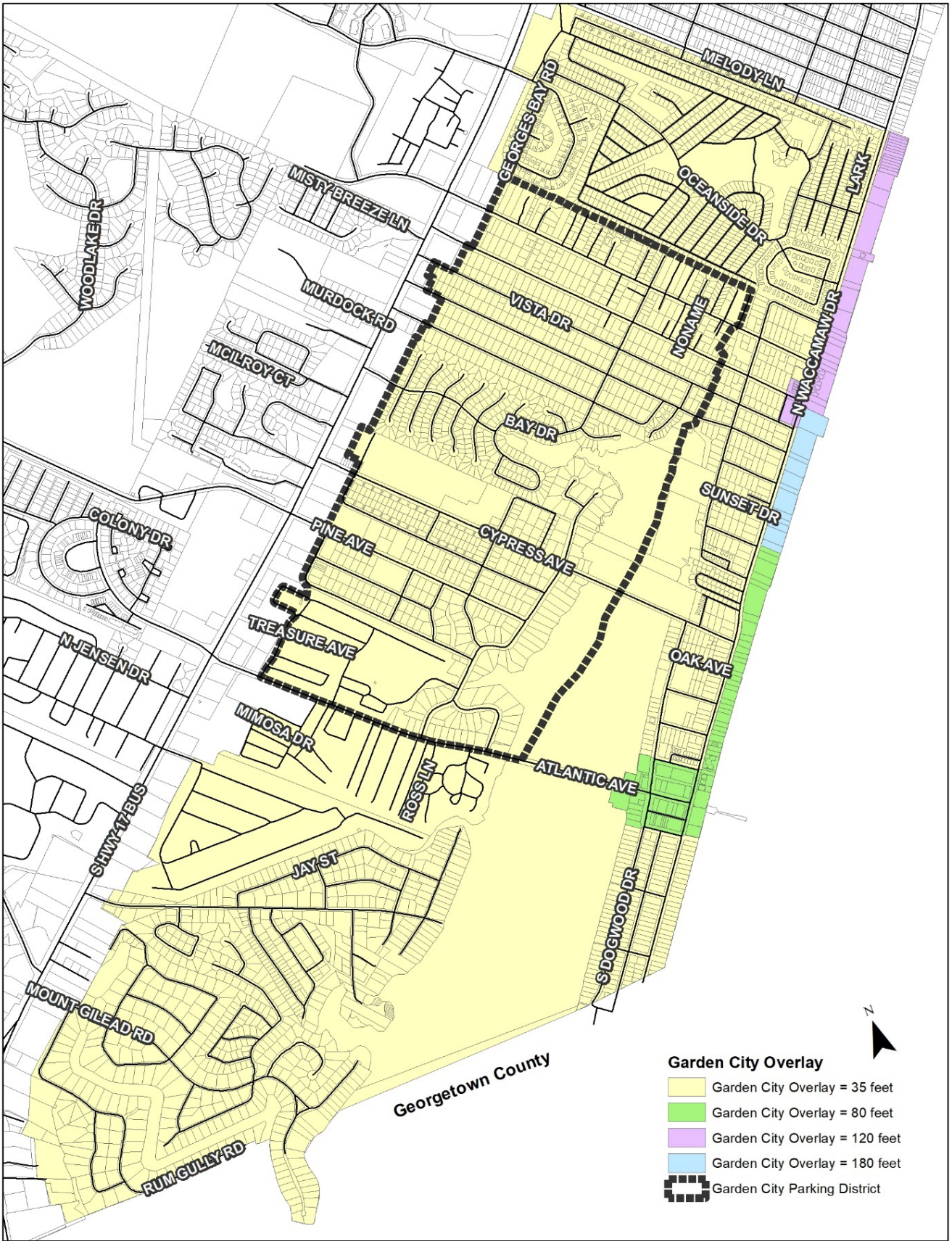
SECTION 834 – GARDEN CITY OVERLAY ZONE

A. PURPOSE.

The Garden City Overlay is established to impose height, road frontage, minimum lot width at building setback line, side setbacks and parking restrictions on new and redeveloping construction in the area to prevent over development and development that is incompatible with the character of the area.

B. BOUNDARIES.

The Garden City Overlay shall begin at the southeastern city limit line of Surfside Beach and shall terminate at the Horry County/Georgetown County Line, as shown in the map titled Garden City Overlay. The Garden City Parking District, included within the Garden City Overlay, shall be bounded on the northeast by Oceanside Village (Bermuda Bay and Myrtlewood) subdivisions and shall terminate at Atlantic Avenue on the south. It is bounded on the west by residential properties closest to Highway 17 Business South and on the East generally by the marsh.


MELODY LN
GEORGES BAY RD
OCEANSIDE DR
LARK
MISTY BREEZE LN
WOODLAKE DR
MURDOCK RD
VISTA DR
NONAME
N WACCAMAW DR
MCILROY CT
BAY DR
SUNSET DR
COLONY DR
PINE AVE
CYPRESS AVE
TREASURE AVE
N JENSEN DR
OAK AVE
MIMOSA DR
ATLANTIC AVE
ROSS LN
S HWY 17 BUS
JAY ST
S DOGWOOD DR
MOUNT GILEAD RD
Georgetown County
RUM GULLY RD
N
Garden City Overlay
Garden City Overlay = 35 feet
Garden City Overlay = 80 feet
Garden City Overlay = 120 feet
Garden City Overlay = 180 feet
Garden City Parking District

C. APPLICABLE HEIGHT RESTRICTIONS.

The height of all new construction within the Garden City Overlay shall not exceed thirty-five feet (35’) , except those areas designated on the attached map, or unless rezoned as a Planned Development District (PDD). A height of up to one hundred eighty feet (180’) may be approved in a PDD.

D. APPLICABLE PARKING RESTRICTIONS.

All new and redeveloping residential construction shall submit a parking plan prior to the issuance of a building permit. The minimum parking required is one (1) space per bedroom. Parking shall meet the setbacks of the applicable zoning district (and be located entirely within the buildable area of the property) and meet the dimensional and improvement standards of Article VII.

E. APPLICABLE MINIMUM ROAD FRONTAGE AND SIDE SETBACKS

The road frontage and minimum lot width at building setback line for all lots zoned SF6 within the Garden City Overlay shall meet a minimum width of forty feet (40’) and the side setbacks for those lots shall meet a minimum distance of seven and one half feet (7.5’) from the property line. All other requirements of Article VIII shall remain the same.

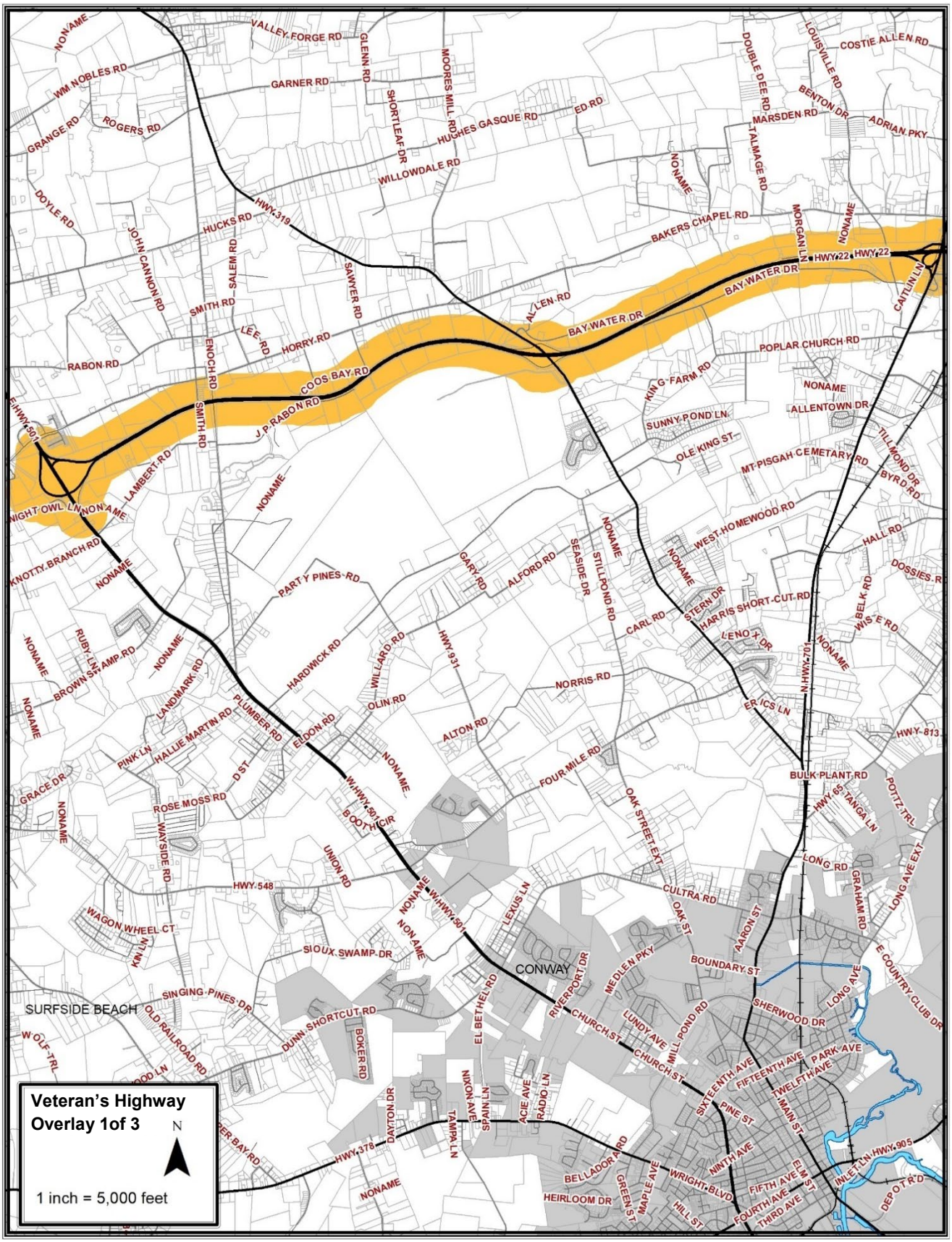
SECTION 835 - VETERAN'S HIGHWAY OVERLAY ZONE.

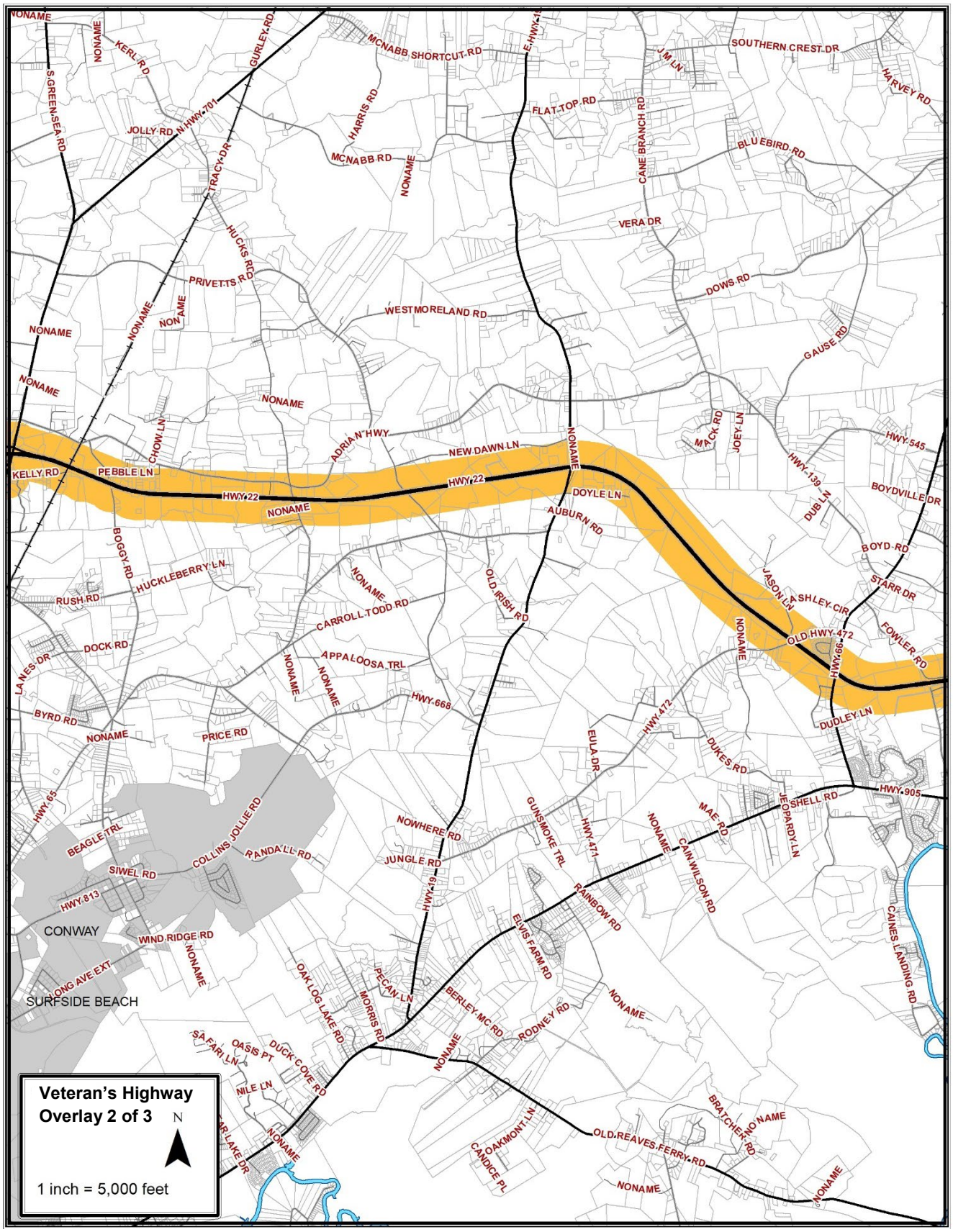
A. PURPOSE.

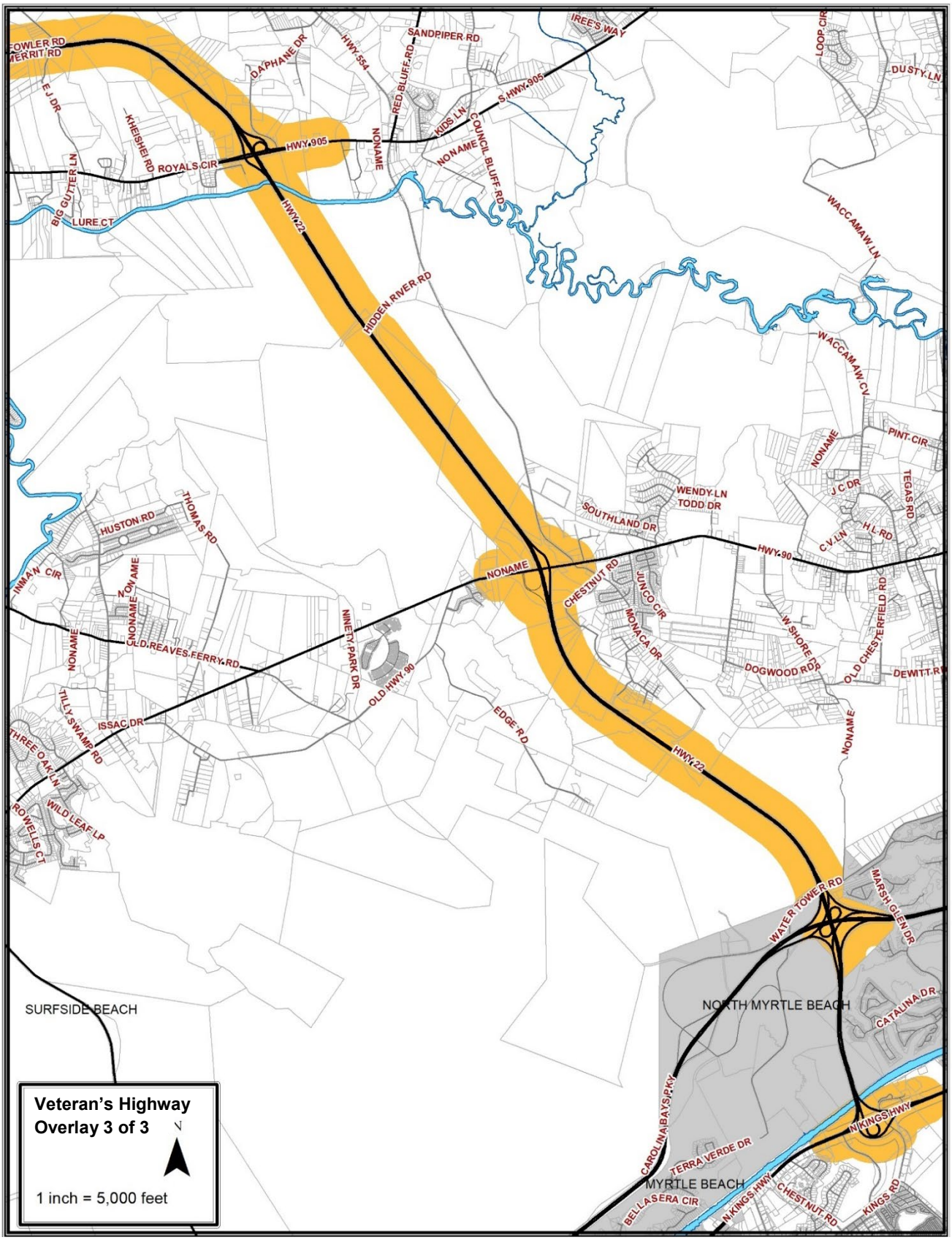
The purpose of the Veteran's Highway Overlay Zone is to preserve the exceptional scenic value of the highway and maintain the serene farm field and natural vistas from the highway for all travelers to enjoy.

B. BOUNDARIES.

The Veteran's Highway Overlay Zone provides supplemental sign regulations. The overlay zone extends one thousand (1,000) feet of the right-of-way line on either side of Veteran's Highway.


Veteran's Highway
Overlay 1of 3
N
1 inch = 5,000 feet
CONWAY
SURFSIDE BEACH
VALLEY FORGE RD
GARNER RD
WM NOBLES RD
GRANGE RD
ROGERS RD
DOYLE RD
HUCKS RD
JOHN CANNON RD
SALEM RD
SMITH RD
LEE RD
HORRY RD
RABON RD
ENOCH RD
COOS BAY RD
J P RABON RD
LAMBERT RD
NIGHT OWL LN
KNOTTY BRANCH RD
PARTY PINES RD
HARDWICK RD
WILLARD RD
OLIN RD
ALTON RD
FOUR MILE RD
NORRIS RD
ERICS LN
BULK PLANT RD
HWY 813
POTTZ TRL
HWY 65
TANGA LN
LONG RD
GRAHAM RD
LONG AVE EXT
E COUNTRY CLUB DR
LONG AVE
PARK AVE
SHERWOOD DR
BOUNDARY ST
AARON ST
OAK ST
CULTRA RD
OAK STREET EXT
MEDLEN PKY
RIVERPORT DR
CHURCH ST
LUNDY AVE
MILL POND RD
SIXTEENTH AVE
FIFTEENTH AVE
TWELFTH AVE
MAIN ST
PINE ST
NINTH AVE
WRIGHT BLVD
FIFTH AVE
FOURTH AVE
THIRD AVE
ELM ST
INLET LN
HWY 905
DEPOT RD
BELLADOR RD
GREEN ST
MAPLE AVE
HILL ST
HEIRLOOM DR
LEXUS LN
EL BETHEL RD
NIXON AVE
SPAIN LN
ACIE AVE
RADO LN
TAMPA LN
DAYTON DR
HWY 378
BOKER RD
DUNN SHORTCUT RD
OLD RAILROAD RD
SINGING PINES DR
SIOUX SWAMP DR
WAGON WHEEL CT
KIN LN
WOLF TRL
HWY 548
UNION RD
WAYSIDE RD
ROSE MOSS RD
GRACE DR
PINK LN
HALLIE MARTIN RD
PLUMBER RD
ELDON RD
LANDMARK RD
BROWN STAMP RD
RUBY LN
D ST
W HWY 501
BOOTH CIR
HWY 931
GARY RD
ALFORD RD
SEASIDE DR
STILL POND RD
CARL RD
STERN DR
HARRIS SHORT CUT RD
LENOX DR
WEST HOMEWOOD RD
MT PISGAH CEMETARY RD
OLE KING ST
SUNNY POND LN
KING FARM RD
POPLAR CHURCH RD
ALLEN RD
BAY WATER DR
BAKERS CHAPEL RD
HWY 22
MORGAN LN
TALMAGE RD
MARSDEN RD
DOUBLE DEE RD
BENTON DR
LOUISVILLE RD
COSTIE ALLEN RD
ADRIAN PKY
ED RD
HUGHES GASQUE RD
WILLOWDALE RD
SHORTLEAF DR
MOORES MILL RD
GLENN RD
HWY 319
HWY 501
CAITLIN LN
ALLENTOWN DR
TILLMOND DR
BYRD RD
HALL RD
DOSSIES RD
BELK RD
WISE RD
N HWY 701
NONAME


Veteran's Highway
Overlay 2 of 3
N
1 inch = 5,000 feet
CONWAY
SURFSIDE BEACH
HWY-22
NEW DAWN LN
DOYLE LN
AUBURN RD
ADRIAN HWY
KELLY RD
PEBBLE LN
CHOW LN
S GREEN SEA RD
KERL RD
GURLEY RD
JOLLY RD
N HWY-701
TRACY DR
HUCKS RD
PRIVETTS RD
WESTMORELAND RD
MCNABB SHORTCUT RD
HARRIS RD
MCNABB RD
FLAT TOP RD
CANE BRANCH RD
J M LN
SOUTHERN CREST DR
HARVEY RD
BLUEBIRD RD
VERA DR
DOWS RD
GAUSE RD
MACK RD
JOEY LN
HWY-545
HWY-139
DUB LN
BOYDVILLE DR
BOYD RD
STARR DR
FOWLER RD
JASON LN
ASHLEY CIR
OLD HWY-472
HWY-66
DUDLEY LN
BOGGY RD
HUCKLEBERRY LN
RUSH RD
DOCK RD
LANES DR
BYRD RD
PRICE RD
CARROLL TODD RD
APPALOOSA TRL
HWY-668
OLD IRISH RD
EULA DR
HWY-472
DUKES RD
JESHELL RD
HWY-905
JEOPARDY LN
MAE RD
CAIN WILSON RD
CAINES LANDING RD
HWY-65
BEAGLE TRL
SIWEL RD
COLLINS JOLLIE RD
RANDALL RD
HWY-813
WIND RIDGE RD
LONG AVE EXT
NOWHERE RD
JUNGLE RD
HWY-19
GUNSMOKE TRL
HWY-471
RAINBOW RD
ELVIS FARM RD
OAK LOG LAKE RD
PECAN LN
MORRIS RD
BERLEY MC RD
RODNEY RD
SAFARI LN
OASIS PT
DUCK COVE RD
NILE LN
OAKMONT LN
CANDICE PL
OLD REAVES FERRY RD
BRATCHER RD
NONAME


Veteran's Highway
Overlay 3 of 3
N
1 inch = 5,000 feet
SURFSIDE BEACH
NORTH MYRTLE BEACH
MYRTLE BEACH
HWY-905
HWY-22
HWY-90
S.HWY-905
N.KINGS HWY
HIDDEN RIVER RD
WACCAMAW LN
WACCAMAW CV
ROYALS CIR
KHEISHEI RD
BIG GUTTER LN
LURE CT
E J DR
DAPHANE DR
HWY-554
SANDPIPER RD
RED BLUFF RD
KIDS LN
COUNCIL BLUFF RD
NONAME
IREE'S WAY
LOOP CIR
DUSTY LN
PINT CIR
J C DR
TEGAS RD
H L RD
C V LN
WENDY LN
TODD DR
SOUTHLAND DR
CHESTNUT RD
JUNCO CIR
MONACA DR
W SHORE DR
DOGWOOD RD
OLD CHESTERFIELD RD
DEWITT RD
HUSTON RD
THOMAS RD
INMAN CIR
OLD REAVES FERRY RD
NINETY PARK DR
OLD HWY-90
EDGE RD
ISSAC DR
TILLY SWAMP RD
THREE OAK LN
WILD LEAF LP
ROWELLS CT
WATER TOWER RD
MARSH GLEN DR
CATALINA DR
CAROLINA BAYS PKY
TERRA VERDE DR
BELLA SERA CIR
CHESTNUT RD
KINGS RD

C. APPLICABLE SIGN REGULATIONS.

1. ON-SITE SIGNAGE

a) Maximum height of signs shall be 35ft.

b) No more than one (1) sign per parcel shall be directed towards Veterans Hwy.

2. WALL SIGNAGE

a) One (1) wall sign no greater than 15 percent of the wall area shall be permitted per wall face.

b) Only one (1) wall sign shall be visible from Veteran's Highway.

3. PROHIBITED SIGNS

Animated signs and full motion video signs are prohibited

ARTICLE IX – CONDITIONAL USES

SECTION 900– CONDITIONAL USES

A. PURPOSE

A conditional use is a use that is generally compatible with other uses permitted in a zoning district, but is subject to additional conditions, restrictions or limitations on its locations, design, configuration or density and intensity of use, to ensure the appropriateness of the use at a particular location.

B. APPLICABILITY

All conditional uses shall be subject to the limitations and conditions specified herein.

SECTION 901 - ADULT ENTERTAINMENT ESTABLISHMENTS.

A. PURPOSE; FINDINGS AND RATIONALE; NONCONFORMING ADULT ENTERTAINMENT ESTABLISHMENTS.

1. PURPOSE.

It is a purpose of this ordinance to regulate adult entertainment establishments in order to promote the health, safety, and general welfare of the citizens of the county, and to establish reasonable and uniform regulations to prevent the deleterious secondary effects of adult entertainment establishments within the county. The provisions of this ordinance have neither the purpose nor effect of imposing a limitation or restriction on the content or reasonable access to any communicative materials, including sexually-oriented materials. Similarly, it is neither the intent nor effect of this ordinance to restrict or deny access by adults to sexually-oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually-oriented entertainment to their intended market. Neither is it the intent nor effect of this ordinance to condone or legitimize the distribution of obscene material.

2. FINDINGS AND RATIONALE.

Based on evidence of the adverse secondary effects of adult uses presented in hearings and in reports made available to the county council, and on findings, interpretations, and narrowing constructions incorporated in the cases of *City of Littleton v. Z.J. Gifts D-4, L.L.C.* , 541 U.S. 774 (2004); *City of Los Angeles v. Alameda Books, Inc.* , 535 U.S. 425 (2002); *City of Erie v. Pap's A.M.* , 529 U.S. 277 (2000); *City of Renton v. Playtime Theatres, Inc.* , 475 U.S. 41 (1986); *Young v. American Mini Theatres* , 427 U.S. 50 (1976); *Barnes v. Glen Theatre, Inc.* , 501 U.S. 560 (1991); *California v. LaRue* , 409 U.S. 109 (1972); *N.Y. State Liquor Authority v. Bellanca* , 452 U.S. 714 (1981); *Sewell v. Georgia* , 435 U.S. 982 (1978); *FW/PBS, Inc. v. City of Dallas* , 493 U.S. 215 (1990); *City of Dallas v. Stanglin* , 490 U.S. 19 (1989); and

Imaginary Images, Inc. v. Evans , 612 F.3d 736 (4th Cir. 2010); *D.G. Restaurant Corp. v. City of Myrtle Beach* , 953 F.2d 140 (4th Cir. 1991); *Giovani Carandola, Ltd. v. Fox* , 470 F.3d 1074 (4th Cir. 2006); *Independence News, Inc. v. City of Charlotte* , 568 F.3d 148 (4th Cir. 2009); *Steakhouse, Inc. v. City of Raleigh* , 166 F.3d 634 (4th Cir. 1999); *Hart Bookstores, Inc. v.*

Edmisten , 612 F.2d 821 (4th Cir. 1979); *Wall Distributors, Inc. v. City of Newport News* , 782 F.2d 1165 (4th Cir. 1986); *Restaurant Row Associates v. Horry County* , 516 S.E.2d 442 (1999); *Condor, Inc. v. Board of Zoning Appeals* , 493 S.E.2d 342 (1997); *Rothschild v. Richland County Bd. of Adjustment* , 420 S.E.2d 853 (1992); *Centaur, Inc. v. Richland County* , 392 S.E.2d 165 (1990); and

LLEH, Inc. v. Wichita County , 289 F.3d 358 (5th Cir. 2002); *Ocello v. Koster* , 354 S.W.3d 187 (Mo. 2011); *84 Video/Newsstand, Inc. v. Sartini* , 2011 WL 3904097 (6th Cir. Sept. 7, 2011); *Plaza Group Properties, LLC v. Spencer County Plan Commission* , 877 N.E.2d 877 (Ind. Ct. App. 2007); *Flanigan's Enters., Inc. v. Fulton County* , 596 F.3d 1265 (11th Cir. 2010); *East Brooks Books, Inc. v. Shelby County* , 588 F.3d 360 (6th Cir. 2009); *Entm't Prods., Inc. v. Shelby County* , 588 F.3d 372 (6th Cir. 2009); *Sensations, Inc. v. City of Grand Rapids* , 526 F.3d 291 (6th Cir. 2008); *World Wide Video of Washington, Inc. v. City of Spokane* , 368 F.3d 1186 (9th Cir. 2004); *Ben's Bar, Inc. v. Village of Somerset* , 316 F.3d 702 (7th Cir. 2003); *Peek-a-Boo Lounge v. Manatee County* , 630 F.3d 1346 (11th Cir. 2011); *Daytona Grand, Inc. v. City of Daytona Beach* , 490 F.3d 860 (11th Cir. 2007); *Heideman v. South Salt Lake City* , 348 F.3d 1182 (10th Cir. 2003); *Williams v. Morgan* , 478 F.3d 1316 (11th Cir. 2007); *Jacksonville Property Rights Ass'n, Inc. v. City of Jacksonville* , 635 F.3d 1266 (11th Cir. 2011); *H&A Land Corp. v. City of Kennedale* , 480 F.3d 336 (5th Cir. 2007); *Hang On, Inc. v. City of Arlington* , 65 F.3d 1248 (5th Cir. 1995); *Fantasy Ranch, Inc. v. City of Arlington* , 459 F.3d 546 (5th Cir. 2006); *Illinois One News, Inc. v. City of Marshall* , 477 F.3d 461 (7th Cir. 2007); *G.M. Enterprises, Inc. v. Town of St. Joseph* , 350 F.3d 631 (7th Cir. 2003); *Richland Bookmart, Inc. v. Knox County* , 555 F.3d 512 (6th Cir. 2009); *Bigg Wolf Discount Video Movie Sales, Inc. v. Montgomery County* , 256 F. Supp. 2d 385 (D. Md. 2003); *Richland Bookmart, Inc. v. Nichols* , 137 F.3d 435 (6th Cir. 1998); *Spokane Arcade, Inc. v. City of Spokane* , 75 F.3d 663 (9th Cir. 1996); *DCR, Inc. v. Pierce County* , 964 P.2d 380 (Wash. Ct. App. 1998); *City of New York v. Hommes* , 724 N.E.2d 368 (N.Y. 1999); *Taylor v. State* , No. 01-01-00505-CR, 2002 WL 1722154 (Tex. App. July 25, 2002); *Fantasyland Video, Inc. v. County of San Diego* , 505 F.3d 996 (9th Cir. 2007); *Gammoh v. City of La Habra* , 395 F.3d 1114 (9th Cir. 2005); *Z.J. Gifts D-4, L.L.C. v. City of Littleton* , Civil Action No. 99-N-1696, Memorandum Decision and Order (D. Colo. March 31, 2001); *People ex rel. Deters v. The Lion's Den, Inc.* , Case No. 04-CH-26, Modified Permanent Injunction Order (Ill. Fourth Judicial Circuit, Effingham County, July 13, 2005); *Reliable Consultants, Inc. v. City of Kennedale* , No. 4:05-CV-166-A, Findings of Fact and Conclusions of Law (N.D. Tex. May 26, 2005);

and based upon reports concerning secondary effects occurring in and around adult entertainment establishments, including, but not limited to, "Correlates of Current Transactional Sex among a Sample of Female Exotic Dancers in Baltimore, MD," Journal of Urban Health (2011); "Does the Presence of Sexually-oriented Businesses Relate to Increased Levels of Crime?" Crime & Delinquency (2012) (Louisville, KY); Metropolis, Illinois—2011-12; Manatee County, Florida—2007; Hillsborough County, Florida—2006; Clarksville, Indiana—2009; El Paso, Texas—2008; Memphis, Tennessee—2006; New Albany, Indiana—2009; Louisville, Kentucky—2004; Fulton County, GA—2001; Chattanooga, Tennessee—1999-2003; Jackson County, Missouri—2008; Ft. Worth, Texas—2004; Kennedale, Texas—2005; Greensboro, North Carolina—2003; Dallas, Texas—1997; Houston, Texas—1997, 1983; Phoenix, Arizona—1995-98, 1979; Tucson, Arizona—1990; Spokane, Washington—2001; St. Cloud, Minnesota—1994; Austin, Texas—1986; Indianapolis, Indiana—1984; Garden Grove, California—1991; Los Angeles, California—1977; Whittier, California—1978; Oklahoma City, Oklahoma—1986; New York, New York Times Square—1994; the Report of the Attorney General's Working Group On The Regulation Of Sexually-oriented Businesses, (June 6, 1989, State of Minnesota); Dallas, Texas—

2007; "Rural Hotspots: The Case of Adult Businesses," 19 Criminal Justice Policy Review 153 (2008); "Stripclubs According to Strippers: Exposing Workplace Sexual Violence," by Kelly Holsopple, Program Director, Freedom and Justice Center for Prostitution Resources, Minneapolis, Minnesota; "Sexually-oriented Businesses: An Insider's View," by David Sherman, presented to the Michigan House Committee on Ethics and Constitutional Law, Jan. 12, 2000; Sex Store Statistics and Articles; and Law Enforcement and Investigator Affidavits (Forest Park, GA; Sandy Springs, GA; and Horry County, SC),

the county council finds:

a) Adult entertainment establishments, as a category of commercial uses, are associated with a wide variety of adverse secondary effects including, but not limited to, personal and property crimes, prostitution, potential spread of disease, lewdness, public indecency, obscenity, illicit drug use and drug trafficking, negative impacts on surrounding properties, urban blight, litter, and sexual assault and exploitation. Alcohol consumption impairs judgment and lowers inhibitions, thereby increasing the risk of adverse secondary effects.

b) Adult entertainment establishments should be separated from sensitive land uses to minimize the impact of their secondary effects upon such uses, and should be separated from other adult entertainment establishments, to minimize the secondary effects associated with such uses and to prevent an unnecessary concentration of adult entertainment establishments in one (1) area.

c) Each of the foregoing negative secondary effects constitutes a harm which the county has a substantial government interest in preventing and/or abating. This substantial government interest in preventing secondary effects, which is the county's rationale for this ordinance, exists independent of any comparative analysis between sexually-oriented and non-sexually-oriented businesses. Additionally, the county's interest in regulating adult entertainment establishments extends to preventing future secondary effects of either current or future adult entertainment establishments that may locate in the county. The county finds that the cases and documentation relied on in this ordinance are reasonably believed to be relevant to said secondary effects.

The county hereby adopts and incorporates herein its stated findings and legislative record related to the adverse secondary effects of adult entertainment establishments, including the judicial opinions and reports related to such secondary effects.

B. DEFINITIONS.

1. *"Adult bookstore* or *adult video store"* means a commercial establishment which, as one (1) of its principal business activities, offers for sale or rental for any form of consideration any one (1) or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of "specified sexual activities" or "specified anatomical areas." A "principal business activity" exists where the commercial establishment meets any one (1) or more of the following criteria:

   a) At least thirty-five (35) percent of the establishment's displayed merchandise consists of said items;

b) At least thirty-five (35) percent of the retail value (defined as the price charged to customers) of the establishment's displayed merchandise consists of said items;

c) At least thirty-five (35) percent of the establishment's revenues derive from the sale or rental, for any form of consideration, of said items;

d) The establishment maintains at least thirty-five (35) percent of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in "floor space" maintained for the display, sale, or rental of said items);

e) The establishment maintains at least five hundred square feet (500 sq. ft.) of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in "floor space" maintained for the display, sale, or rental of said items);

f) The establishment regularly offers for sale or rental at least two thousand (2,000) of said items; or

g) The establishment maintains an "adult arcade," which means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five (5) or fewer persons per machine at any one (1) time, and where the images so displayed are characterized by their emphasis upon matter exhibiting "specified sexual activities" or "specified anatomical areas."

2. " *Adult cabaret* " means a nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment that regularly features live conduct characterized by semi-nudity. No establishment shall avoid classification as an adult cabaret by offering or featuring nudity.

3. " *Adult entertainment establishment* " means an "adult bookstore or adult video store," an "adult cabaret," an "adult motion picture theater," a "semi-nude model studio," or a "sex paraphernalia store."

4. " *Adult motion picture theater* " means a commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions which are characterized by their emphasis upon the display of "specified sexual activities" or "specified anatomical areas" are regularly shown to more than five (5) persons for any form of consideration.

5. " *Characterized by* " means describing the essential character or quality of an item. As applied in this article, no business shall be classified as an adult entertainment establishment by virtue of showing, selling, or renting materials rated NC-17 or R by the Motion Picture Association of America.

6. " *Floor space* " means the floor area inside an establishment that is visible or accessible to patrons for any reason, excluding restrooms.

7. " *Nudity* " means the showing of the human male or female genitals, pubic area, vulva, or anus with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any part of the nipple and areola.

8. " *Regional shopping mall (enclosed)* " means a group of retail and other commercial establishments that is planned, developed, and managed as a single property, with on-site

parking provided around the perimeter of the shopping center, and that is generally at least forty (40) acres in size and flanked by two (2) or more large "anchor" stores, such as department stores. The common walkway or "mall" is enclosed, climate-controlled and lighted, usually with an inward orientation of the stores facing the walkway.

9. " *Regularly* " means the consistent and repeated doing of an act on an ongoing basis.

10. " *Semi-nude or semi-nudity* " means the showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at that point, or the showing of the male or female buttocks. This definition shall include the lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part.

11. " *Semi-nude model studio* " means a place where persons regularly appear in a state of semi-nudity for money or any form of consideration in order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. This definition does not apply to any place where persons appearing in a state of semi-nudity did so in a class operated:

    a) By a college, junior college, or university supported entirely or partly by taxation;

    b) By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or

    c) In a structure:

        i. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and

        ii. Where, in order to participate in a class a student must enroll at least three (3) days in advance of the class.

12. " *Sexual device* " means any three-dimensional object designed for stimulation of the male or female human genitals, anus, buttocks, female breast, or for sadomasochistic use or abuse of oneself or others and shall include devices commonly known as dildos, vibrators, penis pumps, cock rings, anal beads, butt plugs, nipple clamps, and physical representations of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.

13. " *Sex paraphernalia store* " means a commercial establishment that regularly features sexual devices and regularly advertises or holds itself out, in any medium, as an establishment that caters to adult sexual interests. This definition shall not be construed to include any:

    a) Pharmacy, drug store, medical clinic, any establishment primarily dedicated to providing medical or healthcare products or services; or

    b) Any establishment located within an enclosed regional shopping mall.

14. " *Specified anatomical areas* " means and includes:

    a) Less than completely and opaquely covered: human genitals, pubic region; buttock; and female breast below a point immediately above the top of the areola; and

b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

15. " *Specified sexual activity* " means any of the following:

a) Intercourse, oral copulation, masturbation or sodomy; or

b) Excretory functions as a part of or in connection with any of the activities described in (a) above.

C. LOCATION PROVISIONS.

Adult entertainment establishments shall be permitted only in the following zones: Highway Commercial, Limited Industrial, and Heavy Industrial, provided that:

1. It shall be unlawful to establish, operate, or cause to be operated an adult entertainment establishment within one thousand five hundred (1,500) feet of a residential zoning district (e.g., SF 40, SF 20, SF 14.5, SF 10, SF 8.5, SF 7, SF 6 and their corresponding MSF classifications; and GR, GRn, MRD, RR, RC and MHP). Measurements for this subparagraph (1) shall be made in a straight line without regard to intervening structures or objects, from the closest part of the structure containing the adult entertainment establishment to the closest point on the boundary line of the residential zoning district.

2. It shall be unlawful to establish, operate, or cause to be operated an adult entertainment establishment within one thousand five hundred (1,500) feet of a residential structure. For the purpose of this subparagraph, a residential structure is hereby defined as a single-family house or mobile home, a townhouse, a duplex or a multi-family structure and specifically excludes structures that are accessory uses to other activities, such as upper-story apartments in a commercial zone. Measurements for this subparagraph (2) shall be made in a straight line without regard to intervening structures or objects, from the closest part of the structure containing the adult entertainment establishment to the closest point on the property line of the parcel containing the residential structure.

3. It shall be unlawful to establish, operate, or cause to be operated an adult entertainment establishment within one thousand five hundred (1,500) feet of any house of worship, day care center, public or private elementary or secondary education school, public park, public library, cemetery, or any motion picture establishment which regularly shows G or PG rated movies to the general public. Measurements for this subparagraph (3) shall be made in a straight line without regard to intervening structures or objects, from the closest part of the structure containing the adult entertainment establishment to the closest point on the property line of the parcel containing the house of worship, day care center, school, park, library, cemetery, or motion picture establishment.

4. It shall be unlawful to establish, operate, or cause to be operated an adult entertainment establishment within seven hundred fifty (750) feet of any other adult entertainment establishment. Measurements for this subparagraph (4) shall be made in a straight line without regard to intervening structures or objects, from the closest parts of the structures containing the two (2) adult entertainment establishments.

5. An adult entertainment establishment lawfully operating in a lawful location is not rendered unlawful by the subsequent location of any use or zoning district listed in subparagraphs (1)—(4) that would otherwise render its location unlawful for an adult entertainment establishment. This provision applies only to the particular adult entertainment establishment that was

operating in a particular lawful location when the subsequent disqualifying use or zoning district arrived, and only for so long as that particular adult entertainment establishment continues to lawfully operate in that location.

SECTION 902 - ANIMAL FACILITIES

A. SMALL ANIMAL PRODUCTION FACILITIES

1. The following regulatory information shall be provided for facilities where between ten thousand one (10,001) and two hundred fifty thousand (250,000) pounds of normal production animal live weight will be located on site at any one (1) time:
   a) A copy of the SCDHEC permit to construct the proposed facility; and
   b) A copy of the SCDHEC approved Animal Facility Management Plan (AFMP) for the facility; and
   c) A copy of any waivers approved by SCDHEC related to modifications in the required setbacks or other requirements as established in the SCDHEC regulations for such facilities; and
   d) Other applicable regulatory permits necessary for the operation of such facilities.
2. The following regulatory information shall be provided for facilities where between two hundred fifty thousand one (250,001) and five hundred thousand (500,000) pounds of normal production animal live weight will be located on site at any one (1) time:
   a) Items a.—d. above; and
   b) A copy of the Dead Animal (swine or other) Disposal Plan; and
   c) Plans and specification for all other manure treatment or storage structures, such as holding tanks or manure storage sheds not included in the AFMP; and
   d) A copy of the Emergency Plan for the facility.

B. THE RAISING, CARE AND HANDLING OF ANIMALS AND LIVESTOCK.

The raising, care and handling of animals, where allowed by district, must meet the minimum lot size requirements listed in § 205.

C. ANIMAL BOARDING FACILITIES

7. AG3, HC, NC, CC, RCS, TRS, RE1, RE2, OPI, PR1, & RC ZONING DISTRICTS

No outside boarding of animals.

SECTION 903 - ASPHALT, CONCRETE AND AGGREGATE PROCESSING FACILITIES.

Facilities engaged in the processing of aggregates used in the production, demolition or recycling of asphalt and/or concrete products shall be subject to the following conditions.

A. HOURS OF OPERATION

Hours of operation shall be governed by the Horry County Noise Ordinance.

B. SEPARATION FROM RESIDENTIAL.

1. All proposed batch production facilities shall be located a minimum of five hundred (500) feet from any residentially used or zoned lot, whether said lot is located within the unincorporated county or a municipal jurisdiction. The distance shall be measured from the parcel line of the proposed site to the residential zoning line or residentially used lot line. The separation distance shall be reduced to three hundred (300) feet if the facility is separated from the residential by an active railroad right-of-way or highway with at least two hundred fifty (250) feet of right-of-way.
2. All proposed outdoor aggregate processing (i.e., crushing, sorting and recycling) facilities are required to be separated by one thousand (1,000) feet from any residentially used or zoned lot, whether said lot is located within the unincorporated county or a municipal jurisdiction. The distance shall be measured from the parcel line of the proposed site to the residential zoning line or residentially used lot line. The separation distance shall be reduced to five hundred (500) feet if the facility is separated from the residential by an active railroad right-of-way or highway with at least two hundred fifty (250) feet of right-of-way.

C. MINIMUM LOT AREA

2.5 acres.

D. MINIMUM SETBACKS

Mixing, batching, crushing and processing equipment shall be a minimum of fifty (50) feet from all property lines. Setbacks may be greater if required by the zoning district in which the facility is being constructed. Setbacks for all other buildings or uses on the property are required to meet the minimums for that zoning district.

E. ENCLOSURE REQUIREMENTS

All asphalt and concrete batch plants under this section shall be located in fully enclosed structures. Aggregate processing (i.e., crushing, sorting and recycling) facilities are not required to be fully enclosed as long as they meet all other requirements of this ordinance.

F. VEHICLE AREAS

All internal vehicle use areas shall be maintained in a dust free condition. All aggregate processing facilities must submit a dust control plan prior to receiving approval.

G. LANDSCAPING/BUFFERING.

1. Roadway Screening.

The site shall be screened from adjacent roadways to a minimum height of ten (10) feet. This can be accomplished from any combination of walls, berms and/or vegetation whether planted or existing. If screening is composed solely of vegetation the buffer width from the roadway must be a minimum

of twenty-five (25) feet and no less than eighty (80) percent opacity in the winter season. Buffers shall contain landscape materials equal to twice that of the standard supplemental planting requirements of Article V. If the screen contains walls and/or berms a minimum of ten (10) feet in height or the roadway only services adjacent industrial uses then the site only has to meet the landscaping requirements of Article V.

2. Side and rear property lines. All side and rear property lines must be screened according to the requirements of Article V, unless subject to (c) below.
3. Enhanced buffers. Asphalt and concrete batch facilities within one thousand (1,000) feet of a residentially used or zoned property shall be screened through enhanced buffers. The enhanced buffer shall be around the entire work area with openings provided for approved entrances. The site should be designed so that structures and or walls are designed to provide interior site screening in front of the openings provided for access. The enhanced buffer shall consist of one of the following options:
    a) Buffer one hundred (100) feet in width with twice the landscaping material as required by the supplemental planting in buffer areas. Existing vegetation may be supplemented using a combination of evergreen trees and shrubs to reach eighty (80) percent winter season opacity within three (3) years; or
    b) A ten-foot wall, berm or combination in addition to the landscape buffer requirements of Article V..

H. TRUCK ROUTES.

1. All such facilities shall submit to the County for approval a map showing a pre-designated route for all transport trucks traveling north, east, south, and west between the facility and the nearest arterial/collector street. The intent of this section is to control the route between the nearest arterial/collector street and the facility, taking into consideration that the routes may be different depending on the travel direction.
2. The route maps shall restrict to the greatest extent possible the routing of transport trucks so as to minimize routes that traverse residential neighborhoods, that unreasonably and adversely impact residential dwelling units, or that damage or degrade public streets from repetitive heavy weights or the spillage of materials from transport trucks. No facility operations shall commence until the county has approved the truck route map as conforming to the requirements of this section. Once the route map is approved by the county, all transport trucks shall travel the approved routes as shown on the route map unless a temporary diversion is necessary to avoid emergency or hazardous conditions along the approved route. The owner or operator shall promptly contact the county in the event of any circumstance necessitating a diversion from the route map.

I. MAINTENANCE OF PUBLIC STREETS.

1. Facilities shall employ measures to limit the tracking, carrying, or depositing of aggregates, fillers, dirt, dust, mud, sludge, or other materials associated with the facility upon any public street or thoroughfare.

2. All transport trucks and equipment leaving a facility shall be completely rinsed of asphalt, concrete, aggregates, fillers, dirt, dust, mud, sludge, or other facility materials prior to leaving the site.
3. All facilities shall provide paved aprons from any paved public or private right-of-ways onto the site for a distance of at least one hundred (100) feet.
4. If, on paved public roadways, there are visible tracks or deposits of aggregates, fillers, dirt, dust, mud, sludge, or an other material associate with the operation of a concrete or asphalt facility along the travel path of vehicles exiting the facility site, all such paved public road(s) shall be swept by the owner or operator at least once each day of operation or more often as reasonably required by the county to remedy and remove the tracking and deposit. All sweeping shall be done by a commercial grade mechanical, vacuum or regenerative air sweeper that uses water for controlling dust. The owner or operator shall keep a daily written log of sweeping activities. The log shall be kept for one month.
5. If accessing off an unpaved road the facility operator will be required to maintain said road to Horry County standards. This will involve, at a minimum, the provision of a water truck and motor grader for all plant locations.

J. STORMWATER.

1. All sites regardless of size will be required to obtain a Horry County stormwater permit.
2. All liquid residues resulting from the cleaning of transport trucks and equipment shall be directed to impervious process holding basins approved by the county.
   a) Basins shall be designed to hydraulically separate from the stormwater detention/water quality control facilities.
   b) All liquids from such basins shall be either recycled through the facility or discharged to the sanitary sewer system.
   c) All residual material from the basins shall be collected and disposed of or recycled, in accordance with applicable laws and regulations.
   d) After issuance of approval by the county, records evidencing proper disposition of residue materials must be maintained on site.
   e) The stormwater detention pond and liquid and the holding basins may be combined into a single facility where it can be demonstrated that the facility will meet the discharge and water quality requirements.

SECTION 904 - ATM AND ICE VENDING MACHINES.

A. ATM AND ICE VENDING MACHINES SHALL BE PERMITTED ON INDIVIDUAL COMMERCIAL LOTS WITHOUT A PRINCIPAL STRUCTURE; PROVIDED THAT:

1. The ATM and Ice Vending machine is placed on a permanent foundation and located within a permanent structure improved to resemble a site-built facility. Such facility shall be landscaped in accordance with the standards established within this ordinance. This condition does not apply to accessory use ATM and Ice Vending machines.

2. No less than two (2) parking spaces are provided per ATM and Ice Vending machine servicing or walk-up customers.
3. No less than three (3) queuing (stacking) spaces are provided per ATM drive-up service. All queuing spaces shall be located on the site of the ATM machine and not in the public right-of-way.

SECTION 905 - VEHICLE & EQUIPMENT REPAIRS

A. LI, RCS, TRS, AG2, MA1, PA1, RE3 & RE4 ZONING DISTRICTS

1. Vehicles that are not disabled but are awaiting minor repair and servicing are not required to be screened.
2. Where wrecker service is provided, wrecked or disabled vehicles with current license plates shall have no more than 10 vehicles stored on the premises.

B. CFA, HC, HI, MA2, MA3, MI ZONING DISTRICTS

Vehicles that are not disabled but are awaiting minor repair and servicing are not required to be screened.

SECTION 906 - AUTOMOBILE STORAGE INCLUDING TOW YARDS.

A. CONDITIONS WHICH APPLY TO ALL TOW YARDS

1. Each wrecker business which stores towed vehicles shall have a storage lot in close proximity to its principal place of business and located within Horry County.
2. Adequate storage shall be no less than fifty (50) feet by one hundred (100) feet, either under cover or fenced with six-foot high privacy fencing (including chain link with vinyl slats or opaque mesh; metal or wood). Fencing shall incorporate three (3) strands of barbed wire at the top.
3. Each wrecker business shall have posted at its storage lot and at its principal place of business signs clearly indicating the procedure for release of vehicles, including the on-call number for release of vehicles, such posted signs shall be clearly visible and legible to any driver approaching the storage lot or place of business.

B. LI & MA1 ZONING DISTRICTS

Allow auto/boat/motorcycle/recreation vehicle storage of licensed vehicles only.

C. HC, HI, MA2 & MA3 ZONING DISTRICTS

Allow auto/boat/motorcycle/recreation vehicle storage of licensed or unlicensed vehicles.

SECTION 907 - OUTDOOR STORAGE AND/ OR SALES.

A. OUTDOOR USES FOR THE SALE, RENTAL, AND/OR STORAGE OF NEW, USED, OR SALVAGED MATERIALS OR EQUIPMENT

1. HC ZONING DISTRICT

a) No burning of materials or products is conducted on the premises.

b) No processing of materials including, but not limited to, car crushing, car shredding, grinding, etc.

2. HI, MA2, MA3, MI ZONING DISTRICTS

No burning of materials or products is conducted on the premises.

B. OUTDOOR STORAGE OF NEW OR USED MATERIALS, EQUIPMENT, OR AUTO/BOAT/MOTORCYCLE/RECREATIONAL VEHICLES.

1. RE4 & AG2 ZONING DISTRICTS

a) No salvage materials and/or operations for processing of materials allowed.

b) No stand alone tow yards allowed

C. BOAT STORAGE IN THE BO1 ZONING DISTRICT

a) No salvage materials and/or operations for processing of materials allowed

b) Storage of boats and/ or watercrafts only

D. ACCESSORY OUTDOOR STORAGE

1. CFA, AG3, RCS, TRS, LI, & MA1 ZONING DISTRICTS

a) Storage is only allowed when accessory to a permitted use within the district.

b) Storage shall not be located forward of the principal use.

c) No salvage materials and/or operations for processing of materials allowed.

2. AG2, HC, RE4, MA2, MA3, MI & HI ZONING DISTRICTS

a) Storage is allowed accessory to a permitted use within the district.

b) Accessory storage must adhere to all conditions assigned to these districts in regards to outdoor storage in § 907.A or B above.

3. FA ZONING DISTRICT

a) Storage of automobiles, campers & boats is allowed accessory to a mini warehouse facility.

b) Accessory storage of automobiles, campers & boats may not be located forward of the mini warehouse facility

c) No other accessory outdoor storage uses are permitted

SECTION 908 - BOARDING HOUSES

A. BOARDING HOUSES WHERE PERMITTED BY DISTRICT, PROVIDED THAT

1. The maximum number of occupants per house shall include any live-in personnel who are responsible for management and operation.

2. The quarters to be utilized by the boarders and the occupants of the premises shall be in the principal residential structure. Separate structures, accessory buildings and garages are not permitted to be used as boarding rooms.
3. Maximum of two (2) boarding houses per parcel, regardless of the total number of acres.
4. Food service facilities shall accommodate only boarders of said establishment and their guests.

SECTION 909 - CAMPERS AND/OR RECREATION VEHICLES USED AS TEMPORARY LIVING ACCOMMODATIONS.

A. LFA, FA, AND CFA ZONING DISTRICTS ON PROPERTIES ABUTTING THE WACCAMAW RIVER AND/OR ON PROPERTIES NORTH AND WEST OF THE WACCAMAW RIVER PROVIDED THAT

1. There is no existing residential dwelling unit or commercial use/building on the property, except when the property will be used for a special event and a certificate of zoning compliance has been obtained from the Zoning Administrator.
2. No more than two (2) campers or recreation vehicles may be located on a property, except when the property will be used for a special event and a certificate of zoning compliance has been obtained from the Zoning Administrator.
3. The maximum duration of stay within the campers and recreation vehicles shall be limited to no more than fifteen (15) days per calendar month, except when the camper or recreation vehicle is used in conjunction with a special event. In such instance, the duration of the stay shall be equal to that of the special event.
4. Campers or recreation vehicles used upon such property shall meet the standards specified in subsection C.

B. HC, RC, CR, CFA AND TRS ZONING DISTRICTS PROVIDED THAT

1. The property upon which the camper or recreation vehicle is located is the site of special event that has been issued a certificate of zoning compliance from the Zoning Administrator.
2. The maximum duration of stay within the camper or recreation vehicle shall be equal to that of the special event.
3. The property owner provides a receipt for sanitary service (i.e. port-o-toilet) or proof that existing facilities are available on-site that may be used during the special event.
4. Campers or recreation vehicles used upon the property meet the standards specified in subsection C.

C. OTHER CONDITIONS

1. Campers or recreation vehicles on the property shall have a current license plate and registration.
2. Campers or recreation vehicles upon the property shall be road-ready for immediate removal.

3. Campers or recreation vehicles on the property are serviced by sanitary/waste disposal systems approved by the applicable utility provider or SCDHEC for septic/well.
4. Any electrical service to campers or recreation vehicles on the property shall have been permitted, inspected and approved by the Horry County Building & Code Enforcement Department.
5. Campers or recreation vehicles on the property shall be located so that all setbacks, dimensional standards, and other pertinent zoning requirements are met.

SECTION 910 - CHURCHES, SYNAGOGUES, TEMPLES, AND OTHER PLACES OF WORSHIP.

A. ALL RESIDENTIAL ZONING DISTRICTS PROVIDED THAT

1. Such use is housed in a permanent structure that is not a dwelling unit meeting all applicable building code requirements for an institutional use.
2. Such use is located on a lot not less than one and one-half (1½) acres in area.
3. Minimum lot width shall be two hundred (200) feet.
4. No structure on the lot is closer than thirty (30) feet to any abutting residential property line.
5. An on-premises private school, kindergarten, pre-school, nursery, or day care center, cemeteries or fellowship hall/family life center shall be considered an accessory use to the principal use of the site.

B. ALL COMMERCIAL ZONING DISTRICT(S) PROVIDED THAT

1. Such use is housed in a permanent structure meeting all applicable building code requirements for an institutional use.
2. Such uses may be permitted within an existing storefront or tenant space.
3. If such use is located in a detached structure, it shall be no closer than thirty (30) feet to any abutting residential property line.
4. An on-premises private school, kindergarten, pre-school, nursery or day care center, cemeteries or fellowship hall/family life center shall be considered an accessory use to the principal use of the site.

SECTION 911 - DAYCARE CENTERS.

1. Facilities shall be accessory uses in HI, MA1, MA2 and MA3 districts, and conditional uses in all other zoning districts, except as stated herein.
2. No group care facility shall be located on the same street within five hundred (500) feet of another residential center, measured from the nearest property lines of the group care facility.
3. May be placed in separate facilities in various zones according to the number of occupants served:

OCCUPANTS	PERMITTED IN:
1—5 (Family care)	All zoning districts
6—12 (Group care)*	Allowed on lots > 20,000 sf in all residentially zoned districts.** All commercial districts
13+ (Day care)*	All commercial districts**
* Commercial building code shall be adhered to.	
** Access to said facility must be provided via all-weather surface.	

SECTION 912 - FIREARM TRAINING AND SPORTS FACILITIES.

A. APPLICABILITY

Commercial and public firearm training and sports facilities shall be allowed as a conditional use in HI, FA, CFA, LFA, AG2, and AG3, per the conditions listed herein.

B. DEFINITIONS

Firearm training and sports facilities—Commercial or public facilities designed and specifically designated for training, safe shooting practice and competition with firearms, whether open to the public, open only to private membership, open to organization training such as law enforcement, or any combination thereof.

Commercial facility—An outdoor range receiving remuneration for the activities associated herein. Seasonal "turkey shoots" shall be exempt from the standards herein so long as the Horry County Department of Public Safety is notified prior to the event.

Public facility—An outdoor range owned and managed by the State of South Carolina and/or the County of Horry.

Range—Any individual or group of firing positions for a specific shooting type.

Shooting type—Rifle range, pistol range, archery range, tactical, skeet, trap, 5-stand, sport clay courses. Any type closely associated with those listed herein.

Firearm—Any rifle, pistol, air gun, shotgun, and/or bow available to the general public.

C. OPERATING STANDARDS AND SPECIFICATIONS

1. Range planning, construction and operation shall be in substantial harmony with the guidelines in The NRA Range Source Book: A Guide to Planning and Construction, published by the NRA,

latest edition, or the guidelines established by various publications produced by the NSSF for range planning, design, and management.

2. Ranges and all buildings shall meet the setback requirements of the zoning district.
3. A building/structure meeting commercial requirements shall be required on site.
4. Hours of operation shall be posted in a conspicuous place. Shooting activities shall be permitted during the hours of 9:00 a.m. to one (1) hour after sunset. Sunday hours shall be limited to 2:00 p.m. to one (1) hour after sunset. Hours shall be extended to accommodate law enforcement certification for low-light conditions training, or upon a finding during county council review that extended hours will have no deleterious effects to surrounding property owners.
5. Rules and regulations as stipulated in the application detailed in Chapter 13, Article IX of the Horry County Code of Ordinances, shall be conspicuously posted throughout the facility.
6. All firearm training and sports facilities shall have a designated range master/officer or masters. A designated range master/officer must be present whenever the facility is open for shooting activities.
7. The sale and/or consumption of alcohol on-site shall be prohibited.
8. All firearm training and sports facilities shall comply with the Horry County Noise Ordinance (Article 3, § 13-33), unless preempted by the South Carolina Shooting Range Protection Act of 2000 (S.C. Code § 31-18-30).

D. RANGES FOR CONCEALED WEAPONS PERMITS

1. On-site classroom instruction for activities associated with concealed weapons permits (CWP) shall require a building/structure meeting commercial standards. Facilities offering CWP, where only the active live fire shooting portion of the course is instructed on-site, are exempt from this requirement.
2. Ranges offering only CWP are exempt from the permitting requirements of Chapter 13, Article X of the Horry County Code of Ordinances. Said ranges shall be designed in accordance with § 912.C.2. Plans and specifications shall be submitted to the planning department for review.
3. CWP range operators are required to have a CWP instructor license issued by the State of South Carolina.

E. SIGN REQUIREMENTS

1. Signs shall be mounted along the perimeter of the facility when adjacent lands are publicly owned.
2. Signs shall be separated by no more than one hundred (100) feet, with the words "Firing Range" and "No Trespassing" on each sign.
3. Signs shall be a minimum of eighteen (18) inches by twenty-four (24) inches and shall be fluorescent red or orange.
4. Owners/operators are responsible for all fees associated with production and placement of signs. In no instance shall a facility receive a certificate of occupancy until said signs are placed where applicable.

SECTION 913 - FOOD VENDING.

A. INTENT

The purpose of this ordinance is to provide standards for mobile food vendors while balancing the interests of public health, safety, and overall community wellbeing.

B. GENERAL REQUIREMENTS

1. Mobile food units (with the exception of ice cream trucks) may be allowed as a conditional use in the following zones: HC, NC, CC, TRS, RCS, RE-1, RE-2, RE-3, RE-4, EIO, PA1, OPI, PR-1, PR-2, MA-1, MA-2, MA-3, MI, LI, HI, AC, AM1, AM2, and commercial areas of PUD/PDD provided they meet the following requirements:

    a) The mobile food unit meets a 25' front setback. If adjacent to a residential area, then the mobile food unit must meet the side and rear setback requirements of its underlying zoning district;

    b) There is a principal structure and/or business on site; the mobile food units are located on a parcel with no less than an improved dust-free surface thirty (30) feet driveway throat length; Ingress, egress, and internal circulation of vehicular traffic shall not create a hazard for traffic on an adjacent street or on the subject parcel; The mobile food unit is not within ten (10) feet of an entranceway to any business open to the public;

    c) Only one mobile food unit may be permitted per parcel at a time (unless otherwise permitted in a PUD/PDD). Parcels over 30 acres in size may have up to one mobile food unit per 2 acres. In any case, there shall be no more than 15 mobile food trucks per parcel;

    d) A minimum of two (2) parking spaces must be provided per mobile food unit and maintained in addition to the minimum parking required for the principal business;

    e) No portion of the mobile food unit shall be allowed to occupy or obstruct access to any parking stall, or parking aisle required by the Zoning Ordinance;

    f) The mobile food unit is not located within three hundred (300) feet of the principal public entrance to any food service business not owned by the vendor or property owner, which sells merchandise which is approved for sale in this ordinance (unless the adjacent food service business owner provides a legal affidavit agreeing to a lesser distance). If a restaurant opens within the three-hundred-foot zone after the mobile food vendor has continuously operated his business in the location for at least two (2) years, the mobile food vendor may remain in that location;

    g) The mobile food unit is not located within two hundred (200) feet of the principal public entrance to any PreK-12 educational facility, unless approval from the school exists in writing and is provided upon request;

    h) A letter and/or copy of an official lease agreement from the property owner to vend on the subject parcel and a copy of the property owner's business license must be provided. If applicable, the vendor must provide a copy of the approved county hospitality tax application and a State sales tax number to the Zoning Administrator before a vending permit is issued;

i) A list of all requested sites, including the property owners and physical addresses. The applicant must submit site plans, to scale, showing all proposed locations of the vending operation on the plans. The Zoning Administrator must find that the proposed operation complies with all applicable provisions of this Section, and that the proposed operation will not adversely affect the traffic accessibility, or health and public safety;

j) The mobile food unit must obtain an annual zoning compliance;

2. Ice cream trucks may be allowed as a conditional use in all zones, provided they meet the following:

   a) The unit shall only be stationary for a maximum of 30 minutes per stop and move at least one block before making another stop;

   b) It is unlawful for any ice cream truck to stop on private property without the consent of the property owner.

3. Applicants for all mobile food units, including ice cream trucks, must submit the following to receive a Horry County Mobile Food Permit:

   a) The applicant's permanent street address and mailing address;

   b) A brief description of the nature of the business and goods to be sold;

   c) SCDHEC Certification, or a letter from SCDHEC stating that certification is not required;

   d) Proof of current license plate and vehicle(s) registration;

   e) Color photographs of the vehicle(s) exterior in sufficient number to provide permitting officials to be familiar with all the exterior views of the mobile food unit;

   f) A maximum of 50 permits (including mobile food units and ice cream trucks) shall be allowed at any given time.

C. DURATION AND FEES (FOR ALL MOBILE FOOD UNITS, INCLUDING ICE CREAM TRUCKS)

1. The fee levied by this ordinance is for the purpose of providing such regulation as may be required by the businesses subject thereto and for the purpose of raising revenue through a privilege tax. The mobile food permits issued under this ordinance will be valid beginning on date of this ordinance's enactment until April 30 of the ensuing year. In the following years, a permit shall be from May 1 until April 30 of the ensuing year;

2. The permitting fee for each mobile food unit is $150.00, which includes review of two vending locations. For any additional location reviews made in conjunction with an initial application, there will be a fee of $100.00 per location.

3. The annual permitting fee for each ice cream truck is $150.00.

D. PERMITTED MERCHANDISE (FOR ALL MOBILE FOOD UNITS, INCLUDING ICE CREAM TRUCKS)

Mobile food vendors shall be limited to edible and hot and cold beverages; containing no alcohol. The selling of non-food or non-drink items shall be limited to merchandise displaying the Mobile Food Vendor company logo and/or branding. No items may be displayed outside of the vehicle.

E. SIGNAGE (FOR ALL MOBILE FOOD UNITS, INCLUDING ICE CREAM TRUCKS)

1. No advertising shall be permitted on any mobile food unit except to identify the name of the product or the name of the vendor, and the posting of prices;
2. Electronic or illuminated signs shall not be utilized by vendors while mobile;
3. Temporary off-site signs for the mobile food units shall be prohibited;
4. One on-site sandwich style shall be permitted per mobile food unit, maximum two (2) feet by three (3) feet in size, located within ten (10) feet of the mobile food unit, and must be located outside of all buffers and right-of-ways, unless prohibited by Overlay requirements.

F. PROHIBITED CONDUCT (FOR ALL MOBILE FOOD UNITS, INCLUDING ICE CREAM TRUCKS)

No vendor shall:

a) Vend on any street or sidewalk where vending is otherwise prohibited;

b) Vend between the hours of 3:00 a.m. through 6:00 a.m.;

c) Leave any mobile food unit unattended;

d) Store, park, or leave any mobile food unit overnight at any vending location;

e) Sell food or beverages for immediate consumption unless there is a litter receptacle and recycling bins available for the patrons' use;

f) Leave any location without first removing and disposing of all trash or refuse remaining from sales made by the vendor;

g) Allow any items relating to the operation of the vending business to be placed anywhere other than within, on, or under, the mobile food unit;

h) Set up, maintain or permit the use of any crate, carton, rack, or any other device to increase the selling or display capacity of the mobile food unit with the exception of one table 3' x 5' in size (subject to site plan approval), and no taller than 4' in height is allowed;

i) Sell anything other than permitted merchandise as detailed in this ordinance;

j) All mobile food units shall abide by the requirements stated in Section 13-32 "Certain Noises Prohibited";

k) Allow the mobile food unit or any other item relating to the permitted vending operation to lean against or hang from any building, utility pole, or other structure.

G. EXEMPTIONS (FOR ALL MOBILE FOOD UNITS, INCLUDING ICE CREAM TRUCKS)

The provisions of this section shall not apply to special events, festivals, community projects or public events which occur on a periodic basis and which are specifically approved by County Council or as an approved Special Event. This section shall not apply to activities conducted pursuant to a franchise agreement or other contract with Horry County. Refer to Sections 13-34 "Special Event Permits," Section

14-14 "Commercial Activity Prohibited at Public Boat Landing and Other Property Open to the General Public Owned by Horry County," Section 5-16 "Solicitation and Commercial Activities Prohibited," and Section 5-19 "Vehicles Prohibited."

H. VIOLATIONS (FOR ALL MOBILE FOOD UNITS, INCLUDING ICE CREAM TRUCKS)

The vendor, property owner/lessee and assigns shall be responsible for any violation of this section or any other sections of the Horry County Code of Ordinances. Such violations may result in the revocation or denial of a Certificate of Zoning Compliance and vending permit, and may also result in the revocation and denial of a Certificate of Zoning Compliance and for any future vending permits. If the mobile food unit receives more than 3 violations, the permit will be revoked for one year.

SECTION 914 - FRATERNITY/SORORITY HOUSES.

A. WHERE FRATERNITY/SORORITY HOUSES ARE PERMITTED, THEY MUST MEET THE FOLLOWING CONDITIONS

1. The use is located on the same parcel of land on which the main campus of a technical school, college or university is located or on an adjoining parcel owned by the technical school, college or university provided the structure is located within one thousand (1,000) feet of the main campus and is occupied by college, university, or professional organization recognized by that particular college, university or technical school.
2. The use adheres to the following lot size, building height, lot coverage, setbacks, and screening:

   The maximum density does not exceed eight (8) bedrooms per acre or portion thereof based on the lot area.

SETBACKS				
	Adjacent to Non-Residential Uses		*Adjacent to Residential Uses*	
Height	*Less than 36'*	*Greater than 36'*	*Less than 36'*	*Greater than 36'*
Front	50 feet	50 feet	50 feet	50 feet
Side	10 feet	20 feet	30 feet	40 feet
Rear	15 feet	30 feet	30 feet	30 feet

3. Where the use abuts a residential zoning district and is not separated by a street right-of-way, the following screening provisions shall apply:
   a) A privacy fence or wall at least six (6) feet in height shall be placed along the property line.

b) The privacy fence or wall is in accordance with the setbacks and requirements for privacy fences.

c) A minimum of twenty (20) feet of existing vegetation or re-vegetated buffer yard shall be established between the proposed building and the adjacent residential district property line.

SECTION 915 - GAS/ PROPANE FUELING STATIONS, TANKS AND CANOPIES.

Where permitted, gas/ propane fueling stations, tanks and canopies are required to meet a minimum of twenty-five (25) feet from any right-of-way/easement line of the street and are allowed to be forward of the primary structure. All other building setbacks are not changed.

SECTION 916 - HELIPORTS/HELIPADS.

1. Heliports and Helipads shall be permitted only at Public- Use Airports, except that a helipad may be permitted as an accessory per § 402.
   To promote uniform helipad standards within Horry County, any proposed heliport/helipad should comply with all heliport design guideline recommendations in FAA Advisory Circular 150/5390-2C Heliport Design, and as subsequently amended. In addition, a proposed heliport/helipad must comply with 14 CFR Part 157 - Notice of Construction, Alteration, Activation, and Deactivation of Airports, NFPA 418 Standard for Heliports, and the South Carolina Airports Act.

SECTION 917 - MULTIPLE HOMES ON ONE (1) PARCEL OF LAND

Multiple single-family homes or manufactured homes on one (1) parcel of land provided that (Please Note: for Accessory Dwelling Units, see § 925):

A. LFA ZONING DISTRICT

1. The parcel of land must contain at least six (6) acres.
2. The total number of homes placed on a parcel of land shall not exceed one (1) for every three (3) acres up to a total of five (5) homes regardless of the total number of acres. (Refer to the chart for reference)

TOTAL NUMBER OF ACRES	NUMBER OF HOMES
6 to <9	2
9 to <12	3
12 to <15	4
15 and above	5

3. Such use cannot be located on a parcel accessed from a shared private driveway.

B. FA AND CFA ZONING DISTRICTS

1. The parcel must contain at least three (3) acres;
2. The total number of principal structures placed on a parcel of land shall not exceed five (5) regardless of the total number of acres;

3. Such use cannot be located on a parcel accessed from a shared private driveway.

C. RE ZONING DISTRICT

1. The parcel of land must contain at least five (5) acres.
2. The total number of principal structures placed on a parcel of land shall not exceed five (5) units regardless of the total number of acres.
3. Such use cannot be located on a parcel accessed from a shared private driveway.

D. AG1 ZONING DISTRICT

1. The maximum number of dwellings shall be three (3) per twenty (20) acres not to exceed six (6) total units. (Refer to chart for reference)

TOTAL NUMBER OF ACRES	NUMBER OF HOMES
<40	3
40 and above	6

2. Residences shall meet a minimum of twenty (20) feet building separation.
3. Such use cannot be located on a parcel accessed from a shared private driveway.

SECTION 918 - NONCOMMERCIAL DOCKS.

It is the intent of Horry County to regulate the construction of noncommercial dock facilities in order to minimize the adverse impacts of such activities upon sensitive natural resources.

Non-commercial docks shall be permitted in all residential districts and commercial districts where residential uses are allowed subject to the following:

A. APPLICABILITY

1. It shall be unlawful to build, construct, repair or alter any noncommercial dock or portion thereof in the county without conforming to this section.
2. Non-commercial boat docks are allowed under the following conditions:
   a) No noncommercial dock shall be designed or constructed to accommodate more than two (2) boats for permanent mooring. No residentially zoned lot shall have more than one (1) dock. For the purposed of this section, personal watercraft lifts shall not be considered a boat slip.
   b) Docks owned and used by a resident of the property in question are a permitted accessory use to the primary residential use;
   c) Docks owned and used by the owner of a property that are not residentially developed is permitted as a principal use provided that:
      i. The use is limited to one (1) dock for each lot or group of contiguous lots in the same ownership; and

ii. Dock is allowed to have a roof not to exceed twenty (20) feet in height.

iii. The boat and docks are owned and primarily used by the owner of the property.

iv. No dock contemplated by this section shall be enclosed by any means, either permanent or temporary.

B. GENERAL PROVISIONS

1. Docks must be setback from side property lines a minimum of ten (10) feet from any side lot line extended and a minimum separation of twenty (20) feet from any other dock.
2. No space may be sold, rented, or leases for watercraft storage purposes.
3. Docks may be provided with electric or water utilities, provided no residential accessory dock shall be served by separately metered utility service.
4. Structures permitted herein shall not be used as a dwelling.
5. Commercial activities, including, but not limited to, the sale of gasoline, oil, marine supplies, foodstuffs, boat rentals, boat repair, boat sales and storage shall be strictly prohibited.
6. If state and/or federal permits are required for the erection of any dock, such permit shall be presented in writing prior to the issuance of any building permit for a dock.

C. SPECIAL PROVISIONS

Not withstanding the preceding, a residential dock for the joint use by two (2) or more adjacent waterfront property owners may be permitted where the physical characteristics of the waterfront make it impractical to build individual docks.

D. MULTI-USE/COMMUNITY DOCKS

A multi-use/community dock, which is any dock owned in common or used by residents of a homeowners association, multi-family development, condominium, cooperative apartment, or any other residential horizontal property regime shall be permitted as a principal use provided that:

a) The land area adjacent to the docks is either owned in common or accessible by easement to all residents of the property.

b) Use of dock shall be limited to residents of the development served by the dock.

c) The total number of boat slips shall not exceed the total number of units within the residential development served by the community dock.

d) The dock shall not be used or operated as rental marinas nor shall any person or entity rent any community boat dock except to residents of the subdivision/development served by the dock.

e) The total size of the dock shall not exceed one thousand (1,000) square feet, excluding the walkway.

f) Dry boat storage is not permitted except within residential garages or within an approved amenity storage area.

g) Areas for parking shall meet all applicable screening and landscaping requirements.

SECTION 919 - NON-COMMERCIAL PERSONAL USE BUILDINGS

Where permitted by district, provided that:

1. The building is located on parcels no less than three (3) acres in size
2. The building does not exceed four thousand five hundred (4,500) square feet in size.
3. The building maintains a twenty-five (25) foot setback from all property lines.

SECTION 920 - COMMERCIAL PARKING LOTS/GARAGES.

A. RH

1. The parking facility is within six hundred (600) feet of the structure for which the spaces are required.
2. Title to the parking facility must run with and/or be appurtenant to the title of the principal resort housing structure.

B. FREE-STANDING, COMMERCIAL PARKING LOTS IN RC

This off-site parking shall not be used to satisfy the parking requirements of § 704 unless otherwise authorized by the zoning ordinance or the property owner of the parking area grants a deed restriction naming Horry County as a party to ensure that the off-site parking is not later eliminated without prior approval of Horry County.

SECTION 921 - PATIO HOME DEVELOPMENT.

1. The patio home development must be under the same ownership as the adjacent lot at the time of initial construction, or the owner of adjacent properties must record an agreement or deed restriction, in writing, consenting to the development of zero setback. The maintenance and drainage easement required below must be provided as part of this agreement and deed restriction.
2. The dwelling unit shall be placed on one interior side property line with a zero setback, and the dwelling unit setback on the other interior side property line shall be a minimum of ten (10) feet. Patios, garden features, and other similar elements shall be allowed within the ten (10) foot setback area; provided, however, no structure shall be placed within maintenance easements required in 3 below. The dwelling unit shall meet the minimum building separation required by the district.
3. A perpetual five (5) foot maintenance easement shall be provided on the lot adjacent to the zero lot line property line. This easement shall be shown on the plat and incorporated into each deed transferring title to the property. The easement shall be kept clear of structures or any other improvement which would infringe on the use of the easement, with the exception of

freestanding walls and fences. The roof shall be so designed that water runoff from the dwelling placed on the lot line is controlled by gutters or other approved methods.

SECTION 922 - PRIVATE RESIDENTIAL SUBDIVISION AIRPARKS.

A. APPLICABILITY

Private residential subdivision airparks shall be allowed to contain hangars as subordinate uses on fee simple or in-common lots, subject to the following conditions.

B. CONDITIONS

1. Separation from residential—All proposed hangars shall be located a minimum of forty (40) feet from any residentially used or zoned lot outside of the residential airpark. The distance shall be measured from the proposed hangar to the residential zoning line or residentially used lot line.
2. Minimum lot area: Five thousand (5,000) square feet, with a minimum lot width of fifty (50) feet.
3. Minimum separation of structures shall be twenty (20) feet.
4. Setbacks shall be:

   Front: Thirty (30) feet

   Sides: Ten (10) feet

   Rear: Twenty (20) feet

   Exterior setback: Forty (40) feet
5. No commercial uses shall be associated with hangars.
6. Hangars may not be converted for residential use. Should the hangar lot be combined with a residential lot, or enlarged for residential development in the future, the minimum residential lot size shall be met for the district.

SECTION 923 - PRODUCE STANDS

1. Temporary stands, shelters or vehicles must obtain a Certificate of Zoning Compliance annually;
2. In AG1, RE & SF/MSF 40 produce stands are limited to only produce grown on-site.
3. Off-site stands or shelters that remain on the property where the zoning district permits it and are not disassembled after the produce/shrimp season, must meet the setbacks of the zoning district in which they are located;
4. A minimum of four (4) parking spaces must be provided and suitably maintained;
5. The size of such stands or shelters shall not exceed three hundred (300) square feet;
6. Mobile produce sales may not be located within two thousand (2,000) feet of a permanent business specifically owned or leased for the purpose of selling seafood or produce;

7. Stands, shelter or vehicles and/or operated on properties where the owner of said properties are growing seasonal produce are not required to obtain a Certificate of Zoning Compliance provided that sections 2, 3, 4, and 5. above are met; and
8. Signage for produce stands shall be allowed the following signage:
   a) Temporary stands, shelters or vehicles shall be allowed no more than one (1) temporary ground sign on-site and be no larger than forty (40) square feet.
   b) All signage must be set back ten (10) feet from the paved portion of the road and out of the highway right-of-way.
   c) Temporary signs shall be permitted off-site provided;
      i. Only two (2) signs in one (1) road direction from the stand site shall be allowed or one (1) sign per road direction;
      ii. The sign(s) are no larger than twenty-five (25) square feet;
      iii. The signs(s) are placed no further than two thousand (2,000) linear feet from the stand site;
      iv. The sign(s) are not placed in the highway right-of-way; and
      v. Not placed on utility poles, trees, fences, other state authorized signs, rocks or natural appurtenances.
   e) All signage associated with existing produce stands shall come into compliance within ninety (90) days of the adoption of this Ordinance.

SECTION 924 - PUBLIC OR PRIVATE CEMETERIES.

1. Such use is located on a site of at least one (1) acre;
2. Such use includes no crematorium or dwelling unit for a caretaker;
3. The location of all plots or structures within the cemetery meet the setback requirements for the district in which they are located.

SECTION 925 - ACCESSORY DWELLING UNITS.

Accessory dwelling units, within an existing principal dwelling or in a separate structure, shall be a conditional use in all zoning districts where a principal single-family detached dwelling unit is permitted provided:

A. CONDITIONS WHICH APPLY TO ALL

1. No more than one (1) accessory dwelling unit per parcel.
2. The principal dwelling unit is occupied by the owner of the property.
3. The accessory dwelling unit shall be in conformance with the definition of a single family dwelling unit or single manufacture home.

B. ATTACHED ACCESSORY DWELLING UNITS

1. The minimum lot area shall be the same as that of the zoning district.

2. The accessory dwelling unit may have a separate entrance.
3. The construction of the accessory dwelling unit shall not alter the appearance or character of the structure, i.e. cannot create a duplex.
4. An accessory dwelling unit, within a principal dwelling, does not require an interior entrance but, it must share a common wall with the principal dwelling.

C. DETACHED ACCESSORY DWELLING UNITS

1. The minimum lot area shall be equal to two (2) times that normally required for the zoning district where the accessory dwelling unit is proposed.
2. Minimum separation shall be no less than twenty (20) feet from the principal dwelling.

SECTION 926 - THERAPEUTIC MASSAGE ESTABLISHMENTS.

1. All massage therapists shall be licensed by the State of South Carolina; and
2. Services offered and advertised shall not include any type of bathing services performed by an employee or agent of the establishment; and
3. Hours of operation are limited to 8:00 a.m. until 10:00 p.m.

SECTION 927 - HOME OCCUPATIONS.

A. IT IS THE PURPOSE OF THIS SECTION TO

1. Recognize the home as a viable location for certain types of occupations;
2. To ensure the compatibility of home occupation with the principal residential uses in order to protect the integrity and character of neighborhoods;
3. Minimize noise, traffic nuisances, hazardous material usage, and other possible impact to residential areas.
4. Prohibit certain types of businesses that would be incompatible with residential uses.
5. Prohibit certain types of businesses that would ordinarily be a use (permitted or conditional) in a commercial or industrial zoning district.

B. THE FOLLOWING CONDITIONS APPLY TO ALL HOME OCCUPATIONS

1. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes.
2. The home occupation does not change the character of the residential dwelling when conducted within the dwelling.
3. The owner/operator of the home occupation must either own the property and/or building in which the home occupation is operated or have notarized permission from the property owner.
4. All parking and maneuvering areas required to support the home occupation shall be located on site to the residence.

5. No home occupation shall create excessive noise, dust vibrations, smells, smoke, glare, electrical interference, fire hazard or nuisance to any greater or more frequent extent than that usually experienced in the district on residentially used zoning lots where no home occupation exists.
6. One (1) home occupation sign, provided it is nonilluminated and no larger than two (2) square feet in area and it is mounted against a wall of the principal structure unless otherwise prohibited by deed restrictions.
7. Any home occupation lawfully permitted prior to the adoption of this ordinance will be considered "legal non-conforming". Any legal non-conforming home occupation that ceases to exist for a period of twelve (12) months after the business license expires shall lose its non-conforming status.

C. THE FOLLOWING ARE PROHIBITED HOME OCCUPATION USES

Ambulance Service
Taxi Service
Limousine Service
Trucking Companies
Retail Sales On-site
Trade Shop Uses
Auto Repair Services
Kennels
Welding Service
Medical, Dental, Chiropractic or Veterinary Offices/Clinics
Health Salons, Gyms, Dance Studios, Aerobic Exercise Studios
Restaurants or Taverns
Firearms (Those occupations that entail the manufacturing, sale, lease or rental of firearms/and or ammunition)
Escort Services
Adult Oriented Businesses (examples: private modeling, uncertified massage services)
Drug/Alcohol Counseling Services
Tattoo & Body Piercing
Swimming Pool Companies.

D. HOME OCCUPATIONS – ONE ACRE OR LESS

Home occupations on one (1) acre or less shall be permitted as an accessory use to a residential dwelling in any zoning district excluding AG1, AG2, FA, LFA and CFA provided that all the following conditions are met:

1. The home occupation is conducted entirely within a residential dwelling and/or a fully enclosed attached or detached structure on the same property.
2. No more than thirty-five (35) percent of the floor space of the residential dwelling shall be used for the home occupation and no more than one thousand (1,000) square feet of a detached structure may be used for a permitted home occupation. The home occupation can be located in either the home or detached structure or both.

3. No more than two (2) home occupations per residence will be permitted and no more than two (2) non-residents per business may be employed in the home or detached structure.
4. No more than two (2) service vehicles per acre will be permitted.
5. No outside storage of equipment, supplies, or over-stock shall be permitted with any home occupation.
6. Bulk deliveries to a home occupation shall be limited to one (1) per day.

E. HOME OCCUPATIONS—MORE THAN AN ACRE (INCLUDING MULTI-FAMILY TRACTS)

Home occupations on more than one (1) acre shall be permitted as an accessory use to a residential dwelling in any zoning district excluding AG1, AG2, FA, LFA and CFA provided that all the following conditions are met:

1. The home occupation is conducted entirely within a residential dwelling and/or a fully enclosed attached or detached structure on the same property.
2. No more than thirty-five (35) percent of the floor space of the residential dwelling shall be used for the home occupation and no more than one thousand (1,000) square feet of a detached structure may be used for a permitted home occupation. The home occupation can be located in either the home or detached structure or both.
3. No more than two (2) home occupations per residence will be permitted and no more than two (2) non-residents per business may be employed in the home or detached structure.
4. No more than two (2) service vehicles per acre will be permitted.
5. Outside storage of equipment, supplies, or over-stock must be screened with no less than a six (6) feet high and no more than an eight (8) foot high privacy fence or suitable vegetation. No storage may exceed the height of the screening.
6. Bulk deliveries to a home occupation shall be limited to one (1) per day.

F. HOME OCCUPATIONS—LESS THAN ONE AND ONE-HALF ACRE TRACTS

Home occupations on less than one and one-half (1½) acre tracts shall be permitted as an accessory use to a residential dwelling in any AG1, AG2, FA, LFA and CFA zoning district.

1. The home occupation is conducted entirely within a residential dwelling and/or a fully enclosed structure or detached unenclosed structure for storage of products (such as pine straw, plants, etc.) and machinery on the same property.
2. No more than thirty-five (35) percent of the floor space of the residential dwelling shall be used for the home occupation and no more than one thousand five hundred (1,500) square feet of a detached structure may be used for a permitted home occupation. The home occupation can be located in either the home or a detached structure or both.
3. No more than three (3) home occupation per residence will be permitted and no more than two (2) non-residents per business may be employed in the home or detached structure. Does not apply to off-site employees.
4. No more than three (3) service vehicles per residence will be permitted.

5. Outside storage of equipment, supplies, or over-stock must be screened with no less than six (6) feet high and no more than an eight (8) feet high privacy fence and or planted or existing suitable vegetation. No storage may exceed the height of the screening. No storage shall be forward of the principle residence.
6. These prohibited uses are allowed provided the applicant meets the exceptions:
   a) Trucking Companies - Exceptions: Companies with no more than three (3) service vehicles parked in the side or rear yard and not forward of the house and screened with no less than an eight (8) feet high privacy fence or natural vegetation.
   b) Auto/Body Repair Services – Exception: All work is done off site and no storage of automobiles is allowed on-site.

G. HOME OCCUPATIONS—ONE AND ONE-HALF ACRES AND ABOVE

Home occupations on one and one-half (1½) acres and above shall be permitted as an accessory use to a residential dwelling in any AG1, AG2, FA, LFA and CFA zoning district.

1. The home occupation is conducted entirely within a residential dwelling and/or a structure or detached unenclosed structure for storage of products (such as pine straw, plants, etc.) and machinery on the same property.
2. No more than thirty-five (35) percent of the floor space of the residential dwelling shall be used for the home occupation and no more than three thousand five hundred (3,500) square feet of a detached structure may be used for a permitted home occupation. The home occupation can be located in either the home or a detached structure or both.
3. No more than three (3) home occupations per residence will be permitted and no more than two (2) non-residents per business may be employed in the home or detached structure. Does not apply to off-site employees.
4. No more than five (5) service vehicles per residence will be permitted.
5. No storage shall be forward of the principle residence.
6. These prohibited uses are allowed provided the applicant meets the exceptions:
   a) Heavy Equipment Operations – Allowed on parcels five (5) acres or more.
   b) Taxi Service – Allowed on parcels five (5) acres or more.
   c) Limousine Service – Allowed on parcels five (5) acres or more.
   d) Trucking Companies - Exceptions: If less than 5 acres, companies with no more than five (5) service vehicles parked in the side or rear yard and not forward of the house with no less than an eight (8) feet high privacy fence or natural vegetation. Allowed with no privacy fence on parcels five (5) acres or more.
   e) Welding Fabrication Shops – Exception: small welding operations for equipment or vehicle repair is allowed.
   f) Industrial/Commercial Trade Shops - Exception: off-site service related trades and on-site artisan or craftsman shops such as cabinet maker, furniture repair or hobby shops that do not mass produce or manufacture such product.

g) Auto/Body Repair Services - Exception: All work is done off site and no storage of automobiles is allowed on-site.

SECTION 928 - COMBINATION OF A RESIDENCE AND COMMERCIAL USE.

A. ANY DISTRICT WHICH ALLOWS A SINGLE FAMILY RESIDENTIAL STRUCTURE AND A COMMERCIAL BUSINESS, IS PERMITTED TO HAVE BOTH ON THE SAME PARCEL OF LAND PROVIDED THAT

1. The parcel meets the combined minimum lot size of each use.
2. There is no more than one (1) single family home and one (1) commercial business.

SECTION 929 - GAME MACHINES

Shall be limited to five (5) machines per parcel unless you meet the following spacing requirements:

1. One thousand (1,000) feet from a residentially zoned district or residential structure.
2. Five hundred (500) feet from a church, cemetery, place of worship, daycare center, public or private elementary or secondary education school.
3. One thousand (1,000) feet from another game machine establishment.
4. Measurements of distance separations shall be in a straight line from the closest points of the building(s) [in] which the gaming machines are located.

SECTION 930 - OUTDOOR ACTIVITIES IN HC

A. OUTDOOR ACTIVITIES AND GAMES SUCH AS VOLLEYBALL, ATHLETIC TRAINING, CORN HOLE, SHUFFLE BOARD, AND LIVE OR RECORDED MUSIC, SUBJECT TO THE FOLLOWING

1. The use is accessory to a principal use.
2. The use shall not displace any required parking, buffer or landscaping,
3. The use must be located at least 500 feet from a residentially used or zoned property.

B. OUTDOOR BATTING CAGES AND PAINT BALL FACILITIES AS PRINCIPAL OR ACCESSORY USES SUBJECT TO THE FOLLOWING

The use must be located at least 500 feet from a residentially used or zoned property.

SECTION 931 - SINGLE FAMILY HOMES IN MANUFACTURED HOME PARKS

Home must be a modular single family dwelling unit.

SECTION 932 - GO CARTS & BUMPER CARTS

Carts must be electrically powered in specified districts.

SECTION 933 - COMMERCIAL BUSINESSES IN FA

Such uses shall be limited to one (1) structure, not to exceed four thousand five hundred (4,500) square feet in gross floor space.

SECTION 934 – RECYCLING FACILITIES

All recycling must be contained entirely within a fully enclosed structure.

SECTION 935 - TRADE SHOPS

1. Such use shall not produce noise, vibration, smoke, gas, fumes, odor, dust, fire hazards, dangerous radiation or any other conditions which constitute a nuisance beyond the premises.
2. All uses and work shall be conducted entirely within a fully enclosed structure.

SECTION 936 - RESTAURANTS

A. CC ZONING DISTRICT

Excludes Drive-ins.

B. RE1 ZONING DISTRICT

Shall not operate between hours of 11pm to 6am.

SECTION 937 – BEER, WINE, AND SPIRIT PRODUCTION, TASTINGS AND RETAIL SALES OF RELATED MERCHANDISE

A. AG1, AG2, FA & CFA ZONING DISTRICTS

1. The property includes land under cultivation.
2. No distribution is allowed

B. RE3 & HC ZONING DISTRICTS

No distribution is allowed

SECTION 938 – VALUE-ADDED AGRICULTURAL PRODUCT PROCESSING

A. AG1, AG2, FA & CFA ZONING DISTRICTS

1. The property includes land under cultivation.
2. The parcel is no less than five (5) acres in size.

SECTION 939 – TATTOO PARLOR

A. OPI ZONING DISTRICT

Must be located in a licensed health care establishment engaged in the science of preventing, curing and alleviating human disease, including medical offices and clinics, but excluding health clubs, gymnasiums and associated uses.

SECTION 940 – WHOLESALE/DISTRIBUTION

A. AG2 ZONING DISTRICT

The parcel is no less than five (5) acres in size.

SECTION 941– CAMPGROUNDS

A. AC ZONING DISTRICT

Such use is allowed provided it meets the Destination Park Requirements of § 208.

SECTION 942– TELECOMMUNICATION FACILITIES

A. INTENT.

This section provides standards relative to the construction and location of transmission towers necessary to support the needs of the wireless communication industry within Horry County.

This section is further established to:

1. Provide for the appropriate location and development of wireless communication towers to serve the residents and businesses of Horry County;
2. Minimize adverse visual effects of communication towers through careful design, siting and vegetative screening;
3. Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures; and
4. Maximize use of any new or existing communication towers by encouraging co-location of multiple communication facilities to a single tower or tower site.

B. APPLICABILITY.

The standards established herein shall apply to any freestanding telecommunication tower and associated equipment not excluded in subsection C, below. All new towers are required to obtain a Telecommunications Tower Permit from Horry County Council.

C. EXCLUSIONS.

1. Concealed monopoles are exempt from the standards established herein provided; however, they must meet the applicable design requirements established elsewhere in the zoning ordinance and do not exceed one hundred twenty (120) feet in height. Concealed monopoles are allowed in all zoning districts.
2. Stealth towers are exempt from the standards established herein provided; however, they must meet the applicable design requirements established elsewhere in the zoning ordinance. Stealth towers are allowed in all zoning districts
3. Any tower and antenna under one hundred (100) feet in total height which is owned and operated by an amateur radio operator licensed by the federal communications commission;

4. Any device designed for over-the-air reception of television broadcast signals, multi-channel multi-point distribution service or direct broadcast satellite service;
5. Any telecommunications facilities located on property owned, leased or otherwise controlled by Horry County provided a license or lease authorizing the telecommunications facility has been approved by the governing body.

D. TEMPORARY LOCATIONS.

Cells on Wheels (COW) temporary mobile communication sites are only permitted in the case of equipment failure, equipment testing, equipment maintenance and/or replacement, or in the case of emergency situations. Placement of temporary equipment shall be limited to ninety (90) days unless extended in writing by the Zoning Administrator. COWs are allowed during events in which Special Event permits have been issued and shall be limited to thirty (30) days.

E. PROHIBITED.

Advertising messages or sign shall not be affixed to any tower.

F. PERMITTED LOCATIONS.

Freestanding telecommunication towers and associated equipment may receive a conditional use permit in the CFA, FA, LFA, AG1, AG2, AG3, OPI, PR1, PR2, RC, CC, NC, HC, LI, HI, PA1, MA1, MA2, RE3, RE4, CR, TRS, EIO and RCS zoning districts as a principal or accessory use subject to the standards established herein.

Except for the exclusions listed above, no new freestanding telecommunication tower shall be permitted unless the applicant demonstrates that no existing telecommunication facility can accommodate the applicant's proposed use; or that use of such existing facilities would prohibit the applicant from providing personal wireless services in the geographic search area to be served by the proposed antenna support structure.

Requests to locate a new telecommunication tower shall be subject to the following co-location radius:

a) No new proposed standard monopole shall be located within one and one-half (1½) miles of an existing telecommunication tower without a co-location waiver.

b) No new proposed freestanding tower other than a standard monopole shall be located within two and one-half (2½) miles of an existing telecommunication tower without a co-location waiver.

G. APPLICATION REQUIRED.

All new Freestanding Telecommunication Towers are required to submit a Conditional Use application and fee, unless exempted by subsection C, above.

H. APPLICATION REQUIREMENTS.

A conditional use application and the supplemental information listed below shall be submitted prior to the issuance of a building permit for a telecommunication tower.

1. Antenna Owner(s). Identification of the owner(s) of all antennas and equipment to be located on the site;
2. Engineer's Certification. The applicant shall provide certification from a licensed engineer, registered in the State of South Carolina, or other professional knowledgeable in telecommunications equipment, as shown by employment history, that the proposed facility will contain only equipment meeting the Federal Communication Commission rules and regulations;
3. Copy of all pertinent licensing and/or certification required by federal or state licensing authorities, which are required for said operators to said tower or facility.
4. Location Map. A current County map showing the locations of the applicant's antennas, facilities, exiting communication towers, proposed communication tower and any existing communication towers within two and one-half (2½) miles of the proposed location (measured from the base of the tower);
5. A site plan, at a scale no less than one (1) inch = one hundred (100) feet, that illustrates the following:
   a) A boundary survey of the proposed tower location site. (The site of the tower shall meet all survey requirements of the Horry County Land Development Regulations {Chapter 18 of the County Code} for Final Plats);
   b) The location of all associated features to support the tower site such as equipment/switching cabinets, fencing, and parking;
   c) The location of all support structures. The location of such features shall be entirely on the proposed tower site;
   d) The location of any existing structure within fifty (50) feet of the proposed tower site or those that may be within the fall zone of the proposed tower;
   e) Identification of the setbacks/fall zone for the tower;
   f) Elevation drawings and/or photographs of proposed tower which illustrate the type and size of the equipment that the tower will support;
   g) Screening and Landscaping;
   h) Specifications. One (1) copy of specifications for proposed structures and antennas, including description of design characteristics and materials; and
   i) Visual Impact Analysis. A line of site analysis showing the potential visual and aesthetic impacts on adjacent residential districts.

I. USE DISCONTINUANCE AND TOWER REMOVAL.

If a telecommunication tower fails to be utilized for its intended and permitted purpose for a period of six (6) months (except in the event of damage to the tower) the conditional use permit issued in association with such tower may be revoked. The property owner shall remove the tower within ninety (90) days of receiving written notice of the conditional use permit revocation. If the property owner fails to remove said tower within such period, the county shall contract for the removal of the tower and shall bill the property owner, tower owner/operator for such removal.

J. ADMINISTRATION.

Prior to the issuance of a Certificate of Zoning Compliance to construct a telecommunication tower the Zoning Administrator or designee shall review the application to ensure its completeness.

K. APPEAL.

Any person aggrieved by a decision of the Zoning Administrator may appeal such decision to the Board of Zoning Appeals. Appeals shall be submitted within thirty (30) days of the decision being rendered upon the telecommunication tower application.

L. SPECIFIC DESIGN REQUIREMENTS.

All telecommunication towers permitted for construction shall adhere to the following:

1. HEIGHT.

Freestanding telecommunication towers, including concealed monopoles and stealth towers, shall be exempt from the height restrictions contained elsewhere in the zoning ordinance.

a) All new freestanding towers proposed to be located within five hundred (500) feet of a major residential subdivision or a residential zoned district (SF 40 thru SF 6) shall be limited to one hundred ninety-nine (199) feet or less in height. All other towers except those listed below shall be limited to three hundred fifty (350) feet in height.

b) The following types of towers shall be exempt from the three hundred fifty-(350) foot height cap for however they are subject to all remaining requirements of the Horry County zoning ordinance regarding telecommunication towers.

i. Antenna support structures, antennas, and/or antenna arrays for AM/FM/TV/HDTV broadcasting transmission facilities that are licensed by the Federal Communications Commission shall be regulated in accordance with federal and other applicable local regulations.

ii. Any cable television headend or hub tower and antennae used solely for cable television services.

2. ILLUMINATION.

Towers shall be illuminated as required by the Federal Communications Commission (FCC) and/or the Federal Aviation Administration (FAA). If allowed under FAA and other governmental regulations, alternatives to strobe lighting shall be used at night and lighting shall be shielded to ensure that lighting is focused toward the top of the tower;

3. COLOR.

Excluding stealth towers and unless otherwise required by the FCC or FAA, towers shall have galvanized finish or be painted with a silver or gray finish; All towers over one hundred fifty (150) feet in height shall have a thirty-six (36) inch minimum stripe of either reflective tape and/or paint centered on the one hundred fifty (150) foot mark of the tower.

4. SIGNS.

a) Commercial messages shall not be displayed on any non-stealth tower and/or antennae.

b) The only signage that is permitted upon a non-concealed antenna support structure, equipment cabinet, or fence shall be informational, and for the purpose of identifying the

antenna support structure (such as ASR registration number), as well as the parties responsible for the operation and maintenance of the facility, its current address and telephone number, security or safety signs, and property manager signs (if applicable).

c) Where signs are otherwise permitted, a stealth tower may be concealed inside such signage, provided that all applicable standards for both the signage and the concealed tower are met.

d) If more than two hundred twenty (220) voltage is necessary for the operation of the facility and is present in a ground grid or in the antenna support structure, signs located every twenty (20) feet and attached to the fence or wall shall display in large, bold, high contrast letters (minimum height of each letter: four (4) inches) the following:

HIGH VOLTAGE - DANGER.

5. SECURITY.

Freestanding communication towers and associated structures including ground anchors for guyed towers shall be secured by a fence or wall measuring at least eight (8) feet in height.

6. EQUIPMENT COMPOUND.

a) Shall not be used for the storage of any excess equipment or hazardous waste (e.g., discarded batteries). No outdoor storage yards shall be allowed in a WCF equipment compound.

b) Shall not be used as habitable space.

c) A site plan proposal shall be provided to demonstrate how potential colocation equipment cabinets will be accommodated within the compound.

7. SETBACKS/FALL ZONE.

a) Setbacks shall be equal to one (1) foot for every one (1) foot of tower height or one hundred (100) percent of the tower's fall zone, plus a safety factor of ten (10) percent; whichever is less. Fall zones shall be certified in the form of a letter from a licensed engineer that includes the engineer's original signature and seal.

b) The fall zone shall not encroach onto structures on the same property or on to adjacent properties, unless the owner of the adjacent property or structure signs a waiver. The waiver shall be in a recordable waiver document and shall indemnify and hold the county harmless. In no case shall the fall zone encroach into a public right-of-way.

8. SCREENING AND LANDSCAPING.

a) The tower facility shall be landscaped and maintained with a buffer of plant materials that effectively screens the view of all tower accessory structures, equipment and other improvements at ground level. The buffer shall consist of evergreens no less than twenty-four (24) inches in height at the time of planting and spaced two and one-half (2½) feet on center along the fenced enclosure. Such plants shall be capable of reaching a height of no less than five (5) feet within two (2) years of planting.

b) In locations where the visual impact of the tower would be minimal, or where the requirements of this section are otherwise impracticable, the landscaping and screening requirements of this section may be reduced or waived by the Zoning Administrator. Existing mature vegetation and natural landforms on the site shall be preserved to the maximum extent possible, or replaced to present a natural, undisturbed appearance in keeping with the

intent of this section. Examples of instances whereby the Zoning Administrator could waive the landscaping requirements are:

i. If the tower facility is in a wooded area the applicant may choose to retain a natural vegetated buffer strip of undisturbed trees that is at least twenty-five (25) feet in depth, and at least six (6) feet in height, around the perimeter of the tower facility. The area should remain undisturbed in appearance, except where minimally necessary to allow for an access drive.

ii. If the tower facility is located in an area that is under cultivation during the growing season, the planting of additional screening vegetation is not required. The intent of this subsection is to allow for the maximum use of productive farmland. In this instance it will be suitable to screen the fenced enclosure with green/brown fabric wrap.

M. CO-LOCATION ON EXISTING TELECOMMUNICATION TOWERS.

To reduce the need for additional tower sites throughout Horry County, telecommunication providers shall design all new towers to accommodate additional telecommunication facilities. All new freestanding towers shall be designed to accommodate no fewer than four (4) providers' antennas or other telecommunication facilities. This provision does not apply to excluded telecommunication facilities, provided for in subsection C.

Initial tower construction shall accommodate (4) four provider's antennas or other telecommunication facilities. If necessary, the tower shall be reinforced to accommodate the remaining providers' antennas or other telecommunication facilities when demand for such additional facilities is warranted.

1. Furthermore, co-location shall be required when a telecommunication provider's proposed tower is within the co-location radius requirements of subsection F. This requirement may be waived if the applicant has received a Telecommunications Tower Permit.
2. Co-location shall be permitted by obtaining a building permit in any zoning district provided the proposed addition of telecommunication equipment does not result in any of the following:
   a) Increase the overall height of the existing tower;
   b) Reduce landscaping/buffering surrounding the fenced enclosure; or
   c) Reduce the structural integrity of the existing tower. Verification of tower integrity shall be provided by an engineer registered in the State of South Carolina prior to the issuance of a building permit.
3. Co-locations that result in changing any of the aforementioned will require the submittal of a conditional use application consistent with the standards established herein.

N. BUILDING AND/OR STRUCTURE MOUNTED TELECOMMUNICATION FACILITIES.

Building mounted telecommunication facilities on existing structures may be permitted in the AG1, AG2, AG3, CC, GR, GR'n', HC, HI, LI, NC, OPI, RC, RCS, RR, TRS, RE3, RE4, LFA, FA, CFA, PR1, PR2, PA1, MA1, MA2, CR, and EIO zoning districts as an accessory use provided that:

1. HEIGHT.

The height of the tower or antenna, including support structures, when mounted on top of structures shall not extend more than twenty (20) feet above the principal structure to which it is attached. If the principal structure is non-conforming a variance to exceed the allowed height may be granted by the board of zoning appeals. Board of zoning appeals procedures are enumerated in Article XI of these regulations.

2. SETBACKS.

a) An attached telecommunications facility and its equipment compound shall be subject to the setbacks of the underlying zoning district. When an attached facility is to be located on a nonconforming building or structure, then the existing permitted nonconforming setback shall prevail.

b) Towers or antennas mounted on the side of structures may not extend more than three (3) feet from the facade of the building, encroach into the required setbacks, be more than eight (8) feet in height, and one (1) foot in depth.

3. VISIBILITY.

a) If antennas are installed on a structure other than a tower then the antenna and associated electrical and mechanical equipment must be of a color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. Roof mounted antennas shall be made visually unobtrusive by screening or painting to match existing air conditioning units, stairs, elevator towers or other background.

b) Equipment cabinets shall not be visible when standing ten (10) feet from the base of the building.

c) Towers or antennas shall not alter or change the intent of the structure or building design. Where feasible, telecommunications facilities should be placed directly above, below or incorporated with vertical design elements of a building to help in camouflaging.

4. No commercial advertising shall be allowed on any building-mounted towers or antennas.
5. The number and location of towers, antennas or other receiving or transmitting devices located on a single structure and does not adversely affect adjacent properties.
6. All towers or antennas are designed to meet current building standards and wind load requirements.

ARTICLE X - TEMPORARY USES

SECTION 1000 – TEMPORARY USES

A. PURPOSE

A temporary use is a use that is intended to be for a limited duration of time and that will not permanently alter the character or physical facilities of the property where they occur.

B. APPLICABILITY

All temporary uses shall be subject to the limitations and conditions specified herein.

SECTION 1001 - TEMPORARY VENDING

Temporary vendors are allowed during approved special events, but are subject to all of the provisions for Temporary Vending outlined in § 831 of these regulations.

SECTION 1002 - TEMPORARY USES

All certificates of zoning compliance issued for temporary uses may be renewed provided that it is determined that said use is clearly of a temporary nature, will cause no traffic congestion and would not create a nuisance to surrounding uses.

1. Religious meeting in a tent or other temporary structure in any district, for a period not to exceed sixty (60) days.
2. Open lot sale of Christmas trees for a period not to exceed forty-five (45) days.
3. Real estate sales office/ Model Homes, in any district, for a period of one (1) year, provided such is associated only with on-site sales within a new approved subdivision or within an approved project, and provided no cooking or sleeping accommodations are maintained in the structure. The total number of sales offices/ model homes shall not exceed four (4) per phase of development.
4. Contractor's office, construction trailers and equipment sheds, in any district, for a period of one (1) year, provided that such office be placed on the property to which it is appurtenant. The use shall be removed within thirty (30) days of completion of the project or upon sixty (60) days of inaction on the project. It cannot be used for housing accommodations.
5. Special events authorized pursuant to the Horry County Code of Ordinances are allowed in all zoning districts.

SECTION 1003 - TEMPORARY ASPHALT, CONCRETE AND AGGREGATE PROCESSING FACILITIES

A. PUBLIC PROJECTS ONLY

Temporary asphalt, concrete batching or aggregate processing (crushing, sorting and recycling) facilities, including pug mills may be allowed by permit for public projects in all zoning districts on a temporary basis. Public projects are projects which are being undertaken by the Federal Government, the State or any political subdivision of the state, public agency or special purpose district. Private Projects

B. PUBLIC OR PRIVATE PROJECTS

Temporary aggregate processing (crushing, sorting and recycling) may be issued in combination with a demolition permit for private projects. Onsite crushing of structures over twenty thousand (20,000) sf in size or when the total amount of concrete to be removed is over three thousand cubic yards may be allowed. No off-site materials may be brought onto the jobsite for processing.

All standards within this section shall be complied with in order to qualify as temporary. If any of these standards cannot be complied with, the facility shall be required to be located only in the zoning districts where allowed, and a zoning compliance shall first be obtained and comply with all of the provisions outlined in § 903 of these regulations. The standards for a facility are as follows:

1. TEMPORARY PERMITS

a) Public permits issued pursuant to this section shall expire upon the completion date of the project as set forth in the permit application. The permit shall be limited to a total of twenty-four (24) total months. Public projects are projects which are being undertaken by the federal Government, the state or any political subdivision of the state, public agency or special purpose district.

b) Private permits issued for aggregate processing (i.e., crushing, sorting and recycling) in combination with demolition permits for structures over twenty thousand (20,000) sf in size are limited to thirty (30) consecutive days from the issuance of the demolition permit.

2. LOCATION

a) Public Permits. The temporary asphalt and/or concrete batching or aggregate processing (crushing, sorting and recycling), facility related materials and equipment shall be located no closer than one thousand (1,000) feet to any residence other than the residence of the owner of the land upon which the limited facility is to be located.

b) Private permits for temporary aggregate processing (i.e., crushing, sorting and recycling) facility shall be located no closer than three hundred (300) feet to any residence other than the residence of the owner of the land upon which the limited facility is to be located.

c) The silo, batch plant, and aggregate mixing, storage or processing shall be located no closer than three hundred (300) feet from any school, church, library, daycare facility, hospital, or hotel. The separation requirement does not apply if the said facility is the project which is under construction.

d) The facility shall be located within the construction area of the project or adjacent to the project as identified in the application.

3. All concrete, asphalt and aggregate mix produced by a facility under the public permit shall be used solely to complete the project as identified in the application for the temporary use.
4. The temporary facility shall comply with all regulations and a permit from the South Carolina Department of Health and Environmental Control shall be obtained by the applicant prior to operating the facility.
5. No contaminated soils shall be stockpiled on the site, used for remediation, or used in the operation of the facility.
6. No washing or cleaning of trucks or truck beds shall be allowed on site unless a containment system approved by Horry County stormwater is installed and used.
7. No waste, production materials, discarded equipment or other such items shall be buried on site.
8. All equipment and materials utilized in the operation of the temporary facility shall be removed from the site and the site shall be returned to its original condition, or better, within sixty (60) days following completion of the construction project for which the facility was established.
9. A site plan shall be submitted with the permit application.
10. A temporary encroachment permit is required for access onto any county or state right-of-way.
11. A map of the designated haul roads shall be submitted with the permit application.
12. Temporary screening. Temporary facility locations shall be screened to a minimum height of eight (8) feet. This may be done through any combination of natural or supplied screening. Supplied screening can include fence, walls, berms, gabions. If only natural screening is used it should be a minimum of fifty (50) feet in width and shall have at least twice the material required by supplemental buffering standards in Article V of the zoning ordinance.

SECTION 1004 - TEMPORARY FAMILY FUN PARKS

A. ZONING COMPLIANCE:

1. The Zoning Administrator may issue a zoning compliance to operate a family fun park after determining that the proposed operation complies with all applicable provisions of this Section.
2. Compliance may be revoked if the county determines that there have been more than three (3) violations of this ordinance within a thirty (30) day time frame.

B. LOCATION:

1. A Family Fun Park shall be located on the same parcels, or parcels adjacent to and under the same ownership or lease, as a shopping mall. The combination of parcels shall total at least fifty (50) acres.
2. The shopping mall must have paved parking areas in excess of that required by the Zoning Ordinance.
3. Operational Time Frame and Hours of Operation.

4. Park operations shall be limited to ninety (90) total days within a calendar year.
5. Family Fun Parks shall be limited to operating between the hours of 8:00 a.m. until 10:00 p.m. This shall include set up, take down and maintenance.

C. OPERATIONAL PLAN.

1. The operator shall provide Horry County with a copy of an operational plan, which shall include a copy of a site plan showing the location of the Family Fun Park, indicates hours of operation, security and First Aid measures being taken, traffic plan and a copy of the lease and or license agreement for use of the property.
2. The operational plan shall be approved by Horry County Public Safety.

D. OTHER RESTRICTIONS.

1. No employee, agent or other representative of the family fun park may live, sleep or otherwise reside on the premises.
2. All portable bathroom facilities and dumpsters shall be screened from major highways.
3. All equipment shall be set up so as to not create any hazards with sight distance in the parking lot or on adjacent right-of-ways.

ARTICLE XI- ZONING BOARD OF APPEALS

SECTION 1100 ESTABLISHMENT OF ZONING BOARD OF APPEALS.

A Zoning Board of Appeals is hereby established. Said Board shall consist of nine (9) members, who shall be citizens of Horry County and shall be appointed by the County Council for overlapping terms of not less than three (3) years nor more than four (4) years. All appointments will expire on June 30th in the final year of a member's service. Initial appointment shall be as follows: Five (5) members for a term of four (4) years and four (4) members for a term of three (3) years. Thereafter, all future appointments shall be for four (4) year terms. Any vacancy in membership shall be filled for the unexpired term in the same manner as the initial appointment. Residency requirements of membership shall be as follows: No more than five (5) of the nine (9) members shall reside east of the Waccamaw River. No less than four (4) of the nine (9) members shall reside west of the Waccamaw River.

SECTION 1101 PROCEEDINGS OF THE ZONING BOARD OF APPEALS.

The Board shall adopt rules and by-laws in accordance with the provisions of this ordinance and of the South Carolina Code, Section 6-29-790. Meetings of the Board shall be held at the call of the chairman and at such other time as the Board may determine. All meetings of the Board shall be open to the public.

SECTION 1102 DECISIONS OF THE ZONING BOARD OF APPEALS.

The concurring vote of a majority of the members present at a meeting of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance or to affect any variation of this ordinance. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be public record. On all appeals, applications, and matters brought before the Zoning Board of Appeals, the Board shall inform in writing all the parties involved of its decisions and the reasons thereof.

SECTION 1103 APPEALS, HEARINGS AND NOTICE.

A. Appeals to the Board may be filed by any person aggrieved or by any officer, department, board, or bureau of the county. Such appeal shall be filed within a reasonable time, as provided by the rules of the Board, by filling with the Zoning Administrator and with the Zoning Board of Appeals notice of said appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

B. An appeal stays all legal proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application, on notices to the officer from whom the appeal is taken, and on due cause shown.

C. The Board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the county at least fifteen (15) days in advance of the scheduled hearing date. In cases involving variances or special exceptions conspicuous notice shall be posted on or adjacent to the property affected, with at least one (1) such notice being visible from each public thoroughfare that abuts the property. At the hearing any party may appear in person or by agent or by attorney.

SECTION 1104 POWERS AND DUTIES OF THE ZONING BOARD OF APPEALS.

A. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination by the Zoning Administrator in the enforcement of this act.

B. To hear and decide appeals for variance from the requirements of the Zoning Ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship.

C. To hear and decide special exceptions.

D. To decide on other matters where a decision of the Zoning Board of Appeals may be specifically required by the provisions of this ordinance.

E. In exercising the above powers, the Zoning Board of Appeals may, in conformity with the provisions of this act, reverse or affirm, wholly or in part, or may modify the order, requirements, decision, or determination and to that end shall have all the powers of the Zoning Administrator from whom the appeal is taken and may issue or direct the issuance of a permit. The Board, in execution of the duties for which appointed, may subpoena witnesses and in case of contempt may certify such fact to the Circuit Court having jurisdiction.

F. All final decisions and orders of the Board shall be in writing and be permanently filed in the office of the Board as proper record. All findings of fact and conclusions of law shall be separately stated in final decisions or orders of the Board.

SECTION 1105 VARIANCES.

A. A VARIANCE MAY BE GRANTED IN AN INDIVIDUAL CASE OF UNNECESSARY HARDSHIP IF THE BOARD MAKES AND EXPLAINS IN WRITING THE FOLLOWING FINDINGS:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
5. The Board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district to extend physically a nonconforming use of land, or change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

B. IN GRANTING A VARIANCE, THE BOARD MAY ATTACH TO IT SUCH CONDITIONS REGARDING THE LOCATION, CHARACTER, OR OTHER FEATURES OF THE PROPOSED BUILDING, STRUCTURE, OR USE AS THE BOARD MAY CONSIDER ADVISABLE TO PROTECT ESTABLISHED PROPERTY VALUES IN THE SURROUNDING AREA, OR TO PROMOTE THE PUBLIC HEALTH, SAFETY, GENERAL WELFARE.

1. Violation of conditions and safeguards prescribed in conformity with this article, when made a part of the terms under which the variance is granted, shall be deemed a violation of this article, punishable under penalties established in this article.
2. Failure to begin or complete, or begin and complete, an action for which a variance is granted, within the time limit specified, when such time limit is made a part of the terms under which the variance is granted, shall void the variance.

C. VARIANCES WHICH REQUIRE ADDITIONAL CONDITIONS INCLUDE:

Airport Environs Overlay Variances

a) Must submit a FAA determination of No Hazard to Air Navigation.

b) The person or entity encroaching into the height restrictions contained herein shall procure, or cause to be procured, liability insurance in an amount deemed adequate by the Horry County Director of Airports, indemnifying Horry County. Horry County shall be named as an additional insured of any such insurance policy.

SECTION 1106 SPECIAL EXCEPTIONS.

A. IN ADDITION TO DEFINITIVE STANDARDS IN THIS ARTICLE, THE ZONING BOARD OF APPEALS SHALL CONSIDER THE FOLLOWING CRITERIA FOR SPECIAL EXCEPTIONS:

1. Traffic impact;
2. Vehicle and pedestrian safety;
3. Potential impact of noise, lights, fumes, or obstruction of air flow on adjoining property;
4. Adverse impact of the proposed use on the aesthetic character of the environs, to include the possible need for screening from view; and
5. Orientation or spacing of improvements or buildings.
6. Will be in substantial harmony with the area in which it is to be located.
7. Will not be injurious to adjoining property.
8. Will contribute to the economic vitality and promote the general welfare of the community.
9. Will not discourage or negate the use of surrounding property for use(s) permitted by right.

B. IN GRANTING A SPECIAL EXCEPTION, THE BOARD MAY ATTACH TO IT SUCH CONDITIONS REGARDING THE LOCATION, CHARACTER, OR OTHER FEATURES OF THE PROPOSED BUILDING, STRUCTURE, OR USE AS THE BOARD MAY CONSIDER ADVISABLE TO PROTECT ESTABLISHED PROPERTY VALUES IN THE SURROUNDING AREA, OR TO PROMOTE THE PUBLIC HEALTH, SAFETY, OR GENERAL WELFARE.

1. Violation of conditions and safeguards prescribed in conformity with this article, when made a part of the terms under which a special exception is granted, shall be deemed a violation of this article, punishable under the penalties established in this article.
2. Failure to begin or complete, or begin and complete, an action for which a special exception is required, within the time limit specified, when such time limit is made a part of the terms under which the special exception is granted, shall void the special exception.

C. SPECIAL EXCEPTIONS WHICH REQUIRE ADDITIONAL CONDITIONS INCLUDE:

1. CASINO BOATS.

a) Shall not be located closer than two thousand (2,000) feet (measured from property line) from an existing residential use, except in unusual circumstances where mitigating condition can be imposed to minimize adverse effects to residential uses;

b) Traffic patterns shall be reviewed due to potential disruption to residential communities and to avoid potential parking congestion.

c) Hours of operations should be limited to avoid operation at unusual and unsociable hours.

2. LARGE ANIMAL PRODUCTION FACILITIES.

a) Shall not be located closer than one thousand five hundred (1,500) feet (measured from the most outlying structure of the facility) from an existing residential use or zoning district whose principal purpose is for residential dwellings;

b) The SCDHEC permit to construct the facility is submitted;

c) A copy of the SCDHEC approved Animal Facility Management Plan (AFMP) is submitted;

d) The following regulatory permits are submitted:

i. SCDHEC waste application contract for all landowners consenting to have waste spread on their properties.

ii. A copy of any waivers approved by SCDHEC related to modifications in the required setbacks or other requirements as established in the SCDHEC regulations for such facilities.

iii. Other applicable regulatory permits necessary for the operation of such facilities.

3. OFFICES.

No outdoor storage.

4. ON-PREMISES CONSUMPTION OF ALCOHOL.

a) A bar, restaurant or business establishment meeting the definition of a bar must obtain a special exception if the establishment is within five hundred (500) feet from any residential districts. The five hundred (500) feet shall be measured from property line of the establishment to the residential district line.

b) If a property or business is transferred to a subsequent party and it is determined after receipt of three or more complaints that the character of the business has changed substantially, the Zoning Administrator shall be authorized to suspend the previous approval and require rehearing by the Board.

5. OUTPATIENT TREATMENT FACILITIES FOR ALCOHOLISM AND DRUG ADDICTION, COUNSELING FACILITIES THAT DISTRIBUTE PRESCRIPTION MEDICATION ONSITE & PSYCHIATRIC HOSPITALS

Shall not be located closer than two thousand (2,000) feet (measured from property line) from any house of worship, day care center, public or private elementary or secondary education school, public park, public library, or residentially zoned property, except in unusual circumstances where mitigating conditions can be imposed to minimize adverse effects to residential uses;

6. TEMPORARY EVENTS & SEASONAL USES

Temporary events and seasonal uses, including but not limited to fairs, circuses, haunted houses and trails, community events and the like may be approved by the Zoning Board of Appeals as special exceptions. The board, after public hearing, shall consider the factors set forth in § 1106.A of the Zoning Ordinance, determine the appropriate duration of the event or temporary use (not to exceed thirty (30) days), and set hours of operation. The board may also attach such conditions as it may deem advisable to protect the surrounding properties and the public health, safety and welfare.

7. RURAL TOURISM PERMIT.

a) Intent.

To support economic growth in rural areas while simultaneously preserving open space and farm land. The permit may provide relief from certain commercial standards that are inconsistent with the surrounding rural character.

b) Permitted activities.

i. Rural Tourism activities are permitted provided:

A. The parcel is a minimum of 20 acres or 20 total contiguous acres and within a Rural area, Rural Corridors, Rural Community, Rural Activity Center, Transitional Growth Area, Scenic Conservation, or Preserved Open Space as identified on the active future land use map; and

B. The parcel is not zoned Residential; and

C. Rural Tourism Activities shall comply with Table 1, Operation Designations. Rural Tourism does not include amusement activities specified in the AM1 & AM2 zoning districts unless expressly stated in the table below.

ii. If plans include use of a building onsite, a courtesy inspection will be made by Horry County Code Enforcement to ensure the building complies with accepted safety standards.

iii. Upon approval, the Rural Tourism Activity may be exempt from Landscaping and Buffering requirements and Article VII of the Horry County Zoning Ordinance.

iv. No event shall exceed 499 attendees at one time, unless a Special Event permit has been approved.

c) Application procedures.

i. A completed Rural Tourism Special Exception application shall be made to the Planning and Zoning Department. Applications shall include the following:

A. A master plan identifying all existing and proposed: structures, parking areas, ingress and egress, restroom facilities and uses.

B. An operation plan that includes planned event days, type of activity and hours of operation.

TABLE 1	
ACTIVITIES	***DEFINITION***
Agricultural Activities	These activities can include, but are not limited to: rent-a-row, you-pick operations, harvest market
Education Classes/ Tours	Classes/ tours focused on rural or agricultural education. (i.e. bird watching, flora and fauna identification, farm / rural tours, farm / rural museum, fishing instruction, kayak or paddle board instruction)
Food Service, including, Food Trucks	On-site consumption of food, to include Farm to Table events
Rural Activities	These activities can include, but are not limited to: zip lines, motorized and non-motorized trail rides (does not include racing activities), horseback riding, rodeos, kayaking, fishing and petting zoos.
Rural Retail	Nurseries and the sale of agricultural products, produce and value added products.
Seasonal Activities	These activities can include, but are not limited to: corn mazes, haunted houses/ forests, egg hunts, and holiday light displays
Events	These events can include, but are not limited to: weddings, birthdays, and corporate events

SECTION 1107 APPEALS FROM DECISIONS OF ZONING BOARD OF APPEALS.

Any person who may have a substantial interest in any decision of the Zoning Board of Appeals may appeal from any decision of the Board to the Circuit Court in and for the County of Horry by filing with the clerk of court a petition in writing setting forth plainly, fully, and distinctly wherein such decision is contrary to law. Such appeal shall be filed within thirty (30) days after the decision of the Board is mailed.

SECTION 1108 CONVERSION OF NON-CONFORMING USES, BUILDINGS OR STRUCTURES TO CONFORMITIES.

D. PROCEDURE FOR MITIGATING NONCONFORMITY BY SPECIAL USE PERMIT.

Owners of non-conforming uses, buildings, or structures may apply for a special use permit to become conforming without changing the use or necessarily modifying the entire physical nature of the nonconformity. The special use permit application is reviewed by the zoning administrator who then provides a recommendation to the Zoning Board of Appeals (ZBA) for a final decision.

The ZBA, at their discretion, may require the following studies and reports from the property owner as part of their consideration in deciding whether to approve the request and/or how much of the request to grant:

Operation plan. This shall include a site plan of the entire site, and narrative defining the specific elements of the use that may create problems; for example: exhaust fans, air conditioning and mechanical equipment, junk, exterior storage, lack of buffering or other landscaping, visual conditions, intrusion into yards close to neighbors, and the use of the adjoining property, as well as the general impact on the community as a whole will be considered.

Reductions in hours of operation, noise, odor, dust and/or exterior storage shall be considered beneficial and will favor approval of the special use permit. Increases in landscaping, buffers, or improved building quality and materials shall also be considered beneficial.

Note: Where an expansion of a non-conforming use is proposed, to the extent allowed by these regulations, elements of the use identified as a nuisance to adjoining properties by the ZBA shall be mitigated as a condition of approval. Additional conditions to mitigate the nuisance conditions may include one (1) or more of the following: additional buffering, fences or landscaping, relocation of doors, waste storage or exterior storage, cleaning up of the site, or mitigation of other problems with the use.

The purpose of the additional conditions shall be to give the same level of protection to neighbors that would be afforded by a conforming structure. The degree to which mitigation is accomplished by additional conditions shall affect the degree of expansion, up to that allowed by these regulations, or other approvals granted to the nonconformity.

E. CRITERIA FOR APPROVAL OF NONCONFORMITY THROUGH SPECIAL USE PERMIT.

In addition to the standards and criteria for special use permit approval set forth in subsection A above, the applicant shall meet the following requirements:

1. Demonstrate that the nonconformity, as conducted and managed, has minimal incompatibilities that have been integrated into the neighborhood's function. Factors to evaluate these criteria include the following:
   a) The neighborhood residents patronize or are employed at the use (for nonresidential uses).
   b) Current management practices that eliminate problems such as noise, waste materials, competition for on-street parking, or similar conflicts.
   c) The nonconformity's history of complaints against it.
   d) The nonconformity has been maintained in good condition or that the nonconformity represents a disincentive for such maintenance.

2. The zoning administrator shall review the application and require in writing, from the applicant, acceptance of any conditions relative to the expansion of buffer yards, landscaping, or other site design. The review may also contain specific limitations on the use, building(s) or structure(s) believed necessary to address nuisance concerns that may result upon making the use, building(s) or structure(s) a conformity.
3. The zoning administrator shall submit a list of all the property's nonconforming conditions.
4. The ZBA shall determine that the nonconformity is generally integrated into the neighborhood and has minimal adverse impacts. Upon that finding, the ZBA may require conditions, it deems necessary, to protect the public health, safety and general welfare.
5. Sign mitigation shall not be permitted under any circumstance.

F. EFFECT OF SPECIAL USE PERMIT APPROVAL.

Upon granting a special use permit, the ZBA shall require that a notation be placed on the official zoning maps stating that the property is a special use. Granting the special use permit makes the use, building(s) or structure(s) conforming to the specifics of the special approval, eliminating the nonconformity.

ARTICLE XII - HISTORIC PRESERVATION COMMISSION

SECTION 1200 - TITLE.

The title of this Article shall be the Historic Preservation Commission Ordinance.

SECTION 1201- PURPOSE OF THIS ARTICLE AND DECLARATION OF POLICY.

The purpose of this article is to preserve the local heritage of Horry County as an irreplaceable asset through the creation of a list of designated individual properties, sites and landmarks and through the creation of Historic Districts. The districts will include contributing designated historic properties as well as non-designated properties. By regulating these properties, the County seeks to:

1. Safeguard its heritage by providing a mechanism that identifies, preserves and enhances the important characteristics of its culture, history and architectural history;
2. Promote the use and conservation of our resources such as individual properties, historic districts, significant and scenic areas, and landmarks for the educational enrichment and civic pride of County residents and the State as a whole;
3. Encourage a general harmony of style, form, proportion and material for the historic designated properties and areas within the County; and,
4. Improve property values and strengthen the local economy by fostering preservation, restoration and rehabilitation.

It is hereby declared as a matter of public policy that the protection, perpetuation and use of historical or significant architectural structures, and historic districts or areas of geographical significance within the County are a public necessity and are required in the interest of the prosperity, civic pride and general welfare of the people.

The County's historic buildings and districts will continue to be a distinctive aspect of Horry County. They will serve as visible reminders of the significant historical and cultural heritage of Horry County and the State of South Carolina.

The procedures and guidelines set forth in the following sections will assist in the County's historic preservation efforts by identifying buildings, sites, objects and districts that reflect the County's cultural, social, economic, political or architectural history. These procedures establish a means of recording local historical preservation activities as a matter of public record.

Article XII is enacted pursuant to the South Carolina Code of Laws, Section 6-29-870 through 960.

SECTION 1202- DEFINITIONS.

The following words and phrases when used in this article shall have the meanings respectively ascribed to them:

Alterations, (may also be referred to as remodeling.) A change in the external architectural features of any historic structure or in the interior of such structure if the interior feature is specifically included in the historic designation; a change in the landscape features of any historic site or place; or work having an adverse effect upon designated archaeological resources.

Archaeological resources*.* Any material remains of past human life, activities or habitation that are of historic or prehistoric significance. Such materials include, but are not limited to pottery, basketry, bottles, weapons, weapon projectiles, tools, structures, or portion of structures, pit houses, rock paintings, rock carvings, graves, skeletal remains, personal items and clothing, household or business refuse, printed matter, manufactured items or any piece of any of the foregoing items.

Area. Two (2) or more parcels of land, sites, houses, buildings or structures that may include streets and alleys.

Certificate of appropriateness*.* The document issued by the Historic Preservation Commission, following a prescribed review procedure, certifying that the proposed actions by an applicant are found to be acceptable in terms of design criteria relating to the individual property or the historic district.

Certificate of no effect. An official form issued by the County Planning Department stating that the proposed work on a historic property will have no detrimental effect on the historic character of the property or district, and therefore, may proceed as specified in the certificate without obtaining further authorization under these regulations. The issuance of this form authorizes the applicant to proceed with applications for any permits required by Horry County's Code Enforcement and Zoning Departments for said work.

Construction. The addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

Contributing property. Any property located within a historic district that is a historically designated property.

Demolition. Any act or process that destroys in part or in whole a historic structure or property (real or personal).

Demolition by neglect. Any act or process that destroys in part or in whole a historic structure or property (real or personal) because of neglect in maintaining, repairing, recycling, or securing a resource or the loss of structural integrity of the resource.

Design guidelines. A standard of appropriate activity that will preserve the historic and architectural character of a structure or district and by which the Historic Preservation Commission makes it decisions.

Economic hardship. Economic hardship exists when a preponderance of evidence establishes that the property in question cannot obtain a reasonable economic return or be put to any economically beneficial use.

Exterior architectural appearance. The architectural character and general composition of the exterior of a structure, including but not limited to the kind, height, size, shape, mass, proportion, details, color, and texture of the building materials and the type, design, and character of all windows, doors, light fixtures, signs and appurtenant elements.

Historic preservation. (Secretary of the Interior's Standards for the Treatment of Historic Properties Definition.) Preservation means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

Historic district. An area designated by Horry County Council, upon the recommendation of the Historic Preservation Commission and pursuant to the provisions of this Article. A District is considered an area or group of areas, urban or rural, not necessarily having contiguous boundaries, containing one (1) or more resource related by history, architecture, archaeology, engineering or culture. All historic districts shall be denoted with a special boundary and the text "HP" on the official zoning maps for Horry County and kept as a public record to provide notice of such designation and shall be classified as an overlay for zoning and mapping purposes. The historic district will not replace the zoning district of record but will coincide with that district.

Historic site, landmark, structure, resource* or *property. One (1) or more parcels of land, sites, houses, buildings, structures, features, open space/areas, objects, or areas worthy of preservation because it is significant in the history, architecture, archaeology, engineering, or culture of the County. Hereinafter, a historic site, landmark, structure, resource or property will be referred to as a "historic property" or a "designated property".

Horry County Historic Property Register. The list of designated historic properties in Horry County as approved by Horry County Council and maintained by the Horry County Planning Department.

The list shall include the lots of non-designated properties within any historic district.

Minor work. Any change modifying, restoring, rehabilitating, renovating, surfacing, or resurfacing of the features of a historic property which does not materially change the historic characteristics of the property.

Move/removal. Any relocation of a structure on its site or to another site.

Open space. Undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.

Ordinary maintenance. Keeping a resource unimpaired and through ongoing minor intervention, undertaken from time to time, its exterior condition. Ordinary maintenance does not change the external appearance of the resources except through the elimination of the usual and expected effects of weathering, specifically, painting as an act of ordinary maintenance. Ordinary maintenance does not constitute work for the purposes of this chapter.

Ordinary landscaping. Keeping a resource unimpaired and in sustained condition through ongoing, periodic minor intervention. Ordinary landscaping does not change the appearance of the resource, except through the changes to shrubbery, flowerbeds, rock gardens, etc.

Owner of record. (may also be called the record owner.) The person, corporation or other legal entity listed as owner(s) in the records of the Horry County Tax Assessor's office.

Property. Real property, land.

Reconstruction. The act of depicting, by means of new construction, the form, features, and detailing of a non-surviving historic property for the purpose of replicating its appearance at a specific period of time and in its historic location.

Rehabilitation. The act or process of making possible an efficient compatible use for a historic property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values.

Repair. To restore a decayed or damaged resource to good or sound conditions by any process. A repair that changes the external appearance of a resource constitutes work for the purposes of this article.

Restoration. The act of process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a restoration period.

Substantial hardship. Hardship, caused by unusual and compelling circumstances, based on one (1) or more of the following:

1. The property cannot reasonably be maintained in the manner dictated by this article;
2. There are no other reasonable means of saving the property from deterioration, or collapse; or,
3. The property is owned by a non-profit organization and it is not feasible financially or physically to achieve the charitable purposes of the organization while maintaining the property appropriately.

SECTION 1203- ESTABLISHMENT OF THE HISTORIC PRESERVATION COMMISSION.

The Horry County Historic Preservation Commission, hereinafter referred as the (HPC) or the "Commission", is responsible for the implementation of this Article. Membership of the Commission shall be upon appointment by the Horry County Council. Members shall assume their duties at the first regular meeting after their appointment. Members shall serve without compensation except for reimbursement for authorized expenses attendant to the performance of their duties.

A. COMPOSITION AND QUALIFICATIONS.

The HPC shall consist of up to ten (10) members and shall be made-up of individuals in architecture, history, landscape architecture, construction, education profession, real estate, or interested citizens. All members of the HPC shall have a demonstrated interest, competence or knowledge in historic preservation.

B. ORGANIZATION AND OPERATION.

Organization requirements for the HPC are established in the South Carolina Code of Laws, § 6-29-870 and the Horry County Code of Ordinances, § 2-73, Article VI, Division I, Boards, Commissions, Committees and Agencies.

C. TERMS OF OFFICE.

The terms of office for each Commission member shall be in accordance to Article VI, Division I of the Horry County Code of Ordinances.

SECTION 1204- POWERS AND DUTIES.

The responsibility of the HPC shall be the following:

1. To promote the purposes and objectives of this Article.
2. To review and recommend to the Horry County Council the designation of individual historic properties, buildings, resources, sites, landmarks and historic districts.
3. To review plans and applications for construction, rehabilitation and restoration on historic properties, resources or sites, to historic landmarks or buildings, or within historic areas or districts, and any demolition pertaining to or affecting duly designated historic properties, resources, sites, buildings or districts.
4. To coordinate with the comprehensive land use area plans.
5. To approve, deny or approve with conditions the demolition or alteration of building exteriors, or interiors, if designated as historic. The HPC also shall review proposed new construction in a historic district.
6. To maintain an inventory of local historic properties, promote education about historic preservation and procedures.
7. To review and comment on National Register of Historic Places nomination and exercise other duties specifically needed by a community.
8. To review and approve or disapprove special tax assessments for rehabilitation of historic properties per Horry Code of Ordinances § Chapter 9, Article I, 19-7.
9. Other duties as assigned by this ordinance.

SECTION 1205- HISTORIC PROPERTY INVENTORY.

The HPC shall maintain a local inventory of historic properties more than fifty (50) years old. These records shall be held in the Horry County Planning Department and made available to the public. Based on the local inventory and criteria, individual properties may be proposed for the Horry County Historic Property Register and shall be reviewed by the HPC and a recommendation forwarded to the Horry County Council.

SECTION 1206- DESIGNATION OF HISTORIC PROPERTIES.

A. CRITERIA FOR HISTORIC DESIGNATION.

The HPC shall review the local inventory and make recommendations for historic properties for local historic designation to the Horry County Council or the Horry County Planning Commission (for district designations) based on the following criteria:

A property may be designated historic if it:

1. Has significant inherent character, interest, history, or value as part of the community or heritage of the community, state or nation; or
2. Is the site of an event significant in history; or
3. Is associated with a person or persons who contributed significantly to the culture and development of the community, state or nation; or
4. Exemplifies the cultural, political, economic, social, ethnic or historic heritage of the community, state or nation; or
5. Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period or specimen in architecture or engineering; or
6. Is the work of a designer whose work has influenced significantly the development of the community, state or nation; or
7. Contains elements of design, detail, materials or craftsmanship which represent a significant innovation; or
8. Is part of or related to a square or other distinctive element of community planning; or
9. Represents an established and familiar visual feature of the neighborhood or community; or
10. Has yielded, or may be likely to yield, information important in pre-history or history; or
11. As allowed by the National Park Service standards for culturally significant properties.

B. OWNER NOTIFICATION.

Property owners of whose property is proposed for historic designation shall be notified in writing thirty (30) days prior to the date of the HPC public hearing. (Public hearings must be advertised at least once in a newspaper of general circulation in Horry County fifteen (15) days prior to the date scheduled for the public hearing in addition to normal meeting notices.) Owners may appear before the Commission and Horry County Council to voice approval or opposition to such designation.

C. DESIGNATION AS A HISTORIC PROPERTY.

The Horry County Council shall approve proposed historic properties or district designations with three (3) readings. Once approval has been given, the property shall be added to the Horry County Historic Property Register as an individual historic property or to the Official Zoning Maps as a historic district.

D. DESIGNATION AS A HISTORIC CEMETERY.

When considering and upon the designation of a historic cemetery to the Horry County Historic Property Register, the following standards shall apply:

1. The addition of a cemetery to the Historic Property Register shall in no way modify state law concerning cemeteries.
2. For all cemeteries that have no defining border, such as a fence or naturally defined boundary the following shall apply:
   a) Taking into account the nature, character and the typical arrangement of cemeteries in Horry County along a generally east/west line, a boundary shall be drawn encompassing all gravesites, including depressions or other indicators of probable gravesites, in such a way so as to adequately protect and preserve the gravesites therein without unnecessarily encumbering any more property than necessary.
   b) If the property owner chooses to contest the boundary, or to propose an alternative boundary, the owner may do so at the public hearings held pursuant to § 1206.B.
   c) A map of the property depicting the proposed boundary shall be attached to the written notification sent to the property owner pursuant to § 1206.B.
   d) The proposed boundary shall be determined at the time the cemetery is added to the Historic Property Register.

E. DESIGNATION AS A HISTORIC DISTRICT.

A minimum of one (1) designated historic property must exist in the area to be considered for a historic district before a committee to investigate the merits of a historic district is formed.

Before establishing a historic district, the HPC shall appoint a committee. The committee will include a minimum of one member of the public who lives in the proposed district if at all possible. The rest of the committee shall consist of at least two HPC members. A member of the HPC shall serve as chairman of the committee. The committee shall prepare a preliminary report to be presented to the HPC, which shall include the following:

1. Determine the boundaries for the proposed historic district in writing and on a map.
2. Create a photographic inventory of resources within the proposed historic district.
3. Conduct research on the proposed historic district and the historic resources located within the boundaries and give an analysis of the historic significance and architectural merit of the buildings or places and the significance of the district as a whole. In evaluating the significance of historic resources, the committee shall be guided by the selection criteria for evaluation shown in § 1206.A.
4. Determine the number of historic and non-historic resources within the boundary of the proposed district.
5. Create a map indicating the contributing designated historic properties.
6. Make recommendations for the zoning ordinance to regulate the historic district.

The committee may choose to call upon outside agencies for assistance in developing the report and may pay outside agencies if funding is available.

A public hearing will be held at which time the ordinance will be presented to the HPC. Property owners of both contributing designated historic and non-designated properties within the proposed

historic district shall be mailed notification thirty (30) days prior to the public hearing. The preliminary report and ordinance shall be made available to the public and a comment period shall be open for sixty (60) days following the public hearing. At the next regularly scheduled meeting, but not within two weeks to the close of the comment period, the HPC will vote to recommend the proposed historic district to Planning Commission. Owners may appear before the HPC, the Planning Commission and Horry County Council to voice approval or opposition to such designation.

The Commission shall give notice of the time and place of the public hearing which shall be published in a newspaper of general circulation in the County at least fifteen (15) days in advance of the scheduled hearing date. Conspicuous notice shall be posted on or adjacent to the properties affected, with at least one (1) notice being visible from each public thoroughfare that abuts the proposed historic district. At the hearing any party may appear in person or by agent or by attorney.

SECTION 1207- NOMINATIONS TO THE NATIONAL REGISTER OF HISTORIC PLACES.

Nominations to the National Register of Historic Places shall be reviewed and evaluated by the HPC. A recommendation from the HPC shall then be forwarded to South Carolina State Board of Review. The HPC shall not nominate properties directly to the National Register.

SECTION 1208- PROCESS FOR GRANTING A CERTIFICATE OF APPROPRIATENESS (COA).

A. GENERAL.

A Certificate of Appropriateness (COA) is required before a zoning compliance form or building permit can be issued. A COA is required for the demolition of, or any alteration, modification or addition to, as well as, any new construction to an individually designated historic property or to a contributing designated historic or non-designated property located in a County historic district, or to any property with a special tax assessment. Any zoning compliance form or building permit not issued in conformity with this Article shall be considered null and void. Any project in the County underway that does not have a Certificate of Appropriateness or a Certificate of No Effect (see § 1209) shall have a stop work order issued by the Horry County Code Enforcement Department to prevent further work.

B. PROCEDURES.

1. Application submission. Applications for a Certificate of Appropriateness (COA) shall be submitted to the Planning Department thirty (30) days prior to the regularly scheduled meeting of the HPC in order to be considered. Only complete applications will be accepted and submitted to the HPC for review. The owner of record must sign the application form. In the event the property owner designates an agent to appear before the Commission, a letter of agency must be supplied with the application.
2. Commission action and time limits. The Commission shall review the application, using the design guidelines appearing in § 1210 to decide whether or not the applicant's plans are appropriate. Upon review of the application, the Commission shall have forty-five (45) days in which to state it's decision - approval, denial, or approval with conditions - and the reasons for the decision. Written notification of the Commission's decision and the reason for the decision shall be provided to the property owner or applicant. Individuals aggrieved by the decision of the Commission may appeal to the Courts of South Carolina.

C. CONTENTS OF APPLICATION.

The Commission shall, require data as is reasonable and necessary to determine the nature of the application. An application shall not be considered complete until all the required data has been submitted.

D. NOTIFICATION OF AFFECTED PROPERTY OWNERS.

Prior to the issuance of an approval or denial of a Certificate of Appropriateness, the Horry County Planning Department shall send out notification to the affected property owners who are adjacent to and within a historic district of the applicant's property.

E. SUBMISSION OF A NEW APPLICATION.

If the Commission determines that a Certificate of Appropriateness should be denied, a new application affecting the same property may be submitted only if substantial change is made in the plans for the proposed work.

F. FINES AND PENALTIES FOR VIOLATIONS.

The system of fines applied by Horry County Code Enforcement Department for violation of the building codes will apply to violations of this Article.

G. SUBSTANTIAL HARDSHIP.

In the event a Certificate of Appropriateness is denied, the property owner may apply for an exemption based on the substantial hardship of maintaining the property according to the design guidelines for historic properties. Substantial hardship is to be considered by the Historic Preservation Commission only if the applicant can meet one (1) or more of the criteria as defined in § 1202.

The owner may be required to submit documents to show that he cannot comply with the design guidelines. Information required may include, but not limited to, one or more of the following:

1. Costs of the proposed development with and without modification needed to comply with the design guidelines as determined by the Commission,
2. Structural report and/or a feasibility report,
3. Market value of the property in its present condition and after completion of the proposed project,
4. Cost of the property, date purchased, relationship, if any between seller and buyer, terms of financing.
5. For the past two (2) years, annual gross income from the property with operating and maintenance expenses, depreciation, and annual cash flow before and after debt service during that time, or
6. Other information considered necessary by the Commission to determine whether or not to grant the exemption.

H. DEMOLITION.

It is the intent of this Section to establish minimum maintenance standards and criteria for the demolition of historic properties in Horry County.

1. Property Owner Maintenance Responsibilities. The property owner shall make every effort to preserve from deliberate or inadvertent neglect the exterior features of buildings or structures designated as contributing or significant (and the interior portions if designated). Routine maintenance is necessary to prevent the deterioration and decay of the exterior. Buildings or structures shall be preserved against such decline and deterioration and kept free from structural defects through prompt corrections of the following:

   a) Facades which may fall and injure persons or property;

   b) Deteriorated or inadequate foundation, defective or deteriorated flooring or flooring supports, deteriorated walls or other vertical structural supports;

   c) Members of ceilings, roofs, ceiling and roof supports, deteriorated walls or other vertical structural supports;

   d) Deteriorated or ineffective waterproofing or exterior walls, roofs, foundations, or floors, including broken windows or doors;

   e) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective cover; or

   f) Any fault or defect in the building that renders it not properly watertight or structurally unsafe.

   The owner will have to comply with all applicable building codes, laws and regulations governing any work on the property. Any owner who fails to maintain their building or structure in compliance with this Section will be subject to enforcement penalties.

2. Commission Authorized Demolition. The Commission is authorized to approve the removal of dangerous or unsafe buildings and parts thereof if the building or structure is a historic landmark or is located in a historic district as defined in § 1202 of this Article. The Commission shall not order or cause the building or structure or portion thereof to be removed or taken down, unless the Commission determines in consultation with the South Carolina Department of Archives and History and the Horry County Code Enforcement Department that:

   g) There is an extreme and immediate threat to public safety and welfare of the general public resulting from unsafe structural conditions; and,

   h) The building or structure cannot be made safe by the stabilizing, shoring or securing of the unit.

   In instances where unsafe structural conditions have been identified in these buildings, the owner shall immediately make the building safe and secure.

SECTION 1209- PROCESS FOR GRANTING A CERTIFICATE OF NO EFFECT (COE).

A. GENERAL.

A Certificate of No Effect is required before any minor work to a designated historic property or to a contributing property located in a historic district, or to any property with a special tax assessment, can occur. Minor work to a non-designated property in a historic district, including interior, mechanical, repair, and ordinary maintenance, regardless of whether or not a Zoning Compliance or Building Permit is required, is considered exempt and does not need a Certificate of No Effect. Minor work consists of any change modifying, restoring, rehabilitating, renovating, surfacing, or resurfacing of the features of a property that does not materially change the historic characteristics of the property or district. Minor work also incorporates landscaping, open spaces and the maintenance of a historic property or contributing properties located within a historic district. Any zoning compliance form or building permit not issued in conformity with this Section shall be considered null and void. Any project underway in the County that does not have a Certificate of Appropriateness (see§ 1208) or a Certificate of No Effect shall have a stop work order issued by the Horry County Code Enforcement Department to prevent further work.

B. REQUIRED PROCEDURE.

An application form must be submitted to the Planning Department in order to obtain a Certificate of No Effect (COE) whenever a property owner performs any minor work or repair to a historic property or to a contributing property in a historic district. The owner of record must sign the application form. In the event the property owner designates an agent to apply for the certificate, a letter of agency must be supplied with the application.

The Planning Department staff shall have fifteen (15) days to review the request. Upon review, a Certificate of No Effect shall be prepared or referred to the HPC. The COE must state the decision of the Planning Department: approval, denial, approval with conditions, or referral to the Commission - and the reasons for the decision. Decisions of the Planning Department are appealed to the HPC.

C. ACTION ON APPLICATIONS.

The Planning Department staff shall review the application, using the definition of "Minor Work" in § 1202 to determine whether or not the application may be reviewed by staff or requires review by the HPC. Any application that requires Planning Department review shall be reviewed according to the design guidelines appearing in § 1210. Once approved, a Certificate of No Effect (COE) shall then be issued. A copy of the application, the COE and other pertinent data shall be kept on record in the files of the Planning Department. Applications requiring Commission review shall be added to the next deadline for submittals to the HPC.

D. CONTENTS OF APPLICATION.

The Planning Department staff shall require data as is reasonable and necessary to determine the nature of the application. Such data can include, but may not necessarily be restricted to, site or architectural plans, landscaping plans, materials lists, etc. Historical and documental information may also be requested. An application shall not be considered complete until all the required data has been submitted.

SECTION 1210- DESIGN GUIDELINES.

A. INTENT.

It is the intent of this Section to ensure that properties designated as historic or located within a Historic District shall remain in harmony with the architectural and historical character of Horry County, South Carolina. In granting a Certificate of Appropriateness or a Certificate of No Effect, the Commission or Planning Department shall take into account the following:

1. The architectural and historical significance of the structure,
2. The exterior form and appearance of any proposed additions or modifications, and
3. The effect of such change or additions upon other structures in the vicinity.

B. GENERAL DESIGN REVIEW GUIDELINES.

When considering an application for a Certificate, the Secretary of the Interior's Standards for Rehabilitation shall be used as guidelines in making decisions. In addition, the Commission may recommend to Horry County Council the adoption of more specific guidelines for specific historic properties and districts. These guidelines shall serve as the minimum basis for determining the approval, approval with conditions, or denial of an application for all historic properties as well as all contributing properties located within a Historic District.

The Secretary's Standards for Rehabilitation are:

1. A historic property will be used as it was historically used or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a designated property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relations that characterize a property will be avoided.
3. Each historic property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other buildings, will not be undertaken.
4. Changes to a designated property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features and spatial relationships that characterize the designated property. The new work will be differentiated from the old and will be compatible with the historic materials,

features, size, scale, and proportion and massing to protect the integrity of the historic property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

C. MAINTENANCE, REPAIR, AND INTERIOR PROJECTS.

Nothing in this document shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of structures designated as historic when that repair does not involve a change in design, material, color or outer appearance of the structure. Interior arrangements or alterations shall not be considered unless the interior is specifically described and designated as historic.

SECTION 1211- CHALLENGE OF A STAFF OR COMMISSION DECISION.

Any applicant may challenge a decision of the Planning Department staff to the HPC. Decisions of the Commission must be appealed to the Courts of South Carolina pursuant to the South Carolina Code of Laws, Section 6-29-900 et sequitur.

SECTION 1212- CONDITIONAL USE PERMITTING FOR WEDDINGS/PERIODIC EVENTS.

1. Said facilities shall be exempt from the parking requirements of § 700 of the Zoning Ordinance.
2. Said facilities shall be exempt from the landscaping requirements of Article V of the Zoning Ordinance.
3. The requirements of Chapter 13, Article 3 (Noise Control) of the County Code shall be met.
4. Any new structures erected for this purpose:
   a) Must be approved by the Horry County Historic Preservation Commission under the Secretary of the Interior Standards of Historic Preservation;
   b) Meet all requirements of the underlying zoning including any applicable Overlays;
   c) May not exceed four thousand five hundred (4,500) square feet in size;
   d) Shall meet applicable building code and be legally permitted.
5. Ingress, egress, and/or parking of vehicle traffic shall not create a hazard for traffic on an adjacent street.
6. Where the historic integrity of a designated structure will be potentially affected by the installation of commercial restroom facilities, ADA compliant, handicapped accessible portable restroom facilities may be substituted during all scheduled events.
7. All signage for the facility must be approved by the Historic Preservation Commission and no off-site signage shall be permitted for such activities.
8. The Historic Preservation Commission shall review the facility for appropriateness to host said events and may include or limit what events shall be allowed to be held, including, but not limited to:
   a) Weddings, receptions, bridal showers, baby showers;

b) Reunions;

c) Reenactments;

d) House museums;

e) Holiday/seasonal events;

f) Similar social events that meet the requirements of this ordinance.

9. A conditional use permit shall be obtained prior to the commencement of the use.

ARTICLE XIII. DEVELOPMENT IMPACT FEES

SECTION 1300- TITLE AND AUTHORITY.

This article shall be referred to as "Development Impact Fees," which is adopted pursuant to and in compliance with the authority conferred by the South Carolina Development Impact Fee Act, Code of Laws of South Carolina, 1976, as amended, Title 6, Article 9, Chapter 1.

SECTION 1301- ADOPTION OF TECHNICAL REPORT.

The County hereby adopts and incorporates by reference the report titled "Capital Improvement Plan and Development Impact Fee Study," prepared by TischlerBise, dated April 3, 2020, which supports the necessity, amounts, levels of service, and reasonableness of the Impact Fees imposed by this article.

SECTION 1302- FINDINGS.

The County hereby declares and finds that:

1. Pursuant to Chapter 29, Title 6, S.C. Code Ann., 1976, as amended, the Horry County comprehensive plan, Imagine 2040, was adopted on December 10, 2019; and

2. In accordance with the South Carolina Development Impact Fee Act, including § 6-1-960, thereof, the County adopts a Capital Improvements Plan, which describes the types and magnitude of planned System Improvements needed to address the impacts of New Development on Public Facilities to be funded with Impact Fee revenues, which will benefit Fee Payors pursuant to the provisions of this article; and

3. The County retained TischlerBise to analyze land use assumptions, in accordance with the South Carolina Development Impact Fee Act, and to determine the additional demand created by New Development for Public Facility System Improvements; and

4. Based on such analysis, TischlerBise has prepared a report titled "Capital Improvement Plan and Development Impact Fee Study," and dated April 3, 2020, which in all material respects was submitted to and reviewed by County staff and officials, the Horry County Planning Commission, and the Horry County Council; and

5. The Technical Report describes the levels of service the County Council deemed acceptable, as applicable to each Public Facility for which Impact Fees are collected pursuant to this article; and

6. The Technical Report has been presented to and reviewed by County Council, which has determined, in accordance with the requirements of law, that:

Impact Fees are necessary to offset the costs to the County associated with meeting the necessary facility demand created by projected new residential and non-residential Development;

a) Impact Fees imposed by this article are calculated in accordance with generally accepted principles and professional standards as specifically described in the Technical Report;

b) The Impact Fees imposed by this article reasonably relate to the service demands and needs of New Development subject to this article, are based on actual improvement costs or reasonable estimates of such costs, are supported by sound engineering studies, and do not exceed a proportionate share of the costs incurred by the County in providing System Improvements to serve New Development;

c) The expenditure of Impact Fees, pursuant to the terms of this article, will result in a beneficial use to New Development reasonably related to the Impact Fees, and any benefits to property owners or developers, other than Fee Payors, within the impact fee service area, resulting from the expenditure of Impact Fee revenues pursuant to this article, if any, are incidental;

d) Following due consideration of the Technical Report, the County's recovery of a portion of capital costs through Impact Fees will not significantly affect the costs or availability of Affordable Housing within Horry County, see Appendix A (Housing Affordability Analysis) attached to the ordinance from which this article derived;

e) The demand for and the benefits resulting from System Improvements to be funded with Impact Fee revenues are reflected in the Impact Fee Service Areas established by the Technical Report and as provided by this article; and

f) The County has prepared and will review and, as needed, update the Capital Improvements Plan that include Public Facility improvements to ensure New Development paying Impact Fees under this article receive a beneficial use from System Improvements constructed through the expenditure of Impact Fees, as required by law; and

g) This article is necessary in order, among other things, to ensure the adequacy of the County's public facilities as new residential and nonresidential Development continues in unincorporated Horry County.

SECTION 1303- INTERPRETATIONS OF ARTICLE AND FEE SCHEDULE.

Interpretation of the provisions of this article shall be made by the Administrator consistent with the Technical Report, the South Carolina Development Impact Fee Act, the purpose and legislative intent of the County Council, and other requirements of law.

SECTION 1304- EFFECT ON OTHER REGULATIONS AND REQUIREMENTS.

1. This article may not be construed to alter, amend, or modify any other provision of the County Code of Ordinances, which shall be operative and remain in full force and effect notwithstanding any contrary provisions, definitions, or intentions that are or may be expressed or implied in this article, unless expressly providing for herein.

2. The payment of Impact Fees shall not entitle the applicant to a building or development permit unless all other applicable land use, zoning, planning, and other applicable requirements,

standards, and conditions have been met. Such other requirements, standards, and conditions are independent of the requirement for payment of Impact Fees required by this article.

SECTION 1305- DEFINITIONS.

The following terms, as used in this article, shall have the meanings specified below. To the extent a term is not defined, including any land use proposed, which is subject to this article, the Administrator shall determine the meaning of the term, pursuant to § 1303, above.

Administrator means the County Administrator of Horry County or the Administrator's designee.

Affordable Housing means housing affordable to families whose incomes do not exceed eighty percent (80%) of the median income in Horry County.

Capital Improvements means improvements including, but not limited to, land, buildings, and structures with a useful life of five (5) years or more and equipment and vehicles with an individual unit purchase price of not less than one hundred thousand dollars ($100,000), by new construction or other action, which increase the service capacity of a Public Facility.

Capital Improvements Plan or CIP means the County's schedule of planned Public Facility System Improvements upon which impact fees may be used as a funding source under this article, including those in the Technical Report, as implemented by and consistent with the County's annual budgets and 5-year capital improvements planning program.

County means Horry County, South Carolina.

County Public Safety Service Area means the Impact Fee Service Area within which the County provides public safety Public Facilities to serve New Development within its boundaries, which are on file with the County Department of Planning and Zoning.

Development means construction or installation of a new building or structure, or a change in use of a building, structure, or land, which creates additional demand and need for Public Facilities. A building or structure shall include, but not be limited to, modular buildings and manufactured housing. Development does not include alterations made to existing single-family homes.

Expenditure means legally obligated or otherwise committed to use by appropriation, contract, payment, repayment, or purchase order of the County or a partnering agency in the provision of System Improvements.

Fee Payor means a Person undertaking Development who is required to pay an Impact Fee in accordance with the terms of this article.

Impact Fee or Development Impact Fee means a fee imposed pursuant to this article, in the amounts set forth herein.

Impact Fee Account means an internal account established by the County for the purpose of segregating from other County funds Impact Fee revenues collected for a particular Public Facility and, as applicable, from within a particular Impact Fee Service Area, as specifically provided in this article.

Impact Fee Service Area means the geographic area or areas described in § 1307 of this article, within which Public Facilities provide service to New Development and Impact Fee revenues will be spent.

Murrells Inlet-Garden City (MIGC) Public Safety Service Area means the Impact Fee Service Area within which the County provides public safety Public Facilities to serve New Development within its boundaries, which are on file with the County Department of Planning and Zoning.

New Development means Development subject to the terms of this article.

Non-Commencement means the cancellation of a construction activity making a material change in a structure, or the cancellation of any other Development activity making a material change in the use or appearance of land.

Offset means a credit, reimbursement, or waiver of Impact Fees, given pursuant to the terms of this article, as a result of the dedication, construction, or funding of an Offset-Eligible Improvement.

Offset-Eligible Improvement means System Improvements, constructed, dedicated, or funded by a party other than the County, which is not a Project-Level Improvement.

Parks and Recreation Service Area means the Impact Fee Service Area within which the County provides parks and recreation Public Facilities to serve New Development within its boundaries, which are on file with the County Department of Planning and Zoning.

Person means an individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more Persons having joint or common interest, or any other legal entity.

Project-Level Improvements means improvements necessary to mitigate impacts attributable solely to a particular development; including but not limited to, direct access improvements, turn lanes, median openings, frontage roads, private security vehicles, or private parks.

Public Facilities means System Improvements, for which Impact Fees are collected pursuant to this article, including for parks and recreation, public safety, and solid waste.

Service Unit means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of Public Facilities, as provided in this article and the Technical Report.

Solid Waste Water Service Area means the Impact Fee Service Area within which the County provides solid waste Public Facilities to serve New Development within its boundaries, which are on file with the County Department of Planning and Zoning.

System Improvements means Capital Improvements to a Public Facility included on the County's CIP or provided by a partnering agency, which are designed to provide service to New Development in an Impact Fee Service Area. "System Improvements" do not include Project-Level Improvements.

System Improvement Costs means costs incurred for construction or reconstruction of System Improvements, including design, acquisition, engineering, and other costs attributable to the improvements, and also includes the costs of providing additional Public Facilities needed to serve New Development. System Improvement costs do not include:

a) Construction, acquisition, or expansion of Public Facilities other than Capital Improvements identified in the Capital Improvements Plan;

b) Repair, operation, or maintenance of existing or new capital improvements;

c) Upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;

d) Upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;

e) Administrative and operating costs of the County, including those associated with development or calculation of impact fee amounts; or

f) Principal payments and interest or other finance charges on bonds or other indebtedness, except financial obligations issued by or on behalf of the County to finance Capital Improvements identified in the CIP to serve New Development.

Technical Report means the report titled "Capital Improvement Plan and Development Impact Fee Study," prepared by TischlerBise, dated April 3, 2020.

Temporary Uses means uses that are required in the construction phase of Development or are uniquely seasonal in nature, including, but not limited to: contractor's project offices, project sales offices, seasonal sales of trees or farm produce, carnivals, and tent meetings.

SECTION 1306- APPLICABILITY OF THIS ARTICLE.

1. TYPE OF DEVELOPMENT AFFECTED.

a) Except as expressly provided otherwise herein, the provisions of this article shall apply to New Development in the unincorporated areas of Horry County.

b) No Impact Fees shall be assessed with respect to a property for which a valid building permit or certificate of occupancy has been issued or construction has lawfully commenced before the Effective Date of this article.

c) Impact Fees shall be paid by New Development, as provided in this article, unless the proposed Development specifically is not subject to or is exempt from the terms of this article, or has received an Offset pursuant to this article.

d) Impact fees imposed by this article in an area annexed by a municipality remain subject to the requirements of this article unless the municipality assumes any liability which is to be paid with the impact fee revenue.

2. TYPE OF DEVELOPMENT NOT AFFECTED.

The following types of Development shall not be subject to the terms of this article:

a) Rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe;

b) Construction, reconstruction, remodeling, or repairing a structure or other activity that does not result in an increase in the number of Service Units;

c) Replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if the number of Service Units does not increase;

d) Placing a construction trailer or office on a lot during the period of construction on the lot;

e) Constructing an addition on a residential structure which does not increase the number of Service Units;

f) Adding uses that are typically accessory to residential uses, such as a tennis court or a clubhouse, unless it is demonstrated by the Administrator that the accessory use creates a measurable impact on Public Facility capacity in addition to the associated residential uses;

g) All or part of a particular development project if:

   i. The project is determined to create Affordable Housing; and

ii. The exempt development's proportionate share of System Improvements is funded through a revenue source other than Impact Fees.

h) Construction of elementary, middle, or secondary schools;

i) Construction of a new volunteer fire department;

j) Temporary Uses;

k) Alternations to an existing single-family home; or

l) A project that mitigated or mitigates its impact on Public Facilities, which would otherwise be subject to this article, through a development agreement or other commitment by the developer.

SECTION 1307- IMPACT FEE SERVICE AREAS ESTABLISHED.

There are hereby established the following Impact Fee Service Areas within which the County provides Public Facility services and within which Impact Fees are assessed.

1. PUBLIC SAFETY.

There are two Impact Fee Service Areas for public safety.

a) The Murrells Inlet-Garden City (MIGC) Public Safety Service Area includes unincorporated lands within the MIGC Fire District, which is illustrated in subparagraph (c) below.

b) The County Public Safety Service Area includes unincorporated lands outside of the MIGC Fire District

c) The map below illustrates the general boundaries of the MIGC Fire District. Official maps of the boundaries of the MIGC Public Safety Service Area and the County Public Safety Service are on file with the Horry County Department of Planning and Zoning.

2. PARKS AND RECREATION.

There is a single Impact Fee Service Area for parks and recreation, designated as the Parks and Recreation Service Area, which includes all lands within the unincorporated areas of Horry County.

3. SOLID WASTE.

There is a single Impact Fee Service Area for solid waste designated as the Solid Waste Service Area, which includes all lands within the unincorporated areas of Horry County.

SECTION 1308- IMPACT FEE AMOUNTS, HOW CALCULATED; COLLECTION; FAILURE TO PAY; EFFECT OF PAYMENT.

1. IMPACT FEE AMOUNTS.

Impact Fees shall be assessed and collected from New Development, pursuant to the provisions of this article, in accordance with the fee schedule below, unless the developer has received an Offset, credit, exemption, or otherwise has provided its proportionate share of Public Facilities, as allowed by this article.

Development Type	Demand Unit	Parks & Recreation	Public Safety		Solid Waste
			For New Development within MIGCFD[1]	For New Development outside of MIGCFD	
Residential (per Demand Unit)					
Single Family	DU	$479	$114	$484	$273
Multifamily	DU	$400	$94	$403	$228
Nonresidential (per Demand Unit)					
Retail	1,000 Sq. Ft.	n/a	$370	$1,797	n/a
Office	1,000 Sq. Ft.	n/a	$144	$702	n/a
Industrial	1,000 Sq. Ft.	n/a	$59	$285	n/a
Institutional	1,000 Sq. Ft.	n/a	$289	$1,407	n/a
Lodging	Room	$135	$124	$603	n/a
[1]Murrells Inlet-Garden City Fire District					

2. HOW CALCULATED.

Impact Fees were calculated based on New Development's proportionate share impact on Public Facilities and the cost for the County and its partnering agencies to address that impact, based on the levels of service and methodologies described in the Technical Report, which is on file with the County and incorporated by this reference.

3. WHEN COLLECTED.

Impact Fees will be assessed against New Development at the time of issuance of a building permit or development permit if no building permit is required, except as otherwise specifically provided by this article. Unless an applicant has received an Offset, credit, or exemption or has provided an approved individual assessment, pursuant to this article, Impact Fees shall be paid in the amounts set forth in applicable fee schedules in § 1308 of this article. In the event that a proposed use is not listed in the fee schedule, the Administrator shall apply the Impact Fee applicable to the most comparable land use listed in the fee schedule. In making the determination, the Administrator may rely on professionally-recognized documentation indicating the impacts of the proposed use on Public Facilities including, but not limited to, the Technical Report, the ITE Trip Generation manual, or the APA's Land-Based Classification Standards.

4. FAILURE TO PAY.

No building permit, or development permit if no building permit is required, shall be issued unless Impact Fees owed pursuant to the provisions of this article are paid in full. If a Fee Payor fails to pay Impact Fees as required herein, the County may assess penalties and liens against a property or property owner, based on the percentage, penalties, and timeframes applicable for failure to pay property taxes.

5. EFFECT OF PAYMENT.

Payment of Impact Fees according to the provisions of this article constitutes full and complete payment of the developer's proportionate share of System Improvement costs, as required by law.

SECTION 1309- INDIVIDUAL ASSESSMENT OF IMPACT FEE.

1. GENERALLY.

a) An individual assessment may be submitted by a Fee Payor to determine whether a proportionate share demand on Public Facilities created by the proposed development will be less than the fees set forth in § 1308.

b) The County may have an individual assessment completed when a proposed New Development includes a land use not listed in§ 1308 or for which an assessment is required pursuant to the fee schedules in that section.

c) The individual assessment shall be calculated according to the cost assumptions and methodology used for the particular Public Facility in the Technical Report and the costs of the individual assessment shall be borne by the applicant.

d) The individual assessment may be based only upon impact or use characteristics that are shown to exist throughout the expected life of the structure or use and may not be based upon temporary or transitory use characteristics.

2. PROCEDURE FOR APPLICANT-INITIATED INDIVIDUAL ASSESSMENTS.

a) Prior to submitting an individual assessment analysis to the County, the applicant must schedule and attend a preapplication meeting with the Administrator in order to establish the studies parameters and requirements, consistent with this section and the specific characteristics of the proposed Development.

b) The individual assessment analysis shall be prepared by qualified professionals in the fields of planning and engineering, impact analysis and economics, as necessary to comply with the requirements of this section.

c) Within fifteen (15) working days of receipt of an individual assessment analysis, the Administrator shall determine if the individual assessment analysis is complete. If the Administrator determines the application is not complete, the Administrator shall send a written statement specifying the deficiencies to the Person submitting the application. Until the deficiencies are corrected, the Administrator shall take no further action on the application.

d) When the Administrator determines the individual assessment analysis is complete, the Administrator shall review it within thirty (30) working days. The Administrator shall

approve the proposed fee if he or she determines that the data, factors, and methodology used to determine the proposed Impact Fee are professionally acceptable and fairly assess the proportionate share costs for the Development's System Improvements to County Public Facilities, based on the methodologies used in the Technical Report, input by the County Engineer, and applicable County data. If the Administrator determines that the data, factors, or methodology do not support a fee different than those set forth in § 1308 of this article, the proposed fee shall be denied, and the developer shall pay the Impact Fees according to the schedules established in § 1308

SECTION 1310- OFFSETS AGAINST IMPACT FEES.

1. GENERALLY.

A Fee Payor or developer may enter into an Offset agreement with the County, including, if applicable, an agreement entered into pursuant to the South Carolina Local Government Development Agreement Act, providing for payments instead of Impact Fees for Public Facilities. An Impact Fee may not be imposed on a Fee Payor or developer who has contributed a project's proportionate share of System Improvements.

2. AMOUNT AND LIMITATION.

a) Impact Fee Offset amounts shall be based on the actual cost of the Offset-Eligible Improvement, but in no case shall exceed the amount of the Impact Fees due pursuant to this article.

b) If the County wishes to reimburse a developer for provision of facilities in excess of the amount of the Impact Fees due, County Council must do so pursuant to a separate agreement, including, a development agreement as provided under Chapter 15, Article VI of the Horry County Code of Ordinances, as applicable. Such agreements shall provide for reimbursements in excess of the amount of the Impact Fees due, pursuant to this article, from a source other than revenues from collected Impact Fees.

c) In no case shall a developer be required to pay more than its proportionate share of System Improvement costs, including the payment of money or contribution or dedication of land, or to oversize System-Improvements for use of others outside of the project without fair compensation or reimbursement from Impact Fees or other sources.

3. *REQUIREMENTS AND PROCEDURES FOR IMPACT FEE OFFSETS.* REQUESTS FOR OFFSETS MUST BE ACCOMPANIED BY A PROPOSED OFFSET AGREEMENT AS PROVIDED HEREIN.

a) *Offset-Eligible Improvements.* No Offset shall be granted except for Offset-Eligible Improvements.

b) *By Public Facility Category.* In order to be eligible for Impact Fee Offsets, the System Improvements proposed for dedication, construction, or funding must be an Offset-Eligible Improvement of the same Public Facility category for which Impact Fees are required.

c) *Procedure.*

i. Upon receipt of a request for Offsets and a proposed Offset agreement, the Administrator, County attorney, and other appropriate staff will review the request and proposed agreement, as well as such other relevant information and evidence, and the Administrator will forward to the County Council a report as to whether an Offset is proper based on the provisions of this article and the South Carolina Development Impact Fee Act.

ii. Based on the report of the Administrator, the provisions of this article, the CIP, the comprehensive plan, adopted County budget, and the Technical Report, the County Council will make a final decision to accept, reject, or accept with conditions the proposed dedication, construction, or funding of an Offset-Eligible Improvement and Offset agreement in exchange for an Offset against Impact Fees owed.

d) *Calculation of the value of the Offset.* The actual costs of Offsets shall be calculated as follows:

i. *Facilities and equipment associated with the Offset-Eligible. Improvement.* Actual cost of construction or equipment, as evidenced by receipts, bids, and other sufficient documentation certified by a qualified and licensed engineer in the State of South Carolina.

ii. *Dedication of land associated with the Offset-Eligible Improvement.* The fair market value of the land as determined by a certified property appraiser hired and paid for by the applicant. If the County rejects the applicant's appraisal, the County may hire and pay for a second appraiser to appraise the property. If either party rejects the second appraisal, a third appraisal may be performed by an appraiser chosen by the first and second appraisers, the costs of which are to be shared equally by the County and the developer. The third appraisal is binding on both parties. All appraisals must be consistent with generally-accepted appraisal techniques for the area.

e) *Offset agreement requirements.* No System Improvements may be accepted by the County in exchange for an Impact Fee Offset except pursuant to an executed Offset agreement between the County and the provider of the Offset-Eligible Improvement, which agreement shall include the following:

i. A schedule for the initiation and completion of the construction of the proposed Public Facility;

ii. A schedule for the County's issuance of the Offsets;

iii. The amount of the Impact Fees, by type, proposed to be Offset by the County;

iv. The mechanism for addressing interproject transfers, if any;

v. The method of accounting for reimbursements and Offsets;

vi. A provision that all construction will be in accordance with County specifications and all regulations set forth in the County Code; and

vii. Such other terms and conditions as are deemed necessary by the County for compliance with the provisions of this article and the South Carolina Development Impact Fee Act.

SECTION 1311- USE OF FUNDS COLLECTED, IMPACT FEE ACCOUNTS.

1. Impact Fees collected pursuant to this article shall be used solely for the purpose of System Improvement Costs to create additional Public Facility capacity reasonably related to the proportionate share demands and needs of New Development, which will result in a beneficial use to New Development.

2. Impact Fees may be spent for System Improvement Costs on the Capital Improvements Plan.

3. Impact Fees may be spent for only the category of Public Facility for which they were collected within the Impact Fee Service Area from which they were collected.

4. Impact Fees collected shall be expended for the construction of Public Facilities within three (3) years of the date they are scheduled on the CIP for expenditure, and not more than seven (7) years from the date of collection. Impact Fees shall be considered expended in the order received by the County on a first-in, first-out basis.

5. In order to ensure that Impact Fee revenues are earmarked and spent solely for the expansion of Public Facilities necessary to offset the impacts of New Development, the following provisions apply:

   a) The County shall establish and maintain a separate bank account for the purpose of segregating Impact Fee revenues collected pursuant to this article from all other County funds.

   b) In addition, the County shall establish and maintain internal Impact Fee Accounts for each Public Facility for which Impact Fees are collected, separated by Impact Fee Service Area, to

ensure Impact Fee Revenues are spent solely for the category of Public Facility for which they were collected, within the Impact Fee Service Area from which they were collected.

c) The external Impact Fee bank account shall be interest-bearing and all interest income shall be deposited therein and be subject to all restrictions placed on the use of Impact Fees pursuant to the provisions of this article and the South Carolina Development Impact Fee Act.

d) Impact Fee revenues for each Public Facility shall remain segregated from Impact Fee Accounts for other Public Facilities and from other County funds.

e) Other than interest that accrues on the account, no other funds shall be included in the Impact Fee Account and all revenues shall be spent only on System Improvement Costs Public Facilities.

f) Amounts withdrawn from an Impact Fee Account must be used solely in accordance with the provisions of this article. Impact fees shall not be used for any expenditure that would be classified as a maintenance, operations, or repair expense or to address existing deficiencies in capacity.

SECTION 1312- REFUNDS.

1. Impact Fees shall be returned to the owner of record of property on which Impact Fees have been paid, as follows:

   a) In the event Impact Fees are not expended within three (3) years from the date they are scheduled on the CIP for expenditure or within seven (7) years from the date of collection, as provided in § 1311 of this article; or

   b) In the event a building permit, development permit, or permit for the installation of a manufactured home is denied, an approved Development is canceled due to Non-Commencement of construction, or the building or development permit expires or is revoked prior to completion or occupancy.

2. When the right to a refund exists, the County shall send the refund to the owner of record within ninety (90) days after it is determined by the County that a refund is due.

3. Refunds shall include the pro rata portion of interest earned while on deposit in the County's Impact Fee Account.

SECTION 1313- ANNUAL REVIEW.

1. The Administrator will prepare and present to the County Council an annual report that describes the amount of Impact Fees collected, appropriated, and spent during the preceding fiscal year for each Impact Fee Service Area in which Impact Fees are collected.

2. On at least an annual basis, the Administrator will review the Technical Report CIP and advise the Planning Commission whether changes are recommended. If changes are recommended, the Administrator will forward same to the Planning Commission for a recommendation by resolution to County Council. Changes to the Technical Report CIP shall be by ordinance and in the same manner as the approval of the original CIP, as required by the South Carolina Development Impact Fee Act and in conformance with this article.

3. The Planning Commission will review and update the Technical Report, including the associated Capital Improvements Plan, and this article in the same manner and on the same review cycle as is required for comprehensive plans, if not more frequently, by resolution to the County Council.

SECTION 1314- APPEALS.

1. RIGHT TO APPEAL

Any Person has a right to appeal a final decision made pursuant to this article, in accordance with this section.

2. PROCEDURE.

a) A developer or Fee Payor may file an administrative appeal regarding any final decision of the Administrator or other County official or agency made pursuant to this article.

b) Such appeal must be filed with the County Administrator within fifteen (15) days of the final decision sought to be appealed, and be accompanied by a twenty-five dollar ($25.00) processing fee. If the appellant has not paid Impact Fees owed, no building or development permit will be issued, unless the appellant posts a bond or submits an irrevocable letter of credit for the full amount of the Impact Fees calculated by the County to be due.

c) The appeal shall include a full explanation of the reasons for the appeal, specifying the grounds therefore, and containing any documentation that the appellant desires to be considered, including the name and address of the appellant and their capacity to act as a representative or agent if they are not the owner of the property.

d) Within forty-five (45) days after receipt of a request for appeal, unless continued by agreement of the appellant and County Administrator, a hearing officer shall review the appellant's request, supporting documentation, and any relevant input from County staff and/or the County Attorney, and may hold a hearing on the appeal at a time and place of which the appellant has been given notice. Within thirty (30) days thereafter, the hearing officer shall issue a written decision on the appeal, which shall be served on all parties or their representatives.

3. PAYMENT UNDER PROTEST.

A Fee Payor may pay an Impact Fee under protest. Payment under protest does not preclude the developer from filing an administrative appeal nor is the Fee Payor stopped from receiving a refund of an amount considered to have been collected illegally. In lieu of paying under protest, a Fee Payor may post a bond or submit an irrevocable letter of credit for the amount of Impact Fees due, pending the outcome of an appeal.

4. MEDIATION.

Upon voluntary agreement by the Fee Payor and the County, the County shall provide for mediation by a qualified independent party to address a disagreement related to the administration or validity of this article, including Impact Fees calculated by the County. Neither a request for, nor participation in, mediation shall preclude a Fee Payor from pursuing other remedies provided by this article or otherwise available by law.

SECTION 1315- TERMINATION OF FEE.

1. Impact Fees imposed pursuant to this article shall be terminated within ten (10) years after the Effective Date, or when sufficient fees have been collected to fund all System Improvements eligible for Impact Fee funding identified in the CIP, whichever occurs first, unless the County Council adopts a revised Technical Report or CIP for a subsequent time period.

ARTICLE XIV - GLOSSARY

SECTION 1400 - INTERPRETATION OF CERTAIN TERMS OR WORDS.

Except as specifically defined herein, all words used in this ordinance have their customary dictionary definitions. For the purpose of this ordinance, certain words or terms used herein are defined as follows: Words used in the present tense include the future tense. Words used in the singular include the plural, and words used [in] the plural include the singular. The word "shall" is mandatory. The word "lot" includes the words plot or parcel. The word "building" includes the word structure. The word "person" includes a firm, association, organization, partnership, trust company, or corporation as well as an individual. The words "used" or "occupied" as applied to any land or building shall be construed to include the words intended, arranged, or designed to be used or occupied. The words "map" or "zoning map" shall mean the Official Zoning Map of Horry County, South Carolina.

SECTION 1401 - A

ACCESS.

The right to cross public and private property, for purposes of ingress and egress.

ACCESSORY DWELLING UNITS

A secondary dwelling unit located on a parcel of owner-occupied land accessory to or within an existing principal single-family dwelling unit.

ACCESSORY USE.

A use of land or of a building, or portion thereof, which is customarily incidental and subordinate to the principal use of the land or building. Accessory uses must be located on the same lot with the principal use.

ADMINISTRATIVE OFFICER.

The local official (i.e., zoning administrator) responsible for granting permits as required by this ordinance.

ADULT ENTERTAINMENT.

See Article IX, § 901 of the Zoning Ordinance for definitions.

AGGREGATE PROCESSING.

A business which crushes, stores and/or transfers nonmetallic minerals such as stone, sand, gravel, recycled concrete and asphalt. Does not include mining operations.

AGRICULTURAL PRODUCT PROCESSING FOR CROPS OR ANIMALS NOT GROWN ON-SITE.

An off-site facility where crops, livestock or livestock products are brought to be processed into goods that are used for intermediate or final consumption including goods for nonfood use.

AIRPORT.

An area of land or water which is used or intended for use for the landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for use, for airport building or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon. This includes any airport, heliport, helistop, vertiport, glider port, seaplane base, ultralight flight park, manned balloon launching facility, or other aircraft landing or takeoff area.

PUBLIC USE AIRPORT.

As defined by Section 503(17) of the Airport and Airway Improvement Act of 1982 means:

1) Any public airport;
2) Any privately owned reliever airport; and
3) Any privately owned airport which is determined by the Secretary of the FAA to enplane annually two thousand five hundred (2,500) or more passengers and receive scheduled passenger service of aircraft.

PRIVATE USE AIRPORT.

All other airports not defined as public use airport.

AGRICULTURAL BUILDINGS.

AGRICULTURAL BUILDING, FARM ANIMALS

Any stable, shelter, manure pile, pits or bins associated with the raising, care and handling of animals and/or livestock.

AGRICULTURAL BUILDING, NO ANIMALS

Buildings or structures used for the sole purpose of providing shelter for agricultural implements, farm products or other horticultural products.

AGRICULTURAL BUILDING, HORSES ONLY

Any stable, shelter, manure pile, pits or bins associated with the raising, care and handling of horses

ANIMAL FACILITY.

Land, building or structure, which is used for the raising, care and handling of animals.

AVERAGE ANIMAL LIVE WEIGHT.

As defined by SC DHEC R.61-43 § 50 (K)

COMMERCIAL ANIMAL FACILITY.

An animal facility that produces animals for commercial sale, boarding of equine and/or farm animals, rents animals or provides a service utilizing the animals for a fee. Does not include small or large animal production facilities, as defined below.

COMMERCIAL HORSE FACILITY.

An animal facility that produces animals for commercial sale, boarding of equine, rents animals or provides a service utilizing the animals for a fee. Does not include small or large animal production facilities, as defined below.

LARGE ANIMAL PRODUCTION FACILITY.

An animal facility where five hundred thousand one (500,001) or more pounds of normal production animal live weight are located on-site at any one time, or as defined by SC DHEC R.61-43 § 50 (NN)

SMALL ANIMAL PRODUCTION FACILITY.

An animal facility where between ten thousand one (10,001) to five hundred thousand (500,000) pounds of normal production animal live weight are located on-site at any one time, or as defined by SC DHEC R.61-43 § 50 (HHH)

ANIMAL SERVICES

Animal service uses can be defined as any of the following uses.

ANIMAL BOARDING.

An establishment where domesticated dogs and cats owned by another person are temporarily boarded overnight for a fee, includes Dog Daycares.

ANIMAL GROOMING/ PET GROOMING

Brush, bathe and style hair or fur of domestic pets, usually dogs. Additional services may include nail trimming, ear cleaning, and maintenance of general appearance.

Typically occurs in kennels, veterinary clinics, animal shelters and pet supply stores. Can take place at a salon or as a house call. May operate with/without the sale of supplies.

ANIMAL HOSPITAL/ VETERINARY OFFICES.

ANIMAL HOSPITAL.

Any establishment offering veterinary services. Animal hospitals can treat all types of animals and can include outdoor and overnight boarding of animals.

VET CLINIC.

A building used primarily for the treatment, by a veterinarian, of small domestic animals such as dogs, cats, rabbits, birds, or fowl. No outdoor boarding of animals is permitted.

DOG TRAINING.

Non-residential facility offering classes or one-on-one coaching for compensation.

APARTMENT.

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

AQUA FARM.

A managed body of fresh or salt water used for cultivating or rearing aquatic plants or animals.

ASSISTED LIVING FACILITY.

Housing for the frail who require limited supportive services for their daily living activities. Such facility typically requires residents to be mobile and capable of performing most routine tasks.

AUDITORIUMS/ THEATRES.

A building or structure designed or intended for use for the gathering of people as an audience to hear music, lectures, plays, and other presentations.

THEATER, MOVIE.

A structure that contains audience seating, one or more screens and auditoriums, and a lobby and refreshment stand.

AUTOMOBILE STORAGE.

The storage of vehicles including, but not limited to: cars, recreational vehicles, motorcycles, and boats that are inoperable condition or awaiting major repairs. This does not include the storage of wrecked, junked or salvaged vehicles.

LICENSED AUTOMOBILE STORAGE.

The storage of vehicles is limited to vehicles which have been titled and registered by a governing authority.

AUTOMOBILE WRECKING, JUNK, AND SALVAGE YARDS

Any land or structure used for a salvaging operation, including but not limited to the storage and sale of wastepaper, rags, scrap metal, discarded materials, consumer goods, equipment, and the collection, dismantlement, storage, and salvage of ten (10) or more unlicensed or inoperative vehicles or a place where junk, waste, discarded, or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled. This definition includes automobile wrecking yards, house wrecking, and structural steel materials and equipment, but does not include the purchase or storage [of] used furniture and furniture and household equipment, used cars in operable condition, used or salvaged materials as part of manufacturing operations.

SECTION 1402 - B

BAIT AND TACKLE SHOP.

A retail store where items such as fishing tackle, gear and rods are sold.

BANKS/ SAVINGS AND LOANS

Any building wherein the primary occupation is concerned with such federal or state-regulated businesses as banking, savings and loans, loan companies, and investment companies.

BARBER/ BEAUTY SHOP/ SALON/ STYLIST/ HAIR DRESSERS

Any establishment where cosmetology services are provided including hair care, nail care, and skin care on a regular basis for compensation.

BATCH PLANT, ASPHALT/CONCRETE.

A facility or temporary facility engaged in the mixing, batching, crushing and processing of aggregates used in the production, demolition or recycling of asphalt and/or concrete products.

BATTING CAGE.

A commercial establishment for batting practice that is enclosed by fencing or netting.

BEER, WINE AND SPIRIT PRODUCTION.

A facility used to process raw materials to finished product, and to age, bottle, and store said products.

BED AND BREAKFAST.

Bed and breakfast means a residential-type lodging facility having no more than ten guestrooms where transient guests are fed and lodged for pay. This does not apply to other types of transient accommodations, such as hotels, motels, motor inns, resorts, rooming houses, boarding houses, hunting lodges, or campgrounds. SC Code § 45-4-20

BOARDING OR ROOMING HOUSES.

An establishment with lodging provided with or without meals for compensation for six (6) or more, but not exceeding sixteen (16), persons. Total number of bedrooms shall not exceed eight (8), with no more than two (2) occupants per room. The occupants must not have separate cooking facilities provided for any boarder. No separate exterior doorways for individual boarding rooms shall be permitted. "Boarding or rooming house" shall not include similar uses such as bed and breakfast, hotels or motels, healthcare facilities, group homes, halfway houses, hospitals, rehabilitation facilities or rescue missions.

BOAT CONSTRUCTION.

The design and construction of boats and their systems.

BOAT SALES/ RENTAL

Premises on which new or used boats and/or watercrafts in operating condition are displayed in the open for sale or rental.

BOAT SERVICE.

Establishments primarily engaged in the provision of boat repair services, or the installment of additional parts or accessories to a boat. Such establishments can engage in the repair of other watercrafts, but may not engage in the repair of any other types of vehicles.

BOAT STORAGE

The storage of boats and/ or watercrafts that are operable condition. This does not include the storage of wrecked, junked or salvaged boats.

BUILDING.

Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals, or chattel.

PRINCIPAL BUILDING

A building in which is conducted the main or principal use of the lot on which said building is located. The connection of two (2) buildings by means of an open porch, breezeway carport, or other such open structure, with or without a roof, shall not make them one (1) building. (See § 405.)

ACCESSORY BUILDING.

A building customarily incidental and subordinate to the principal building and located on the same lot with such building.

BUILDING HEIGHT.

The vertical distance measured from the mean elevation of the finished grade at the front of a building or structure to the mid-point between the eaves and the highest point of the roof. Except that within special flood hazard areas height shall be measured from the base flood elevation, plus up to 3 feet of elevation to accommodate provisions for flood hazard reduction as specified in Chapter 9 of the Horry County Code of Ordinances.

BUILDING SETBACK LINE.

A line delineating the minimum allowable distance between the property line or shared private driveway easement and a building on a lot. No building or other structure shall be placed in such area, except as otherwise provided in these regulations.

BUS DEPOT.

A place where buses are housed and maintained and from which they are dispatched for service.

SECTION 1403 - C

CAMPGROUND.

A parcel of land upon which three (3) or more camping sites are located, established, or maintained for temporary occupancy by primitive use, travel trailer, recreational vehicle, park model or permanent structure. Uses where recreational vehicles are offered for sale or lease, or are stored, are not included.

CARPORT.

A structure used for the storage of vehicles and having no enclosure other than its roof and such necessary support as will present the minimum obstruction of light, air, and view.

CAR WASH.

A structure for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

CASINO BOAT

Includes all cruise vessels offering cruises of less than twenty-four (24) hours in duration with gambling or gaming, docking at facilities within Horry County to load and unload passengers.

CEMETERIES/MAUSOLEUM

Land or structures dedicated for the internment of human or animal remains.

C&D TRANSFER STATION

A site where construction materials and debris are collected and sorted in preparation for processing or landfill.

CIVIC, FRATERNAL, AND SOCIAL ASSOCIATIONS.

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

COMMERCIAL CENTER.

A group of three (3) or more commercial establishments within the same structure, which may include retail, trade shops, personal storage units, restaurants, etc., planned, developed, and/or managed as a unit with off-street parking provided on the property. All uses must be either permitted or conditional within the zoning district.

COMMERCIAL MARINA

Provide boat slips on a rental basis in addition to some or all of the following accessory activities: sale of fuel, tackle, convenience store for the sale of merchandise associated with boating activities, repair, sale and/or trade boats, motors, and trailers but not as a principal activity (no retail showroom sales), restaurants, offices associated with the marina operation, site seeing and dinner cruise boats.

COMMERCIAL PARKING LOT/ GARAGE.

An off-street facility including parking spaces along with adequate provisions for drives and aisles for maneuvering and gaining ingress and egress. The requirements for off-street parking are contained in the Parking Standards of Horry County.

COMMERCIAL PIER.

A platform that is supported by piles or pillars and that extends over the Atlantic Ocean and is operated for commercial purposes. Such use may have additional commercial uses located on it, including, but not limited to: retail, restaurants and arcades.

COMMUNITY/PERSONAL SERVICES.

Establishments providing non-medical services to individuals including accessory retail sales of products related to the services provided. This use includes, but is not limited to, the following: Building cleaning/ maintenance service, carpet/ upholstery cleaning service, commercial art/ photography service, dressmaker/seamstress/tailor.

CONDITIONAL USE.

A use permitted in a particular zoning district only upon demonstration that such use in a specific location will comply with all of the conditions and standards for location and/or operation of such use as specified in the zoning ordinance.

CONDOMINIUM.

A building, or group of buildings, in which units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis. A full legal interpretation can be found in the 1976 South Carolina Code, section 27-31-10 et seq. Continuing Care Retirement Community (CCRC).

Cluster of a variety of housing options to meet the spectrum of needs and interests ranging from residential dwellings (single family through multi-family) through assisted living, often including on-premises skilled nursing facilities. CCRC's primary feature is the provision of "lifetime" supportive services from independence through end of life or some portion thereof. A master plan is required to consider these combination of uses a CCRC.

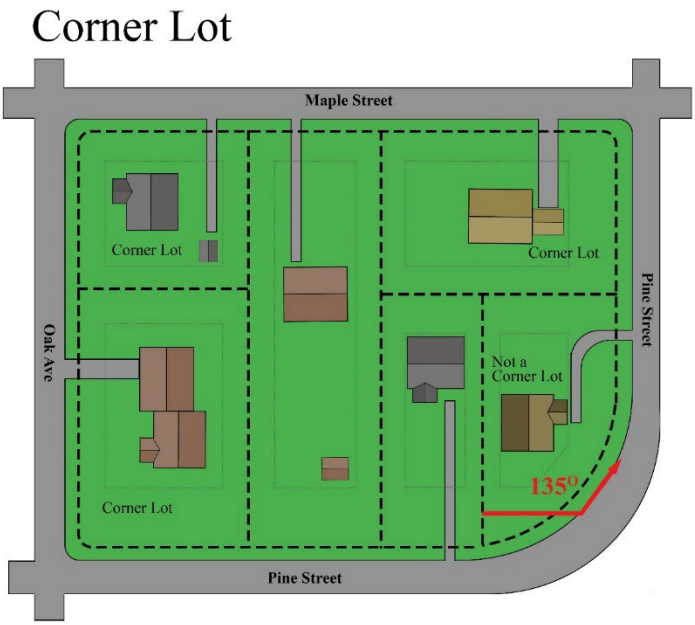
COUNSELING FACILITIES THAT DISTRIBUTE PRESCRIPTION MEDICATION ON SITE.

MENTAL HEALTH FACILITY/ PSYCHIATRIC HOSPITAL.

A facility, institution, unit, or ward for diagnosing, treating, caring for, or counseling people requiring mental health services in confinement.

CORNER LOT.

A lot adjacent to the intersection of two (2) or more streets or a lot abutting a curved street shall be considered a corner lot if straight lines drawn from the foremost point of the side lot lines to the foremost point of the lot (or an extension of the lot where it has been rounded by a street or road radius) intersect at an angle of less than one hundred thirty-five degrees (135º). In the case of a corner lot with curved street frontage, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above. A tangent is a straight line extended from the outer edges of a curve which intersect to form a corner.



CROP PRODUCTION.

COMMERCIAL CROP PRODUCTION

Commercial agricultural field and orchard uses including production of: field crops, flowers and seeds, fruits, grains, melons, ornamental crops, tree nuts, trees and sod, vegetables. Also includes associated crop preparation services and harvesting activities, such as mechanical soil preparation, irrigation system construction, spraying, crop processing, and sales in the field not involving a permanent structure.

NON-COMMERCIAL CROP PRODUCTION

The production of: crops, flowers and seeds, fruits, grains, melons, ornamental crops, tree nuts, trees and sod, and vegetables for personal enjoyment. This use is allowed in all zoning districts.

SECTION 1404 - D

DAY/CHILD CARE FACILITY.

A child care facility [or day-care center] shall mean and include any agency, institution, center, home, child nursery school, play school, or other place, however styled and whether operated under public auspices, or as a private business, in which one (1) or more children not related to child care family or staff of facility are received for temporary custodial care apart from the parents, part of the day or all day or part of the night, and upon any number of successive days.

The term shall not include any kindergarten or school which has as its primary function educational instruction and which operates under the supervision of a State Board of Education or a County Board of Education, has a qualified teacher, and/or operates less than four (4) hours per day.

DENSITY

DENSITY, GROSS.

The number of dwelling units divided by the total project area.

DENSITY, NET.

The total number of dwelling units divided by the buildable acreage. Buildable acreage being that portion of a tract or parcel of land which can be developed, not including existing platted rights-of-ways and utility easements, natural water bodies (streams/lakes), and wetlands under the jurisdiction of the U.S. Army Corps of Engineers unless such wetlands are to be filled upon issuance of a “fill” permit. Wetland buffers may be included in the developable acreage, but may not be encroached upon unless specified by a permit and approved development plan.

DEVELOPMENT OF REGIONAL SIGNIFICANCE.

Single use retail establishments which exceed one hundred thousand (100,000) square feet and/or all commercial and office developments in which the gross floor area of combined buildings within a unified master plan exceeds five hundred thousand (500,000) square feet.

DISTRICT.

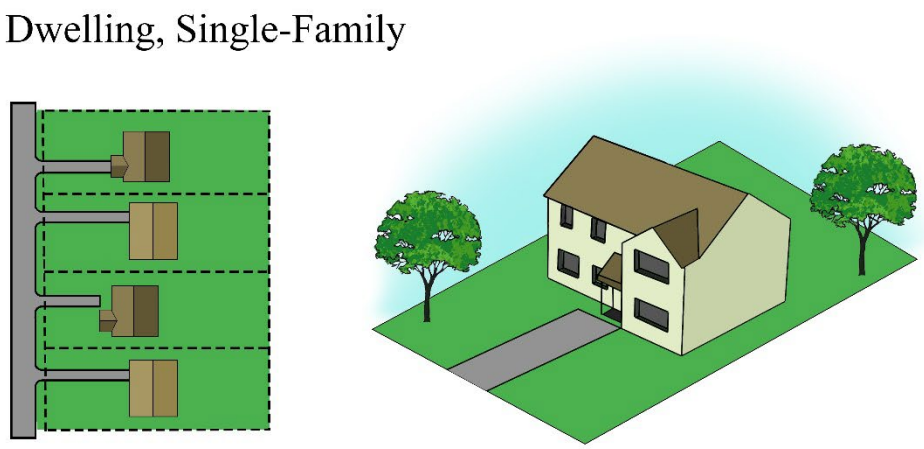
Any section or sections of Horry County, South Carolina, for which the regulations governing the use of land and the use and density, bulk, height, and coverage of buildings and other structures are uniform.

DWELLING UNIT.

A room or suite of two (2) or more rooms that is designed for and not occupied by more than one (1) family doing its own cooking therein and having only one (1) kitchen facility, located within a building.

DWELLING, SINGLE-FAMILY:

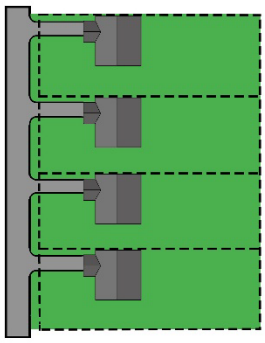
A building designed, constructed, and used for one (1) dwelling unit.

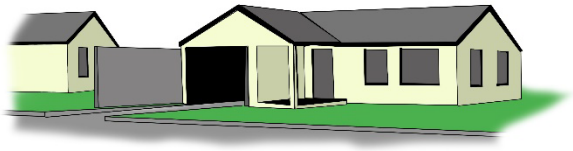


DWELLING, PATIO HOME:

A single-family dwelling on an individual lot with open yard setbacks usually on three (3) sides. These are a type of zero lot line dwellings.

Dwelling, Patio Home





DWELLING, DUPLEX:

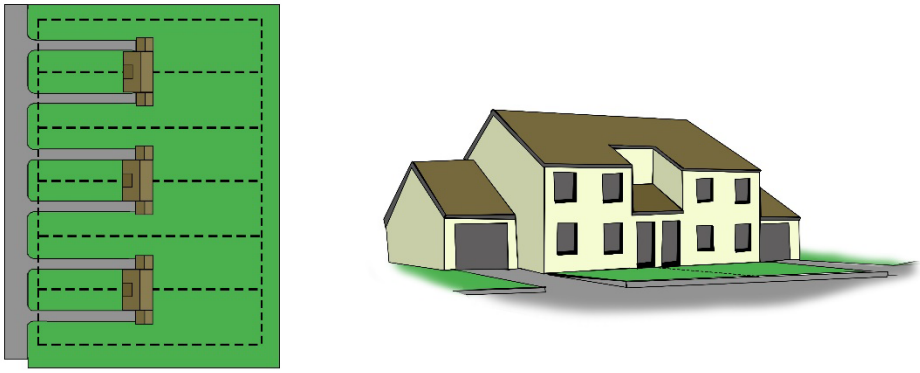
A building used for two (2) dwelling units that are connected by a common wall.

Dwelling, Duplex

DWELLING, SEMI-DETACHED:

A dwelling attached to one (1) other dwelling by a common vertical wall, and each dwelling located on an individual lot.

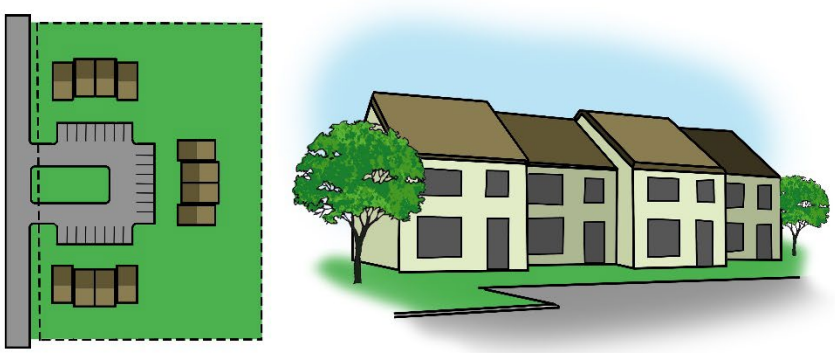
Dwelling, Semi-Detached



DWELLING, TOWNHOUSE:

A single-family dwelling in a row of at least three (3) and no more than eight (8) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, each unit is separated from any other unit by one (1) or more common fire-resistant walls, and each unit is serviced by separate utilities. These units may be subdivided on fee simple lots. Where units are subdivided, an easement shall be provided to allow utilities to cross parcel lines to provide service to attached units.

Dwelling, Townhouse

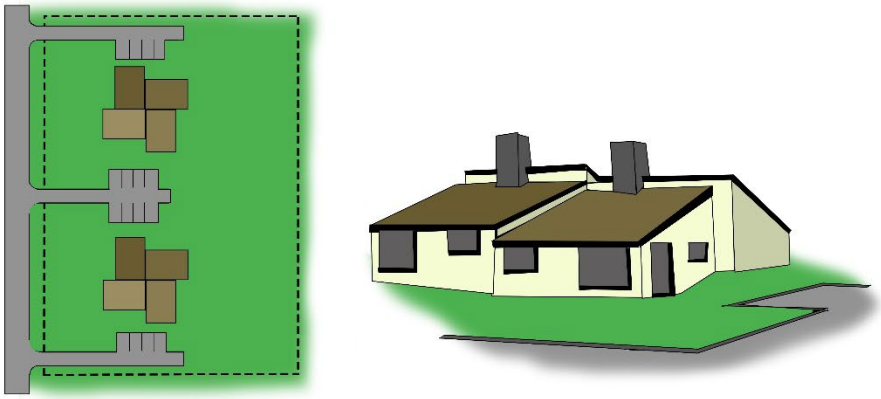


Dwelling, Fee Simple Townhouse

DWELLING, QUADRUPLEX:

A multiplex containing four (4) attached dwellings in one (1) structure. Each unit has two (2) open space exposures and shares one (1) or two (2) walls with adjoining unit(s).

Dwelling, Quadruplex



DWELLING, MULTI-FAMILY:

A building used for more than two (2) vertically stacked dwelling units, with each dwelling unit having a common wall with any other dwelling unit.

SECTION 1405 - E

EDUCATIONAL FACILITIES.

A public or private institution that provides educational instruction to students.

EDUCATIONAL FACILITIES, ELEMENTARY & SECONDARY.

A school offering instruction at the elementary, junior, and/or senior high school levels in the branches of learning and study required to be taught in the school.

EDUCATIONAL FACILITIES, POST-SECONDARY.

An institution other than a trade school that provides full-time or part-time education beyond high school.

EDUCATIONAL FACILITIES, SPECIALTY.

A school established to provide for the teaching of industrial, clerical, managerial, vocational or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum. This use includes dance, gymnastics and karate establishments

SECTION 1406 - F

FAMILY.

An individual, or two (2) or more persons related by blood, marriage, or adoption, living together as a single household unit, or a group of not more than five (5) persons not related by blood, marriage, or adoption, living together as a single household unit

FAMILY FUN PARK.

An event open to the public which includes rides, play areas and concessions. Said parks shall be limited to twelve (12) rides. The majority of rides shall be sized to accommodate children.

FIREARM TRAINING AND SPORTS FACILITIES.

Commercial or public facilities designed and specifically designated for training, safe shooting practice and competition with firearms, whether open to the public, open only to private membership, open to organization training such as law enforcement, or any combination thereof

FITNESS CENTERS AND HEALTH SPAS.

A heath, recreational, and social facility geared towards exercise, sports, and other physical wellness activities.

FLOOR AREA RATIO.

The gross floor area of all buildings on a lot divided by the lot area. Fraternity/sorority house.
Any building used as a dwelling occupied by and maintained exclusively or primarily for college, university, or professional school students who are affiliated with a social, honorary, or professional organization recognized currently or in the past by a college, university, or professional school; and used for congregational purpose by that organization.

FOOD VENDING.

MOBILE FOOD VENDOR:

Means any person selling food from a mobile unit.

MOBILE FOOD UNIT:

Means a self-contained, vehicle-mounted food service unit that returns daily to its base of operations as approved by DHEC and is used for either the preparation or the sale of food products, or both. This does not include mopeds.

FOOD TRAILER:

Means an enclosed attached or detached trailer that is equipped with facilities for preparing, cooking, and selling various types of food products.

FOOD TRUCK:

Means an enclosed motor vehicle equipped with facilities for preparing, cooking, and selling various types of food products.

ICE CREAM TRUCK:

Means motor vehicle containing a freezer and from which a vendor sells frozen prepackaged food products such as ice cream, frozen yogurt, frozen custard, flavored frozen water, etc. Sale of coffee and other non-alcoholic beverages are allowed so long as they meet DHEC exemption requirements.

MOBILE FOOD PUSHCART:

Means any portable vending device, pushcart or other wheeled vehicle or device which may be moved without the assistance of a motor and which is not required to be licensed and registered by the department of motor vehicles, used for the displaying, storing or transporting of articles offered for sale by a vendor, and which does not exceed four feet in width, six feet in length, and five feet in height, excluding canopy or cover.

PREPACKAGED FOOD TRUCK:

Means an enclosed motor vehicle equipped to sell various types of prepackaged food products.

SNOW CONE/ICE TRUCK:

Means motor vehicle containing a freezer and from which a vendor sells prepared frozen food products such as flavored ice, etc.

FUNERAL HOME, CREMATORY & MORTUARY.

A structure designed specifically for the purpose of conducting the ritual ceremonies held in connection with the burial of the dead.

CREMATORY/CREMATORIUM.

A facility containing a furnace which is designed and licensed for cremation of human or animal remains. Commonly an accessory use at a funeral chapel or mortuary.

MORTUARY.

A place where dead bodies are prepared or kept for identification prior to arrangement for burial.

SECTION 1407 - G

GAME MACHINES.

Machines of the payout type, or an in-line pin game, or a video game with free-play features operated by a slot wherein is deposited any coin or thing of value (except machines of the non-payout pin table type with levers or "flippers" operated by the player by which the course of the ball can be altered or changed).

GOLF, AMUSEMENT.

DRIVING RANGE.

An area on which golf players drive golf balls from a central driving tee, such area to include the driving tee and other incidental activities pertaining to this activity.

MINIATURE GOLF.

A novelty version of golf played with a putter and a golf ball on a miniature course, typically with artificial playing surfaces, and including obstacles such as bridges and tunnels.

GOLF COURSE.

A tract of land for playing golf and which may include accessory and subordinate uses such as clubhouses, snack bars, golf merchandise, sales and maintenance buildings. Par three and executive courses are included.

GAS STATION.

A lot, building or structure used for the retail sale of motorized vehicle fuels. A convenience store and automatic merchandising machines may be part of the retail operation.

GO-CARTS & BUMPER CARS.

A small car made to be driven around.

GROCERY STORE.

A retail store where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products and which are substantially larger and carry a broader range of merchandise than convenience stores.

GROUP HOUSING.

A group of two (2) or more one-family, two-family, or multiple dwellings occupying a lot in one (1) ownership and having common yards, parking, or other facilities.

PERMANENT OVERNIGHT RESIDENT GROUP CARE HOMES.

A facility or dwelling unit housing persons unrelated by blood or marriage and operating as a group family household. A Group Care Home may include half-way houses; recovery homes; and homes for orphans, foster children, the elderly, battered children and women. It could also include a specialized treatment facility providing less than primary health care.

GROUP FAMILY HOUSEHOLD.

A group of individuals not related by blood, marriage, adoption or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability.

SECTION 1408 - H

HARDWARE STORE.

A retail store where items such as plumbing, heating, electrical and lawn/garden supplies, sporting goods, paints, feed and grain, tools and household appliances are sold. Such use could include: Feed and Grain Stores, home improvement stores, with outdoor display and storage. This use does not include a Bulk Landscape Material Supplier.

HEALTH CARE FACILITY.

Any facility, place, or building maintained and operated to provide medical care.

EMERGENCY MEDICAL CENTERS, FREESTANDING

A facility that is structurally separate and distinct from a hospital and provides emergency care.

HOSPITAL.

A health care institution providing emergency, in-patient and/or out-patient treatment with specialized medical and nursing staff and medical equipment.

HELIPORT/HELIPAD.

Is an area of land, water, or structure, either at ground level or elevated on a structure, that is used for the landing and take-off of one (1) or more helicopters, which may or may not contain all or part of such auxiliary facilities as parking, waiting rooms, administrative offices, hangars, fueling, passenger loading, cargo loading, and maintenance areas.

HIGH BULK RETAIL.

Those retail establishments selling primarily one-stop items usually high bulk and very often more expensive items than those found in general retail establishments, including stores selling major household appliances, floor coverings and furniture. This use includes, but is not limited to, the following: Appliance store, carpet or flooring store, equipment store, home furniture, furnishing and equipment stores, lumber/ building material supply store, and pool sales.

HOME OCCUPATIONS.

A home occupation is a business conducted entirely within a residential dwelling and/or fully enclosed attached or detached structure that is an accessory use/structure to the residential dwelling. The business use must be owned and operated by the resident owner and/or occupant.

HORTICULTURE FARM.

The use of land for the growing or production for income of fruits, vegetables, flowers, nursery stock, including ornamental plants and trees, and cultured sod.

HOTEL/MOTEL/CONVENTION CENTER WITH LODGING.

An establishment providing, for a fee, sleeping accommodations and customary lodging services. Related ancillary uses may include but shall not be limited to conference and meeting rooms, restaurants, bars, and recreational facilities.

SECTION 1409 - I

IMPERVIOUS SURFACE RATIO.

This ratio is calculated by dividing the area of impervious surface by the gross site area.

IN-COMMON DEVELOPMENT.

A development where any mix of single-family houses, multifamily, duplexes, quadruplexes and townhomes are located on commonly owned property and ownership of the land is held collectively by all owners of the dwelling units and governed by a property regime.

INDOOR AMUSEMENT.

The provision of entertainment or games of skill to the general public for a fee where the activity takes place inside of a building, including, but not limited to: Billiard Hall, Bowling alley, Game Room, Aquarium (Indoor), Indoor shooting range, Indoor paintball range, Museum & Gallery, Skating rink, Video game arcade.

SECTION 1410 - J

JUNKYARDS.

See automotive wrecking, junk, and salvage yards.

SECTION 1411 - K

RESERVED

SECTION 1412 - L

LANDFILL.

A lot or part thereof used primarily for the disposal by abandonment, dumping, burial, burning, or other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or nontoxic waste material of any kind.

LANDSCAPE BUSINESSES

BULK LANDSCAPE MATERIAL SUPPLIER.

An establishment which engages in the sales of bulk landscape materials. Including, but not limited to: mulch, stone, gravel, straw, etc. Such establishments usually have outside displays and/ or outdoor storage.

LAWN/GARDEN NURSERIES

A retail establishment which engages in the handling of any article, substance or commodity related to the planting, maintenance or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other nursery goods and related products in small quantities to the consumer.

LAUNDRY FACILITY, RETAIL.

A facility to wash, dry, or dry clean clothing in machines that are self-operated by customers on the premises.

DRY CLEANERS STORE.

A facility to launder or dry clean articles dropped off on the premises directly by the customer or where articles are dropped off, sorted, and picked up but where laundering or cleaning is done elsewhere

LINEN SUPPLY AND INDUSTRIAL LAUNDERER.

A facility or establishment that supplies and/or launders linen of commercial businesses including but not limited to restaurants, hotels, and hospitals.

LIVESTOCK/AGRICULTURAL AUCTION FACILITY.

A place of business where the public may consign livestock or agriculture for sale by auction.

LOADING SPACE.

A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of a vehicle.

LOT.

A parcel of land which fronts on a street and which is occupied or intended to be occupied by a building or use with customary accessories and open space.

LOT AREA:

The total surface area of land included within the lot lines.

LOT COVERAGE, BUILDING:

The horizontal area measured within the perimeter of the exterior walls of the floor most protruding toward the property lines of all principal and accessory buildings on a lot. This does not include covered patios or decks

LOT DEPTH:

The average distance from the street line of the lot to its rear line, measured in the direction of the side lines of the lot.

LOT LINES:

The boundary dividing a given lot from the street, a shared private driveway easement, an alley or adjacent lots.

LOT WIDTH:

The width of a lot at the Front building setback line measured at right angles to its depth.

LOT OF RECORD:

A lot, the boundaries of which are filed as a legal record.

LOT FRONTAGE:

The distance for which the boundary lines of the lot and the street right-of-way or shared private driveway easement are coincident.

LP GAS DEALER.

The retail sale of liquefied petroleum gas tanks less than 1000 gallons.

SECTION 1413 - M

MANUFACTURED HOME OR MOBILE HOME.

A structure, transportable in one (1) or more sections, which, in the travel mode, is eight (8) body feet or more in width, or forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary (of HUD) and complies with the standards established under Title 31 of the Code of Laws of South Carolina, 1976, as amended.

MANUFACTURED HOME PARK.

Any plot of ground upon which five (5) or more manufactured home dwelling units are located or intended to be located (does not include sites for unoccupied manufactured homes which are on display for sales.)

MANUFACTURING, HEAVY

The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the manufacturing of products, and the blending of materials. Unlike other manufacturing this use involves extensive manufacturing, processing, or assembly operations which may produce injurious or obnoxious noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, or other objectionable conditions. This use includes, but is not limited to, the following**:** Rubber and rubber product manufacturer, textile mill/ textile manufacturer, Chemical and allied product manufacturer. This use does not include asphalt and concrete batch plant.

MANUFACTURING, LIGHT

The production of small goods that will be sold to the people who use them rather than to another manufacturer. This use includes but is not limited to the following: Apparel & other finished product manufacturer, fabricated metal products (except machinery & transportation equipment), food/ beverage manufacturing and processing.

MANUFACTURING, MEDIUM

The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the manufacturing of products, and the blending of materials. This use includes, but is not limited to, the following: industrial & commercial machinery manufacturer, paper & allied product manufacturer, stone, clay & glass manufacturer (does not include extraction operations), transportation & transportation equipment manufacturer.

MANUFACTURING OF PRECISION INSTRUMENTS.

The use of machine tools produce precision metal parts or electronic components. Although they may produce large quantities of one part, precision machinists often produce small batches or one – of – a – kind items.

MEDICAL OFFICES / CLINICS.

An office or clinic for the private practice of health care professionals licensed by the State of South Carolina. The majority of patient encounters in the office or clinic involve examination, diagnosis, or treatment. This definition excludes any facilities that have been more specifically defined in this Ordinance. This use includes, but is not limited to, the following: blood bank, donor center and plasmapheresis center, dialysis center, medical & dental office/clinic/lab (except Outpatient treatment clinic for alcoholism and drug addiction), outpatient treatment surgery facility.

MINING.

An area of land upon which operations to extract valuable mineral deposits or other materials typically, but not limited to, clay or sand—have been conducted, are being conducted, or are planned to be conducted.

MINI-WAREHOUSE.

A building or group of buildings consisting of at least four (4) individual, self-contained units leased to individuals, organizations or businesses for self-service storage of personal property. These units are not designed to be occupied for individual business needs. Outside storage is an accessory use, unless otherwise restricted by this ordinance. .

MIXED INDUSTRIAL USE.

Multiple industrial, retail, commercial and service uses and/ or buildings on a single parcel of land. All uses must be either permitted or conditional within the district.

MODULAR UNIT.

A building including the necessary electrical, plumbing, heating, ventilating, and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building and not designed for ready removal to another site. This term is not to be limited to residential dwellings. All modular building units must meet all provisions of Title 23, S.C. Code of 1976, as amended, and be certified by the South Carolina Building Codes Council.

MOTION PICTURE AND ALLIED PRODUCTIONS.

Production facility, multimedia: Land, buildings, or structures used as a media production facility. Typically structures involved with the production of motion pictures, radio and television shows or

movies, recording or broadcasting facilities, and other motion picture production and distribution services offices.

MOTOR FREIGHT TRANSPORTATION AND WAREHOUSING.

Facilities characterized by extensive warehousing, frequent heavy trucking activity, outdoor storage of material, or nuisances such as dust, noise, and odors, but not involving manufacturing or production.

MULTIPLE DWELLING UNITS ON ONE PARCEL.

A parcel of land which allows more than one dwelling unit on the property if all applicable conditions are met. This use does not include an accessory dwelling unit.

SECTION 1414 - N

NET AREA.

Gross parcel area minus public dedications—streets, etc.

NON-COMMERCIAL PERSONAL USE BUILDING.

An owner-occupied structure permitted on a vacant parcel of land for personal use purposes only. This use may include kitchen facilities.

NONCONFORMING USE.

Any structure or land lawfully occupied by a use that does not conform, upon and after the effective date of this ordinance to the regulations of the district in which it is located.

NON-PROFIT AND/OR RELIGIOUS SPIRITUAL CENTERS AND/OR RETREATS.

Premises and facilities used occasionally or periodically for the accommodation of members of groups or associations for outdoor recreational activities.

SECTION 1415 - O

OFFICES.

Administrative, executive, professional, research or similar organizations, and laboratories having only limited contact with public, provided that no merchandise or merchandising services are sold on the premises, except such that are incidental or accessory. This use includes, but is not limited to, the following: administrative, business, general purpose, professional, research/ development businesses, centers and facilities. This does not include medical offices/clinics.

OUTDOOR AMUSEMENT

The provision of entertainment or games of skill to the general public for a fee where the activity takes place outside of a building, this use includes, but is not limited to: Amphitheater & Drive-in theater,

Aquarium (Outdoor), Theater/auditorium with animals entertainment & outside grazing, waterpark, water-related show & commercial pool.

OUTDOOR DISPLAY

An outdoor arrangement of objects, items, products, or other materials, typically not in a fixed position and capable of rearrangement, designed and used for the purpose of advertising or identifying a business, product, or service.

OUTDOOR SALES

Land used for the purpose of selling and/or rental of new, or used materials or equipment.

OUTDOOR STORAGE

. Land used for the storage of new, or used materials or equipment that does not require a structure on-site.

OUTPATIENT TREATMENT CLINIC FOR ALCOHOLISM AND DRUG ADDICTION.

An establishment primarily engaged in outpatient care of a specialized nature, to wit, the treatment of alcoholism and drug addiction, with permanent facilities and with medical staff to provide diagnosis, treatment, or both for patients who are ambulatory and do not require inpatient care.

SECTION 1416 - P

PAINTBALL FACILITY.

An indoor or outdoor facility where people engage in the recreational activity of shooting paintball guns.

PARKS.

A noncommercial, not-for profit facility designed to serve the recreation needs of the residents of the community. Such facilities include subdivision recreation facilities (neighborhood parks), and community parks. Such facilities shall be limited to, school and religious institution ballfields, football fields, and soccer fields, if they meet the above definition. Commercial amusement and sports facilities shall not be considered parks. Parks are allowed in all zoning districts.

PERVIOUS SURFACE.

Any material which permits full or partial absorption of storm water into previously unimproved land.

PETROLEUM & PETROLEUM PRODUCTS (WHOLESALE DISTRIBUTION).

The wholesale and distribution of petroleum and petroleum products.

PRODUCE STANDS.

A stand, shelter or vehicle used for the retail sale of seasonal agricultural produce and products (i.e. honey), local shellfish, and ice.

PUBLIC USES.

Public parks, schools, administrative, cultural and service buildings or uses

PUBLIC UTILITIES.

Includes every corporation and person delivering natural gas distributed or transported by pipe, and every corporation and person furnishing or supplying in any manner heat (other than by means of electricity), water, sewerage collection, sewerage disposal, and street railway service, or any of them, to the public, or any portion thereof, for compensation; provided, however, that a corporation or person furnishing, supplying, marketing, and/or selling natural gas at the retail level for use as a fuel in self-propelled vehicles is not a public utility by virtue of the furnishing, supplying, marketing, and/or selling of natural gas and a corporation or person whose only purpose is the furnishing, supplying, marketing, and/or selling of treated effluent for irrigation purposes is not a public utility by virtue of the furnishing, supplying, marketing, and/or selling of treated effluent if the effluent is not permitted for consumption by a regulatory agency. SC Code § 58-5-10

ELECTRICAL UTILITY.

Includes municipalities to the extent of their business, property, rates, transactions, and operations without the corporate limits of the municipality, persons and corporations, their lessees, assignees, trustees, receivers, or other successors in interest owning or operating in this State equipment or facilities for generating, transmitting, delivering, or furnishing electricity for street, railway, or other public uses or for the production of light, heat, or power to or for the public for compensation; but it shall not include an electric cooperative or a consolidated political subdivision and shall not include a person, corporation, or municipality furnishing electricity only to himself or itself, their residents, employees, or tenants when such current is not resold or used by others. SC Code§ 58-27-10

EQUIPMENT COMPOUND.

The fenced area designated for principal equipment and all associated structures necessary for the safe operation of a utility.

FENCE

An eighty (80) percent or greater opaque fence or wall measuring at least six (6) feet in height.

PUBLIC OR ANY PORTION THEREOF.

Means the public generally, or any limited portion of the public, including a person, private corporation, municipality, or any political subdivision of the State for which the service is performed or to which the commodity is delivered and whenever such corporation or person performs a service or delivers a commodity to the public, or any portion thereof, for which compensation is required such corporation or person is hereby declared to be a public utility subject to the jurisdiction and regulation of the Public Service Commission, the Office of

Regulatory Staff, and SC Code § 58-5 Articles 1, 3, and 5 to the extent of its activities within the State. SC Code § 58-5-10

TELEPHONE UTILITY.

Includes persons and corporations, their lessees, assignees, trustees, receivers or other successors in interest owning or operating in this State equipment or facilities for the transmission of intelligence by telephone for hire, including all things incident thereto and related to the operation of telephones. SC Code § 58-9-10

PLANNED UNIT DEVELOPMENT (PUD).

An area of a minimum contiguous size, as specified by this ordinance, to be planned and developed as a single entity containing one (1) or more residential clusters or planned unit residential developments, and one (1) or more public, quasi-public, commercial or industrial areas.

PLANNED DEVELOPMENT DISTRICT (PDD).

A development project comprised of housing of different types and densities and of compatible commercial uses, or shopping centers, office parks, and mixed-use developments. A planned development district is established by rezoning prior to development and is characterized by a unified site design for a mixed use development.

SECTION 1417 - Q

RESERVED

SECTION 1418 - R

RACING MOTOR SPORTS.

A facility consisting of a paved roadway used primarily for the sport of automobile racing. A racetrack may include seating, concession areas, suites, and parking facilities.

RADIO/TV BROADCASTING

Broadcasting studio: An establishment containing one or more studies for over-the-air cable or satellite delivery of radio or television programs, or studios for the audio or video recording or filming of musical performances, radio or television programs or motion pictures

RAILROAD DEPOT.

A terminal where trains load or unload passengers or goods.

RECREATIONAL EQUIPMENT.

Shall mean one of the following:

CAMPING TRAILER.

A vehicular, portable unit mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle, and unfolded at the site to provide temporary living quarters for recreational, camping or travel use.

TRUCK CAMPER.

A truck equipped with a portable unit, designed to be loaded onto, or affixed to, the bed or chassis of the truck and constructed to provide temporary living quarters for recreational, camping or travel use.

MOTOR HOME.

A vehicular unit which is:

A. Built on a single chassis;
B. Four hundred (400) square feet or less when measured at the largest horizontal projection;
C. Designed to be self-propelled or permanently towable by a light-duty truck; and
D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

OFF-ROAD VEHICLE.

A motorized vehicle designed and intended solely for recreational activities and not as a means of transportation on public streets.

PARK MODEL

A unique trailer-type RV that is designed to provide temporary accommodation for recreation, camping or seasonal use

TRAVEL TRAILER, INCLUDING FIFTH-WHEEL TRAVEL TRAILER.

A vehicular, portable unit mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle. It is primarily designed and constructed to provide temporary living quarters for recreational, camping or travel use. It has a body width of no more than eight and one-half (8½) feet and an overall body length of no more than forty (40) feet when factory-equipped for the road.

RECYCLING FACILITIES.

A building or an area where the primary activity is the separation of materials prior to shipment for remanufacture into new materials. This shall not include junkyards or wrecking yards.

REPAIR SERVICES.

Establishments primarily engaged in the provision of repair services to individuals and households, rather than businesses, but excluding automotive and equipment repair use types. Such use includes, but is not limited to: bicycle repair and sales shops, repair shops for household, personal and professional goods, computer repair and sales shops, appliance, radio, television repair shops, shoe repair shops, light mechanical repair stores – watch, camera, bicycle, TV, gun, repair shops for business machines, clocks/watches, computers, furniture refinishing/ upholstering, household equipment, jewelry, radio/televisions, refrigeration/air conditioning systems, and shoes.

RESTAURANT.

A commercial enterprise whose primary function is the preparation and serving of foods. Outdoor cafes and delicatessens are to be considered as restaurants. A restaurant can also be considered a bar when alcoholic beverages are served to be consumed on-premises and such establishment has an alcoholic beverage license to sell beer, wine or liquor.

BAR

A building, room or place that serves alcoholic beverages for consumption on-premises. Such establishment must possess a South Carolina Alcoholic Beverage License to sell beer, wine or liquor.

RETAIL.

The selling of goods, wares, or merchandise directly to the ultimate consumer. All retail sales must be conducted within an approved permanent building. This uses includes, but is not limited to, the following: ABC and liquor stores, antique store, apparel/clothing/accessory store, auto parts/accessory store (no salvage), art supply store, bakery (baked and sold on-site), blue print/ copy store, book, magazine, newspaper store, camera/photographic supply store, department store, drug and proprietary store, farmer's market, florist, general retail business, variety store, gift shop, locksmith/ gunsmith store, misc. food store (not to include grocery stores), medical equipment leasing, music/ video store, optical store, pet shop/ supply store (No outside boarding), seafood shop or market, sewing and piece goods store, sporting goods store, used merchandise store, convenience store (without gas) and direct selling business.

RIGHT-OF-WAY.

Land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose. Except for existing county roads located on prescriptive easements, rights-of-way as defined herein are characterized by fee-simple ownership. For roads maintained by the county without fee simple ownership, the right-of-way shall be measured from the point of the ditch farthest from the centerline of the road.

ROAD OR ROADWAY.

The actual road surface including necessary road shoulders and drainage facilities, including ditches and curbs, which is utilized to transport motor vehicles.

RURAL TOURISM

Tourism activities in rural areas that simultaneously preserve open space and farm land.

SECTION 1419 - S

SCHOOLS, PRIVATE.

A school supported by a private organization or private individuals rather than by the government. Including private elementary, secondary and post-secondary schools, and specialty schools. See Educational Facilities for definitions.

SCHOOLS, PUBLIC

A school supported by public funds. Including elementary, secondary, and post-secondary schools, and specialty schools. See Educational Facilities for definitions.

SCIENTIFIC RESEARCH & TESTING FACILITY.

A place, laboratory, institution, medical care facility, government facility, or public or private educational institution in which a scientific test, experiment, or investigation is conducted, or attempted.

SCRAP METAL PROCESSOR.

Any person maintaining an establishment having facilities for processing iron, steel, or non-ferrous scrap and whose principal product is scrap iron and steel or non-ferrous scrap for sale for re-melting.

SELF-STORAGE FACILITY.

A building or group of buildings consisting of at least four (4) individual, self-contained units leased to individuals, organizations or businesses for self-service storage of personal property. These units are not designed to be occupied for individual business needs. Outside storage is an accessory use, unless otherwise restricted by this ordinance.

SPORTS FACILITY.

A facility which is typically used to host sporting events and tournaments for a profit. These facilities may include structures with tiers of seats rising around a field or court, intended to be used primarily for the viewing of athletic events, concession stands and other auxiliary structures.

STREET.

Any public or private way set aside for vehicular travel. The word "street" shall include the words “alley”, "road", "roadway", "highway", “commercial access easements” and "thoroughfare.” Street types are defined per the Horry County Land Development Regulations.

STRUCTURE.

A combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

SECTION 1420 - T

TATTOO PARLOR.

Any room or space where indelibly marking or coloring the skin by subcutaneous introduction of nontoxic dyes or pigments is performed for compensation.

TAXI, LIMOUSINE AND GROUND TRANSPORTATION VEHICLES

Carrying or transporting passengers for a fee in motor vehicles driven or operated by an employee.

TELECOMMUNICATION TOWER.

Shall mean any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas, including self-supporting lattice towers, guy towers or monopole towers. The term includes radio and television transmission towers, personal communications service towers (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. This definition does not include any structure erected solely for a residential, non-commercial individual use, such as television antennas, satellite dishes or amateur radio antennas.

TELECOMMUNICATIONS FACILITIES.

Antennae and towers, either individually or together.

ANTENNA.

A device, dish, or array used for the sending and/or receiving of electromagnetic waves for telephonic, radio, television or personal wireless services.

BREAK POINT.

The location of a communication tower where a failure of the communication tower would result in the tower falling entirely within the boundaries of the property on which it is located.

CO-LOCATION.

The practice of installing and operating multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility using different and separate antenna, feed lines and radio frequency generating equipment.

FREESTANDING TELECOMMUNICATION TOWERS.

Structures including lattice, monopoles and guyed and all other towers that are not attached as part of a building or structure.

GUYED TOWER.

A communication tower that is supported, in whole or in part, by guy wires and ground anchors.

HEIGHT OF A COMMUNICATION TOWER.

The distance from the base of the communication tower, at grade level, to the top of the communication tower.

LATTICE TOWER.

A wireless communication support structure which consists of metal crossed strips or bars to support antennas and related equipment.

CONCEALED MONOPOLE.

A communication tower consisting of a single pole, constructed without guy wires and ground anchors. All antennas must be internally concealed within the tower and all associated support facilities and equipment shelters or cabinet must be concealed from public view or made compatible with the architecture of the surrounding structures or placed underground.

STANDARD MONOPOLE.

A communication tower consisting of a single pole, constructed without guy wires and ground anchors. Antennas and associated support facilities are not concealed from public view.

SELF-SUPPORT TOWER.

A communication tower that is not constructed with guy wires and ground anchors.

STEALTH TOWER.

A communication tower designed and installed in such a manner that the antennas, supporting apparatus and associated structures are aesthetically and architecturally similar to the structure on which it is attached or to the immediate environment in which it is located. Examples include, but are not limited to, antennas in church steeples, flagpoles, light poles, water towers and bell towers.

TEMPORARY USE OR SPECIAL EVENTS

As defined by § 13-34 of the general code.

THERAPEUTIC MASSAGE.

Any building, room, place, or establishment other than a regularly licensed and established hospital where nonmedical or nonsurgical manipulative exercises or devices are practiced upon the human body manually or otherwise by any person other than a licensed physician, surgeon, dentist, occupational or physical therapist, chiropractor, or osteopath with or without the use of therapeutic, electrical, or mechanical devices.

TINY HOME.

Tiny homes are single family dwelling units that have a maximum size of seven hundred fifty (750) sf. They must be on a permanent foundation and are not attached to a chassis. They cannot be manufactured homes as defined by HUD or a recreational vehicle (park model) as defined by National Fire Protection Association (NFPA) and American National Standards Institute (ANSI).

TOTAL FLOOR AREA.

The area of all floors of a building included finished attic, finished basement, and covered porches. In nonresidential structures, unfinished attic space used for storage will not be included in total floor area calculations. Whenever such space is converted to business or office use, it shall be included in the structure's total floor area.

TRADESHOP.

Shops of all kinds, including cabinet, carpentry, electrical, plumbing, heating and air conditioning, welding, sheet metal and machine shops, trophy and extermination shops, furniture refinishing and reupholstering, building cleaning and maintenance service, carpet/ upholstery cleaning service; contractors office. Does not include retail sales or warehouse /distribution facilities.

TRANSPORTATION/TRUCK TERMINAL FACILITY.

A facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck.

SECTION 1421 - U

USE.

The purpose or activity for which a piece of land or its buildings is designed, arranged, or intended, or for which it is occupied or maintained.

PRINCIPAL USE:

The primary purpose for which a lot is occupied and/or used.

ACCESSORY USE:

A use customarily incidental, appropriate, and subordinate to the principal use of land and located on the same lot therewith.

SECTION 1422 - V

VALUE-ADDED PRODUCT PROCESSING.

Value-added agricultural product means the enhancement or improvement of the overall value of an agricultural commodity to a higher value. The enhancement or improvement includes, but is not limited to, marketing, agricultural processing, transforming packaging, and educational presentation activities and tours that relate to agriculture or agricultural products.

VARIANCE.

A modification of the strict terms of this ordinance granted by the Zoning Board of Appeals.

VEHICLE & EQUIPMENT REPAIRS

Repair of construction equipment, agricultural implements and similar heavy equipment, including automobiles, where major engine and transmission repairs are conducted. Typical uses include automobile and truck repair garages, transmission shops, radiator shops and other similar uses.

VEHICLE, EQUIPMENT AND MANUFACTURED HOME SALES / RENTAL

Premises on which new or used passenger automobiles, trailers, manufactured homes, or equipment in operating condition are displayed in the open for sale or rental.

SECTION 1423 - W

WATER TRANSPORTATION, EXCEPT CASINO BOATS.

A boat, ferry, barge, or similar structure carrying or transporting passengers for a fee.

WAREHOUSE

A commercial use engaged in storage of manufactured products, supplies, overstock and/or equipment. This use does not include manufacturing or wholesale and distribution.

WETLANDS.

As defined by the Army Corps of Engineers.

WILDLIFE REFUGE.

An area maintained in a natural state for the preservation of both animal and plant life.

WHOLESALE & DISTRIBUTION

An establishment where goods are received and/ or stored to be redistributed to retailers, to wholesalers, or directly to consumers. Such a use may include the retail sale of products by television, tele-marketing, catalog, internet and mail order.

SECTION 1424 - X

RESERVED

SECTION 1425 - Y

YARD.

An open space on the same lot with the principal building, open, unoccupied, and unobstructed by buildings.

FRONT YARD.

The area extending across the entire width of the lot between the front line and the nearest part of the principal building.

SIDE YARD.

The area extending along the side lot line from the front yard to the rear lot line and lying between the side lot line and the required setback line.

REAR YARD.

The yard extending across the rear of the lot between the rear property line and the nearest part of the principal structure (excluding side yards).

SECTION 1426 - Z

ZERO LOT LINE.

The location of a building on a lot in such manner that one or more of the building's sides rest directly on a lot line.

ZOO.

Any establishment at which an exhibit of animals is featured for the purpose of amusement and entertainment, and at which the public pays an admission fee.