



CITY OF FOLLY BEACH

1st Reading:
2nd Reading:

Introduced by: Mayor Goodwin
Date: January 8th, 2019

ORDINANCE 02-19

AN ORDINANCE AMENDING CHAPTER 163 (ZONING DISTRICTS) OF THE FOLLY BEACH CODE OF ORDINANCES, SECTION 163.02-024 (RESIDENTIAL DISTRICTS) AND CHAPTER 165 (DIMENSIONAL STANDARDS), SECTION 165.01-02 (DIMENSIONAL STANDARDS IN THE ZONING DISTRICTS) BY CREATING A NEW RESIDENTIAL ZONING DISTRICT KNOWN AS MARSH ISLAND RESIDENTIAL AND ESTABLISHING DIMENSIONAL STANDARDS FOR THIS DISTRICT.

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that the Folly Beach Code of Ordinance be amended as follows:

NOTE: Deleted material struck through, new material in red:

SECTION 163.02-02 RESIDENTIAL DISTRICTS AND SPECIFIC PURPOSES.

(A) *Single-Family Residential (RSF)*. The RSF District is established as a district in which the principal use of land is single-family detached residential development at moderate densities. The regulations of this district are intended to prohibit any use that substantially interferes with the development of single-family detached dwellings and that is detrimental to the quiet residential nature of the district. Complementary uses customarily found in residential zoning districts, such as community centers, religious institutions under 3,500 square feet in area, private docks, parks, and playgrounds are permitted. Short term rentals are allowed subject to the requirements of Chapter 117 of the city code of ordinances. Accessory dwelling units are not permitted. The minimum lot area for development is 10,500 square feet and the maximum density allowed is four dwelling units per acre. Maximum lot coverage in the district is 35% of a lots high ground area.

(B) *Two-Family Residential (RTF)*. The RTF District is established as a district in which the principal use of land is single-family detached and two-family residential development at moderate densities. The regulations of this district are intended to prohibit any use that interferes with the quiet residential nature of the district. Complementary uses customarily found in residential zoning districts, including religious institutions under 3,500 square feet in area, civic institutions less than 5,000 square feet in area, community centers, private docks, parks, and playgrounds are permitted. Short term rentals are allowed subject to the requirements of Chapter 117 of the city code of ordinances. Accessory dwelling units are not permitted. The minimum lot area for development is 10,500 square feet and the maximum density allowed is eight units per acre. Duplex dwellings located upon a single lot may be detached structures. Detached units may be located on individual lots, provided the newly created lots extend no more than five feet from the building envelope. Maximum lot coverage in the district is 35% of a lots high ground area.

(C) *Multi-Family Residential (RMF)*. The RMF district is established and intended to encourage a wide range of medium and high density housing types, especially multiple family development, although single-family dwellings and two-family dwellings are also allowed. In addition to the range of complementary uses typically found in residential zoning districts, limited neighborhood-serving nonresidential uses (e.g., day cares, parking lots, and Type I retail uses) are permitted as special exception uses (See Table 164.01, Table of Allowed Uses), but accessory dwelling units are prohibited. Short term rentals are allowed subject to the requirements of Chapter 117 of the city code of ordinances. The minimum lot area for all permitted uses (except townhouses) is 10,500 square feet. Duplex dwellings and multi-family units located upon a single lot may be detached structures. Detached units may be located on individual lots, provided the newly created lots extend no more than five feet from the exterior walls of the proposed structure and the development includes the minimum open space set-aside required in 166.03, Open Space Standards. Multi-family development shall include at least 3,500 square feet of lot area per dwelling unit, but in no instance shall multi-family development exceed 12 units per acre. Maximum lot coverage in the district is 35% of a sites total high ground.

(D) *Marsh Island Residential (MR)*. The MR District is established as a district in which the principal use of land is single-family detached residential development with minimal impact on sensitive landscapes. The regulations of this district are intended to prohibit any use that substantially interferes with the development of single-family detached dwellings and that is detrimental to the quiet residential, scenic, and environmentally sensitive nature and of the district. Complementary uses customarily found in residential zoning districts such private recreational docks and accessory structures. Short term rentals are prohibited. Accessory dwelling units are not permitted. The minimum lot area for development is 14,500 square feet and the maximum density allowed is three dwelling units per acre. Maximum lot coverage in the district is 30% of a lot's high ground area.

SECTION 165.01-02 DIMENSIONAL STANDARDS IN THE ZONING DISTRICTS.

Unless otherwise specified, all principal and accessory structures in the zoning districts are subject to the dimensional standards set forth in Table 165.01, Dimensional Standards.

TABLE 165.01: DIMENSIONAL STANDARDS (1)								
ZONING DISTRICT/USE	LOT AREA				SETBACKS (2)			MAX. HEIGHT
	Density (DU/Sq. Ft.)	Max. Lot Coverage	Min. Lot Area (Sq. Ft.)	Min. Lot Width (Ft)	Front (Ft)	Each Side (Ft)	Rear (Ft)	
RESIDENTIAL SINGLE-FAMILY (RSF)								

All uses	1/10,500	35% of high ground	10,500 per dwelling	70	10	14.3% of lot width (8)	10	35' above BFE
RESIDENTIAL TWO-FAMILY (RTF)								
All uses	1/5,250 (up to 4 per acre max.)	35% of high ground	5,250 per dwelling	70	10	14.3% of lot width (8)	10	35' above BFE
RESIDENTIAL MULTI-FAMILY (RMF)								
All uses	1/3,500 (up to 12 per acre max.)	35% of high ground	3,500 per multi-family dwelling unit	70	10	5	10	24' above BFE (4)
MARSH ISLAND RESIDENTIAL (MR)								
All uses	1/14,500	30% of high ground	14,500	70	25	15	25	35' above BFE (4)

SECTION 166.04-03 MARSH BUFFERS.

(A) *Applicability.* Unless exempted in accordance with 166.04-03(6), Marsh Buffer Exemptions, all development in the city shall provide and maintain marsh buffers in accordance with the standards in this section.

(B) *Exemptions.* The following forms of development shall be exempt ~~form~~ **from** these standards:

(1) Boardwalks, piers, docks, marinas, boat ramps, erosion control devices, utilities, and sidewalks, provided such features are configured to minimize the impact on marsh areas;

(2) Mariculture uses and uses in the MC district; and

(3) Lawfully-established development or impervious surfaces in place prior to March 23, 2010. However, any subsequent development, redevelopment, or land disturbing activities shall comply with the standards in this subsection to the maximum extent practicable.

(C) *Marsh buffer standards.* Except for development identified in 166.04-03(B), Exemptions, all impervious surfaces shall maintain a minimum marsh buffer of ten linear feet landward from the critical area demarcation as identified or certified by the Office of Ocean and Coastal Resources Management (OCRM). **In the Marsh Island Residential District the setback shall be 35' from the OCRM critical line.**

(Ord. 05-10, passed 3-23-10)

ADOPTED this __ day of _____, 2019, at Folly Beach, South Carolina.

Ayes: _____

Nays: _____

Abstains: _____

Municipal Clerk

Tim Goodwin, Mayor