



CITY OF FOLLY BEACH

1st Reading:
2nd Reading:

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

ORDINANCE 03-19

AN ORDINANCE AMENDING CHAPTER 165 (DIMENSIONAL STANDARDS) OF THE FOLLY BEACH CODE OF ORDINANCES, SECTION 165.02 (MEASUREMENTS AND EXCEPTIONS) BY CHANGING THE MAXIMUM HEIGHT LIMIT TO 35 FEET ABOVE THE BFE ON THE DATE OF ISSUANCE FOR A PERMIT TO CONSTRUCT OR SUBSTANTIALLY IMPROVE A RESIDENTIAL OR COMMERCIAL STRUCTURE.

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:

§ 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)
DOWNTOWN COMMERCIAL (DC)								
Single- and two- family uses	1/10,500 (up to 4 per acre max.)	50% of high ground (3)	10,500	35	None required (5)	None required except when abutting RSF, RTF or RMF; then greater of ½ structure height or 15 feet	10	35' above BFE (4)
Multi- family uses	1/3,500 (up to 12 per acre max.)		3,500 per multi- family dwelling unit					
Outdoor retailers			2,625 per outdoor retailer					
All other uses	N/A		5,250					40' above BFE
ISLAND COMMERCIAL (IC)								
Single- and two- family uses	1/10,500 (up to 4 per acre max.)	35% (3)	10,500	70	10	5	10	35' above BFE
			3,500 per unit					
All other uses	N/A		5,250					None

								RMF; then greater of ½ structure height or 15 feet
MARINE COMMERCIAL (MC)								
Single- and two- family uses	1/10,500 (up to 4 per acre max.)	35% (3)	10,500	35	10	5	10	35' above BFE
All other uses	N/A	None	(6)					35' above BFE
CORRIDOR COMMERCIAL (CC)								
Single- and two- family uses	1/10,500 (up to 4 per acre max.)	35% (3)	10,500	50	10	5	10	24' above BFE
Multi- family uses	12		3,500 per unit					
All other uses	N/A	35% (3)	5,250	50	None	None required except when abutting RSF, RTF, or RMF; then greater of ½ structure height or 15 feet		35' above BFE (4)
CONSERVATION (CN)								
All uses (7)	N/A	5%	10,500	20	10	10	25	Lesser of one story or 20' above BFE
PLANNED DEVELOPMENT (PD)								
See § 163.05								
NOTES:								

Uses may also be subject to district-specific standards ([Chapter 163](#)), use-specific standards ([Chapter 164](#)), or design standards ([Chapter 166](#)) that further limit these standards.

Required setbacks may be increased in accordance with the standards in § [166.04-03](#), Marsh Buffers, and § [166.04-04](#), Beach and Dune Buffers (if applicable).

Single- and two-family structures are subject to maximum floor area ratio limitations in § [166.05-03](#), Single-and Two-Family Design Standards (as appropriate).

Multi-family uses are limited to a maximum of two stories (measured from BFE).

New development fronting Center Street shall be built to the edge of the street right-of-way, to the maximum extent practicable.

There is no minimum lot size except where required by DHEC for on-site wastewater facilities.

There shall also be a setback of 25 feet from the OCRM critical line in the CN district.

Setbacks in the RSF and RTF zones shall be a minimum of five and a maximum of ten feet. Eaves may extend into the required setback up to 18". HVAC platforms may extend into the required setback up to 5' on side of the structure, but cannot be located on both sides.

SECTION 165.02-03 HEIGHT.

(A) Definition/measurement.

(1) *Base flood elevation (BFE).* The water surface elevation (as depicted on the Flood Rate Insurance Map) corresponding to a level of flooding having a 1% probability of being equaled or exceeded in a given year.

(2) *Building height.* Height of building means the vertical distance measured from the established grade or base flood elevation (as appropriate) at the corner of a front of a building to the highest point of the roof.

(3) *Established grade.* Established grade is the finished grade following grading, excavation, or other land-disturbing activity.

(4) *Freeboard.* The amount of space between the top of the base flood elevation (as determined by the Flood Insurance Rate Map) and the lowest portion of a structure that is intended to accommodate heated floor area or habitable area.

(5) *Time of determination.* The maximum height allowable for any new or substantially improved residential or commercial building shall be determined by Base Flood Elevation in effect on the date of issuance of a permit to construct or substantially improve the structure.

(5) *Exclusions from height limitations.* The height limitations included in Table 165.01, Dimensional Standards, do not apply to spires, ventilators, and chimneys; however, the heights of these structures or appurtenances shall not exceed any height limitations prescribed by the Federal Aviation Administration.

(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