TOWN OF SEABROOK ISLAND

DSO Advisory Committee Meeting
November 20, 2019 – 2:00 PM

Town Hall, Council Chambers
2001 Seabrook Island Road

AGENDA

CALL TO ORDER

ITEMS FOR DISCUSSION

1. **Review and Discussion of Draft DSO Articles** *[Pages 2-50]*

    - Article 8: Seabrook Island Road Overlay District
    - Article 9: General Provisions
    - Article 10: Conditional Uses
    - Article 12: Landscaping and Buffering
    - Article 13: Off-street Parking

ADJOURN

About the DSO Advisory Committee

On March 26, 2019, the Seabrook Island Town Council approved a contract with PLB Planning Group for the purpose of completing a comprehensive update of the town's Development Standards Ordinance (DSO). The DSO Advisory Committee was appointed on April 23, 2019 and includes nine members: one member from Seabrook Island Town Council, two members from the Board of Zoning Appeals, two members from the Planning Commission, three residents of the town, and one staff representative from the Seabrook Island Property Owners Association. The committee will be tasked with providing input, guidance and feedback to town staff and the consultant during the development of a new DSO. The committee's recommendations will be submitted to Town Council in late 2020.

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Seabrook Island Road Overlay District

Article 8

Seabrook Island Development Standards Ordinance

Section 8.1 Purpose

As the only public right-of-way providing access to and from Seabrook Island, it is essential to maintain a safe, efficient, functional, and attractive corridor along Seabrook Island Road. This overlay district is established for that purpose. Regulations are established by this article to manage access to and from abutting properties, create an inviting and unified appearance along the corridor, protect the corridor's prized natural features, promote alternate modes of transportation, and preserve the value of abutting properties.

Section 8.2 Applicability

A. An overlay district is hereby established for a portion of Seabrook Island Road, beginning at its intersection with Betsy Kerrison Parkway and continuing in a southwesterly direction for a distance of approximately one mile, and extending 250 feet in both directions from the outer edge of the public right-of-way. The boundaries of the overlay district shall be as illustrated on the official zoning map referenced in *Section 2.2*.

B. The requirements of the Seabrook Island Road Overlay District shall apply only to property located within the corporate limits of the Town of Seabrook Island. Property within the boundaries of the overlay district, but located outside the corporate limits of the town, as of the effective date of this ordinance, shall become subject to the requirements of this section only upon annexation into the town; provided, any construction or other development activity within the public right-of-way, including but not limited to encroachment permits, shall be subject to the requirements of this article.

C. The requirements of this article are in addition to, and shall supplement, those imposed on the same lands by any underlying zoning provisions of this ordinance or other ordinances of the Town of Seabrook Island. To the extent a conflict exists, these regulations shall supersede all conflicting regulations, unless otherwise specified.

Section8.3 District Requirements

A. **Permitted Uses**. Any use allowed within the underlying zoning district shall be permitted within the overlay district, subject to the applicable requirements of the underlying district, unless superseded by this article.

B. **Spatial Requirements**. Except as otherwise specified for this overlay district, the spatial requirements of the underlying district shall control.

C. **Access**. Control over the number and location of access points along Seabrook Island Road, as specified in this section, is necessary to reduce congestion, improve safety, maintain acceptable traffic flow, and minimize confusion. Therefore, the standards of this section shall apply to all property having frontage on and direct access to that segment of Seabrook Island Road under the jurisdiction of the Town of Seabrook Island.

1. Driveway Location in General.

   a. Driveways shall be positioned to minimize interference with the free movement of traffic, to provide adequate sight distance, and to provide the most favorable driveway grade.
   b. Driveways, including the radii, but not including right turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage of the property being served, unless otherwise approved by the Planning Commission, and upon written certification from the adjacent property owner agreeing to such encroachment.

2. Access Permit.

a. A permit shall be required for any property (whether within or outside the corporate limits of the town) which is proposed to have access to Seabrook Island Road via driveway or street; which in any manner may impact drainage to, from, or under the road; and/or which in any manner may impact utilities (whether owned and/or operated by the town or others) located beneath the surface of the road or right of way.

b. Applicants shall furnish a site development plan, as required by *Section XXX* and such additional information concerning the proposed project, as may be required by the town, including the following, at no expense to the town, before a permit is considered:

   i. a traffic impact analysis, prepared by a qualified transportation engineer registered in the State of South Carolina;
   ii. a drainage study to the town's specifications which identifies and quantifies drainage from the proposed development, including its impact on existing roadway drainage systems and compliance with all applicable provisions of the town's stormwater program;
   iii. a study to the town's specifications which identifies and quantifies impact of the proposed development on utilities located beneath the surface of any potentially affected public street or right of way.

c. Completed permit applications, including any required studies, shall be submitted to the Planning Commission for review and approval prior to issuance of a permit by the zoning administrator. At its sole discretion, the Planning Commission may request independent consultant review of studies, plans, and other documents submitted as part of the application. The cost of such review shall be borne by the applicant.

d. The Planning Commission may attach such conditions of approval as it deems necessary to protect the interests of the town, public street or right-of-way, and drainage system and utilities, including without limitation requiring the applicant to:

   i. construct improvements and/or erect traffic signs and/or signals determined to be necessary to mitigate traffic impacts from the proposed development, or alternatively, make payment to the town to defray the entire cost of such improvements;
   ii. install replacements and/or modifications to existing roadway drainage systems, as specified by the town, or alternatively, make payment to the town to defray the entire cost of such replacements and/or modifications; and
   iii. repair and/or replace buried utilities as specified by the town, or alternatively, make payment to the town to defray the entire cost of doing the same or reach agreement regarding the costs with any utility not controlled by the town.

3. Driveway Spacing.

a. Minimum spacing between two driveways, or between a driveway and a street intersection, whether on the same or on opposite sides of the street, shall be 600 feet. The minimum spacing shall be measured from centerline to centerline for driveways and from nearest pavement edge to nearest pavement edge for driveways and street intersections. Note: 600 ft. is the approximate average spacing between existing roads and drives along SI Road.

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b. To reduce left-turn conflicts, new driveways shall be aligned with those across the street, where possible. If alignment is not possible, driveways shall be offset from those on the opposite side of the street at least 200 feet. This requirement may be reduced by the

Planning Commission, as provided in subsection 4 below, where there is insufficient frontage and shared access with an adjacent site is not feasible. Greater offsets may be required depending on the expected inbound left-turn volumes of the driveways.

4. Modification of Requirements.

   a. Modification to the spacing and other requirements above may be permitted by the Planning Commission under the following conditions and if the criteria of subsection b are satisfied.

      i. The modification will allow an existing driveway to remain that does not meet the standards of this section but that has, or is expected to have, very low traffic volumes (less than 50 in- and out-bound trips per day) and is not expected to impact safe traffic operations.
      ii. The use is expected to generate a relatively high number of trips (exceeding 200/peak hour) and an additional driveway will improve overall traffic operations.
      iii. Practical difficulties exist on the site (sight distance limitations, existing development, soil conditions, the presence of marsh or wetlands, or unique site configuration) that make compliance unreasonable; or existing off-site driveways make it impractical to fully comply with the standards.
      iv. Because of restricted turning movements or the presence of a median that restricts turning movements, the driveway does not contribute to congestion or create an unsafe situation.

   b. The Planning Commission may waive certain requirements of this section upon consideration of the following:

      i. The proposed modification is consistent with the general intent of the standards of this section and the recommendations of the Seabrook Island Comprehensive Plan.
      ii. Driveway geometrics have been improved to the extent practical to reduce impacts on traffic flow.
      iii. Shared access has been provided, or the applicant has demonstrated it is not practical.
      iv. Such modification is the minimum necessary to provide reasonable access, will not impair public safety, will not prevent the logical development or redevelopment of adjacent sites, and is not simply for convenience of the development.

5. Driveways Permitted.

   a. In the case of a corner lot or parcel, access shall only be provided from the intersecting street, not from Seabrook Island Road.
   b. One (1) driveway may be permitted to serve an individual lot or parcel; provided, the minimum spacing requirements of this section shall be maintained.
   c. The use of shared driveways or access roads is encouraged.
   d. One (1) additional driveway may be permitted for a property only as follows:

      i. The Planning Commission determines, based on a traffic impact analysis, that projected traffic volumes warrant an additional access and traffic operations will be improved along the road as a result; and
      ii. The minimum spacing requirements of this section will be met.

6. Driveway Design.

   a. All driveways shall be designed according to the standards of the Town of Seabrook Island, including the provision of necessary drainage facilities and utilities.

b. For high traffic generators or where high left-turn demand is expected, the Planning Commission may require separate right- and left-turn egress lanes.
c. Where a boulevard entrance is proposed by the applicant or required by the Planning Commission, a fully curbed island shall separate the ingress and egress lanes. The radii forming the edges on this island shall be designed to accommodate the largest vehicle that will use the driveway. The minimum area of the island shall be 180 square feet. The Planning Commission may require landscaping, tolerant of street conditions, on the section outside the public right-of-way.

7. Shared Driveways and Service Roads.

a. Where the Planning Commission determines that traffic operations and safety along the Seabrook Island Road corridor will be benefitted, a shared driveway or service road connecting two (2) or more properties or uses may be required.
b. A shared driveway or service road shall be within a recorded access easement. A draft of the access easement shall be provided to the town for review prior to filing.
c. The number of access points along a service road shall be according to the standards of this section. The Planning Commission may allow temporary access where the service road is not completed if a financial guarantee is provided which assures elimination of the temporary access upon completion of the service road. Building permits shall not be issued until the financial guarantee has been submitted to the town.

8. Service Road Design Standards. Service roads shall generally be parallel to the front property line and may be located either in front of, adjacent to, or behind principal buildings. In considering the most appropriate alignment for a service road, the Planning Commission shall consider the setbacks of existing and proposed buildings and anticipated traffic flow for the site. However, placement of the service road intersection with the driveway providing access to Seabrook Island Road shall be as far as possible from the street for safe and efficient operation. The separation distance between the nearest edge of the street and the nearest edge of a service road or drive aisle shall be equal to at least one-fifth of the lot depth, but no less than 100 feet.

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a. *Access easement***.** The service road shall be within an access easement permitting traffic circulation between properties. This easement shall be 40 feet wide, except an access easement parallel to the public street right-of-way may be 30 feet wide, if approved by the Planning Commission. The required width shall remain free and clear of obstructions, unless otherwise approved.
b. *Construction and materials***.** Service roads shall have a base, pavement and curb with gutter in accordance with town standards for public streets, except the service road shall have a minimum pavement width of at least 24 feet.
c. *Parking***.** The service road is intended to be used exclusively for circulation, not as a parking or maneuvering aisle. The posting of "no parking" signs may be required along the service road. In reviewing the site plan, the Planning Commission may permit temporary parking in the easement area where a continuous service road is not yet available; provided, the layout allows removal of the parking in the future to permit extension of the service road.
d. *Access to service road***.** The Planning Commission shall approve the location of all access points to the service road; provided, a minimum separation distance of 125 feet shall be maintained between driveways along the service road.

e. *Maintenance***.** Each property owner shall be responsible for maintenance of the easement and service road.

D. **Landscaping**. The area between a service road and the public street right-of-way shall be planted as a street yard greenway, as specified in *Section XXX*.

E. **Signs**. The sign requirements of Article XXX shall apply; provided, however, only one (1) ground sign shall be permitted within 50 feet of the road right-of-way line and shall comply with the following requirements:

1. Maximum area: 12 square feet
2. Maximum height: six (6) feet
3. Minimum setback from road right-of-way: 10 feet
4. External illumination only

F. **Lighting**. Lighting shall meet the requirements of *Section XXX*.

G. **Non-motorized Connectivity**. All properties subject to this overlay district shall provide paved connections to existing pathways for pedestrians and cyclists.

Section 8.4 Site Design Regulations

In addition to the requirements of this article, all development in the SIR Overlay District shall meet the applicable requirements as listed elsewhere in this ordinance:

A. General Provisions – Article 9
B. Conditional Use Requirements – Article 10
C. Environmental Performance Standards – Article 11
D. Trees, Landscaping and Buffering – Article 12
E. Parking and Loading – Article 13
F. Signs – Article 14
G. Site Plan Review – Article 15

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General Provisions

Article 9

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Seabrook Island Development Standards Ordinance

Section 9.1 General Compliance

A. **Ordinance Compliance**.

1. Except as otherwise provided in this ordinance, no building, structure or premises shall be used or occupied; and no building or part of any building or other structures shall be erected, razed, moved, placed, reconstructed, extended, enlarged or altered, except in conformity with the provisions of this ordinance.
2. No lot may be altered or diminished in size to less than the minimum requirements of this ordinance; provided, a lot may be reduced below the requirements of this ordinance to meet the needs of a private or public utility (e.g., a pumping station or electrical substation).

B. **Unlawful Buildings and Uses**. Any building, use, or lot which has been unlawfully constructed, occupied or created prior to the date of adoption of this ordinance shall continue to be unlawful, unless expressly permitted by this ordinance. Such unlawful buildings, uses, or lots shall not be considered to be nonconforming buildings, uses, or lots of record and shall not be afforded any protections or allowances otherwise granted to legally nonconforming buildings, uses, or lots.

C. **Withholding Approval**. The Town Council, Planning Commission, Board of Zoning Appeals, zoning administrator, or other authorized board, commission or administrative staff may, in its sole discretion, withhold approval of any plan, use or permit request pending receipt of permits or approvals from other local, county, state, or federal departments or agencies.

D. **Excavations or Fill**.

1. The construction, maintenance, or existence within the town of any unprotected, unbarricaded, open, or dangerous excavations, holes, pits, or wells, which constitute or are likely to constitute a danger or menace to the public health, safety, or welfare, is hereby prohibited; provided, this section shall not apply to the following:
   a. any excavation under a permit issued by the zoning administrator where such excavation is properly protected and warning signs are posted in such manner as approved by the town; and
   b. natural water bodies, marshes, or ditches, reservoirs, and other such bodies of water created or existing by authority of governmental units or agencies.
2. No property shall be increased in size by filling an abutting water body or marsh by any method.

E. **Trash, Litter, and Junk**.

1. It shall be unlawful for any person to accumulate, place, store, or allow or permit the accumulation, placement, or storage of trash, litter, or junk on premises in the town, except in a lawfully licensed disposal facility; provided, such items may be stored in watertight storage receptacles designed for the temporary accumulation of trash for a period not to exceed seven (7) days. Waste receptacles shall not be left unattended in any yard longer than a period of 48 hours, unless they are kept or enclosed in a permanent structure designed to prevent disturbance of such receptacles by animals or severe weather conditions.
2. No property owner shall use any area of that property as a dumping site for any type of debris whether natural, construction materials, garbage, or other debris.
3. During new home construction or substantial remodeling, building sites shall be kept clean. A dumpster must be provided on the site and must be emptied before exposed trash is visible. All building debris, stumps, trees, etc., must be removed from each building lot by the builder as often as necessary to keep the building site free of debris. Temporary sanitary facilities shall be provided and shall be located off the street right-of-way and screened so they are not visible from the street.

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Section 9.2 Buildings

A. **Accessory Buildings**.

1. Accessory buildings or garages shall be considered to be part of the main building if structurally and architecturally integrated into the main building, or if attached by an enclosed breezeway or similar enclosed structure.
2. Detached accessory buildings shall not be located closer than 10 feet to the main building or any structural appurtenance attached to the main building, such as a porch or raised deck.
3. No accessory building shall be located in a front yard or side yard. Discuss
4. No accessory building shall be constructed on a lot before the principal building or use is constructed on the lot.
5. Accessory buildings shall be set back from side and rear lot lines at least one-half (½) the required distance for the principal building, but no less than five (5) feet. However, if the rear lot line of the property on which the accessory building is located is also the side lot line of the neighboring property, the accessory building shall be set back the same distance from the rear lot line as the required side yard setback for a principal building.
6. If a detached garage is accessed from an alley, there shall be no rear setback requirement.
7. No more than one (1) accessory building, with a maximum floor area of *** sq. ft., shall be erected on any individual single-family residential lot. Note: consideration should be given to regulating the permitted size of an accessory building in relation to the size of the lot.
8. Accessory buildings in the RCL, RTH, and RMF districts shall meet the minimum setback requirements for principal buildings. Detached garages shall be exempt from the limits on number and size. In addition, up to three (3) accessory buildings serving a development of multiple units may be permitted for maintenance and storage; provided, the total area shall not exceed *** sq. ft.
9. The area of accessory buildings shall be included in the maximum lot coverage.
10. The maximum height of an accessory building shall not exceed 14 feet. Discuss
11. No accessory building, except as may otherwise be permitted in this ordinance, shall be occupied or rented for residential use.
12. Accessory buildings on lots within nonresidential districts shall comply with all yard setback requirements for principal buildings within the district in which located.

B. **Restoring Unsafe Buildings**. Nothing in this ordinance shall prevent the strengthening or restoration to a safe condition of any part of any building or structure declared unsafe by the building official, or required to comply with his lawful order; provided, such restoration shall be subject to and completed in accordance with the applicable building code and all other applicable ordinances.

Section 9.3 Lots

A. **Corner Lots**. On corner lots, the minimum front yard requirement shall be met on each street. Each corner lot shall be comprised of two (2) front yards and two (2) side yards. Corner lots shall have extra widths where necessary to permit the establishment of clear vision corners, as required at *Section 9.4A*.

B. **Cul de Sac Lots**. In the case of lots abutting cul-de-sac streets, the minimum required lot width shall be measured at the required front setback line. Cul-de-sac lots shall have a minimum width of 40 feet at the front lot line; provided, if the minimum required lot width is less than 40 feet, the minimum width at the front lot line shall be at least 60 percent of the minimum required width.

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C. **Through Lots**. On through lots, the minimum front yard requirement shall be met on each street.

D. **Lots Abutting Water Bodies and Marshes**. Lots abutting or containing a waterbody or marsh shall comply with the following regulations:

1. The lot width on the street side shall not be less than the minimum width required for the zoning district in which the lot is located.
2. The lot shall meet the minimum width requirements of the zoning district in which the lot is located, measured at the ordinary highwater mark between side lot lines.
3. Waterfront lots shall be considered through lots with both the waterside and street side considered to be front yards. The front yard on the waterside shall be the area between the ordinary highwater mark and the nearest wall of the principal building.
4. Accessory buildings shall be permitted within the waterside front yard, but not within the required waterside setback area, and shall comply with all applicable requirements of *Section 12.1 A*.

E. **Minimum Lot Frontage**. All lots and parcels created after the effective date of this ordinance shall have the required frontage upon and be accessed from a public right-of-way or private street easement. Any flag lots?

F. **Required Area or Space**. No lot or lots in common ownership and no yard, court, parking area or other space shall be so divided, altered, or reduced as to make the area or space smaller than the minimum required under this ordinance. If already less than the minimum size required, the area or space shall not be further divided or reduced.

Section 9.4 Setbacks

A. **Clear Vision Corner**. In all zoning districts, signs, fences, walls, structures, benches, shrubbery or other potential obstructions to vision, shall not be permitted to exceed a height of three (3) feet above the center line finished grade of the road within a triangular area formed by the intersection of the street right-of-way lines and a line connecting two points located on those intersecting right-of-way lines 25 feet from the point where the right-of-way lines intersect; provided, utility poles, street lights and street signs shall be exempt from this requirement.

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B. **Driveways**.

1. No part of a driveway for a single-family residence shall be closer than three (3) feet to the side property lines on nonconforming lots and six (6) feet on all other lots.
2. No residential driveway shall be constructed within 50 feet of an intersecting street right-of-way.
3. A shared driveway for cluster, townhome, or multi-family lots or developments is permitted to cross property lines for those properties accessed by that driveway.

   a. All such driveways shall be engineered on site development plans and presented to the zoning administrator at the time of application. With the approval of the Planning Commission, shared driveways for cluster, townhome, and multi-family developments may be permitted.
   b. In such instances, the driveway must be a minimum of 16 feet wide.
   c. The zoning administrator must further certify that the proposed shared driveway does not in any manner affect proper ingress or egress to the properties sharing such driveway or other adjoining properties.

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d. Where shared driveways are approved, regime covenants must clearly define ownership and maintenance responsibilities of the owners sharing the driveway.

C. **Front Yards**. All yards abutting upon a street right-of-way, whether public or private, shall be considered as front yards for setback purposes, except as otherwise provided in this ordinance.

D. **Encroachments in Right-of-Way**. No buildings, structures, service areas or off-street parking and loading facilities, except driveways, shall be permitted to encroach into street rights-of-way or easements.

E. **Encroachments into Required Yards**. Certain structures and architectural features may project into the required yard setbacks, as shown in *Table 9-4 E*: Note: this is an expanded list of allowed encroachments and a new format. Please consider their applicability/relevance to existing conditions.

Table 9-4 E, Encroachments into Required Yard Setbacks

Type of Feature	Allowed Encroachment into a Setback		
	Front Yard	**Side Yard**	**Rear Yard**
Accessory structures	See *Section ****		
Accessible ramps, wheelchair lifts and similar structures	Least encroachment necessary to meet state or federal requirements, but no more than 8 ft.; must maintain a 3-foot side yard setback		
Air conditioning units, generators and other mechanical equipment [1]	None	5 ft.	5 ft.
		No more than 5 ft. from the building and no closer than three (3) feet to adjoining property line	
Arbors, trellises and pergolas (attached to principal building)	5 ft.	3 ft.	10 ft.
Awnings and canopies			
Balconies	5 ft.	None	10 ft.
Bay windows	3 ft.	3 ft.	3 ft.
Chimneys	3 ft.	3 ft.	3 ft.
Driveways	See Section 9.4b		
Eaves and gutters	2 foot	2 foot	2 foot
Fences and walls	See *Section ****		
Flagpoles	Permitted up to 6 ft. from all lot lines		
Light poles (not including ground-mounted lights)	Permitted up to 6 ft. from all lot lines		
Outdoor fireplaces and pits	None	None	Up to 10 ft. from a rear lot line

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Table 9-4 E, Encroachments into Required Yard Setbacks			
Type of Feature	**Allowed Encroachment into a Setback**		
	Front Yard	**Side Yard**	**Rear Yard**
Paved and brick paver patios and similar at-grade structures (not including driveways and sidewalks), un-roofed and unenclosed [1]	10 ft.	Up to 6 ft. from a side lot line	10 ft.
Porches, decks and stoops, uncovered and unenclosed[2]	5 ft., but no closer than 20 ft. to the front lot line	3 ft.	Up to 15 ft. from a rear lot line or critical line
Signs	See *Article XXX*		
Stairways (not including steps to main floor entry)	5 ft.	3 ft.	10 ft.
Swing sets and similar play structures (attached)	None	Up to 6 ft. from a side lot line	10 ft

G. **Setback Requirements**. All setbacks shall be measured from the property lines; provided, if a marsh is present on the property, the setback shall be the greater of the minimum yard or marsh setback requirement. If located on a private road, the setback shall be measured from the right-of-way line or 30 feet from the edge of pavement, whichever is greater. A building shall not be erected, converted, enlarged, reconstructed or structurally altered, except in conformity with the setback requirements of the district in which it is located.

H. **OCRM Critical Line**. Whenever this ordinance requires measurement from, or based on, the South Carolina Department of Health and Environmental Control Office of Ocean and Coastal Resource Management (SCDHEC-OCRM) critical line, the critical line shall have been reviewed and certified by SCDHEC-OCRM within the previous five (5) years. Notwithstanding this requirement, critical areas by their nature are dynamic and subject to change over time. As such, in the event there is reason to believe a critical area has changed since its last review (even if the review occurred within five (5) years), the property owner may be required to have the critical line reviewed again and, if such a change has occurred, relocated before making any determinations requiring a measurement based on the critical line.

I. **Marsh and Open Space Setbacks**.

1. The minimum setback for a structure on a lot abutting the marsh shall be twenty-five (25) feet from the SCDHEC-OCRM critical line or the lot line, whichever is more landward.
2. On lake, lagoon, or golf course lots the minimum rear lot setback of the residential structure must be twenty-five (25) feet. Discuss
3. Open decks, porches, or stoops may encroach into the setback as specified in *Table 9-4 E*.

[1] Building code may necessitate additional fire protection. Equipment shall not be located within any easement.
[2] Any covered or roofed porch, deck, patio, stoop or similar structure shall be considered part of the principal building and shall comply with the required setbacks applicable to the principal building.

Section 9.5 Structures

A. **Awnings.**

1. All awnings shall be securely attached to and supported by a building wall. No other means of support will be approved.
2. No part of the awning or its supporting frame shall be less than seven (7) feet above the sidewalk over which it is erected.
3. No advertising shall be placed on any awning.

B. **Fences and Walls**.

1. In the event a wall or fence is used or required, the following shall apply:

   a. Any open spaces or non-solid areas shall be evenly spaced~~.~~;
   b. Walls must be made of stucco, cypress, pressure-treated wood, wood composite, brick, stone, architectural concrete masonry units (CMU), or similar materials;
   c. Fences must be made of stucco, cypress, pressure-treated wood, wood composite, iron, powder coated aluminum, or similar materials. Barbed wire, concertina wire, razor wire, chain link, poultry wire and vinyl are strictly prohibited;
   d. Walls and fences shall be constructed with quality materials and workmanship in accordance with prevailing building industry standards for appearance, soundness, safety and resistance to decay and weather, and shall be maintained in good repair;
   e. Walls and fences shall be located no closer to a side or rear property line than fifty percent (50%) of the required side or rear setback for principal structures; DIscuss
   f. No wall or fence shall be permitted within a required marsh or beachfront setback area;
   g. No wall or fence shall be taller than six (6) feet in height, measured from the finished elevation at its base to the highest point of the wall or fence; provided, however, the Planning Commission may allow a wall or fence to exceed six (6) feet in height when the wall or fence is used to screen a public building or storage yard, utility structures or equipment, or an approved outdoor storage area in a district zoned for conservation, business, governmental, facility, or parks and recreation uses.
   h. Walls and fences shall not exceed a height of three (3) feet within any sight easement or clear vision corner;
   i. When a wall or fence has both a finished side and an unfinished side, the finished side shall face the adjoining property or, if on the interior of the site, shall face outward toward the perimeter of the site;
   j. Plant materials, where required, shall be installed on the exterior side of the wall or fence; and
   k. Walls and fences shall not be constructed in a way that negatively impacts drainage on the site or on adjacent properties.

2. The requirements of this section shall not apply to the repair, replacement or reconstruction of any wall or fence which was legally in existence as of the effective date of this ordinance. Any such wall or fence may be repaired, replaced or reconstructed, provided:

   a. The extent of any non-conforming element shall not be increased. For the purpose of this section, the term “element” shall include the design, materials, height and/or location of the existing fence;
   b. The extent of any previously non-conforming element may not be re-established once that element has been brought into conformity, or made less non-conforming, with the provisions of this ordinance;

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c. In the case of replacement or reconstruction, installation of the new wall or fence shall be completed no more than 120 days following demolition or destruction of the wall or fence which it will replace. The Zoning Administrator may authorize a one-time 60-day extension in the event he or she finds, in writing, that installation may not be completed within 120 days due to circumstances which are beyond the applicant's control; and
d. Nothing in this paragraph shall be interpreted to conflict with or supersede the requirements of the International Swimming Pool and Spa Code, or any other building code adopted by the South Carolina Building Codes Council.

3. The provisions of this section shall not apply to the construction and/or maintenance of any wall, revetment, riprap or similar structure which has been duly permitted by the South Carolina Department of Health and Environmental Control's Office of Ocean and Coastal Resource Management (OCRM).
4. Whenever a hedge is used in landscaping buildings other than single-family homes, the hedge shall be installed with plants of sufficient size and spacing as to attain the height required and opacity of at least seventy-five percent (75%) within two (2) years of planting. If a hedge is not in compliance with the above height and opacity requirements within two (2) years after planting, the hedge must be completed with mature plants at developer expense.

C. **Height Exceptions**. Height limitations of this ordinance shall not apply to monuments, water towers, transmission towers, utility poles, chimneys, flag poles, or farm structures not intended for human occupancy. They do, however, apply to decks, widow walks, and similar structures, erected on top of a building.

D. **Mechanical Appurtenances**.

1. Mechanical units located on the ground shall be located in the rear or side yard in accordance with the requirements of *Table 9-4 E*.
2. When attached to a building, the mechanical equipment shall be architecturally integrated or appropriately screened by shrubbery or fencing so as not to be visible from neighboring property and to provide sound buffering. Screening shall comply with the requirements of *Section XXX*.
3. If located on the roof of a building or in a location that cannot otherwise be screened, the equipment shall be enclosed or designed in a manner that is architecturally integrated with the building where it is located.
4. Mechanical units shall not be placed within any easement.
5. The mechanical equipment shall be elevated to meet the requirements of the Federal Emergency Management Agency (FEMA) and the Town of Seabrook Island Building Code and Development Standards Ordinance.
6. All such equipment shall be located to have the least adverse impact on surrounding property owners.
7. A permit shall be obtained from the zoning administrator.

E. **Swimming Pools, Spas, and Hot Tubs**. Any swimming pool, spa, hot tub or similar structure whose depth at any point exceeds 24 inches shall be subject to the following regulations and shall be fenced securely, in accordance with the applicable requirements of the Seabrook Island Building Code.

1. Swimming pools, spas, hot tubs and similar structures shall only be permitted in the rear yard.
2. Swimming pools, spas, hot tubs and similar structures, whether above or below ground, shall be subject to all setback requirements for structures.
3. As required by the South Carolina Building Codes, all in-ground pools must be fenced.

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a. The fence must be forty-eight (48) inches in height, with an opening in one direction that does not exceed five and one-half (5½) inches.
b. The fence must be accented with landscaping on all exterior sides not abutting a building so as to minimize its visual impact.
c. In lieu of fencing, certified mechanical pool covers may be approved by the zoning administrator.
d. Fencing material around community pools must be approved by the zoning administrator. Only materials that are harmonious and architecturally compatible with surrounding areas and developments shall be approved.

F. **Temporary Structures**.

1. Temporary Structures and Tents.

a. No structure of a temporary nature shall be authorized or allowed to remain on any property; and no trailer, camper, shack, tent or other similar structure shall be used as a residence or for any other purpose, except for construction trailers and temporary sanitary facilities as provided for elsewhere in this ordinance.
b. Large tents and other temporary structures associated with approved recreational activities and events may be erected with the authorization of the zoning administrator. In making such determination, the zoning administrator shall consider traffic patterns to and from the structure, its proximity to nearby residences, potential noise from amplified music or other sources, the hours of the event for which the tent or structure is being erected, and the number of days it will be present.
c. All such structures or tents shall meet the minimum setback requirements of the zoning district in which they are located.

2. Temporary Storage Units.

a. It shall be unlawful to place or permit the placement of a temporary storage unit on any property for more than seven (7) consecutive days; provided, a longer period may be approved by the zoning administrator for building construction or remodeling projects.
b. Temporary storage units shall only be placed upon or within a driveway, parking area or, if access exists to the rear of the lot, the rear yard.
c. No temporary storage unit shall be placed upon or within public property or a public place, including without limitation, a street, sidewalk or outlawn.
d. The temporary storage unit shall not exceed eight (8) feet in height, eight (8) feet in width and 16 feet in length.
e. The temporary storage unit shall be secured in a manner that does not endanger the safety of persons or property in the vicinity of the unit.
f. The temporary storage unit shall be maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing or other holes or breaks at all times.
g. No temporary storage unit shall be used for human occupancy or to store solid waste, construction debris, demolition debris, business inventory, commercial goods, or goods for property other than the property where the storage unit is located or any illegal or hazardous material. Upon reasonable notice, the zoning administrator may inspect the contents of any temporary storage unit at any reasonable time to ensure compliance with these requirements.
h. Any temporary storage unit which is not removed at the end of the time for which it may lawfully remain in place, may be removed by the town immediately, without notice, and the cost of such removal may be assessed against the property on which the unit was located.

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i. A sign identifying the storage unit supplier, mounted on the temporary storage unit, shall not require a sign permit; provided, the storage unit is in compliance with this subsection and all other applicable ordinances.

Section 9.6 Uses

A. **Combination Construction**. A combination of attached and detached residential construction will not be allowed unless the Planning Commission has reviewed the proposed development and determined that the proposed structures are architecturally compatible with each other and with surrounding structures. If a combination of attached and detached construction is used, these homes shall meet the following requirements:

1. There shall be no more than six (6) dwelling units per gross acre.
2. No more than three (3) dwelling units shall be attached per building. The dwellings shall be attached by a common dividing wall(s) from ground to roof to one (1) or more units. Separate access shall be available for each unit from the exterior. This requirement, however, shall not apply within the MU, Mixed-Use District.
3. Each dwelling unit shall be designed for, and occupied as, a residence by one family.
4. Each attached dwelling unit shall have a minimum size of 1,200 square feet of heated area.
5. All dwelling units must share a common regime for maintenance and landscaping.

B. **Illegal Dwellings**. The use of any floor area below base flood elevation for dwelling purposes is prohibited in all zoning districts, unless the floor area meets the applicable building code requirements. Buildings erected as garages or accessory buildings, except approved accessory dwelling units, shall not be occupied for dwelling purposes.

C. **Principal Use**. A lot or parcel shall not be devoted to more than one (1) principal use, or contain more than one (1) principal building; except for groups of multiple family buildings, business establishments, or other buildings which are determined by the zoning administrator to be a principal use collectively, based on the following considerations:

1. individual buildings share common parking areas;
2. access to the buildings/uses is provided via shared access drives or streets;
3. buildings are under single ownership; or
4. individual activities support one another (such as marina/convenience store or cycle rental/retail sporting goods).

D. **Domestic Animals**.

1. The keeping of household pets, including dogs, cats, fish, birds, hamsters and other animals commonly considered household pets is permitted in any residential district; provided, no more than three (3) dogs or cats, six (6) months of age or older, in any combination shall be kept or housed in or at one (1) dwelling.
2. The keeping of animals not generally considered to be household pets, including, but not limited to, exotic animals, horses, pigs, sheep, cattle, goats and poultry is prohibited in all zoning districts, except on bona fide farms within the CP District.

E. **Outdoor Storage**. Outdoor storage of merchandise, equipment, supplies, products or other materials shall only be permitted as a conditional use within those districts and under such conditions as specifically authorized by this ordinance.

F. **Parking, Storage, and Repair of Vehicles**.

1. It shall be unlawful for the owner, tenant or lessee of any building or land within the town to permit the open storage or parking of any inoperable motor vehicle, machinery or equipment,

or parts thereof, outside of an enclosed garage or enclosed building, for a period of more than 48 hours. An inoperable motor vehicle for purposes of this subsection shall include motor vehicles which, by reason of dismantling, disrepair or other cause, are incapable of being propelled under their own power, or are unsafe for operation on the streets and highways of this state because of the inability to comply with the South Carolina Motor Vehicle Code, or do not have a current license and registration as required for operation by the South Carolina Motor Vehicle Code.

2. The repair, restoration and maintenance of vehicles in any residential district or on property containing a dwelling unit, shall be conducted entirely within an enclosed building, except for those activities that can be and are completed in less than 24 hours. All such repair shall take place on private property and may not be conducted within the public right-of-way or private street easement.
3. It shall be unlawful for the owner, tenant or lessee of any lot or building in a residential district or on property containing a dwelling unit to permit the open storage or parking outside of a building of semi-truck tractors and/or semi-truck trailers, bulldozers, earth carriers, cranes or any other similar equipment or machinery, unless parked for purposes of construction being conducted on that lot.

G. **Recreational Vehicle Storage**. Recreational vehicles may be located outside an enclosed building on any lot within a residential district; provided, the following requirements are met:

1. If located on an interior lot, recreational vehicles shall not be permitted in the front yard. On a corner or through lot, recreational vehicles shall not be permitted in any yard abutting a street.
2. Notwithstanding the provisions of *Subsection G.1*, recreational vehicles may be parked within any yard on a hard-surfaced area for up to 48 hours within a seven (7) day period for purposes of cleaning, loading or unloading.
3. Recreational vehicles may be stored for extended periods within a non-required side or rear yard; provided, the vehicle is on a hard-surfaced area suitable for that purpose and is screened from view of adjoining properties in accordance with the requirements of *Section XXX*.
4. Recreational vehicles may be used for temporary occupancy for periods not to exceed 48 hours; provided, the recreational vehicle contains sleeping accommodations and is solely for the use of the owner of the lot or guests of the owner. Recreational vehicles shall not be rented for use as temporary sleeping quarters or vacation homes. Note: is this subsection needed at all? Are boats, RVs, etc. allowed to be parked on a lot?

H. **Similar Uses**. Every type of potential use cannot be addressed in this ordinance, each district provides for "similar uses" referencing this section. All requests for a use not specifically addressed in any zoning district shall be submitted to the zoning administrator for review, based on the following standards.

1. A finding has been made by the zoning administrator that the proposed use is not listed as a permitted or conditional use in any zoning district.
2. If the use is not addressed in this ordinance, the zoning administrator shall select the use listed which most closely approximates the proposed use, using criteria such as the nature of the use, conformance with the purpose of the zoning district in which it is proposed, aesthetics, traffic characteristics, and potential nuisance effects (noise, vibration, dust, smoke, odor, glare, hours of operation).
3. Once a similar use is determined, the use shall comply with any conditions and review procedures that may apply to that use, including the conditional use requirements of *Article 10*, as applicable.

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4. If the zoning administrator determines a proposed use is not similar to any use addressed in the ordinance, the applicant may petition for an amendment to the ordinance, as described in *Article XXX*.
5. The determination as to whether a proposed use is similar in nature and class to another permitted or conditional use within a district shall be considered as an expansion of the use regulations, not a variance applying to a particular situation. Any use determined by the zoning administrator to be similar shall thereafter be included in the enumeration of the uses.

I. **Voting Place**. The provisions of this ordinance shall not interfere with the temporary use of any property as a voting place in connection with a federal, state, county, municipal, or other public election.

Section 9.7 Utilities and Services

A. **Essential Public Services**. The erection, construction, alteration or maintenance of essential public services shall be permitted in any zoning district and shall be exempt from the application of this ordinance; provided, buildings, parking areas and other uses or structures accessory to the essential service shall not be exempt and shall conform to all applicable ordinance requirements and procedures. This provision, however, shall not be construed to waive the rights of the Town of Seabrook Island to require that specific services be installed underground.

B. **Water and Sanitary Sewer Service**. No structure for human occupancy shall, after the effective date of this ordinance, be erected, altered or moved upon any lot or premises and used, in whole or in part, for dwelling, business, industrial, institutional or recreational purposes unless provided with a safe, sanitary and potable water supply and with a safe and effective means of collection, treatment and disposal of human, domestic, commercial and industrial waste. Such installations and facilities shall conform to the minimum requirements for such facilities as established by the State of South Carolina, Charleston County, Town of Seabrook Island, and other relevant government codes, ordinances and standards.

C. **Underground Storage Tanks**. All underground storage tanks utilized for the storage of propane gas, oil, fuel or other substances shall be secured in place by straps, bands or other fastening devices sufficient to keep the tanks securely in place and to prevent them from rising above ground level. Any underground storage tank already in place at the time this ordinance is adopted shall be brought into compliance within two (2) years. Installing or allowing the installation of an underground tank in violation of this ordinance shall be a misdemeanor and prosecuted in accord with *Article XXX* of this ordinance. Note: should setbacks, especially from marshes, be required?

General note: Should we include a section in this article here about minimum flood elevations?

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Article 10

Conditional Use Requirements

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Seabrook Island Development Standards Ordinance

Section 10.1 Scope

Conditional uses are identified within each of the zoning districts established by this ordinance. These uses are generally compatible with other uses within the district but may have the potential to adversely impact adjacent districts or uses unless conditions are imposed to mitigate potential nuisance effects. For example, there may be operational characteristics such as excessive traffic, noise, late hours of operation, or other factors that warrant the imposition of requirements, conditions, or limitations, in addition to the base requirements applicable to all uses allowed within the respective district. This article specifies those added requirements for the conditional uses identified in each district's schedule of uses.

Section 10.2 Application and Review

A. The zoning administrator shall be responsible for reviewing and deciding upon all requests for conditional uses.
B. Requests for approval of a conditional use shall be submitted to the zoning administrator on a form for that purpose, along with an application fee and a site development plan, as specified in *Article XXX*. The zoning administrator shall review the application and site development plan for completeness, as well as conformance with the requirements of the zoning district in which the property is located and the applicable requirements for the use specified in this article.
C. Based on conformance of the request with the general requirements of *Section 10.3* and the specific requirements of *Section 10.4* applicable to the proposed conditional use, the zoning administrator shall approve, approve with conditions, or deny the application.
D. If an application for conditional use is found to meet all applicable requirements, it shall be approved.
E. If denied, the applicant may appeal the zoning administrator's decision to the Board of Zoning Appeals.

Section 10.3 General Requirements

The following general requirements shall be satisfied for all conditional uses:

A. The proposed use shall comply with all applicable requirements of this ordinance such as, but not limited to, district requirements, parking, signs, and landscaping, unless modified by this article for a specific use.
B. The site development plan for the proposed use shall be complete and satisfy the site development plan review criteria of *Section XXX.*
C. Where minimum separation distances are required between a conditional use and other uses or district boundaries, the separation distance shall not apply retroactively if the specified condition did not exist at the time of approval.

Section 10.4 Specific Use Requirements

A. **Accessory Dwelling Units**.

1. A minimum lot size of one and one-half (1½) acres shall be required and the lot shall be occupied by a detached single-family dwelling.
2. The accessory dwelling may be located within or attached to the principal dwelling on the lot or in a detached building on the same lot, meeting the setback requirements applicable to the principal dwelling.
3. Only one (1) accessory dwelling shall be permitted on each lot.
4. The accessory dwelling shall not exceed 900 square feet of floor area.

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5. The applicant must present detailed construction plans and site information relating to the placement and construction of the accessory dwelling, in accord with *Articles **** of this ordinance.
6. The applicant shall place a deed restriction on the property stating that the property shall never be subdivided; and the accessory dwelling will always remain part and parcel of the overall property upon which the principal dwelling is located. A copy of the deed restriction, as recorded, shall be provided to the zoning administrator prior to the issuance of a certificate of occupancy.

B. **Community Gardens.**

1. A garden plan, proposed rules governing the operation and maintenance of the garden, and dates during which the garden will be active shall be provided to the zoning administrator who shall review the information to determine that the garden will be properly cared for and will otherwise comply with the requirements of this section.
2. Planting beds shall not be located within five feet of any property line.
3. A fence not less than 42 inches high shall be installed around the perimeter of the garden.
4. Trash and recycling bins shall be provided within the site, unless the proposed garden rules provide for an alternate method for disposing of trash and debris.

C. **Drive-in and Drive-Through Facilities**.

1. Stacking space for at least four (4) vehicles shall be provided at each window or machine.
2. Stacking spaces shall be located so as not to interfere with vehicular circulation, parking spaces, and egress from the property by vehicles not using the drive-through portion of the facility.
3. Vehicular access to the site shall comply with the driveway spacing standards of the Seabrook Island Road Overlay District, if applicable, but, in no case, be located closer than 200 feet to any intersection or other driveway on the same side of the street, as measured from pavement edge to pavement edge.
4. Internal circulation and access to/egress from the site shall not impair the movement of other modes of transportation, such as bicycles and pedestrians, to and through the site.

D. **Dwellings on Upper Floors Above Businesses**.

1. Dwelling units shall not be located on the street level.
2. Nonresidential uses, including storage, shall not be located on the same floor as a dwelling unit.
3. One (1) on-site parking space shall be provided for each dwelling unit.

E. **Establishments Serving Alcoholic Beverages**.

1. The establishment shall meet all requirements of and be licensed by the State of South Carolina.
2. Live entertainment or other forms of amplified music may be provided outdoors, only if the establishment is at least 1,000 feet from any residential district or dwelling unit; provided, this separation shall not apply to dwellings within the MU District.
3. The requirements related to outdoor seating, *Subsection L*, shall also apply.

F. **Home Occupations**.

1. The home occupation shall be carried on entirely within the principal dwelling unit and not occupy more 25 percent of the total floor area of the dwelling. No business shall be conducted in an accessory building
2. There shall be no change to the exterior appearance of the dwelling or premises.
3. Only persons residing in the dwelling unit shall be engaged in the home occupation.

4. Equipment used in the conduct of the home occupation shall be limited to that customarily found in a home. No mechanical equipment or activity shall create dust, noise, odor, or electrical disturbance beyond the confines of the lot on which the occupation is conducted.
5. No outdoor display of articles, merchandise or products shall be permitted.
6. Traffic shall not be generated in greater volume than would normally be expected in a residential neighborhood.

G. **Kennels**.

1. If kennels, pens, runs, exercise yards, or other areas for the outdoor confinement of animals are provided, the minimum lot size shall be two (2) acres.
2. Outdoor areas in which animals are kept shall not be located within any front or side yard and not within any required rear yard.
3. Outdoor areas shall not be nearer than one hundred (100) feet to any residential district or dwelling unit.
4. Outdoor areas in which animals are kept shall be enclosed by a wall or fence at least six (6) feet high.

H. **Marina**.

1. Minimum lot area shall be two (2) acres measured at mean high tide and excluding wetlands, lands under water, and surface water.
2. Minimum lot width shall be 100 feet.
3. Fuel-dispensing shall be for use only by boats.
4. Fuel-dispensing shall be located on the same lot as the principal use and shall be no closer than 100 feet to any residential zoning district boundary.

I. **Non-Commercial Community or Neighborhood Activity Uses.**

1. Minimum lot area shall be one (1) acre.
2. Minimum lot width shall be 100 feet.
3. All requirements for Open Air Recreation uses, as listed in *Subsection J*, shall apply.

J. **Open Air Recreation**.

1. Structures, courts, ball fields, parking lots, and paved areas, not including pathways, shall be no closer than 100 feet to any residential zoning district or dwelling.
2. Lighting shall be no closer than 100 feet to any residential zoning district or dwelling and shall be shielded and oriented away from any perimeter property line. Light poles and fixtures shall not exceed a height of 20 feet; provided, lighting for such facilities as tennis courts or ball fields may exceed this limit if a photometric analysis is submitted and demonstrates no light spill within 50 feet of any adjacent property line.
3. Amplified sound shall not be permitted in conjunction with any open air recreation use.

K. **Outdoor Display for Retail**.

1. The outdoor storage and display area shall not impede safe pedestrian and vehicular circulation and emergency access. Maneuvering aisles shall be kept free of all obstruction.
2. The sale or outdoor display of merchandise shall not be permitted within the required setback areas.
3. Outdoor storage and display areas located on parking lots shall not reduce the available parking spaces to fewer than those required by *Section XXX* for the principal use.
4. No outdoor display area or parking serving an outdoor display area shall be located within 50 feet of any residential district or dwelling.

5. The storage of soil, sand, mulch, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties. The outdoor storage of fertilizers, pesticides, and other hazardous materials, unless packaged in approved containers, is prohibited.
6. All outdoor display and sales areas shall be paved with a permanent, durable, and dustless surface and shall be graded and drained to dispose of all surface water.
7. All loading and truck maneuvering shall be accommodated on-site. Maneuvering in the public right-of-way or private street is prohibited.
8. Lighting for security purposes may be required, as determined by the zoning administrator. All lighting shall be shielded from adjacent residential districts and dwellings.
9. Permanent outdoor storage areas shall be attached to and be considered part of the principal building relative to all setback requirements. The storage area shall be fenced with a decorative fence or wall at least six (6), but no more than eight (8), feet in height. Chain-link or similar style fences are prohibited.
10. The zoning administrator may require a sight-obscuring screen that meets maximum fence height requirements for the zoning district around any storage or display area. Stored materials and stockpiles shall not be piled or stacked higher than the height of the obscuring screen.

L. **Outdoor Seating for Eating/Drinking Establishments**.

1. The area devoted to outdoor service must be ancillary to the main use of an indoor restaurant, bakery, delicatessen, specialty food store, tavern, or similar establishment.
2. The area devoted to outdoor service shall not encroach upon or extend over any public walkway, street, alley or right-of-way.
3. The outdoor service area shall not obstruct visibility of on-coming pedestrians or vehicular traffic.
4. The type and style of furniture to be used shall be shown in conjunction with the site development plan submittal for the conditional use request.
5. Furniture utilized for outdoor dining shall be removed and stored indoors or secured outdoors during nonbusiness hours.
6. The sale of alcoholic beverages is subject to the rules and regulations of the State of South Carolina.
7. The area devoted to such outdoor dining area shall be maintained in a safe, clean, and sanitary manner.
8. Limitations may be imposed upon hours of operation, outdoor sound amplification and/or lighting where the proposed use may create nuisance effects upon adjacent or nearby residential uses.

M. **Outdoor Storage Facilities**.

1. Outdoor storage facilities shall comply with the setback requirements for principal buildings within the applicable district.
2. Outdoor storage in the MU District shall be located in the rear yard only.
3. Outdoor storage in the CF District may be located in the rear or side yard.
4. All outdoor storage yards shall be paved.
5. Screening of outdoor storage yards shall be provided along all sides in accordance with the requirements of *Section XXX*.
6. Outdoor storage yards shall only be permitted in conjunction with a principal use on the property.
7. No flammable or explosive liquids, solids, or gases shall be stored in bulk above ground.

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N. **Places of Public Worship**.

1. Minimum lot area shall be two (2) acres.
2. Minimum lot width shall be 200 feet.
3. To the extent practical, shared parking arrangements shall be employed with other uses in the vicinity, in accordance with the provisions of *Section XXX*.

O. **Retail Establishments Larger than 5,000 Sq. Ft**.

1. Minimum lot area shall be 20,000 sq. ft.
2. Minimum lot width shall be 100 ft.
3. Outdoor storage shall not be permitted.

P. **Short-Term Rental**.

1. Registration.
   a. The property owner shall register the establishment annually with the Town of Seabrook Island and obtain a business license.
   b. A registration number shall be assigned to each registered establishment, which shall be clearly noted along with any advertisement for lodging.
   c. As part of the annual registration requirement, an inspection of the dwelling shall be conducted to ensure compliance with all applicable building and safety codes.
2. Restrictions.
   a. The dwelling may be rented for individual periods not to exceed 29 days each.
   b. Preparation and service of food by the owner/operator for guests shall be prohibited. No cooking shall be permitted in individual bedrooms.
   c. All applicable building and fire codes shall be met.
   d. There shall be no modifications to the exterior of the dwelling that would discernably alter its appearance or use as a dwelling and there shall be no emission of noise, glare, flashing lights, vibrations, or odors not commonly experienced in residential areas.
   e. Use of the dwelling by guests for parties, events, classes, weddings, receptions, and other large gatherings of more than eight (8) persons shall be prohibited.
3. Contact Information. The owner of the property shall provide the name, address, phone number, and email address of a designated local contact person who shall reside within a 30 minute drive of the dwelling and be readily available at all times during which the dwelling is rented for the purpose of responding to concerns or complaints regarding the use of the short-term rental. The contact information shall be filed with the annual registration information and SIPOA security. Any change regarding the contact person or his/her contact information shall be promptly provided to the zoning administrator and SIPOA security.
4. Notice Posted. Written notice shall be conspicuously posted inside each short-term rental unit setting forth the following information:
   a. The name and telephone number of the owner/operator and the designated contact person, if different from the owner/operator.
   b. The address of the dwelling, the maximum number of overnight occupants permitted, and the day(s) established for trash collection.
   c. The maximum number of vehicles allowed.
   d. The non-emergency phone number of the Charleston County Sheriff Department and SIPOA Security.
   e. The annual registration documentation.

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f. Statement that parties, events, classes, weddings, receptions, and other large gatherings are prohibited.

5. Trash. The owner/operator shall ensure that all refuse is stored in appropriate containers and set out for collection on the proper collection day(s) and the carts removed from the street or alley on the scheduled collection day.
6. Parking.
   a. Parking facilities shall comply with the applicable design requirements of *Section XXX*.
   b. At least one (1) off-street parking space shall be provided for each bedroom if the entire dwelling is available for rental or two (2) spaces plus one (1) for each bedroom available for rent if the dwelling is also occupied by the owner or a resident manager.
   c. All parking shall be located on the lot or parcel containing the short-term rental unit.
7. Occupancy Limit. Overnight occupancy shall be the lesser of the following; provided occupancy shall not exceed eight (8) persons under any circumstance
   a. two (2) persons, plus two (2) persons per bedroom; or
   b. two (2) persons, plus two (2) persons per on-site parking space.
8. Non-Transferability. Registration of short-term rental units shall be granted solely to the owner and shall not be transferable to any other person or legal entity. The registration shall include a non-transferability clause and the use shall be terminated automatically upon the sale or change of ownership of the property for which a permit has been issued.
9. Insurance. The property owner shall keep in full force and effect a general liability insurance policy during all times the short-term rental is operated. The policy shall be issued by a company authorized to do business in the State of South Carolina insuring against personal injury (including death) and property damage with limits of no less than $1,000,000.00 per occurrence.
10. Violations.
    a. A property owner, as well as any owner/operator, shall be responsible for ensuring compliance with all federal, state, county, and local laws, including, but not limited to tax code, building code, fire code, and environmental health regulations for the level of occupancy of the short-term rental unit.
    b. Any use for which there are three (3) final determinations of violations of town ordinances and/or criminal convictions related to the property (on, adjacent to, or within the property) by a property owner, tenant, guest, operator, lessee, or individual otherwise related directly to the property within any rolling three hundred sixty five (365) day period, shall constitute a violation of the terms of registration and shall terminate registration. For any registration that is terminated due to ordinance/criminal violations, a property owner shall be ineligible for registration for a period of three (3) years.

Q. **Time-Share Vacation Units**

1. Ownership Shares. No dwelling unit shall be divided in more than quarter-share ownership interests.
2. Registration.
   a. The property shall be registered annually with the Town of Seabrook Island and a business license obtained.
   b. As part of the annual registration requirement, an inspection of the dwelling shall be conducted to ensure compliance with all applicable building and safety codes.

3. Gatherings. Use of the dwelling for parties, events, classes, weddings, receptions, and other large gatherings of more than eight (8) persons shall be prohibited.
4. Contact information and maintenance.
    a. The name, address, phone number, and email address of a designated property owner shall be provided who shall have authority to respond to and resolve concerns or complaints regarding the use, maintenance, or operation of the dwelling as a time-share. The contact information shall be filed with the annual registration information and SIPOA security. Any change regarding the contact person or his/her contact information shall be promptly provided to the zoning administrator and SIPOA security.
    b. The name, address, phone number, and email address of a designated local contact person shall be provided who shall reside within a 30 minute drive of the dwelling and be readily available at all times during which the dwelling is rented for the purpose of responding to concerns or complaints regarding its use. The contact information shall be filed with the annual registration information and SIPOA security. Any change regarding the contact person or his/her contact information shall be promptly provided to the zoning administrator and SIPOA security.
    c. An individual, management firm, or other entity responsible for properly and continually maintaining the dwelling shall be designated. The name, address, phone number, and email address of the designated individual, management firm, or entity shall be provided and recorded with the annual registration information. Any change shall be promptly provided to the zoning administrator and SIPOA security.
5. Occupancy limits. Overnight occupancy shall be the lesser of the following; provided occupancy shall not exceed eight (8) persons under any circumstance
    a. two (2) persons, plus two (2) persons per bedroom; or
    b. two (2) persons, plus two (2) persons per on-site parking space.
6. Insurance. The property owner shall keep in full force and effect a general liability insurance policy during all times the short-term rental is operated. The policy shall be issued by a company authorized to do business in the State of South Carolina insuring against personal injury (including death) and property damage with limits of no less than $1,000,000.00 per occurrence.
7. Other applicable laws. The time-share unit shall be subject to the provisions of Title 27, Chapter 32 of the South Carolina Code of Laws, all applicable codes and ordinances of the Town of Seabrook Island, and all other regulations including, but not limited to, fire, health, and building codes.

R. **Utility Substations or Subinstallations**.

1. Easement. Proof of easement shall be provided to the zoning administrator and SIPOA.
2. Building. The materials, color, and design of buildings and structures shall be generally compatible with those buildings and structures surrounding the site.
3. Landscaping/screening. Fencing, landscaping, or screening may be required in order to minimize the visual impact of the facility or improve its compatibility with adjoining properties. If required by the zoning administrator, it shall comply with the requirements of *Article XXX* of this ordinance.

S. **Veterinary Offices and Clinics**. (See requirements for Kennels, *Subsection I*)

T. **Water and Wastewater Treatment**.

1. All water and wastewater treatment facilities shall comply with the requirements of the South Carolina Department of Health and Environmental Control, as well as all applicable town regulations and ordinances.
2. Structures, including accessory structures and associated parking areas, walks, and roadways shall cover no more than twenty-five (25%) percent of any parcel containing a water or wastewater treatment facility.

U. **Wireless Communication Antennae and Towers**.

1. Required Approvals. The placement of wireless communications facilities and towers shall meet the following approval requirements:

   a. *Installation of New Towers.* The construction and installation of any new tower shall only be in accordance with the review and approval procedures of this article.
   b. *Installation of New Antenna*. The installation of new antenna(e) on existing towers, including legal non-conforming towers, and existing alternative structures (such as water towers, buildings, or steeples) may be approved by the zoning administrator subject to all requirements of this section. Any new antenna that will add either 10 percent or 20 feet, whichever is less, above the highest point of any existing tower or alternative structure shall be subject to the provisions of this section for the installation of new towers, as described below.
   c. *Installation of New Accessory Structures*. The installation of new accessory structure(s), such as equipment buildings, to support the installation of additional antennas on existing towers or alternative structures may be approved by the zoning administrator.

2. Removal. Any tower unused or left abandoned for 12 consecutive months shall be removed by the property owner at his/her expense. Regardless of the tower ownership, the property owner shall be responsible for removal. Upon the request of the zoning administrator, the operator of any facility to which this provision applies shall provide documentation of the use of that facility for the purpose of verifying any abandonment.
3. Interference with Public Safety Facilities. No new wireless communications facilities or tower shall result in any interference with public safety telecommunications.
4. Required Documentation for all Facilities. In addition to the requirements provided in this section for conditional approval, applications for new towers, new antenna, and new related facilities, including equipment mounted on an existing building, shall include the following:

   a. *Engineer's Report*. A report from a professional engineer licensed in the State of South Carolina that:

      i. Describes the height and design of any new tower and/or antenna including a cross-section, latitude, longitude, and elevation;
      ii. Describes or updates (in the case of new antenna) the tower's capacity, including the type and number of antennae it can accommodate;
      iii. Certifies compliance of the construction specifications with all applicable building codes (including but not limited to the foundation for the tower, anchors for the guy wires if used, co-location, and strength requirements for natural forces: flooding, wind, earth movements, etc.);
      iv. Certifies that the facility will not interfere with established public safety telecommunication facilities; and
      v. Includes the engineer's seal and registration number.

   b. *Letter of Intent*. A letter of intent committing the tower owner, property owner, antenna owners, and their successors to allow the shared use of the tower.

c. *Proof of Compliance*. Copies of any required approvals from the Federal Communications Commission (FCC), Federal Aviation Administration (FAA) and all other applicable state and federal agencies.
d. *Removal Affidavit*. A letter committing all parties, including the property owner and his/her successors, to remove the tower and all related accessory structures, fences, landscaping, and equipment if the tower is abandoned (unused for a period of 12 consecutive months). The removal affidavit shall be recorded in Charleston County, with a copy of the recorded affidavit provided to the zoning administrator.

5. Determination of New Tower Need. Any proposal for a new telecommunications tower shall only be approved if the applicant submits verification from a professional engineer licensed in the State of South Carolina that the antenna(e) planned for the proposed tower cannot be accommodated on any existing or approved towers or other structures within a two (2) mile radius of the proposed tower location due to one or more of the following reasons:

a. *Existing Public Site*. There are no existing publicly owned towers or sites suitable to accommodate the proposed tower or antennas.
b. *Inadequate Structural Capacity*. The antenna(s) would exceed the structural capacity of an existing or approved tower or other structure.
c. *Interference*. The antennas would cause interference impacting the usability of other existing or planned equipment at the tower site.
d. *Inadequate Height*. The existing or approved towers or structures within the search radius cannot accommodate the planned equipment at the height necessary.
e. *Land Availability*. Additional land area is not available (when necessary).

6. Design Requirements for new Towers and Related Facilities. All telecommunications facilities shall meet the following design requirements:

a. *Lighting*. Tower lighting shall only be as required for safety or security reasons or as required by the FAA or other federal or state authority. All ground level security lighting shall be oriented inward so as not to project onto surrounding properties and shall have 90-degree cut-off luminaries (shielded down lighting).
b. *Co-Location*. All telecommunication towers shall be designed, and engineered structurally, electrically, and in all other respects to accommodate both the applicant's equipment and at least one (1) additional user for every 50 feet in total tower height in excess of 50 feet or fraction thereof.

i. Each additional user shall be assumed to have an antenna loading equal to that of the initial user.
ii. Towers must be designed to allow for rearrangement of antennas and to accept antennas mounted at varying heights.

c. *Height*. All towers and antenna shall conform to FAA tall structure requirements. The maximum height of accessory structures shall be 15 feet.
d. *Signs*. Signs for all telecommunications facilities shall be permitted up to a total of four (4) square feet per user and mounted on the fence.

7. Site Requirements for new Towers and Related Facilities. All telecommunications facilities shall meet the following site requirements:

a. *Vehicular Access*. Vehicle access drives may be gravel or paved and shall be located within an access easement that is a minimum of 20 feet in width. Any portion of the entrance

located in a public right-of-way or street easement shall meet the applicable street design, construction, and pavement requirements for the Town of Seabrook Island.

b. *Site Area*. The lot (or lease area) where the tower is located shall be large enough to accommodate all anticipated accessory structures needed by future antenna users. The size of the site shall also be of sufficient area to allow the location of one (1) additional tower and associated support facilities.

   i. The arrangement of the initial tower and the topography of the site shall be considered in determining the sufficiency of the site area.
   ii. At a minimum, the width and depth of the tower site shall be a distance equal to the tower height. The tower shall be placed within the property so it is no closer to any lot line than one-half (½) the tower height.
   iii. All tower supporting and stabilizing wires shall be located within the site area.

c. *Setback*. The required setbacks for the tower and related facilities shall be as follows:

   i. Side and rear setback. The minimum side and rear setback for all facilities, including the security fence, shall be 25 feet.
   ii. Front setback. The minimum front setback for all facilities shall be as specified by this ordinance for the zoning district in which it is located. No part of a wireless telecommunications facility, including the security fence, and any required guide wires or bracing shall be permitted in the required front setback.
   iii. Additional setback from residential districts. No facility shall be placed closer than one and one-half (1½) times the total height of the tower or 200 feet, whichever is greater, to any property included in a residential district.

d. *Encroachment*. No part of any telecommunications facility nor associated lines, cables, equipment, wires or braces shall at any time extend across or over any part of a public right-of-way, private street easement, sidewalk, or property line.

e. *Fencing*. An eight (8) foot high security fence shall completely surround the tower and accessory equipment building site. Any deterrents, such as barbed wire, shall be at least eight (8) feet above grade.

   i. Required landscape screening shall be located outside of the required fence.
   ii. If adjacent to a residential district, the required security fence enclosing the facility shall be 100 percent opaque on the side facing the residential district. Chain link fence may be used; provided, it is covered by a green or black wind screen. Opaque, eight (8) foot tall gates shall be provided for access.

8. Landscape Screening. Evergreen buffer plantings shall be located and maintained around the outermost perimeter of the security fence of all wireless communications facilities. The landscape plan for the site shall specify plants in a number and arrangement sufficient to screen the fence, all equipment, and the base of the tower, as determined by the zoning administrator.

   a. If evergreen shrubs are used, they shall be planted a maximum of five (5) feet apart on center.
   b. If evergreen trees are used, they shall be planted a maximum of 10 feet apart on center.
   c. Landscape screening, in addition to the requirements of this section, may be provided in the setback area.

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Article 12

Landscaping and Buffering

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Seabrook Island Development Standards Ordinance

Section 12.1 Purpose

The Town of Seabrook Island determines it is necessary and desirable to enact landscaping and tree preservation regulations for the protection of the public health, safety and general welfare. The importance of plant material is recognized for its contribution to shade, cooling, noise and wind reduction, soil erosion prevention, oxygen production, dust filtration, carbon dioxide absorption, aesthetic and economic enhancement of all real property, and its contribution to the general well-being and quality of life of the citizens of Seabrook Island. Consistent with the expressed purpose of this article, all persons shall make reasonable efforts to preserve and retain certain existing, self-supporting trees as defined in these regulations. It is also the intent of this article that all applicable sites within the town maintain or obtain tree canopy coverage. In order to achieve these purposes, this article calls for the conservation, planting, and replacement of trees, shrubs, and groundcover while ensuring the reasonable use and enjoyment of real property.

Section 12.2 General Provisions

A. **Applicability**. This article governs and regulates the following activities within the town:

1. All non-residential, townhome, and multifamily residential construction on lands within the town which on the effective date of this ordinance requires a site development permit, as set forth below.
2. The subdivision of land.
3. The planting, removal, and perpetual maintenance of trees within any common area or public land.

B. **Exceptions**. The maintenance regulations provisions of this article shall apply in all areas of the town except those lands which may in the future be annexed into the town, and on the effective date of that annexation, are improved by the construction of a building or other structure, or have received final approval for residential subdivision, in compliance with the applicable zoning ordinance in force at the date of annexation.

Section 12.3 Specific Landscaping Requirements

A. **Buffers**.

1. Buffer requirement. When two (2) adjoining properties are in dissimilar zone districts or where a nonresidential use abuts a residential use in the same district, the property within the zone district allowing the more intensive uses or the site containing the nonresidential use abutting residential shall provide a buffer, as shown in *Table 12-3*. Where a buffer or trees and vegetation exist within the required buffer area, the existing trees and vegetation may count toward meeting the buffer requirements of this section and shall be supplemented, as needed, to fully comply with the requirements shown in *Table 12-3a*, Buffer Zone Specifications. When two adjoining parcels are vacant, no buffer shall be required until the more intensively zoned property or nonresidential use for that property, as applicable, acquires a site development permit. In calculating the area devoted to meeting the buffer requirements, areas dedicated for drainage ditches, easements or rights-of-way shall not be included.

Table 12-3, Buffer Zones Required

Zoning Districts	Required Buffer												
	CP	RC	CSC	SF1	SF2	SF3	RCL	RTH	RMF	LC	CF	MU	Non-Res[1]
CP										A	B	A	
RC										A	B	A	
CSC										A	B	A	
R-SF1			A					A	A	B	C	A	A
R-SF2			A					A	A	B	C	A	A
R-SF3			A					A	A	B	C	A	A
R-CL			A						A	B	C	A	A
R-TH			A							A	C		A
R-MF			A							A	C		A
LC											A		
CF										A			
MU											A		
NonRes													

Table 12-3a, Buffer Zone Specifications

Requirements	Buffer Zones		
	A	B	C
Minimum depth (ft.)	20	30	50
Canopy trees[2]	2	2	1
Ornamental trees[2]	2	3	3
Evergreen trees[2]	2	3	5
Shrubs[2]	4	6	10

Insert Graphic

2. Buffer materials. The buffer may consist of a combination of required plantings, wall, screen fence, or berms. In the event walls, fences or berms are used to provide screening within the buffer, the review authority may reduce the required number of trees and shrubs by up to 50 percent if it is determined that the purpose of the buffer will still be achieved. However, where topographic conditions, minimal separation of uses, noise generation, or other characteristics of the property or use exist, the review authority may require construction of a fence, wall or berm in addition to the required plantings along all or a portion of the buffer. Should the zoning administrator be solely responsible for the review or the Planning Commission as part of site plan review?

   a. Plantings. Plantings shall consist of a combination of trees and shrubs, as specified in *Table 12-3a*. Planted areas shall be located along the abutting property lines in areas that will provide the most effective screening.

      i. Evergreen species, under normal growing conditions, shall attain a minimum height of eight (8) feet. The spacing of evergreens shall be such that within (3) years the plantings can be expected to provide a continuous opaque screen.

[1] Non-residential uses within a residential zoning district.
[2] Number required per 100 linear feet of buffer, as measured along the property line

ii. All other trees and shrubs used within any buffer area shall conform to the size requirements specified in *Table 12-3b* at time of planting.
iii. Existing trees and other vegetation within the buffer area shall be retained to the extent possible and may be counted toward meeting the applicable buffer requirement.
iv. Protected trees, as defined in *Section 12.6 B*, shall be identified and the requirements of *Section 12.6* shall be met.

b. Walls. If walls are incorporated into the buffer, they shall be constructed of masonry material on both sides and be six (6) feet in height. The wall shall be placed along the interior side of the buffer with the required plantings on the outer side facing the adjoining property.
c. Fences. If fences are incorporated into the buffer, they shall be constructed of stucco, cypress, pressure-treated wood, or similar materials, in accordance with prevailing building industry standards for appearance, soundness, safety, and resistance to decay and weather. Fences shall be placed along the interior side of the buffer with the required plantings on the outer side facing the adjoining property.
d. Berms. Earthen berms, if incorporated into the buffer, shall have a slope of 3:1 and a flat-topped crown at least two (2) feet wide. Plant material shall be placed along the top of the berm and the side slope facing the adjoining property. Berms shall not exceed six (6) feet in height and shall be undulated to provide a more natural appearance.

3. Buffer design. All buffers required by this article shall conform to the following specifications:

a. Landscape plans and tree surveys shall be required to show the types and locations of all existing and proposed plantings within a required buffer.
b. Landscaping within buffer areas shall be used to screen objectionable views or nuisances, such as parking and service areas, loading docks, outdoor activity areas, refuse containers, air conditioning units and transformers. To achieve such purposes, trees may be clustered rather that uniformly spaced to achieve optimum screening and buffering.
c. Existing trees within the designated buffer area may be credited toward meeting the requirements of this article if the zoning administrator determines that such plant materials achieve the purposes of this article. Protected trees within the buffer area shall be regulated in accordance with *Section 12.6*.

4. Buffer location. Buffers shall be located on the outer perimeter of a lot or parcel along the lot lines between dissimilar zone districts or residential and nonresidential uses within the same district. Buffers shall not be located on any portion of existing, dedicated, or reserved public right-of-way or private street easement. No buffer shall be required along a property line where a public or private street separates two (2) properties which otherwise would be buffered from one another.
5. Modification of requirements. The requirements of this article may be waived or modified, in accordance with the provisions *Section 12.7 B*, by the review authority under any of the following conditions:

a. If it is clearly demonstrated that the existing topography and/or vegetation will achieve the purposes of this article.
b. If it is clearly demonstrated that for topographic reasons, no required screening device could reasonably screen the ground level activities of the use from the first floor view of the abutting structure or use.

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c. The adjoining property owners mutually agree in writing that the required buffer is not necessary for a satisfactory use and enjoyment of their property rights, and such agreement is made and recorded as a covenant running with each parcel or parcels of land.

6. Use of buffers. A buffer may be used for some forms of passive recreation such as pedestrian, bike, or equestrian trails, or as stormwater retention, detention, or water quality area provided that:

   a. No planted materials shall be eliminated;
   b. The total width of the required buffer area shall be maintained; and
   c. The effectiveness of the desired screening shall not be diminished.

7. Maintenance. The responsibility for maintenance shall remain with the owner of the property. Any required plant that has died shall be replaced. Maintenance of planted areas shall consist of mowing, removal of litter and dead plant materials, and necessary pruning. Fences and walls shall be kept in a condition that meets the requirements of this article.
8. Failure to comply. Any failure to comply with the requirements of this article shall be subject to the enforcement and penalty provisions of this ordinance, per *Article XXX*.
9. Surety for buffer installation. When the date for issuing a certificate of occupancy does not coincide with the planting conditions that are necessary to install a required buffer, the zoning administrator shall accept a surety for the buffer installation. Such surety shall be considered part of the tree and landscape performance bond required by this article.

B. **Screening of Storage, Service and Dumpster Areas.**

1. Such areas shall be adequately screened with permanent vegetation and walls when visible from adjacent properties or public or private streets, in accordance with the following:

   a. The design of a screening wall shall be the same architectural style as the principal building or buildings on the lot.
   b. Except where otherwise allowed by these regulations, any wall shall be opaque to prevent the passage of light and debris, and shall be constructed of textured or split-faced block, brick, stone, stucco over concrete block, architectural tile, or similar opaque materials. Unfinished concrete block shall not be permitted.
   c. The height of a wall shall be adequate to block view to the area being screened, but shall not exceed eight (8) feet, except as otherwise allowed by this section.
   d. The height of a wall shall be measured from the finished grade at the base of the wall to the top of the fence or wall but shall not include columns or posts.
   e. Walls shall be interrupted at intervals not exceeding 25 feet by architectural features such as pilasters or columns or by various species of plants that are at least as tall as or taller than the wall.
   f. Such walls shall be set back a minimum of five (5) feet from any adjacent property lines, unless otherwise approved by the reviewing authority.

2. Additionally, evergreen plantings shall be provided along the wall that, at maturity, will screen at least 50 percent of the wall face area.

C. **Parking Lots**.

1. Parking lot perimeter. All parking lots shall be screened from the adjacent street and abutting property by a perimeter landscaped strip in accordance with the following requirements.

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a. The landscape strip shall be located within five (5) feet of the edge of the paved surface area.
b. The landscape strip shall be at least 20 feet wide and, at a minimum, contain the following:
   i. A solid row of shrubs or hedges not less than three (3) feet in height extending along the length of the paved surface. The shrubs or hedges shall be of sufficient size and spacing to attain the required height and opacity of at least seventy-five percent (75%) within two (2) years of planting
   ii. One shade tree for each fifty (50) linear feet of perimeter paved area to be screened, or part thereof. Trees shall be evenly spaced within the landscaped strip, unless the reviewing authority permits otherwise during the review of the site development plan. In considering a deviation from the uniform spacing requirement, the reviewing authority shall consider the presence of existing trees, sight lines from adjacent streets or property, and the distance of the parking area from the street or abutting property.
c. Where the required parking lot screening would fall within or overlap with a required perimeter buffer requirement, the buffer requirements would prevail.

2. Parking lot interior. Interior planting islands shall be provided within all parking areas containing 10 or more parking spaces.
   a. One (1) landscape island having at least 180 sq. ft. in area and a minimum width of nine (9) feet shall be provided for every 10 parking spaces.
   b. Each required landscape island shall contain at least one (1) shade tree and be surfaced with grass, ground cover, shrubs, or other plant material or with at least two (2) inches of wood chips, bark, or pine straw.
   c. Landscape islands shall be located and dispersed in accordance with the following:
      i. Rows of parking spaces located adjacent to the perimeter of all paved areas shall contain no more than 10 parking spaces uninterrupted by a landscape island, and no parking space in such a row shall be separated from a required landscape area by more than five (5) parking spaces.
      ii. All other rows of parking spaces shall contain no more than fourteen (14) parking spaces uninterrupted by a required landscape area, and no parking space in any such row shall be separated from a required landscape area by more than seven (7) parking spaces.
      iii. The Planning Commission, during site development plan review, may allow an adjustment of the landscape island spacing to preserve existing trees, or where it is determined upon review that such adjustment is necessary in order to provide for the safe maneuvering of vehicles.

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D. **Site Development**.

1. Subdivisions.
   a. During the construction of required subdivision improvements, no more than 30 percent of the property's existing tree canopy may be removed. To ensure that this limitation is not

exceeded, the Planning Commission may require, during the subdivision approval process, that plans, calculations, aerial photographs, or other data shall be provided sufficient to allow an accurate determination to be made.

b. In any case, a tree canopy of at least 40 percent shall cover the entire site, comprised of existing tree cover, newly planted trees, or a combination.

c. Trees may be tiered and grouped with understory trees planted under the over-story shade canopy of a new or existing tree. Total canopy coverage shall be computed from the sum of the understory and overstory trees planted and existing.

d. The canopy requirement must be met whether or not a site had trees prior to development or disturbance. Minimum tree canopy shall be calculated and established pursuant to the formula and analysis specified in *Appendix C.1* to this article, and the engineering design standards of the town. The following shall also apply:

   i. Any existing tree of six (6) inches DBH or more shall be saved and may be counted toward the minimum required canopy; provided, it is protected as specified in the town engineering standards.

   ii. Fifty (50) percent of the canopy coverage in wetlands located on the subdivision site may be counted toward satisfying the coverage requirements for the entire site. In addition to the minimum site canopy coverage, at least one (1) tree of not less than two (2) inch DBH shall be planted on each residential lot.

   iii. Trees planted to achieve canopy requirements shall be indigenous to the town and, preferably, be selected from the acceptable tree species list in *Appendix C.5* (which assigns values of canopy coverage in square feet for various groups of trees and minimum areas for planting). Any species listed in *Appendix C.2*, prohibited species, shall not be permitted.

   iv. Planting shall be at the ratio of at least one (1) overstory tree for every three (3) understory trees. Canopy credit may be met by planting all overstory trees, but not by planting only understory trees. No more than 30 percent of any one genus may be included in any planting plan. All trees shall be maintained properly by the builder or developer to ensure their survivability until a certificate of occupancy is issued. In the case of a common area, the builder or developer shall retain responsibility for maintenance as provided in *Section XXX* of this article. All residential lots shall have at least one (1) tree planted or existing.

e. Shade trees shall be provided on each subdivision lot in accordance with the following requirements:

   i. One (1) shade tree, of a minimum two (2) inch DBH, shall be planted for every 150 linear feet of right-of-way.

   ii. The tree(s) shall be located within five (5) feet of the right-of-way of each street within the subdivision.

   iii. Trees shall be planted no closer than 120 feet on-center.

   iv. Except where property on one side of the right-of-way is not owned by the subdivider, such trees shall be planted alternately on either side of the street.

2. Other development. As a condition of approval for any property requiring site plan approval, there shall exist or be planted on the property within one (1) year of that approval, at least one (1) shade tree for each 4,000 square feet of gross lot area. This equates to 11 trees per acre. Consider changing the ratio.

a. Newly planted trees shall be located in accordance with the approved site plan and shall be distributed throughout the developed areas of the site to ensure the availability of shade and aesthetic relief throughout the site.
b. Within 1,000 feet of the South Carolina Coastal Council Ocean Critical Line, palmetto trees shall be substituted for shade trees.

Section 12.4 Materials, Installation, and Maintenance

A. **Material Standards**.

1. Existing trees within any required buffer shall be preserved, unless dead or diseased. In addition, the following standards apply as a minimum to all newly planted landscape areas and additional trees needed to meet the respective requirements of this article.

   a. Native and regionally appropriate plant species are required. Invasive species, as identified by the United States Forest Service, the University of South Carolina, or included as prohibited within *Appendix C* are prohibited from being planted in the Town of Seabrook Island. Further, the replacement of invasive species with desirable hardwood species is strongly encouraged.
   b. All plant and tree material shall meet the American Standard for Nursery Stock standards that are published by and available from the American Association of Nurserymen.
   c. Tree and landscape materials selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor in order to assure a reasonable expectation of survivability.
   d. Tree species diversity requirements of *Appendix C* shall be met on a site-wide basis.

2. The minimum standards specified in *Table 12-4* shall apply to all plantings required by this section at time of planting, except as otherwise specified.

Table 12-4, Plant Specifications

Plant Type	Min. Size	Min. Height	Other
Canopy trees – large	3 in. caliper	16 feet	
Canopy trees – medium	2 in. caliper	10 feet	Multi-stemmed – one (1) in. on any cane
Canopy trees – small	1½ in. caliper	6 feet	Multi-stemmed – one-half (½) in. on any cane
Palms – large		10 ft. clear trunk	
Palms – medium		6 ft. clear trunk	
Palms – small		4 ft. clear trunk	
Shrubs		24 inch	Containerized

B. **Installation Standards**.

1. Installation of trees and landscape materials shall be in accordance with the standards established by the American National Standards Institute (ANSI).
2. Root barriers shall be installed wherever a tree is planted less than seven (7) feet from the pavement edge of a street to prevent root penetration and destruction of infrastructure.
3. Large and medium trees shall not be planted underneath or directly adjacent to overhead power lines and shall be a minimum of 10 feet from any building or underground utility unless root barrier is used.

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4. Small trees and palms shall be a minimum of five (5) feet from any building or underground utility.
5. All trees and landscaped areas shall be provided with a means for water delivery in a quantity sufficient to establish and maintain the viability of the plants.
    a. A water supply is not required for areas of established trees and other vegetation that are retained; provided, site grading or development activities will not result in damage to those areas.
    b. While an automatic irrigation system is preferred, at a minimum all required plantings must be within 100 feet of a permanent water source.
    c. If an irrigation system is provided, it shall include a rain sensor, weather sensor, or other means of automatic shut off when irrigation is not necessary due to actual climatic conditions.

C. **Maintenance Standards**.

1. All plant material shall be maintained in good condition at all times in accordance with standards established by ANSI. All plantings that die or are destroyed must be replaced, during the next suitable planting season.
2. Attaching lights, signage, fence rails, and any other items to trees is strictly prohibited.
3. All sites are required to remain in compliance with the requirements of this article for development and are subject to inspection by the town for this purpose. If deficiencies are found, the owner of the property shall be notified to correct the deficiencies within 90 days. If the deficiencies are not corrected in 90 days, the town will seek administrative or judicial relief, as appropriate.

Section12.5 Tree Preservation

A. **Tree Credit**. Whenever the terms of this article require the provision of canopy trees on any lot, credit shall be given for the preservation of existing trees which are properly protected during any clearing or construction on the property, are in good health, and meet the following criteria:

1. Such trees must meet the requirements of this article for location, spacing and type of tree.
2. Any such trees that have a minimum four-inch (4") DBH and a minimum crown spread of 10 feet shall receive credit on a one-for-one basis for required trees.
3. Credit toward the requirements of this Section shall be given in accordance with the following table on larger trees:

Table 12-5, Existing Tree Credit

Existing Crown Spread	Diameter of Tree Trunk Four and one-half (4½) Feet Above Natural Grade	Number of Trees Credited
60 ft. or greater	30—35 inches	6
50—59 ft.	26—29 inches	5
40—49 ft.	20—25 inches	4
30—39 ft.	13—19 inches	3
20—29 ft.	8—12 inches	2
10—19 ft.	4—7 inches	1

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4. To receive credit for the preservation of an existing tree, the following requirements must be met.

    a. Fifty percent (50%) of the area within the drip line of the tree shall be naturally preserved or provided with pervious landscape material and shall be maintained at its original grade with no trenching or cutting of roots in this area. Within this area, there shall be no storage of fill or compaction of the soil, as from heavy construction equipment or any evidence of concrete, paint, chemicals, or other foreign substances in the soil.
    b. The tree shall not be damaged from skinning, barking, bumping and the like.
    c. There shall be no evidence of active insect infestation potentially lethal to the trees.
    d. There shall be no impervious surface or grade change within five (5) feet of the trunk.

5. If it is determined by the zoning administrator that the requirements of the sections above have not been complied with, credit for an existing tree may nevertheless be given upon proof from the County Forester, satisfactory to the zoning administrator, that such tree is healthy and has not been seriously damaged during development.
6. If any tree for which credit was given pursuant to this ordinance is not alive and healthy one (1) year after all associated construction and development of the property is completed, it shall be removed and replaced with the tree or trees that originally would have been required. This shall be the responsibility of the developer of the subject property.

B. **Permits for Tree Removal**. No living tree which is twelve (12") inches or more DBH may be removed or relocated without a removal permit as provided for below. Trees that require such permit for removal or relocation shall be called "protected" trees.

1. Permit Filing. Any person desiring to remove or relocate a protected tree within an area in which there is no duly authorized and approved Architectural Review Board ("ARB") shall file an application for a tree removal permit with the zoning administrator. Should this be the responsibility of the ARB or the zoning administrator? What are the criteria for approval?

    a. If a protected tree is located in an area in which there is a duly authorized and approved ARB, a permit will not be required provided the property owner obtains the approval of the ARB.
    b. For purposes of this ordinance, the SIPOA ARB is hereby recognized as an approved ARB.

2. Removal Proposed on Subdivision or Site Development Plan. When a tree removal or relocation permit is applied for in conjunction with any development requiring approval of a site plan or subdivision plat, such application shall be considered and either approved or denied by the Planning Commission at the same time a site plan or plat is approved.

    a. All plans, data, or other information required with the application may be included in the proposed subdivision or site development plan or supporting documents.
    b. Trees identified for removal pursuant to an approved site plan shall be marked as specified by the zoning administrator. Any tree not approved for removal and marked accordingly shall not be removed, except if a separate tree removal permit is applied for and issued in accordance with this section.

3. Application Submissions. All applications filed with the town for removal of a protected tree shall include or be accompanied by:

    a. An overall site plan or proportional sketch of the lot upon which the tree is located, showing the shape and dimensions of the lot, and the location, configuration and size of existing or proposed structures, driveways and other improvements. The plan or sketch shall also

identify the location and type of all protected trees and all significant groupings of other trees on the lot, in addition to:

b. A designation of any protected trees proposed to be removed or relocated, along with the reasons for such removal or relocation.
c. A statement of how any other protected trees are to be protected during any approved tree removal or relocation and any associated construction or clearing.
d. A statement identifying any proposed grade changes on the lot and the precautions to be taken to ensure that such changes will not adversely affect or endanger any protected trees, which are not to be removed or relocated.

4. Permit Approvals.

a. The zoning administrator, within five (5) working days of the filing of such applications, shall verify the information contained in the application and either approve or deny the application as to each protected tree proposed to be removed or relocated.
b. There shall be no fee for such permit. I suggest deleting this. There is no requirement that a fee be charged but if Council ever decides to start charging, the ordinance would have to be amended.
c. Applications for removal or relocation shall be approved by the zoning administrator only as to protected trees that pose a safety hazard; are weakened by disease, age, storm, fire, or other injury; or which prevent the reasonable development of the lot. Protected trees shall not be removed or relocated for the purpose of locating utility lines and connections unless no reasonably practical alternative is available. This seems to contradict all previous provisions in Subsection B.

C. **Special Authorization**. Regardless of the requirements of this section, the Town Council may authorize the cutting of protected trees for commercial timbering purposes upon such conditions as will ensure the preservation or replacement of an adequate tree population.

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Article 13

Parking and Loading

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Seabrook Island Development Standards Ordinance

Section 13.1 Purpose

The purpose of this article is to prescribe regulations for off-street parking of motor vehicles in residential and non-residential zoning districts; to ensure by the provision of these regulations that adequate parking and access are provided in a safe and convenient manner; and to afford reasonable protection to adjacent land uses from light, noise, air/water pollution and other effects of parking lot proximity.

Section 13.2 General Requirements

A. **Applicability of Parking Requirements**. For all buildings and uses established after the effective date of this ordinance, off-street parking shall be provided as required by this article. In addition, the following shall also apply:
   1. Whenever use of a building or lot is changed to another classification of use, off-street parking facilities shall be provided, as required for that use.
   2. If the intensity of use of any building or lot is increased, through the addition of floor area, increase in seating capacity, or other means, additional off-street parking shall be provided, as required by this article.
   3. Off-street parking facilities in existence on the effective date of this ordinance shall not be reduced below the requirements of this article, nor shall nonconforming parking facilities be further reduced or made more nonconforming.
   4. An area designated as required off-street parking shall not be changed to another use, unless equal facilities are provided elsewhere in accordance with the provisions of this article.

B. **Location**. Off-street parking facilities required for dwellings shall be located on the same lot or plot of ground as the dwelling they are intended to serve and shall consist of at least a one (1) stall garage in addition to a driveway, parking strip, parking apron, or parking lot. Off-street parking facilities required for all uses other than dwellings shall be located on the lot or within 300 feet of the building(s) or use they are intended to serve, as measured from the nearest point of the parking facility to the nearest public entry of the building(s) or use served.

C. **Shared/Common Parking**. Parking requirements may be modified where it can be shown that the hours of operation of two or more businesses are such that they can share the same parking spaces (e.g., a retail store or office that closes before a restaurant in the same location opens.) The periods of peak use must not overlap and there must exist a written agreement between the parties involved providing for joint use of the spaces. A copy of such agreement shall be kept on file with the zoning administrator.
   1. A request for shared parking that will result in fewer than the total number of spaces required for all uses separately may be approved as part of site development plan review. The following documentation shall be provided in conjunction with such a request:
      a. A shared parking analysis, in a form established by or acceptable to the zoning administrator, shall be submitted to the zoning administrator demonstrating the feasibility of shared parking. It must address, at a minimum, the size and type of the proposed development or combination of uses, the composition of tenants, the hours of operation of the uses, and the peak hours of use if the hours of operation overlap.
      b. A shared parking plan shall be enforced through written agreement among all owners of record and included in the development agreements filed with the town. The owner of the

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shared parking area shall enter into a written agreement with the Town of Seabrook Island with enforcement running to the town. The agreement shall state that:

i. the land comprising the parking area shall never be disposed of, except in conjunction with the sale of the building which the parking area serves so long as the facilities are required; and

ii. the owner agrees to bear the expense of recording the agreement which shall bind his or her heirs, successors, and assigns.

2. An attested copy of the shared parking agreement between the owners of record shall be submitted to the zoning administrator to be recorded in a form established by the town attorney. The agreement must be recorded before issuance of a building permit or certificate of occupancy for any use to be served by the shared parking area. A shared parking agreement may only be revoked if all required off-street parking spaces will be provided on-site. The town shall void the written agreement if other off-street facilities are provided in accord with these development regulations.

D. **Modification of Parking Requirements.** The Planning Commission may reduce the parking space requirements of this article for any use, based upon a finding that one or more of the following conditions shall be met:

1. Bicycle or pedestrian travel is likely to be used and, in particular, the site design will incorporate both bicycle parking facilities and pedestrian connections.
2. Shared parking is available to multiple uses where there will be a high proportion of multipurpose visits or where uses have peak parking demands during differing times of the day or days of the week and meeting the following requirements:
   a. Pedestrian connections shall be maintained between the uses.
   b. Unless the multiple uses are all within a unified business center or mixed-use development all under the same ownership, shared parking agreements shall be filed by the zoning administrator with the town clerk after approval and recording.
3. Available shared off-street parking or on-street spaces are located within 300 feet of the subject property.
4. Expectation of walk-in trade is reasonable due to sidewalk connections to adjacent residential neighborhoods. To allow for a parking space reduction, the site design shall incorporate pedestrian connections to the site and on-site pedestrian circulation, providing safe and convenient access to the building entrance.
5. Where the applicant has provided a parking study, conducted by a qualified transportation engineer, demonstrating that another standard would be more appropriate based on actual number of employees, expected level of customer traffic, or actual counts at a similar establishment.
6. A parking study may be required, at the sole discretion of the reviewing authority, to document that any one (1) or more of the criteria 1 through 4 above would be met.

E. **Temporary Parking**. It is recognized that there may be special events or situations that occur infrequently which would result in a temporary reduction in the availability of required parking spaces or create a need for temporary off-site parking. Such events may include, but are not limited to, outdoor vehicle sales, festivals or fairs, charity car washes, sporting events, or garage sales. In those instances, the zoning administrator may authorize the use of a portion of the required parking area for other purposes on a temporary basis or permit temporary off-site parking, upon a demonstration by the applicant that:

1. the loss of the required parking spaces may be off-set by requiring employees or customers to park elsewhere or that due to the time of year or nature of the on-site business, the required spaces are not needed;
2. all or part of the displaced parking may be accommodated on unpaved areas of the site;
3. permission has been granted by neighboring property owners or operators to use their parking facilities;
4. the duration of the special event is so short or of such a nature as to not create any appreciable parking shortage for the normal operation of the existing on-site use;
5. temporary off-site parking is located and designed to ensure safe and efficient circulation for both pedestrians and vehicles (a site development plan may be required to demonstrate this); and
6. the proposed special event satisfies all other applicable town regulations.

F. **Maximum Allowed Parking**. In order to minimize excessive areas of pavement that detract from aesthetics, contribute to high rates of storm water runoff, and generate reflective heat, the minimum parking space requirements of this section shall not be exceeded by more than 10 percent, unless approved by the zoning administrator. In approving additional parking space, the zoning administrator shall determine that the parking is necessary, based on documented evidence, to accommodate the use on a typical day. Further, the zoning administrator may require that parking spaces provided in excess of 10 percent over the minimum requirement shall only be located on permeable surfaces.

G. **Bicycle Parking**. In addition to off-street vehicular parking requirements, the following bicycle parking requirements shall be met for all nonresidential and multi-family residential uses:
1. Bicycle parking shall be provided in an amount equal to five (5) percent of the minimum required off-street parking spaces for vehicles, but no fewer than five (5) bicycle spaces.
2. Such parking shall be located in close proximity to the primary entrances used by customers, visitors, or residents.
3. Bicycle parking areas shall contain bike racks installed on paved surfaces.
4. Bicycle parking areas and pathways connecting them to the buildings they serve shall be lighted for the safety of the cyclists and to discourage theft.
5. Shared bicycle parking for two (2) or more uses is permitted; provided, an attested copy of the agreement between the owners of record is submitted to the zoning administrator in a recordable form acceptable to the attorney.

H. **On-Street Parking**. Where on-street parking is available within 300 feet of the boundary of a lot or parcel, a portion of the off-street parking requirement may be waived by the zoning administrator upon determining that one (1) or more of the following conditions is applicable:
1. A number of the on-street spaces are currently routinely available and can reasonably be expected to be available to the use for which the waiver is requested;
2. The nature of the proposed use is such that its peak demand occurs at times when the on-street parking is not likely to be used; or
3. The on-street parking would not be the primary parking area for the use and may be considered as a temporary option, as provided in *Section 13.2 E*.

Section 13.3 Required Off-Street Parking

The minimum number of required off-street parking spaces shall be provided and maintained on the premises or as otherwise allowed by this article, as specified in *Table 13-3*.

A. When units or measurements determining the number of required parking spaces result in a fraction over one-half (½), a full parking space shall be required.

B. In the case of a use not specifically mentioned, the requirement for off-street parking facilities for a specified use which is most similar, as determined by the zoning administrator, shall apply.
C. Each 24 inches of bench, pew, or similar seating facilities shall be counted as one (1) seat, except if specifications and plans filed in conjunction with a building permit application specify a maximum seating capacity, that number may be used as the basis for required parking spaces.
D. Where parking requirements are based upon maximum seating or occupancy capacity, the capacity shall be as determined by the building and fire codes.
E. Unless otherwise indicated, floor area shall be usable floor area (UFA).

Table 13-3 Parking Requirements by Use

Use	Number of Parking Spaces
Residential Uses	
Accessory dwellings	1 space per dwelling unit
Multiple-family dwellings and townhomes	2 spaces per dwelling unit, plus .25 spaces per unit for guest parking
Single-family detached and two-family dwellings	2 spaces per dwelling unit
Institutional Uses	
Auditoriums, assembly halls, meeting rooms, theaters, and similar places of assembly	1 space per 3 seats or 1 space per 3 persons allowed based on maximum capacity in the main place of assembly, as established by the city fire and building codes
Churches and customary related uses	1 per 3 seats in the main unit of worship, plus spaces required for each accessory use such as a school
Government offices	1 per 300 sq. ft. of UFA plus requirements for auditoriums, meeting halls or similar assembly rooms
Public libraries and museums	1 per 300 sq. ft. of UFA, plus requirements for auditoriums, classrooms or similar assembly rooms
Retail Uses	
Retail stores except as otherwise specified herein	1 per 250 sq. ft. of UFA
Animal grooming, training, day care, and boarding	1 per 300 sq. ft. of UFA
Convenience store	1 per 200 sq. ft. of UFA
Grocery store/supermarket	1 per 200 sq. ft. of UFA
Service Uses	
Banks and other financial institutions	1 per 200 sq. ft. of UFA for the public. Drive-up windows/drive-up ATMs shall be provided with 3 stacking spaces per window or drive-up ATM
Hair salon or barber shop	2 parking spaces per chair/station
Dry cleaners	1 per 500 sq. ft. of UFA
Kennel	1 per 400 sq. ft. of GFA, but no less than 4 spaces
Laundromats	1 per washer-dryer pair

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Table 13-3 Parking Requirements by Use	
Use	**Number of Parking Spaces**
Hotel or other commercial lodging establishment	1.25 per guest unit. In addition, spaces required for ancillary uses such as lounges, restaurants, meeting rooms or places of assembly shall be provided and determined on the basis of specific requirements for each individual use
Offices, business, professional and general	1 per 300 sq. ft. of UFA, but no less than 5 spaces
Offices, medical, dental and veterinary	1 per 200 sq. ft. of UFA
Vehicle service stations (gas stations)	1 per employee, plus additional parking required for other uses, such as the retail floor area or restaurants. Each automobile fueling position may count as one quarter (1/4) of a required space for other uses.
Vehicle wash establishment	2 spaces, plus 10 stacking spaces per washing stall or line, plus a minimum 30 foot long drying lane to prevent water from collecting on street.
Restaurants, Bars, and Clubs	
Standard sit-down restaurants	1 per 75 sq. ft. of UFA
Bars, lounges, taverns, nightclubs (majority of sales consist of alcoholic beverages)	1 per 50 sq. ft. of UFA
Private clubs, lodge halls, or banquet halls	1 per 3 persons allowed within the maximum occupancy load as established by the city fire and building codes
Recreation	
Athletic clubs, exercise establishments, health studios, sauna baths, and other similar uses	1 per 3 persons allowed within the maximum occupancy load as established by city fire and building codes, plus 1 per employee
Golf course or country club	2 per golf hole, plus additional for any bar, restaurant, banquet facility, meeting room, or similar use
Neighborhood swimming pools and similar facilities for the common use of residents within a development)	1 per 10 persons allowed within the maximum capacity as established by the city fire and building codes

Section 13.4 Design Requirements

A. **Location and Setbacks**. Off-street parking lots shall meet the setback requirements applicable to parking, as may be specified in the zoning district or which may be specified for individual uses.

B. **Parking Construction and Development**. The construction of any parking lot shall require approval of an administrative site plan, in accordance with *Article XXX*. Construction shall be completed and

approved by the zoning administrator before a certificate of occupancy is issued and the parking lot is used.

1. Pavement. All parking lots and vehicle and equipment storage areas shall be paved with asphalt or concrete and shall be graded and drained to dispose of surface water which might accumulate. Alternative paving materials, such as permeable/grass pavers, stone or asphalt millings, may be approved for all or a portion of the parking areas, based upon credible evidence of the durability and appearance of the proposed materials. For storage areas, a substitute for hard-surfaced pavement may be approved upon a determination that there are no adverse effects on adjoining properties.
2. Drainage. Surface water from parking areas shall be managed in accordance with the town's engineering standards. The town engineer shall determine the appropriate detention or retention treatment.
3. Dimensions. Parking space and aisle dimensions shall meet the following requirements and as specified in *Table 13-4*.

    a. Angled parking between these ranges shall be to the nearest degree.
    b. Space length may be reduced by up to two (2) feet if an unobstructed overhang, such as a landscaped area or sidewalk, is provided. A sidewalk shall have a minimum width of seven (7) feet where abutting a parking area. There shall be a minimum distance of seven (7) feet between the parking lot curb and building. Where curbing does not exist, bumper blocks shall be provided to protect pedestrian space adjacent to the building.
    c. In parking lots having 20 or more spaces, up to 25 percent of the total required spaces may be compact spaces and designated as such with signs or pavement markings. Compact spaces may be reduced in size in accordance with the provisions of *Table 13-4*.
    d. All parking lots shall be striped and maintained showing individual parking bays, in accordance with the following dimensions; provided, if alternative materials are used wheel stops shall be installed to define the spaces:

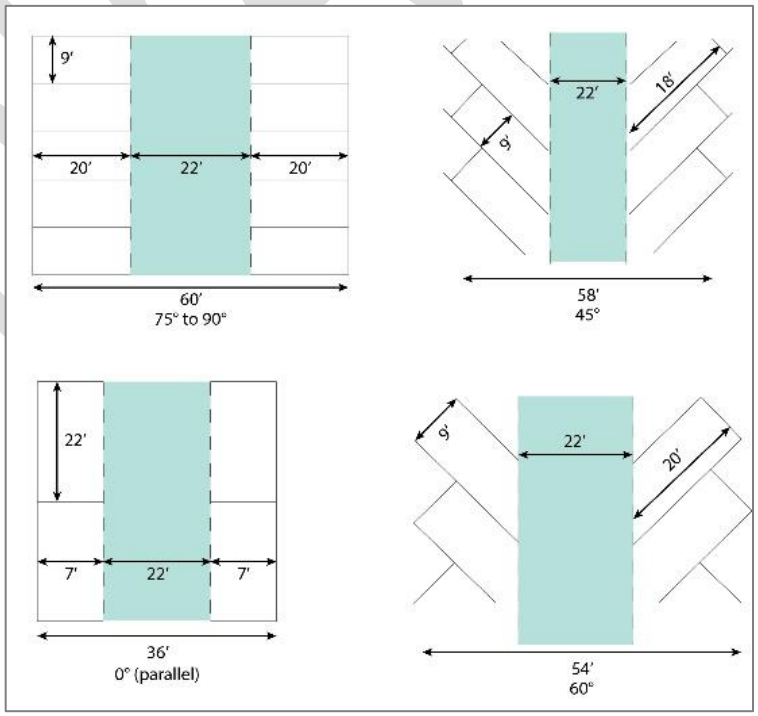

Table 13-4 Dimensional Requirements (feet)						
Parking Pattern	Parking Space[1]		Maneuvering Aisle Width		Total Width – Two Rows of Parking and Maneuvering Lane	
	Width	Length	One-way	Two-way	One-way	Two-way
0°(parallel)	7	22	11	22	25	36
45°	9	18	11	22	47	58
60°	9	20	11	22	56	62
75° to 90°	9	20	12	22	52	62

1. Stacking Spaces. Waiting/stacking spaces for drive-through uses (such as banks, car washes, pharmacies, or dry cleaners) shall be at least 24 feet long and 10 feet wide. Stacking spaces shall not block required off-street parking spaces. Where the drive-through waiting lane provides for a single lane for five (5) or more vehicles an escape/by-pass lane shall be provided to allow vehicles to exit the waiting lane.
2. Ingress and Egress. Adequate vehicular ingress and egress to the parking area shall be provided by means of clearly limited and defined drives. Driveways shall not exceed 30 feet in width and shall not be located closer than 125 feet to any other driveway or street intersection. Parking spaces shall be accessed only from interior access and circulation aisles. The use of adjacent streets for maneuvering into or out of off-street parking spaces shall be prohibited.
3. Curbing. A six (6) inch concrete curb or approved alternative shall be provided around all sides of any parking lot of 10 or more spaces to protect landscaped areas, sidewalks, buildings or adjacent property from vehicles that might otherwise extend beyond the edge of the parking lot. Curb openings are allowed for storm water drainage, as recommended by the town engineer. Plantings shall be set back two (2) feet from curbs to allow for bumper overhang.
4. Landscaping. Off-street parking areas shall be landscaped and/or screened, in accordance with the requirements of *Article XXX*. The use of rain gardens and other low impact design solutions to minimize the impact of stormwater runoff is encouraged.
5. Lighting. Light fixtures used to illuminate off-street parking areas shall be arranged to deflect the light away from adjoining properties and adjacent streets. Lighting fixtures in parking areas shall conform to the requirements of *Section XXX*. Light fixtures shall be designed to achieve 90 degree luminary cutoff.
6. Fire Lanes. Fire lanes shall be designated on the site and posted with signage prior to occupancy. Vehicle circulation shall meet turning radius requirements set by the fire department.
7. Crosswalks. Pedestrian pathways and crosswalks within parking areas shall be distinguished from driving surfaces through the use of durable, low-maintenance, surface materials such as pavers, bricks, or scored, stamped or colored concrete to enhance pedestrian safety and comfort as well as the attractiveness of the parking area.

D. **Barrier Free Parking in Parking Lots**. Within each parking lot, signed and marked barrier free spaces shall be provided at a convenient location, in accordance with the applicable requirements of the

[1] Minimum dimensions for golf carts shall be five (5) feet wide by 10 feet long.

Americans with Disabilities Act of 1990 (ADA). Barrier free spaces shall be located as close as possible to building entrances. Where a curb exists between a parking lot surface and a sidewalk entrance, an inclined approach or curb cut with a gradient of not more than a 1:12 slope and width of a minimum four (4) feet shall be provided for wheelchair access.

E. **Maintenance**. All parking areas shall be maintained free of trash and debris. Surface, curbing, light fixtures and signage shall be maintained in good condition.

F. **Limitations on Use of Parking Lots.**

1. Off-street parking areas are intended only for temporary vehicle parking. Parking areas or open land shall not be used for the parking of disabled vehicles or storage of junk.
2. It shall be unlawful to use a parking lot or open area to store or park any vehicle for the purpose of displaying vehicles for sale, except in an approved vehicle sales dealership.

G. **Recreational Vehicle Parking**. Within any residential district, vehicles, trailers, boats, and similar recreational vehicles or equipment shall be parked only on the designated driveway area that provides access to the garage or property from the public right-of-way or road easement. However, no abandoned or dismantled vehicle, trailer, boat, or similar recreational vehicle or equipment, or portion thereof, shall be parked or stored in such area for more than 24 hours. Parking areas shall not exceed 30 feet in width or half the lot width, whichever is less. Off-street parking in other areas of the front yard, side street yard or rear yard may be permitted when in the opinion of the zoning administrator no practical alternative exists, the purpose of the district would not be compromised, and no detrimental impact would result. Discuss. Does SIPOA have rules governing the parking or storage of RVs?

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