

ARTICLE IX

BEACH STANDARDS

900. Specific Project Standards for Beaches and Dunes. In 1988 the Beachfront Management Act was adopted. Amendments to the Act were approved in 1990. A series of maps showing the location of the baseline and the setback line were produced by the S. C. Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (OCRM). Construction seaward of the setback line shall conform to the following regulations, as well as the requirements contained in the South Carolina Beachfront Management Act, as amended.

900.1 Normal Maintenance and Repair of Habitable Structures. Normal maintenance and repair of habitable structures is allowed without notice to OCRM.

900.2 Construction of New Habitable Structures. If any part of a new habitable structure is constructed seaward of the setback line, the owner shall certify to the OCRM that construction meets the following requirements:

900.201 The habitable structure is no larger than five thousand square feet of heated space.

900.202 The structure is located as far landward on the property as practicable.

900.203 A drawing has been submitted to the OCRM showing a footprint of the structure on the property, a cross section of the structure, and the structure's relation to property lines and setback lines which affect the property.

900.204 No erosion control structure or device is incorporated as an integral part of the habitable structure.

900.205 No part of the building is being constructed on the primary oceanfront sand dune or seaward of the baseline.

900.3 Additions to Habitable Structures. Additions to habitable structures between the baseline and setback line are allowed provided the following requirements are met:

900.301 The additions together with the existing structure do not exceed five thousand square feet of heated space.

900.302 Additions to habitable structures comply with the conditions for new habitable structures.

900.4 Repair and Renovation of Habitable Structures. Repair and renovation of a habitable structure between the baseline and setback line damaged but not destroyed beyond repair due to natural or man-made causes is allowed after notice and written documentation to OCRM.

900.5 Replacement or Rebuilding of Habitable Structures.

900.501 A habitable structure in excess of five thousand square feet of heated space between the baseline and setback line which has been destroyed beyond repair due to natural causes may be replaced or rebuilt provided all of the following requirements are met:

900.5011 The total square footage of the replaced structure seaward of the setback line does not exceed the total square footage of the original structure seaward of the setback line.

900.5012 The linear footage of the replaced structure parallel to the coast does not exceed the original linear footage parallel to the coast.

900.5013 The replaced structure is no farther seaward than the original structure.

900.5014 Where possible, the replaced structure is moved landward of the setback line or if not possible, then as far landward as practicable.

900.5015 The reconstruction is not seaward of the baseline unless permitted elsewhere in this Ordinance.

900.5016 Replacement of a habitable structure destroyed beyond repair due to man-made causes is allowed provided the rebuilt structure is no larger than the original structure it replaces and is constructed as far landward as possible, but the new structure must not be farther seaward than the original structure.

900.502 A habitable structure up to five thousand square feet of heated space between the baseline and setback line which has been destroyed beyond repair by natural or man-made causes may be replaced or rebuilt provided the requirements of new habitable structures are met.

900.6 Landscaping, Earthmoving and Fill for Landscaping. Within the beach/dune system, the installation of materials and associated amenities, moving of earth and

placing of fill to accomplish this installation are allowed provided all of the following requirements are met:

- 900.601 A comprehensive landscaping plan is submitted and approved in writing by OCRM.
- 900.602 The construction of a retaining wall which extends below existing grade shall not be allowed.
- 900.603 No sand from the beach shall be used as backfill.
- 900.604 No native plant material growing on the frontal dunes may be disturbed unless it can be demonstrated that the condition of the dune will be improved.
- 900.605 Only native salt tolerant plant species may be planted on dunes and shall be approved by OCRM staff.
- 900.606 Adequate measures shall be taken to contain fill and irrigation runoff.
- 900.607 No leveling of dunes is allowed.
- 900.608 All work shall be in compliance with applicable local ordinances.

900.7 Fences, Lighting, Trash Receptacles, Sidewalks, and Signs. Seaward of the setback line, the placement, maintenance and repair, and replacement of fences, lighting, trash receptacles, sidewalks, and signs are allowed provided all of the following requirements are met:

- 900.701 Construction shall not alter or impact existing sand dunes, dune vegetation, or the beach.
- 900.702 Existing concrete sidewalks attendant to public streets may be replaced within their original footprint.
- 900.703 Trash receptacles (not dumpsters) may be attached to access ways or placed on the beach when Georgetown County determines there is a need for such receptacles.
- 900.704 Signs are limited to only those attached to attendant structures or mail receptacles or informational signs deemed necessary by federal, state, or local government for public health and safety. Advertisements are not allowed except on the walls of commercial structures.

900.705 No fence may be used as a retaining wall.

900.706 Any additional lighting seaward of the setback line shall be designed to shield the beach from illumination.

900.8 Emergency Vehicle Access Ways, Non-attached Decks, Gazebos and Other Structures Which Enhance Beach Access. Seaward of the setback line the placement, maintenance and repair, and replacement of emergency vehicle access ways, decks, gazebos, and other structures which enhance beach access are allowed provided all of the following requirements are met:

900.801 Emergency vehicle access ways shall:

900.8011 Be constructed at sites which preclude alteration of existing sand dunes and dune vegetation to the maximum extent practicable.

900.8012 Be constructed above the existing grade except for points of entry and exit.

900.8013 Be constructed of wood.

900.8014 Be located at least one-half mile from any other vehicle access to the beach unless, after review by OCRM, this provision is determined to be unreasonable due to site specific circumstances concerning health and safety needs.

900.8015 Be approved by the Georgetown County Planning Commission and County Council.

900.8016 Provide for pedestrian access use.

900.802 Non-attached decks, gazebos and other structures (other than walkways) which enhance beach access shall:

900.8021 Be constructed of wood.

900.8022 Not be constructed seaward of the no-construction zone.

900.8023 Not exceed one hundred forty-four square feet (this square footage is not included in the five thousand square foot limitation on habitable structures).

- 900.8024 Be limited to no more than one of these structures per lot unless a limit of one would cause an unnecessary hardship as determined by the South Carolina OCRM.
- 900.8025 Not be put to a commercial use.
- 900.8026 Be in compliance with applicable local ordinances.

900.9 Construction and/or Repair of Drives and Parking Lots. Within the setback area, The construction and/or repair of drives and parking lots within the setback area is allowed provided all of the following requirements are met:

- 900.901 On oceanfront lots, new driveways and/or parking lots shall not extend seaward of habitable structures.
- 900.902 Existing drives and/or parking lots shall not be expanded beyond their original size.
- 900.903 No sand from the beach may be used during construction and/or repair.
- 900.904 No alteration of the primary oceanfront sand dune or its dune vegetation is allowed.
- 900.905 At the OCRM's discretion, a Stormwater Management Plan may be required.
- 900.906 The work shall comply with applicable local ordinances.
- 900.907 Best Management Practices (BMP's) such as hay bales, silt fences, mulches, or other appropriate measures shall be used as necessary during the construction phase to prevent sedimentation reaching adjacent waters and wetlands. Upon project completion the disturbed areas shall be stabilized as soon as possible with grass or other appropriate vegetative cover.
- 900.908 No new driveway or parking lot may be constructed seaward of the baseline unless a special permit is obtained from the OCRM.

900.10 Installation or Repair of Underground and Overhead Water, Sewer, Gas, Electrical, Telephone Lines and Cable Service Lines. Within the setback area the placement, maintenance, repair and replacement of service lines are allowed provided the following requirements are met:

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- 900.1001 All service lines shall be located as far landward as possible on each individual lot.
- 900.1002 Lines, junction boxes, poles, and accessory structures will be relocated landward as far as possible in the event there is a need for replacement.
- 900.1003 Dunes allowed to be altered during construction shall be reconfigured and revegetated in accordance with OCRM guidelines.
- 900.1004 All work shall be in compliance with applicable local ordinances.
- 900.1005 A comprehensive plan for new or replacement utilities shall be approved in writing by the OCRM.
- 900.11 Drainage Structures. Seaward of the setback line the placement, maintenance and repair, and replacement of drainage structures are allowed provided the following requirements are met:
- 900.1101 For new construction, the structures shall be part of an OCRM approved storm water management plan or drainage plan which must be submitted either prior to or at the time the permit application is submitted.
- 900.1102 The replacement of drainage structures shall not involve an increase in the size of the existing structures, unless this change is approved by the OCRM as a part of the Stormwater Management Plan or drainage plan.
- 900.1103 Any disturbance to the dunes and dune vegetation shall be restored to pre-project conditions as soon as possible, and the restoration shall be approved by the OCRM staff.
- 900.1104 The drainage structure shall comply with the local drainage plan for the area seaward of the setback line.
- 900.1105 New drainage structures may be placed on the beach only if:
- 900.11051 Existing structures are eliminated.
- 900.11052 No feasible alternative exists.
- 900.1106 All work shall be in compliance with applicable local ordinances.

900.1107 Areas disturbed during construction shall be revegetated to the OCRM's satisfaction.

900.12 Sand Fences, Minor Beach Renourishment, Dune Revegetation. In an effort to provide beachfront property owners with passive, low-cost dune stabilization methods, the placement, maintenance and repair, and replacement of sand fencing, dune revegetation, and minor renourishment may be allowed seaward of the setback line under the following conditions. (Note: These steps may not be viewed as being undertaken for erosion control but rather as dune enhancement and stabilization measures. Since a broad beach and a healthy dune provide a storm buffer, these methods should aid the natural processes affecting the beach/dune system.)

900.1201 Sand fencing requirements:

900.12011 The fence material shall be degradable.

900.12012 The fences shall be installed according to guidelines established by OCRM staff.

900.12013 The fences shall be installed in a manner so as not to impede turtle nesting. The OCRM may require sand fences be moved or removed entirely if the fences are found to impact turtle nesting activities or, in the OCRM's opinion, have the potential to impact turtle nesting activities.

900.12014 The fence shall be placed above the highest up rush of the waves as determined by OCRM staff.

900.12015 The fencing shall not impede public access.

900.12016 The fence shall be installed with the understanding that this is a temporary measure.

900.12017 If fence material is damaged, debris shall be removed expeditiously from the beach area by the owner.

900.12018 If the OCRM determines that the fence has a detrimental impact to the beach/dune system, it shall be removed by the owner as directed by the OCRM.

- 900.1202 Revegetation requirements. Property owners are encouraged to plant vegetation as a means of stabilizing oceanfront dunes. The roots of plant material tend to bind sand dunes, while plant foliage serves to trap wind blown sand. Suggested plant varieties include, but are not limited to, American beach grass (*Ammophila breviligulata*), bitter panicum (*Panicum amarum*), and sea oats (*Uniola paniculata*).
- 900.12021 Vegetation shall be planted in early spring, before May 30 if possible, and shall be planted, irrigated and fertilized according to nursery instructions or OCRM's "How to Build a Dune" guidelines.
- 900.12022 OCRM staff shall inspect the site first and determine that there is a need for vegetative stabilization.
- 900.1203 Minor renourishment is allowed in an attempt to build and maintain healthy dunes. Minor renourishment requirements are:
- 900.12031 Sand shall be compatible in size and grain color, shall be from an upland source and its use approved in writing by OCRM staff.
- 900.12032 Minor renourishment shall be performed between November 1 and March 1.
- 900.12033 OCRM staff shall inspect the site and establish that there is a need for the project.
- 900.12034 All projects shall be in compliance with applicable local ordinances.

900.13 Returning Sand to the Beach/Dune System. Seaward of the setback line sand that has drifted out of this critical area may be returned if the following requirement is met:

- 900.1301 A description of the proposed work shall be submitted to and approved in writing by the OCRM prior to any initiation of work.

900.14 Erosion Control.

- 900.1401 Groins and Jetties: Groins and jetties interfere with the natural transport of sediment and this is not always beneficial. Therefore, applications for these structures shall be carefully reviewed to determine their overall effect. The following standards shall apply:

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- 900.14011 Groins shall be constructed so that they can be altered or removed if they cause undesirable effects.
- 900.14012 Where feasible, jetties shall be designed to provide public recreational fishing opportunities.
- 900.14013 Construction activities shall be scheduled so as not to interfere with nesting and brood-rearing activities of sea birds, sea turtles, or other wildlife species.
- 900.1402 Offshore Breakwaters: Permits for breakwaters may be issued only after careful review and in each case with the provision for removal of the structure to mitigate harmful effects which might be manifested after construction.
- 900.1403 Protection of Beaches and Artificial Beach Nourishment: The following requirements apply to the OCRM's consideration of projects for the nourishment of beaches.
- 900.14031 Careful study shall be given to the type (grain size and quality) of material most suitable for nourishment of a particular beach area.
- 900.14032 Borrow areas and sand for artificial nourishment shall be carefully selected to minimize adverse effects. Where possible, artificial beach nourishment shall be performed in concert with inlet stabilization or navigation projects.
- 900.14033 Dredging in the borrow areas shall not be in conflict with spawning seasons or migratory movements of significant estuarine or marine species. Nourishment of beach areas shall be scheduled so as not to interfere with nesting and brood-rearing activities of sea birds, sea turtles, or other wildlife species.
- 900.14034 All approved policies concerning dredging and filling shall be applied to beach nourishment proposals.
- 900.14035 Nourishment projects shall have a minimum projected life of ten years.

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- 900.1404 Erosion Control Structures or Devices.
- 900.14041 No new erosion control structures or devices are allowed seaward of the setback line except to protect a public highway which existed on June 25, 1990.
- 900.14042 No erosion control structures or devices may be incorporated as an integral part of a habitable structure.
- 900.14043 Erosion control structures or devices must not be enlarged, strengthened, or rebuilt but may be maintained in their present condition if not destroyed more than the percentage allowed in the Beachfront Management Act. Repairs must be made with materials similar to those of the structure or device being repaired.
- 900.14044 Erosion control structures or devices determined to be destroyed more than the percentage allowed in the Beachfront Management Act must be removed at the owner's expense. Nothing in this section requires the removal of an erosion control structure or device which existed on July 1, 1988, that protected a public highway.
- 900.14045 Erosion control structures or devices which existed on June 25, 1990 must not be repaired or replaced if destroyed:
- 900.140451 more than eighty percent above grade through June 30, 1995.
- 900.140452 more than sixty-six and two-thirds percent above grade from July 1, 1995 through June 30, 2005.
- 900.140453 more than fifty percent above grade after June 30, 2005.

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- 900.15 Sand Dune Management.
- 900.1501 Walkways over dunes, as provided in the Beachfront Management Act, shall meet the following requirements:
- 900.15011 Be constructed of wood;
- 900.15012 Have a maximum width of six feet;
- 900.15013 Conform with the contour of the dunes;
- 900.15014 Displace no sand in a critical area;
- 900.15015 Be constructed with as little environmental damage as possible;
- 900.15016 Not be located within fifty feet of another walkway on the same parcel of property;
- 900.15017 Be limited to no more than one of these structures per lot unless a limit of one would cause an unnecessary hardship as determined by the OCRM.
- 900.1502 Projects to protect, restore, or build dunes shall conform to the following standards:
- 900.15021 Except for walkways over sand dunes, as provided in the Beachfront Management Act, no alteration of a sand dune in the beach/dune system shall be permitted unless it can be demonstrated that there shall be no permanent deleterious effects.
- 900.15022 The use of natural beach vegetation to trap wind blown sand is encouraged. Where pedestrian traffic has destroyed natural vegetation, the use of temporary sand fencing or its equivalent may be permitted.
- 900.15023 The construction of a dune by using beach sand and mechanical equipment shall be permitted only for restoration after unusual damage, such as that caused by a hurricane.

- 900.15024 Artificial dunes shall not be constructed seaward of the normal spring high-tide line.
- 900.15025 Any artificially constructed dune shall be aligned to the greatest extent possible with existing dune ridges and shall be of the same general configuration as adjacent dunes.
- 900.16 Nonwater-dependent Structures. Nonwater-dependent structures, including but not limited to residences, restaurants, motel/hotel facilities, other commercial activities, and parking facilities, have been constructed in the past within the beach/dune system. The siting of new nonwater-dependent structures seaward of the baseline is prohibited unless a special permit is obtained from the OCRM.
- 900.17 Golf Courses.
- 900.1701 Golf courses are allowed seaward of the baseline because they can adjust to a changing shoreline more readily than other types of land uses. Sandscraping or sandbagging is not allowed as protection for golf courses.
- 900.1702 Specific standards which shall apply are as follows:
- 900.17021 Leveling or damaging of dunes or dune fields is prohibited.
- 900.17022 Golf courses should be located as far landward as practicable to minimize encroachment into the setback area.
- 900.17023 Any lighting seaward of the setback line must be low intensity and adequately shielded to prevent impacts on sea turtle nesting.
- 900.17024 Measures must be taken to protect the integrity of the primary oceanfront sand dune from foot traffic. These measures may include:
- 900.170241 courses designed in a manner that will minimize adverse effects on the sand dunes;

- 900.170242 physical barriers such as sand fencing placed at the landward trough of the dune;
- 900.170243 certain types of vegetation that would discourage pedestrian traffic, or;
- 900.170244 any other measures OCRM may deem necessary.

900.18 New Fishing Piers.

- 900.1801 New fishing piers are allowed seaward of the baseline in order to provide public access to our coastal resources.
- 900.1802 Specific standards which shall apply are as follows:
 - 900.18021 They must be dedicated to public use. A reasonable fee may be charged to the public but the general public may not be excluded from use.
 - 900.18022 No restaurant, arcade or other nonwater-dependent structure shall be placed on the pier seaward of the baseline.
 - 900.18023 The height of the pier stringers and spacing of the piles must be able to accommodate vehicular traffic associated with emergency operations and renourishment projects.