

**REQUEST FOR CITY COUNCIL CONSIDERATION**

Meeting Date: February 20, 2023

Agenda Item: 7C	Prepared by: Chris Noury, City Attorney
Agenda Section: New Business: Ordinance. First Reading	Date: February 6, 2023
Subject: Amendments to Chapter 5, Beaches and Waterways, of the Code of Ordinances of North Myrtle Beach, South Carolina revising Section 5-18, Return of sand from coastal critical areas to beach and to add Section 5-19, Oceanfront walkways and decks	Division: Legal

The revision to Section 5-18 is as follows to update the language of the Section from “Coastal Council” to “Ocean and Coastal Resource Management Agency”:

**Sec. 5-18. Return of sand from coastal critical areas to beach.**

- (a) All persons wishing to relocate sand which has drifted onto their property from coastal critical areas must spread the sand on the beach near the base of the primary dunes. No sand placed on the beach shall be construed as altering a critical area line as it existed prior to the work.
- (b) The relocation of sand shall comply with all other requirements of the South Carolina ~~Council~~ **DHEC - Coastal Ocean and Coastal Resource Management agency**.

The addition of Section 5-19 titled Oceanfront walkways and decks contains language/parameters regarding the construction of oceanfront walkways, decks, and dune crossovers is as follows:

**Sec. 5-19. Oceanfront walkways and decks.**

- a) Oceanfront walkways, decks, and dune crossovers may be allowed in accordance with South Carolina **DHEC - Ocean and Coastal Resource Management (OCRM)** guidelines, with the following additional requirements:
  - 1) All portions of a walkway or dune crossover shall be set back at least 5 (five) feet from all side property lines. Walkways shall not extend onto the active beach or beyond the **oceanfront seaward** toe of the primary dune.
  - 2) Walkways and dune crossovers shall only be allowed to be constructed perpendicular to the shoreline at a 90-degree angle to the oceanfront property line, with the exception of required handicap access ramps.
  - 3) Decks, walkways, steps, and seating areas may be allowed seaward of the SCDHEC-OCRM baseline and shall be integrated into the walkway or dune crossover. No permanent roofed structures shall be allowed seaward of the SCDHEC-OCRM baseline.

**Recommended Action:** Approve or deny the proposed ordinance on first reading

Reviewed by City Manager		Reviewed by City Attorney
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Council Action:  
Motion By \_\_\_\_\_ 2<sup>nd</sup> By \_\_\_\_\_ To \_\_\_\_\_