

PROPOSED ORDINANCE

ZONING ORDINANCE, SECTION 21-69 – EROSION CONTROL STRUCTURES IN THE RC AREA DISTRICTS

- A. NO FILL MATERIAL, SEAWALLS, JETTIES, BULKHEADS, REVETMENTS, GROINS, BREAKWATERS, BOARDWALKS, FENCES, OR OTHER EROSION CONTROL STRUCTURES SHALL BE CONSTRUCTED, ERECTED, OR PLACED WITHIN THE RC-1 AREA DISTRICT OR THE RC-2 AREA DISTRICT, EXCEPT AS PROVIDED IN HEREIN, WITHOUT TOWN PERMISSION AND PERMISSION OF OTHER AGENCIES AS APPROPRIATE.
- B. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PREVENT THE TOWN OR OTHER PROPERTY OWNERS FROM REPAIRING GROINS, SEAWALLS, BULKHEADS, REVETMENTS OR OTHER EROSION CONTROL STRUCTURES, PROVIDED PERMISSION FOR SUCH REPAIRS IS OBTAINED FROM THE [BCM](#) AND THE TOWN, WHERE APPLICABLE.
- C. **RC-1 DISTRICT REGULATIONS**
 - 1) FOR THE PURPOSE OF THIS ZONING ORDINANCE, REPAIR OF EROSION CONTROL STRUCTURES SHALL BE ALLOWED [UNDER STATE REPAIR PERMITS, FOLLOWING A DAMAGE ASSESSMENT BY THE STATE, IN ACCORDANCE WITH SC REGULATION 30-14.](#)
 - 2) [AN ENGINEER’S CERTIFICATION STAMP SHALL BE REQUIRED FOR ALL REPAIR PERMIT REQUESTS THAT DO NOT FALL UNDER DES’S “NORMAL MAINTENANCE AND REPAIR” APPROVAL OR AN “EMERGENCY REPAIR” PERMIT.](#)
 - 3) DAMAGED EROSION CONTROL STRUCTURES REPAIRS SHALL BE MADE WITH MATERIALS SIMILAR TO THOSE OF THE EXISTING EROSION CONTROL STRUCTURE. [EXCEPT THAT REPAIRED EROSION CONTROL STRUCTURES SHALL BE UPFITTED WITH BMPS, TO INCLUDE:](#)
 - (A) [SEAWALL TILES SHALL COVER THE SEAWARD FACE OF ANY VERTICAL WALLS LOCATED WITHIN THE TIDAL ZONE,](#)
 - (B) [IN THE EVENT THAT AN ADJACENT EROSION CONTROL STRUCTURE IS DESTROYED AND IS NOT PERMITTED TO BE REPAIRED, A PROPERTY OWNER SHALL BE ALLOWED TO CONSTRUCT A WING WALL, PROVIDED PERMISSION IS OBTAINED FROM THE \[BCM\]\(#\) AND THE TOWN.](#)
 - 4. THE TOWN MAY REQUIRE AS A CONDITION OF EROSION CONTROL STRUCTURE REPAIR THAT THE PROPERTY OWNER RENOURISH THE BEACH SEAWARD OF THE EROSION CONTROL STRUCTURE ON AN ANNUAL BASIS WITH TWO (2) CUBIC YARDS OF SAND PER FOOT OF STRUCTURE LENGTH AS MEASURED ALONG THE SHORELINE. THIS CONDITION SHALL REMAIN IN EFFECT AS LONG AS THE EROSION CONTROL

STRUCTURE REMAINS IN PLACE AND EXPOSED, IN WHOLE OR IN PART. RENOURISHMENT SAND SHALL COME FROM AN UPLAND SOURCE AND SHALL BE APPROVED BY THE BCM AS BEACH-COMPATIBLE. THE TIMING AND LOCATION OF RENOURISHMENT SAND PLACEMENT SHALL BE GOVERNED BY TOWN AND BCM REGULATIONS.

5. BCM PERMIT(S) SHALL BE ISSUED PRIOR TO ISSUANCE OF THE TOWN PERMIT.

D. RC-2 REGULATIONS

- 1) FOR THE PURPOSE OF THIS ZONING ORDINANCE, REPAIR OF EROSION CONTROL STRUCTURES SHALL BE ALLOWED UNDER STATE REPAIR PERMITS, FOLLOWING A DAMAGE ASSESSMENT BY THE STATE, IN ACCORDANCE WITH SC REGULATION 30-14.
- 2) AN ENGINEER'S CERTIFICATION STAMP SHALL BE REQUIRED FOR ALL REPAIR PERMIT REQUESTS THAT DO NOT FALL UNDER DES'S "NORMAL MAINTENANCE AND REPAIR" APPROVAL OR AN "EMERGENCY REPAIR" PERMIT.
- 3) ALL NEW EROSION CONTROL STRUCTURES AND EXISTING EROSION CONTROL STRUCTURES REQUESTED FOR CONSTRUCTION OR REPAIR SHALL MEET THE FOLLOWING CONDITIONS SET FORTH BY THE TOWN:
 - (A) SEAWALL TILES SHALL COVER THE SEAWARD FACE OF ANY VERTICAL WALLS WHICH HAVE MORE THAN 18 INCHES OF EXPOSURE,
 - (B) INTERTIDAL SHELFING SHALL BE ADDED AT THE BASE OF ANY VERTICAL WALL; INTERTIDAL SHELFING SOLUTIONS SHALL TAKE THE FORM OF A ROCK TOE, RIP RAP STABILIZATION, COIR LOGS, OYSTER BANK (SIMILAR TO A LIVING SHORELINE), STEPPED WALL (THE RISES AND RUNS SHALL NOT EXCEED EIGHT (8) INCHES), OR GABION BASKETS (CAGES). A LIVING SHORELINE (PERMITTED SEPARATELY BY BCM) MAY USED IN SUBSTITUTION FOR THE INTERTIDAL SHELFING REQUIREMENT,
 - (C) MATERIALS SHALL BE LIMITED TO NATURAL PRODUCTS, INCLUDING BUT NOT LIMITED TO: WOOD, COIR MATTING, SHELL, ROCK, AND CALCIUM CARBONATE ENRICHED CEMENT,
 - (D) ROCK REVETMENTS SHALL HAVE A SLOPE NO STEEPER THAN 2:1, AND EARTHEN BERMS SHALL HAVE A SLOPE NO STEEPER THAN 3:1, AND
 - (I) A FILTER LAYER MUST BE INCLUDED UNDERNEATH THE ARMORING MATERIAL OF A REVETMENT TO ASSURE DRAINAGE AND RETENTION OF UNDERLYING SOIL,

Commented [RF1]: I forgot if I mentioned or not, but BCM does not have a materials list associated with RC-2 installs. They only have one for boardwalk materials because the regulation refers to 'wood' and they have some justification for composite wood passing muster.

- (II) EROSION CONTROL FABRIC OF NATURAL MATERIALS, SUCH AS BUT NOT LIMITED TO COIR MATTING, ARE REQUIRED IN EARTHEN BERM INSTALLATION TO PREVENT EROSION UNTIL PLANT MATERIALS HAVE ESTABLISHED.
 - (E) MARSH RESTORATION (PERMITTED SEPARATELY BY BCM) SHALL BE REQUIRED FOR ALL PORTIONS OF THE CRITICAL AREA THAT ARE DISTURBED BY THE EROSION CONTROL STRUCTURE WORK,
- 4) BCM PERMIT(S) SHALL BE OBTAINED PRIOR TO ISSUANCE OF THE TOWN PERMIT.
- E. ALL NEW EROSION CONTROL STRUCTURES AND REPAIRS OF EXISTING EROSION CONTROL STRUCTURES THAT DO NOT FALL UNDER DES'S "NORMAL MAINTENANCE AND REPAIR" APPROVAL OR AN "EMERGENCY REPAIR" PERMIT, SHALL BE DESIGNED BY AN ENGINEER AND CERTIFIED BY THE ENGINEER THAT THE STRUCTURE WILL NOT HAVE ADVERSE IMPACTS TO ADJACENT AND DOWNDRIFT PROPERTIES.