#### PLANNING COMMISSION November 9, 2022

The public may view the public meeting at: www.youtube.com/user/cityofisleofpalms

**Public Comment:** Citizens may provide public comment here: <a href="https://www.iop.net/public-comment-form">https://www.iop.net/public-comment-form</a>

#### **AGENDA**

The Isle of Palms Planning Commission will hold its regular meeting on Wednesday, November 9, 2022, at **4:30 p.m.** in Council Chambers of City Hall, 1207 Palm Boulevard.

- A. Call to order and acknowledgment that the press and the public were duly notified in accordance with state law
- B. Approval of minutes October 12, 2022
- C. New business Recommendation on Wild Dunes PRD amendments
- D. Executive Session, if necessary, pursuant to S.C. Code §30-4-70(a)(2) to receive legal advice related to potential claims concerning alterations to Isle of Palms zoning districts
- E. Miscellaneous business
- F. Adjourn



# Planning Commission Meeting 4:30pm, Wednesday, October 12, 2022 1207 Palm Boulevard, Isle of Palms, SC and broadcasted live on YouTube: https://www.youtube.com/user/cityofisleofpalms

#### **MINUTES**

#### 1. Call to Order

Present: Steve Corney, Sue Nagelski, Sandy Stone, Marty Brown, Ron Denton,

Jeffrey Rubin, David Cohen, Matt Sims, Zoning Administrator and

Douglas Kerr, Director of Planning

#### 2. Approval of minutes

Mr. Stone made a motion to approve the minutes of the August 10, 2022 regular meeting. Ms. Nagelski seconded the motion. The motion passed unanimously.

- 5. **New Business** -- none
- 6. **Old Business**

#### A. Discuss Resiliency Element of Comprehensive Plan Update

Director Kerr shared the "first pass" of the new Resiliency Element to the Comprehensive Plan. He said he pulled verbiage from other municipalities' Resiliency elements. He noted that some sections of the current IOP Comprehensive Plan would and or could be pulled to put into this section, e.g. flooding and natural resources.

He reported that a Sea Level Rise Adaptation study is in the FY23 budget. However, he would like to see this review of the Comprehensive Plan finalized by the end of the year prior to the completion of the study. The adaptation study could be added into the full review of the Comprehensive Plan. Commissioners agreed the Comprehensive Plan needs to be finalized. Mr. Corney suggested adding more data and clarification about the purpose of the resiliency element to the opening narrative. Mr. Stone said information about the effects of flood waters on low-lying structures and roads needs to be added as well as a definition of resiliency, supporting renourishment, budgeting for large-scale drainage projects, partnering with the Army Corps of Engineers, studying the risk assessments of surrounding communities, and maintaining a healthy disaster recovery account. Mr. Corney suggested adding information about protection and maintenance of the dunes.

Director Kerr said that he and Zoning Administrator Kerr will incorporate the ideas discussed and begin work on goals and strategies for the section. They will work with Mr. Corney to pull data from the South Carolina Coastal Study, dated October 2021.

#### B. Update on short-term rental recommendations and implementing a cap

Director Kerr reported on City Council's three short-term rental listening sessions held in September. He said the overwhelming response was no caps and to work on enforcing existing ordinances. City Council expects a comprehensive report in the near future and will then take the matter back up for discussion.

#### 7. Miscellaneous Business

Director Kerr explained the history and current situation of the Wild Dunes PRD and how it has become a recent topic of discussion. The proposed ordinances being considered by City Council reduce the number of allowable units within Wild Dunes to the current numbers and create conservation-recreation overlays to protect the golf courses and tennis courts. The Planning Commission will be tasked with the reviewing the suggested zoning changes through the lens of the Comprehensive Plan and making a recommendation to City Council. He said it is City Council's intent to negotiate with the Wild Dunes ownership at some point.

Mr. Stone expressed concern about the legal exposure of the Planning Commission regarding a zoning change. Director Kerr said that any legal recourse would be on the City Council. The Planning Commission does not have to make a recommendation, but no recommendation will be seen as recommendation to approve. Director Kerr will ask the City Attorney to attend the next Planning Commission meeting and provide legal advice during Executive Session about the rezoning process.

A brief discussion was held about adding Citizen's Comments to the Planning Commission agenda.

#### 8. **Adjournment**

Mr. Stone made a motion to adjourn, and Mr. Corney seconded the motion. The meeting was adjourned at approximately 5:57pm.

Respectfully submitted,

Nicole DeNeane City Clerk





### South Carolina

DEPARTMENT OF BUILDING, PLANNING AND LICENSING

#### **MEMORANDUM**

TO: Planning Commission members

FROM: Douglas Kerr, Director of Planning James Kare

RE: process for amending zoning ordinances and maps

DATE: November 3, 2022

I wanted to provide some context and background information to the Planning Commission regarding the series of zoning amendments that are being considered for the Wild Dunes PDD. The Commission has 30 days to produce a written report and recommendation to City Council, unless City Council extends this time period.

In preparation for the Commission's meeting on November 9<sup>th</sup>, I suggest studying the documents cited below and attached. I have highlighted sections that I believe are relevant, but there could be others.

#### **Pertinent Codes and Plans**

Isle of Palms Code Section 5-4-11(c) (see Attachment 1) of the City's Zoning Ordinance states that prior to adoption, all proposed zoning amendments shall be referred to the Planning Commission for review and recommendation. The Planning Commission shall make its written report and recommendation thereon to City Council within thirty (30) days from the date of referral. Failure of the Planning Commission to so report shall be deemed to be its recommendation of approval of the amendment, unless such time period is extended by City Council.

<u>South Carolina Code Section 6-29-340(B)(2)</u> (see Attachment 2) states that the Planning Commission has the power and duty to recommend zoning ordinances to include zoning district maps and appropriate revisions.

Isle of Palms Comprehensive Plan (see Attachment 3):

- p. 7 Vision Statement
- p. 17 Population Key Issues
- p. 17 Population Goals and Strategies Issues
- p. 19 Economic Key Issues
- p. 19 Economic Goals and Implementation Strategies
- p. 28 Natural Resources Key Issues
- p. 29 Natural Resources Goals and Implementation Strategies
- p. 41 Community Facilities Key Issues
- p. 46 Housing Key Issues
- p. 46 Housing Goals and Implementation Strategies
- p. 46 Housing Key Issues
- p. 52 Land Use Key Issues
- p. 52 Land Use Goals and Implementation Strategies

Isle of Palms Land Use Map (see Attachment 4- part of the Comprehensive Plan)

City of Isle of Palms Strategic Plan (see Attachment 5)

Sec. 5-4-11. - Authority and procedure for amending chapter.

- (a) City Council may, from time to time, on its own motion or on petition, after public notice and hearing, amend any provision of this chapter. Whenever fifty percent (50%) or more of the landowners in any zoning district shall present a petition to City Council duly signed and acknowledged, requesting an amendment of the regulations prescribed for such district, City Council shall vote upon such amendment within ninety (90) days of the filing of the same by the petitioners with the City Clerk. Petitioners shall pay such filing fee as is established from time to time by resolution of City Council. Zoning amendments may also be initiated by the Planning Commission.
- (b) Notice of a public hearing on proposed changes to any provisions of the chapter shall be given by publication of a display advertisement in the Charleston Post and Courier newspaper, or its successor, not less than fifteen (15) days prior to the date of the hearing. The notice shall summarize the proposed change and state the date, time and place of the public hearing. Other notice as required by law shall also be given. When a proposed zoning amendment affects the district classification of property, such notice shall include a general description of the property to be rezoned. In cases involving rezoning, conspicuous notice shall be posted on or adjacent to the property affected, with at least one (1) such notice being visible from each public thoroughfare that abuts the property. The notice shall state that a petition to rezone has been received and the date, time and place of the public hearing to consider the request. The public hearing shall be conducted by the City Council.
- (c) Prior to adoption, all proposed zoning amendments shall be referred to the Planning Commission for review and recommendation. The Planning Commission shall make its written report and recommendation thereon to City Council within thirty (30) days from the date of referral. Failure of the Planning Commission to so report shall be deemed to be its recommendation of approval of the amendment, unless such time period is extended by City Council.

(Code 1994, § 5-4-11; Ord. No. 2015-16, § 1, 2-23-2016)

ATTACHMENT 1- CITY CODE

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#### § 6-29-340. Functions, powers, and duties of local planning commissions.

- (A) It is the function and duty of the local planning commission, when created by an ordinance passed by the municipal council or the county council, or both, to undertake a continuing planning program for the physical, social, and economic growth, development, and redevelopment of the area within its jurisdiction. The plans and programs must be designed to promote public health, safety, morals, convenience, prosperity, or the general welfare as well as the efficiency and economy of its area of jurisdiction. Specific planning elements must be based upon careful and comprehensive surveys and studies of existing conditions and probable future development and include recommended means of implementation. The local planning commission may make, publish, and distribute maps, plans, and reports and recommendations relating to the plans and programs and the development of its area of jurisdiction to public officials and agencies, public utility companies, civic, educational, professional, and other organizations and citizens. All public officials shall, upon request, furnish to the planning commission, within a reasonable time, such available information as it may require for its work. The planning commission, its members and employees, in the performance of its functions, may enter upon any land with consent of the property owner or after ten days' written notification to the owner of record, make examinations and surveys, and place and maintain necessary monuments and marks on them, provided, however, that the planning commission shall be liable for any injury or damage to property resulting therefrom. In general, the planning commission has the powers as may be necessary to enable it to perform its functions and promote the planning of its political jurisdiction.
- (B) In the discharge of its responsibilities, the local planning commission has the power and duty to:
  - (1) prepare and revise periodically plans and programs for the development and redevelopment of its area as provided in this chapter; and
  - (2) prepare and recommend for adoption to the appropriate governing authority or authorities as a means for implementing the plans and programs in its area:
    - (a) zoning ordinances to include zoning district maps and appropriate revisions thereof, as provided in this chapter;
    - (b) regulations for the subdivision or development of land and appropriate revisions thereof, and to oversee the administration of the regulations that may be adopted as provided in this chapter;
    - (c) an official map and appropriate revision on it showing the exact location of existing or proposed public street, highway, and utility rights of way, and public building sites, together with regulations to control the erection of buildings or other structures or changes in land use within the rights of way,

building sites, or open spaces within its political jurisdiction or a specified portion of it, as set forth in this chapter;

- (d) a landscaping ordinance setting forth required planting, tree preservation, and other aesthetic considerations for land and structures;
- (e) a capital improvements program setting forth projects required to implement plans which have been prepared and adopted, including an annual listing of priority projects for consideration by the governmental bodies responsible for implementation prior to preparation of their capital budget; and
- (f) policies or procedures to facilitate implementation of planning elements.

#### § 6-29-350. *Membership; terms of office; compensation; qualifications.*

- (A) A local planning commission serving not more than two political jurisdictions may not have less than five nor more than twelve members. A local planning commission serving three or more political jurisdictions shall have a membership not greater than four times the number of jurisdictions it serves. In the case of a joint city-county planning commission the membership must be proportional to the population inside and outside the corporate limits of municipalities.
- (B) No member of a planning commission may hold an elected public office in the municipality or county from which appointed. Members of the commission first to serve must be appointed for staggered terms as described in the agreement of organization and shall serve until their successors are appointed and qualified. The compensation of the members, if any, must be determined by the governing authority or authorities creating the commission. A vacancy in the membership of a planning commission must be filled for the unexpired term in the same manner as the original appointment. The governing authority or authorities creating the commission may remove any member of the commission for cause.
- (C) In the appointment of planning commission members the appointing authority shall consider their professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens. Members shall represent a broad cross section of the interests and concerns within the jurisdiction.

#### § 6-29-360. Organization of commission; meetings; procedural rules; records; purchases.

(A) A local planning commission shall organize itself electing one of its members as chairman and one as vice chairman whose terms must be for one year. It shall appoint a secretary who may be an officer or an employee of the governing authority or of the planning commission. The planning commission shall meet at the call of the chairman and at such times as the chairman or commission may determine.

#### Vision Statement

Isle of Palms has developed into a premier barrier island residential community with a variety of housing styles, commercial uses and recreational facilities. Despite the natural cycle of beach erosion that is inherent on barrier islands and the extensive development of the island, the natural resources that make Isle of Palms such a wonderful place to live and visit remain intact and in good condition. Measures that will enhance the existing character of the island as a quality place to live, and protect the environment both on and around the island, must be taken to guide development and preserve the quality of life for generations to come.

*January 31, 2002 (revised May 26, 2015)* 

ATTACHMENT 3- CITY COMPREHENSIVE PLAN

### Key Issues

- The impact of a growing seasonal population.
- The impact of a growing year-round population of retirement age (60 years and over).
- .

#### Goals and Implementation Strategies

#### Goal 1.1: Improve services for residents.

- Strategy 1.1.1 The City should continue to monitor the Emergency Medical Services serving the island (see also Goal 5.1). (Ongoing; Fire Department, General Government and City Council)
- Strategy 1.1.2 Recreational opportunities for residents should be expanded or added, including additional safe walking or biking areas on the island (see also Strategy 5.4.3). (2008; Recreation Department, General Government and City Council)

#### Goal 1.2: Balance the needs of island residents with seasonal visitors.

- Strategy 1.2.1 Support commercial development only within the parameters set by the existing zoning regulations and consistent with the City's established character as a residential community. (Ongoing; Building Department and City Council)
- Strategy 1.2.2 While the needs of island residents should be paramount, efforts should be made to adjust the level of City services to meet the needs of seasonal visitors as well. (Ongoing; General Government and City Council)
- Strategy 1.2.3 The City should continuously monitor and keep records of the effect of seasonal visitors on the quality of life of the permanent residents; this should include, but not be limited to the issues of parking, noise, trash, and general livability.

  (Ongoing; General Government and City Council)

#### **ECONOMIC**

#### **Characteristics**

Isle of Palms is primarily a residential community with world-class resort amenities and a relatively large commercial base when compared to most other barrier island communities in the area. Of the approximately 2,880 acres on the island, approximately 40.6 acres or 1.4 percent of the island is zoned commercial, excluding resort amenities within the gated section of Wild Dunes. Only a small portion of the commercially zoned land remains undeveloped. The island's economic diversity and high property values provide a strong tax base and has allowed the millage rate, the factor that is multiplied by the assessed value of a property to determine the amount of property tax to be paid, to be the lowest of all municipalities within the Charleston area.

The island's ocean beach, tidal marshland, and marinas constitute the most important economic assets. They are the main reason residents and tourists alike are drawn to the area. Only by maintaining and improving these natural assets will the island's community continue to grow and prosper. The desirability of living near these natural resources has created relatively high property values, which in turn raises the tax base. These same resources attract tourists, which results in accommodations tax revenue. This revenue is essential in the support of services and infrastructure.

The gated community of Wild Dunes includes the major resort, conference, golf and tennis facilities, as well as single-family and multi-family dwelling units. Destination Wild Dunes Incorporated (DWD) owns and operates these facilities and also manages many of the short-term rental properties within Wild Dunes. Short-term rental of these units in season is reaching capacity while unoccupied units remain during the off season. The Planned Development District, "PDD" zoning district, which applies to most of the Wild Dunes community, allows up to 350 inn rooms, 147 of which have been constructed to date in the Boardwalk Inn and The Village.

#### Key Issues

- Improvement and maintenance of water quality.
- Protection of beach, dunes and marsh lands.
- Protection of wildlife and vegetation.

#### Goals and Implementation Strategies

Goal 3.1: Conclude whether obtaining an improved flood insurance Community Rating System (CRS) rating is feasible.

Strategy 3.1.1: Pursue improving the CRS rating when feasible. (Ongoing; Building Department)

Goal 3.2: Improve the water quality of the ocean, waterway and creeks surrounding the island.

Strategy 3.2.1: Act upon findings of the 319 non-point source pollution grant water quality study with passage of pertinent ordinances to mitigate sources of pollution. (2008; General Government and City Council)

Strategy 3.2.2: Establish an ongoing water quality monitoring program for the backwaters. (2008; Building Department, Public Works and General Government)

Strategy 3.2.3: Monitor and/or participate in local and regional water quality studies. (Ongoing; General Government)

Strategy 3.2.4: Monitor DHEC/OCRM testing of ocean waters impacting the island. (Ongoing; General Government and Building Department)

Strategy 3.2.5: Create a public awareness/education program to address the impact of individual actions on the water ecology of the island. (Ongoing; General Government, Building Department and Charleston County NPDES public education program)

#### Goal 3.3: Protect marshes, dunes and beaches.

Strategy 3.3.1: Create a public awareness/education program aimed at protecting the sensitive ecosystem of a barrier island, to include protection of dunes and marshes and their vegetation, as well as the importance of removing animal waste and trash from the beaches. (2008; General Government and Building Department)

Strategy 3.3.2: Support efforts to minimize the impact of erosion on the ends of the island including beach nourishment projects. (Ongoing; General Government)

## Goal 3.4: Promote the maintenance of green spaces throughout the island.

Strategy 3.4.1: Investigate the potential for establishing small parks on City owned, undeveloped green spaces. (2008; Recreation Department and Building Department)

#### Goal 3.5: Protect the island's wildlife and vegetation.

Strategy 3.5.1: Pursue enforcement of ordinance(s) aimed at protecting loggerhead turtle nesting activities and sites. (Ongoing; Building Department and Police Department)

Strategy 3.5.2: Support other regulations that protect wildlife and vegetation. (Ongoing; General Government and Police Department)

#### Key issues

- Maintenance and improvement of public safety
- Maintenance and improvement of water and sewer facilities
- Expansion of recreational opportunities for island residents
- Improvements of storm water management
- Continued operation and overall stewardship of the City marina facilities

#### Goals and Implementation Strategies

#### Goal 5.1: Improve public safety.

Strategy 5.1.1: The City should continue to work with County officials to ensure optimum EMS services on the island and maintain basic medical emergency services through the Fire Department. (Ongoing; Fire Department)

Strategy 5.1.2: Develop and implement a method of distribution for the Disaster Preparedness Plan. (Ongoing; General Government and Fire Department)

## Goal 5.2: Support the installation of water and sewer services where required for public health.

Strategy 5.2.1: The City should meet periodically with the Water and Sewer Commission and strive for a "team approach" to addressing waste water and water issues that will arise in future years. (Ongoing; General Government and City Council)

Strategy 5.2.2: In conjunction with the Water and Sewer Commission, the City should take those steps appropriate to facilitate additional sewer service on the island where public health is benefited.

(Ongoing; General Government and City Council)

#### Goal 5.4: Improve recreational opportunities for all island residents.

Strategy 5.4.1: Develop a plan to improve alternate modes of transportation on the island including bikeways

#### Key issues

- Maintenance of a high quality of life for the island residents
- Balancing the increasing property values and the livability of the community

Goals and Implementation Strategies

Goal 6.1: The City should continuously monitor the effect of development upon the quality of life of the existing permanent residents.

Strategy 6.1.1: Continue to track construction trends including:

the number of houses demolished each year and

the number of square feet, bedrooms and

bathrooms of new houses. (2008; Building Department)

Strategy 6.1.2: Continually assess ordinances which limit the size

and width of houses and the amount of impervious

surface on the island. (Ongoing; Building Department)

Goal 6.2: Improve water quality associated with residential properties (see also Goal 3.2).

Strategy 6.2.1: Amend the zoning ordinance to limit the density of

development allowed on property not serviced by a public wastewater system. (2008; Building Department and

City Council)

Strategy 6.2.2: Educate the owners of septic systems in the proper

maintenance and encourage owners to have their septic systems checked and serviced according to established standards. (Ongoing; Building Department)

Strategy 6.2.3: Monitor the amount of impervious surface on

residential lots. (Ongoing; Building Department)

#### Key Issues

- Protection of the Public Health, Safety and Welfare.
- Ensure compatibility between the Comprehensive Plan and the regulatory ordinances.
- Appearance of the commercial and "Front Beach" areas.
- Ensure the adequacy of the infrastructure to support continued development, expanded uses and demands created by seasonal peaks.
- Preservation and protection of natural resources.

### Goals and Implementation Strategies

Goal 7.1: Improve zoning regulations to protect the established character of the island.

Strategy 7.1.1: Make appropriate amendments to the zoning ordinance which reflect the goals and strategies of the Comprehensive Plan. (2008; Building Department and

City Council)

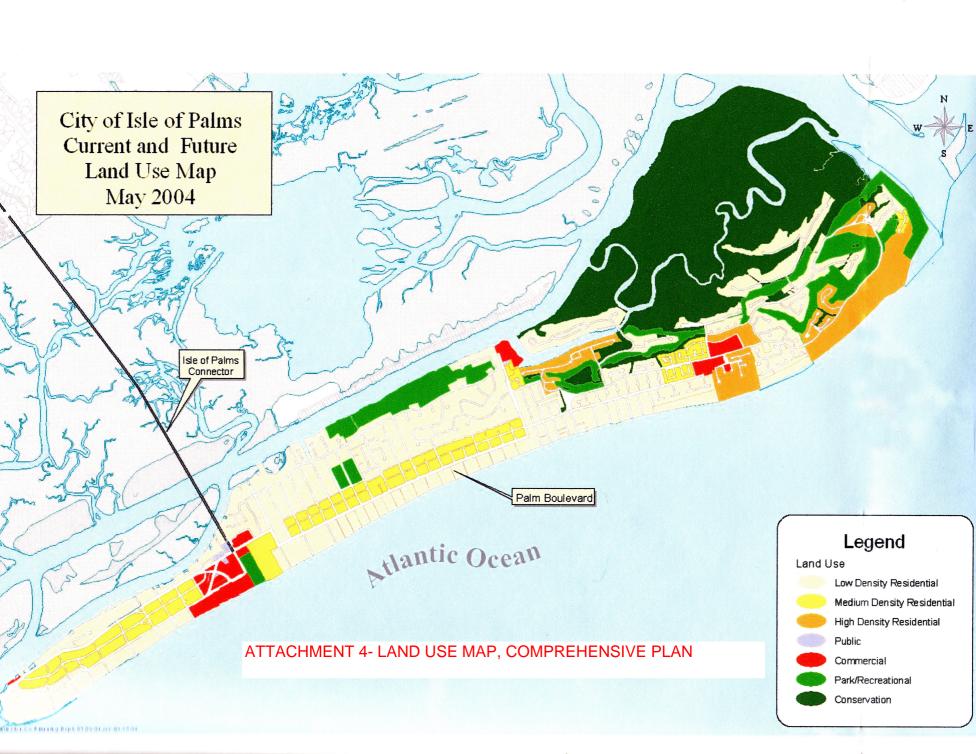
Strategy 7.1.2: Monitor the growth implications the unincorporated areas lying between Isle of Palms and the mainland could have on the Isle of Palms.

(Ongoing; Building Department)

Strategy 7.1.3: Implement the Land Use Plan by rezoning areas not currently in compliance to the appropriate zoning districts. (2008; Building Department and City Council)

Goal 7.2: Protect residential areas from adverse impacts of commercial development.

Strategy 7.2.1: Develop plans and policies which use public improvements to prevent or mitigate adverse impacts of commercial development upon residential properties. (2008; Building Department and City Council)





City of Isle of Palms Strategic Plan 2022-2027

ATTACHMENT 5- CITY STRATEGIC PLAN





## Strategic Plan

### **Mission Statement**

To be the most sustainable, family-friendly beach community is South Carolina.

### **Vision Statement**

To be a welcoming, environmentally conscious and resilient coastal community committed to enhancing the quality of life for those who come here to live, work and play.

## Priorities & Goals

## 1. Manage Pressure from Population Growth in Surrounding Communities

- a. Reduce impact of tourism on quality of life for residents.
- b. Improve traffic flow and patterns for road safety.
- c. Ensure day-visitor related costs are offset by day-visitors.

## 2. Develop an Effective, Consistent and Timely Communications Plan

- a. Improve resident satisfaction with City communications.
- b. Increase trust levels.
- c. Increase citizen engagement.

## Priorities & Goals

## 3. **Financial Sustainability**

- a. Maintain and grow revenue sources to support City's vision.
- b. Maintain sustainable balance between revenue sources and expenses.
- c. Maintain fund balances at targeted levels.
- d. Optimize operational expenses.
- e. Support local business community.

## 4. Protect Resident's Quality of Life from Impact of Short-Term Accommodations

- a. Maintain quality of life for residents.
- b. Leverage tourism related revenue to tourism impacted services.

## Priorities & Goals

## 5. **Expand Environmental Protection Efforts**

- a. Safeguard healthy and protected waterways and beach.
- b. Be an environmentally forward-thinking community and lead environmental efforts in the state.
- c. Become a resilient community.
- d. Have a population that is engaged and educated on environmental issues.

## 6. Improve Employee Retention and Succession Planning

- a. Value our employees.
- b. Improve recruitment efforts and reduce employee turnover.
- c. Provide opportunities for upward mobility and professional development.

#### ORDINANCE 2022-08

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 2, DISTRICT REGULATIONS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE FOR A NEW CONSERVATION-RECREATION DISTRICT.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 5-4-40, "CO conservation district," is hereby deleted in its entirety and replaced with a new Section 5-4-40, titled "CR conservation-recreation district," to state as follows:

"Sec. 5-4-40. CR conservation-recreation district.

- (1) *Purpose*. The purpose of the CR conservation-recreation district is:
  - a. To provide for an appropriate valuation that reflects the conservation and recreation use of land.
  - b. To ensure the preservation of significant and vital natural resources.
  - c. To lessen the hazards of loss of property, life, and the reduction of health and public safety due to periodic flooding by restricting uses in such areas.
  - d. To provide for improved public and/or private recreation activities.
  - e. To ensure the preservation of existing public and/or private recreation activities.
  - f. To provide for scenic easements to preserve the community heritage.
- (2) District boundary. The boundaries of the CR conservation-recreation district are generally described as including a strip or band of water, beaches, marshlands, and pieces of natural and manmade highland areas in the marshlands which contain less than two (2) acres, up to the mean high-water mark or abutting the primary highland, which surrounds the entire perimeter of the City, as graphically depicted on the Official Zoning Map. The CR conservation-recreation district shall also include the golf courses and tennis facilities as graphically depicted on the Official Zoning Map.
- (3) Permitted uses. The following uses are permitted within the CR

conservation-recreation district so long as the use does not materially and adversely affect water quality or the natural resources of the district, and such use has received all applicable governmental regulatory approval:

- a. Outdoor recreational uses including swimming, fishing, beach-going, boat ramps, docks, piers, lifeguard stations, golf courses, tennis courts, and natural preserves.
- b. Public utility lines.
- c. A use conducted pursuant to a franchise granted by the City Council.
- d. A use conducted pursuant to a City-sponsored activity or event.
- e. Beach renourishment."

Ratification:\_\_\_\_

SECTION 2. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE ISLE OF PALMS, ON THE DAY OF _	
Phillip Pounds, Mayor	
(Seal) Attest:	
Nicole DeNeane, City Clerk	
First Reading:	
Public Hearing:	
Second Reading:	

## Title 5 – Planning and Development Chapter 4. – Zoning Article 2. – District Regulations

#### Sec. 5-4-40. CRO conservation-recreation district.

- (1) Purpose. The purpose of the CRO conservation-recreation district is:
  - a. To provide for an appropriate valuation that reflects the conservation and recreation use of land.
  - b. To ensure the preservation of significant and vital natural resources.
  - c. To lessen the hazards of loss of property, life, and the reduction of health and public safety due to periodic flooding by restricting uses in such areas.
  - d. To provide for improved public and/or private recreation activities.
  - e. To ensure the preservation of public and/or private recreation activities.
  - f. To provide for scenic easements to preserve the community heritage.
- (2) District boundary. The boundaries of the CR O-conservation-recreation district consists of are generally described as including a strip or band of water, beaches, marshlands, and pieces of natural and manmade highland areas in the marshlands which contain less than two (2) acres, up to the mean high-water mark or abutting the primary highland, which surrounds the entire perimeter of the City, as generally showngraphically depicted on the Official Zoning Map. The CR conservation-recreation district shall also include the golf courses and tennis facilities as graphically depicted on the Official Zoning Map.
- (3) Permitted uses. The following uses are permitted within the CRO conservation-recreation district so long as the use does not materially and adversely affect water quality or the natural resources of the district, and such use has received all applicable governmental regulatory approval:
  - a. Outdoor recreational uses including swimming, fishing, beach-going, boat ramps, docks, piers, lifeguard stations, golf courses, tennis courts, and natural preserves.
  - b. Public utility lines.
  - c. A use conducted pursuant to a franchise granted by the City Council.
  - d. A use conducted pursuant to a City-sponsored activity or event.
  - e. Beach renourishment.

(Ord. No. 2015-15, § 1, 2-23-2016)

Created: 2022-05-11 17:13:19 [EST]

#### ORDINANCE 2022-09

AN ORDINANCE ADOPTING AMENDMENTS TO THE OFFICIAL ZONING MAP OF THE CITY OF ISLE OF PALMS TO PROVIDE FOR A NEW CONSERVATION-RECREATION (CR) ZONING DISTRICT AND TO REZONE CERTAIN PROPERTIES FROM THE SR-1 AND PDD DISTRICTS TO THE NEW CR ZONING DISTRICT AS SHOWN ON EXHIBIT I.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That the Official Zoning Map of the City of Isle of Palms is hereby adopted as amended to provide for a new Conservation-Recreation (CR) zoning district and to rezone certain properties from the SR-1 and PDD districts to the new CR zoning district, as set forth in Exhibit I, attached hereto and incorporated herein by reference.

SECTION 2. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

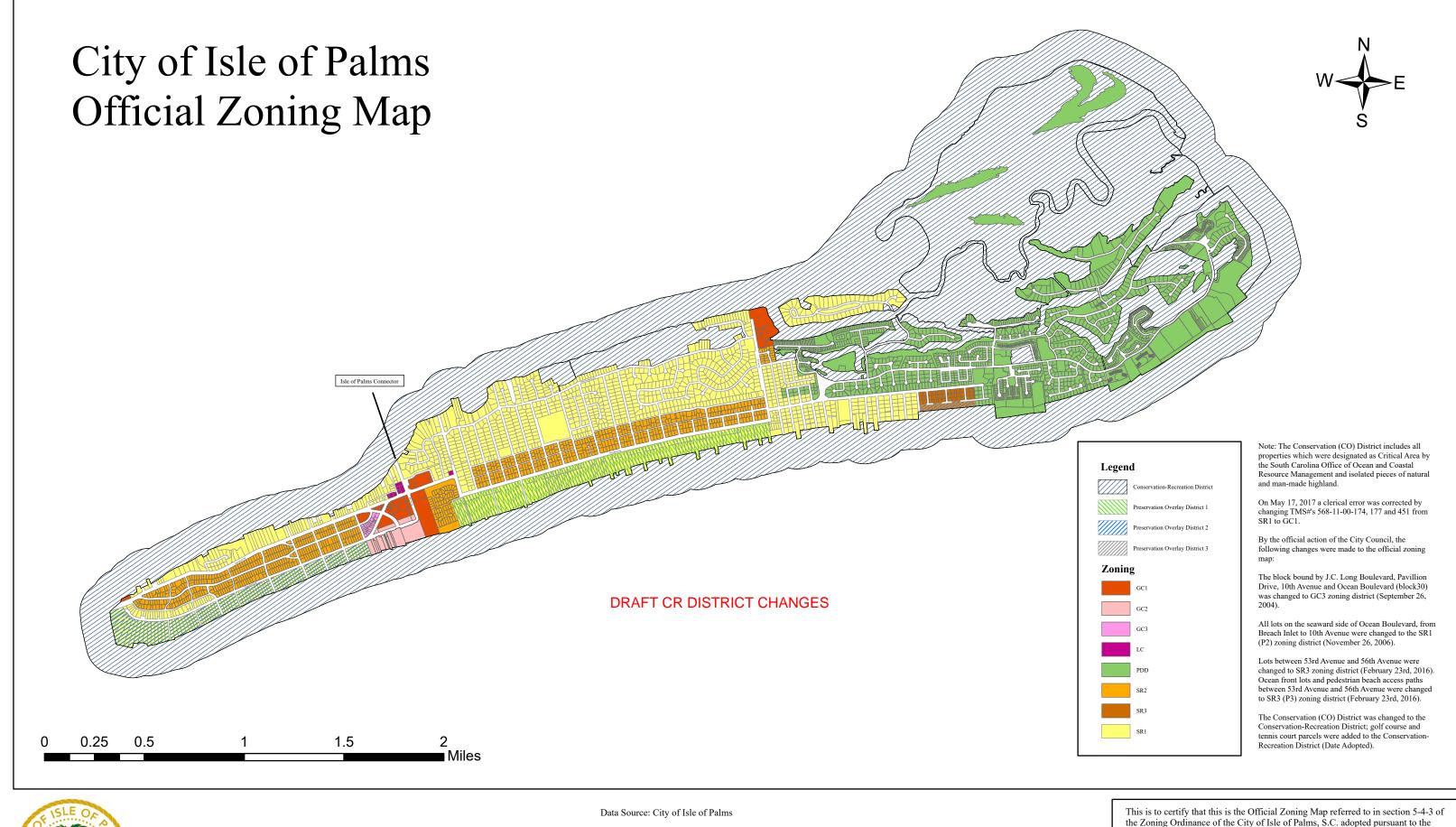
SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVISLE OF PALMS, ON THE	COUNCIL FOR THE CITY O , 2022.
Phillip Pounds, Mayor	
(Seal) Attest:	
Nicole DeNeane, City Clerk First Reading:	
Public Hearing:	
Second Reading:	

Ratification:

### EXHIBIT I

(Attach New Zoning Map Dated \_\_\_\_\_, 2022)





Coordinate System: NAD 1983 State Plane South Carolina FIPS 3900

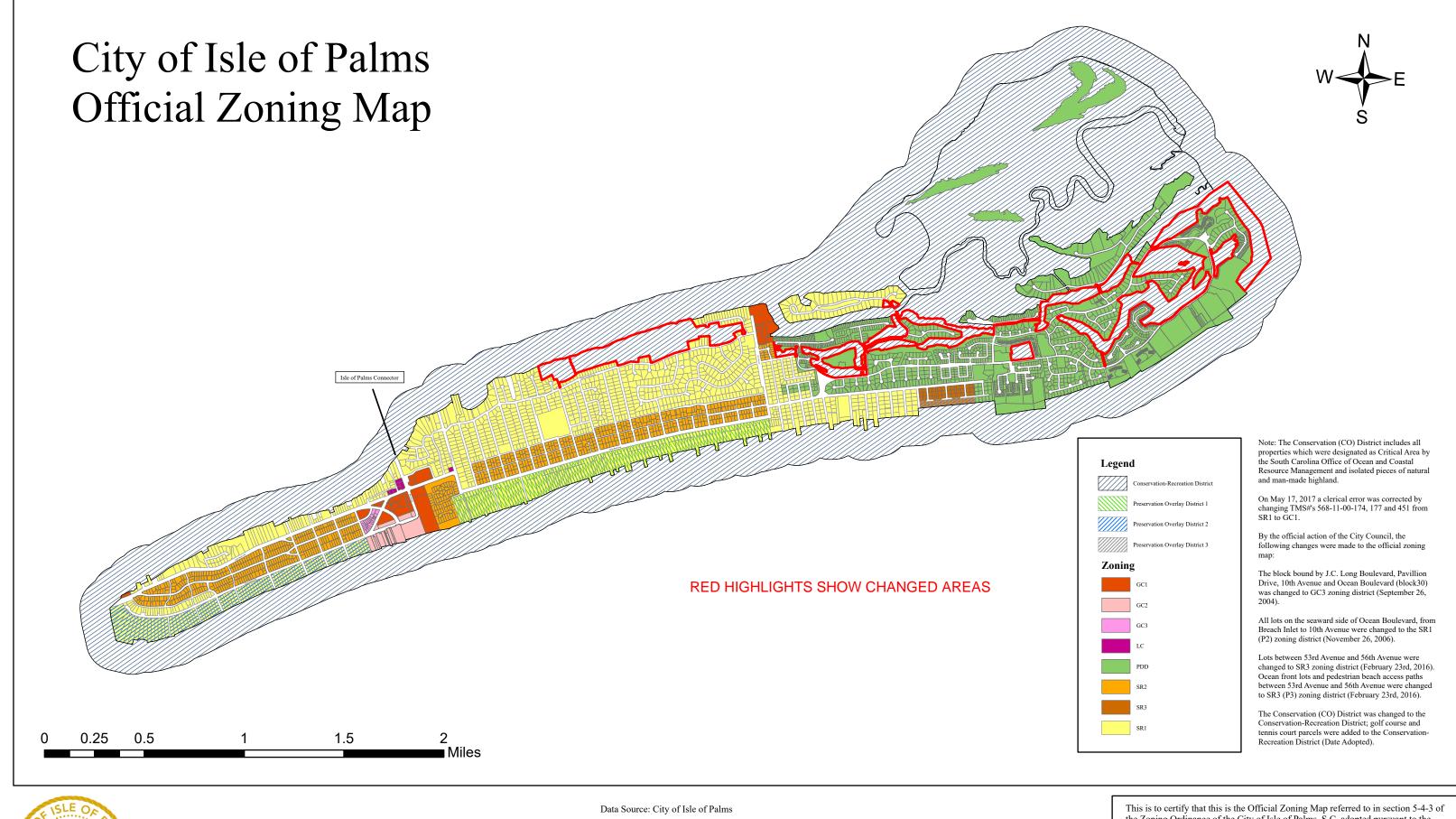
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Projection: Lambert Conformal Conic

Created August 2022

This is to certify that this is the Official Zoning Map referred to in section 5-4-3 of the Zoning Ordinance of the City of Isle of Palms, S.C. adopted pursuant to the 1994 Comprehensive Planning and Enabling Act on June 27, 2000.

proved by:	 	 	
tested by:			





Coordinate System: NAD 1983 State Plane South Carolina FIPS 3900

[ntl

Projection: Lambert Conformal Conic

Created August 2022

This is to certify that this is the Official Zoning Map referred to in section 5-4-3 o the Zoning Ordinance of the City of Isle of Palms, S.C. adopted pursuant to the 1994 Comprehensive Planning and Enabling Act on June 27, 2000.

oved by:	 	 	
sted by:			

#### **ORDINANCE 2022-10**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ISLE PALMS TO REZONE CERTAIN PROPERTIES FROM THE SR-1 SINGLE-**FAMILY** RESIDENTIAL ZONING DISTRICT AND PDD **PLANNED** ZONING DISTRICT TO THE CR DEVELOPMENT **CONSERVATION-**RECREATION ZONING DISTRICT, INCLUDING THE 11 PROPERTIES DESIGNATED AS TMS# 571-00-00-001, TMS# 604-01-00-001, TMS# 604-01-00-059, TMS# 571-08-00-226, TMS# 604-00-00-032, TMS# 604-00-00-033, TMS# 604-00-00-034, TMS# 604-00-00-035, TMS# 604-00-00-036, TMS# 604-05-00-185, AND TMS# 604-10-00-206, AS SHOWN ON THE PLATS ATTACHED AS EXHIBIT I.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That the Official Zoning Map of the City is hereby amended by rezoning the following 3 properties from the SR-1 Single-Family Residential zoning district to the CR Conservation-Recreation zoning district:

- a. The property owned by Wild Dunes LLC and designated as TMS# 571-00-00-001, (approximately 68.49 acres), known as "Tract G, Block A, Parcel 1, Wild Dunes Harbor Golf Course" as shown on that certain plat prepared by Engineering, Surveying & Planning, Inc. dated June 26, 1990 and recorded at the Charleston County RMC Office on August 28, 1990 in Plat Book CA at page 65; and
- b. The property owned by Wild Dunes LLC and designated as TMS# 604-01-00-001, (approximately .47 acres), known as "Tract F, Block A, Parcel C-1" as shown on that certain plat prepared by Engineering, Surveying & Planning, Inc. dated May 21, 1987 and recorded at the Charleston County RMC Office on June 12, 1987 in Plat Book BN at page 102; and
- c. The property owned by Wild Dunes LLC and designated as TMS# 604-01-00-059, (approximately 28.659 square feet), known as "Tract F, Block A, Parcel D" as shown on that certain plat prepared by Engineering, Surveying & Planning, Inc. dated September 25, 1984 and recorded at the Charleston County RMC Office on November 9, 1984 in Plat Book BC at page 028.

Said plats referenced are attached hereto as Exhibit I and incorporated herein by reference.

SECTION 2. That the Official Zoning Map of the City is hereby amended by

rezoning the following 8 properties from the PDD Planned Development zoning district to the CR Conservation-Recreation zoning district:

- a. The property owned by Wild Dunes LLC and designated as TMS# 571-08-00-226, (approximately 2.207 acres), known as "Tract G, Block J" as shown on that certain plat prepared by Engineering, Surveying & Planning, Inc. dated March 1, 1994 and recorded at the Charleston County RMC Office on April 21, 1999 in Plat Book DB at page 904; and
- b. The property owned by Wild Dunes LLC and designated as TMS# 604-00-00-032, (approximately 65 acres), known as "Tract G, Block Y, Parcel 1" as shown on that certain plat prepared by Engineering, Surveying & Planning, Inc. dated October 28, 1990 and recorded at the Charleston County RMC Office on November 1, 1990 in Plat Book CB at pages 002 and 003; and
- c. The property owned by Wild Dunes LLC and designated as TMS# 604-00-00-033, (approximately 43 acres), known as "Tract G, Block X" as shown on that certain plat prepared by Engineering, Surveying & Planning, Inc. dated October 27, 1990 and recorded at the Charleston County RMC Office on November 1, 1990 in Plat Book CB at pages 004 and 005; and
- d. The property owned by Wild Dunes LLC and designated as TMS# 604-00-00-034, (approximately 6.8 acres), known as "Tract G, Block W, Parcels 1 and 2" as shown on that certain plat prepared by Engineering, Surveying & Planning, Inc. dated October 29, 1990 and recorded at the Charleston County RMC Office on November 1, 1990 in Plat Book CB at page 006; and
- e. The property owned by Wild Dunes LLC and designated as TMS# 604-00-00-035, (approximately 11.77 acres), known as "Tract G, Block V" as shown on that certain plat prepared by Engineering, Surveying & Planning, Inc. dated October 29, 1990 and recorded at the Charleston County RMC Office on November 1, 1990 in Plat Book CB at page 006; and
- f. The property owned by Wild Dunes LLC and designated as TMS# 604-00-00-036, known as "Tract G, Block H" containing approximately 20.780 acres as shown on that certain plat entitled "Plat Showing Tract G, Block G and Tract G Block H, The Harbor Course, Wild Dunes, City of Isle of Palms, Charleston County, South Carolina" prepared by Engineering, Surveying & Planning, Inc. dated February 6, 1992 and also "Tract G, Block F" containing approximately 19 acres, as shown on that certain plat entitled "Plat Showing Tract G, Block F, The Harbor Course, Wild Dunes, City of Isle of Palms, Charleston County, South Carolina" consisting of 2 sheets prepared by Engineering, Surveying & Planning, Inc. dated January 28, 1992; and
- g. The property owned by Wild Dunes LLC and designated as TMS# 604-05-00-185, (approximately 6.889 acres), known as "Tract G, Block Z, Parcel 1" as

shown on that certain plat prepared by Engineering, Surveying & Planning, Inc. dated October 27, 1990 and recorded at the Charleston County RMC Office on November 1, 1990 in Plat Book CB at page 004; and

h. The property owned by Wild Dunes LLC and designated as TMS# 604-10-00-206, (approximately 4.97 acres), known as "Parcel T" as shown on that certain plat prepared by Engineering, Surveying & Planning, Inc. dated February 21, 1994 and recorded at the Charleston County RMC Office on March 10, 1994 in Plat Book CP at page 089.

Said plats referenced are attached hereto as Exhibit I and incorporated herein by reference.

SECTION 3. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 4. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

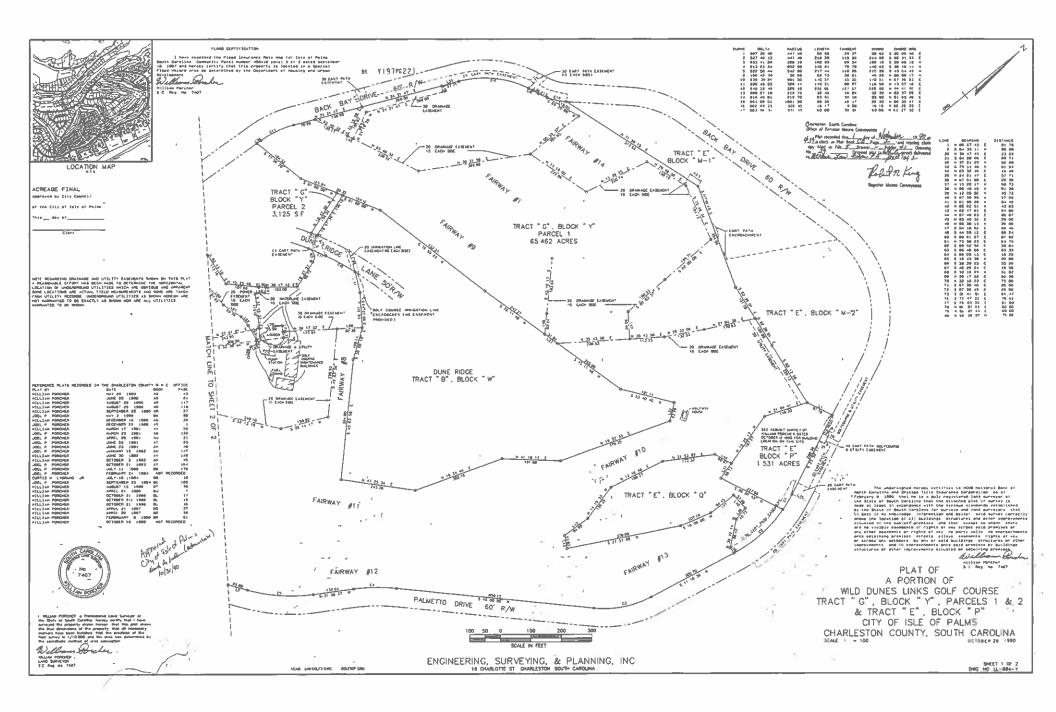
SECTION 5. That this Ordinance take effect and be in full force immediately.

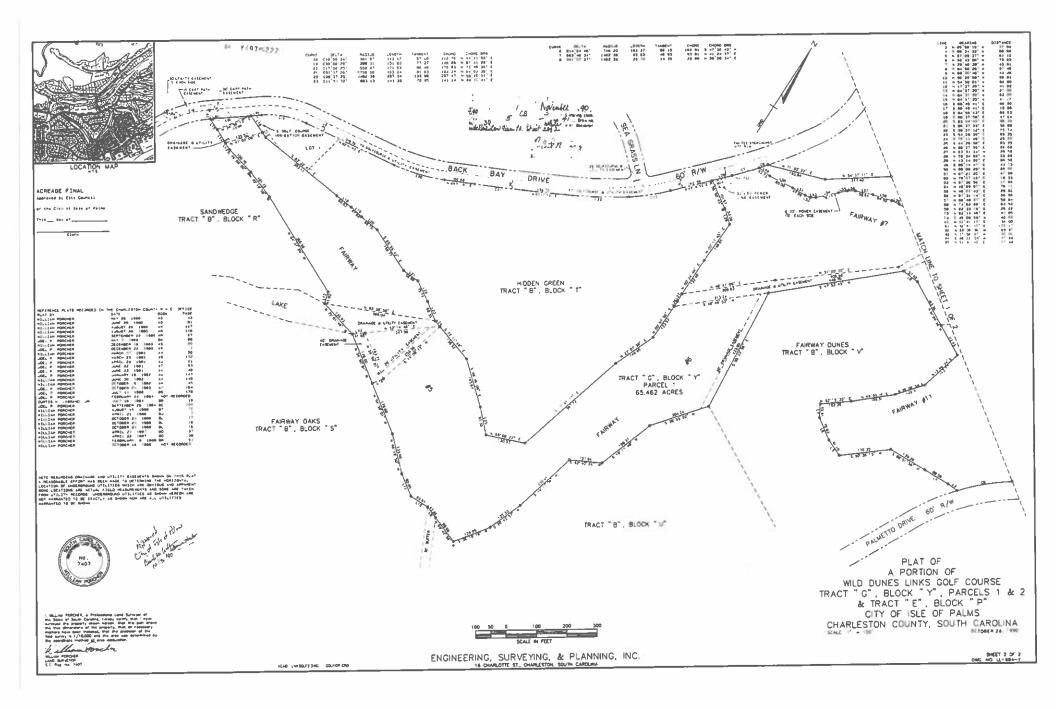
PASSED AND APPROVED BY THISLE OF PALMS, ON THE DAY O	IE CITY COUNCIL FOR THE CITY OF F, 2022.
Phillip Pounds, Mayor	
(Seal)	
Attest:	
Nicole DeNeane, City Clerk	
First Reading:	
Public Hearing:	
Second Reading:	

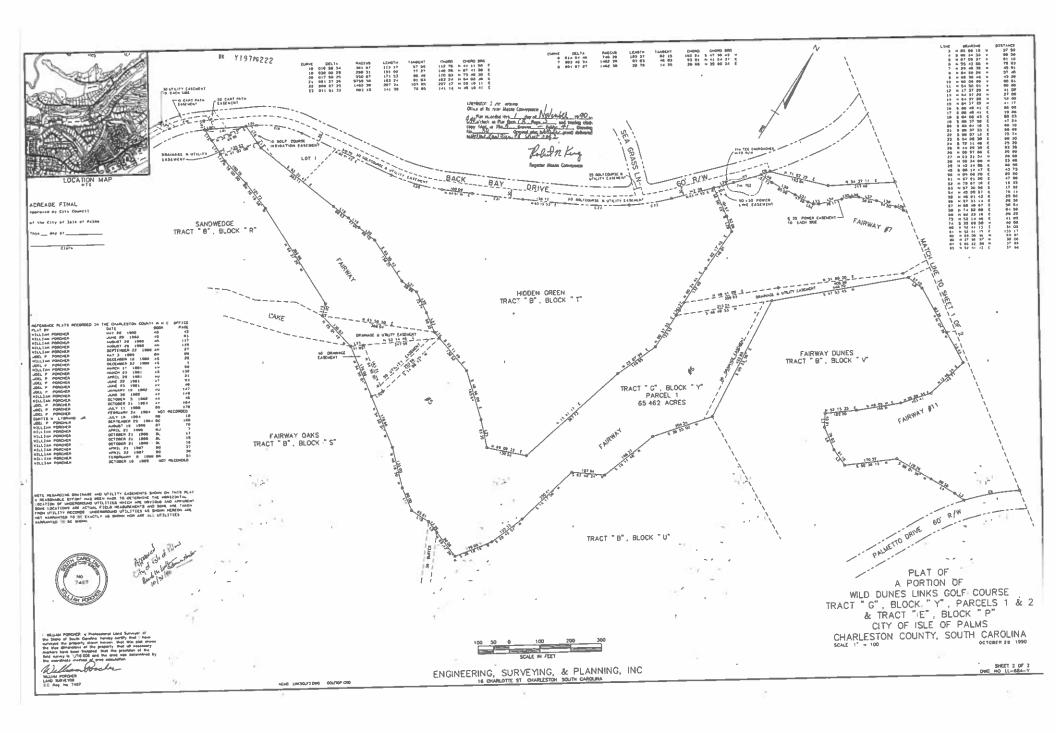
Ratification:

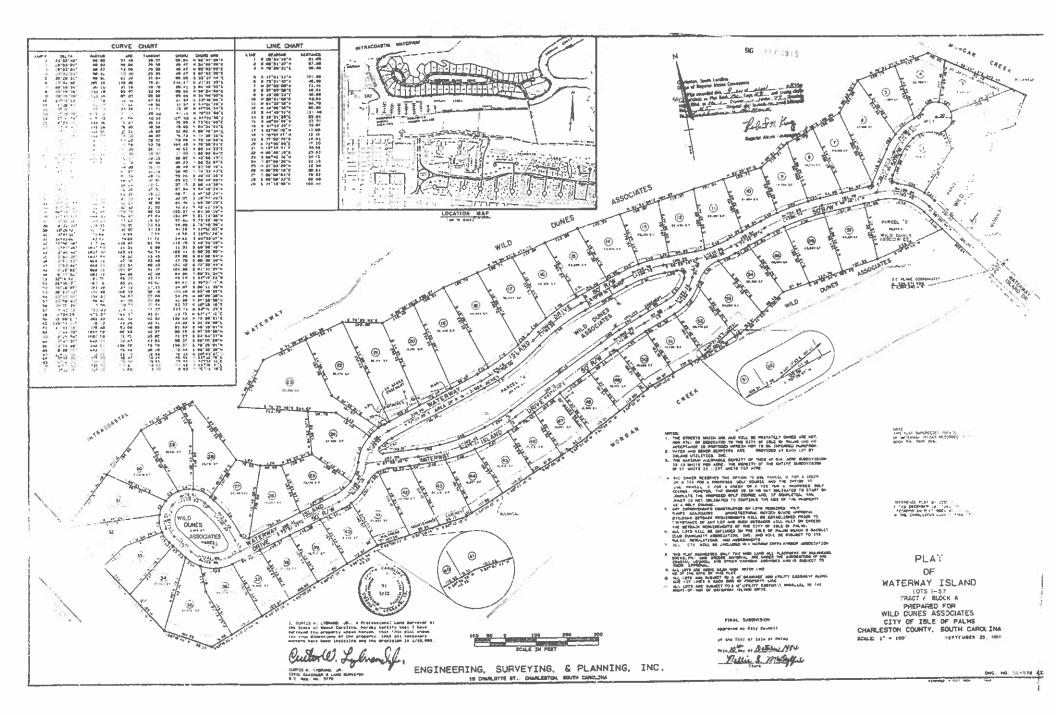
#### EXHIBIT I

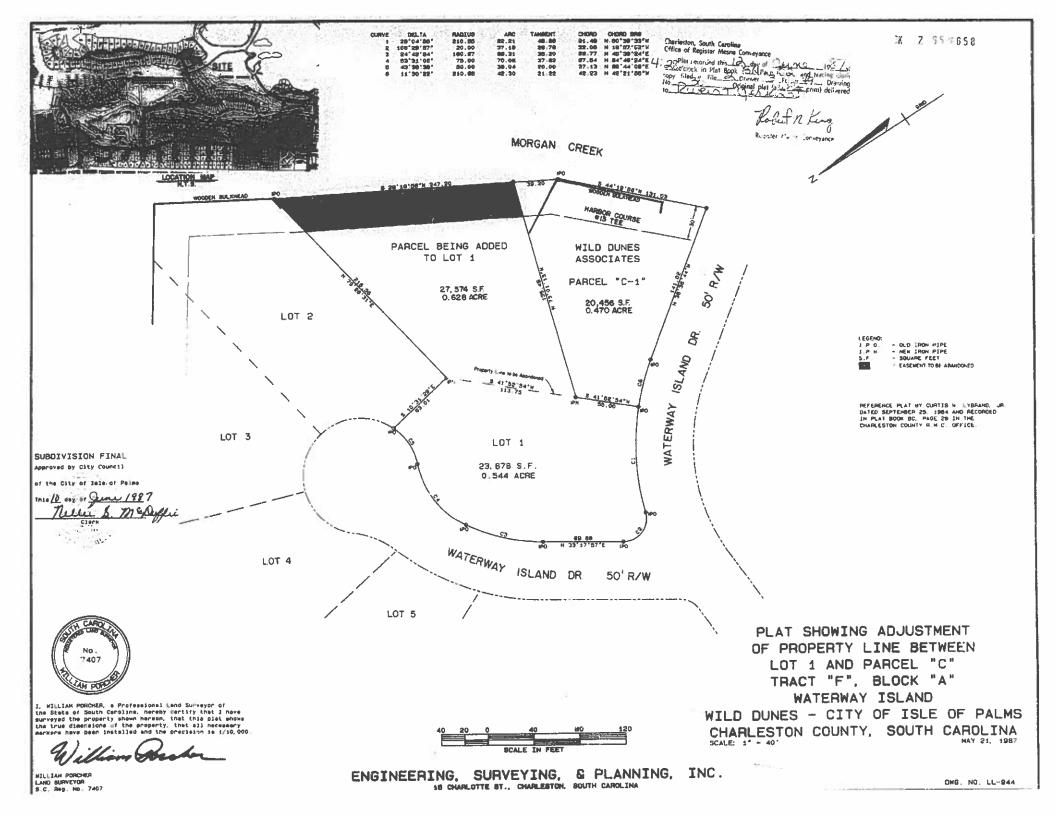
(Attach Plats)

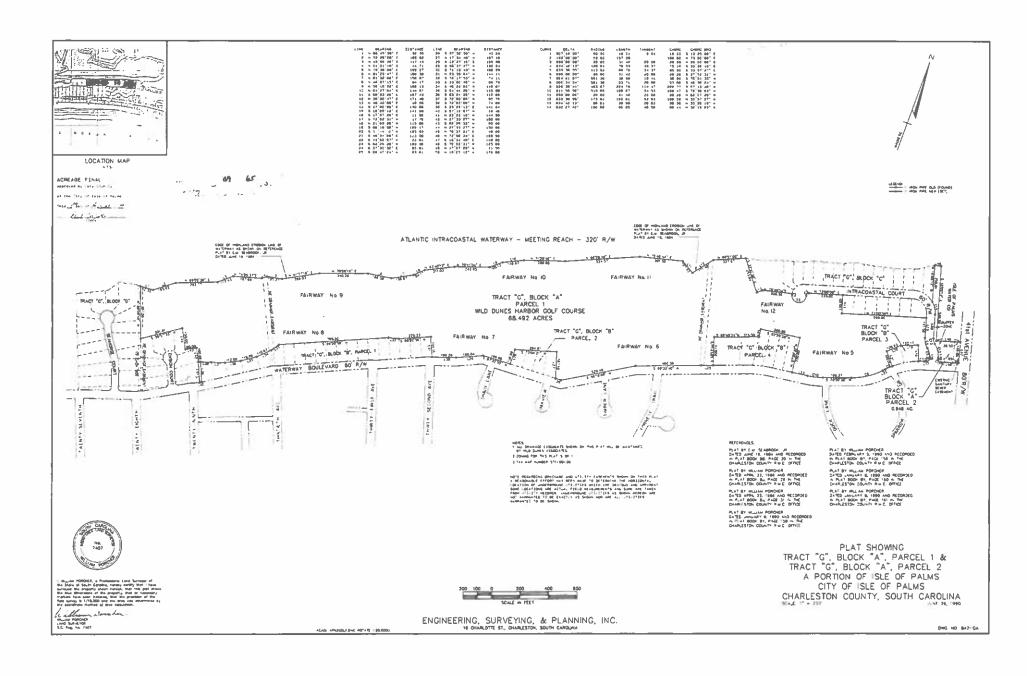


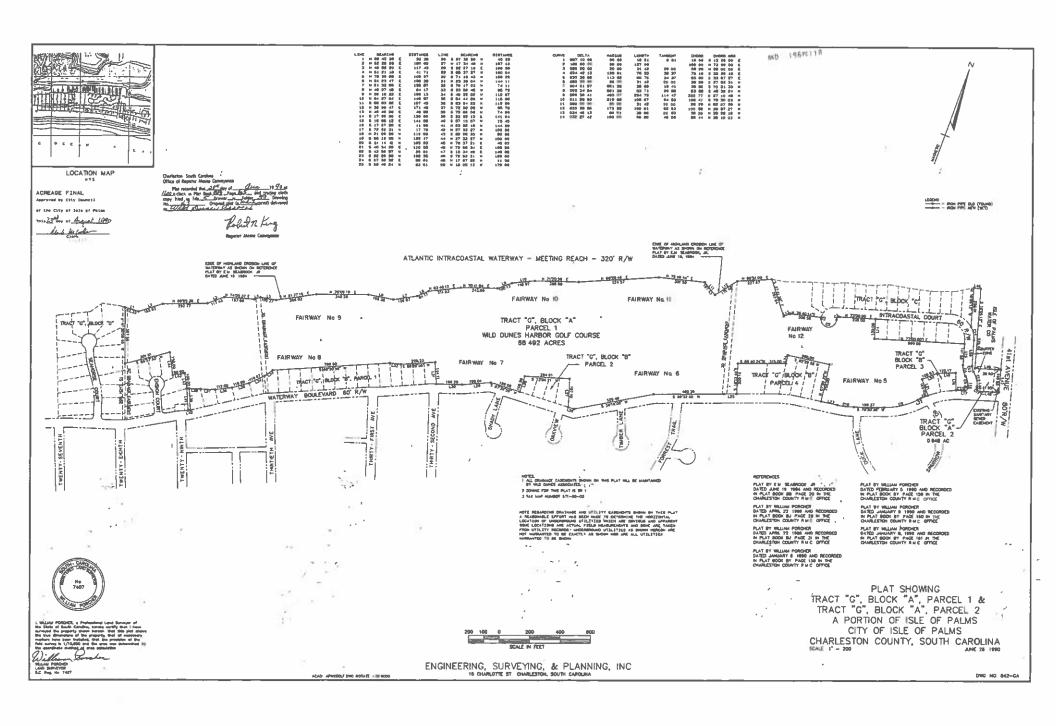


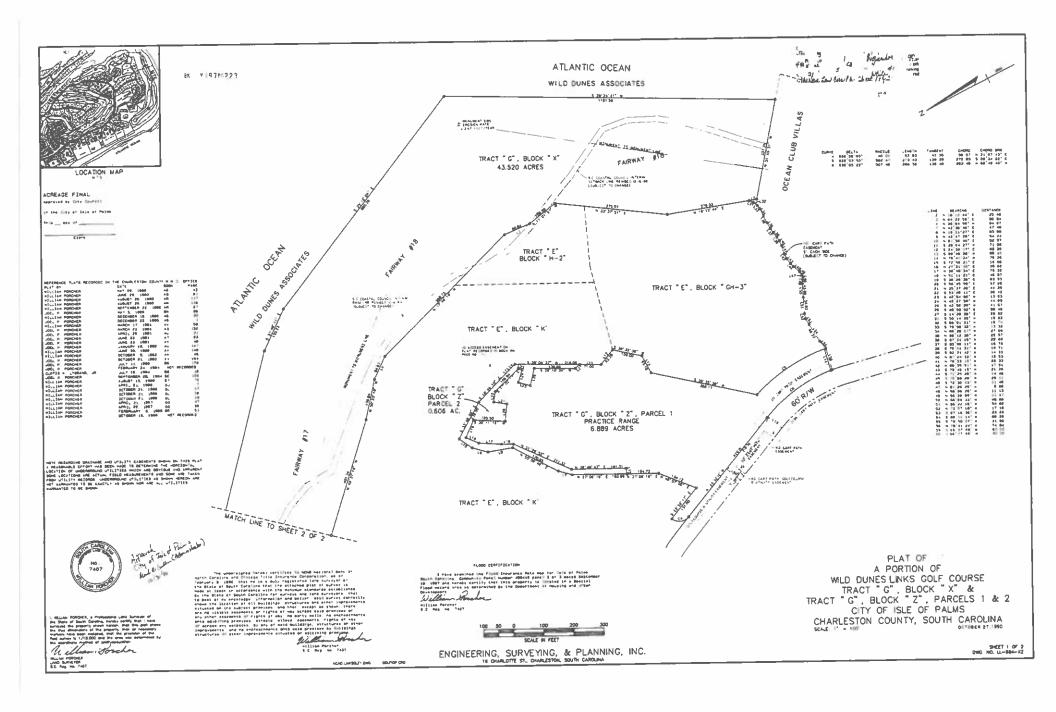


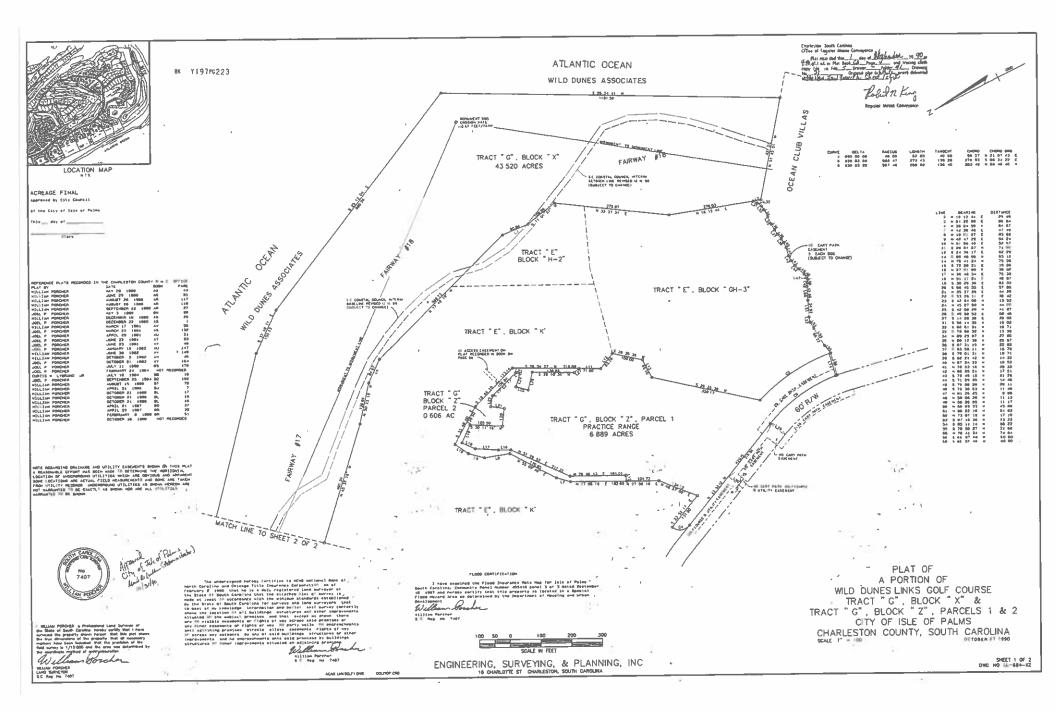


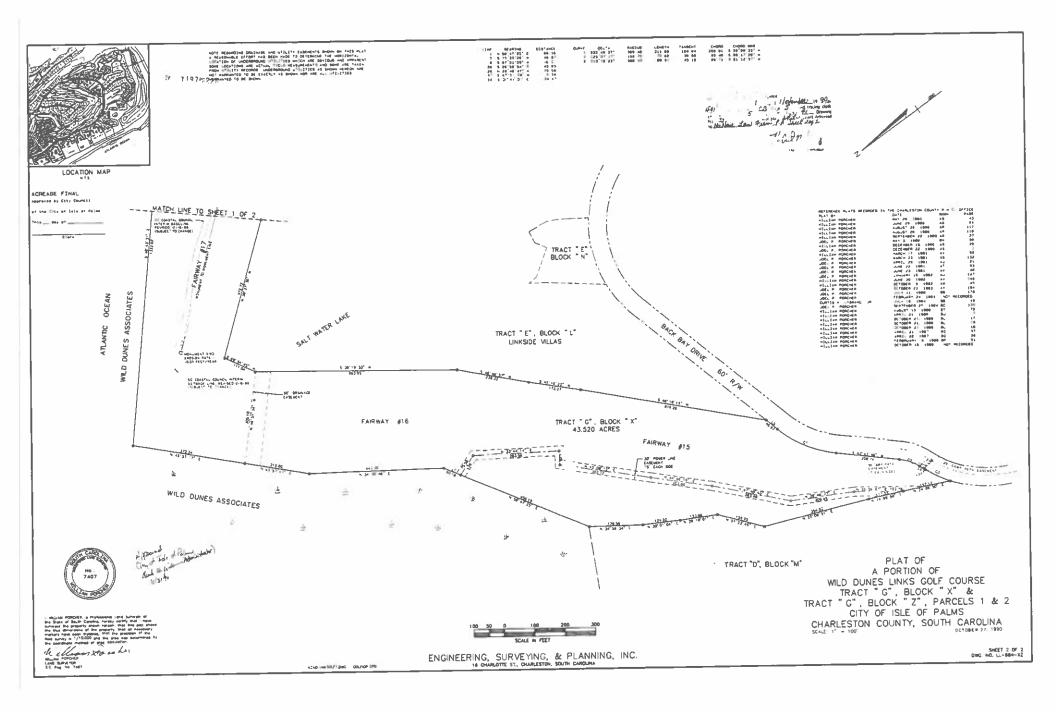


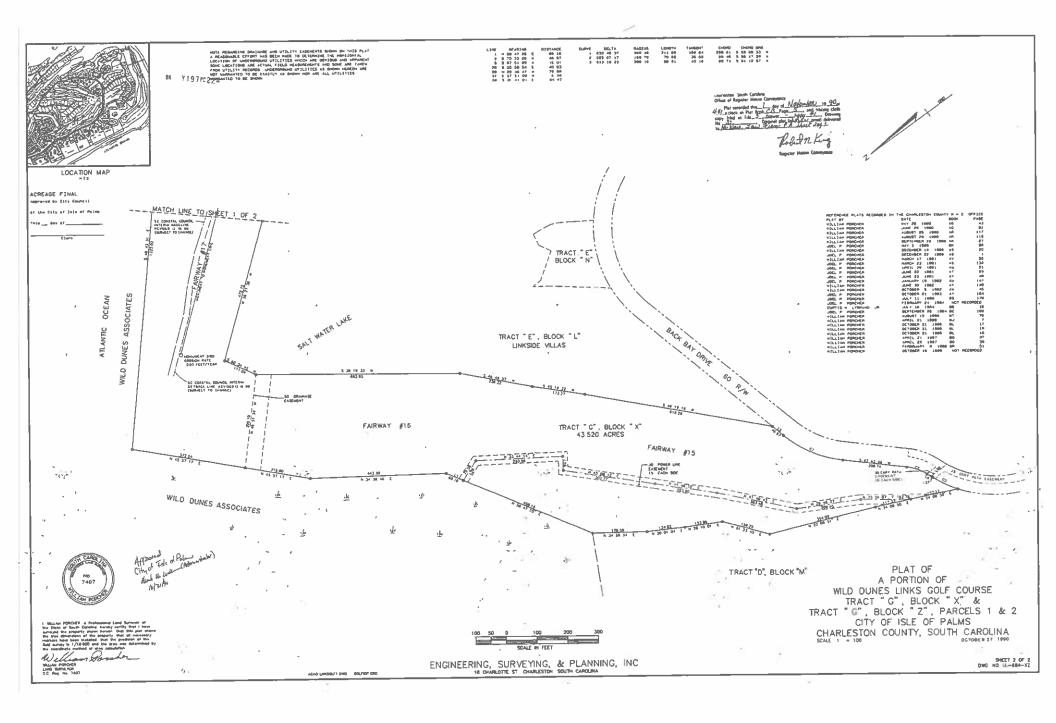


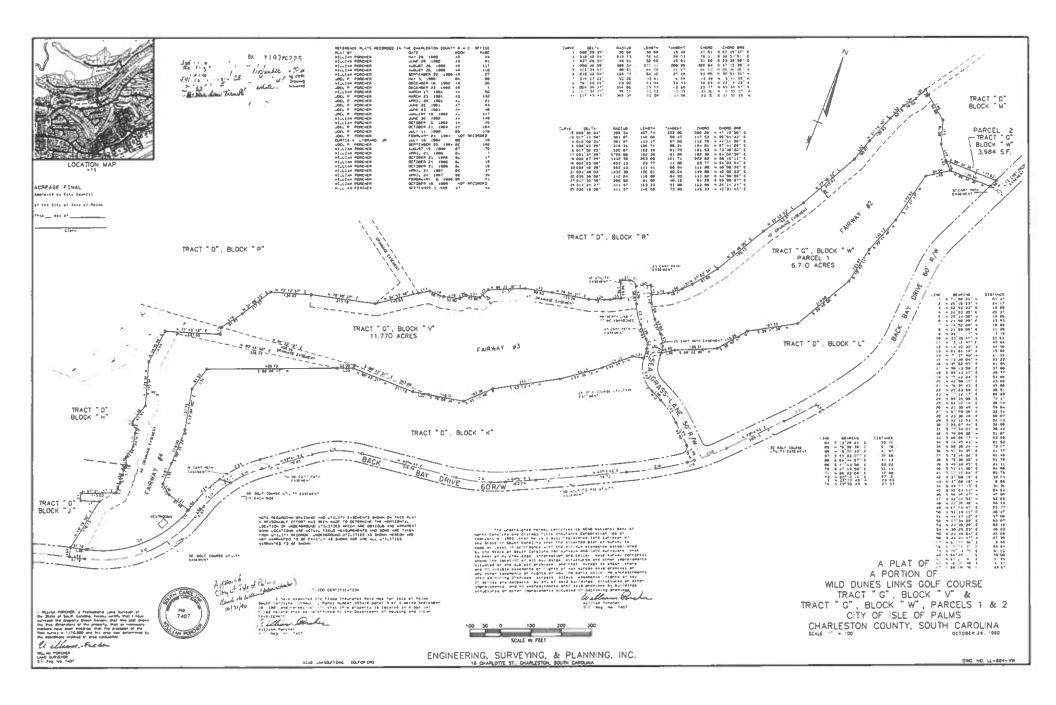


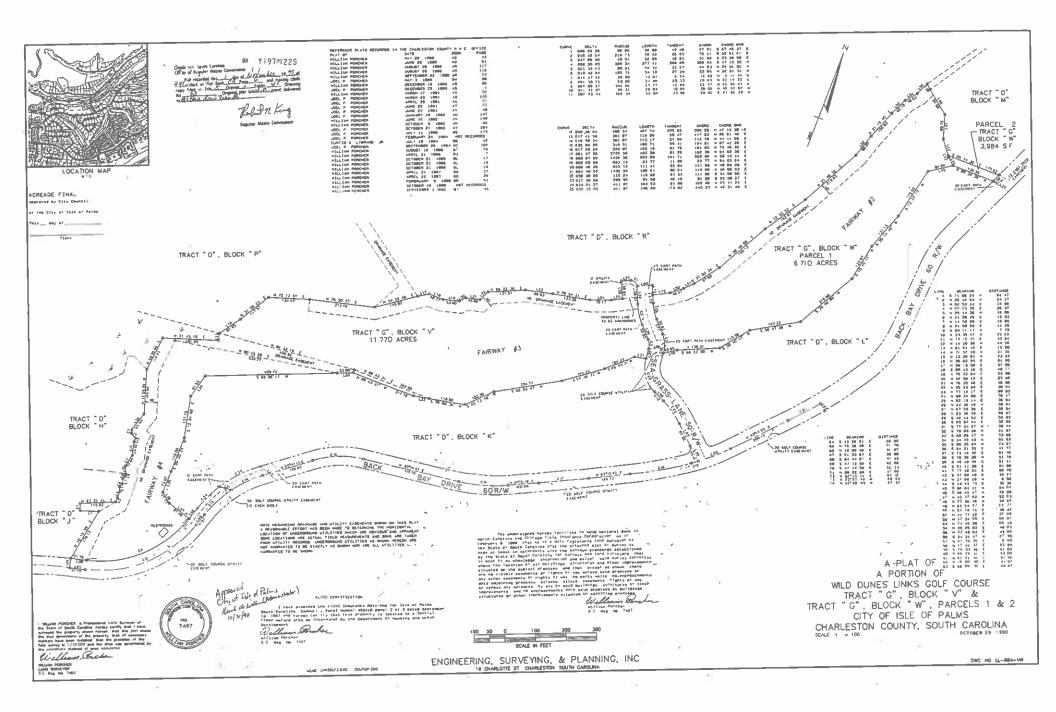


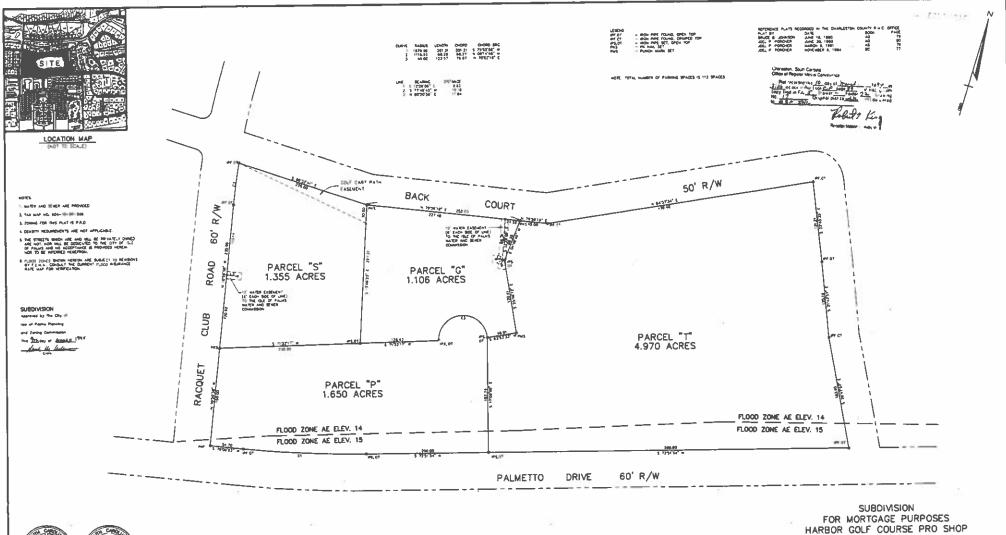
















I, tituylar PORDOSE, is Protesseen Lord Surveyor of the State of Seuth Continus, hereby obtain that the boat of my reversible, and shall, the survey shown hardle we make in occurrance with the resultants of blokman Excellent surveys in Seuth Continus, and industry, for the Protection of Lord Surveyor, in Seuth Continus, and makes or account to requirements for a Door a burning of the most of account of the seuth of th

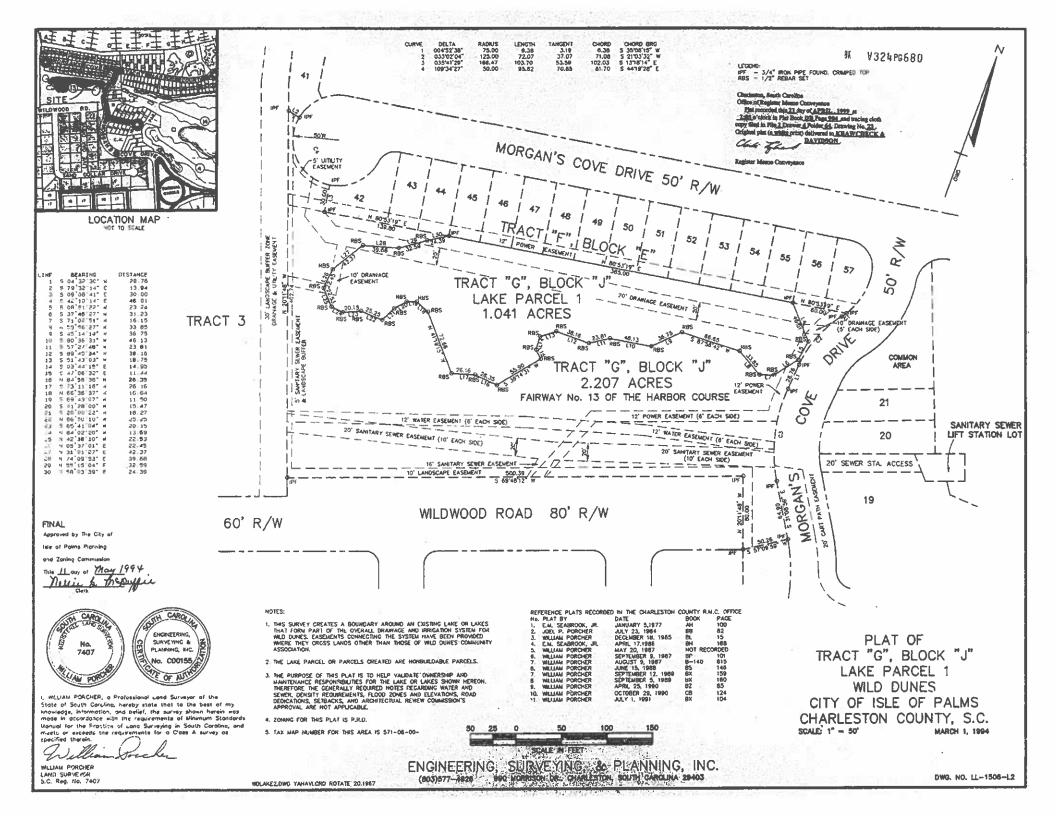
William Gonale

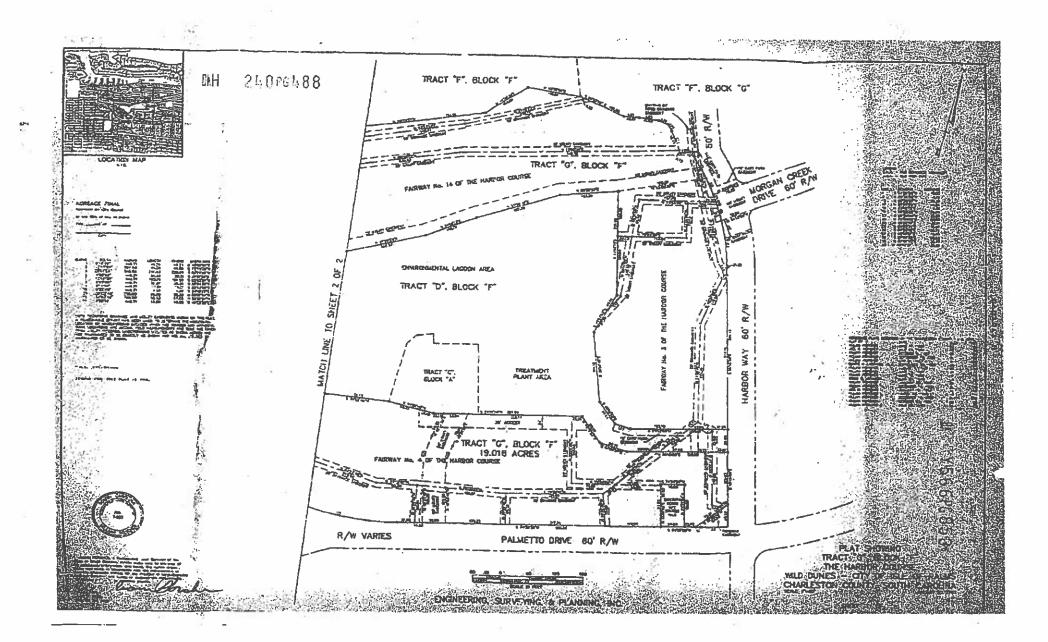


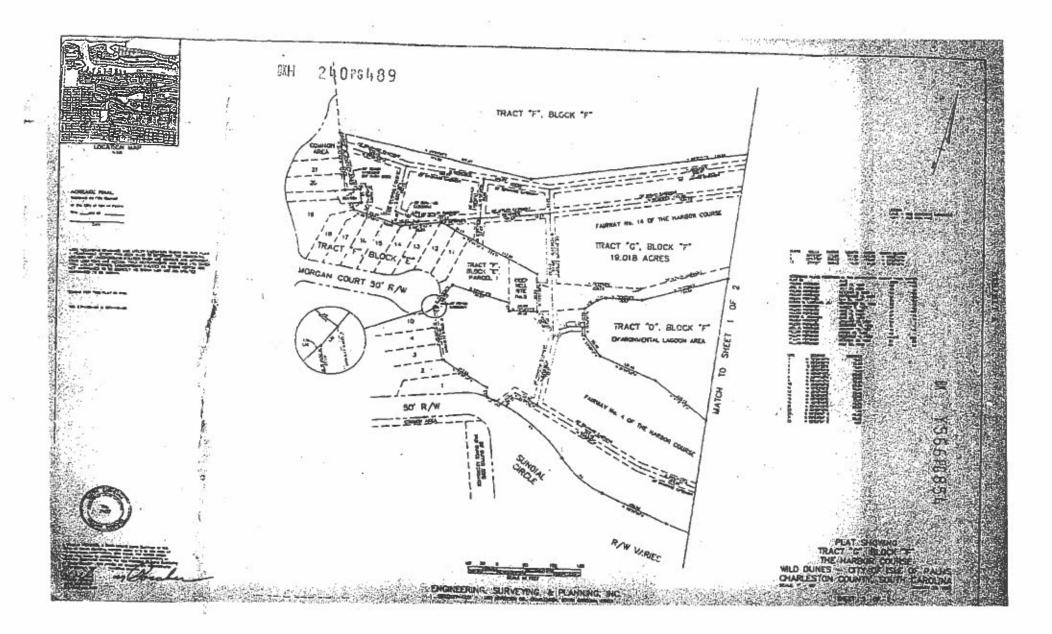
ENGINEERING, SURVEYING, & PLANNING, INC. (803) 577-4655 880 MORRISH DRIVE, DIAMETERS, SOUTH CAROLINA 28463

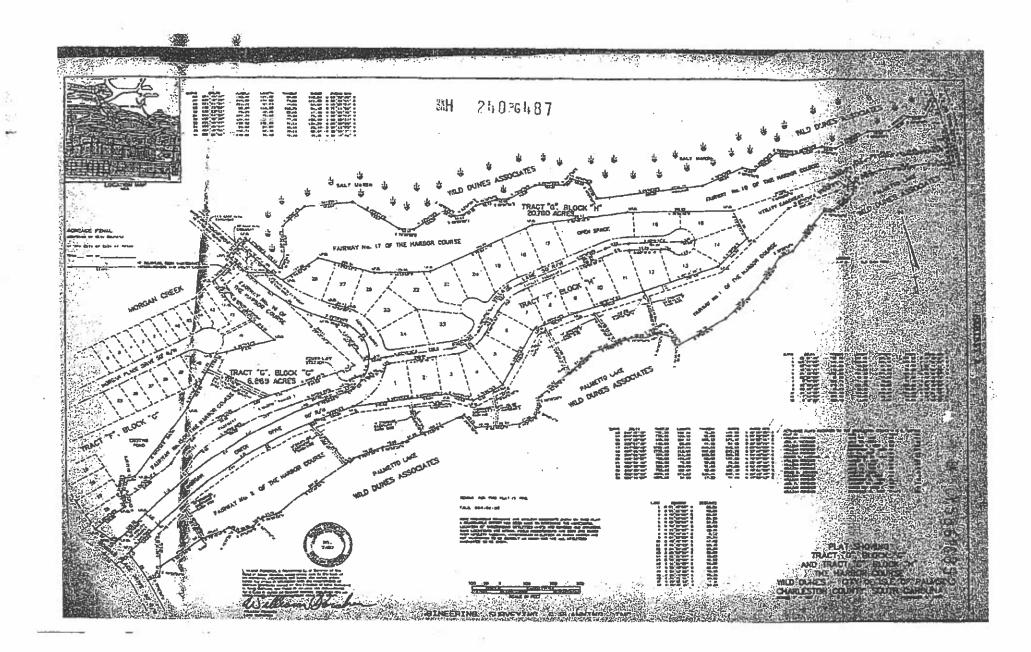
FOR MORTGAGE PURPOSES
HARBOR GOLF COURSE PRO SHOP
AND TENNIS CENTER
TRACT "B", BLOCK "N"
A 9.081 ACRE TRACT
INTO PARCELS G, P, S, & T
WILD DUNES
CITY OF ISLE OF PALMS
CHARLESTON COUNTY, SOUTH CAROLINA
PRIMINARY 21, 1984

OHR NO. 11-1100-02









## ORDINANCE 2022-11

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 2, DISTRICT REGULATIONS, SECTION 5-4-39, PDD PLANNED DEVELOPMENT DISTRICT, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE CLARIFICATION BY CORRECTING SCRIVENER'S ERRORS AND DELETING PROVISIONS RELATED TO THE WILD DUNES PRD.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 5-4-39, "PDD planned development district," is hereby deleted in its entirety and replaced with a new Section 5-4-39 to state as follows:

"Sec. 5-4-39. PDD planned development district.

- (1) Purpose of district. The purpose of the PDD planned development district is to permit a mixture of different types of housing with compatible commercial uses, shopping centers, office parks and other mixed use developments. Flexibility in design, character and quality of development and preservation of natural and scenic features are made possible through the approval of a plan which describes the specific uses, densities, setbacks, and other requirements for a planned development. The approved plan constitutes the district regulations for a particular planned development.
- (2) District regulations. The following regulations shall apply to all uses in PDD planned development districts, other provisions in this chapter to the contrary notwithstanding:

Minimum site area	Ten (10) acres
Minimum lot area	Set in approved plan.
for structure	
Minimum lot width, yards, setbacks	Set in approved plan.
Maximum structure height	Forty feet (40').
Off-street parking and loading requirements	Set in approved plan.
Screening	Set in approved plan, but not less than landscaping required by this chapter.
Signs	Set in approved plan, but not greater than signs

	allowed by this chapter.
Subdivision	Applicable regulations must be met.
regulations	
Additional	See sections 5-4-12 and 5-4-15
development	
regulations	

(3) *PDD application and review procedures*. The following procedures shall apply to establishment of a PDD district, other provisions in this chapter to the

contrary notwithstanding:

0	Zoning	PDD districts are established by amendment to
a.	amendment	•
		the zoning ordinance in the manner prescribed
	required:	for rezoning.
b.	District	The applicable regulations in this section and
	regulations:	those in the approved plan and descriptive
		statement shall constitute the PDD district
		regulations for the site.
c.	Pre-	An applicant for PDD zoning is encouraged,
	application	but not required, to contact the Planning
	conference	Commission prior to submission of the
	optional:	application for information and review of the
	1	regulations and procedures applicable to the
		proposed plan and descriptive statement.
d.	Amendment	Amendment application required:
	application	Initiation of a PDD amendment shall be by
	required:	submission of an application form provided by
	required.	the Zoning Administrator with required
		attachments.
e.	Development	A site development plan is a required
<u> </u>	plans	attachment to application for PDD amendment.
	required:	The site development plan shall indicate the
	required.	proposed uses of all land areas and such other
		$\epsilon$
	D '.'	deems reasonably necessary for review.
f.	Descriptive	A descriptive statement is a required
	statement	attachment to the application for PDD
	required:	amendment. The descriptive statement shall
		indicate the characteristics and standards to be
		used for development of the site, and shall
		include at least the following items:
		1. Legal description of site boundaries, and
		total area of the site;
		2. Area and location of each type of use;
		3. Number and density of dwelling units by
		type;
<u> </u>		VI * 7

		4. Description of open space locations, uses and proposed dedication for public use;
		5. Ownership and maintenance of streets, and
		proposed dedication to public;
		6. Methods for dealing with parking and the
		impact of projected traffic on the uses on the
		site and adjacent districts and streets;
		7. Steps proposed to comply with sediment
		control and storm drainage regulations.
		8. Steps proposed to comply with landscaping
		regulations;
		9. Details of association or organization
		involved in ownership and maintenance,
		including procedures and methods of
		operation;
		10. Outline for development phasing with
		anticipated timeframes;
		11. Design standards, procedures and methods
		demonstrating that development will result in an integrated use district, functional and
		compatible with the area;
		12. Proposed restrictive covenants to be
		recorded to ensure future compliance with the
		standards in the plan; and
		13. Such other information as may be
		appropriate for Planning Commission review.
g.	Planning	Upon determination that the application meets
	Commission	above requirements, the Zoning Administrator
	review:	shall forward the application to the Planning
		Commission for review and recommendation
		to City Council as required for zoning
h.	City, Corneil	amendments.
11.	City Council action:	Upon receipt of the Planning Commission recommendation, City Council shall conduct a
	action.	public hearing as required for zoning
		amendments, and may approve, approve with
		modifications accepted by applicant, or
		disapprove the proposed amendment.
i.	Zoning and	Zoning and building permits shall not be issued
	building	until the zoning is approved by City Council,
	permits:	and approved plats, the approved descriptive
		statement and all required restrictive covenants
		are filed for record with the City Clerk and the
		County ROD Office, and all required bonds are
		posted with the City Clerk.

j.	District map:	The site development plan approved by City Council shall be the zoning district map for the PDD and shall be the basis for issuance of zoning and building permits.
k.	Changes to plan:	1. Minor changes. Changes proposed in writing by the applicant which do not alter district boundaries and which involve revision of minor characteristics of the PDD such as relocation of driveways, revision of floor plans, facades, landscaping, relocation of required parking, drainage structures, and features which do not materially affect the approved plan concept or violate any applicable regulations may be approved by the Zoning Administrator. Approval or rejection of the change is subject to review and final determination by the Planning Commission if the applicant or any party whose property is adversely affected files a written objection with the Planning Commission within ten (10) days after action by the Zoning Administrator. An applicant may submit a rejected change as an amendment to the plan under the normal zoning amendment procedures.
		2. Major changes. Changes proposed in writing by the applicant which alter district boundaries or which materially affect the characteristics of the PDD shall be submitted under normal zoning amendment procedures applicable to establishment of the PDD.
		3. Permits. No zoning or building permits involving a minor or major change of the PDD descriptive statement or map shall be issued until the written change is filed with the City Clerk and recorded in the County ROD Office.
1.	Failure to begin; failure to progress; failure to complete:	If the responsible party fails to begin, fails to progress, or fails to complete development as agreed in the descriptive statement, the City Council may charge the developer with violation of the zoning ordinance, may rezone the property, or may take any combination of these actions. In any event, if the planned development is not initiated within two (2) years of its establishment, the Planning Commission shall initiate the rezoning of the property to an appropriate district classification

		in conformity with the comprehensive plan."	
SECTION 2. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.			
	of this Ordinance a	ordinances or parts of ordinances conflicting with the are hereby repealed insofar as the same affect this	
SE	CTION 4. That this Or	rdinance take effect and be in full force immediately.	
	PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE DAY OF, 2022.		
Phillip Pou	unds, Mayor		
(Seal)			
Attest:			
Nicole Del	Neane, City Clerk		
First Read	ing:		
Public Hea	aring:		
Second Re	eading:		
Ratificatio	n:		

## Sec. 5-4-39. PDD planned development district.

- (1) Purpose of district. The purpose of the POD-PDD planned development district is to permit a mixture of different types of housing with compatible commercial uses, shopping centers, office parks and other mixed use developments. Flexibility in design, character and quality of development and preservation of natural and scenic features are made possible through the approval of a plan which describes the specific uses, densities, setbacks, and other requirements for a planned development. The approved plan constitutes the district regulations for a particular planned development.
- (2) *District regulations.* The following regulations shall apply to all uses in PDD planned development districts, other provisions in this chapter to the contrary notwithstanding:

Minimum site area	Ten (10) acres
Minimum lot area for structure	Set <u>it-in</u> approved plan.
Minimum lot width, yards, setbacks	Set <u>it-in</u> approved plan.
Maximum structure height	Forty feet (40').
Off-street parking and loading	Set in approved plan.
requirements	
Screening	Set in approved plan, but not less than landscaping required by this
	chapter.
Signs	Set in approved plan, but not greater than signs allowed by this chapter.
Subdivision regulations	Applicable regulations must be met.
Additional development	See sections 5-4-12 and 5-4-15
regulations	

(3) *PDD application and review procedures.* The following procedures shall apply to establishment of a PDD district, other provisions in this chapter to the contrary notwithstanding:

a.	Zoning amendment required:	PDD districts are established by amendment to the zoning ordinance in the manner prescribed for rezoning.
b.	District regulations:	The applicable regulations in this section and those in the approved plan and descriptive statement shall constitute the PDD district regulations for the site.
C.	Pre-application conference optional:	An applicant for PDD zoning is encouraged, but not required, to contact the Planning Commission prior to submission of the application for information and review of the regulations and procedures applicable to the proposed plan and descriptive statement.
d.	Amendment application required:	Amendment application required: Initiation of a PDD amendment shall be by submission of an application form provided by the Zoning Administrator with required attachments.
e.	Development plans required:	A site development plan is a required attachment to application for PDD amendment. The site development plan shall indicate the proposed uses of all land areas and such other information as the Zoning Administrator deems reasonably necessary for review.
f.	Descriptive statement required:	A descriptive statement is a required attachment to the application for PDD amendment. The descriptive statement shall indicate the characteristics and standards to be used for development of the site, and shall include at least the following items:  1. Legal description of site boundaries, and total area of the site;

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		2 Anna and langthan of each time of the
		2. Area and location of each type of use;
		3. Number and density of <u>d</u> swelling units by type;
		4. Description of open space locations, uses and proposed dedication for public use;
		5. Ownership and maintenance of streets, and proposed dedication to public;
		6. Methods for dealing with parking and the impact of projected traffic on the uses
		on the site and adjacent districts and streets;
		7. Steps proposed to comply with sediment control and storm drainage regulations.
		8. Steps proposed to comply with landscaping regulations;
		9. Details of association or organization involved in ownership and maintenance,
		including procedures and methods of operation;
		10. Outline for development phasing with anticipated timeframes;
		11. Design standards, procedures and methods demonstrating that development will
		result in an integrated use district, functional and compatible with the area;
		12. Proposed restrictive covenants to be recorded to ensure future compliance with
		the standards in the plan; and
		13. Such other information as may be appropriate for Planning Commission review.
g.	Planning	Upon determination that the application meets above requirements, the Zoning
	Commission	Administrator shall forward the application to the Planning Commission for review
	review:	and recommendation to City Council as required for zoning amendments.
h.	City Council action:	Upon receipt of the Planning Commission recommendation, City Council shall
	•	conduct a public hearing as required for zoning amendments, and may approve,
		approve with modifications accepted by applicant, or disapprove the proposed
		amendment.
i.	Zoning and	Zoning and building permits shall not be issued until the zoning is approved by City
	building permits:	Council, and approved plats, the approved descriptive statement and all required
		restrictive covenants are filed for record with the City Clerk and the County RMC
		ROD Office, and all required bonds are posted with the City Clerk.
j.	District map:	The site development plan approved by City Council shall be the zoning district map
		for the PDD and shall be the basis for issuance of zoning and building permits.
k.	Changes to plan:	1. Minor changes. Changes proposed in writing by the applicant which do not alter
		district boundaries and which involve revision of minor characteristics of the PDD
		such as relocation of driveways, revision of floor plans, facades, landscaping,
		relocation of required parking, drainage structures, and features which do not
		materially affect the approved plan concept or violate any applicable regulations
		may be approved by the Zoning Administrator. Approval or rejection of the change is
		subject to review and final determination by the Planning Commission if the
		applicant or any party whose property is adversely affected files a written objection
		with the Planning Commission within ten (10) days after action by the Zoning
		Administrator. An applicant may submit a rejected change as an amendment to the
$oxed{oxed}$		plan under the normal zoning amendment procedures.
		2. Major changes. Changes proposed in writing by the applicant which alter district
		boundaries or which materially affect the characteristics of the PDD shall be
		submitted under normal zoning amendment procedures applicable to establishment
		of the PDD.
		3. Permits. No zoning or building permits involving a minor or major change of the
		PDD descriptive statement or map shall be issued until the written change is filed
		with the City Clerk and recorded in the County RMC ROD Office.
I.	Failure to begin;	If the responsible party fails to begin, fails to progress, or fails to complete
	failure to progress;	development as agreed in the descriptive statement, the City Council may charge

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failure to complete:	the developer with violation of the zoning ordinance, may rezone the property, or may take any combination of these actions. In any event, if the planned development is not initiated within two (2) years of its establishment, the Planning Commission shall initiate the rezoning of the property to an appropriate district
	classification in conformity with the comprehensive plan.

(4) Wild Dunes PRD. The existing Wild Dunes PRD development is hereby recognized as a legal nonconforming PDD district under this chapter. Any future modification to the Wild Dunes PRD agreement shall be subject to the requirements of this section.

(Ord. No. 2015-15, § 1, 2-23-2016)

## **ORDINANCE 2022-12**

AN ORDINANCE AMENDING THE CITY OF ISLE OF PALMS ZONING ORDINANCE BY AMENDING CERTAIN PROVISIONS OF THE ORIGINAL BEACH AND RACQUET CLUB PRD (ALSO KNOWN AS THE WILD DUNES PRD) TO EXCLUDE CERTAIN PROPERTIES FROM THE PRD DISTRICT, TO REDUCE THE MAXIMUM NUMBER OF DWELLING UNITS PERMITTED IN THE PRD DISTRICT FROM 2,449 UNITS TO 2,119 UNITS, AND TO REDUCE THE MAXIMUM NUMBER OF INN UNITS PERMITTED IN THE PRD DISTRICT FROM 350 UNITS TO 297 UNITS.

WHEREAS, the City adopted the Original Beach and Racquet Club PRD on May 29, 1975, including the May 28, 1975 Addendum, as the zoning and development standards for the development known as Wild Dunes; and

WHEREAS, the Original Beach and Racquet Club PRD was amended by the July 7, 1977 Beach and Racquet Club PRD Amendment, adopted by the City on July 14, 1977; and

WHEREAS, the City adopted Ordinance 2016-01 on February 23, 2016 further amending certain provisions of the Original Beach and Racquet Club PRD to exclude certain properties from the PRD district, to reduce the maximum number of dwelling units permitted in the PRD district from 2,500 to 2,449 units, and to preserve the existing height limitations in the PRD district (together the Original Beach and Racquet Club PRD and amendments are also known as the "Wild Dunes PRD"); and

WHEREAS, the Wild Dunes PRD is recognized as a legal nonconforming PDD district by section 5-4-39(4) of the City of Isle of Palms Zoning Ordinance; and

WHEREAS, City Council has initiated the rezoning of certain recreational facilities properties from the Wild Dunes PRD district to a new CR Conservation-Recreation district to ensure the preservation of existing public and/or private recreation activities; and

WHEREAS, City Council desires to reduce the maximum number of dwelling units and inn units permitted in the Wild Dunes PRD to reflect the current number of existing units and approved lots to ensure against undesirable development; and

WHEREAS, City Council finds that such amendments to the Wild Dunes PRD will serve the interest of the public health, safety, welfare and general convenience of the residents of the City of Isle of Palms.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That the City of Isle of Palms Zoning Ordinance is hereby amended by amending certain provisions of the Original Beach and Racquet Club PRD, as amended, (also known as the "Wild Dunes PRD") to state as follows:

- a) That the last paragraph on Page 2 is hereby amended by changing the reference from "2,449 dwelling units" to "2,119 dwelling units."
- b) That the legal description on Page 3 is hereby amended by inserting two new paragraphs at the end of the section to state as follows:

"Saving and excepting therefrom those areas of water, beaches, marshlands, and pieces of natural and manmade highland areas in the marshlands which contain less than two (2) acres, up to the mean high-water mark or abutting the primary highland, as generally shown on the Official Zoning Map as being within the CR Conservation-Recreation District.

Saving and excepting therefrom those parcels known and designated as TMS# 571-00-00-001, TMS# 571-08-00-226, TMS# 604-00-00-032, TMS# 604-00-00-033, TMS# 604-00-00-034, TMS# 604-00-00-035, TMS# 604-00-00-036, TMS# 604-05-00-185, TMS# 604-10-00-206, TMS# 604-01-00-001, and TMS# 604-01-00-059, as generally shown on the Official Zoning Map as being within the CR Conservation-Recreation District."

- c) That Section "Master Land Use Plan Summary" on Page 5 is hereby amended in the third paragraph by changing the reference from "2,499 dwelling units" to "2,119 dwelling units."
- d) That Table 2 on Page 7 is hereby amended by changing the maximum number of dwelling units permitted in the PRD District from "2,449" to "2,119" and by changing the maximum number of inn units permitted in the PRD District from "350" to "297."
- e) That Table 3 on Page 8 is hereby amended by changing the maximum number of dwelling units permitted in the PRD District from "2,449" to "2,119."
- f) That the first paragraph on Page 10 is hereby amended by changing the reference from "350 inn units" to "297 inn units" and to delete the number "200" from the last sentence.
- g) That Section "Criteria for Residential 'B' Sub-District" on Page 22 is hereby amended by changing the reference from "350 inn units" to "297 inn units."

- h) That all other provisions of the Original Beach and Racquet Club PRD, as amended, which are not inconsistent herewith shall remain in full force and effect.
- SECTION 2. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY TH ISLE OF PALMS, ON THE DAY OF	E CITY COUNCIL FOR THE CITY OF, 2022.
Phillip Pounds, Mayor	
(Seal) Attest:	
Nicole DeNeane, City Clerk First Reading:	
Public Hearing:	
Second Reading:	
Ratification:	