

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, TMS# 604-01-00-059, and TMS# 604-02-00-053, 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 THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE 15 DAY OF November, 2022.

  
Phillip Pounds, Mayor

(Seal)

Attest:

  
Nicole DeNeane, City Clerk

First Reading: October 11, 2022

Public Hearing: October 18 and November 1, 2022

Second Reading: November 15, 2022

Ratification: November 15, 2022

