

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.”

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

