

## ARTICLE 4.0: ESTABLISHMENT OF ZONING DISTRICTS AND MAP

### **Section 4.10 Official District Map**

Zoning districts and their boundaries shall be as shown on the Official District Map. This map shall be located in the Town administrative offices and shall be the final authority as to the current zoning status of the land, buildings and other structures in the Town, which shall be signed by the Mayor and the Clerk/Treasurer, and shall show its date of adoption, and which, together with all explanatory matter thereon is hereby adopted by reference and declared to be a part of this Ordinance as if fully set forth herein.

#### **§4.10.10 New Map Adopted**

A new zoning map, entitled "Zoning Map, Town of Seabrook Island, SC, as of December 2003, is adopted for the entirety of the Town as of August 24, 2004. This new zoning map sets forth the current zoning for the entirety of the Town, and replaces and supersedes all prior zoning maps adopted by the Town pursuant to this Article (Ordinance 1994-02, 4/14/94)(Town Council minutes of 12/17/96)(Ordinance 1997-18, 1/27/98)(Ordinance 2004-04, 8/24/04)

### **Section 4.20 District Boundaries; Interpretation thereof**

Where uncertainty exists with respect to the boundary of any district shown on the Official District Map, the following rules of interpretation shall apply.

- (a) The Town boundary line shall be construed as the district boundary line that abuts it.
- (b) District boundaries follow natural features such as marsh edges and stream banks.
- (c) Where indicated, district lines are parallel to the centerlines of streets and highways.
- (d) Where indicated, district lines follow property or lot lines.

#### **§4.20.10 Marsh Boundaries**

With the exception of lands within the ownership of the National forests, swamplands, wildlife refuge and any other publicly designated conservation area, the Ocean and Coastal Resource Management Critical line shall be the district boundary between marsh and other lowlands abutting, surrounding or surrounded by all waterways, including oceans, rivers, lakes, canals, tidal streams or creeks, in a conservation district and the adjacent zoning district.

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**§4.20.20**

The Federal Emergency Management Agency (FEMA) Floodway Boundary Maps, designating the 100-year floodplain within the Town of Seabrook Island, South Carolina, as amended from time to time, are hereby referenced for use in the implementation of this Ordinance.

**Section 4.30 Zoning Districts - Defined**

To date, development within the Town of Seabrook Island has been characterized by large projects within Planned Development Districts (PDDs), pursuant to detailed Master Plans. This development pattern has produced a community of diverse types and densities of development, while maintaining natural resources, recreation opportunities and the high aesthetic quality of the Town. In recognition of the ongoing success of this mode of development, it is the intent of Town Council that further development of the Town shall occur within Planned Development Districts, pursuant to approved Master Plans meeting the standards set forth in this Ordinance.

Recognizing that not all master plans may specify uses and development standards for each sub area within a Planned Development District (PDD), the Town of Seabrook Island is divided into the following General Zoning and Planned Development Districts:

**§4.30.10 Agricultural-Conservation District (AGC)**

A district designed for the purpose of protecting and conserving wetlands and sensitive environmental areas; all that area within the corporate limits of the Town of Seabrook Island lying seaward of the South Carolina Ocean and Coastal Resource Management "Critical Line" and/or, when the corporate limit is located in water, marsh or wetlands, lying between the corporate limit line and the upland edge of such water, marsh or wetlands within the AG-C District. The district shall include all that land between the Cap'n Sam's marsh and the ocean lying to the east and north of Seabrook Development North Beach Village to the Cap'n Sam's Creek-Kiawah River cut (established May 26, 1986).

**§4.30.11 Removal from AGC District**

In the event that it is deemed that buildable high ground land does exist within such district at some time, it shall be incumbent upon the developer to secure rulings from the South Carolina Ocean and Coastal Resource Management (OCRM), U.S. Corps of Engineers or any other appropriate governmental body as to the amount of buildable land, insurability by FEMA, or a private insurance company and environmental requirements through an environmental study pursuant to guidelines to be developed by the Zoning Administrator, before application for a change in zoning

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and to certify in writing to the Planning Commission such findings with the application.  
(Ordinance 1995-06, 6/8/95)

**§4.30.20 Agriculture-General District (AG)**

A district designed primarily for essentially undeveloped areas that shall ultimately be zoned as Planned Development Districts and are likely to be used residentially in the future, but are not yet ready for development.

**§4.30.30 Single Family Residential District (SR)**

A district of less than five (5) acres currently undeveloped, which could be subdivided into single family lots meeting the requirements of this Ordinance to provide for quiet, low-density residential neighborhoods.

**§4.30.40 Planned Development District (PDD)**

Developments within the Town of Seabrook Island may include a mix of residential and commercial activities or may focus on a design concept for a specific use category. The Planned Development is intended to promote the following objectives:

- (a) Flexibility in site design and in the location of structures.
- (b) More efficient land use, building arrangement, circulation systems and utilities.
- (c) Preservation of landscape features and amenities.
- (d) Innovative design, architectural styles, building forms and site relationships.

Planned Developments may include a mix of single family detached or multi-family dwelling units and/or one or more nonresidential sub-district(s) provided such are shown on the master plan approved by Town Council.

Notwithstanding the above, nor any other provision in the Town's DSO, development of multi-family dwelling units within PD Districts is hereby limited to those PD Districts as they are shown on the Town's Official District Map as of the effective date of this Ordinance. Multi-family dwelling units may not be included in any PD District that may come to be shown on the Town's Official District Map after the effective date of this Ordinance. (Ordinance 2007-01, 2/27/07)

**§4.30.40.10 PDD-Parks and Recreation (APR) Subdistrict**

A designated land area within a Planned Development (PD) planned for recreation or open space and used in the integral development of the PDD, (e.g. golf courses, tennis courts, equestrian centers). This zoning is frozen in place and cannot be

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changed without a majority vote of the registered voters of the Town of Seabrook Island. Any such referendum must be executed, paid for and certified through the Planning Commission by the petitioner before the application for change can be made. (Ordinance 1995-06, 6/8/95)(Ordinance 2000-12, 9/11/00)

**§4.30.40.20 PDD Parks and Recreation (APR) Subdistrict "Beaches as a Trust Property"**

This is a beach area indigenous to the Seabrook PDD which is recorded in the RMC Office of Charleston County; varies in size because of the accretion and erosion of the Atlantic Ocean and North Edisto River; and is defined as "all lands, if any, located between the front property lines of any oceanfront lot and the high water mark of the Atlantic Ocean and the North Edisto River, directly in front of each such lot".

**§4.30.40.30 PDD Commercial-Retail-Office (CRO) Subdistrict**

This is an area within a PDD planned for light commercial, retailing and/or office development. The location, construction and uses of commercial structures within this subdistrict must conform to Section 5.5 and Article 7 of this Ordinance and be approved by the Planning Commission and Town Council. (Ordinance 1994-02, 4/14/94)(Ordinance 1995-06, 6/8/95)

**§4.30.50 Commercial-Retail/Office District (CRO)**

A district of commercial uses limited to retail stores, office activities, restaurants, office service establishments, real estate offices, and medical offices. (Ordinance 1994-05, 9/8/94)

**§4.30.70 Light Industrial-Service & Maintenance District (LI)**

A district of service, utility and maintenance uses, including water and wastewater treatment facilities, laundry buildings, mechanical service areas, storage uses and office areas. (Ordinance 1990-03, 5/10/90)(Ordinance 1994-05, 9/8/94)

**§4.30.80 Government Property**

This is an area within the Town, title to which is owned by the Town, County, State or Tax District. (Ordinance 1994-02, 4/14/94)