

ARTICLE 5.0: ZONING DISTRICT SPECIFICATIONS

Section 5.10 Agricultural-Conservation District (AGC)

§5.10.10

The purpose of this district is to protect and conserve wetlands and other sensitive environmental areas.

§5.10.20 Permitted Uses

Within the Agricultural-Conservation District, land may be used for the following purposes, provided that the use does not degrade water quality or the natural character of the District, and receives South Carolina Office of Coastal Resources Management approval where applicable.

- (a) Open air recreation uses including swimming areas, fishing, beaches, boat ramp, dock, pier, lifeguard station, restrooms, boardwalks and natural preserve.
- (b) Bulkhead and erosion control devices.

§5.10.30 Conditional Uses

None

Section 5.20 Agriculture-General District (AG)

§5.20.10 Purpose

The purpose of this district is to promote agriculture as a primary use and to accommodate limited, low-density, single-family residential development as a secondary use. It is anticipated that a change in zoning designation to Planned Development (PD) will be necessary for any substantial, non-agricultural development of property in this district.

§5.20.20 Permitted Uses

- (a) Public parks and recreation facilities, including boat docks, landings, community and neighborhood centers.
- (b) Private recreation facilities, including boat docks, lands and community and neighborhood centers.
- (c) General agricultural activities.
- (d) Dwellings, single-family.

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- (e) Accessory uses and home occupations, as permitted in this Ordinance.
- (f) Signs, in accordance with this Ordinance.

§5.20.30 Conditional Uses

An accessory dwelling unit for use by guests of the principal residents is a conditional use on any property zoned Agricultural-General provided that:

- (a) Such parcel is in excess of 1.5 acres and other applicable provisions of this ordinance are satisfied.
- (b) The guesthouse is permanently attached to the principal residential structure on the lot.
- (c) No other guesthouse exists on the parcel.
- (d) The guesthouse does not exceed 900 square feet in floor area.
- (e) The applicant has presented detailed construction plans and site information relating to the placement and construction of the guesthouse in accord with Articles 8 and 13 through 15 of this Ordinance.
- (f) The applicant has agreed to place a deed restriction on his or her property stating that the property will never be subdivided so that the guesthouse will always remain part and parcel of the overall property upon which the primary residence is located and provided the Town with a copy of such document as recorded with the deed to the parcel.
- (g) The applicant has certified and agreed by deed restriction that the accessory dwelling unit will not be utilized for any commercial purpose including, but not limited to, being rented or leased. (Ordinance 1997-07, 8/26/97)

§5.20.40 Minimum Lot Size

Five (5) acres

§5.20.50 Maximum Number of Dwelling Units Per Lot

One (1)

§5.20.60 Minimum Setback Requirements

§5.20.60.10 Front: 100 feet

§5.20.60.20 Side: 50 feet

§5.20.60.30 Rear: 50 feet

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§5.20.60.40 Permitted accessory uses or buildings shall not be located in provided front yards, and such uses or buildings shall be placed behind the setback lines. Garages may be located in the provided front yard if the setback requirements of that district are maintained.

§5.20.70 Maximum Height

Maximum height limitations are set forth in Section 7.90.

Section 5.30 Single Family Residential District (SR)

§5.30.10 Purpose. It is the purpose of this district:

- (a) To provide for quiet, low-density residential neighborhoods;
- (b) To discourage unwarranted encroachment by prohibiting commercial uses and to prohibit other uses which would interfere with the development or continuation of single-family uses;
- (c) To discourage non-conforming uses; and
- (d) To discourage uses which would generate traffic on minor streets other than required to serve residences on those streets.

§5.30.20 Permitted Uses

- (a) Detached, single family residence.
- (b) Home occupations, clearly incidental to the primary residential use of a dwelling, and not affecting the residential character of the residence. There shall be no outside storage of any kind relating to a home occupation. Signs advertising a home occupation shall not be permitted.
- (c) Accessory uses customarily incidental to permitted uses on the same lot (swimming pools, tennis courts, garages etc.).

§5.30.30 Conditional Uses

An accessory dwelling unit for use by guests of the principal residents is a conditional use on any property zoned Agricultural-General provided that:

- (a) Such parcel is in excess of 1.5 acres and other applicable provisions of this ordinance are satisfied.
- (b) The guesthouse is permanently attached to the principal residential structure on the lot.
- (c) No other guesthouse exists on the parcel.

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- (d) The guesthouse does not exceed 900 square feet in floor area.
- (e) The applicant has presented detailed construction plans and site information relating to the placement and construction of the guesthouse in accord with Articles 8 and 13 through 15 of this Ordinance.
- (f) The applicant has agreed to place a deed restriction on his or her property stating that the property will never be subdivided so that the guesthouse will always remain part and parcel of the overall property upon which the primary residence is located and provided the Town with a copy of such document as recorded with the deed to the parcel.
- (g) The applicant has certified and agreed by deed restriction that the accessory dwelling unit will not be utilized for any commercial purpose including, but not limited to, being rented or leased. (Ordinance 1997-07, 8/26/97)

§5.30.40 Minimum Lot Requirements

§5.30.40.10 Lot Area: The minimum area for all lots in zoning districts that are shown as a "Single Family Residential District" on the Town's Official District Map as of the effective date of this Ordinance shall be seventeen thousand five hundred (17,500) square feet. The minimum area for all lots in any zoning district that may come to be shown as a "Single Family Residential District" on the Town's Official District Map after the effective date of this Ordinance shall be one (1) acre. It is hereby recognized that one (1) acre is equal to a lot area of forty three thousand five hundred sixty (43,560) square feet. (Ordinance 2007-01, 2/27/07)

§5.30.40.20 Lot Depth: One hundred twenty-five (125) feet.

§5.30.40.30 Lot Frontage: Fifty (50) feet on a public street; except that this requirement is reduced to thirty (30) feet for lots fronting on a public cul-de-sac.

§5.30.50 Minimum Setback Requirements

§5.30.50.10 Front: Thirty (30) feet

§5.30.50.20 Side: Fifteen (15) feet

§5.30.50.30 Rear: Twenty-five (25) feet

§5.30.50.40 Permitted accessory uses or buildings shall not be located in front yards, and such uses or buildings shall be placed behind the setback lines.

§5.30.60 Maximum Height

Maximum height limitations are set forth in Section 7.90.

§5.30.70 Double Frontage Lots

Lots fronting on two streets are prohibited in this district.

Section 5.40 Planned Development District (PDD)

§5.40.10 Defined

A **Planned Development District (PDD)** is a tract of land initially zoned agricultural-general (AG) which is at least five (5) acres in area. It must be under single, corporation, firm, partnership or association ownership and planned and developed as an integral unit. It is established in a single development operation or a definitely programmed series or phased development operations according to an approved master development site plan.

§5.40.20 Purpose

The purpose of the Planned Development District is to provide for the development of planned residential communities that may incorporate residential dwellings and certain limited commercial and office uses designed to serve the inhabitants of the district. It is recognized that only through ingenuity, imagination, and high quality design can residential developments be produced which are in keeping with the intent of this Section. (Ordinance 2007-01, 2/27/07)

§5.40.30 Mandatory Procedure

Use of the **PDD** application process is mandatory for the development of any site or area larger than five (5) acres. This process is intended to provide a development procedure that has the advantages listed below.

- (a) Allow creative approaches to the development of residential land.
- (b) Accomplish a more desirable environment than would otherwise be possible, by providing for a variety of housing types, designs and arrangements.
- (c) Provide for an efficient use of land.
- (d) Enhance the appearance of neighborhoods through the preservation of natural features and the provision of recreational and open space areas.
- (e) Provide an environment of stable character compatible with surrounding residential areas.

§5.40.30.10 Pre-Application Conference. The Developer and/or its representative are encouraged to meet with the Planning Commission prior to submission of a formal application. He should be sufficiently along in his planning to be able to present the general outlines of his proposal with supporting sketches of his plans. The Planning Commission, without making any firm commitment, may provide

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comments and recommendations that will assist the applicant in the final preparation of his application. (Ordinance 1995-06, 6/8/95)

§5.40.30.20 Application. Application for the establishment of a PDD district shall be submitted and reviewed in accord with Article 20 of this Ordinance and shall include the following additional information and any other information needed to illustrate compliance with the review criteria in Article 20.

- (a) Proposed primary circulation pattern.
- (b) Proposed parks, playgrounds and other common open spaces.
- (c) Proposed means of dedication of common open space areas and organizational arrangements for the ownership, maintenance and preservation of common open space.

§5.40.30.30 The applicant will present his request to the Planning Commission who will consider the request and make recommendations to Town Council. Town Council is the final authority on all requests for Planned Developments within the Town and for all amendments to existing PDD's. (Ordinance 1995-06, 6/8/95)

§5.40.30.40 PDD Amendments. Developers wishing to amend their approved Planned Developments shall apply to the Planning Commission for such amendment in accordance with this Ordinance. (Ordinance 1995-06, 6/8/95)

§5.40.40 PDD Permitted Uses

The permitted uses within the PDD are those listed below. The specifications for each designated use area will be enumerated when the master plan is approved in accord with Article 20 of this Town's DSO.

- (a) Single Family Residential
- (b) Multi Family Residential in those zoning districts that are shown as PD Districts on the Town's Official District Map as of the effective date of this Ordinance. Multi-Family Residential use shall not be permitted upon property that may come to be shown as being within a PD District after the effective date of this Ordinance.
- (c) Retail Trade/Professional Services
- (d) General Offices
- (e) Recreational Facilities (Golf, Tennis, Swimming, Equestrian)
- (f) Parks
- (g) Municipal Services (Churches, Town Facilities, EMS, Heliport)
- (h) Utility Services
(Ordinance 1998-08, 4/28/98) (Ordinance 2007-01, 2/27/07)

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§5.40.40.10 Only uses consistent with the original intended use as recreational or open space and accessory uses customarily incidental to those permitted uses of the property shall be permitted in the PDD Parks and Recreation Sub-district (APR).

§5.40.40.20 Only uses consistent with the original intent as a recreational area, with no buildings of any manner except structures for recreational activities approved by the Trustee of the Beach in Trust shall be permitted in the PDD Parks and Recreation "Beaches as a Trust Property Sub-district (APR).

§5.40.40.30 Only light commercial, retailing and/or office development shall be permitted in the PDD Commercial-Retail-Office (CRO) Subdistrict, subject to approval by the Planning Commission and Town Council.

§5.40.50 PDD Conditional Uses

Conditional uses will be dictated by the location, size of the parcel, uses and densities requested and their effect on neighboring developments and must comply with the review of criteria set forth in Article 20.

§5.40.50.10 Conditional uses involving industrial and/or manufacturing uses shall not be permitted.

§5.40.50.20 Communication towers and antennae in compliance with the criteria in Article 8 shall be allowed only in the Camp St. Christopher Planned Development.

5.40.60 Minimum Requirements

Unless otherwise specified in the approved master plan documents for a PDD, the following minimum requirements shall apply to uses:

§5.40.60.10 The location, construction and uses of single-family houses within a PDD District shall meet the minimum requirements set forth in the single-family residential (SR) district.

§5.40.60.20 The location, construction and uses of multi-family residential structures within the PDD shall meet the minimum requirements set forth in Articles (7) through (11) of this Ordinance.

§5.40.60.30 The location, construction and uses of commercial structures within a PDD shall meet the minimum requirements set forth in the Articles (7) through (11) of this Ordinance and the provisions of §5.50 below.

§5.40.60.40 The location, construction and size of all new and modified roads, improvements associated with existing roads, and improvements or modifications to drainage systems associated with existing roads shall meet the minimum requirements set forth in Article 16 of this ordinance.

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§5.40.60.50 The requirements of this Ordinance shall supplement and shall apply in addition to the requirements imposed by the types and locations of development permitted under an approved Master Plan within a PDD.

Section 5.50 Commercial-Retail/Office District (CRO)

§5.50.10 Permitted Uses. Uses within this district are limited to:

(a) Retail Trade

- (1) Paint, Wallpaper, Hardware Store
- (2) Clothing Store
- (3) Restaurant (no drive through facilities, however exterior take-out or service windows are allowed)
- (4) Liquor Store
- (5) Books, Arts and Crafts Store
- (6) Jewelry/Gift Store
- (7) Florist
- (8) Optical Goods
- (9) Antique Shop
- (10) Camera/Photographic Supply
- (11) Pharmacy
- (12) Electronic Supply
- (13) Shoe and Leather Repair
- (14) Dry Cleaning

(b) Professional Services

- (1) Banking
- (2) Financial/Accounting Services
- (3) Insurance/Tax
- (4) Real Estate Sales & Management

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- (5) Travel Agency
 - (6) Beauty/Barber Shop
 - (7) Doctor/Dentist Office
 - (8) Law Office Advertising & Printing Services
 - (9) Business Consultant
 - (10) Photographic Services
 - (11) Government Office – US Postal Service
- (Ordinance 1998-09, 4/28/98)

§5.50.20 Conditional Uses

Any proposed commercial/retail office use not specifically allowed under the permitted uses set forth above may be allowed by the Planning Commission if it finds the proposed use satisfies the following criteria:

- (a) The proposed use complies with all applicable federal, state and local laws and ordinances.
- (b) Development plans for the proposed use minimizes potentially detrimental impacts to the site and surrounding areas and meet all buffer requirements.
- (c) The proposed use assumes safe and convenient ingress and egress from the property and internal circulation, including access of service and emergency vehicles and design of off-street parking and loading areas.
- (d) The proposed use provides safe location and orderly arrangement in the placement of all buildings and structures.
- (e) The proposed use minimizes environmental damage caused by the destruction of natural vegetation.
- (f) The proposed use takes all reasonable means of minimizing intrusions of noise, light, odor, dust and other similar noises into surrounding areas.
- (g) Lighting fixtures and sign placement shall not constitute a hazard to traffic.
- (h) The proposed size, scope and scale of the use requested shall be appropriate for the property upon which it is to be located and may not be inconsistent with the size, scope and scale of other adjoining areas and developments. (Ordinance 1998-09, 4/28/98)

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§5.50.20.10 A communications tower and/or antenna may be permitted by the Planning Commission, without further review, upon determination by the staff that all of the criteria in Article 8 of this ordinance are met:

§5.50.30 Minimum Lot Area: Twenty-five thousand (25,000) square feet.

§5.50.40 Minimum Setback Requirements

Unless a greater setback is required to comply with buffer and landscaping requirements of this Ordinance, the following minimum setbacks shall be provided for all structures within the CRO district or sub-district:

§5.50.40.10 Abutting streets or roads: 50 feet, except when any lot fronts on a regime-owned private drive or road, in which case such the lot shall have a front setback of thirty (30) feet from the front property line.

§5.50.40.20 Side: 50 feet, except on interior lots of a common regime where the adjoining uses are similar in which case the side setback shall be 20 feet from the property line dividing adjoining lots, to be buffered and landscaped.

§5.50.40.30 Rear: 35 feet rear, to be buffered and landscaped. (Ordinance 1994-05, 9/8/94)

§5.50.50 Other Requirements

All parking, signing, fencing, buffering and landscaping shall meet the requirements of Articles (8) through (12) of this Ordinance. (Ordinance 1994-05, 9/8/94)

Section 5.60 Light Industrial-Service & Maintenance District (LI)

§5.60.10 Permitted Uses

Uses within this district are strictly limited to the housing of amenity equipment and its repair, cleaning, maintenance and laundering services; the siting and operation of wastewater treatment facilities, and storage and office areas attached to the above-referenced uses. (Ordinance 1990-03, 5/10/90)(Ordinance 1994-05, 9/8/94)

§5.60.10.10 All wastewater treatment facilities shall comply with the requirements of the South Carolina Department of Health and Environmental Control, as well as all applicable Town regulations and Ordinances. (Ordinance 1990-03, 5/10/90)

§5.60.20 Lot Area

Newly created light -industrial lots shall be a minimum fifteen thousand (15,000) square feet in area, exclusive of marshlands.

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§5.60.30 Minimum Setback Requirements

§5.60.30.10 Abutting a street or road: 100 feet, to be buffered, landscaped and fenced. Fencing must be landscaped on the street side.

§5.60.30.20 Abutting interior property: 50 feet, to be buffered, landscaped and fenced. (Ordinance 1990-03, 5/10/90)

§5.60.40 Other Requirements

All existing uses shall comply with the fencing, buffering and landscaping requirements herein within one (1) year of the adoption of this section. (Ordinance 1990-03, 5/10/90)

Section 5.70 Government (Municipal) Property

A communications tower and/or antenna may be permitted by the Planning Commission, without further review, upon determination that all of the applicable conditions in Article 8 of this ordinance are met. Towers placed on municipally owned property are exempt from the provisions of this ordinance.