

ORDINANCE 2024-05

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ARTICLE 8, ADDITIONAL REGULATIONS, SECTION 5-4-12 SUBSECTIONS P THROUGH R, AND SECTION 5-4-13 OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES.

WHEREAS, the Isle of Palms Council is empowered with the authority to make substantive amendments to the Isle of Palms Code, including amending Chapters, and now wishes to do so;

WHEREAS, the City of Isle of Palms, like most municipalities in the Lowcountry, is low-lying and vulnerable to flooding and storm damage and reducing and managing runoff from individual properties is a benefit to the community;

WHEREAS, the Isle of Palms Council now desires to amend Chapter 4, Zoning of the Isle of Palms Code of Ordinances, specifically Article 8, Sections 5-4-12 and 5-4-13.

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 Title 5, Planning and Development, Chapter 4, Zoning, Section 5-4-12, Subsections (p) through (r), be replaced entirely to read as follows:

Sec. 5-4-12. Additional regulations.

(p) Adding fill or importation of materials of any type, or re-contouring of a lot's existing contours, that increases a lot's existing ground elevation more than one (1) foot above existing road and results or may result in elevating an existing or proposed structure is strictly prohibited. Provided however, that this requirement would not limit the elevation of a lot to an elevation lower than 7.4' (using the 1988 NAVD datum).

(q) No lot shall be improved, altered, graded, or filled in a way that results in (1) additional stormwater running off the site; or (2) stormwater running off the site in an accelerated manner.

(r) Prior to any improvements, alterations, grading, or filling, a stormwater management plan shall be submitted and approved by the Zoning Administrator.

(s) The stormwater management plan shall include the following:

- (1) the stamp and signature of a duly licensed and qualified professional;
- (2) all existing and proposed topographical features of the lot, existing and proposed drainage flow patterns, and runoff quantities;
- (3) and a statement by the professional certifying that the improvements are designed such that post-construction runoff will mimic preconstruction hydrology runoff for

the site and the improvements will not adversely impact the adjacent properties, drainage systems or rights-of-way;

(t) The following site changes shall require the submittal of a stormwater management plan:

- (1) Any new building construction, new impervious surface, or replacement of impervious surfaces, which cumulatively exceed six hundred and twenty-five (625) square feet in area (all development shall be cumulative over time when considering the square footage threshold for requiring a stormwater management plan).
- (2) Adding fill or re-contouring of twenty (20) percent or more of the existing lot area in compliance with paragraph (p) of this section.

Additional submittal materials, design specifications and maintenance schedules may be requested at the discretion of the Zoning Administrator to ensure compliance with the Charleston County Stormwater Management Program.

(u) Prior to the issuance of a Certificate of Occupancy (CO) for construction projects, the Zoning Administrator may require as-built documentation certifying that the project was completed in compliance with the approved stormwater management plan.

SECTION 2. That Title 5, Planning and Development, Chapter 4, Zoning, Section 5-4-13 be retitled to read as follows:

Section 5-4-13. Maximum lot coverage; floor area ratio requirements; stormwater detention; additional setback requirements.

SECTION 3. That Title 5, Planning and Development, Chapter 4, Zoning, Section 5-4-13, Subsection (b) be inserted as follows and all subsequent subsections be renumbered accordingly:

(b) In situations Section 5-4-12(r) requires a stormwater management plan, for every square foot of new or altered impervious surfacing permitted on a lot, 0.3 cubic feet of new stormwater detention must be provided on the lot. The method for stormwater detention must be approved by the Zoning Administrator as part of the stormwater management plan. Detention areas must be located on the same property and above the seasonal high groundwater level. Detention can be achieved with detention vaults, rock wells, open basins, or any approved combination of methods. If materials such as rocks are used to create stormwater storage, only the voids within the system, excluding materials, will count towards meeting the required area.

SECTION 4. 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 5. 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 6. That this Ordinance take effect immediately upon approval by Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF
PALMS, ON THE 23rd DAY OF July, 2024.

Phillip Pounds
Phillip Pounds, Mayor



Attest:
Nicole DeNeane
Nicole DeNeane, City Clerk

First Reading: May 28, 2024
Public Hearing: July 23, 2024
Second Reading: July 23, 2024
Ratification: July 23, 2024