

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES

ORDINANCE NO. 2025-01

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

AN ORDINANCE OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA AMENDING THE EXISTING CODE OF ORDINANCES OF THE TOWN OF PAWLEYS ISLAND

INTENT

It is the intent of this ordinance to provide greater flexibility in the Town of Pawleys Island's land development regulations to better enable subdivision of property to be devoted to public uses and purposes, in order to promote and preserve public health, safety, aesthetics, and the general welfare of the Town; and for such purpose to amend the existing Code of Ordinances of the Town of Pawleys Island to add Part II: Uniform Development Code, Article 4, *Plats*, Section 4-1.2, *Exception for subdivision of property for public use*.

WHEREAS, in order to assist in achieving this goal, the Code of Ordinances of the Town of Pawleys Island is to be modified,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED), THAT:

The existing Code of Ordinances be modified with a new section incorporated and shall read as follows:

4-1.2 Exception for subdivision of property for public use. Notwithstanding any other requirements of this ordinance, a subdivision plat submitted for the purpose of conveyance to the Town of a fee simple or easement interest in a subdivided portion of a lot or lots for a public use or purpose shall be subject to staff approval by the Town Administrator, with the Planning Commission to be informed and have record of the subdivision, so long as the following requirements are met:

(A) The subdivision plat indicates that the subdivision is to take effect upon recordation of a deed conveying the subdivided portion to the Town or, in the case of an easement interest, upon recordation of a deed creating, reserving, or referencing the easement; and

(B) The plat is prepared by a South Carolina registered land surveyor and, in the determination of the Town Administrator, the subdivision is necessary for the Town's intended public use or purpose and the resulting subdivided lot is suitable to such use or purpose; and

(C) In the case of an easement interest, the plat must clearly reference the easement and delineate the easement area; and

(D) In the case of an easement interest, the applicant requesting the subdivision certifies in writing to the Town that the creation of an easement for a public use or purpose is a primary purpose of the subdivision, and not a condition being accepted in order to obtain a land use approval for some other purpose; and

(E) The Town Council has approved and authorized acceptance of the proposed conveyance or easement interest; and

(F) The subdivision does not cause the subdivided portion of the lot that is not conveyed to the Town or subject to a Town easement to be out of conformity with the requirements of this ordinance; and

(G) The lot to be subdivided is located in the Conservation Preservation (CP) Zoning District.

This Ordinance shall take effect and amend the existing Code of Ordinances of the Town of Pawleys Island, and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinances moved by Sarah Zimmerman and seconded by Ashley Carter and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Guerry Green, Rocky Holliday, Sarah Zimmerman, Ashley Carter, Brian Henry

Those opposed: None

Date of First Reading: June 9, 2025

Date of Public Hearing: July 14, 2025

Date of Second Reading: July 14, 2025 Approved

Date of Planning Commission Review: January 7, 2025

Planning Commission Recommendation: Approve with amendments.

APPROVED:

  
Brian Henry, Mayor

DATE:

7/15/25

ATTEST:

  
Corey Higdon, Town Clerk

DATE:

7-16-2025