

# Town Council Special Called Meeting

July 28, 2025 @ 1:30 PM

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Seabrook Island Town Hall, Council Chambers  
2001 Seabrook Island Road  
Seabrook Island, SC 29455



## AGENDA

### CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL & FOIA STATEMENT

### ITEMS FOR INFORMATION/DISCUSSION

- Discussion of Draft Annexation Ordinance
  - Purpose
  - Statement of General Policies and Intent

### COUNCIL COMMENTS

### ADJOURNMENT

## **Outline of Draft Annexation Policy**

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### **Chapter 5. Annexation [NEW]**

Section 5-1. Purpose

Section 5-2. Definitions

Section 5-3. Statement of General Policies and Intent

Section 5-4. Annexation Procedures

Section 5-5. Criteria for Review

Section 5-6. Decisions

Section 5-7. Required Notifications

Section 5-8. Challenges

Section 5-9. Effect of Annexation

Section 5-10. Conflicting Provisions

## **Purpose [PRELIMINARY DRAFT]**

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### **Sec. 5-1. Authority and Purpose**

- (a) The town council may extend the corporate limits of the town, as authorized by Title 5, Chapter 3, of the S.C. Code of Laws, as amended.
  
- (b) The town council believes that having a clear, predictable, and transparent annexation policy is in the best interest of the town, and will provide useful guidance to prospective applicants, decision makers, and the public at large. The purpose of this chapter is to establish general policies, procedures, and criteria to be used in the review, consideration, and processing of all annexation requests.

## **Statement of General Policies and Intent [PRELIMINARY DRAFT]**

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### **Sec. 5-3. Statement of General Policies and Intent**

- (a) The town council believes that annexation is a useful tool to facilitate orderly growth, promote expansion of the municipal tax base, improve efficiency through economies of scale, and enhance local control over the use and development of adjacent property; however, the town council also understands that annexation may result in adverse impacts, such as additional strain on community facilities and infrastructure, increased costs of operation, and diminished levels of service for existing town residents. In reviewing annexation requests, the town will evaluate the adequacy of public services and the specific costs and benefits associated with each request. It is the policy of the town to approve annexation requests only when the town and other affected agencies have adequate capacity to serve annexed properties, and when annexation is deemed to be in the best interest of the town.
- (b) The town council respects the rights of individual property owners and believes that annexation should not be imposed on landowners who are uninterested in receiving municipal services. In furtherance of this policy, the Town Council shall not accept or consider a request for annexation unless the petition is signed by all persons owning real estate in the area requesting annexation, pursuant to the 100% Petition and Ordinance Method of annexation. If the area requesting annexation contains marshes, beaches, or other critical areas where title is presumed to be held in trust by the state, then the annexation petition must be signed or otherwise consented to by the state agency or department having jurisdiction, unless the petitioner provides documentation confirming private ownership of such lands.
- (c) Pursuant to S.C. Code of Laws, Section 5-3-150(3), property may only be annexed if it is contiguous to the town limits. Accordingly, the town council will not approve any request to annex property which is not contiguous to the town limits.
- (d) The town council acknowledges that the town has no obligation to provide municipal services, including, without limitation, water and sewer service, to properties which are located outside of its municipal limits. It is the policy of the town that municipal services shall be provided only to those properties which are located inside the town limits; provided, in lieu of requiring annexation, the town reserves the right to enter into a contract for the provision of certain municipal services upon such terms and conditions as are mutually agreeable to both parties; and further provided, if a property is ineligible for annexation because it is not contiguous to the town limits at the time municipal services are requested, the town may elect to provide such services to the property subject to a legally enforceable and duly recorded covenant to annex the property if and when it becomes contiguous in the future.

- (e) The Town Council recognizes the importance of orderly growth in the delivery of efficient and effective public services. Therefore, it is the policy of the town to avoid annexing property when the annexation would result in the creation of enclaves, property which is inaccessible or unduly inefficient to access, a lot or parcel which is substantially undevelopable under existing town zoning regulations (unless the property contains a right-of-way or is otherwise necessary for the purpose of establishing contiguity), or an unusual or irregular municipal boundary.
  
- (f) The town council believes that annexation should not be used as a means to circumvent zoning and land development regulations affecting property in unincorporated areas of the county. In instances when a property requesting annexation is located outside of the county's Urban Growth Boundary (UGB), it is the intent of town council to preserve the integrity of the UGB by assigning a town zoning designation that is most similar to the previous county zoning designation, or to use other available tools, such as development agreements or development conditions, to limit uses and densities on the annexed property only to those which are roughly equivalent to the previous county zoning designation.