

CHAPTER 2 | REVIEW AND DECISION-MAKING BODIES

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CHAPTER 2 | REVIEW AND DECISION-MAKING BODIES

ARTICLE 2.1 COUNTY COUNCIL

§2.1.1 REVIEW AUTHORITY

The County Council does not act in a review or recommending capacity.

§2.1.2 DECISION-MAKING AUTHORITY

The County Council shall have final (local) decision-making authority on the following matters:

- A. *Comprehensive Plan* Amendments;
- B. Zoning and Land Development Regulations Text Amendments;
- C. Zoning Map Amendments (Rezoning);
- D. Planned Development (PD) Development Plans and PD Zoning Map Amendments; and
- E. Acceptance of public dedications (offered as part of Subdivision Plat process).

ARTICLE 2.2 PLANNING COMMISSION

§2.2.1 REVIEW AUTHORITY

The Planning Commission acts in a review and recommending capacity on the following matters:

- A. *Comprehensive Plan* Amendments;
- B. Zoning and Land Development Regulations Text Amendments;
- C. Zoning Map Amendments (Rezoning); and
- D. Planned Development (PD) Development Plans and PD Zoning Map Amendments.

§2.2.2 DECISION-MAKING AUTHORITY

The Planning Commission shall have final (local) decision-making authority on the following matters:

- A. Preliminary Subdivision Plats;
- B. Public Project Review;
- C. Appeals of Administrative Decisions on Final Subdivision Plats;
- D. Appeals of Administrative Decisions on Subdivision Matters;
- E. Names of New Streets and Roads;

- F. Requests for Street Name Changes; and
- G. Any other matters pursuant to Chapter 29, Title 6, Section 6-29-340 of the Code of Laws of South Carolina, as amended.

§2.2.3 OFFICERS, RULES, MEETINGS, AND MINUTES

Pursuant to Chapter 29, Title 6 of the Code of Laws of South Carolina § 6-29-350 and § 6-29-360, the Planning Commission shall elect one of its members as chairperson and one as vice-chairperson whose terms must be for one year. It shall appoint a secretary who may be an officer or an employee of the governing authority or of the Planning Commission. The Planning Commission shall adopt rules of organizational procedure and shall keep a record of its resolutions, findings, and determinations, which record must be a public record. The Planning Commission shall meet at the call of the chairperson and at such times as the chairperson or commission may determine. The Planning Commission may purchase equipment and supplies and may employ or contract for such staff and such experts as it considers necessary and consistent with funds appropriated.

§2.2.4 COMPOSITION

The Planning Commission shall consist of nine members appointed by the County Council for terms of four years each, provided, however, that of the initial members of the Planning Commission, five members shall be appointed for four year terms and four members shall be appointed for two year terms. Members shall serve until their successors are appointed and qualified. The members of the Planning Commission shall serve without compensation from the County. Any vacancy which may occur on the Planning Commission shall be filled by County Council appointing a successor to serve out the unexpired term of the vacancy. In appointing members to the Planning Commission the County Council shall consider their professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens. The membership of the Planning Commission should represent a broad cross-section of the interests and concerns within Charleston County. No member of the Planning Commission may hold an elected public office in Charleston County.

ARTICLE 2.3 BOARD OF ZONING APPEALS

§2.3.1 REVIEW AUTHORITY

The Board of Zoning Appeals does not act in a review or recommending capacity.

§2.3.2 DECISION-MAKING AUTHORITY

The Board of Zoning Appeals shall have final decision-making authority on the following matters:

- A. Special Exceptions;
- B. Variances; and
- C. Appeals of Administrative Decisions on Zoning Related Matters.

§2.3.3 OFFICERS, RULES, MEETINGS, AND MINUTES

Pursuant to Chapter 29, Title 6 of the Code of Laws of South Carolina § 6-29-790, the Board of Zoning Appeals shall elect one of its members as Chair who shall serve for one year or until re-election or a successor is elected and qualified. The Board of Zoning Appeals shall adopt rules

and procedures in accordance with the provisions of this Ordinance not inconsistent with the provisions of Chapter 29 Title 6 of the Code of Laws of South Carolina, as amended. The Board of Zoning Appeals shall appoint a Secretary. The Secretary may be an employee of the County. Meetings of the Board shall be at the call of the Chair and at such other times as the Board of Zoning Appeals may determine. Public notice of all meetings of the Board of Zoning Appeals shall be provided by publication in a newspaper of general circulation in Charleston County. The Board of Zoning Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote. The Board of Zoning Appeals shall maintain records of its examinations and official actions, all of which, upon approval, shall be filed immediately in the office of the Planning Director. Such records shall be available for public review and inspection during normal business hours.

§2.3.4 COMPOSITION

The Board of Zoning Appeals shall consist of nine members appointed by the County Council for terms of four years each, provided, however, that of the initial members of the Board of Zoning Appeals, five members shall be appointed for four year terms and four members shall be appointed for two year terms. Members shall serve until their successors are appointed and qualified. The members of the Board of Zoning Appeals shall serve without compensation from the County. Any vacancy which may occur on the Board of Zoning Appeals shall be filled by County Council appointing a successor to serve out the unexpired term of the vacancy. No member of the Board of Zoning Appeals may hold an elected public office in Charleston County.

ARTICLE 2.4 PLANNING DIRECTOR

§2.4.1 REVIEW AUTHORITY

The Planning Director shall act in a review capacity on the following matters:

- A. *Comprehensive Plan* Amendments;
- B. Zoning and Land Development Regulations Text Amendments;
- C. Zoning Map Amendments (Rezoning);
- D. Planned Development (PD) Development Plans and PD Zoning Map Amendments;
- E. Preliminary Subdivision Plats;
- F. Final Subdivision Plats;
- G. Special Exceptions; and
- H. Public Project Review.

§2.4.2 DECISION-MAKING AUTHORITY

The Director of the Planning Department shall have final (local) decision-making authority on the following matters:

- A. Written Interpretations;

- B. Zoning Permits; and
- C. Preliminary Subdivision Plats; and
- D. Final Subdivision Plats.

§2.4.3 OTHER POWERS AND DUTIES

The Planning Director shall have the following powers and duties in addition to those otherwise set out under this Ordinance:

- A. Maintaining permanent and current records of this Ordinance including, but not limited to, all zoning maps, amendments, special exceptions, variances, appeals, and applications thereof and records of hearings thereon. Such records shall be open to public inspection during business hours;
- B. Providing such clerical, technical, and consultative assistance as may be required by the Board of Zoning Appeals, Planning Commission, County Council, and other boards, commissions and officials in the exercise of their duties relating to this Ordinance;
- C. Enforcing all provisions of this Ordinance;
- D. Maintaining a record of all applications for zoning permits, including all plats and plans submitted therewith, which record shall be open to public inspection during business hours;
- E. Conducting inspections of structures, land and the uses thereof to determine compliance with this Ordinance;
- F. Receiving, filing, and forwarding to the Board of Zoning Appeals the records of all appeals and variances;
- G. Receiving, filing, and forwarding to the Board of Zoning Appeals all applications for Special Exceptions; and
- H. Reviewing, approving, and issuing Administrative Permits as authorized by this Ordinance and maintain records of these permits.