AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 8, SUBDIVISION REGULATIONS TO CLARIFY REQUIREMENTS RELATING TO THE RECORDING OF DEEDS AND PLATS.

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed amendments of the text of various chapters of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in South Carolina law and the ZLDR and has recommended that the Charleston County Council (County Council) adopt the proposed amendments of the text of the ZLDR as set forth herein; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least one public hearing, and after close of the public hearing, County Council approved the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

WHEREAS, County Council has determined the proposed text amendments meet the following criteria:

A. The proposed amendment corrects an error or inconsistency or meets the
challenge of a changing condition; and

B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and

C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by the Charleston County Council in meeting duly assembled as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments attached hereto as Exhibit “A” and made part of this Ordinance by reference.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by County Council.
ADOPTED and APPROVED in meeting duly assembled this 18th day of July, 2017.

CHARLESTON COUNTY COUNCIL

By: ____________________________________
   A. Victor Rawl
   Chairman of Charleston County Council

ATTEST:

By: ________________________________
   Beverly T. Craven
   Clerk to Charleston County Council

First Reading:     June 6, 2017
Second Reading:   June 20, 2017
Third Reading:    July 18, 2017
EXHIBIT “A”

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 8, SUBDIVISION REGULATIONS.
§8.1.3 EXEMPTIONS

A. Procedures
  The following shall be exempt from the Subdivision Plat Procedures, if the Planning Director
determines that all engineering and survey standards of this Ordinance have been met:

  1. The combination or re-combination of portions of previously platted lots where the total
     number of lots is not increased. When the plat is finalized, it shall be submitted to the
     Planning Director for recording. New deeds must be recorded simultaneously with plats
     when (1) the ownership of the previously platted lots is changing and/or (2) the
     simultaneous recording of deeds and plats is otherwise required by this Ordinance.

  2. The public acquisition of land for right-of-way or drainage easements or any lot or parcel
     created therefrom.

  3. Contiguous properties that are to be divided for the purpose of exchanging or trading
     parcels of land. When the plat is finalized, it shall be submitted to the Planning Director
     for recording. New deeds must be recorded simultaneously with plats when (1) the
     ownership of the previously platted lots is changing and/or (2) the simultaneous
     recording of deeds and plats is otherwise required by this Ordinance.

§8.5.5 RECORDING
Approved Final Plats shall be recorded by the Planning Director with the Register of Mesne
Conveyance within 30 days of final approval. New deeds must be recorded simultaneously with
plats when (1) the ownership of the previously platted lots is changing and/or (2) the simultaneous
recording of deeds and plats is otherwise required by this Ordinance. Notice to the applicant shall
be sent within a reasonable time following the date of the recording with the Register of Mesne
Conveyance.