

Article II: Zoning Districts and the Official Zoning Map

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Section 2.1 **Establishment of Districts**

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The territory under the jurisdiction of this ordinance is hereby divided into the following zoning districts as provided for in Article V of this Ordinance:

- (a) Historic District;
- (b) General Zoning Districts, including the Residential (R), Village Center (VC), Highway Commercial (HC), and Marine Commercial (MD) districts;
- (c) Planned Development Districts.

Section 2.2 **Official Zoning Map**

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The Town of McClellanville is hereby divided into zones or districts as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance.

§2.2.1 Identification

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- (a) The Official Zoning Map shall be identified by the signature of the mayor, attested by the Town Clerk and bearing the seal of the Town under the following words: *"This is to certify that this is the Official Zoning Map referred to in Article II of the Zoning Ordinance of the Town of McClellanville, S.C."*
- (b) Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map, which shall be located in the office of the Town Clerk, shall be the final authority as to the current zoning status of lands, buildings and other structures in the Town.

§2.2.2 Map Designations

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The Official Zoning Map shall designate the zoning district and/or classification of every parcel of property within the Town. The Town shall further maintain a map designating any structures within the Town that the Town may have reason to believe do not comply with the requirements of the Federal Emergency Management Agency (FEMA) Floodplain Program. The Town shall further note any properties and/or structures within the Town that have been granted a variance or other waiver from the Town's Flood Damage Prevention Ordinance, as the same may, from time to time, be amended.

§2.2.3 Map Amendments

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- (a) In the event that changes are made in district boundaries or other matter portrayed on the Official Zoning Map in accord with the provisions of this ordinance, such changes shall be documented on the Official Zoning Map no later than four (4) business days after Town Council has approved the amendment.
 - (1) Such documentation shall consist of an entry on the Official Zoning Map as follows: "On (date), by official action of Town Council, the following changes were made (change made) in the Official Zoning Map: (brief description of change)." and reference to the map amendment ordinance number and action date.
 - (2) Such entry shall be signed by the Mayor and attested by the Zoning Administrator by stamp of the Town Seal
- (b) No such change shall become effective until such entry shall have been made on the Official Zoning Map, and signed and attested.
- (c) No change of any nature shall be made on the Official Zoning Map except in conformity with the procedures set forth by this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided by law.

§2.2.4 Official Replacements

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- (a) In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret by reason of the nature or number of changes and additions, the Town Council may, by ordinance, adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map.
 - (1) The new Official Zoning Map may correct drafting and other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map as amended.
 - (2) The new Official Zoning Map shall be marked, "*This Official Zoning Map, adopted by ordinance of the Town Council of McClellanville, S.C., on (date) supersedes the Official Zoning Map adopted (date) of the Town of McClellanville*", which statement shall be signed by the Mayor, attested by the Town Zoning Administrator, and bear the seal of the Town of McClellanville, S.C.
- (b) Unless the prior Official Zoning Map is lost or has been totally destroyed, the map or any significant parts thereof remaining after partial destruction shall be preserved, together with all records of Town Council regarding its adoption and amendment.

Section 2.3 Rules of Determining District Boundaries

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Where uncertainty exists with respect to the boundary of any zoning district shown on the Official Zoning Map:

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conditioned on the property owner bringing the property into compliance with all screening, landscaping, buffering or ingress/egress requirements of the zoning district to which the property is proposed to be zoned and with applicable pollution control requirements.

- (c) Prior to Council acting on the recommendation of the Planning Commission and taking further action on the annexation ordinance, the property owner shall be entitled to withdraw the annexation petition.
- (d) If the application for annexation is not withdrawn, and the property owner shall be required to execute an agreement accepting the conditions of the proposed zoning, waiving any right to contest the conditions and affirmatively consenting to the Town enforcing the conditions by way of injunction, to include an award of reasonable attorney fees and costs. The agreement shall require that the conditions of zoning be completed within 180 days of its execution.
- (e) Upon execution of the agreement per §2.4(d) above, if applicable, the Town Council may thereafter proceed with the annexation and concurrent zoning of the property. Application for zoning of the property shall be processed in accord with the provisions of Article XIII.