

Article 10: Land Development Approvals

<u>Section 10.0</u>	<u>Purpose</u>
<u>Section 10.1</u>	<u>Intent</u>
<u>Section 10.2</u>	<u>Applicability</u>
<u>§ 10.2.1</u>	<u>Land Development Activity</u>
<u>§ 10.2.2</u>	<u>Subdivision Activity</u>
<u>Section 10.3</u>	<u>Application Procedures</u>
<u>§ 10.3.1</u>	<u>Property Line Adjustments.</u>
<u>§ 10.3.2</u>	<u>Plats of Existing Lots.</u>
<u>§ 10.3.3</u>	<u>Creating Additional Lots.</u>
<u>§ 10.3.4</u>	<u>Site Development Plans.</u>
<u>Section 10.4</u>	<u>Appeals of Land Development Actions</u>
<u>§ 10.4.1</u>	<u>Administrative Decisions.</u>
<u>§ 10.4.2</u>	<u>§10.4.2 Commission Decisions.</u>
<u>Section 10.5</u>	<u>Requirements to Proceed</u>
<u>§ 10.5.1</u>	<u>Land Disturbance Activities.</u>
<u>§ 10.5.2</u>	<u>Zoning and Building Permits.</u>
<u>§ 10.5.3</u>	<u>Certificates of Occupancy.</u>
<u>Section 10.6</u>	<u>Application Submission Requirements</u>
<u>§ 10.6.1</u>	<u>Preliminary Plans.</u>
<u>§ 10.6.2</u>	<u>Final Plats.</u>
<u>§ 10.6.3</u>	<u>Site Development Plans.</u>
<u>§ 10.6.4</u>	<u>Single Family Sketch Plans.</u>
<u>§ 10.6.5</u>	<u>Signature Blocks.</u>

Section 10.0 Purpose

The purposes of these requirements, among others, are:

- (a) To assure the timely provision of required streets, utilities and other facilities and services to new land development;
- (b) To assure adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments; and
- (c) To assure the provision of public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, transportation, and other public purposes.

Section 10.1 Intent

From and after the effective date hereof, no lot shall be developed or established nor shall any lot be reduced in size nor any lot line be moved, nor shall any plat be recorded with the Register of Deeds (ROD) for Charleston County until the requirements of this Article have been satisfied.

Section 10.2 Applicability

The requirements of this Article are applicable to the following as defined:

§ 10.2.1 Land Development Activity

Land Development occurs whenever a property owner and/or his representative proposes a change in land characteristics through redevelopment, construction, or the subdivision of parcels for the purpose of sale, lease or any combination thereof. Prior to issuance of a zoning or building permit, a site development plan for any land development activity, other than the construction of single-family residential structures, shall be required.

§ 10.2.2 Subdivision Activity

Subdivision occurs whenever a property owner and/or his representative proposes the division of a tract or parcel of land into two (2) or more lots, building sites or other divisions for the purpose of offering for sale, lease, or building development, whether residential or nonresidential. Subdivision also includes all divisions of land involving a new street or change in existing streets, re-subdivision involving further division or relocation of lot lines of any lot previously approved and recorded, and the combination of lots of record. Subdivision approval by the Town of McClellanville Planning Commission shall be required, except as provided in § 10.3.3, in addition to all other procedures and approvals required in the Zoning Ordinance, whether or not applicable zoning procedures require Planning Commission approval, review, or recommendation, prior to recordation of an applicable plat and issuance of zoning or building permits or certificates of occupancy.

- (a) Existing Lots of Record. Nothing herein shall be construed to prohibit the use of or construction upon any lot of record existing at the time of the passage of this Ordinance, or any amendment thereto.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

- (b) Substandard Lots of Record. Substandard lots of record shall not be subject to minimum lot area or width requirements, provided that such lots comply with all other applicable requirements and variances approved as necessary by the Board of Zoning Appeals.
- (c) Exceptions. Per Section 6-29-1110(4) of the SC State Code, the requirements of this Article are not applicable to the following types of subdivisions. However, plats of these exceptions shall be submitted as information to the Town, which shall indicate such receipt on the plat prior to recordation.
 - (1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots meet all standards of this Ordinance.
 - (2) The combination or recombination of entire lots of record where no new street or change in existing streets is involved.
 - (3) The division of land into parcels of five acres or more where no new street is involved.

Section 10.3 Application Procedures

§ 10.3.1 Property Line Adjustments.

Proposals to adjust boundary lines between any area, acreage, piece, parcel or lot of land within the Town and any other area, acreage, piece, parcel or lot of land, not increasing the number of lots, and not dedicating any streets, or other public rights of way, shall not be platted of record, or lots so changed, offered for sale, nor shall a permit for the construction of any structure on any of the lots involved be issued, until the Zoning Administrator has received a plat of such adjustment demonstrating such conditions and conformance with applicable zoning requirements, and certified the receipt of such on the plat for informational purposes only.

§ 10.3.2 Plats of Existing Lots.

Plats of existing lots of record which do not involve boundary line adjustments, property line abandonments, the creation of new lots or the dedication of streets or any change in streets or easements and which propose no change in lot configuration must be signed by the Town Zoning Administrator prior to being recorded in the ROD's office for Charleston County; provided, however, that the owner of the lot designated on the plat, or his agent, shall submit to the Zoning Administrator, along with the plat, a statement that the plat reflects only existing conditions with a reference to previously recorded plats for the subject lot.

§ 10.3.3 Creating Additional Lots.

The Planning Commission may delegate approval of any subdivision of land resulting in the creation of less than five [5] additional lots to the Zoning Administrator. Any person who proposes to subdivide any area, acreage, piece, parcel or lot of land lying within the Town resulting in the creation of six [6] or more lots, or involving the dedication of new streets or other public rights-of-way, or changes to an existing street, shall meet the requirements of the Zoning District applicable to the lots involved and the provisions of this Article before such subdivision or rights-of-way are platted, recorded, or lots offered for sale.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

(a) Preliminary Plan Required. Applicants proposing a subdivision that involves the establishment of a new street or change to an existing street and/or creates six (6) or more lots from a tract of land shall submit a preliminary plan for consideration by the Planning Commission prior to preparation and submission of a final subdivision plat. Other subdivisions and the establishment of a new street in a Planned Development that is consistent with the location and alignment depicted on the approved Concept Development Plan, are not required to obtain preliminary plan approval in addition to final plat approval. Preliminary plans shall be reviewed and considered according to the procedures and time frames as follows:

(b) Application. An application for preliminary plan approval of the proposed subdivision shall be submitted to the Zoning Administrator. In submitting such application, the property owner shall include all materials enumerated in Section 10.6 of this Ordinance and any others determined by the Zoning Administrator to be necessary for complete review of the application.

(1) Acceptance for Review. Upon the Zoning Administrator's determination that all application materials have been submitted, and it has been demonstrated that the proposed subdivision meets all zoning requirements, a subdivision application shall be scheduled for consideration at the next regular meeting of the Planning Commission.

When an application fails to comply with the requirements of this ordinance or of regulations of the Planning Commission, the Zoning Administrator may reject the application for further review. In such cases, the Zoning Administrator shall give notice of this action to the applicant at the address furnished, stating the reason(s) for such action. Applicants may resubmit these applications within sixty (60) days from the date such notice is sent by the Town.

(2) Notification of meeting. Action taken by the Planning Commission shall be at a scheduled public meeting.

a. Written Notice. Notice of the time and place of said meeting shall be sent by the Town via registered, return receipt/certified mail to the applicant whose name and address appear on or accompany the application and owners of all properties adjacent to the subject property. Such notice shall be sent not less than ten (10) days before the date fixed for the meeting.

b. Property Posting. Conspicuous notices shall be posted on or adjacent to properties that are the subject of a preliminary plan application by the Zoning Administrator or his designated agent. One notice must be visible from each public street that borders the property. Such notice(s) shall be posted at least fifteen (15) days prior to the Planning Commission's meeting.

(3) Consideration. The Planning Commission shall review each application and grant approval, conditional approval, or disapprove the application and mail notice thereof to the applicant.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

- (4) Standards for Approval. The Planning Commission, or Zoning Administrator when designated, shall review all application materials, the Zoning Administrator's report regarding such, and testimony and exhibits submitted. No subdivision of a proposed development shall be approved by the Planning Commission or designee unless the application demonstrates that:
- a. The proposed development meets all requirements of the town's Zoning and Land Development Regulations, and any other applicable state and federal requirements.
 - b. Definite provisions have been made for a water supply system that is sufficient in terms of quantity, dependability, and quality to provide an appropriate supply of water for the type of development.
 - c. It has been confirmed that a public sewage system is not available to the proposed subdivision and the proposed system(s) for sewage disposal has been approved by the SC Department of Environmental Services (DES).
 - d. All areas of the proposed development which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified by the applicant and that the proposed uses of these areas are compatible with such conditions.
 - e. The applicant has taken every effort to ensure the timely provision of required design improvements, open space, utilities and other facilities and services.
 - f. The applicant has designed the subdivision to minimize any adverse impacts on sensitive natural resources, and
 - g. Adequate access will be provided to all proposed lots.
- (5) Action Taken. The Planning Commission shall take final action on a preliminary plan accompanied by all documentation required by this Ordinance within sixty (60) days of its receipt of same, unless the Commission and applicant mutually agree to extend the Commission's timeframe for consideration. Failure to act within sixty (60) days, without a timeframe extension, shall constitute approval and the applicant shall be entitled to a letter of approval and authorization to proceed.
- a. If a final plat and all supplementary data comply with all applicable requirements of this Ordinance, and the Zoning Administrator has been designated the authority to approve such plat, the Zoning Administrator shall take action on said plat within sixty (60) days of receiving a complete application.
 - b. All actions taken by either the Planning Commission or Zoning Administrator shall be noted in writing, signed, and dated by the Zoning Administrator on each copy of the preliminary plan and/or final plat.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

- (c) Effective Period of Preliminary Plan Approval. The approval of a preliminary plan shall be effective for a period of two (2) years from the date that the preliminary plan is approved by the Planning Commission. Notwithstanding the exercising of a vested right, if a final plat is not submitted for approval within the two-year period, preliminary approval shall be null and void, and the applicant shall be required to start the land development application process at the beginning, subject to the then-existing zoning restrictions and land development restrictions.
- (d) A vested right to extend the period of validity for a preliminary plan shall be granted in accord with Section 6-29-1510 through 1550.
- (1) The vested right is applicable to the site-specific development plan/subdivision plan for the property as it exists at the time the Planning Commission approval is granted.
 - (2) A vested right for the site-specific development/subdivision plan expires two years after vesting, unless or until the property owner applies for and the Planning Commission authorizes an annual extension of the vested right at the end of the original vesting period.
 - (3) The Planning Commission may approve applications for at least five (5) annual extensions of the vested right unless an amendment to the land development ordinances or regulations has been adopted that prohibits approval.
 - (4) Upon expiration of a vested right, the preliminary approval shall be null and void, and the applicant shall be required to start the land development application process at the beginning, subject to the then-existing zoning restrictions and land development restrictions.
- (e) Final Plats. All final plats shall be submitted for consideration and action by the Planning Commission or its designee prior to recordation. Final Plats shall be reviewed and processed using the same procedures and time frames applicable to preliminary plans in § 10.3.3(a) above.
- (f) Expiration of Final Plat Approval. An applicant shall file approved subdivision plats with the Charleston County Register of Deeds (ROD) within twenty-four (24) months of plat approval or such shall be null and void, unless the Commission upon written request of the applicant grants an extension of time in writing.
- (g) Records. A record of all actions on proposed subdivisions, along with the grounds of approval or disapproval or any conditions attached to a conditional approval, shall be maintained as public record by the Zoning Administrator.
- (1) One (1) copy of a proposed preliminary subdivision plan shall be returned to the applicant while one (1) copy shall be retained by the Town for its records bearing the date of approval, conditional approval, or disapproval and written reasons for such actions signed by the Chairperson of the Planning Commission.
 - (2) Two (2) copies of a final plat shall be retained by the Town for its records and remaining copies returned to the applicant.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

- (h) Site Improvements. No improvements shall be made, nor shall permanent monuments be installed, prior to obtaining approval of a final plat by the Planning Commission or designee. Preliminary plan approval shall constitute authorization for the applicant to proceed with the installation of public improvements, clearing and grading in conformance with Article XI of this ordinance and to proceed with preparation of a final plat, but shall not authorize the sale or transfer of lots nor commencement of the erection of structures or other amenities not directly related to the installation of public improvements.
- (1) When installation of improvements is required prior to recording the final plat, the Chairperson of the Planning Commission or Zoning Administrator shall endorse approval on the final plat after all conditions are satisfied and all improvements satisfactorily completed.
- (2) When an improvements agreement and guarantee are required, the Chairperson of the Planning Commission or the Zoning Administrator shall endorse approval of the final plat after the agreement and security have been approved and all other conditions of the resolution pertaining to the final plat have been satisfied.
- (i) Fees. Application processing fees, as shall be established by Town Council, shall be due and payable upon filing of the application.

§ 10.3.4 Site Development Plans.

- (a) Site Development Plans for all land development activities, except the construction of a single family detached residence, shall be submitted to the Zoning Administrator for review and Planning Commission approval prior to issuance of a zoning permit.
- (b) Sketch Plans for Single Family detached residences and accessory structures shall be submitted to the Zoning Administrator for review and approval prior to issuance of a zoning permit.
- (1) When an application fails to comply with the requirements of this ordinance or include required application materials, the Zoning Administrator may reject the application for further review. In such cases, the Zoning Administrator shall give notice of the rejection to the applicant at the address furnished stating the reasons for such action. Applicants may resubmit site development plans that address these reasons within six (6) months. Site development plans resubmitted more than six (6) months after being rejected for review shall be considered a new application and all fees, ordinance amendments, etc. shall apply.
- (2) Upon the Zoning Administrator's determination that a Site Development Plan application contains all information required by Section 10.6 of this ordinance and that the proposed site development will comply with all other provisions of this Ordinance, the application shall be forwarded to the Planning Commission for consideration. Developments proposed within the Highway Commercial District, may be considered concurrently while the HCD Design Review Board considers the design of any proposed structures. Should the Design Review Board make recommendations on site design, the Planning Commission may delegate authority to the Zoning Administrator to administratively approve the site development plan.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

- (c) Planning Commission Consideration. The Planning Commission shall review each application and grant approval, conditional approval, or disapprove the application and mail notice thereof to the applicant. Planning Commission consideration shall occur at its next regularly scheduled meeting provided the application, and DRB's recommendation when applicable, are received no less than ten (10) working days prior to the meeting date.
- (d) Standards for Approval. The Planning Commission shall review the proposed site development plan, the Zoning Administrator's report regarding such, and recommendations of the HCD Design Review Board when applicable, testimony and exhibits submitted. No site development plan shall be approved unless the applicant demonstrates that:
 - (1) The proposed development meets all requirements of the Town's Zoning Ordinance and Land Development Regulations.
 - (2) Provisions have been made for a water supply system that is sufficient in terms of quantity, dependability, and quality and a sewage treatment system have been approved by the SC DES.
- (e) Final action shall be taken by the Planning Commission on a site development plan within sixty (60) days of its receipt of same, unless the approving body and applicant mutually agree to extend the time. Failure to act within sixty (60) days, unless the time frame is mutually extended, shall constitute approval, and the applicant shall be entitled to a letter of approval and authorization to proceed.
- (f) A record of all actions on proposed site development plans, along with the grounds of approval or disapproval or any conditions attached to a conditional approval, shall be maintained as a public record by the Zoning Administrator.
- (g) Fees. Site Development Plan review fees, as shall be established by Town Council, shall be due and payable upon filing of the application.
- (h) Expiration of site development plan approvals. An applicant shall file an application for the zoning permit to implement an approved site development plan within twenty-four (24) months of approval by the Planning Commission or such shall be null and void. The Commission may grant an extension of time in writing in response to written applicant requests to exercise their vested right for the site-specific development plan per Sections 6-29-1510 through 1550 of the State Code provided that the Zoning Administrator has determined that there have been no ordinance amendments adopted that would apply to the proposed development plan.

Section 10.4 Appeals of Land Development Actions

§ 10.4.1 Administrative Decisions.

Any party aggrieved by a decision of the Zoning Administrator with respect to administrative review of a land development plan or plat may appeal the decision to the Planning Commission within thirty (30) days of such decision. The Planning Commission shall take action on the appeal within sixty (60) days of the decision appealed.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

- (a) In exercising its appeal power, the Planning Commission may reverse or affirm, wholly or partly, or modify the decision being appealed.
- (b) The Planning Commission's decision shall be on record; it shall consider only the facts of the original application, plans or related project materials and the issues raised by the appeal.
- (c) In acting on the appeal, the Planning Commission shall presume the correctness of the Planning Director's decision, which places the burden of persuasion of error on the appellant.
- (d) An appeal shall be sustained only if the Planning Commission has found an error in the decision of the Zoning Administrator.

§ 10.4.2 §10.4.2 Commission Decisions.

- (a) An appeal from the decision of the Planning Commission must be taken to the Circuit Court of Charleston County within thirty (30) days after actual notice of the decision.
- (b) A property owner whose land is the subject of a decision of the Planning Commission may appeal by filing a notice of appeal accompanied by a request for pre-litigation mediation in accordance with Section 6-29-1155 (1976), as amended.
- (c) A notice of appeal and request for pre-litigation mediation must be filed within thirty days after the decision of the board is mailed.

Section 10.5 Requirements to Proceed

§ 10.5.1 Land Disturbance Activities.

Land disturbance activities shall not take place until the Zoning Administrator has confirmed that such will comply with Article VI of this ordinance and a Land Disturbance or grading permit has been approved.

- (a) Approval to proceed with the installation of infrastructure associated with an approved preliminary plan shall not relieve the developer of such requirements.
- (b) All provisions for tree protection during construction shall apply to the construction of infrastructure.
- (c) In the event that a subdivision plan must be adjusted to accommodate the installation of infrastructure improvements without conflict with Article VI, the Planning Commission shall re-review the amended preliminary plan.
- (d) A separate land disturbance permit shall not be required if the Zoning Administrator approves a Zoning Permit prior to commencement of land disturbing activities, except where a limited tree removal permit was issued to determine sites for on-site water and septic systems.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

§ 10.5.2 Zoning and Building Permits.

(a) General.

- (1) Unless elsewhere exempted by this Ordinance, no building, sign or other structure shall be erected, moved, added to, or altered and no other Land Development activity shall commence, without a permit issued by the Zoning Administrator indicating compliance with provisions of this Ordinance.
- (2) No permit issued hereunder shall be construed to relieve the applicant, owner or any other person from complying with the regulations of any building code as may be in effect within the Town, including but not limited to, providing any plans or securing any permits as may be required pursuant to such building code.
- (3) Zoning and building permits issued on the basis of plans and applications approved by the Zoning Administrator authorize only use, arrangements, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction.

(b) Applications. Zoning and building permit applications shall be submitted to the Zoning Administrator, accompanied by such information as necessary to demonstrate conformance with all applicable requirements. The application shall at a minimum include:

- (1) A description of existing and proposed uses of the building and/or land, the number of families, housekeeping units, or rental units the building is designed to accommodate, conditions existing on the lot and such other matters as maybe necessary to determine conformity with, and provide for the enforcement of, this ordinance; and
- (2) A duplicate copy of an approved site development plan, or where construction of a single-family residence is proposed a copy of the recorded plat delineating the actual dimensions and locations of buildings already existing on the lot, if any, and the location and dimensions of the proposed building or alteration, drawn to scale; and
- (3) The appropriate permit application fee.

(c) Zoning and building permits may be applied for simultaneously, provided that the building permit shall not be issued prior to the zoning permit.

(d) Review. Staff review and action timeframes for zoning and building permits shall be in accord with current building codes as adopted and amended by Town Council.

(e) Records. A record of all actions on zoning and/or building permits, with grounds for approval or disapproval, and any conditions attached, must be maintained as a public record, and the applicant must be notified, in writing, of the decision made. One copy of the application shall be returned to the applicant by the Zoning Administrator after such copy has been marked either as approved or disapproved and attested to same by the Zoning Administrator or Building Official's signature on such copy. The Town shall retain the original application similarly marked.

(f) Expiration of Permits.

- (1) A zoning permit is valid for six (6) months. If a building permit is not secured, or use established within such time, a new zoning permit must be secured.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

- (2) If the work described by any zoning permit has not been substantially completed within one (1) year of the date of issuance thereof, it shall expire and no work shall proceed unless and until a new permit has been obtained.
- (3) Approved construction shall be completed within two (2) years of building permit issuance; however, upon written request to the Building Official, this time limit may be extended due to the size of the project or unforeseen circumstances.

§ 10.5.3 Certificates of Occupancy.

- (a) Certificates of occupancy shall be required prior to the occupation or use of any land or structure for which zoning and building permits have been issued and required prior to initiation of any utility service, except for those temporary services needed for development.
- (b) A certificate of occupancy shall not be issued until all requirements of this Ordinance and the current building codes, as adopted and amended by Council, are complied with to satisfaction of the Zoning Administrator and Building Official who shall be authorized to perform any and all inspections necessary to ensure compliance.
- (c) Issuance of a certificate of occupancy shall in no way relieve an applicant from meeting the standards of this Ordinance and building codes, as required for all applicable permits under the land development review and approval processes.
- (d) The Zoning Administrator shall have five (5) business days in which to review and act on the application for a certificate of occupancy.

Section 10.6 Application Submission Requirements

§ 10.6.1 Preliminary Plans.

- (a) A preliminary plan of a proposed development shall be clearly and legibly drawn to a scale not smaller than one-inch equals one hundred feet (1"=100') and shall be on a sheet twenty-four by thirty-six inches (24" x 36") or of a size approved by the Zoning Administrator. If the preliminary plan requires more than one sheet, a key diagram showing relative location of the several sections shall be drawn on each sheet.
- (b) Requirements. The preliminary plan shall contain or be accompanied by the following information:
 - (1) General information.
 - a. Title Block, including the proposed name of the project or development. The name shall not duplicate or too closely approximate, phonetically or otherwise, the name of any other development within the Town.
 - b. Names, signatures, addresses and telephone numbers of all record owners and surveyors and/or engineers. License number and seal of each engineer, land surveyor, architect and/or landscape architect of firm thereof, involved in preparation of the plan.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

- c. North arrow, graphic and numerical scales and date, including the month, day, and year that the original drawing was completed and the month, day, and year for each revision of the original drawing.
- d. Name of adjacent landowner(s), tax map identification number and existing zoning/land use of adjoining properties.
- e. Description of the project boundaries in metes and bounds, as well as the residual parent tract, which may be illustrated at a smaller scale subject to approval by the Zoning Administrator.
- f. Existing zoning classification of parcels within the tract.
- g. A vicinity map, for the purpose of locating the property being developed, drawn at a scale of one-inch equals two thousand feet (1" = 2,000') and showing the relation of the property to surrounding properties, differentiated by tone or pattern, to adjoining property and to all streets, roads, municipal boundaries, and landmarks existing within two thousand feet (2,000') of any part of the property.
- h. A signature box, allowing space for the stamp and signature of the Planning Commission Chairperson and date thereof, to indicate approval of the preliminary plan.

(2) Existing site data.

- a. The distance and bearing of one of the corners of the boundary of the development to the nearest intersection of existing streets or roads.
- b. Total tract boundaries of the property being developed, showing bearing and distances, and a statement of total acreage of the property.
- c. All existing municipal boundaries, property lines, rights of way, easements, fire hydrants, utility transmission lines, culverts, bridges, storm drainage ditches, water courses, delineated wetlands, flood zones (available from FIRM Flood Hazard Maps), wooded areas including the location of any grand trees, endangered species habitats when required by federal laws or regulations, and buildings and other structures.
- d. All existing streets, including streets of record (recorded but not constructed) on or abutting the tract, including the names, right-of-way widths, pavement widths, and approximate grades.
- e. Spot elevations at a density of no less than fifty per acre.

(3) Proposed site data.

- a. The location and dimensions of proposed street rights of way, pavement widths, and grades. Street profiles and cross sections shall be provided when requested by the Planning Commission and/or Zoning Administrator.
- b. Proposed, abandoned and adjusted lot lines with distances and bearings, lot sizes and dimensions, and lot and block numbers.
- c. Proposed land uses by lot or blocks thereof.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

- d. Other easements and rights of way, including locations, dimensions, and purposes.
 - e. Any contour changes to be made by grading.
 - f. Plans for the protection of soils on the site from wash, erosion, and other drainage during construction.
 - g. Parks and other areas designated for public use, if any.
 - h. Areas to be used for purposes other than one- and two-family detached residential structures, if any, with the purpose, general location, footprint, and dimensions of each indicated.
- (4) Platting information.
- a. The total tract boundary lines of the area being developed shall be in accordance with the most recent edition of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, as promulgated by the Code of Laws of South Carolina, 1976, Title 40, Chapter 21.
 - b. The preliminary plan shall meet all the standards and requirements as set forth in the laws of the State of South Carolina and these regulations.
- (5) Supplemental data.
- a. Copies of approval of the Department of Environmental Services (SC DES) for individual sewage disposal and water supply systems.
 - b. Any other information considered by the applicant, the Planning Commission, or the Zoning Administrator to be pertinent to the review of the preliminary plan.
- (6) Improvement plans and data. The applicant shall submit construction plans and specifications for all public improvements required by this Ordinance and installation of such. Plans for utilities (i.e. sewage disposal, water, electricity, and gas lines and storm drainage), proposed composition, profiles, cross-sections, and sizes of all streets and drainage facilities shall be provided when required.

§ 10.6.2 Final Plats.

- (a) A final plat shall conform to an approved preliminary plan, including all conditions for approval noted thereon, and shall contain or be accompanied by the following information in addition to that required on a preliminary plan.
- (b) General information. The final plat shall meet or exceed the standards set forth for the preliminary plan in § 10.6.1(b), presenting the equivalent information, revised or updated, as applicable.
 - (1) The month, day, and year that the original final plat was completed and the month, day, and year for each revision of such.
 - (2) All installed public improvements required, documented to the standards set forth for preliminary plan approval.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

- (c) Certifications. The following certificates shall be lettered, printed, and/or stamped on the face of the final plat:
- (1) Surveyor or Engineer Certification of Accuracy. The signature, seal, and certification of a registered professional land surveyor or engineer to the effect that the final plat accurately reflects a survey made by him or her; that any changes from the description appearing in the last recorded transfer of land contained in the final plat are so indicated, that all monuments shown thereon actually exist or will be installed and their positions are accurately shown.
 - (2) Certification of Ownership and Dedication. A notarized certification of title showing that the applicants are the owners, and statements by such owners acknowledging any offers of dedication of land for public use and restricting land by protective covenants.
 - (3) Certification of the Approval of Water and/or Sewer Systems. Where applicable, the South Carolina Department of Environmental Services (DES) and any applicable service district shall certify that the water supply and/or sewer disposal system(s) installed or proposed for installation fully meet DES requirements.
 - (4) Certification by Subdivider's Engineer. Where applicable, the signature, seal, and approval of the subdivider's engineer shall indicate that required infrastructure improvements have been satisfactorily installed or that adequate financial guarantees have been provided (per Section 11.15 of this Ordinance).
 - (5) Recording Notations. Appropriate notations for transfer and recording by the Charleston County Office of the Register of Deeds, indicating date and time of recording, the plat book location thereof, and instrument number.
 - (6) Notation that certificates of occupancy shall not be issued until the requirements of an improvement agreement and guarantee, including construction of improvements, have been satisfied.

§ 10.6.3 Site Development Plans.

Site development plans shall meet all the standards set forth below. When development requiring approval of a site development plan is proposed within the Highway Commercial District (HCD) or Historic District, additional information may be required by the Design or Architectural Review Board pursuant to Article V of this Ordinance.

- (a) A title block, including the name or title of the project as well as the name signature, license number, seal, address and telephone number of each engineer, surveyor, planner, architect, and/or landscape architect, or firm thereof, involved in preparation of the site development plan and supplementary materials.
- (b) Address and tax reference number(s) of the property proposed for development.
- (c) The north point, scale and date of site plan, and any revisions thereto.
- (d) Boundaries of the property proposed for development, the general location of all existing easements, property lines, existing streets, buildings, and other existing physical features on the property and adjoining the project.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

- (e) Names and addresses of all applicants, property owner(s) of the parcel proposed for development, and developer(s), surveyor(s), or engineer(s) responsible for execution of the survey and the design professional(s) responsible for the proposed development's planning and design.
- (f) Names and addresses of property owners for adjacent properties, with tax reference numbers and zoning.
- (g) A signature box, allowing space for the stamp and signature of the Planning Commission Chairperson and Zoning Administrator and date thereof, to indicate approval of the proposed plan.
- (h) Types of proposed land uses and existing land uses abutting the subject property.
- (i) Approximate location of proposed structures, including accessory buildings, and proposed setback lines or easements.
- (j) Approximate location of proposed streets, parking and service areas, pedestrian and vehicular access ways, lighting fixtures and signs.
- (k) Location, species and size of existing trees, and tree protection plan where applicable per Article VI, identifying the location and circumference of all protected trees on site.
- (l) General location, height, width and material of all fences, walls, screens, buffers, plantings and landscaping proposed.
- (m) Location and depth of buffer areas.
- (n) Schedule of screening proposed to be planted, including location, species, caliper, height, quantities and installations details of trees, shrubs and other landscape materials.
- (o) Location and width of existing or required drainage easements, along with points of access for maintenance, as approved by the applicable agency responsible for such easements.
- (p) Approval letters or encroachment permits from the easement holder, where buffer areas or landscape elements are to be located in drainage or utility or other easements. Use of private or public utility easements or public drainage easements for buffer areas and screening elements will require written authorization of the easement holder, with copies thereof being submitted to the Zoning Administrator prior to review of any screening plan.

§ 10.6.4 Single Family Sketch Plans.

A zoning permit application for a single-family residence shall be accompanied by an approved and recorded final plat that includes the following information:

- (a) Proposed location and dimensions of proposed structures, including accessory buildings, and all setback lines or easements.
- (b) Location, species and size of existing trees, and tree protection plan where applicable, identifying the location and circumference of all protected trees on site.
- (c) Schedule of additional vegetation be planted to meet the requirements of Article VI, including location, species, caliper, height, and quantities.

Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

§ 10.6.5 Signature Blocks.

- (a) Where this section requires the provision of an approval signature block, such block shall reference the applicable ordinance section under which the plan/plat is being approved:

“Approved in accordance with Section 10.____ of the McClellanville Zoning Ordinance to which reference is hereby made for limitations of review and approval.”

Chair, McClellanville Planning Commission

(Date)

Zoning Administrator

(Date)

- (b) Where this section requires a plat to be recorded by a date certain, the following note shall appear on such plat:

“This plat shall be NULL and VOID unless it is recorded with the Charleston County ROD, accompanied by applicable deeds and easements, within twenty-four (24) months after the date of approval by the Town as indicated hereon”.

- (c) Where this section requires a permit to be obtained by a date certain, the following note shall appear on such site development plan:

“This site development plan shall NO LONGER be valid unless a zoning permit for the improvements shown has been issued within twenty-four (24) months after the date of approval by the Town as indicated hereon”.