

CHAPTER 17

PLANNING COMMISSION

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Sec. 17-1. Planning Commission created.¹

A Municipal Planning Commission is hereby established to exercise jurisdiction over the entire area within the corporate limits of the Town of Sullivan's Island (9-16-74, S1)

Sec. 17-2. Function of Commission.

It shall be the function of this Commission to prepare a comprehensive plan and program for the physical, social and economic growth of the Town of Sullivan's Island in order to promote the public health, morals, convenience, prosperity, or the general welfare as well as efficiency and economy of the Town of Sullivan's Island. (9-16-74, S2)

Sec. 17-3. Membership; terms; vacancies.

The Commission shall consist of seven (7) persons, none of which may hold an elected public office in this municipality or the County of Charleston. The terms of the membership shall be three (3) years and until their successors are appointed and qualified. The initially appointed Commission members served two-year staggered terms. All subsequent members will serve three-year staggered terms. All terms runs from September 1st to August 31st. Members may be re-appointed at the expiration of their terms. Any vacancy in the membership shall be filled for the unexpired term in the same manner of the original appointments (9-16-74, S3) (11-16-99) (11-20-01) (6-21-2016)

¹ For State law authorizing Planning Commission, see S6-7-320 et seq.

Sec. 17-4. Appointment of members; removal.

The Town Council shall appoint the members of the Commission and may remove any member of the Commission for cause after written notice and public hearing. (9-16-74, S4)

Sec. 17-5. Officers of Commission; meetings; records.

The Commission shall organize by electing one (1) of its members as chairman, one (1) as secretary. The terms of these officers shall be for one (1) year each. The Commission shall meet at the call of the chairman or of any three (3) members. It shall adopt rules for the transaction of business and shall keep a record of its transactions, findings and determinations. Records shall be open to the public. (9-16-74, S5)

Sec. 17-6. Staff and expenditures.

The Commission may employ such staff and consult with and retain such experts as it deems necessary consistent with funds which it may have available on hand. Its expenditures, exclusive of gifts to the Commission or contract receipts, shall be within the amounts appropriated to the Commission by the Town Council (9-16-74, S5)

Application and Fees. Requests for subdivision, re-subdivision, lot line changes, plat approvals, zoning and/or re-zoning shall be submitted on forms provided by the Zoning Administrator with an application fee the amount of which shall be established by resolution of the Town Council. (9-18-07).

Sec. 17-7. Duties, responsibilities, powers.

The Planning Commission shall have the duties, responsibilities and powers as provided in SC Code Title 6, Chapter 29, 6-29-310, et. seq. (9-16-74; 4-20-99)

Sec. 17-8. Preparation of proposed zoning ordinance and map.

The Planning Commission shall make and certify to the Town Council for Sullivan's Island the text of the recommended zoning ordinance and zoning map for Sullivan's Island. The text and the zoning map shall be prepared with all due dispatch of the Planning Commission and it shall hold a public hearing on the text and the map which shall be advertised and conducted according to South Carolina Local Government Comprehensive Enabling Act of 1994 Section 6-29-310, et al, Code of Laws of South Carolina. (9-16-74, S7; 4-20-99)

Sec. 17-9. Approval of subdivision, re-subdivision and lot line changes.

No land shall be subdivided or re-subdivided, no lot shall be laid out and no boundary lines of a lot or parcel of land shall be changed except with prior written approval of the Planning Commission. Prior to the submission of a plat to the Planning Commission, the plat must first be submitted to the Zoning Administrator for his review and recommendations. The Zoning

Administrator's recommendations must be submitted to the Planning Commission along with the proposed plat. Any division of land made without said Planning Commission approval after the effective date of this amendment is unlawful; provided, however, that subdivisions made and recorded prior to the effective date of this amendment that met prior requirements are hereby declared to be legal. (4-20-99; 1-18-2000)

Sec. 17-10. Endorsement of plats before recordation.²

No plat of a subdivision of land within the limits of the Town shall be filed or recorded in the Office of the Register of Mesne Conveyance until the approval of the Planning Commission shall have been endorsed thereon by the Planning Commission Chairman, or in his/her absence the Vice-Chairman. (4-20-99, 1-19-2000).

Sec. 17-11. Exceptions (9/15/09)

1. In the case of any proposed plat or survey of a lot or lots of land is presented to the Zoning Administrator for the Town, the Zoning Administrator may review and give his/her endorsement of approval thereon provided the following requirements are met:
 - a. The plat or survey is a re-survey of an existing lot or lots and does not create a subdivision or re-subdivision of land and no significant lot line changes are shown; (9/15/09)
 - b. The plat or survey is prepared by a surveyor licensed by the State of South Carolina and has placed his certification thereon; (9/15/09)
 - c. The appropriate tax map numbers are placed on the adjacent property, and any adjacent right-of-ways are designated; (9-15-09)
 - d. Each lot sold, platted or surveyed shall show and designated the street address, the lot number, tax map identification number and all metes, bounds, courses and distances; (9/15/09);
 - e. All marsh lands are shown and designated and in the event the DHEC/OCRM critical line within any lot boundary, the critical line shall be so designated; and (9/15/09)
 - f. The survey has such notes and conditions as required by the Zoning Administrator. (9/15/09)
2. The Zoning Administrator's endorsement of approval shall be made with the notation that his plat or survey is exempt from the subdivision regulation and is hereby approved. (9/15/09)

² This section is consistent with Section 5-23-190 of State Code.

3. **Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining part shall be severable and shall continue to be in full force and effect.**
(9/15/09)
4. **This Ordinance shall take effect and be in full force immediately upon ratification.**
(9/15/09)