

Chapter 28 - PLANNING, LAND USE AND DEVELOPMENT

ARTICLE I. - IN GENERAL

Secs. 28-1—28-18. - Reserved.

ARTICLE II. - PLANNING COMMISSION⁽¹⁾

Footnotes:

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State Law reference— Local planning commission, S.C. Code 1976, § 6-29-310 et seq.

Sec. 28-19. - Establishment; purpose.

In order to guide and accomplish a coordinated and harmonious development of the area which will, in accordance with existing and future needs, best promote the public health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, the Hanahan Planning Commission, hereinafter referred to as the planning commission, is hereby established.

(Code 1983, § 5-2-1; Ord. of 10-8-1973)

Sec. 28-20. - Membership; term; compensation.

The planning commission shall consist of seven members to be appointed by the city council. Members shall serve four-year staggered terms. Any vacancy in membership shall be filled for the unexpired term by the city council which shall also have the authority to remove any member for cause, on written charges, after a public hearing. All members shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

(Code 1983, § 5-2-2; Ord. of 10-8-1973; Ord. of 4-13-2004)

Sec. 28-21. - Organization; meetings; rules; staff; finances.

The planning commission shall elect a chairperson and vice-chairperson from among its members. The term of the chairperson and other officers shall be one year with eligibility for reelection. The commission shall appoint a secretary who may be an officer or an employee of the city council or of the planning commission. The planning commission shall adopt rules for the transaction of business and shall keep a record of its recommendations, transactions, findings and determinations; and shall meet at the call of the chairperson and at such times as the chairperson or commission may determine. All meetings of the planning commission at which official action is taken shall be open to the public and all records of the commission shall be a public record. The commission may appoint any employees and staff as it may deem necessary for its work and may make expenditures for salaries of any employees and staff, contracts with consultants, and for the purchase of required equipment and supplies. The expenditures of the commission, exclusive of gifts, shall be within the amounts appropriated for this purpose by the city council.

(Code 1983, § 5-2-3; Ord. of 10-8-1973)

Sec. 28-22. - Powers and duties.

- (a) From and after the time when the planning commission shall have organized and selected its officers and shall have adopted its rules of procedure, the commission shall have all the powers, duties and responsibilities set forth by state law.
- (b) In general, the planning commission shall have the power to:
 - (1) Prepare and revise periodically a comprehensive plan and program for the development of its jurisdiction;
 - (2) Prepare and recommend for adoption to the appropriate governing authority as a means for implementing the plan and program:
 - a. Zoning ordinances or resolutions, and maps and appropriate revisions thereof for its jurisdiction;
 - b. Regulations for the subdivision of land and appropriate revisions thereof within its jurisdiction, and to administer the regulations that may be adopted;
 - c. An official map and appropriate revision thereof showing the exact location of existing or proposed public street, highway and utility rights-of-way and public building sites, together with regulations to control the erection of buildings or other structures or changes in land use within such rights-of-way, building sites or open spaces within its political jurisdiction or a specified portion thereof; and
 - d. A capital program for its jurisdiction based on the comprehensive plan and the capital improvements necessary to implement the plan. Such a capital program shall include an annual capital budget based on estimates of the cost of proposed projects and the means of financing them. The commission shall submit the capital program, including the capital budget, to the governing authority as directed;
 - (3) Establish principles and policies for guiding action in the development of the area;
 - (4) Prepare and recommend to the city council for adoption ordinances promoting orderly development in accordance with the comprehensive plan;
 - (5) Determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area;
 - (6) Review and recommend to the city council any needed changes in the zoning ordinance and the official zoning map, as well as the subdivision regulations, official map, other codes, ordinances, and controls related to the city's development; and
 - (7) Keep the city council and the general public informed and advised as to the matters described in this section.

(Code 1983, § 5-2-4; Ord. of 10-8-1973)

Secs. 28-23—28-47. - Reserved.

ARTICLE III. - SUBDIVISIONS

Sec. 28-48. - Ordinance incorporated by reference.

The subdivision ordinance of the city, adopted November 4, 1975, as amended, are hereby incorporated herein and made a part of this Code by reference. Copies of the subdivision ordinance are on file in the office of the clerk-treasurer.

(Code 1983, § 5-3-1)

Secs. 28-49—28-69. - Reserved.

ARTICLE IV. - ZONING²

Footnotes:

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Federal law references— Preservation of local zoning authority concerning wireless telecommunications facilities, 47 USC 322(c)(7); limited federal preemption of state and local zoning laws affecting amateur radio facilities, Memorandum Opinion and Order, PRB-1, 101 FCC 2d 952 (1985) and 47 CFR 97.15(b); Religious Land Use and Institutionalized Persons Act, 42 USC 2000cc et seq.

State Law reference— Zoning ordinances and purposes, S.C. Code 1976, § 6-29-710; zoning districts, S.C. Code 1976, § 6-29-720; board of zoning appeals, S.C. Code 1976, § 6-29-780.

Sec. 28-70. - Ordinance incorporated by reference.

The zoning ordinance of the city, adopted November 12, 1973, as now or hereafter amended, is hereby incorporated herein and made a part of this Code by reference. Copies of the zoning ordinance are on file in the office of the clerk-treasurer.

(Code 1983, § 5-4-1)