

2. ZONING ADMINISTRATION

2.2. Planning Commission.

- (A) Establishment of the Planning Commission. A Planning Commission has been established for the City of Hanahan (*See City of Hanahan Code of Ordinances, ordinance dated 10/8/1973.*) as a board that has the powers and duties as provided in the South Carolina Code § 6-29-310 et seq.
- (B) Powers and duties of the Planning Commission. The Planning Commission shall be assigned the duty to develop and carry out a continuing planning program for the physical, social, and economic growth, development, and redevelopment of the City of Hanahan. The following steps constitute this duty.
 - (1) Comprehensive Plan. Prepare and periodically revise development and/or redevelopment plans and programs.
 - (2) Implementation. Prepare and recommend to City Council measures for carrying out the plan. Such measures include the following:
 - (a) Zoning Ordinance. Text, map, and any necessary revisions.
 - (b) Regulations for land subdivision and development. The commission is responsible for overseeing the administration of land development standards of the Hanahan Zoning Ordinance upon adoption by the City Council.
 - (c) Official Map. Map showing the exact location of existing or proposed public streets, highways, utility rights-of-way, and public building sites. The official map and zoning map may be the same document. The commission is responsible for developing regulations and procedures for administering the official map.
 - (d) Landscaping Ordinance. Provide required standards for planting, tree preservation, and other aesthetic considerations.
 - (e) Capital Improvements Program. List required projects to carry out the adopted plans. The commission submits an annual list of priority projects to the City Council for consideration when annual capital budgets are prepared. The commission should take these priority projects from the adopted Comprehensive Plan.
 - (f) Policies and Procedures. Implement the adopted comprehensive plan. These could cover such things as expanding the corporate limits, extending the public water and sewer systems, accepting dedicated streets, accepting drainage easements and offering economic development incentive packages.

2.4. Amendments.

- (A) Intent. The regulations, restrictions, and boundaries set forth in this ordinance may, from time to time, be amended, supplemented, changed, or repealed by City Council, provided that no such action may be taken until after a public hearing in relation thereto, at which parties of interest and citizens shall have an opportunity to be heard.
- (B) Initiation of the amendment. Revision of the text or map of the Zoning Ordinance or the Land Development Ordinance may be initiated within the Planning Commission or by City Council. Additionally, a landowner may request a revision to the Zoning Ordinance or the Land Development Ordinance, provided such effects solely his property, through an application to the City of Hanahan submitted to the Zoning Administrator. The procedure to amend the ordinance is as follows:

- (1) Application to the City of Hanahan. If a landowner requests from the city a rezoning of their parcel(s) or another amendment to an ordinance that would solely affect their parcel(s), the landowner shall undertake the following procedure.
 - (a) A completed application, together with the application fee for zoning or land development ordinance amendment, shall be filed with the Zoning Administrator at least twenty-five (25) days prior to the Planning Commission meeting at which the amendment request will be considered.
 - (b) Required information. The applicant shall set forth a detailed description of the amendment on an application provided by the Zoning Administrator. When the amendment involves a change in the zoning map, the applicant shall submit the following information:
 - (i) A legal description and street address of the subject property, together with a property boundary map if the subject property is not explicitly delineated on the zoning map;
 - (ii) Name, address, and phone number of the applicant;
 - (iii) Name of the property owner(s) and applicant's interest in the property if not the owner in fee simple title;
 - (iv) The filing date of application;
 - (v) Zoning of adjacent properties;
 - (vi) Any other information deemed relevant by the Zoning Administrator; and
 - (vii) Applicant's and property owner's signature.
 - (c) Planned Development Districts. The applicant proposing a Planned Development District (Type "B") shall comply with the requirements set forth in Section 4.7, which shall be in addition to these requirements.
- (2) Any amendments, changes (including rezoning), or supplements to the Zoning Map, Zoning Ordinance, or Land Development Ordinance must first be submitted to the Zoning Administrator for review and recommendation. Upon receipt of a complete amendment application from a landowner, the Zoning Administrator shall transmit the application and recommendation to the Planning Commission for consideration.

See Section 2.9.1. Limit on re-application.

- (C) Planning Commission review. All proposed amendments must be submitted to the Hanahan Planning Commission for its review and recommendation. The Planning Commission shall have thirty (30) days within which to submit a report to the City Council. In reviewing any petition for a Zoning or Land Development Ordinance amendment, the Planning Commission shall identify and evaluate all factors relevant to the request. These facts shall include but not be limited to the following:
- (1) Whether or not the requested amendment is justified by a change in conditions since the ordinance was adopted or by an error in the ordinance;
 - (2) Whether or not the requested amendment is consistent with the Comprehensive Plan;
 - (3) The precedents and the possible effects of such precedents that might result from approval or denial of the petition;
 - (4) The capability of the city or other government agencies to provide any services, facilities, and/or programs that might be required if the petition is approved;
 - (5) Effect of approval of the petition on the condition and/or value of property in the city; and
 - (6) Effect of approval of the petition on adopted plans and policies of the City of Hanahan.

(D) Public hearing.

- (1) The Planning Commission shall hold a public hearing for all Zoning and Land Development Ordinance amendments proposed in which the affected landowner(s) speaks or writes to the Planning Commission on behalf of the amendment. The purpose is to allow interested parties, including neighbors and adjacent landowners, the opportunity to comment in a similar fashion.
- (2) No public hearing or notice (except for inclusion in the publicly posted agenda) shall be required at the Planning Commission for Zoning and Land Development Ordinance amendments in which an affected landowner does NOT speak or write on behalf of the amendment.

(E) Notice of public hearing. The Zoning Administrator shall perform the following duties in the event a public hearing is required.

- (1) *Newspaper notice.* A notice shall be placed in a newspaper of general circulation in the city at least fifteen (15) days prior to the hearing. The notice shall include the hearing time and place.
- (2) *Mail notice.* Written notice shall be mailed to all interested groups requesting notice. Written notice shall also be mailed to all adjacent landowners and tenants, where applicable. The mailing shall occur at least fifteen (15) days prior to the hearing. Certified mail shall not be required; the Zoning Administrator shall use discretion in determining the best type of mailing, which shall be, at a minimum, first-class U.S. postal mail.
- (3) *Posting property.* In rezoning cases, conspicuous notices (signs with dimensions of at least eighteen (18) inches × twenty-four (24) inches) shall be posted on or adjacent to the affected property by the Zoning Administrator. One (1) notice must be visible and readable from each public street that borders the property. Such sign(s) shall be posted at least fifteen (15) days prior to the public hearing.

(F) Passage by resolution.

- (1) If the Planning Commission finds by majority vote that the proposed amendment is in accordance with the above considerations, it shall pass a resolution to City Council that such amendment be made to the Zoning Ordinance, the Land Development Ordinance, and/or zoning map.
- (2) If the Planning Commission fails to submit a report within the required thirty (30) day period, it shall be deemed to have recommended approval of the requested amendment.

(G) Adoption by ordinance. The City Council shall conduct a public hearing in accordance with its ordinance amendment requirements. City Council shall review the Planning Commission report and comments made at the public hearing, as available, before taking action to either adopt or reject the amendment to the ordinance. Adoption of the amendment shall be by ordinance by majority vote. After adoption, the Zoning Administrator shall make the necessary changes to the text of the Zoning Ordinance or Land Development Ordinance and/or to the official zoning map.

(H) Amendment of the official zoning map. The Zoning Administrator shall revise the official zoning map to reflect an amendment adopted by an ordinance within seven (7) days of the date of adoption.