

STATE OF SOUTH CAROLINA            )  
  )  
COUNTY OF DORCHESTER            )     ORDINANCE NUMBER 22-17

**AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE NUMBER 04-13, AS PREVIOUSLY AMENDED, WITH RESPECT TO ARTICLE XVII, SECTION 17.1.2 "MINOR SUBDIVISION" (The purpose of this amendment is to allow future subdivision of lots created through the minor subdivision process)**

WHEREAS, Dorchester County Ordinance Number 04-13, adopted September 7, 2004, established a minor subdivision process regulating the subdivision of parcels into 10 or fewer lots; and

Whereas, Section 17.1.2(a)(1) and (4) prohibit the further subdivision of lots created through the minor subdivision process, and

Whereas, the intent behind creating the minor subdivision process was to establish an administrative process for subdivision where surveying and documentation requirements for minor subdivisions would be substantially reduced, thereby easing costs of creating out-parcels and family subdivisions; and

Whereas, the minor subdivision process has generally been used to create individual lots and not family subdivisions as envisioned when the ordinance was created; and

Whereas, many requests for minor subdivision have been denied administratively because parcels were previously part of a minor subdivision thereby prohibiting their further subdivision and prompting requests for waivers from this provision of the Land Development Regulations from Planning Commission; and

Whereas, Planning Commission directed County staff at their April 14, 2022 regularly scheduled meeting to revise the wording of the minor subdivision ordinance to eliminate the prohibition of further subdivision:

NOW, THEREFORE, BE IT ORDAINED by Dorchester County Council, duly assembled that the Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as previously amended, is further amended by deleting Article XVII, Section 17.1.2 in its entirety including all subsections thereto and substituting in lieu thereof the below section bearing the same number:

**17.1.2 Minor Subdivision**

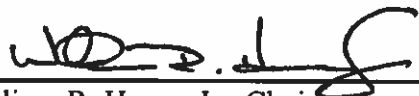
- (a) A minor subdivision in Dorchester County shall include all divisions of a parcel of land into two (2) to ten (10) lots, building sites, or other divisions for the purpose,

whether immediate or future, of sale, lease, or building development, and includes all divisions of land involving a new street or change in existing streets provided that:

- (1) Each lot either meets the requirements of the South Carolina Department of Health and Environmental Control (DHEC) for acceptable on-site sanitary sewage and water systems (well and septic tank), or has direct access to public water and sewer service approved by the service provider; and
  - (2) All proposed parcels comply with all applicable standards of this Ordinance, including those of the applicable zoning district.
  - (3) When all government agencies are satisfied and have approved the plat, the Zoning Administrator will be authorized to approve.
- (b) The platting of individual lots from time to time shall not constitute an exempt or minor subdivision. Where the owner or developer has platted individually six (6) or more lots within a given twelve-month period from the same tract of land, the subdivision shall be deemed a major subdivision. The subdivider shall comply with the provisions of this Ordinance relating to the land development review and approval process for major subdivisions at such time as a sixth lot is proposed to be created by virtue of land subdivision.

This Ordinance shall be effective upon third and final reading.

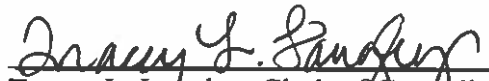
Approved and adopted on this 15<sup>th</sup> day of August, 2022.



William R. Hearn, Jr., Chairman  
Dorchester County Council

First Reading: 07/11/2022  
Second Reading: 07/25/2022  
Public Hearing: 08/15/2022  
Third Reading: 08/15/2022

ATTEST:

  
Tracey L. Langley, Clerk of Council