

**ORDINANCE NO.: 2024-031**

**AN ORDINANCE TO AMEND CHAPTER 24, SECTION 24-338 OF THE CODE OF ORDINANCES, ANDERSON COUNTY, SOUTH CAROLINA IN ORDER TO ESTABLISH THE NUMBER OF LOTS AND SIZE OF LOTS WHICH MAY BE APPROVED BY THE FILING OF A SUMMARY PLAT; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Anderson County, South Carolina, a body politic and a corporate and political subdivision of the State of South Carolina, acting by and through the Anderson County Council, previously adopted section 24-338 of the Anderson County Code of Ordinances; and

**WHEREAS**, Anderson County Council desires to amend section 24-338 to limit the number and size of lots that may be approved by the filing of a summary plat and to provide that a minor subdivision of land into four or less lots with road frontage will be allowed along with a twenty foot private drive.


**NOW, THEREFORE**, be it ordained by the Anderson County Council in meeting duly assembled that:

1. Section 24-338 of the Code of Ordinances, Anderson County, South Carolina, is hereby amended to read as shown on Exhibit A attached hereto.
2. The remaining terms and provisions of the Anderson County Code of Ordinances not revised or affected hereby remain in full force and effect.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.
4. All Ordinances, Orders, Resolutions, and actions of Anderson County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

5. This ordinance shall take effect and be in full force upon the Third Reading and Enactment by Anderson County Council.

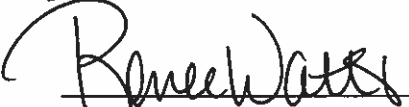
**ORDAINED** in meeting duly assembled this 15th day of October, 2024.

**ATTEST:**

  
\_\_\_\_\_  
Rusty Burns  
Anderson County Administrator

**FOR ANDERSON COUNTY:**

  
\_\_\_\_\_  
Tommy Dunn, District #5, Chairman

  
\_\_\_\_\_  
Renee Watts  
Clerk to Council

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Leon C. Harmon  
Anderson County Attorney

1<sup>st</sup> Reading: August 6, 2024

2<sup>nd</sup> Reading: August 20, 2024

3<sup>rd</sup> Reading: October 15, 2024

Public Hearing: October 15, 2024

## Exhibit A

- **Sec. 24-338. - Summary plats.**

(a)

The following divisions of land require only the filing of a summary plat, for which approval may be given by the land use administrator, without planning commission approval:

(1)

The combination or re-combination of portions of previously platted lots where the total number of lots is not increased and the resultant lots conform to all requirements of this article.

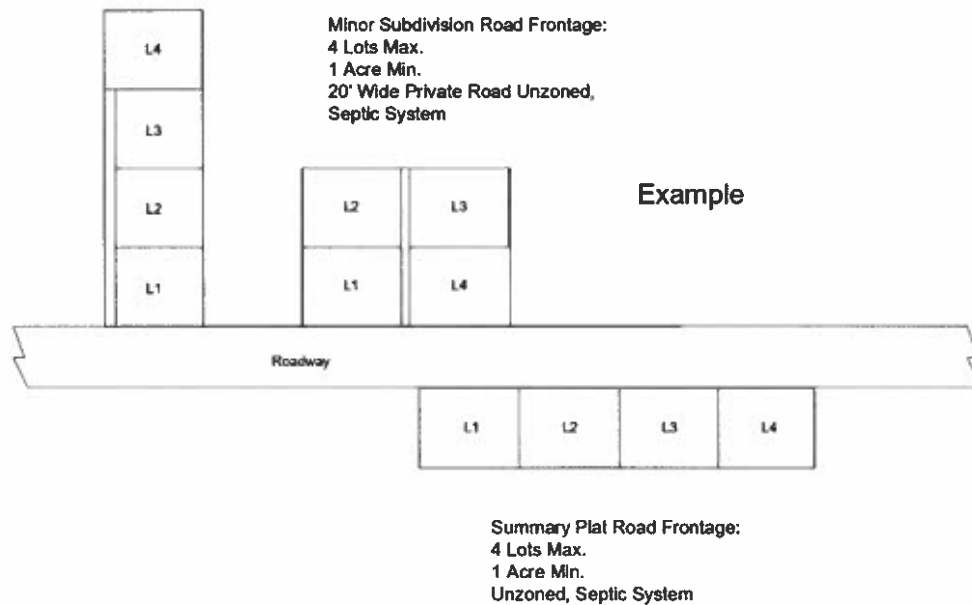
(2)

The division of land into parcels of five acres or more, where no new road or change to any existing road is involved.

(3)

The division of a tract of land into four or less lots at a minimum of one acre during any three-year period where each lot fronts on an existing county or state road. A minor subdivision of land into four or less lots with road frontage shall be allowed along with a 20' private drive as shown on the exhibit. It is the responsibility of the subdivider to obtain an encroachment permit or permits from the appropriate state or county department or agency for any driveway entrances. If there has been division of parcels in the previous three years out of the parcel on which the proposed division of four or less lots is proposed, whether to individuals or to corporate entities, the proposed division by summary plat shall not be allowed.

**Exhibit A**



(b)

Summary plats shall contain all information required to be included on preliminary plats except for the supplemental information required in section 24-337.

(c)

The land use administrator shall be authorized to give approval of summary plats provided that such division of land meets all requirements of these subdivision regulations. Prior to granting approval of a summary plat, the land use administrator shall determine that each lot has access to a public right-of-way which has been accepted by the county for continuous maintenance and that acceptable water or well and wastewater service (septic tank) is available to each lot.

(d)

In the case of summary plats which contain up to four or less lots, the subdivider shall not be required to submit a drainage plan or contour maps required by section 24-336(7) for the purpose of obtaining summary plat approval. However, if a total of one acre or more of land will collectively be disturbed on the lots, regardless of timing, drainage and contour maps will be necessary to meet the requirements of Anderson County Stormwater Management and South Carolina Department of Environmental Services.

**Exhibit A**

(Code 2000, § 38-314; Ord. No. 03-007, § 1, 4-15-2003; Ord. No. 2010-033, § 2, 1-4-2011; Ord. No. 2021-036, § 3, 8-17-2021)