

ORDINANCE NO.: 2005-037

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article I, In General, to add Sec. 17-1, Definitions, Sec. 17-2, Establishment and conditions of vested rights, and Sec. 17-3, Conflicting provisions

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina this 18th day of May, 2005 that the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article I, In General, to add Sec. 17-1, Definitions, Sec. 17-2, Establishment and conditions of vested rights and Sec. 17-3, Conflicting provisions to read as follows:

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Sec. 17-1. Definitions.

(a) Except as hereinafter set forth, the words, terms, and phrases when used in this chapter shall have the meaning as set forth in §6-29-1520 of the Code of Laws of South Carolina, 1976 as amended.

(b) Site specific development plan means those documents that comprise a complete application for a zoning permit, certificate of zoning compliance, variance, special exception, planned unit development, sketch plat or plan, or other similar approval that authorizes the developer or landowner to proceed with investment in grading, installation of utilities, streets, and other infrastructure, and to undertake other significant expenditures necessary to prepare for application for a building permit.

Sec. 17-2. Establishment and conditions of vested right.

(a) A vested right is triggered only upon the approval or conditional approval of a site specific development plan.

(b) Except as hereinafter set forth, a vested right established by this division is subject to the conditions and limitations as proscribed by §6-29-1540 and 1550 of the Code of Laws of South Carolina, 1976 as amended.

(c) No vested rights are established for phased development plans, including phased development plans applicable to real property proposed for annexation.

(d) A vested right for a site specific development plan expires two years after vesting. No extensions of the vested right are authorized. Any requests for an extension of a vested right shall be denied.

(e) A vested site specific development plan may be amended if the amendment conforms to, or does not cause greater nonconformity with, the current provisions of this chapter. Approval or conditional approval of an amendment does not reset the expiration period of a vested right.

Sec. 17-3. Conflicting provisions.

Wherever the provisions of this Chapter establish more restrictive time frames upon a landowner than those which are authorized within this Article, the time frames of this Article shall prevail.

Secs. 17-4 - 17-30. Reserved.

This ordinance is effective as of final reading.

Requested by:

Marc Mylott, Development Services Director



MAYOR

Approved by:

City Manager

Approved as to form:

City Attorney

ATTEST:

City Clerk

Introduced: 5/11/2005

Final Reading: 5/18/2005

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