

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2020-10

ADOPTED _____

AN ORDINANCE AMENDING THE DEVELOPMENT STANDARDS ORDINANCE FOR THE TOWN OF SEABROOK ISLAND, SOUTH CAROLINA; ARTICLE 16, DESIGN AND IMPROVEMENT STANDARDS; SECTION 16.10, SUBDIVISION DESIGN STANDARDS; SUBSECTION 16.10.50.160, STREET NAMES; SO AS TO AMEND THE NAMING REQUIREMENTS FOR NEW STREETS; AND TO CREATE A NEW SECTION CALLED SECTION 16.50, STREET NAMING POLICY; SO AS TO ADOPT A POLICIES AND PROCEDURES FOR THE NAMING OF NEW STREETS AND THE RENAMING OF EXISTING STREETS WITHIN THE TOWN

WHEREAS, pursuant to Section 6-29-1200(a) of the S.C. Code of Laws, a local Planning Commission has the authority to approve and authorize, by proper certificate, the name of any street or road laid out within its territorial jurisdiction; and

WHEREAS, pursuant to Section 6-29-1200(b) of the S.C. Code of Laws, a local Planning Commission may, after reasonable notice through a newspaper having general circulation within the boundaries of its territorial jurisdiction, change the name of a street or road: 1) when there is duplication of names or other conditions which tend to confuse the traveling public or the delivery of mail, orders, or messages; 2) when it is found that a change may simplify marking or giving of directions to persons seeking to locate addresses; or 3) upon any other good and just reason which may appear to the commission; and

WHEREAS, pursuant to Section 16.10.50.160 of the Development Standards Ordinance for the Town of Seabrook Island (the "DSO"), all street names within the town are subject to review and approval by the Town's Planning Commission; and

WHEREAS, the DSO does not currently contain any specific policies or procedures related to the renaming of existing streets; and

WHEREAS, the Seabrook Island Planning Commission reviewed the proposed amendments during its regularly scheduled meeting on October 14, 2020, at which time the Planning Commission made a recommendation to the Mayor and Council that the rezoning request is in the best interest of the Town of Seabrook Island and is consistent with the Town's Comprehensive Plan; and

WHEREAS, a public hearing was advertised and held on the proposed amendments on November 17, 2020, as required by law;

WHEREAS, the Mayor and Council for the Town of Seabrook Island believe that amending the DSO to adopt policies and procedures related to the naming and renaming of streets within the Town is in the best interest of public health, safety and convenience;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND:**

SECTION 1. Amending Subsection 16.10.50.160 of the DSO. The Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 16, Design and Improvement Standards; Section 16.10, Subdivision Design Standards; Subsection 16.10.50.160, Street Names; is hereby amended to read as follows:

~~§ 16.10.50.160. *Street Names.* Street names shall be reviewed and approved by the Planning Commission pursuant to the requirements of Section 16.50. ~~No street names shall be used which will duplicate or be confused with the names of existing streets. Street names proposed by the subdivider shall be subject to check by the Planning Commission of the Town of Seabrook Island and where duplication or confusion with the name of existing streets occurs, the Planning Commission of the Town of Seabrook Island shall require the subdivider to substitute names free from duplication or confusion. The Planning Commission of the Town of Seabrook Island shall maintain an up-to-date file of all street names in use in the Town of Seabrook Island available for the guidance of subdividers.~~~~

SECTION 2. Creating Section 16.50 of the DSO. The Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 16, Design and Improvement Standards; is hereby amended to create a new section, to be called Section 16.50, Street Naming Policy; which section shall read as follows:

Section 16.50. Street Naming Policy.

§ 16.50.10. Naming of new streets.

~~§ 16.50.10.10. *Intent.* This section is intended to provide general procedures and standards for the naming of new streets within the town. The review and approval of names for new streets will enhance and coordinate the efficient and effective delivery of services by the town and other public entities, including: Charleston County Consolidated Dispatch Center, Charleston County Emergency Medical Services, Charleston County Sheriff's Office, St. John's Fire District, United States Postal Service, and all other applicable emergency management organizations.~~

~~§ 16.50.10.20. *Applicability.* All streets within the town shall be named in accordance with the provisions of this section. For purposes of this section, the word "street" shall mean any public street, private road, access easement or right-of-way that provides, or will provide, access to two or more buildable lots.~~

~~§ 16.50.10.30. *Procedure.* Prior to subdividing, recording or otherwise developing any new street which is required to be named pursuant to § 16.50.10.20, the proposed street name shall be reviewed and approved by the Planning Commission as part of the site plan and/or subdivision review process, as provided in Articles 14-16. Prior to review by the Planning Commission, the Zoning Administrator shall submit the proposed street name to the Charleston County Consolidated Dispatch Center and any other applicable public safety~~

agencies or departments for review and pre-clearance. Any street name which is rejected by the Charleston County Consolidated Dispatch Center or another applicable public safety agency or department shall be considered automatically denied; however, upon notice of denial, the applicant may submit an alternative name for consideration.

§ 16.50.10.40. Review criteria. In reviewing the proposed name for any new street within the town, the Planning Commission shall consider the following criteria:

- (a) The proposed street name is not already in use within the town;
- (b) The proposed street name is easily distinguished from other street names so as to avoid creating confusion among emergency responders, mail and package delivery services and the general public;
- (c) The proposed street name does not use frivolous or complicated words, or unconventional spellings;
- (d) The proposed street name does not use numbers (such as "1st Street"), alphabetical letters (such as "A Street") or special characters (such as "@" or "&");
- (e) The proposed street name would not be perceived as obscene or offensive;
- (f) The proposed street name is brief, clear, simple, logical, and easy to pronounce;
- (g) The proposed street name is associated with the history, flora or fauna of the Seabrook Island community or the Lowcountry, when possible;
- (h) If the street will be located within a master planned development, the proposed street name may represent a common theme within the development;
- (i) If the street is proposed to be named in honor of an individual, consideration shall be given to that person's relationship to the community, as well as his or her character, public image, and public contribution; and
- (j) The application must comply with all other requirements of this ordinance.

§ 16.50.10.50. Effect of approval.

- (a) Upon approval by the Planning Commission, the approved street name shall become the legal name of the street and will supersede all other conflicting records.
- (b) Within five business days of approval, the Zoning Administrator shall provide notice of the new street name by mail, electronic delivery or hand delivery to the Charleston County Assessor's Office, Charleston County Consolidated Dispatch Center, affected property owner(s), the United States Postal Service, and all other applicable agencies or departments.

§ 16.50.20. Renaming of existing streets.

§ 16.50.20.10. Intent. This section is intended to provide general procedures and standards for the renaming of existing streets within the town. The review and approval of street renaming requests will enhance and coordinate the efficient and effective delivery of services by the town and other public entities, including: Charleston County Consolidated Dispatch Center, Charleston County Emergency Medical Services, Charleston County Sheriff's Office, St. John's Fire District, United States Postal Service, and all other applicable emergency management organizations.

§ 16.50.20.20. Applicability. All streets within the town shall be named in accordance with the provisions of this section. For purposes of this section, the word "street" shall mean any public street, private road, access easement or right-of-way that provides, or will provide, access to two or more buildable lots.

§ 16.50.20.30. Procedure.

(a) Application. Any person or group of persons wishing to change the name of an existing street within the town shall submit a completed application for street renaming. The application shall be made on a form made available by the Zoning Administrator for that purpose. The application shall be accompanied by the required application fee, as provided in Article 21, and any required supplemental materials. Only completed applications will be accepted. A separate application and fee shall be required for each street renaming request. All applications for street renaming shall include, at a minimum:

(1) The current street name;

(2) The proposed street name;

(3) The purpose for changing the street name;

(4) Signatures from the owner(s) of record for at least two-thirds (2/3) of all properties abutting the street which is proposed to be renamed indicating their support of the renaming request. For properties with more than one owner, all owners must sign the application for that property to be counted toward meeting the two-thirds (2/3) requirement. Properties which are owned by an association, corporation, partnership, trust or similar entity may be signed by an individual with the authority to sign on behalf of the entity. The requirements of this paragraph shall not apply to any request which is initiated by the Charleston County Consolidated Dispatch Center or any other applicable public safety agency or department, or in instances when all affected properties are owned by the same person or entity.

(5) If the street is owned by an entity other than the town, the application shall include a letter from the street owner certifying that the owner will install, or cause to be installed, new street signs at all intersections within five (5) business days following approval of the street renaming request.

(b) Pre-clearance. Prior to review by the Planning Commission, the Zoning Administrator shall submit the proposed street name to the Charleston County Consolidated Dispatch Center and any other applicable public safety agencies or departments for review and pre-clearance. Any street name which is rejected by the Charleston County Consolidated Dispatch Center or another applicable public safety agency or department shall be considered automatically denied; however, upon notice of denial, the applicant may submit an alternative name for consideration.

(c) Public hearing. Prior to considering a request to change the name of an existing street, the Planning Commission shall advertise and hold a public hearing. Notice of the public hearing shall be published in a newspaper having general circulation within the town at least fifteen (15) days prior to the hearing date. Notice shall also be provided by certified mail to the owners of record for all properties abutting the street which is proposed to be renamed at least fifteen (15) days prior to the hearing date.

§ 16.50.20.40. Planning Commission review. The Planning Commission shall consider the street renaming request at its next regularly scheduled meeting which occurs at least 15 days after notification of the public hearing date, as required in Section 16.50.20.30(c). In deciding whether to approve or deny a street renaming request, the Planning Commission shall consider the following criteria:

(a) The proposed street name is not already in use within the town;

(b) The proposed street name is easily distinguished from other street names so as to avoid creating confusion among emergency responders, mail and package delivery services and the general public;

(c) The proposed street name does not use frivolous or complicated words, or unconventional spellings;

(d) The proposed street name does not use numbers (such as "1st Street"), alphabetical letters (such as "A Street") or special characters (such as "@" or "&");

(e) The proposed street name would not be perceived as obscene or offensive;

(f) The proposed street name is brief, clear, simple, logical, and easy to pronounce;

(g) The proposed street name is associated with the history, flora or fauna of the Seabrook Island community or the Lowcountry, when possible;

(h) If the street will be located within a master planned development, the proposed street name may represent a common theme within the development;

(i) If the street is proposed to be named in honor of an individual, consideration shall be given to that person's relationship to the community, as well as his or her character, public image, and public contribution;

(j) Pursuant to S.C. Code Section 10-1-165, no street dedicated in memory of, or named for, any historic figure or historic event may be renamed or rededicated without prior approval of the South Carolina General Assembly;

(k) Upon any other good and just reason that may appear to the commission; and

(l) The application must comply with all other requirements of this ordinance.

§ 16.50.20.50. Effect of approval.

(a) Upon approval by the Planning Commission and the issuance of a Certificate of Street Renaming, which shall be recorded in the Charleston County Register of Deeds Office, the approved street name shall become the legal name of the street and will supersede all other conflicting records.

(b) Within five (5) business days of approval, the Zoning Administrator shall provide notice of the new street name by mail, electronic delivery or hand delivery to the Charleston County Assessor's Office, Charleston County Consolidated Dispatch Center, affected property owner(s), the United States Postal Service, and all other applicable agencies or departments.

(c) Within five (5) business days of approval, the town (or the street owner if the street is not owned by the town) shall install, or cause to be installed, new street signs at all intersections.

SECTION 3. Severability.

If any part of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 4. Conflicting Ordinances Repealed.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. Effective Date.

This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ____ day of _____, 2020, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2020.

First Reading:
Public Hearing:
Second Reading:

TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST

Faye Allbritton, Town Clerk