

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2020-15

ADOPTED _____

AN ORDINANCE AMENDING THE DEVELOPMENT STANDARDS ORDINANCE FOR THE TOWN OF SEABROOK ISLAND, SOUTH CAROLINA; ARTICLE 21, FEES; SO AS TO AMEND THE FEE SCHEDULE FOR VARIOUS APPLICATION AND SERVICE FEES

WHEREAS, Article 21 of the Development Standards Ordinance for the Town of Seabrook Island (hereafter, the “DSO”) establishes a schedule of fees (hereafter, the “Fee Schedule”) for various activities which are subject to prior review and approval by the Town pursuant to the requirements of the DSO; and

WHEREAS, the Town has not conducted a comprehensive review and update of its Fee Schedule since the current Fee Schedule was last updated on May 10, 1990; and

WHEREAS, in reviewing and updating its Fee Schedule, the Mayor and Council considered the Town’s actual costs of providing such services, including, but not limited to: personnel, equipment, professional consultants, public meeting costs, public notice, supplies and transportation; and

WHEREAS, as part of the review process, the Town also reviewed the current fee schedules of Charleston County and neighboring municipalities; and

WHEREAS, the Mayor and Council for the Town of Seabrook Island believe that amending the Fee Schedule is in the best interest of the town and will provide for efficient and effective administration and enforcement of the requirements contained within the DSO;

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 Article 21 of the DSO. The Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 21, Fees; is hereby amended to read as follows:

ARTICLE 21. FEES

Sec. 21.10. Application and Service Fees.

To defray a portion of the costs associated with administration and enforcement of this ordinance, application and service fees will shall be levied in accordance with a the current Fee Schedule as adopted and modified pursuant to this Ordinance article, to defray part of the expenses associated with application processing. Fees are shall be due upon submission of any application or request which is subject to the charging of an application or service fee for land development approvals and permits.

Sec. 21.20. ~~Document Fees, Fee Schedule.~~

~~The Fee Schedule attached hereto as "Attachment A" is hereby adopted by reference as if fully set forth in this section. Fees for copies of Ordinances, regulations, maps, plans and similar materials may be collected by the Town to defray copying costs. Fees shall be based upon current costs. Council may amend the Fee Schedule from time-to-time by ordinance.~~

Sec. 21.30. ~~Fee Schedule Changes.~~

~~The Fee Schedule, as adopted by Town Council, may be changed from time to time by action of the Zoning Administrator, upon ratification by resolution of Town Council.~~

Sec. 21.40. ~~Administration.~~

~~Administration of fees and fee work shall be under the Zoning Administrator working in conjunction through agreement with Charleston County for obtaining the services of the Charleston County Department of Building Inspection Services for the Town of Seabrook Island.~~

Sec. 21.50. ~~Fee Schedule.~~

~~The currently applicable Fee Schedule is set forth in Attachment "A" hereto.~~

SECTION 2. 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 3. Conflicting Ordinances Repealed.

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

SECTION 4. Effective Date.

This ordinance shall be effective from and after January 1, 2021.

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: October 27, 2020
Public Hearing: November 17, 2020
Second Reading: November 17, 2020

TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST

Faye Allbritton, Town Clerk

ATTACHMENT A

Fee Schedule

Service	Fee Amount
A. Zoning Permit Fees (Including Site Plan Review)	
1. Residential Zoning Permit: Single-Family & Duplex	
<ul style="list-style-type: none"> a. New Construction b. Addition c. Major Renovation (> 50% Fair Market Value) d. Minor Renovation (≤ 50% Fair Market Value) e. Minor Repairs & Maintenance 	<ul style="list-style-type: none"> \$200.00 \$150.00 \$200.00 \$25.00 No Charge
2. Residential Zoning Permit: Multi-Family	
<ul style="list-style-type: none"> a. New Construction b. Addition c. Major Renovation (> 50% Fair Market Value) <ul style="list-style-type: none"> i. Administrative Review Only ii. Planning Commission Review d. Minor Renovation (≤ 50% Fair Market Value) <ul style="list-style-type: none"> i. Administrative Review Only ii. Planning Commission Review e. Minor Repairs & Maintenance 	<ul style="list-style-type: none"> \$350.00 \$250.00 \$250.00 \$350.00 \$25.00 \$150.00 No Charge
3. Non-Residential Zoning Permit	
<ul style="list-style-type: none"> a. New Construction b. Addition c. Major Renovation (> 50% Fair Market Value) <ul style="list-style-type: none"> i. Administrative Review Only ii. Planning Commission Review d. Minor Renovation/Upfit (≤ 50% Fair Market Value) <ul style="list-style-type: none"> i. Administrative Review Only ii. Planning Commission Review e. Minor Repairs & Maintenance f. Communication Towers and Antennae <ul style="list-style-type: none"> i. New Communications Tower ii. Antenna Installation 	<ul style="list-style-type: none"> \$350.00 \$250.00 \$250.00 \$350.00 \$25.00 \$150.00 No Charge \$1,000.00 \$150.00
4. Accessory Use / Structure Permit	
<ul style="list-style-type: none"> a. HVAC equipment and associated stands; generator equipment and associated stands; uncovered decks, patios and steps; boardwalks and docks; driveways and walkways; swimming pools and spas; fire pits; retaining walls; fences; propane tanks; and similar structures. 	<ul style="list-style-type: none"> \$50.00
5. Change of Use / Occupancy Permit	
<ul style="list-style-type: none"> a. Change of Use / Occupancy Classification 	<ul style="list-style-type: none"> \$50.00
6. Home Occupation Permit	
<ul style="list-style-type: none"> a. Home Occupation 	<ul style="list-style-type: none"> \$25.00
7. Short-Term Rental Permit	
<ul style="list-style-type: none"> a. Short-Term Rental Permit – New b. Short-Term Rental Permit – Renewal c. Modification of Existing Short-Term Rental Permit <ul style="list-style-type: none"> i. Change of Owner, Agent or Local Contact ii. All Other Modifications d. Reinstatement of Suspended Short-Term Rental Permit 	<ul style="list-style-type: none"> \$250.00 \$250.00 \$25.00 \$125.00 \$125.00

8. Temporary Use Permit	
a. Events & Activities ≤ 3 Days in Duration	\$35.00
b. Events & Activities > 3 Days in Duration	\$100.00
9. Sign Permit	
a. Freestanding Sign	\$20.00 + \$1.00 Per Sq. Foot
b. Building Sign (Awning, Door, Wall, Window, etc.)	\$20.00
c. Reface or Repair of Existing Sign	\$20.00
d. Temporary Sign	\$10.00
10. Tree Removal Permit	
a. Trees < 12" DBH	No Permit Required
b. Trees ≥ 12" DBH & Subject to ARC Approval	No Permit Required
c. Trees ≥ 12" DBH	No Charge
11. Post Facto Surcharge	
A "Post Facto Surcharge" equal to 100% of the permit amount shall be assessed in instances where work has commenced prior to obtaining a required permit. This surcharge shall be in addition to any other fines penalties which may be assessed, if applicable.	
B. Building Permit & Inspection Fees	
1. Building Permits & Inspections (Charleston County)	
Pursuant to Section 6-2 of the Town Code, all fees imposed by Charleston County for permitting and inspection services are adopted by reference and shall be paid directly to the County.	
C. Subdivision Plat Review & Recording Fees	
1. Plat Review Fees	
a. Exempt Plat	\$50.00
b. Preliminary Plat	
i. Minor Subdivision (≤ 10 Lots)	\$300.00
ii. Major Subdivision (> 10 Lots)	\$300.00 + \$10.00 Per Lot
c. Final Plat	
i. Minor Subdivision (≤ 10 Lots)	\$150.00
ii. Major Subdivision (> 10 Lots)	\$150.00 + \$10.00 Per Lot
2. Recording Fees	
a. Plat Recording Fee	\$100.00 + \$25.00 Per Page
D. Boundary, Map & Text Amendment Fees	
1. Boundary Amendments	
a. Application for Annexation	
i. Standard Zoning Designation	\$250.00
ii. Conservation Zoning Designation	\$100.00
iii. PDD, PUD & Mixed-Use Zoning Designation	\$1,250.00 + \$10.00 Per Acre
2. Map Amendments (Rezoning)	
a. Application for Rezoning	
i. Standard Rezoning	\$250.00
ii. Conservation Rezoning	No Charge
iii. PDD, PUD & Mixed-Use Rezoning	\$1,000.00 + \$10.00 Per Acre
3. Text Amendments	
a. Application for DSO Text Amendment	\$250.00
b. Application for Comprehensive Plan Amendment	\$250.00
E. Board & Commission Review Fees	
1. Board of Zoning Appeals	
a. Application for Appeal of Administrative Decision	\$150.00
b. Application for Special Exception	\$300.00

c. Application for Variance	\$300.00
2. Planning Commission	
a. Application for Address Change	\$25.00
b. Application for Appeal of Administrative Decision	\$150.00
c. Application for Encroachment Permit (Curb Cut)	
i. New Curb Cut	\$500.00
ii. Modification of Existing Curb Cut	\$250.00
d. Application for Lot Variance	\$150.00
e. Application for Street Name Change	\$150.00 + \$25.00 Per Address
F. Other Services	
1. Copies (Printed)	
a. Comprehensive Plan	\$25.00
b. Development Standards Ordinance	\$25.00
c. Zoning Map (Large Copy)	\$25.00
d. Black & White Copies	
i. 8.5 inches x 11 inches	\$0.10 Per Page
ii. 11 inches x 17 inches	\$0.20 Per Page
e. Color Copies	
i. 8.5 inches x 11 inches	\$0.25 Per Page
ii. 11 inches x 17 inches	\$0.50 Per Page
2. Field Verification Fee	
a. At the Zoning Administrator's discretion, a field verification fee may be charged in lieu of submitting a property survey in instances when the Zoning Administrator reasonably believes that compliance may be determined by field verification.	\$75.00
3. Outside Professional Services & Consultants	
a. The Zoning Administrator may engage outside professional service providers and consultants (such as architects, attorneys, engineers and other professionals) when such services are deemed necessary to review or evaluate an application or request.	Actual Cost + 10% Administrative Fee
4. Verification Letters	
a. Flood Zone Verification Letter	\$20.00
b. Zoning District Verification Letter	\$20.00