**South Carolina General Assembly**

118th Session, 2009-2010

**S. 246**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Rose

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Introduced in the Senate on January 13, 2009

Currently residing in the Senate Committee on **Judiciary**

Summary: Annexing property

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/13/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑195

1/13/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑195

**VERSIONS OF THIS BILL**

[1/13/2009](file:///p:\pprever\2009-10\246_20090113.docx)

**A** **BILL**

TO AMEND CHAPTER 3, TITLE 5 OF THE 1976 CODE, BY ADDING SECTION 5‑3‑370, TO PROVIDE THAT WHEN A MUNICIPALITY ANNEXES PROPERTY IN A COUNTY, ANY COUNTY DENSITY REQUIREMENT OR REGULATION REMAINS IN EFFECT AND APPLIES TO THE ANNEXED AREA FOR FIVE YEARS AFTER THE ANNEXATION, UNLESS OTHERWISE APPROVED BY THE COUNTY GOVERNING BODY, AND TO ALLOW THE COUNTY GOVERNING BODY TO APPROVE A PROPOSAL BY THE MUNICIPALITY FOR GREATER DENSITY FOR A DEFINED AREA WITHIN THE ANNEXED PROPERTY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 3, Title 5 of the 1976 Code is amended by adding:

“Section 5‑3‑370. (A) Any residential density requirements of a county’s land use or zoning policy, plan, regulation, or ordinance applying to property annexed by a municipality at the time of the annexation must remain in effect for that property for five years after the annexation, unless otherwise approved by the governing body of the county in which the property was annexed.

(B) During the period that the county’s density requirement must remain in effect for the annexed property, the municipality may propose to the county local planning commission that a greater density allowance be permitted in a defined area within the annexed property. The proposal may be adopted upon recommendation of the county local planning commission and approval of the county governing body.”

SECTION 2. This act takes effect upon approval by the Governor.

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