

**AN ORDINANCE**

**TO AMEND THE GREENVILLE COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED, TO EXEMPT FROM THE SUMMARY PLAT REQUIREMENTS THE CONVEYANCE OF SUBDIVIDED LAND TO IMMEDIATE FAMILY MEMBERS.**

**BE IT ORDAINED BY GREENVILLE COUNTY COUCIL:**

**Section 1.     Amendment.** Section 4 of the Land Development Regulations is hereby amended to add a new Subsection 4.3 as shown on *Exhibit A*, attached hereto and incorporated herein by reference.

**Section 2.     Repeal.** All ordinances or parts of ordinances in conflict with this article or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this article full force and effect.

**Section 3.     Severability.** If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

**Section 4.     Effective Date.** This ordinance becomes effective upon adoption.

**DONE IN REGULAR MEETING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
Bob Taylor, Chairman  
Greenville County Council

ATTEST:

\_\_\_\_\_  
Theresa B. Kizer  
Clerk to Council

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Joseph M. Kernell  
County Administrator

## **EXHIBIT A**

### **4.3 Family Subdivision Exemption**

The Assistant County Administrator of Community Planning Development and Public Works or his/her authorized representative shall be permitted to sign plats of family subdivisions without such subdivision of land having first obtained preliminary approval. Such division of land must meet the minimum requirements of this subsection.

A family subdivision is defined as the division of land into two or more new lots at one time or over a period of time where conveyance may only be to members of the immediate family of the property owner. Immediate family is defined as any person who is a natural or legally defined offspring, stepchild, spouse, sibling, aunt, uncle, niece, nephew, grandchild, grandparent, or parent of the owner.

Applications for Family Subdivisions must submit the following requirements for review and processing:

- A. Plat, signed and sealed by a Professional Land Surveyor.
- B. All plats for family subdivision shall be accompanied by an affidavit which shall be signed by the grantor and grantee under oath and penalty of perjury that identifies the family subdivision as being for the purpose of conveyance to a qualifying family member and identifying the receiving family member and the relations to the grantor.
- C. The property owner may be a family trust or family partnership so long as the trustees, beneficiaries and/or partners are composed only by members of the immediate family of the property grantor.

The following minimum requirements must be met to ensure that the development of family subdivision lots will protect public health and safety and the orderly development of the surrounding area.

- A. Each lot must conform to the required minimum lot size per the Greenville County Zoning Ordinance or Greenville County Land Development Regulations in unzoned areas, and/or as required by SCDHEC.
- B. Each lot must have direct access from the lot to a right of way dedicated to public use.
- C. In the unzoned area of the County, family subdivisions not fronting on a public road may utilize the unpaved shared drive option to provide access.
- D. The proposed subdivision of lots may not obstruct or potentially obstruct the floodplain.
- E. The proposed subdivision may not violate the intent of the Subdivision or Zoning Ordinances.
- F. The parcel is not located in an existing subdivision (residential development).

If at the time of subdividing, the applicant does not wish to develop any of the lots, the following notes are to be added to the plat:

- A. This division is in accordance with the Family Subdivision Exemption.
- B. There is no land disturbance associated with this Family Subdivision.
- C. At the subdivider's request, this plat was not evaluated for future development (water availability, sewer availability, stormwater management requirements, floodplain requirements or encroachment requirements).
- D. At the time of development each lot must be evaluated for development and obtain a Land Disturbance Permit through Land Development Division to address water quantity and quality.
- E. A building and land disturbance hold will be placed on each lot until a Land Disturbance Permit has been obtained.