

1974 WL 27895 (S.C.A.G.)  
Office of the Attorney General  
State of South Carolina  
July 31, 1974

\*1 Mr. Eric P. Thompson  
Director of Planning  
Lower Savannah Regional Planning and Development Council  
Post Office Box 850  
Aiken, South Carolina 39801

Dear Mr. Thompson:

Thank you for your letter of June 18, 1974, in which you raised various questions concerning South Carolina Code of Laws, 1962, as amended, Section 14-350.2, et seq.

You have raised the following questions:

(a) Exactly what does the term 'and established political entities' imply? Does this mean that extraterritorial jurisdiction if granted must encompass an entire political subdivision such as a voting precinct or school district?

This term is used in the statute merely to demonstrate the types of easily identifiable features to be used in describing the area that will be within the jurisdiction of the planning commission. Its use in the statute should not be interpreted as meaning that the entire political entity must be included in the planning commission.

(b) May such agreement be temporary in nature; that is, may planning jurisdiction be granted to the City of Aiken only until such time as Aiken County establishes zoning and subdivision ordinances?

Yes. This agreement may be temporary in nature.

(c) If such jurisdiction were granted to a particular section comprising several hundred acres of the unincorporated area, could this be construed as 'spot zoning'?

No. The purpose of this statute is to authorize a commission to plan for future development in a particular section.

(d) In view of the fact that the City of Aiken Planning and Zoning Commission is constituted under special legislation, would reconstitution under the provisions of Act 487 be necessary?

No. Section 47-342 states

This chapter shall not have any effect upon the powers and duties of any planning organization, either local or regional, existing prior to July 3, 1967.

Sincerely,

Treva Ashworth  
Assistant Attorney General

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