

The Bottom Line: H. 4050 Concurrency

H.4050 is the House companion to S.227, and it does essentially the same thing for local planning law.

Core change

- Amends Section 6-29-720 to define **“concurrency programs”** in the zoning ordinance statute as systems where local governments condition development approvals on whether public facilities and services (like roads, utilities, schools) are adequate, sometimes called adequate public facilities programs.
- Amends Section 6-29-1130 so that when a local government has adopted key elements of its comprehensive plan, its land development regulations may include requirements implemented “by an adopted concurrency program” for streets, school sites, recreation areas, utilities, and other public facilities and services.

What concurrency programs must do

- Allow local governments to tie development timing and approvals to reasonable, locally documented level-of-service standards and proportionate-share methodologies, so that infrastructure keeps pace with growth.
- Allow the use of proportionate-share or cost-sharing agreements with developers and require consideration of any impact fees or similar payments already made, to avoid double-charging for the same facilities.

Practical effect

- Explicitly authorizes and defines concurrency/adequate public facilities programs in South Carolina law, rather than leaving their legality implied or ambiguous.
- Gives cities and counties a clearer legal basis to require that necessary infrastructure is in place or funded as a condition of approving new development, aimed at managing growth and infrastructure strain.