

STATE OF SOUTH CAROLINA)
COUNTY OF NEWBERRY)

ORDINANCE NO. 04-04-18

AN ORDINANCE ACTING ON A REQUEST TO AMEND THE OFFICIAL ZONING MAP ESTABLISHED PURSUANT TO ZONING ORDINANCE NO. 06-11-16, CODIFIED IN CHAPTER 153 OF THE NEWBERRY COUNTY CODE OF ORDINANCES, SO AS TO REZONE A THIRTEEN AND SEVENTEEN HUNDREDTHS (13.17) ACRES PORTION OF A REAL ESTATE PARCEL TOTALING SIXTEEN AND THIRTY-THREE HUNDREDTHS (16.33) ACRES DESIGNATED AS TMS PARCEL NO. 577-16 FROM INDUSTRIAL (IND) TO GENERAL COMMERCIAL (GC).

WHEREAS, Zoning Ordinance No. 06-11-16, codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classifications and districts, as well as an Official Zoning Map; and

WHEREAS, said Zoning Ordinance provides procedures for the amendment of both the text of the Ordinance and the district boundaries shown on the Official Zoning Map; and

WHEREAS, pursuant to the procedures established by the Zoning Ordinance, application was made for a map amendment to rezone a thirteen and seventeen hundredths (13.17) acres portion of a parcel totaling sixteen and thirty-three hundredths (16.33) acres located at the southwestern quadrant of the intersection of US Hwy 76 and SC Hwy 773 abutting the Mid-Carolina High School to General Commercial (GC) from Industrial (IND). Tax Map No. 577-16 is currently developed land with structures to remain in industrial use and a structure that is currently used for business office space. The Comprehensive Plan shows the future land use for this area to be Economic Development which is compatible with the proposed zoning district's permitted uses. The 75' right-of-way of the state maintained paved road (US Hwy 76) is adequate to handle

traffic this rezoning may incur. The Planning Staff does recommend that this real estate parcel be rezoned to General Commercial (GC).

WHEREAS, the Newberry County Joint Planning Commission, in case number MA01-03-20-18, had this matter on its agenda and considered this request and received comments as to both the existing and intended uses of the property. The Planning Commission determined that it concurs with the recommendation of the Planning Staff. The Planning Commission has now forwarded its report on the rezoning request to Newberry County Council, as required by law, for consideration of its actions by Newberry County Council.

WHEREAS, Newberry County Council is familiar with the site and the existing uses of the properties along this portion of US Hwy 76;

NOW, THEREFORE, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning this thirteen and seventeen hundredths (13.17) acres portion of a real estate parcel TMS No. 577-16 containing sixteen and thirty-three hundredths (16.33) acres located at the southwestern quadrant of the intersection of US Hwy 76 and SC Hwy 733 as more particularly shown on the plat accompanying the submitted “Official Zoning Map Amendment Application” included in the submitted Planning Commission report attached hereto, to General Commercial (GC) from Industrial (IND):

A. That the proposed map amendment does promote the implementation of the Comprehensive Plan in the area.

B. This amendment is needed because the proposed development cannot be accomplished by the owner under the existing zoning district regulations.

C. That traffic patterns in the neighborhood will not be adversely affected by the change in zoning.

NOW, THEREFORE, BE IT ORDAINED that:

Newberry County Council hereby determines, based on the findings set forth above, that the attached rezoning request for a map amendment for a thirteen and seventeen hundredths (13.17) acres portion of a real estate parcel TMS No. 577-16 containing sixteen and thirty-three hundredths (16.33) acres located at the southwestern quadrant of the intersection of US Hwy 76 and SC Hwy 733 as acted on by the Planning Commission, be:

- _____ disapproved;
 - _____ approved; or
 - _____ approved with the following modifications: _____
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AND IT IS SO ORDAINED by Newberry County Council this _____ day of _____, 2018 in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: _____
Henry H. Livingston, III, Chairman

Attest:

Laurie N. Renwick, Clerk to Council

1st reading: _____
Public Hearing: _____
2nd reading: _____
3rd reading: _____

Reviewed and approved as to form:

A. J. Tothacer, Jr., County Attorney

Wayne Adams, County Administrator