

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 05-14-17

AN ORDINANCE ACTING ON A REQUEST TO AMEND THE OFFICIAL ZONING MAP ESTABLISHED PURSUANT TO ZONING ORDINANCE NO. 12-24-01, AS REVISED AND AMENDED BY ZONING ORDINANCE NO. 6-11-16, TO BE CODIFIED IN CHAPTER 153 OF THE NEWBERRY COUNTY CODE OF ORDINANCES ESTABLISHING ZONING CLASSIFICATIONS AND DISTRICTS, SO AS TO REZONE A TEN (10.0) ACRES PORTION OF A REAL ESTATE PARCEL TALLING ONE HUNDRED AND FORTY-EIGHT AND EIGHT TENTHS (148.8) ACRES DESIGNATED AS TMS PARCEL NO. 450-13 FROM RURAL (R2) TO GENERAL COMMERCIAL (GC).

WHEREAS, Zoning Ordinance No. 12-24-01, as revised and amended by Zoning Ordinance no. 6-11-16, and to be 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 ten (10.0) acres portion of a real estate parcel totaling one hundred and forty-eight and eight tenths (148.8) acres designated as TMS parcel 450-13 from R2 – Rural to GC – General Commercial. Three and nine tenths (3.9) acre portion of this ten acre portion to be rezoned is already GC – General Commercial per Ordinance #06-21-06 however the acreage drawn on the official zoning map does not agree with the acreage in this ordinance # 06-21-06. This ten (10.0) acres portion of the real estate parcel is located abutting the westbound ramp of Exit 76 at the southeastern quadrant of the intersection of I-26 and SC Hwy 219 in Newberry to

General Commercial (GC) from Rural (R2). Tax Map No. 450-13 is currently undeveloped land with the exception of an underground sewer to the east of the portion to be rezoned just west of the creek that serves as the eastern boundary of the portion to be rezoned. 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 use. The roads are adequate to handle any extra traffic this rezoning may incur. The Planning Staff does recommend that this portion of the real estate parcel be rezoned to General Commercial (GC).

WHEREAS, the Newberry County Joint Planning Commission, in case number MA01-04-18-17, 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 at this intersection of I-26 (Exit 76) and SC Hwy 219 in Newberry;

NOW, THEREFORE, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning this ten (10.0) acres portion of real estate parcel TMS No. 450-13 located at the southeastern quadrant of the intersection of I-26 (Exit 76) and SC Hwy 219 in Newberry 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 Rural (R2):

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 ten (10.0) acres portion of a real estate parcel totaling one hundred and forty-eight and eight tenths (148.8) acres as acted on by the Planning Commission, be:

_____ disapproved;

_____ approved; or

_____ approved with the following modifications: _____

_____.

AND IT IS SO ORDAINED by Newberry County Council this _____ day of _____, 2017 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: _____

Reviewed and approved as to form:

Public Hearing: _____

2nd reading: _____

3rd reading: _____

A. J. Tothacer, Jr., County Attorney

Wayne Adams, County Administrator