

FILED
NEWBERRY COUNTY

STATE OF SOUTH CAROLINA)

2023 OCT -5 AM 8:49

ORDINANCE NO. 08-01-2023

NEWBERRY COUNTY

ELIZABETH P FOLK
CLERK OF COURT

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 AND CODIFIED IN CHAPTER 153 OF THE NEWBERRY COUNTY CODE OF ORDINANCES, ESTABLISHES ZONING CLASSIFICATION AND DISTRICTS SO AS TO REZONE TWO (2) REAL ESTATE PARCELS TOTALING TWELVE AND TWENTY-NINE HUNDREDTHS (12.29) ACRES DESIGNATED AS TMS NO. 290-16 AND TMS NO. 290-12 FROM LC-LIMITED COMMERCIAL TO RG-GENERAL RESIDENTIAL.

WHEREAS, Zoning Ordinance, 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 two (2) real estate parcels totaling twelve and twenty-nine hundredths (12.29) acres located at 8152 Highway 121, Newberry, to RG-General Residential from LC-Limited Commercial. Tax Map No. 290-16 and Tax Map No. 290-12 are both currently undeveloped. The Comprehensive Plan shows the future land use for this area to be within the economic development projected area. The Planning Staff does recommend that this real estate parcel be rezoned to RG-General Residential.

WHEREAS, the Newberry County Joint Planning Commission, in case number MA01-07-18-23, 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 Joint Planning Commission determined that it does concur 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 located at 8152 Highway 121., Newberry.

NOW, THEREFORE, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning Tax Map No. 290-16 and Tax Map No. 290-12, totaling twelve and twenty-nine hundredths (12.29) acres located at 8152 Highway 121., 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, RG-General Residential from LC-Limited Commercial:

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 Tax Map No. 290-16 and Tax Map No. 290-12, totaling twelve and twenty-nine hundredths (12.29) acres real estate parcel 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 4th day of October, 2023 in meeting duly assembled at Newberry, South Carolina.

(SEAL)

NEWBERRY COUNTY COUNCIL

By: Leslie Hipp
Leslie Hipp, Vice-Chairman

Attest: Andrew Wigger
Andrew Wigger, Clerk to Council

1st reading: 08/16/2023
2nd reading: 09/06/2023
Public Hearing: 10/04/2023
3rd reading: 10/04/2023

Reviewed and approved as to form:

Joan Winter
Attorney

Jeffrey
County Administrator