

STATE OF SOUTH CAROLINA)
)
NEWBERRY COUNTY)

ORDINANCE NO. 08-23-21

FILED
NEWBERRY COUNTY
2021 OCT 14 PM 4:00
ELIZABETH P. FOSTER
CLERK OF COURT

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE COUNTY OF NEWBERRY ADOPTED JUNE 20, 2016, SO AS TO AMEND THE ZONING MAP ACTING ON A REQUEST TO AMEND THE OFFICIAL ZONING MAP ESTABLISHED, CODIFIED IN CHAPTER 153 OF THE COUNTY OF NEWBERRY CODE OF ORDINANCES, SO AS TO REZONE ONE (1) REAL ESTATE PARCEL TOTALING FOUR AND SIXTY-FOUR HUNDREDTHS (4.64) ACRES DESIGNATED AS TMS PARCEL NO. 576-9 FROM R2-RURAL TO INDUSTRIAL.

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 one real estate parcel totaling four and sixty-four hundredths (4.64) acres located at 1206 SC Highway 773, between Cy Schumpert Road and the I26 Interchange to Industrial from R2-Rural. Tax Map No. 576-9 currently has a site-built home on the property. The Comprehensive Plan shows the future land use for this area to be within the economic development area of SC Highway 773 and I26 Interstate. The proposed zoning district should not adversely affect the existing farmlands in the area. There should be no traffic problems with this real estate parcel being placed into the IND-Industrial zoning district since SC Highway 773 has a 66-foot right-of-way. The Planning Staff does recommend that this real estate parcel be rezoned to IND-Industrial.

WHEREAS, the Newberry County Joint Planning Commission, in case number MA06-07-20-21, 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 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 SC Highway 773;

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. 576-9 totaling four and sixty-four hundredths (4.64) acres located along SC Highway 773, between Cy Schumpert Road and the I26 Interchange as more particularly shown on the plat accompanying the submitted "Official Zoning Map Amendment Application" included in the submitted Planning Commission report attached hereto, Industrial (IND) from R2-Rural :

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 TMS No. 576-9 and totaling four and sixty-four hundredths (4.64) 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 15th day of September, 2021 in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: Henry H. Swain
Chairman

Attest:
Susan C. Fellers
Susan C. Fellers, Clerk to Council

1st reading: August 18, 2021
Public Hearing: September 15, 2021
2nd reading: September 1, 2021
3rd reading: September 15, 2021

Reviewed and approved as to form:

[Signature]
Attorney

Tony McDonald
County Administrator