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)	ORDINANCE NO. 03-05-2022	20
NEWBERRY COUNTY)	COP I	
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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 ONE AND FORTY-NINE HUNDREDTHS (1.49) ACRES DESIGNATED AS TMS PARCEL NO. 340-2-21 FROM RS – SINGLE FAMILY RESIDENTIAL TO R2-RURAL.

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 (1) real estate parcel totaling one and forty-nine hundredths (1.49) acres located at 119 Pender Ridge Road, between Apple Orchard Lane and Grace's Lane, to R2-Rural from RS – Single Family Residential. Tax Map No. 340-2-21 has an existing vacant commercial use building on the parcel. The Comprehensive Plan shows the future land use for this area to be within the economic development projected area. There should be no traffic problems with this real estate parcel being placed into R2-Rural zoning district since Pender Ridge Road has a 40-foot right-of-way. The Planning Staff does recommend that this real estate parcel be rezoned to R2-Rural.

WHEREAS, the Newberry County Joint Planning Commission, in case number MA03-02-15-22, 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 Pender Ridge Road;

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. 340-2-21 totaling one and forty-nine hundredths (1.49) acres located at 119 Pender Ridge Road, as more particularly shown on the plat accompanying the submitted "Official Zoning Map Amendment Application" included in the submitted Planning Commission report attached hereto, R2-Rural from RS – Single Family Residential:

- 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. 340-2-21 totaling one and forty-nine (1.49) 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 6th day of , 2022 in meeting duly assembled at Newberry, South Carolina. NEWBERRY COUNTY COUNCIL (SEAL) 1st reading: 3-2-2022 Reviewed and approved as to form: 2nd reading: 3-16-2022 Public Hearing: 4-6-2022 3rd reading: 4-6-2022 Attorney

County Administrator