

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 10-02-2025

AN ORDINANCE TO AMEND THE TEXT OF THE OFFICIAL ZONING ORDINANCE OF NEWBERRY COUNTY, SOUTH CAROLINA, AS CODIFIED IN CHAPTER 153 OF THE CODE OF ORDINANCES OF NEWBERRY COUNTY, SOUTH CAROLINA, TO ESTABLISH A NEW ZONING DISTRICT, RMPD – RESIDENTIAL MASTER PLANNED DISTRICTS.

WHEREAS, the Official Zoning Ordinance of Newberry County, South Carolina, as codified in Chapter 153 of the Code of Ordinances of Newberry County, South Carolina was adopted by Newberry County Council, upon recommendation by the Joint Planning Commission of Newberry County, to implement the land use element of the Newberry County Comprehensive Plan and to promote the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of Newberry County; and

WHEREAS, S.C. Code of Laws Section §6-29-720 grants authority to Newberry County to create zoning districts of such number, shape and size as Newberry County Council determines to be best suited to carry out the purposes of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended and to implement the Newberry County Comprehensive Plan; and

WHEREAS, S.C. Code of Laws Section §6-29-720 provides seven specific zoning techniques for implementation of the goals of the comprehensive plan and authorizes Newberry County Council to utilize any other planning and zoning techniques to implement the purposes of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended and to achieve the goals of the Newberry County Comprehensive Plan; and

WHEREAS, Newberry County Council desires to establish a new residential-only zoning district, RMPD – Residential Master Planned Districts, to provide a variety of housing choices and promote creative design while protecting natural resources, preserving the character of surrounding areas, and making efficient use of available infrastructure; and

WHEREAS, the Joint Planning Commission of Newberry County met on July 15, 2025 to review the proposed RMPD – Residential Master Planned Districts guidelines and voted in favor of recommending the adoption of those guidelines by Newberry County Council as a zoning text amendment.

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, South Carolina in Council duly assembled this 5th day of November 2025 that the official Zoning Ordinance of the County of Newberry, South Carolina is amended as follows:

§ 153.067 ESTABLISHMENT OF ZONING DISTRICTS.

The following zoning districts are hereby established.

<i>District</i>	<i>Primary Uses</i>	<i>Minimum Residential Lot Size*</i>
<i>Primary Zoning Districts</i>		
R2	Rural	1 acre
RS	Single-Family Residential	20,000 sq. ft.
RSV	Single-Family Residential	20,000 sq. ft.
RSM	Single-Family Residential	15,000 sq. ft.
RG	General Residential	10,000 sq. ft
LC	Limited Commercial	None
GC	General Commercial	None
IND	Industrial	None
PDD	Planned Development District	None
RMPD	Residential Master Planned Districts	None
<i>Overlay Districts</i>		
CPO	Corridor Protection Overlay District	None
AP	Airport Overlay District	None
* Or per applicable SC DHEC requirements		

§ 153.068 PURPOSE OF DISTRICTS.

(B) *Primary zoning districts.* Each primary use district serves a different purpose and imposes its own set of requirements and restrictions on the use of land in addition to the general requirements and restrictions imposed on all land or uses within the county.

(10) Residential Master Planned Districts are higher density, residential-only areas. The purpose of RMPDs is to promote creative and innovative design while protecting natural resources, making efficient use of available infrastructure, and preserving the character of the surrounding area.

§ 153.077 RMPD – RESIDENTIAL MASTER PLANNED DISTRICTS.

(A) *Residential Master Planned Districts (RMPD).* Residential Master Planned Districts are higher density, residential-only areas in which the principal use of land may include small and larger lot subdivisions, zero lot line developments, patio homes, duplexes, townhouses, and multi-family developments, or a combination thereof. The purpose of RMPDs is to promote creative and innovative design while protecting natural resources, making efficient use of available infrastructure, and preserving the character of the surrounding area. In addition, RMPDs are intended to promote more economical and efficient use of land while providing a harmonious variety of housing choices.

(B) *Uses Permitted in RMPD.* The uses allowed in an RMPD are limited to:

Dwelling, Duplex

Dwelling, Multi-family

Dwelling, Single-family Attached

Dwelling, Single-family Detached

Dwelling, Zero Lot Line

Accessory Uses as permitted in this Zoning Ordinance for the appropriate dwelling type(s) listed above

(C) *Minimum Area Requirement.* The minimum site area requirements for establishing an RMPD shall be ten contiguous acres.

(D) *Supplemental RMPD Requirements.*

(1) A naturally preserved buffer area of existing plants and trees at least 100 feet in width shall be provided along the exterior perimeter property line of the entire development in conformance with section 153.182 of this ordinance. Wetlands and stormwater retention areas may not be included in buffer areas.

(2) A setback of 20 feet shall be required on lots located along the outside border of the development. The 20-foot setback shall be measured from the buffer area.

- (3) At least 15 percent of the total master plan area must be designated as open space and be in conformance with section 153.185. Required buffer areas shall not be counted toward this minimum.
- (4) The maximum density shall be six dwelling units per acre. The calculation of dwellings per acre shall exclude acreage in open space and acreage within the required perimeter buffer.

(E) *Where and How RMP Districts are Permitted.*

- (1) RMP Districts shall be established by amendment to the official zoning map and related amendatory actions. Tracts, suitable in location and character to the uses and structures proposed, are to be planned and developed in a unified basis, according to the requirements and procedures set forth herein. All plans for the proposed RMP district rezoning must accompany the amendment request.
- (2) When applying for a zoning amendment for a RMP district, the developer shall provide a detailed master plan that outlines the intended development pattern for the site which will be the approved development plan. The Zoning Administrator, with input from county agencies responsible for providing service to the proposed development, shall provide the Planning Commission with a recommendation based on the availability of services. The Planning Commission may review the request up to two times to encourage public input on the design of the master plan proposal. The Planning Commission may take additional time beyond the typical 30-day review period as identified under §153.054 with the approval of the developer. If the developer does not agree to the extension of time necessary for adequate review, the item shall be forwarded to County Council noting the Planning Commission's concerns without a recommendation.
- (3) Upon approval by County Council, the approved RMPD master plan and related documents shall be the governing documents for development approvals on the site.
- (4) Each RMPD shall be identified on the zoning map and in the zoning ordinance by a prefix and number indicating the particular district, as for example "RMPD-1," together with any additional identification as needed.
- (5) Any amendments to the RMPD master plan shall be reviewed by the Planning Commission and approved by County Council.
- (6) The developer is authorized to begin construction of streets and infrastructure following preliminary plat approval by the Planning Commission and verification that the preliminary plat complies with all requirements specified by County Council, the Planning Commission, SCDES, and Chapter 154 – Newberry County Land Development Regulations, including recording of restrictive covenants. RMPDs shall follow all applicable development requirements set forth in Chapter 154 – Newberry County Land Development Regulations.

- (7) The final approved site plan for a RMPD shall be in effect for a period of two years or other development schedule as specified in the RMPD. The owner of an approved RMPD may apply in writing before the end of the two-year approval period or other development schedule specified in the RMPD to the Newberry County Planning Commission for an annual one-year extension. The Planning Commission may approve applications for up to five annual extensions of the approval period if a timely and properly written application has been filed for each extension with the Planning Commission. If no such application is made, the approval period or extension shall expire at the end of the approval or extension period.
- (8) If the responsible party fails to begin, fails to progress, or fails to complete development as agreed in the RMPD master plan and related documents, County Council may charge the developer with violation of the zoning ordinance, may rezone the property, or may take any combination of these actions. In any event, if the planned development is not initiated within two years of its establishment, the Planning Commission shall initiate the rezoning of the property to an appropriate district classification in conformity with the comprehensive plan.
- (F) *Development Standards.* The development standards of minimum lot areas, setbacks, density, height of structures, and parking and buffering requirements shall be established on a detailed master plan and related documents and approved by County Council. The proposal application is not complete, and shall not be reviewed, until all items below are addressed and included in the submittal:
- (1) A site plan of the development outlining the scaled dimensions of the property including adjoining public and private rights-of-way and easements. The plan shall detail the location, arrangement, dimensions, extent, and character of the following:
- (a) Adjacent streets and alleys.
 - (b) Structures by type of uses, exterior materials to be used, maximum height of structures, bedroom mix, gross floor area for each structure, and land coverage of buildings and impervious area.
 - (c) Setbacks between structures and property lines.
 - (d) Residential densities by housing type and maximum number of dwelling units.
 - (e) Interior streets and drives, ingress and egress points, and vehicular circulation and coordinated with existing roads and sidewalks.
 - (f) Parking, including storage of boats, campers, trailers, and recreational vehicles.
 - (g) Dumpster locations.
 - (h) Mailbox locations.
 - (i) Pervious and impervious areas.
 - (j) Open space.

- (k) Dimensions of separations between buildings, streets, and other features.
 - (l) Land dedications and public improvements.
 - (m) Location of signs and lighting.
 - (n) Ownership and maintenance of streets, open space, and common areas.
 - (o) Any other items, features, dimensions, or information required by the Planning Commission or by County Council.
- (2) A landscape plan identifying existing and proposed structures, any significant trees, proposed trees and landscaping, topography with contour intervals of five feet or less, buffer areas, fencing and walls including purpose and timing of construction, and other significant natural features including delineated floodplains, wetlands, and waterways. All natural drains shall remain open.
 - (3) A general structural detail outlining the typical elevations of the types of buildings with architectural details.
 - (4) A preliminary development schedule for the completion of roads, infrastructure, buffer yards, and any other proposed improvements for general use.
 - (5) Deed restrictions that outline the standards of the development including, but not limited to, parking agreements, easements, use of common areas, and dedication of public lands. Notwithstanding this provision, Newberry County has no authority or responsibility to enforce deed restrictions.
 - (6) Modifications identified from the requirements of Chapter 154 – Newberry County Land Development Regulations, if any.
- (G) *Amendment of Development Standards.* Any proposed amendments or modifications to the development standards of an approved RMPD master plan shall be reviewed by the Planning Commission and approved by County Council.

NEWBERRY COUNTY COUNCIL

BY: _____
Robert Shealy, Chairman

(SEAL)

ATTEST:

Andrew Wigger, Clerk to Council

Approved as to form:

Joanie Winters, County Attorney

Jeff Shacker, County Administrator

1st Reading:	October 1, 2025
2nd Reading:	October 15, 2025
Public Hearing:	October 15, 2025
3rd Reading:	November 5, 2025