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CLERK OF COURT
LANCASTER, SC

STATE OF SOUTH CAROLINA

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ORDINANCE NO. 2019- 1599

COUNTY OF LANCASTER

AN ORDINANCE

TO AMEND ORDINANCE 2016-1442, THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”), BY THE DELETION OF EXISTING WORDING IN SECTION 9.2.15(D) AND THE ADDITION OF WORDING TO SECTION 9.2.15(D). THE AMENDMENT REMOVES THE 12 MONTH WAITING PERIOD FOR SUBSEQUENT TEXT AMENDMENT AND REZONING APPLICATIONS AFTER DENIAL IF THE SUBSEQUENT APPLICATIONS IS A REZONING APPLICATION FOR A DIFFERENT USE DESIGNATION OR IS INITIATED BY COUNTY COUNCIL OR PLANNING COMMISSION.

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) Unified Development Ordinance (“UDO”) Section 9.2.15 requires a twelve (12) month waiting period before application may be made on the same UDO text amendment request or rezoning request.
- (b) The twelve (12) month waiting period denies flexibility for the Planning Commission or County Council when proposing text amendments or rezoning requests on their own initiative.
- (c) The twelve (12) month waiting period restricts options should Planning Commission or County Council wish to propose an alternate UDO text amendment or rezoning for a previously denied application for UDO text amendment or rezoning.

Section 2. Amendment of Ordinance 2016-1442

Ordinance 2016-1442 (Unified Development Ordinance) Chapter 9, Administration, Section 2, Review Procedures, Subsection 15, Text Amendments and Rezonings, Part (D), Waiting Period for Subsequent Application is amended as follows:

~~Indicates Matter Stricken~~

Indicates New Matter

SECTION 9.2.15 TEXT AMENDMENTS AND REZONINGS

D. WAITING PERIOD FOR SUBSEQUENT APPLICATIONS

When an application for an amendment has been ~~approved or denied~~ by the County Council, no application shall be considered on the same issue zoning amendment request affecting the same property or part thereof within the next 12 months after ~~approval or denial~~. This 12 month period does not apply to action initiated by either the County Council or Planning Commission.

Section 3. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

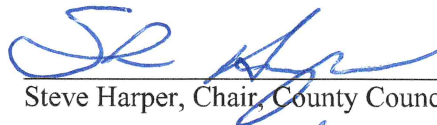
Section 5. Effective Date.

This ordinance is effective upon Third Reading.

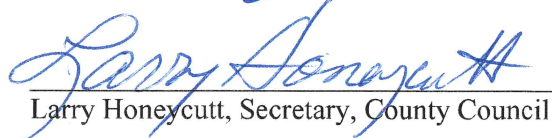
AND IT IS SO ORDAINED

Dated this 26th day of August, 2019.

LANCASTER COUNTY, SOUTH CAROLINA

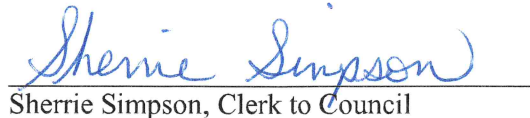


Steve Harper, Chair, County Council



Larry Honeycutt, Secretary, County Council

ATTEST:



Sherrie Simpson, Clerk to Council

First Reading: July 15, 2019
Second Reading: August 12, 2019
Public Hearing: August 12, 2019
Third Reading: August 26, 2019