

FILED
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OF COURT
2020 JUN 23 PM 3:45
CLERK OF COURT
LANCASTER, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2020-1658

AN ORDINANCE

TO AMEND ORDINANCE 2016-1442, THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”), CHAPTER 9.2.4, PUBLIC NOTIFICATION, TO PROVIDE FOR UPDATED GENERAL NOTICE REQUIREMENTS.

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

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) Lancaster County Planning made application for text amendment of the Unified Development Ordinance (“UDO”) Chapter 9.2.4, Public Notification, so as to provide for updated general notice requirements.
- (b) The proposed text amendment will update the timeframes established within the UDO to improve the clarity of the ordinance, as well as to allow for the simultaneous notice via mail for both Planning Commission and County Council.
- (c) The proposed text amendment has been found to be consistent with all applicable provisions of the Comprehensive Plan as required by Chapter 9.2.15.B.3. Further, the proposed text amendment has been reviewed for compliance with the applicable provisions of SC Code Title VI and has been found to be consistent with those provisions.
- (d) The proposed amendment will allow staff to more efficiently process County Council public hearing notices, while also allowing the Council to hold its public hearing at first ordinance reading.
- (e) The Lancaster County Planning Commission considered the proposed text amendment at its meeting of March 17, 2020, and voted unanimously to recommend that County Council approve the text amendment.

Section 2. Amendment of Ordinance 2016-1442

Ordinance 2016-1442 (Unified Development Ordinance) Chapter 9.2.4. is amended as set forth in “Exhibit 1” attached hereto and incorporated herein by reference.

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.

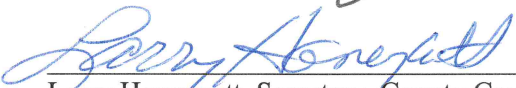
This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

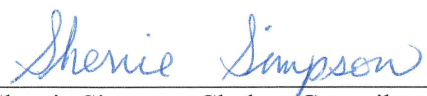
Dated this 22nd day of JUNE, 2020.

LANCASTER COUNTY, SOUTH CAROLINA


Steve Harper, Chair, County Council

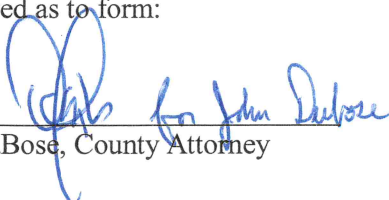

Larry Honeycutt, Secretary, County Council

ATTEST:


Sherrie Simpson, Clerk to Council

First Reading:	April 27, 2020
Second Reading:	May 26, 2020
Public Hearing:	June 22, 2020
Third Reading:	June 22, 2020

Approved as to form:


John DuBose, County Attorney

9 ADMINISTRATION

9.2 REVIEW PROCEDURES

9.2.4 PUBLIC NOTIFICATION

B. LEVEL 2 – GENERAL NOTICE IN NEWSPAPER

2. Required Period of Notice – Comprehensive Plan Amendments: The County shall publish a notice prior to the hearing date. The publication shall appear at least 30 calendar days prior to the hearing date.

23. Required Period of Notice – All Other Hearings: The County shall publish a notice prior to the hearing date. The publication shall appear at least 15 calendar days prior to the hearing date ~~or 30 calendar days per SC Code Title VI, as amended.~~

C. LEVEL 3 – NOTIFICATION TO AFFECTED AND ADJACENT PROPERTY OWNERS

1. Mailed Notice

b. Required Period of Notice – All Other Hearings: Such notification shall be postmarked at least 15 ~~and no more than 30~~ calendar days prior to the date of the meeting at which the matter is to be heard.

3. Posted Notice: In addition to providing mailed notice or published notice, as required in ~~paragraphs A and B above~~ Sections 9.2.4.A and B., the County shall place a sign in a prominent location on the subject property(ies) or on an adjacent public street or highway right-of-way with a notice of the pending action and a phone number to contact for additional information. Such posting shall occur at least 15 calendar days prior to the hearing date.
