

**ORDINANCE NO. 329.2019**

**AN ORDINANCE OF THE COUNTY COUNCIL OF KERSHAW COUNTY, SOUTH CAROLINA TO AMEND THE COUNTY'S OFFICIAL ZONING MAP DESIGNATION FOR 27.91 ACRES OF LAND WITH TAX PARCELS #062-00-00-055, 062-00-00-056, AND 062-00-00-058 FOR BOSKETT OMOROGIEVA ENTERPRISES, LLC, FROM RD-2 TO GD AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Kershaw County broad authority to provide a variety of services and functions within its jurisdiction, including but not limited to, utility planning, programming, and construction; transportation planning programming and construction; land use planning and regulation; economic development planning and programming; and similar activities and services; and

**WHEREAS**, Title 6, Chapter 29, et. seq., Code of Laws of South Carolina (SCCL), the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, herein after referred to as Section 6-29, provides the statutory enabling authority for Kershaw County to engage in planning and regulation of development within its jurisdiction; and

**WHEREAS**, the County Council adopted a Comprehensive Plan on March 27, 2018 pursuant to the requirements of Section 6-29-510, et. seq. SCCL; and

**WHEREAS**, the Planning and Zoning Commission is the designated local planning commission pursuant to the requirements of Section 6-29-310, et. seq.; and

**WHEREAS**, Section 6-29-710 SCCL and Article 6 of the Kershaw County Unified Code of Zoning and Land Development Regulations provide the authority and process for Kershaw County to prepare, periodically amend and enforce zoning regulations that are consistent with and implement the latest version of the adopted Comprehensive Plan; and

**WHEREAS**, pursuant to the requirements of Section 6-29-540, all public and private development proposals shall be reviewed by the Kershaw County Planning and Zoning Commission to ensure the proposed project is compatible with and implements the latest version of the Comprehensive Plan; and

**WHEREAS**, the Kershaw County Planning and Zoning Commission reviewed the proposed map amendment on March 11, 2019 and made findings of fact that the proposed amendment conforms to the requirements of the Comprehensive Plan and recommended the County Council adopt this Ordinance; and

**WHEREAS**, the Planning and Zoning Commission conducted a public hearing on March 11, 2019 as required by Article 6 of the Kershaw County Unified Code of Zoning and Land Development Regulations to consider the comments from the interested public and subsequently voted to recommend this Ordinance to County Council.

**NOW THEREFORE, BE IT ORDAINED** that the Official Zoning Map of Kershaw County, South Carolina is hereby amended to change the zoning classification for the property shown as 27.91 acres of land with Tax Parcels #062-00-00-055, 062-00-00-056, AND 0062-00-00-058 from RD-2 to GD in conformance with the requirements stated above.

**SEVERABILITY**

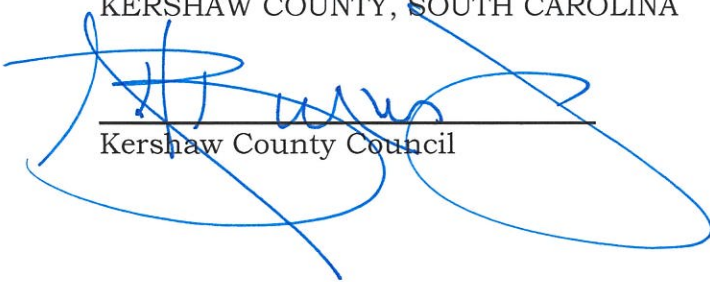
Should any section or provision of this ordinance be declared unconstitutional, or invalid for any reason, such declaration shall not affect the validity of the ordinance as a whole, or any part thereof, which is not specifically declared to be invalid, or unconstitutional.

**EFFECTIVE DATE**

This ordinance shall take effect immediately upon adoption.

ADOPTED THIS 14<sup>th</sup> DAY OF MAY, 2019

KERSHAW COUNTY, SOUTH CAROLINA

  
Kershaw County Council

ATTEST:

  
Merri M. Seigler  
Clerk to Council

First Reading      April 9, 2019  
Second Reading    April 23, 2019  
Third Reading      May 14, 2019