

## **Ordinance #2018-039**

**An Ordinance to amend Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to rezone +/- 72.12 acres from PD (Planned Development) to IZD (Innovative Zoning District) on three parcels of land, identified at the intersection of Harriett Circle, Crestview Road and Midway Road in the Town Creek Precinct shown in Deed Book 13075 and 10571 page 00120 and 00261 respectively; and including the Statement of Intent for "Spencer's Trail" dated September 24, 2018. The parcels are further identified as TMS #147-00-04-005, 147-00-04-007 and 147-00-04-009.**

**Whereas**, Anderson County, a body politic and corporate and a political subdivision of the State of South Carolina (the "County"), acting by and through its County Council (the "County Council") has previously adopted Anderson County Ordinance #99-004, the Anderson County Zoning Ordinance (the "Ordinance"), which Ordinance contains the Anderson County Official Zoning Map (the "Map"); and,

**Whereas**, the Ordinance contains provisions providing for the amendment of the Map; and,

**Whereas**, County Council desires to amend the Map by adopting a zoning map amendment from PD to IZD for +/- 72.12 acres of TMS # 147-00-04-005, 147-00-04-007 and 147-00-04-009 described above; and,

**Whereas**, the Anderson County Planning Commission has held a duly advertised Public Hearing on August 14, 2018, during which it reviewed the proposed rezoning from to PD to IZD +/- 72.12 acres of TMS # 147-00-04-005, 147-00-04-007 and 147-00-04-009 described above including the Statement of Intent and found it in compliance with the Anderson County Comprehensive Plan and on August 14, 2018, recommended it to County Council as an amendment to the Anderson County Official Zoning Map; and,

**Whereas**, the Anderson County Council has duly advertised and held a Public Hearing on September 4, 2018, regarding said amendment of the Anderson County Official Zoning Map:

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**NOW, THEREFORE, be it ordained by Anderson County Council, in meeting duly assembled, that:**

1. The Anderson County Council hereby finds that this proposed rezoning is consistent with the Anderson County Comprehensive Plan and in accord with requirements of the South Carolina Code of Laws Title 6, Chapter 29, Article 5.
2. The Anderson County Council hereby amends the Anderson County Official Zoning Map as previously adopted July 20, 1999, by Anderson County Ordinance # 99-004 to rezone from PD to IZD +/- 72.12 acres of TMS # 147-00-04-005, 147-00-04-007 and 147-00-04-009 described above, including the Statement of Intent dated September 24, 2018.
3. Should any portion of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this ordinance, all of which are hereby deemed separable.
4. All orders, resolutions, and enactments of Anderson County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. This ordinance shall take effect and be in full force and effect from and after third reading and enactment by Anderson County Council.

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ATTEST: Ordinance 2018-039

  
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Rusty Burns  
Anderson County Administrator

  
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Tommy Dunn, Chairman  
Anderson County Council

  
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Lacey A. Croegaert  
Clerk to Council

**APPROVED AS TO FORM:**

  
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Leon C. Harmon  
Anderson County Attorney

1<sup>st</sup> Reading: September 4, 2018

2<sup>nd</sup> Reading: September 18, 2018

3<sup>rd</sup> Reading: October 2, 2018

Public Hearing: September 4, 2018