Ordinance #2019-005

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 for major changes to the Rocky River (formerly Kay’s Hill) Planned Development, with +/- 108.61 acres on a parcel of land, identified as 2729 Highway 29 North, at the corner of Highway 29 North and Cox Road, in the Hammond School Precinct shown in Deed Book 12136 page 00178; and including the Statement of Intent for “Rocky River” dated December 12, 2018. The parcel is further identified as TMS #173-00-04-025.

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 for major changes to the Rocky River (formerly Kay’s Hill) Planned Development with +/- 108.61 acres of TMS #173-00-04-025 described above; and,

Whereas, the Anderson County Planning Commission has held a duly advertised Public Hearing on January 9, 2019, during which it reviewed the proposed major changes for the Rocky River (formerly Kay’s Hill) Planned Development on +/- 108.61 acres of TMS #173-00-04-025 described above, including the Statement of Intent for “Rocky River” dated December 12, 2018 and found it in compliance with the Anderson County Comprehensive Plan, and 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 February 19, 2019, regarding said amendment of the Anderson County Official Zoning Map:

REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK
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 for major changes to the Rocky River (formerly Kay’s Hill) Planned Development for +/- 108.61 acres of TMS #173-00-04-025 described above, including the Statement of Intent for “Rocky River” dated December 12, 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.

REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK
ATTEST: Ordinance 2019-005

Rusty Burns
Anderson County Administrator

Tommy Dunn, Chairman
Anderson County Council

Lacey A. Croegaert
Clerk to Council

APPROVED AS TO FORM:

Leon C. Harmon
Anderson County Attorney

1st Reading: February 5, 2019
2nd Reading: February 19, 2019
3rd Reading: March 5, 2019
Public Hearing: February 19, 2019