

**ORDINANCE # ORD-2011-05**

**AN ORDINANCE OF THE COUNTY COUNCIL OF CLARENDON COUNTY, SOUTH CAROLINA TO REPEAL THE 2001-05 UNIFIED DEVELOPMENT CODE ORDINANCE, SUBSEQUENT AMENDMENTS THERETO AND THE 1999 ZONING CLASSIFICATION MAP AND TO ADOPT THE 2011 UNIFIED DEVELOPMENT CODE AND 2011 ZONING DISTRICT CLASSIFICATION MAP IN CONFORMANCE WITH THE REQUIREMENTS OF SECTION 6-29 et.seq., CODE OF LAWS OF SOUTH CAROLINA; PROVIDING FOR SEVERABILITY AND 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 Clarendon 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, hereinafter referred to as Section 6-29, provides the statutory enabling authority for Clarendon County to engage in planning and regulation of development within its jurisdiction; and,

**WHEREAS**, the County Council adopted a Comprehensive Plan (Ordinance 2008-12) on January 12, 2009, pursuant to the requirements of Section 6-29-310, et seq., SCCL; and,

**WHEREAS**, the Clarendon County Planning Commission (PC) is the designated local planning commission pursuant to the requirements of Section 6-29-310, et seq., SCCL; and,

**WHEREAS**, Section 6-29-710 SCCL provides the authority and process for Clarendon County to prepare, periodically amend and enforce land use regulations and zoning classification maps that are consistent with and implement the latest version of the adopted Comprehensive Plan; and,

**WHEREAS**, the Clarendon County Planning Commission (PC) reviewed the proposed 2011 Unified Development Code and 2011 Zoning District Classification Map on June 27, 2011 and made findings of fact that the proposed text and map conform to the requirements of the Comprehensive Plan and recommended the County Council adopt this Ordinance; and,

**WHEREAS**, the County Council conducted a public hearing on August 8, 2011 as required by Title 6, Chapter 29, et.seq., SCCL, to consider the PC recommendation and comments from the interested public and subsequently voted to adopt this Ordinance,

**NOW THEREFORE, BE IT ORDAINED** that the 2011 UDC and 2011 Zoning District Classification Map of Clarendon County, South Carolina are hereby adopted 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 approval of third reading.

First Reading: July 11, 2011

Second Reading: August 8, 2011

Third Reading: September 12, 2011

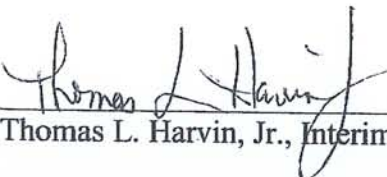
Public Hearing: August 8, 2011

**ADOPTED THIS** 12th Day of September, 2011

**COUNTY OF CLARENDON, SOUTH CAROLINA**

  
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Dwight Stewart, Chairman

ATTEST:

  
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Thomas L. Harvin, Jr., Interim Clerk to Council