

ORDINANCE # 2008-12

AN ORDINANCE OF THE COUNTY COUNCIL OF CLARENDON COUNTY, SOUTH CAROLINA TO REPEAL THE 1999 COMPREHENSIVE PLAN AND TO ADOPT THE ATTACHED 2009 COMPREHENSIVE PLAN 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, Section 6-29, Article 3 establishes the process for the preparation and periodic amendment of the Comprehensive Plan for Clarendon County, including, but not limited to, an inventory of existing conditions; a statement of needs and goals; implementation strategies with time frames; a population element; an economic development element; a natural resources element; a cultural resources element; a community facilities element; a housing element; a land use element, a transportation element and a priority investment element; and,

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

WHEREAS, Section 6-29-710 through 779 allows Clarendon 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, Section 6-29-1110 through 1199 allows Clarendon County to prepare, periodically amend and enforce land development and subdivision regulations that are consistent with and implement the latest version of the adopted Comprehensive Plan; and

WHEREAS, the Clarendon County Planning Commission (CCPC) considered the updated and new elements of the Comprehensive Plan at a public meeting on October 21, 2008; and,

WHEREAS, the County Council conducted a public hearing on December 8, 2008 as required by SCCL Section 6-29-530 to consider the CCPC recommendation and comments from the interested public and subsequently voted to adopt this Ordinance,

NOW THEREFORE, BE IT ORDAINED that the 2009 Clarendon County Comprehensive Plan attached hereto is adopted pursuant to the requirements of Section 6-29, Article 3, Code of Laws of South Carolina and the 1999 Comprehensive Plan is hereby repealed.

#### 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.

First Reading: November 10, 2008

Second Reading: December 8, 2008

Third Reading: January 12, 2009

Public Hearing: December 8, 2008

ADOPTED THIS 12<sup>th</sup> Day of January, 2009

#### COUNTY OF CLARENDON, SOUTH CAROLINA

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Dwight Stewart, Chairman

ATTEST:

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Betty Pritchard, Clerk to Council