

ORDINANCE # 2021-08

AN ORDINANCE OF THE COUNTY COUNCIL OF CLARENDON COUNTY, SOUTH CAROLINA TO AMEND THE COUNTY'S OFFICIAL ZONING MAP DESIGNATION FOR TAX MAP PARCEL # 084-00-02-015-00; FROM SINGLE FAMILY RESIDENTIAL (SFR) TO AGRICULTURE I (AGI) 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 Clarendon County broad authority to provide of 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 Clarendon County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, the County Council adopted a Comprehensive Plan (Ordinance 2018-11) on December 10, 2018, pursuant to the requirements of Section 6-29-510, et. seq. SCCL; and

WHEREAS, the Planning Commission (PC) 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 Sections 91 (maps) 92 (text) of the Clarendon County Unified Development Code (UDC) provide the authority and process for Clarendon County to prepare, periodically amend and enforce land use 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 Clarendon County Planning Commission (PC) to ensure the proposed project is compatible with and implements the latest version of the Comprehensive Plan; and

WHEREAS, the Clarendon County Planning Commission (PC) reviewed the proposed map amendment on August 17, 2021 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 County Council conducted a public hearing on October 11, 2021 as required by Section 91 (maps) of the UDC to consider the PC recommendation and comments from the interested public and subsequently voted to adopt this Ordinance.

CERTIFIED TRUE COPY
OF ORIGINAL FILED IN THIS OFFICE

DATE 11/9/21

Beulah S. Roberts

CLERK OF COURT
CLARENDON COUNTY, SC

2021 NOV 9 PM 4:31
Beulah Roberts, Clerk-Clarendon S.C.

NOW THEREFORE, BE IT ORDAINED that the Official Zoning Map of Clarendon County, South Carolina is hereby amended to change the zoning classification for the property described and depicted in Exhibit A from Single Family Residential (SFR) to Agriculture I (AGI) 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.

First Reading: September 13, 2021

Second Reading: October 11, 2021

Third Reading: November 8, 2021

Public Hearing: October 11, 2021

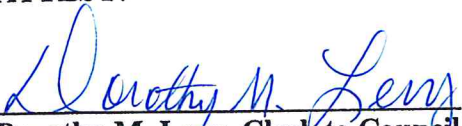
ADOPTED this 8th day of November, 2021

COUNTY OF CLARENDON, SOUTH CAROLINA



Dwight Stewart, Chairman

ATTEST:



Dorothy M. Levy, Clerk to Council



Clarendon County Planning Commission

411 Sunset Drive, Manning, SC 29102
Telephone: (803) 435-8672 / Fax: (803) 435-2208

PLANNING COMMISSION RECOMMENDATION

TO: Clarendon County Council Members
FROM: Maria M. Rose, PC Director *mmr*
DATE: August 26, 2021
RE: Project Z-21-02 – Zoning Reclassification of property located at
8574 Summerton Highway, West of Manning
From Single Family Residential (SFR) to Agriculture I (AGI)
Tax Map # 084-00-02-015-00
Property Owner: Faye T. Ragin & Michael A. Ragin, Sr.
Applicant: Faye T. Ragin

BACKGROUND:

Mrs. Ragin is requesting this zoning amendment to the Official Zoning Map adopted on September 12, 2011 to permit the placement of a commercial day care on the subject parcel. The land use proposed, a commercial daycare, is not permitted in the Single Family Residential district. The total parcel area is approximately 2.4 acres. The parcel is currently improved with a 4,277 sq. ft. structure previously occupied as a place of worship and classified as public assembly.

A copy of ordinance 2021-08 to rezone the subject site is attached for your review. A map of the subject site is attached as Exhibit A of the ordinance.

Current South Carolina case law places the burden of proof on the applicant to show by “clear and convincing evidence” the proposed change should be made. The County is not obligated to make a map change unless it determines the applicant has submitted enough evidence to warrant the requested change.

Comprehensive Plan Consistency

While child daycare centers are not specifically mentioned in the Strategic Plan Goals and Objectives of the County Comprehensive Plan as adopted on December 10, 2018, it would certainly be a use that falls within Goal 2 to support programs and services that enhance the livability of Clarendon County for all residents. The daycare would not be in conflict with the Comprehensive Plan and would also support:



Web: clarendoncountygov.org

Strategic Plan 2.4: Encourage development of programs and services to aid vulnerable populations.

In addition, the daycare may also promote the following goal and objective:

Goal 1: Encourage sustainable and efficient growth that preserves Clarendon County's character and promotes its assets.

Objective 1.3: Promote varied, sustainable and efficient commercial development at desirable locations throughout the County.

Compatibility With Land Uses in the Surrounding Area

The adjacent property to the west is rural, woodlands and agricultural lands in nature and in the AG I district. Properties to the north, south and east of the parcel are rural residential, including a residential subdivision and neighborhood in the Single Family Residential district. Compatibility between the properties already exists with fencing and trees.

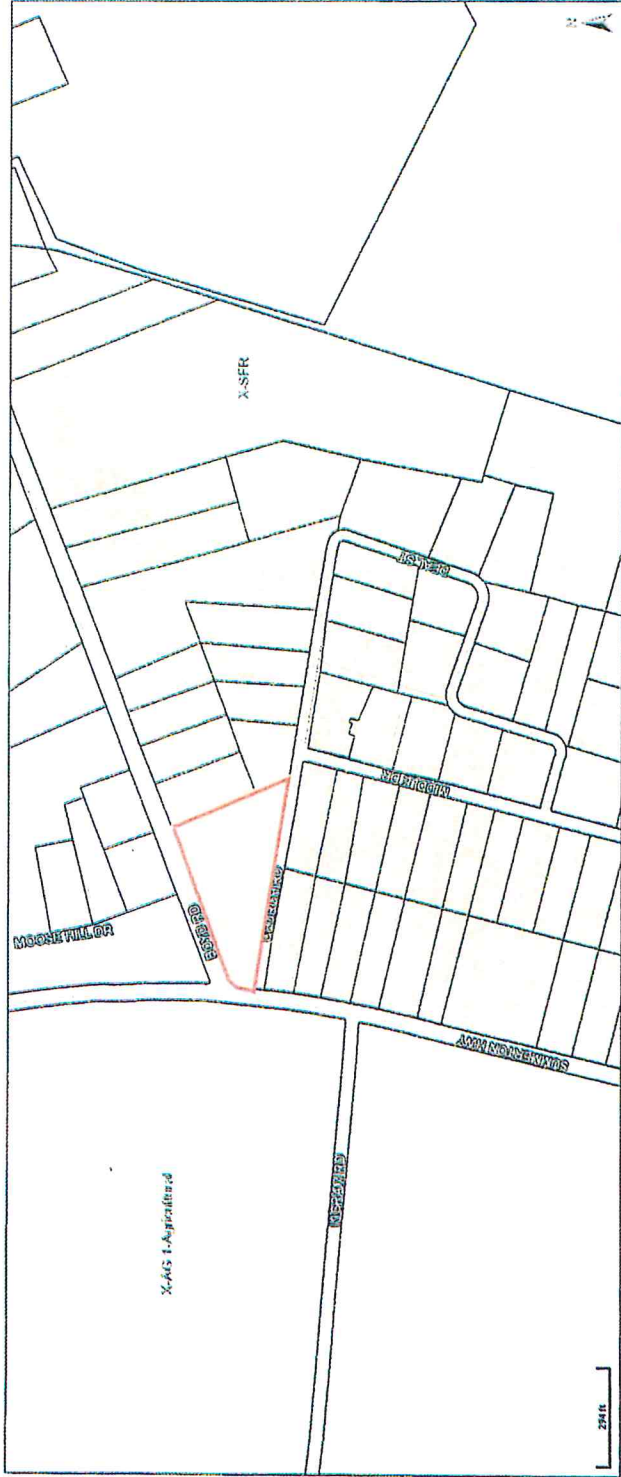
RECOMMENDATION:

In conformance with the requirements of Section 91 of the Unified Development Code, the Planning Commission based their decision on the following findings of fact and recommends County Council amend the official zoning map as requested by Mrs. Ragin (Project # Z-21-02) to change the zoning district designation for Tax Map parcel # 084-00-02-015-00 from Single Family Residential (SFR) to Agriculture I (AGI):

1. The proposed Agriculture I (AGI) zoning is consistent with the Comprehensive Plan adopted by Clarendon County.
2. The existing and proposed uses are compatible with the land uses in the surrounding area.
3. There is enough evidence to justify the proposed map change.

**ORDINANCE 2021-08
EXHIBIT A**

Z-21-02



Overview

- Legend**
- Parcels
 - Roads
 - Zoning**
 - Parcel Poly
 - X-RC - Residential Conservation
 - X-AG 1-Agriculture
 - X-AG 2-Agriculture
 - X-AG-GC
 - X
 - ConservationSwor
 - X-GC-General Commercial
 - X-GC-IND
 - X-IND 1-Industrial
 - X-IND 2-Industrial
 - X-IND-Instiution
 - X-LAK
 - X-NC-Neighborhood Commercial
 - X-PZ-Performance Zone
 - X-RMF-Residents Multi-Family
 - X-SFR

Last 25 Sales	Date	Price	Reason	Qual
6/7/2023	520000	1	Q	
5/29/2018	174000	1	Q	

Owner Address: RAGINEA WET
RAGINEA WET
9571 PAXVILLE HWY
MANNING, SC 29102

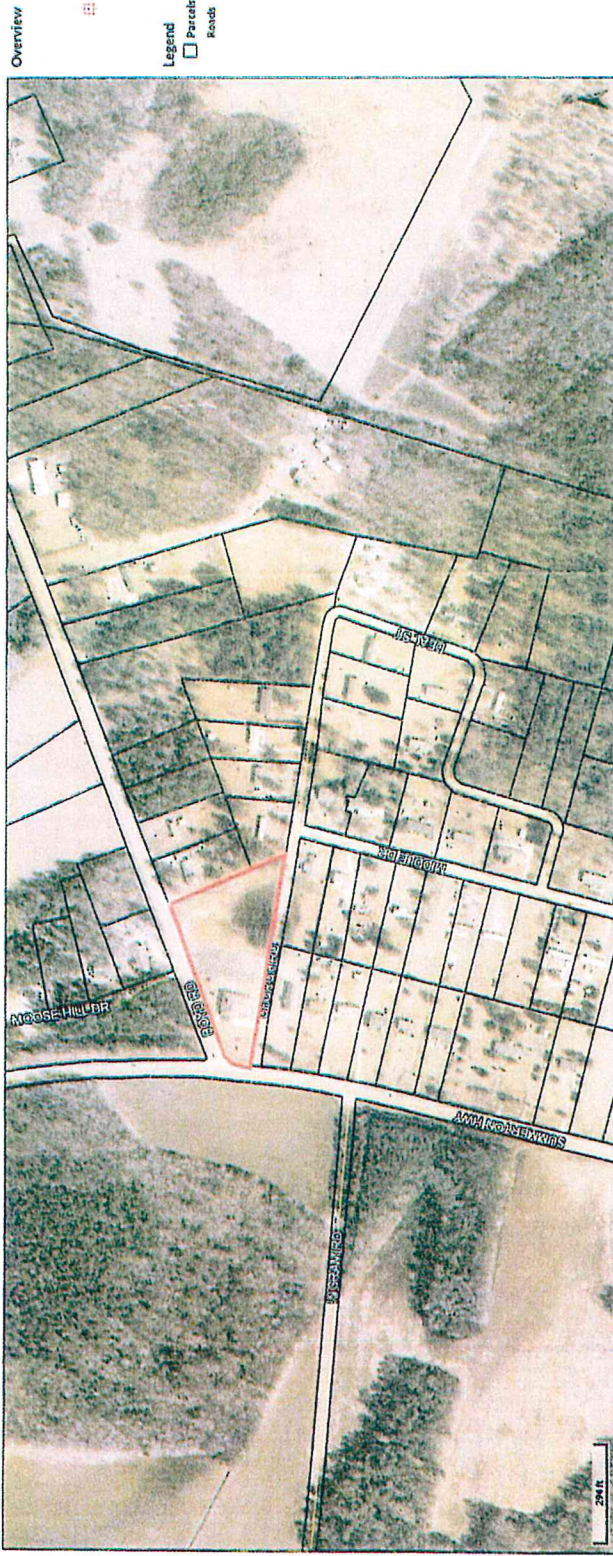
Alternate ID 2723
Class EXEMPTION GOVERNMENT
Acreage 2.4

Parcel ID 084-00-02-015-00
Sec/Twp/Rng //
Property Address 8574 SUMMERTON HWY
PINEWOOD
District 20
Brief Tax Description n/a

Date created: 7/21/2023
Last Date Modified: 7/20/2023 4:00:14 PM
Downloaded by: [Signature]

File: H:\arcgis\work\out\g14\documents\

Z-21-02



Parcel ID 084-00-02-015-00
 Sec/Twp/Rng //
 Property Address 8574 SUMMERTON HWY
 PINEWOOD
 District 20
 Brief Tax Description n/a

Alternate ID 2723
 Class EXEMPT NON GOVERNMENT
 Acreage 2.4

Owner Address RAGIN FAYET
 RAGIN MICHAELA SR
 9571 PAXVILLE HWY
 MAUNING, SC 29102

Last 2 Sales
 Date Price Reason Qual
 6/28/2021 \$200000 1 Q
 5/29/2018 \$74000 1 Q

Date of Sale: 7/21/2021
 Last Data Update: 7/20/2021 4:50:14 PM
 Developed by:

Map is not to be used as legal documents.