

# Clarendon County Planning Commission

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## **PLANNING COMMISSION REPORT TO COUNTY COUNCIL**

**TO:** Clarendon County Council Members  
**FROM:** Maria M. Rose, PC Director *MR*  
**DATE:** April 21, 2021  
**RE:** Project Z-21-01 – Zoning Reclassification of property located in  
The 2200-2300 Block of Kingstree Highway, East of Manning  
From Agriculture II (AGII) to General Commercial (GC)  
Tax Map # 239-00-03-004-00  
Property Owner: Sam O. Gamble, Jr. Etal.  
Applicant: Sam O. Gamble, Jr. Etal.

### **BACKGROUND:**

Mr. Gamble requested this zoning amendment to the Official Zoning Map adopted on September 12, 2011 to permit the placement of mini warehouses on the subject parcel. The land use proposed, mini warehouses, are not permitted in the Agriculture II district. The total parcel area is approximately 45.31 acres. There are no improvements currently located on the property.

A copy of ordinance 2021-05 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**

Mini warehouses are not specifically mentioned in the Strategic Plan Goals and Objectives of the County Comprehensive Plan as adopted on December 10, 2018. However storage facilities are addressed in the Land Use Element for Mixed Use in residential neighborhoods to promote supportive uses, but in a harmonious and low-impact way. A mini warehouse facility would not be in conflict with the Comprehensive Plan and may promote the following goal and objective:



Web: [clarendoncountygov.org](http://clarendoncountygov.org)

**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 properties to the south, east and west are rural residential, woodlands and agricultural lands in nature and in the AG II district. There is a single-family residential property in the center of the subject parcel. Properties to the north of the parcel are commercial, in the General Commercial district, and rural residential, including a residential subdivision and neighborhood in the Single Family Residential district. Compatibility between the properties and the mini warehouses can be achieved through the installation of a green buffer between properties where necessary.

**RECOMMENDATION:**

In conformance with the requirements of Section 91 of the Unified Development Code, the Planning Commission recommends County Council amend the official zoning map as requested by Mr. Gamble (Project # Z-21-01) to change the zoning district designation for Tax Map parcel # 239-00-03-004-00 from Agriculture II (AGII) to General Commercial (GC) based on the following findings:

1. The proposed General Commercial 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 or can be made compatible with proper landscaping and buffer requirements.
3. There is enough evidence to justify the proposed map change.

**ORDINANCE # 2021-05**

**AN ORDINANCE OF THE COUNTY COUNCIL OF CLARENDON COUNTY, SOUTH CAROLINA TO AMEND THE COUNTY'S OFFICIAL ZONING MAP DESIGNATION FOR TAX MAP PARCEL # 239-00-03-004-00; FROM AGRICULTURE II (AGII) TO GENERAL COMMERCIAL (GC) 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 April 20, 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 June 14, 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.

**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 Agriculture II (AGII) to General Commercial (GC) 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: May 10, 2021

Second Reading: June 14, 2021

Third Reading: July 12, 2021

Public Hearing: June 14, 2021

**ADOPTED this 12th day of July, 2021**

**COUNTY OF CLARENDON, SOUTH CAROLINA**

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**Dwight Stewart, Chairman**

**ATTEST:**

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**Dorothy M. Levy, Clerk to Council**