



ORDINANCE NO. 2023-02

AN ORDINANCE TO APPROVE AN AMENDMENT TO ARTICLE 24-4.1A.6: B-2 CENTRAL BUSINESS DISTRICT; AND PROVIDE FOR RELATED MATTERS.

WHEREAS, the City Council ("Council") of the City of Orangeburg ("City") finds:

- (a) the City Planning Commission considered an amendment to the City's Zoning Ordinance to modify and expand the definition and requirements of Article 24-4.1a.6: B-2 Central Business District to provide greater flexibility and more opportunities to develop commercial and mixed uses in the City's downtown area;
- (b) according to a resolution adopted November 17, 2022, a copy of which is attached as Exhibit A ("Resolution"), the City's Planning Commission has, following a duly noticed public hearing, recommended approval to the Council of the proposed amendments as set out more fully in the Resolution;
- (c) proper notice of the public hearings for the proposed amendments for the Planning Commission, held on November 17, 2022, and the Council, held on December 20, 2022, have been duly published in accordance with Section 24-12.5 of the City Code; and
- (d) the Council has reviewed the Resolution and the related, supporting material presented at each of the readings of this Ordinance and received any comments from the public at the public hearing;

NOW, THEREFORE, by a majority vote of the Councilmembers present, the Council ordains that the City's Zoning Ordinance be amended by modifying and expanding the definition and requirements of Article 24-4.1a.6: B-2 Central Business District as set out in the Resolution, which is adopted and incorporated herein by reference;

BE IT FURTHER ORDAINED that, no later than seven days from this Ordinance's enactment, the City's Zoning Administrator shall update the City's Zoning Ordinance to reflect the change as described in this Ordinance; and

BE IT FURTHER ORDAINED that, the contents of this Ordinance be codified as part of the City Code, online, as soon as practicable, and in print, as part of the City's next, regular, re-codification.

ENACTED BY the City Council on January 17, 2023, and effective immediately.



Michael C. Burt

Mayor

Benjamin Haire

James P. Quate

Robert A. Hume

L. Zimmerman

[Signature]

Members of Council

Attest: *Linda McDaniel*
City Clerk

First Reading: December 6, 2022
 Second Reading: December 20, 2022
 Public Hearing: December 20, 2022
 Third Reading: January 17, 2023

EXHIBIT A
PLANNING COMMISSION REZONING RESOLUTION
(November 17, 2022)

RESOLUTION

WHEREAS, the Planning Commission of the City of Orangeburg, South Carolina, conducted a Public Hearing on November 17, 2022, for consideration of an amendment to the City of Orangeburg Zoning Ordinance proposed to modify and expand the definition and requirements of Article 24-4.1a.6.: B-2, Central Business District to provide greater flexibility and more opportunities to develop commercial and mixed uses in the downtown area. This includes changes to Articles V: Table I "Schedule of Permitted and Conditional Uses and Off-Street Parking by Zoning Districts" and Table II "Schedule of Lot Area, Yard, Setback, Height, Density, Floor Area Ratio, and Impervious Surface Requirements by District", and Article X recommendations regarding Accessory Apartments, Drinking Places and Clubs, Temporary Uses, Group Occupied Dwellings, Bed and Breakfast Inns, Upper Story Dwellings, and Multi-Family and Residential Care Facilities. The proposed amendments are considered to be consistent with the City of Orangeburg Comprehensive Plan and the City of Orangeburg Downtown Vision Plan.

WHEREAS, § 24-12 of the City Code requires that any amendments to the zoning ordinance, text or map, shall first be reviewed by the Planning Commission; and,

WHEREAS, § 24-12.3 of the City Code requires that the Planning Commission shall make a written recommendation to the Mayor and City Council; and that at minimum the recommendation shall include an evaluation of the proposed zoning amendment relative to the following:

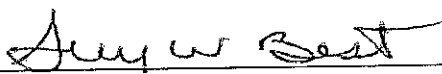
1. How the proposed zoning amendment relates to and affects the City's Comprehensive Plan.
2. The validity of the Comprehensive Plan relative to the area under consideration.
3. The need to correct an error or deficiency in the Zoning Ordinance.
4. Any benefits which would be derived from the proposed amendment.
5. Any cost to the City in terms of expenditures for public improvements, facilities and services.
6. The public interest.

WHEREAS, the Planning Commission has considered the following changes.

1. It is consistent with the Comprehensive Plan.
2. The Comprehensive Plan appears valid relative to the area under consideration.
3. We note no errors or deficiencies to the zoning ordinance regarding this matter.
4. There would be a benefit to be derived in the rezoning of this area.
5. We note no cost to the City in terms of public improvements, facilities and services.
6. The public interest would be served by allowing this change.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, this 17th day of November 2022, based on its evaluation and findings above, recommend to the Mayor and City Council of the City of Orangeburg, South Carolina, that the aforementioned request be **approved**.

On behalf of the Planning Commission of the City of Orangeburg, South Carolina;



Chairperson
Planning Commission

ATTEST: 