



ORDINANCE NO. 2023-06

AN ORDINANCE TO APPROVE THE ANNEXATION OF PROPERTY LOCATED AT 3397 BROUGHTON STREET, ALSO KNOWN AS: TMS# 0151-15-11-001.000; AND PROVIDE FOR RELATED MATTERS.

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

- (a) the City of Orangeburg owns property located at 3397 Broughton Street, with county tax map number TMS# 0151-15-11-001.000;
- (b) the property owner has petitioned the City to annex the referenced property into the City's incorporated municipal limits, a copy of the petition is attached as Exhibit A;
- (c) according to a resolution adopted February 16, 2023, a copy of which is attached as Exhibit B ("Resolution"), the City's Planning Commission has, following a duly noticed public hearing, recommended approval to the Council of the annexation of the referenced property with the related amendment to the Zoning Map with the addition of the referenced property to B-1, General Business as provided by Section 24-12 of the City Code;
- (d) proper notice of the public hearing for the proposed amendments for the Planning Commission, held on January 26, 2023, and the Council, held on March 21, 2023, have been duly published in accordance with Section 24-12.5 of the City Code;
- (e) the parcel has been duly posted in accordance with Section 24-12.6 of the City Code;
- (f) the Council has reviewed the Petition and 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 Council members present, the Council ordains that the City's municipal boundaries be increased to include the property located at 3397 Broughton Street, with county tax map number TMS# 0151-15-11-001.000, all of which is annexed into the City.

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 Map to reflect that the annexed property is zoned B-1, General Business.

ENACTED BY the City Council on April 4, 2023, and effective immediately.



Michael C. Butch

 Mayor

[Signature]

[Signature]

[Signature]

Members of Council

Attest: *Linda McDaniel*

 City Clerk

First Reading: March 7, 2023
 Second Reading: March 21, 2023
 Public Hearing: March 21, 2023
 Third Reading: April 4, 2023

EXHIBIT A
ANNEXATION PETITION



100 Percent Petition Form

STATE OF SOUTH CAROLINA)
)
COUNTY OF ORANGEBURG)

PETITION FOR ANNEXATION PURSUANT TO
SECTION 5-3-150 CODE OF LAWS OF SOUTH
CAROLINA, 1976 AS AMENDED

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF ORANGEBURG:

We the undersigned, being 100 percent of the freeholders owning 100 percent of the assessed value of the property in the contiguous territory described below and shown on the attached plat or map, hereby petition for annexation of said territory to the City of Orangeburg by ordinance effective as soon hereafter as possible, pursuant to South Carolina Code Section § 5-3-150 (3).

Description of Property:

Property consists of 13.91 acres. It is bordered on the north by Caw Caw Creek and has frontage along Highway 178 (Chestnut Street) and Boulevard Streets. This frontage is contiguous with existing incorporated limits of the City of Orangeburg. It is bordered on the south by property owned by Dayle Bolen, TMS# 0151-15-11-002.000; and the east by property owned by the City of Orangeburg, TMS# 0151-00-00-003.000. It has approximately 9 acres of flood zone within the boundaries.

and encompassing all properties within these borders, and entire abutting public rights of way.

Tax Map Numbers of properties included in this annexation are: 0151-15-11-001.000

The Petition must be dated before the first signature is affixed, and all signatures must be obtained within six months of that date:

Date of Petition: 01/04/2023

The first signature was affixed on this Petition on 01/06/2023

Petition received by L Holloway Date: 1-6-23
Description and Ownership verified by L Holloway Date: 1-6-23
Recommendation: _____ By: _____ Date: _____

100% Petition for Annexation

Date of First Signature: 1/6/23

Owner: City of Orangeburg
Map # 0151-15-11-001.000
Address: 3397 Broughton Street
Zoning Requested: B-1

In the presence of this witness(s):

Linda McDaniel
Signature of Witness
Linda McDaniel
Printed Name
979 Middleton Street
Street Address
Orangeburg, SC 29115
City, State, Zip Code
803-533-6000
Phone Number

By: [Signature]
Sidney Eving, II
Printed Name

Its City Administrator

Date Signed: 1/6/23

Date Signed: 1/6/23

EXHIBIT B
PLANNING COMMISSION RESOLUTION
(February 16, 2023)

RESOLUTION

WHEREAS, the Planning Commission of the City of Orangeburg, South Carolina, conducted a Public Hearing on Thursday, January 26, 2023, to consider annexation of the property belonging to **DPU/City of Orangeburg, located at 3397 Broughton Street** containing approximately 13.91 acres. Tax Map Numbers of property included in this annexation is: **TMS# 0151-15-11-001.000.**

Subject Property:

Property consists of 13.91 acres. It is bordered on the north by Caw Caw Creek and has frontage along Highway 178 (Chestnut Street) and Boulevard Streets. This frontage is contiguous with existing incorporated limits of the City of Orangeburg. It is bordered on the south by property owned by Dayle Bolen, TMS# 0151-15-11-002.000, and the east by property owned by the City of Orangeburg, TMS# 0151-00-00-003.000. It has approximately 9 acres of flood zone within the boundaries.

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

WHEREAS, § 24-12.3 of the City Code requires that the Planning Commission 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; and;

WHEREAS, the Planning Commission has considered a request to annex the aforementioned property and we have concluded the following:

1. It is not consistent with the Comprehensive Plan.
2. The Comprehensive Plan appears valid relative to the area under consideration.
3. We note no errors or deficiencies in the Zoning Ordinance regarding this matter.
4. There would be no benefit to be derived from annexation of this area.
5. We note there is no cost to the city in terms of public improvements, facilities and services.
6. The public interest would not be served by allowing this change.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, this 16th, day of February 2023, based on its evaluation and findings above, recommends to the Mayor and City Council of the City of Orangeburg, South Carolina, that the aforementioned request be **denied**.

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



Chairperson, Planning Commission

ATTEST: 