

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LANCASTER )

**ORDINANCE #363**

**AN ORDINANCE TO AMEND THE TEXT OF THE UNIFIED DEVELOPMENT  
ORDINANCE; SPECIFICALLY,  
SECTION 8.1.2.3.6 NOTICE;  
SECTION 8.7.10.11 PUBLIC HEARING NOTICE;  
SECTION 18.2.1, TEXT AMENDMENTS; AND  
SECTION 18.5 NOTICE AND HEARING BY THE JOINT PLANNING COMMISSION**

**WHEREAS**, it is the recommendation of the Lancaster County Joint Planning Commission that text of Section 8.1.2.3.6 Notice, Section 8.7.10.11 Public Hearing Notice, Section 18.2.1 Text Amendments, and Section 18.5 Notice and Hearing by the Joint Planning Commission of the Unified Development Ordinance be amended; and

**WHEREAS**, the Joint Planning Commission has recommended to the Lancaster County Council that these text amendments be adopted.

**NOW, THEREFORE, BE IT ORDAINED** by the Lancaster County Council that the following text amendments are adopted:

**Section 8.1.2.3.6, Notice**

**Current Text:**

Public notice of a hearing of the Board shall be published in a local newspaper and posted on or adjacent to the property affected at least fifteen (15) days prior to the hearing. The notice shall contain a description of each matter to be heard and identify the applicant and property affected.

**Proposed Text:**

Public notice of a hearing of the Board shall be published in a local newspaper of general circulation throughout the county and posted on or adjacent to the property affected at least 15 days prior to the hearing. The notice in the newspaper shall contain a brief description of each matter to be heard, identify the applicant and property affected, and indicate the time and place of the hearing. The notice on the property shall contain information as to where any interested person may obtain detailed information regarding the application. Additionally, the Lancaster County Joint Planning Department shall notify all property owners located immediately adjacent to the affected property. This notice shall be by first-class mail and shall contain a description of the matter to be heard, identify the applicant and the affected property, and indicate the time and place of the hearing. Immediately adjacent property owners shall mean those persons who own land which physically touches the affected property or is separated from the affected property by any type of right-of-way, easement or water body ( i.e. a river, creek, stream or lake), etc.

## Section 8.7.10.11, Public Hearing Notice

### **Current Text:**

Public notice of a hearing of the Commission shall be published in a local newspaper and, in the case of a rezoning application, a notice shall be posted on or adjacent to the property affected at least fifteen (15) days prior to the hearing. The notice shall contain a description of each matter to be heard and identify the applicant and property affected.

### **Proposed Text:**

Public notice of a hearing of the Commission shall be published in a local newspaper of general circulation throughout the county and posted on or adjacent to the property affected at least 15 days prior to the hearing. The notice in the newspaper shall contain a brief description of each matter to be heard, identify the applicant and property affected, and indicate the time and place of the hearing. The notice on the property shall contain information as to where any interested person may obtain detailed information regarding the application. Additionally, the Lancaster County Joint Planning Department shall notify all property owners located immediately adjacent to the affected property. This notice shall be by first-class mail and shall contain a description of the matter to be heard, identify the applicant and the affected property, and indicate the time and place of the hearing. Immediately adjacent property owners shall mean those persons who own land which physically touches the affected property or is separated from the affected property by any type of right-of-way, easement or water body ( i.e. a river, creek, stream or lake), etc. For applications to change the name of a road, all property owners along the affected portion of the road shall be notified.

## **Section 18.5, Notice and Public Hearing by the Joint Planning Commission**

**Delete the first two paragraphs of this section which read as follows:**

### **Current Text:**

The Joint Planning Commission shall announce and have published in a newspaper of general circulation at least 15 days prior to its regularly scheduled or special call meetings a list of all proposed amendments to be considered and a brief description of each.

When a proposed amendment affects a district classification of property, a hearing notice shall also be made by posting the subject property. Posting of said property shall occur at least fifteen (15) days prior to the public hearing. Hearing notice shall be conspicuously located on or adjacent to the affected property with at least one such notice being visible from each public thoroughfare that abuts the property.

**and replace it with the following language:**

### **Amended Text:**

Public notice of a hearing of the Commission shall be published in a local newspaper of general circulation throughout the county at least 15 days prior to the hearing. The notice in the newspaper shall contain a brief description of each matter to be heard, identify the applicant and property affected, and indicate the time and place of the hearing.

When a proposed amendment would change the zoning district classification of a piece of property, a hearing notice shall also be made by posting the subject property at least 15 days

prior to the hearing. The notice on the subject property shall contain information as to where any interested person may obtain detailed information regarding the application and shall be conspicuously located on or adjacent to the affected property with at least one such notice being visible from each public thoroughfare that abuts the affected property. Additionally, the Lancaster County Joint Planning Department shall notify all property owners located immediately adjacent to the affected property. This notice shall be by first-class mail and shall contain a description of the matter to be heard, identify the applicant and the affected property, and indicate the time and place of the hearing. Immediately adjacent property owners shall mean those persons who own land which physically touches the affected property or is separated from the affected property by any type of right-of-way, easement or water body ( i.e. a river, creek, stream or lake), etc.

### **Section 18.2.1, Text Amendments**

#### **Add the following sentence to the end of Section 18.2.1, Text Amendments:**

This 12 month period does not apply to actions initiated by either the County Council or the Joint Planning Commission.

**Amended Text:** Amendments to the text of the ordinance may be initiated by the County Council, the Joint Planning Commission, or any citizen. However, if an amendment is denied, then an application for the same amendment shall not be submitted for a period of 12 months from the date the original request was heard and denied by the County Council. This 12 month period does not apply to actions initiated by either the County Council or the Joint Planning Commission.

**AND IS SO ORDAINED** this 31st day of January, 2000.

LANCASTER COUNTY COUNCIL

Ray E. Gardner, Chairman

Polly C. Jackson, Secretary

Approved as to form and content:

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William R. Sims, County Attorney

ATTEST

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Irene Plyler, Clerk to Council

1<sup>st</sup> reading: 12-06-1999  
2<sup>nd</sup> reading: 01-10-2000  
3<sup>rd</sup> reading: 01-31-2000