

FORM FOR PROPOSAL OF ORDINANCES
CITY OF SIMPSONVILLE, SOUTH CAROLINA

TITLE: ORDINANCE NO. 2019-07. AN ORDINANCE TO ADOPT THE COMPREHENSIVE PLAN FOR THE CITY OF SIMPSONVILLE, S.C. PURSUANT TO THE 1994 STATE OF SOUTH CAROLINA COMPREHENSIVE PLANNING ENABLING ACT.

ENACTING CLAUSE: NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA

CITATION OF ORDINANCE REPEALED: N/A

PROVISION OF ORDINANCE: See provision of ordinance below.

ARTICLE/SECTION NUMBERS: N/A

EFFECTIVE DATE OF ORDINANCE: Upon final approval by Council after second reading and signing by the Mayor.

NAME OF PERSON REQUESTING INTRODUCTION OF ORDINANCE: Simpsonville Planning Commission.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for the enactment of this Ordinance is Chapter 29 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the Simpsonville City Council adopted a comprehensive plan on November 10, 2009, with subsequent additions and amendments made thereto, which enacted and amended comprehensive land use planning for the City in compliance with the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (Title 6, Chapter 29 of the Code of Laws of South Carolina 1976, as amended), hereinafter referred to as the "Planning Act"; and

WHEREAS, the Planning Act requires the City's Planning Commission to review the City's comprehensive land use planning efforts as often as is necessary and further requires that the City's comprehensive land use planning documents be updated at least every ten years; and

WHEREAS, Council anticipates that, as a result of the extensive growth in the county and neighboring cities, all of whom are working on similar plans, amendments to the Comprehensive Plan will have to be made in the near future but, to comply with the planning Act, must adopt the Comprehensive Plan in its current form; and

WHEREAS, pursuant to the Planning Act, the Simpsonville Planning Commission, during their December 3, 2019 meeting, voted unanimously recommending that the Simpsonville City Council adopt the City of Simpsonville 2030 Comprehensive Plan, hereinafter referred to as the “Comprehensive Plan”; and

WHEREAS, The Comprehensive Plan shall replace the existing comprehensive plan for the City, adopted in 2009; and

WHEREAS, pursuant to the Planning Act, the Simpsonville City Council held a public hearing on the Comprehensive Plan on December 3, 2019; and

WHEREAS, it appears to Council that the Comprehensive Plan is comprised of all required elements, is proper in all other material respects, and that the adoption of the Comprehensive Plan is in the best interests of the City.

SECTION 3. ADOPTION OF COMPREHENSIVE PLAN. Pursuant to Section 6-29-530, South Carolina Code of Laws (1976), as amended, Council does hereby adopt and approve the Comprehensive Plan including all recitals, findings, text, maps, and reference documents, which is attached hereto and incorporated herein by reference.

SECTION 4. CONFLICTING PROVISIONS. City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 5. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be effective upon second and final reading by the City Council.

SIGNATURE OF MAYOR:

Paul Shewmaker

ATTEST:

Phyllis Long
City Clerk

APPROVED AS TO FORM:

David W. Holmes
City Attorney

First Reading: December 10, 2019
Second Reading: January 14, 2020