

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
TOWN OF PINE RIDGE)

ORDINANCE 2019-24

AN ORDINANCE TO IMPOSE WITHIN THE TERRITORIAL LIMITS OF THE TOWN OF PINE RIDGE, SOUTH CAROLINA, A TEMPORARY MORATORIUM FOR NINETY DAYS (UNLESS SOONER TERMINATED) ON THE ISSUANCE OF ZONING PERMITS AND OTHER APPROVALS, INCLUDING BUT NOT LIMITED TO ANY APPROVAL FROM THE TOWN COUNCIL, PLANNING COMMISSION AND ZONING BOARD OF APPEALS FROM PROCESSING, HEARING, REHEARING, APPROVING OR SIGNING NEW ZONING PERMITS OR PRELIMINARY OR FINAL SITE PLAN, PREMILINIARY OR FINAL SUBDIVISION, SPECIAL EXCEPTION, VARIANCE OR OTHER LAND USE APPLICATION OR PERMIT WHICH RELATES DIRECTLY OR INDIRECTLY TO THE TOWN OF PINE RIDGE ZONING AND LAND DEVELOPMENT ORDINANCE

WHEREAS, pursuant to S.C. Code of Law § 5-7-30, a municipality is authorized to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of the State of South Carolina, including the exercise of powers in relation to roads, streets, markets, law enforcement, health and order in the municipality or respecting any subject which appears necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it, including the authority to fix fines and penalties for the violation of municipal ordinances and regulations, and;

WHEREAS, pursuant to S.C. Code of Law § 6-29-710, a municipality is authorized to establish zoning ordinances for the general purposes of guiding development in accordance with existing and future needs and promoting public health, safety, morals, convenience, order, appearance, prosperity, and general welfare and;

WHEREAS, it is the best interest of the Town to review proposed modifications to its zoning and land development codes in a comprehensive manner;

WHEREAS, a reasonable amount of time is necessary to accomplish the foregoing;

WHEREAS, the Pine Ridge Planning Commission began review on March 26th;

WHEREAS, the Mayor and Town Council have found that the interests of the public necessitate the enactment of a moratorium for applications for zoning decisions within the Town, by means which are reasonable and not unduly oppressive;

WHEREAS, the health, safety, welfare, aesthetics and morals of the citizens of the Town of Pine Ridge, South Carolina shall be improved and protected by adoption and implementation of this Ordinance; and

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WHEREAS, the Mayor and Town Council believe that a moratorium will not deny property owners economically viable use of their property and will afford Town officials and the Town Council the time necessary to put into place reasonable regulations to further the aforesaid purposes.

NOW THEREFORE, BE IT ORDERED AND ORDAINED by the Town of Pine Ridge, South Carolina, in Council duly assembled and by the authority thereof, that:

SECTION I.
FINDINGS OF FACT

The Town of Pine Ridge, South Carolina, is in process of updating its zoning and land development ordinance. It is necessary and in the public interest to delay, for a reasonable period, applications for, sign permits and zoning decisions during such period of preparation to ensure future activity related thereto is consistent with the long-term planning objectives of the Town.

SECTION II.
IMPOSITION OF MORATORIUM

1. A moratorium shall be enacted upon the application for, or the issuance of, rezoning, variances, land disturbance permits, land use permits, land development permits, sign permits, administrative permits, and any and all other permits or licenses dependent upon, or related to the zoning of land within the territorial limits of the Town effective upon adoption of this ordinance to allow for the consideration and adoption of zoning and land development ordinances.
2. During the period of the moratorium, no applications for rezoning, variances, or for land use permits, administrative permits, land disturbance permits, land development permits, sign permits or other such permits relating to the development or use of land shall be accepted, nor any such permits be issued.
3. The moratorium shall begin after second reading of Ordinance 2019-24, and shall end at midnight July 15, 2019, unless sooner terminated by action of Mayor and Town Council.
 - a. It is hereby declared to be the intention of the Mayor and Town Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Mayor and Town Council to be fully valid, enforceable and constitutional.

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- b. It is hereby declared to be the intention of the Mayor and Town Council that, to the greatest extent allowed by law, each section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Town Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

- c. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Town Council that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

- d. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed.

4. Ordinance 2019-24 and moratorium shall become effective upon its adoption.

DULY ADOPTED THIS 16th day of April, 2019 under the corporate seal of the Town of Pine Ridge.

Public Hearing: April 9, 2019
First Reading: April 9, 2019
Second Reading: April 16, 2019

Mayor Robert M. Wells, Jr.

Mayor Pro-tem Daniel D. Davis

Councilmember Floyd W. Dinkins III

Councilmember Beth S. Sturkie

Councilmember Scott N. Simms