

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County Council of Lexington County will conduct a Public Hearing on May 25, 2021 at 6:00P.M. (or as soon thereafter as can be heard) in the Dorothy K. Black Chambers located on the Second Floor of the County Administration Building, 212 South Lake Drive, Lexington, South Carolina. The purpose of the Public Hearing is to receive public comments on ORDINANCE 21-02 – “AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON APPLICATIONS AND ADMINISTRATIVE PROCESSING FOR APPROVAL OF CERTAIN LARGE SCALE RESIDENTIAL SUBDIVISIONS AND RESIDENTIAL ATTACHED LAND USE ACTIVITIES WITHIN THE UNINCORPORATED AREA OF LEXINGTON COUNTY.”

In addition, the Public Hearing will be held electronically in a virtual environment. Those wishing to provide written public comments may do so by visiting the Lexington County Council section of the Lexington County website address of www.lex-co.com. Anyone who wishes to submit comments will need to save the form to your device and email the form to countycouncil@lex-co.com. Additionally, comments may be emailed to countycouncil@lex-co.com or mailed to the Clerk of County Council at 212 South Lake Drive, Lexington, SC 29072. All comments should be submitted by 2:00 p.m. on Monday, May 24, 2021. All public comments will be read aloud during the Public Hearing and included in the minutes of the County Council meeting. The Public Hearing will be livestreamed on the County’s website by visiting the [Meeting Portal](#). The Public Hearing is also available on Spectrum Cable Channel 1302.

A copy of the Ordinance is available for review at the County from the Clerk of Lexington County Council at 803-785-8103 or by email at BShumpert@lex-co.com. A copy of the Ordinance can also be viewed on the Lexington County Website (www.lex-co.com) under County Council and will be available for viewing the Friday before the Public Hearing.

If special accommodations are needed to participate in the Public Hearing, contact the Lexington County Council office at 803-785-8103 or BShumpert@Lex-co.com.

M. Todd Cullum
Chairman
Lexington County Council



COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE NO. 21-02

AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON APPLICATIONS AND ADMINISTRATIVE PROCESSING FOR APPROVAL OF CERTAIN LARGE SCALE RESIDENTIAL SUBDIVISIONS AND RESIDENTIAL ATTACHED LAND USE ACTIVITIES WITHIN THE UNINCORPORATED AREA OF LEXINGTON COUNTY; AND INVOKING APPLICATION OF THE PENDING ORDINANCE DOCTRINE.

WHEREAS, County Council determines and finds that the unincorporated area of Lexington County is experiencing tremendous residential growth which is causing a strain on the infrastructure within the unincorporated area of the County; and

WHEREAS, County Council is in the process of updating the County Comprehensive Plan, reviewing road classification throughout the unincorporated area of Lexington County, and reviewing the overall development standards within the unincorporated area of Lexington County; and

WHEREAS, County Council determines and finds that it would be beneficial for the operations of the County and beneficial for the promotion of the public interest in orderly and prudent development of the County, for the County to review and undertake a study of the consequences and impact of large scale residential subdivisions as set forth herein and residential attached land use activities, as defined by the Lexington County Zoning Ordinance within the unincorporated area of the County; and

WHEREAS, the Council further determines and finds that the benefits and effectiveness of such a study will be aided and facilitated by a temporary moratorium on applications, and the administrative processing of such applications, for new large scale (a) residential subdivisions of ten lots or more, and (b) residential attached land use activities, as defined by Lexington County Zoning Ordinance; and

WHEREAS, the Council further determines and finds that a period of one hundred eighty (180) days in duration is the minimum reasonable time needed to undertake and complete the review study contemplated by the Council; and

WHEREAS, the Council believes and finds that it is appropriate to establish, by this Ordinance, a temporary moratorium period of one hundred eighty (180) days on the acceptance, processing, and grant of any approvals, permits or permissions, as described below; and

WHEREAS, Council finds that it is in the public interest to invoke the pending ordinance doctrine upon first reading of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Lexington, in Council, duly assembled, as follows:

Section 1 – Moratorium on Development. All activities by the County, including County staff and any of the County’s agents or boards or commissions, in connection with the acceptance, review, processing and granting of applications for approvals, permits or permissions related to the development or construction of (a) residential subdivisions of 10 (ten) lots or more, and (b) residential attached land use activities, as defined by Lexington County Zoning Ordinance, all of which are within the unincorporated area of the County, are temporarily suspended and a temporary moratorium established in order for the County, through its officials and staff and any other agents or contractors, to have adequate time and opportunity to study, analyze, and make recommendations to the Council concerning the consequences and impact of large scale residential growth within the unincorporated area of the County. For purposes of determining whether a subdivision consists of 10 (ten) lots or more, the number of lots shall be determined by the number of lots in the entire planned subdivision development including all phases of the subdivision development.

Section 2 – Moratorium Period. This temporary suspension and temporary moratorium shall remain in effect for one hundred eighty (180) days from the date of third reading of this Ordinance when it shall terminate.

Section 3 – Pending Ordinance Effective Date. Applications for permits of sufficient

form and content as determined by the County staff, received by the County prior to the date of the beginning first reading of the adoption of this Ordinance, may be reviewed and processed by the County. Otherwise, the provisions of this Ordinance shall be effective under the pending ordinance doctrine from the date of approval of first reading.

Section 4 – Moratorium Extension. The Council, by subsequent Ordinance, may extend the temporary suspension and temporary moratorium for a further time period upon appropriate findings.

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____, 2021.

M. Todd Cullum, Chairman
Lexington County Council

ATTEST:

Brittany Shumpert, Clerk

First Reading: 05/6/21
Public Hearing: 05/25/21
Second Reading: _____
Third & Final Reading: _____
Filed w/Clerk of Court: _____