

TOWN OF YEMASSEE
Ordinance No. 23-10

**AN ORDINANCE AMENDING THE TOWN OF YEMASSEE'S ZONING
ORDINANCE, ARTICLE V, REQUIREMENTS BY DISTRICT, SECTION 5.2.5
RIVER PROTECTION OVERLAY DISTRICT, SEC 5.25.4(a) OUTSTANDING
RESOURCE WATERS**

WHEREAS, THE Town of Yemassee desires to periodically improve its Zoning Ordinance and to identify areas for potential modifications; and

WHEREAS, to establish the necessary provisions to accomplish the above, the Town of Yemassee has the authority to enact resolutions, ordinances, regulations, and procedures pursuant to South Carolina Code of Laws 1976, Section 5-7-30; and,

WHEREAS, the Town of Yemassee Town Code and the Town of Yemassee Zoning Ordinance provides a framework for development within the Town of Yemassee through regulations set forth to protect and promote the interests of all in the Town of Yemassee and as authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994; and,

WHEREAS, the Town of Yemassee Town Council adopted its zoning ordinance, known as the Town of Yemassee Zoning Ordinance, on March 9, 2007; and,

WHEREAS, the Town Council of the Town of Yemassee conducted a Public Hearing on the PUD Concept Plan at their February 17, 2023, Town Council Meeting to gather public input; and

WHEREAS, the Zoning Ordinance establishes overlay districts that serves as a regulatory tool identifying special provisions in addition to those in the underlying base zone; and,

WHEREAS, the Zoning Ordinance establishes a River Protection Overlay District (RPOD) to ensure that extra measures are employed before any disturbance in areas in and around the watersheds of the Town of Yemassee; and,

WHEREAS, revisions are needed to clarify the specific outstanding resource waters of which this overlay is applicable to; and

WHEREAS, the Planning Commission conducted a review of the proposed text amendment at their March 7, 2023, Planning Commission Meeting and recommended forwarding the proposed amendment to the Town Council for consideration; and

WHEREAS, a Public Hearing shall be conducted by the Town Council prior to second reading; and

WHEREAS, the Town of Yemassee Town Council desires to amend the Zoning Ordinance to adopt the amendments listed below in Section 1, Amendments.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF YEMASSEE, SOUTH CAROLINA, in accordance with the foregoing, the Town hereby amends the Zoning Ordinance of the Town of Yemassee, Article V, Section 5.25 River Protection Overlay District as follows:

Section 1. AMENDMENTS. The Town of Yemassee hereby amends the Zoning Ordinance of the Town of Yemassee, South Carolina by adopting and incorporating amendments to the Town of Yemassee Zoning Ordinance, Article V, Section 5.25. River Protection Overlay District, Section 5.25.4(a) Outstanding Resource Waters as follows:

“5.25.4 The following Outstanding Resource Waters are included in the District:

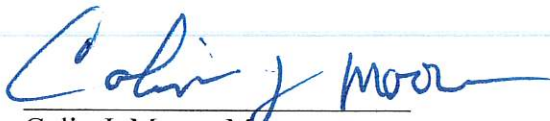
- a) The entire stream or tributary located within the Town which includes Combahee River; Huspa Creek; Pocotaligo River and Stoney Creek”.

Section 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. ORDINANCE IN FULL FORCE AND EFFECT. This entire Ordinance shall take full force and effect upon adoption.

DONE, RATIFIED AND ENACTED THIS 11th DAY OF April, 2023.

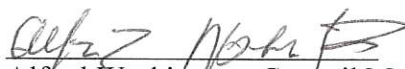
This Ordinance was read and passed at First Reading on: March 14, 2023

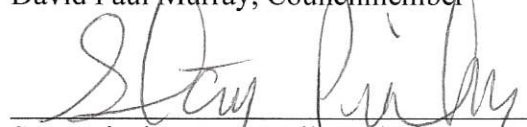

Colin J. Moore, Mayor


ATTEST: Matthew E. Garnes, Town Administrator

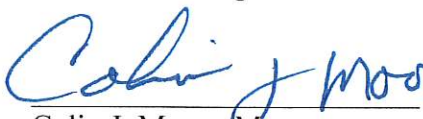

Peggy O'Banner, Mayor Pro Tem

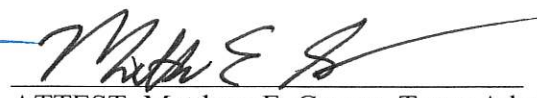
David Paul Murray, Councilmember


Alfred Washington, Council Member


Stacy Pinckney, Councilmember

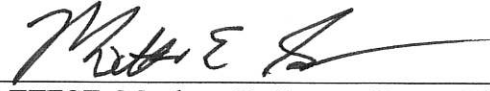
A Public Hearing on this Ordinance was held on: April 11, 2023


Colin J. Moore, Mayor

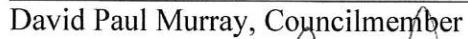

ATTEST: Matthew E. Garnes, Town Administrator

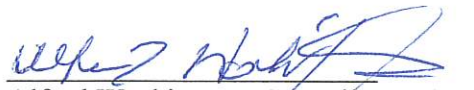
This Ordinance was read and passed at Second and Final Reading held on: April 11, 2023

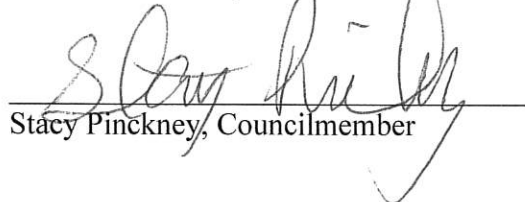

Colin J. Moore, Mayor


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(seal)