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2017 MAR 28 AM 11:30

CLERK OF COURT
LANCASTER, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2017-1433

AN ORDINANCE

TO AMEND THE OFFICIAL ZONING MAP OF LANCASTER COUNTY SO AS TO REZONE PROPERTY OF F. R. WILKERSON III/NBI INVESTMENTS III LLC, LOCATED AT 182 SPICE ROAD FROM LDR, LOW DENSITY RESIDENTIAL DISTRICT TO LI, LIGHT INDUSTRIAL DISTRICT.

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CLERK OF COURT
LANCASTER, SC

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) F.R. Wilkerson III applied to rezone property located at 182 Spice Road from LDR, Low Density Residential District, to LI, Light Industrial District.
- (b) On February 21, 2017, the Lancaster County Planning Commission held a public hearing on the proposed rezoning and, by a vote of (6-1), recommended to deny the rezoning.

Section 2. Rezoning.

The Official Zoning Map is amended by changing the zoning district classification from LDR, Low Density Residential District to LI, Light Industrial District for the following property as identified by tax map number or other appropriate identifier:

Tax Map No. 0010-00-001.00.

Further, the property owner, NBI Investments III, LLC, as evidenced by the letter dated March 10, 2017 that is attached hereto and incorporated herein as fully as if repeated verbatim, has expressed its intent to voluntarily limit the use of the parcel identified herein only for food manufacturing, processing and warehousing (including but not limited to current activities such as blending, grinding, sifting and particle reduction, component compounding, packaging, distribution, shipping, administrative, research and development, culinary and menu development, etc.) during NBI's ownership of the parcel. Upon NBI's change of use or transfer

of the property, the property may be used consistent with the Light Industrial classification in effect under the Lancaster County Unified Development Ordinance in existence at that time.

Section 3. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this 27th day of March, 2017

LANCASTER COUNTY, SOUTH CAROLINA



Steve Harper, Chair, County Council



Larry Honeycutt, Secretary, County Council

ATTEST:



Sherrie Simpson, Clerk to Council

First Reading: February 27, 2017
Second Reading: March 13, 2017
Third Reading: March 27, 2017



March 10, 2017

John Weaver
County Attorney
County Administration Building
P.O. Box 1809
Lancaster, SC 29721

Dear Mr. Weaver:

This is to confirm that, if the property located at One Spice Road is rezoned as light industrial to allow the proposed expansion, then NBI Investments III, LLC, which leases to McClancy Seasoning Company, intends to use the property only for food manufacturing, processing and warehousing. With the ability to expand on the property, NBI and McClancy do not anticipate needing to sell the property for the foreseeable future.

Sincerely;

A handwritten signature in black ink, appearing to read "F.R. Wilkerson III".

F.R. Wilkerson III
President
McClancy

