

**AN ORDINANCE
REZONING PROPERTY LOCATED AT 1925 ASHLEY RIVER
ROAD, ST. ANDREWS, PARCEL IDENTIFICATION NUMBER
351-06-00-123, TO AMEND PLANNED DEVELOPMENT (PD-136)
TO PLANNED DEVELOPMENT (PD-136A)**

WHEREAS, the property located at 1925 Ashley River Road, St. Andrews, identified as parcel identification number 351-06-00-123, is currently zoned Planned Development (PD-136); and

WHEREAS, the applicant requests an amendment to the approved PD Development Plan, PD-136, and has submitted a complete application for a PD Development Plan amendment pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed PD Development Plan amendment and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve with conditions the proposed PD Development Plan, which recommendation is based on the Approval Criteria of Section 4.27.9.C.6 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves with conditions the proposed PD Development Plan amendment based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR; and

WHEREAS, County Council has determined the PD Development Plan and amendment meets the following criteria:

- A. The PD Development Plan and amendment complies with the standards contained in Article 4.27 of the ZLDR;
- B. The development is consistent with the intent of the Charleston County Comprehensive Plan;
- C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

NOW, THEREFORE, be ordained it by Charleston County Council, in meeting duly assembled, finds as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. REZONING OF PROPERTIES

A. Charleston County Council rezones the property located at 1925 Ashley River Road, St. Andrews, parcel identification number 351-06-00-123, to amend Planned Development (136) to Planned Development (PD-136A); and

B. The PD Development Plan amendment submitted by the applicant and identified as the "Planned Development District Guidelines for PD-136A, Charleston County, South Carolina Dated March 4, 2009", including the changes and conditions approved by County Council that are attached hereto as Exhibit A and made a part of this Ordinance by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of PD-136A must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Parcel Identification Number 351-06-00-123 is amended to PD-136A in accordance with Section 3.4.7 of Article 3.4 of the ZLDR.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately upon approval of County Council following third reading.