

AN ORDINANCE

REZONING PROPERTY LOCATED AT 3008 HIGHWAY 17 NORTH, PARCEL IDENTIFICATION 598-00-00-026, -027, FROM PLANNED DEVELOPMENT (PD-40) DISTRICT TO PLANNED DEVELOPMENT (PD-40A) DISTRICT.

Charleston County Council, in meeting duly assembled, hereby makes the following findings of fact:

WHEREAS, the property known as Parcel Identification 598-00-00-026, -027 is currently zoned Planned Development (PD-40) X; and

WHEREAS, the site is approximately 4.99 acres and thus is in excess of the minimum acreage necessary for PD zoning; and

WHEREAS, the County Planning Commission has reviewed the application in accordance with procedures established in State Law and the County Zoning and Land Development Regulations; and

WHEREAS, the rezoning complies in all respects with Article 3.4 of the Charleston County Zoning and Land Development Regulations; and

WHEREAS, the development plan meets the objectives of Article 3.5 in the Charleston County Zoning and Land Development regulations by:

- A.
Providing a maximum choice in the types of environment available to the public by allowing a development that would not be possible under the strict application of the standards of the Ordinance, bu allowing for more of a variety of commercial uses than originally approved in PD-40;
- B.
Allowing greater freedom in selecting the means to provide access, light, open space and design amenities, by allowing for shared access;
- C.
Providing a development plan in harmony with the land use density, transportation facilities and community facilities objectives of the Comprehensive Plan, by allowing for shared access to reduce the number of access points and allowing for more of a variety of commercial uses in an area recommended for commercial uses;
- D.
Providing a development pattern that incorporates adequate public safety and transportation-related measures in its design and compliments the developed properties in the vicinity and the natural features of the site, by providing shared access.

WHEREAS, the development plan conforms to and implements the Charleston County Comprehensive Plan;

NOW, THEREFORE BE IT ORDAINED BY CHARLESTON COUNTY COUNCIL THAT THE PROPERTY KNOWN AS PARCEL IDENTIFICATION 598-00-00-026, -027, BE AND HEREBY IS REZONED FROM PLANNED DEVELOPMENT (PD-40) DISTRICT TO PLANNED DEVELOPMENT (PD-40A) DISTRICT.ANY DEVELOPMENT ON THE SITE MUST CONFORM TO ALL REQUIREMENTS OF THE ZONING AND LAND DEVELOPMENT REGULATIONS AND OTHER APPLICABLE LAWS, RULES AND REGULATIONS.

THE PROVISIONS OF THIS ORDINANCE ARE HEREBY DECLARED TO BE SEVERABLE AND IF ANY SECTION, PHRASE, OR PROVISIONS SHALL FOR ANY REASON BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE INVALID OR UNENFORCEABLE, THAT DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE REMAINDER OF THE SECTIONS, PHRASES, AND PROVISIONS HEREUNDER.

THE WITHIN ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON APPROVAL FOLLOWING THIRD READING.

