

AN ORDINANCE

REZONING PROPERTY LOCATED AT 4108 & 4112 HIGHWAY 17 NORTH, PARCEL IDENTIFICATION 615-00-00-071 & 072, FROM RURAL RESIDENTIAL (RR-3) DISTRICT TO PLANNED DEVELOPMENT (PD-135) DISTRICT.

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

WHEREAS, the properties known as Parcel Identification **615-00-00-071 & 072**, are currently zoned **RURAL RESIDENTIAL (RR-3)**; and

WHEREAS, the applicant has submitted an application which constitutes a “complete application” pursuant to the requirements of Article 4.27 of the Charleston County Zoning and Land Development Regulations; 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 planned development plan meets or exceeds the criteria as defined in Article 4.27, including, *inter alia*, the intent and results in §4.27.4, **A** through **H**, in the Charleston County Zoning and Land Development regulations by:

- A.** Allowing for restaurant, banquet facility uses other than currently permitted;
- B.** Allows for connectivity to adjacent developments, a future frontage road and a large amount of open space;
- C.** Preserves wetlands and Grand Trees
- D.** Allows connectivity and future frontage road
- E.** Maintaining permanent preserved open space;
- F.** Interconnectivity may lessen demand placed on existing infrastructure
- G.** Allows for interconnectivity and future frontage road; and
- H.** Protects wetland areas o the parcels.

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

NOW, THEREFORE BE IT ORDAINED BY CHARLESTON COUNTY COUNCIL AS FOLLOWS:

1. THE ABOVE RECITALS ARE HEREBY INCORPORATED BY REFERENCE.

2. THE PROPERTY KNOWN AS PARCEL IDENTIFICATION 615-00-00-071 & 072, BE AND HEREBY IS REZONED FROM RURAL RESIDENTIAL (RR-3) DISTRICT TO PLANNED DEVELOPMENT (PD-135) DISTRICT.

3. THE PLANNED DEVELOPMENT PLAN FOR PD-135 SUBMITTED BY THE APPLICANT AND DATED FEBRUARY 1, 2008, INCLUDING CHANGES THERETO AND CONDITIONS, IF ANY) APPROVED BY COUNTY COUNCIL, ARE HEREBY INCORPORATED HEREIN BY REFERENCE, AND SHALL CONSITUTE THE PLANNED DEVELOPMENT PLAN FOR THE PARCELS IDENTIFIED ABOVE.

4. ANY DEVELOPMENT ON THE SITE MUST CONFORM TO THE ABOVE-REFERENCED PLANNED DEVELOPMENT PLAN, ALL REQUIREMENTS OF THE ZONING AND LAND DEVELOPMENT REGULATIONS AND OTHER APPLICABLE LAWS, RULES AND REGULATIONS.

5. 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.

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