AN ORDINANCE REZONING PROPERTIES LOCATED
AT 9073 LOTTIE POPE ROAD; 8331, 8231 AND 8401 SIMMONS POND ROAD,
EDISTO ISLAND FROM (PD-99) TO
PLANNED DEVELOPMENT AMENDMENT PD 99A

WHEREAS, the properties located at 9073 LOTTIE POPE ROAD; 8331, 8231 AND
8401 SIMMONS POND ROAD, EDISTO ISLAND, identified as Tax Map Parcel Numbers
027-00-00-034, -002, -004, -057 and (is/are) currently zoned (PD-99); and

WHEREAS, the applicant requests the parcels be rezoned to Planned Development
Amendment (PD) and has submitted a complete application for PD Development Plan
amendment approval pursuant to Article 4.27 of the Charleston County Zoning and Land
Development Regulations (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the
proposed Amended PD Development Plan and adopted a resolution, by majority vote of
the entire membership, recommending that County Council approve with conditions the
proposed 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;

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

A. The PD Development Plan 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 properties located at 9073 LOTTIE POPE ROAD; 8331, 8231 AND 8401 SIMMONS POND ROAD, EDISTO ISLAND, identified as Tax Map Parcel Numbers 027-00-00-034, -002, -004, -057, from (PD-99) to Planned Development Amendment PD 99A; and

B. The PD Development Plan submitted by the applicant and identified as the “Planned Development District Guidelines for PD 99A, Charleston County, South Carolina Dated 4-14-2009”, including the changes thereto and conditions, if any, approved by County Council as Planned Development 99A or PD 99A is incorporated herein by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of PD 99A must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Numbers 027-00-00-034, -002, -004, -
057 is amended to PD-99A 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.

ADOPTED and APPROVED in meeting duly assembled this ___ day of __________, 2009.

CHARLESTON COUNTY COUNCIL

By: ____________________________
    Teddie E. Pryor, Sr.
    Chairman

ATTEST:

By: ____________________________
    Beverly T. Craven
    Clerk of Council