

**AN ORDINANCE
REZONING THE CHARLESTON TEA PLANTATION
PLANNED DEVELOPMENT (PD-109)**

WHEREAS, the properties located at 2447, 2450 and 2451 American Classic Tea Lane, identified as Tax Map Parcel Identification Numbers 151-00-00-093; 151-00-00-282; and 151-00-00-283 are currently zoned PD-109, Planned Development Zoning District 109; and

WHEREAS, the applicant requests to rezone the Planned Development Zoning District (PD-109) 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 Ordinance (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed PD Development Plan and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve the proposed development plan with conditions, which recommendation is based on the Approval Criteria of Section 4.27.9.E.9 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, Charleston County Council held at least 1 public hearing and after close of the public hearing, County Council approves the proposed PD Development Plan with conditions based on the Approval Criteria of Section 4.27.9.E.9 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 IT ORDAINED by County Council of Charleston County, South Carolina, 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 2447, 2450 and 2451 American Classic Tea Lane, identified as Tax Map Parcel Identification Numbers 151-00-00-093; 151-00-00-282; and 151-00-00-283 from Planned Development (PD-109) to Planned Development (PD-109A); and

B. The PD Development Plan submitted by the applicant and identified as the "Development Guidelines for The Charleston Tea Plantation PD-109" including the changes thereto and conditions, if any, approved by County Council as Planned Development 109A or PD-109A, are incorporated herein by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of PD-109A 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 Identification Numbers 151-00-00-093; 151-00-00-282; and 151-00-00-283 is amended to PD-109A in accordance with Section 4.27.10 of Article 4.27 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 28th day of February 2012.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____
Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:

By: _____
Beverly T. Craven
Clerk to Charleston County Council

First Reading: January 24, 2012

Second Reading: February 7, 2012
Third Reading: February 28, 2012

EXHIBIT "A"

**PLANNING AND PUBLIC WORKS COMMITTEE
RECOMMENDED CHANGES AND CONDITIONS TO PD-109A
APPROVED BY COUNTY COUNCIL**

1. The applicant shall submit letters of coordination from the following emergency service providers: County EMS and County Sheriff's Department.
2. Page 1, Section 3, first proposed paragraph: correct the exhibit reference from "E" to "F."
3. Page 3, first sentence: Clarify the definition of "tea manufacturing" (it currently reads "...tea manufacturing, which includes of tea leaves, screening of cuttings, packaging and shipment to distributors.>").
4. Update the conceptual site plan to include all existing buildings (i.e. old tea factory buildings, greenhouse, etc.) and include the existing or proposed plans for those existing buildings in the PD text.
5. Page 3: Delete the term "use of right."
6. Page 3: Clarify that permitted special events apply only to the properties contained within PD-109A and that any special events held on the AG-15 zoned adjacent tea farm shall comply with the ZLDR.
7. Page 2: Add a statement in the PD text indicating that all building additions, renovations, and new construction plans shall be reviewed by the St. John's Fire Prevention Division, in addition to the Charleston County Building Inspections Services Department.