

**AN ORDINANCE
REZONING THE REAL PROPERTY LOCATED AT 9 LEMOYNE LANE FROM
SINGLE FAMILY RESIDENTIAL 4 (R-4) ZONING DISTRICT TO PLANNED
DEVELOPMENT ZONING DISTRICT (PD-150 CASSIQUE CLUBHOUSE
VILLAGE).**

WHEREAS, the property located at 9 LeMoyne, identified as Tax Map Parcel Number 205-00-00-012, is currently zoned Single Family Residential 4 (R-4) Zoning District; and

WHEREAS, the applicant requests the parcel be rezoned to Cassique Clubhouse Village Planned Development Zoning District (PD-150) to allow for the creation of a residential neighborhood organized by clusters of home sites within parkland that provide internal garden courtyards; and

WHEREAS, the applicant has submitted a complete application for PD Development Plan approval pursuant to Article 4.23 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, and recommended that Charleston County Council (County Council) approve with conditions the proposed development plan based on the Approval Criteria of Section 4.23.9.E.9 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least one public hearing and after close of the public hearing, County Council approved with conditions the proposed PD Development Plan based on the Approval Criteria of Section 4.23.9.E.9 of Article 4.23 of the ZLDR; and

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 4.23 of the ZLDR;
- B. The development is consistent with the intent of the Charleston County Comprehensive Plan and other adopted policy documents; and
- 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 9 LeMoyné Lane, identified as Tax Map Parcel Numbers 205-00-00-012, from Single Family Residential 4 (R-4) Zoning District to Cassique Clubhouse Village Planned Development Zoning District (PD-150); and

B. The PD Development Plan submitted by the applicant and identified as the "Cassique Clubhouse Village, Charleston County, South Carolina, Planned Development Zoning District Application [PD-150]" dated April 2014, including the changes are attached thereto as Exhibit "A" and made part of this Ordinance by reference, duly approved by County Council as Planned Development 150 or PD-150, is incorporated herein by reference and shall constitute the PD Development Plan for the parcel identified above; and

C. Any and all development of PD-150 must comply with the PD Development Plan, ZLDR, and any and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Number 205-00-00-012 is amended to PD-150 in accordance with Section 4.23.10 of Article 4.23 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 26th day of August, 2014.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

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

First Reading: June 17, 2014
Second Reading: July 29, 2014
Third Reading: August 26, 2014

EXHIBIT "A"

PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDED CHANGES AND CONDITIONS TO PD-150 APPROVED BY CHARLESTON COUNTY COUNCIL

1. Page 17, Section 3.18, and Exhibit G: Change the first sentence to read as follows: "All subsequent zoning and land development applications shall comply with the processes and requirements of the Charleston County ZLDR in effect at the time such applications are made, provided, however, that the following list of attached sections of the Charleston County ZLDR shall apply as described in this PD:
 - a. Article 6.1, Use Table;
 - b. Article 6.2, Definitions;
 - c. Article 6.3, Use Types;
 - d. Article 6.4, Use Conditions; and
 - e. Article 6.5, Accessory Uses and Structures."
2. Page 17, Section 3.18: Delete "Article 3.10, Zoning Variances" from the last line of this paragraph.
3. Exhibit E: Provide the letter of coordination from St. John's Fire District and incorporate into the proposed PD any changes to the proposed PD and any zoning and land development requirements identified in such letter.
4. Exhibit G: Remove ZLDR Article 6.6, Temporary Uses, and Article 6.7, Special Events.