

**AN ORDINANCE
REZONING THE REAL PROPERTY LOCATED AT 1509 MAIN ROAD
FROM THE RURAL RESIDENTIAL (RR-3) ZONING DISTRICT TO
PLANNED DEVELOPMENT ZONING DISTRICT (PD-151 BERKELEY
ELECTRIC COOPERATIVE (BEC)).**

WHEREAS, the property located at 1509 Main Road, identified as Tax Map Parcel Number 280-00-00-081, is currently zoned Rural Residential (RR-3) Zoning District; and

WHEREAS, the applicant requests the parcel be rezoned to Berkeley Electric Cooperative (BEC) Planned Development (PD-151) to allow for the replacement of an existing guy tower and to provide improved communications within BEC's system; 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 (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;

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 1509 Main Road, identified as Tax Map Parcel Number 280-00-00-081, from Rural Residential (RR-3) Zoning District to Berkley Electric Cooperative (BEC) Planned Development Zoning District (PD-151); and

B. The PD Development Plan submitted by the applicant and identified as the "Planned Development District Guidelines for Berkley Electric Cooperative (PD-151), Charleston County, South Carolina," dated November 11, 2014, including the changes attached thereto as Exhibit "A" and made part of this Ordinance by reference, duly approved by County Council as Planned Development 151 or PD-151, 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-151 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 Number 280-00-00-081 is amended to PD-151 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 10th day of March, 2015.

CHARLESTON COUNTY COUNCIL

By: _____
J. Elliot Summey
Chairman of Charleston County Council

ATTEST:

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

First Reading: February 3, 2015
Second Reading: February 26, 2015
Third Reading: March 10, 2015

EXHIBIT "A"

PLANNING AND PUBLIC WORKS COMMITTEE

RECOMMENDED CHANGES AND CONDITIONS TO PD-151

APPROVED BY CHARLESTON COUNTY COUNCIL

1. A Fall Zone letter must be submitted as part of the Site Plan Review application.
2. In Section X. Screening and Buffering, add the following sentence (in bold, italic):
"... along Main Road shall be 50', a reduction from the required 75' per the Zoning and Land Development Regulations Ordinance (ZLDR). ***The 50-foot right-of-way buffer shall contain the amount of plant material required in the 75-foot Main Road buffer (buffer type S5).***"