

**AN ORDINANCE
AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT
REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 8,
SUBDIVISION REGULATIONS.**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed amendments of the text of various chapters of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in South Carolina law and the ZLDR and has recommended that the Charleston County Council (County Council) adopt the proposed amendments of the text of the ZLDR as set forth herein; 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 the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

WHEREAS, County Council has determined the proposed text amendments meet the following criteria:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition; and

- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by the Charleston County Council of Charleston, in meeting duly assembled, 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. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments attached hereto as Exhibit "A" and made part of this Ordinance by reference.

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 following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 21st day of July, 2015.

CHARLESTON COUNTY COUNCIL

By:

J. Elliott Summey
Chairman of Charleston County Council

ATTEST:

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

First Reading: June 2, 2015
Second Reading: June 16, 2015
Third Reading: July 21, 2015

EXHIBIT "A"

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 8, SUBDIVISION REGULATIONS.

Chapter 8, Subdivision Regulations

Article 8.4, Preliminary Plat, Section 8.4.2.A.j: "At a minimum, a United States Army Corps of Engineers Approximate-Preliminary Jurisdictional Determination Letter is required for lots of five acres or less in size and within all publicly dedicated rights-of-ways and easements."

Article 8.5, Final Plats, Section 8.5.2.B.9: "At a minimum, a United States Army Corps of Engineers Approximate-Preliminary Jurisdictional Determination Letter is required for lots of five acres or less in size and within all publicly dedicated rights-of-ways and easements."