

**AN ORDINANCE
REZONING THE HIGHWAY 17N PALMETTO COMMERCIAL PLANNED
DEVELOPMENT (PD-133).**

WHEREAS, the property located at 4052 Highway 17 North, identified as Tax Map Parcel Number 615-00-00-041, is currently zoned Highway 17 North Palmetto Commercial Planned Development Zoning District (PD-133); and

WHEREAS, the applicant requests the parcel be rezoned to Planned Development (PD-133A) to limit the allowed use to a self-storage facility and increase the size of the planned development from 3.3 acres to 6.6 acres; and

WHEREAS, the applicant 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 reviewed the proposed 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 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, Charleston County Council ("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, the County Council 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 PROPERTY

A. The County Council rezones the property located at 4052 Highway 17 North, identified as Tax Map Parcel Number 615-00-00-041, from the Highway 17 North Palmetto Commercial Planned Development Zoning District (PD-133); and

B. The PD Development Plan submitted by the applicant and identified as the "Highway 17 North Self-Storage Facility Planned Development District Guidelines, Charleston County, South Carolina," dated December 1, 2015, including the changes that are attached thereto as Exhibit "A" and made part of this Ordinance by reference, approved by County Council as Planned Development 133A or PD-133A, 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-133A 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 615-00-00-041 is amended to PD-133A 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 23rd day of February, 2016.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

By: _____
Beverly T. Craven
Clerk to County Council

First Reading: January 26, 2016
Second Reading: February 9, 2016
Third Reading: February 23, 2016

EXHIBIT "A"

RECOMMENDED CHANGES AND CONDITIONS TO PD-133 APPROVED BY COUNTY COUNCIL

- 1) Page 4, General Guidelines:
 - a) In the third paragraph at the end of the first sentence, clarify this sentence to read, "...at the time of development **or as attached** including all County Site Plan Review Processes."
 - b) Under Section 5.10.9 in the third bullet: Clarify that this refers to the **front** setback.
- 2) Page 5, Site and Architectural Standards: State compliance with ZLDR Article 9.6, Architectural and Landscape Design Standards.
- 3) Page 7, Referenced ZLDR: Attach the referenced ZLDR sections as an appendix to the PD guidelines and provide a digital copy of the attachments with the final PD document.
- 4) Limit the maximum building footprint to 19,000 gross square feet;
- 5) Limit the maximum total square footage to 98,000 gross square feet;
- 6) Limit the maximum building height to one story and 28 feet;
- 7) Require the front façade of the buildings facing Highway 17 North to be predominantly adorned with brick and require the brick to turn the sides of the buildings and carry a return for at least 10 to 15 feet; and
- 8) Require additional landscape plantings outside of the front buffer around the proposed detention ponds to provide additional screening from Highway 17 North.