

**AN ORDINANCE
REZONE A PORTION OF THE REAL PROPERTY LOCATED AT 9850 HIGHWAY 78
FROM THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT TO PLANNED
DEVELOPMENT ZONING DISTRICT (PD-154).**

WHEREAS, the property located at 9850 Highway 78, identified as Tax Map Parcel Number 393-00-00-028, is currently zoned Community Commercial (CC) Zoning District; and

WHEREAS, the applicant requests a portion of the parcel be rezoned to The Exchange Club Fair of Charleston Signage Improvement Planned Development (PD-154) to allow for the construction of one digital electronic billboard; 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) disapprove 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 a portion of the property located at 9850 Highway 78, identified as Tax Map Parcel Number 393-00-00-028, from Community Commercial (CC) to The Exchange Club Fair of Charleston Signage Improvement Planned Development (PD-154); and
- B. Any and all development of PD-154 must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and
- C. The zoning map for Tax Map Parcel Number 393-00-00-028 is amended to PD-154 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 August, 2016.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

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

First Reading: June 21, 2016
Second Reading: July 14, 2016
Third Reading: August 23, 2016

