

**AN ORDINANCE
REZONING THE REAL PROPERTY LOCATED AT 1989 MAYBANK
HIGHWAY, PARCEL IDENTIFICATION NUMBER 343-03-00-208, FROM
MAYBANK/WOODLAND SHORES PARCELS PLANNED DEVELOPMENT
ZONING DISTRICT TO MAYBANK/WOODLAND SHORES PARCELS
PLANNED DEVELOPMENT ZONING DISTRICT (PD-157).**

WHEREAS, the property located at 1989 Maybank Highway, identified as Tax Map Parcel Number 343-03-00-208, is currently zoned Maybank/Woodland Shores Parcels Planned Development Zoning District; and

WHEREAS, the applicant requests the parcel be rezoned to Maybank/Woodland Shore Parcels Planned Development Zoning District (PD-157) to allow for a restaurant with alcohol sales and to clarify requirements for consistency with ZLDR requirements; 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 one condition 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 one condition 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;
- 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. Charleston County Council rezones the property located at 1989 Maybank Highway, identified as Tax Map Parcel Number 343-03-00-208, from Maybank/Woodland Shores Parcels Planned Development Zoning District to Maybank/Woodland Shores Parcels Planned Development Zoning District (PD-157); and

B. The PD Development Plan submitted by the applicant and identified as the “Maybank/Woodland Shores Parcels Planned Development District Guidelines, Charleston County, South Carolina,” originally approved 2007, revised December 9, 2016, including the changes thereto as Exhibit “A” and made part of this Ordinance by

reference, approved by County Council as Planned Development 157 or PD-157, 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-157 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 343-03-00-208 is amended to PD-157 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 28rd day of March, 2017.

CHARLESTON COUNTY COUNCIL

By: _____
A. Victor Rawl
Chairman of Charleston County Council

ATTEST:

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

First Reading: February 28, 2017
Second Reading: March 14, 2017
Third Reading: March 28, 2017

EXHIBIT "A"

RECOMMENDED CHANGE AND CONDITION TO PD-157

APPROVED BY CHARLESTON COUNTY COUNCIL

1. Page 2, Section II, Land Uses: Under "Commercial and Other Non-Residential," revise to allow live music to occur between the hours of noon and 10 pm.