

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 2729 BOHICKET ROAD, PARCEL IDENTIFICATION NUMBER 256-00-00-046, FROM RASHFORD PROPERTY PLANNED DEVELOPMENT ZONING DISTRICT (PD-72) TO FRATTONE PROPERTY PLANNED DEVELOPMENT ZONING DISTRICT (PD-158).

WHEREAS, the property identified as parcel identification number 256-00-00-046 is currently zoned Rashford Property Planned Development Zoning District (PD-72); 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;

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 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 2729 Bohicket Road, identified as Tax Map Parcel Number 256-00-00-046, from Rashford Property Planned Development Zoning District (PD-72) to Frattone Property Planned Development Zoning District (PD-158); and

B. The PD Development Plan submitted by the applicant and identified as the "Fratton Property Planned Development District Guidelines, Charleston County, South Carolina," dated October 30, 2017, approved by County Council as Planned Development 158 or PD-158, 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-158 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 256-00-00-046 is amended to PD-158 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 January, 2018.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

By: _____
Kristen L. Salisbury
Clerk of Charleston County Council
First Reading: December 14, 2017
Second Reading: January 18, 2018
Third Reading: February 13, 2018

**EXHIBIT "A"
PLANNING AND PUBLIC WORKS COMMITTEE
RECOMMENDED CHANGES AND CONDITIONS TO PD-158
APPROVED BY CHARLESTON COUNTY COUNCIL**

1. Page 5, Section IV. Selected Land Uses: Revise to only allow single-family detached residential, administrative or business office, and professional office.
2. Page 8, Density/Intensity and Dimensional Standards Table: Revise the maximum height to be 25 feet.
3. Page 9, Section G. Signs: Revise the last sentence in the first paragraph to read, "The following requirements apply to all sign illumination."