

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 3883 BETSY KERRISON PARKWAY, JOHNS ISLAND, SOUTH CAROLINA, PARCEL IDENTIFICATION NUMBERS 212-00-00-001 AND 212-00-00-005 THROUGH 212-00-00-014, FROM THE KIAWAH RIVER PLANTATION PLANNED DEVELOPMENT ZONING DISTRICT (PD-143) TO THE KIAWAH RIVER PLANNED DEVELOPMENT ZONING DISTRICT (PD-143A), AS AMENDED IN CONJUNCTION WITH THE KIAWAH RIVER PLANTATION, JOHNS ISLAND, SOUTH CAROLINA DEVELOPMENT AGREEMENT BY AND AMONG KIAWAH RIVER INVESTMENT, LLC AND CHARLESTON COUNTY, SOUTH CAROLINA.

WHEREAS, the properties located at 3883 Betsy Kerrison Parkway, identified as tax map parcel numbers 212-00-00-001 and 212-00-00-005 through 212-00-00-014, are currently zoned Planned Development Zoning District (PD-143); and

WHEREAS, the properties have been acquired by Kiawah River Investment, LLC; and

WHEREAS, the applicant requests the properties be rezoned to Kiawah River Planned Development (PD-143A) as amended to clarify terms and development standards in conjunction with the Kiawah River Plantation, Johns Island, South Carolina Development Agreement, as amended by and among Kiawah River Investment, LLC and Charleston County, South Carolina (the "Development Agreement"); 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, recommending that the Charleston County Council (County Council) approve the proposed development plan with two conditions, which recommendation is 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

approves with conditions the proposed PD Development Plan with two conditions (see Exhibit A) based on the Approval Criteria of Section 4.23.9.E.9 of Article 4.23 of the ZLDR; and

WHEREAS, the 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 it ordained by Charleston County Council, 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. REZONING OF PROPERTY

A. Charleston County Council rezones the properties located at 3883 Betsy Kerrison Parkway, tax map parcel identification numbers 212-00-00-001 and 212-00-00-005 through 212-00-00-014, from the Kiawah River Plantation Planned Development Zoning District (PD-143) to the Kiawah River Planned Development Zoning District (PD-143A), as amended; and

B. The PD Development Plan submitted by the applicant and identified as the "Appendix A - Kiawah River Planned Development District Plan," including the changes attached thereto as Exhibit "A" and made a part of this Ordinance by reference, duly approved by County Council as Planned Development 143A or PD-143A, as amended, 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-143A, as amended must comply with the PD

Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for the platted portion of tax map parcel identification numbers 212-00-00-001 and 212-00-00-005 through 212-00-00-014, is amended to PD-143A, as amended 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 following third reading by the County Council.

ADOPTED and APPROVED in meeting duly assembled this 9th day of October, 2018.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____
A. Victor Rawl
Chairman of County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to County Council

First Reading: September 11, 2018
Second Reading: September 25, 2018
Third Reading: October 9, 2018

EXHIBIT "A"

**RECOMMENDED CHANGES AND CONDITIONS TO PD-143A
APPROVED BY COUNTY COUNCIL**

Page 37 of the PD Plan, Table 10.1, Off-Street Parking Table: Change the first sentence to read
"In establishing the required minimum of off-street parking, the ARB shall may consider the
following..."