

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 2630 BRYANS DAIRY ROAD, PARCEL IDENTIFICATION NUMBER 259-00-00-074, FROM THE PD, PLANNED DEVELOPMENT ZONING DISTRICT (PD-138, BRYANS DAIRY ROAD) TO THE AGRICULTURAL PRESERVATION (AG-8) ZONING DISTRICT.

WHEREAS, the property identified as parcel identification number 259-00-00-074 is currently zoned Bryans Dairy Road Planned Development Zoning District; and

WHEREAS, the current owner of the property or agent thereof requests a rezoning of the property, and a complete application for rezoning the property was submitted to the Charleston County Zoning and Planning Department requesting, among other things, that the parcel be rezoned to the AG-8, Agricultural Preservation Zoning District pursuant to Article 3.4 of the Charleston County Zoning and Land Development Regulations Ordinance ("ZLDR"); and

WHEREAS, the Charleston County Planning Commission reviewed the application for rezoning and adopted a resolution, by majority vote of the entire membership, recommending that the Charleston County Council ("County Council") approve the application for rezoning based on the procedures established in South Carolina law and the Approval Criteria of Article 3.4 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, the County Council held at least one public hearing and after close of the public hearing, County Council has determined the rezoning meets the following criteria of Section 3.4.6 of Article 3.4 of the ZLDR:

- A. The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of this Ordinance;
- B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;
- C. The proposed amendment corrects a zoning map error or inconsistency;
- D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.

NOW, THEREFORE, be ordained it by the 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

The property identified as parcel identification number 259-00-00-074 is hereby rezoned from the PD, Bryans Dairy Road Planned Development Zoning District to the AG-8, Agricultural Preservation Zoning District. The zoning map of Charleston County is hereby amended to conform to this change. Any development on the site must conform to all requirements of the Charleston County Zoning and Land Development Regulations Ordinance and other applicable laws, rules and

regulations.

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 20th day of December, 2018.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____

A. Victor Rawl
Chairman of Charleston County Council

ATTEST:

By: _____

Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: November 27, 2018

Second Reading: December 11, 2018

Third Reading: December 20, 2018