

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 8142 SEASIDE OAKS LANE, PARCEL IDENTIFICATION NUMBER 023-00-00-294, FROM THE AGRICULTURAL RESIDENTIAL (AGR) ZONING DISTRICT TO THE PD, PLANNED DEVELOPMENT, (PD-170, PALMETTO LANDING) ZONING DISTRICT.

WHEREAS, the property identified as parcel identification number 023-00-00-294 is currently zoned Agricultural Residential (AGR); and

WHEREAS, the applicant seeks to rezone the property to PD, Planned Development Zoning District (PD-170), and submitted a complete application for PD Development Plan approval pursuant to Article 4.23 of the Charleston County Zoning and Land Development Regulations Ordinance (“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 the Charleston County Council (“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, 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 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

A. Charleston County Council rezones the property located at 8142 Seaside Oaks Lane, identified as Tax Map Parcel Number 023-00-00-294, from the Agricultural Residential (AGR) Zoning District to PD, Planned Development (PD-170) Zoning District; and

B. The PD Development Plan submitted by the applicant and identified as the “PD-170, Palmetto Landing”, submitted March 29, 2019, including the changes attached thereto as Exhibit A and made part of this Ordinance by reference, duly approved by the County Council as Planned Development 170 or PD-170, 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-170 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 023-00-00-294 is amended to PD-170, 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 20th day of August, 2019.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____

J. Elliott Summey
Chairman of Charleston County Council

ATTEST:

By: _____

Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: June 25, 2019
Second Reading: July 30, 2019
Third Reading: August 20, 2019

EXHIBIT "A"

PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDED CHANGES AND CONDITIONS TO PD-170 APPROVED BY CHARLESTON COUNTY COUNCIL

Section 6, Impact Assessment/Analysis, Sub-section D: Include the following at the end of the second sentence: "*and all lighting will comply with the requirements of the ZLDR in effect at the time of subsequent development application.*"

- Section 7, Streets, second sentence: Delete the following wording from the end of the sentence, "*...also owned by applicant.*"
- Section 16, Parking, third sentence: Add a sentence directly after the third sentence that reads as follows, "*Vehicles that are transporting individual boats or RVs for storage or pick-up on the site are permitted onsite, for a maximum of 24 hours at a time.*"
- Site Plan: Amend the Sketch Plan as follows, which is demonstrated in red on the attached Sketch Plan Exhibit:
 - Show tree islands to be installed at the end of each parking row. The tree islands should be at least 9-feet x 18-feet. In the north and west corners, the tree island can be one tree in the middle of the island instead of the two strips at the end of each row.
- General PD Comment:
 - Ensure wording is consistent throughout the PD when it refers to Seaside Oaks Lane. In some areas of the PD it is referred to as Sea Oaks Drive or Sea Oaks Lane, e.g., Section 3, Point D, Section 6, Point B.
 - Amend the applicable sections of the PD to state, "*If developed as a Boat and RV Storage use, power hook-ups and living on the site shall be prohibited.*"

Sketch Plan Exhibit

