

**AN ORDINANCE**

**REZONING THE REAL PROPERTY LOCATED AT 1029 ORLEANS ROAD, PARCEL IDENTIFICATION NUMBER 351-05-00-032, FROM THE SINGLE FAMILY RESIDENTIAL 4 (R-4) ZONING DISTRICT TO THE PD, PLANNED DEVELOPMENT (PD-163, ORLEANS ROAD) ZONING DISTRICT.**

WHEREAS, the property identified as parcel identification number 351-05-00-032 is currently zoned Single Family Residential 4 (R-4) Zoning District; and

WHEREAS, the applicant seeks to rezone the property to PD, Planned Development Zoning District (PD-163), 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 1029 Orleans Road, identified as Tax Map Parcel Number 351-05-00-032, from Single Family Residential 4 (R-4) Zoning District to PD, Planned Development (PD-163) Zoning District; and

B. The PD Development Plan submitted by the applicant and identified as the "Planned Development Guideline Specifications 1029 Orleans Road Charleston, SC", submitted June 13, 2018, including the changes attached thereto as Exhibit "A" and made part of this Ordinance by reference, approved by the County Council as Planned Development 163 or PD-163, 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-163 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 351-05-00-032 is amended to PD-163 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 12<sup>th</sup> day of September, 2019.

CHARLESTON COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
J. Elliot Summey  
Chairman of Charleston County Council

ATTEST:

By: \_\_\_\_\_  
Kristen L. Salisbury  
Clerk to Charleston County Council

First Reading: July 30, 2019  
Second Reading: August 20, 2019  
Third Reading: September 12, 2019

## EXHIBIT "A"

### PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDED CHANGES AND CONDITIONS TO PD-163 APPROVED BY CHARLESTON COUNTY COUNCIL

- Sec. I, Overview:
  - Point A: Amend the formatting to remove reference point number 3 from occurring twice:
    - “~~3~~4. All matters not addressed in the Planned Development Guidelines shall comply with the R-4 Zoning District requirements of the ZLDR in effect at the time of subsequent development application submittal.”
- Sec. XV, Communications Tower Zoning Requirements:
  - Point E: Delete Point E.