

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 1724, 1725, AND 1740 DOMINIC DRIVE, PARCEL IDENTIFICATION NUMBERS 279-00-00-315, 279-00-00-320, AND 279-00-00-323, FROM THE PD, PLANNED DEVELOPMENT ZONING DISTRICT (PD-128A) TO THE PD, PLANNED DEVELOPMENT ZONING DISTRICT (PD-128B).

WHEREAS, the properties identified as parcel identification numbers 279-00-00-315, 279-00-00-320, and 279-00-00-323 are currently zoned PD, Planned Development Zoning District (PD-128A); and

WHEREAS, the applicant seeks to rezone the property to PD, Planned Development Zoning District (PD-128B), 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 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.
- D.

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 1724, 1725, and 1740 Dominic Drive, identified as Tax Map Parcel Numbers 279-00-00-315, 279-00-00-320, and 279-00-00-323, from PD, Planned Development Zoning District (PD-128A) to PD, Planned Development Zoning District (PD-128B); and

B. The PD Development Plan submitted by the applicant and identified as the "Maybank Highway PD", submitted May 14, 2019, including the changes attached thereto as Exhibit "A" and

made part of this Ordinance by reference, approved by the County Council as Planned Development 128B or PD-128B, 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-128B 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 Numbers 279-00-00-315, 279-00-00-320, and 279-00-00-323, is amended to PD-128B 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 8th day of October, 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: September 12, 2019
Second Reading: September 19, 2019
Third Reading: October 8, 2019

EXHIBIT "A"

RECOMMENDED CHANGES AND CONDITIONS TO PD-128B APPROVED BY CHARLESTON COUNTY COUNCIL

- **Sec. II, Land Use, 2nd paragraph:** Change language proposed in the fifth sentence to state "Permitted single-family detached residential dwellings and accessory dwellings may be used for Limited Home Rental Short-Term Rentals in accordance with the requirements of ZLDR Article 6.8, Short-Term Rentals as they apply to the AGR Zoning District that are in effect at the time of subsequent development application submittal."
- **Sec. IV, Accessory Dwellings, 1st bullet:** Delete "(July 18, 2006)".