

Ord#: 2112

Adopted: 9/8/2020

**AN ORDINANCE**

**REZONING THE REAL PROPERTY LOCATED AT 1381, 1385, and 1389 RIVER ROAD, FROM THE SINGLE FAMILY RESIDENTIAL 4 (R-4) ZONING DISTRICT TO PLANNED DEVELOPMENT ZONING DISTRICT (PD-174).**

WHEREAS, the property located at 1381, 1385, and 1389 River Road, identified as parcel identification numbers 311-00-00-025 and 311-00-00-097, are currently zoned Residential 4 (R-4) Zoning District; and

WHEREAS, the applicant seeks to rezone to PD, Planned Development Zoning District (PD-174); 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 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;

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 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 PROPERTIES**

A. Charleston County Council rezones the properties located at 1381, 1385, and 1389 River Road, identified as parcel identification numbers 311-00-00-025 and 311-00-00-097, from Residential 4 (R-4) Zoning District to Planned Development Zoning District (PD-174); and

B. The PD Development Plan submitted by the applicant and identified as the "Planned Development District Guidelines for Murray Creek (PD-174), Charleston County, South Carolina,"

submitted February 4, 2020, including the changes attached thereto as Exhibit "A" and made part of this Ordinance by reference, approved by County Council as Planned Development 174 or PD-174, 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-174 must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for parcel identification numbers 311-00-00-025 and 311-00-00-097 is amended to PD-174 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 September, 2020.

### CHARLESTON COUNTY COUNCIL

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

ATTEST:

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

First Reading: July 14, 2020  
Second Reading: August 11, 2020  
Third Reading: September 8, 2020

### EXHIBIT "A" PD-174 CONDITIONS OF APPROVAL

- Residential lots shall have a minimum rear setback of 15'.
- Provide a stub out for connectivity to the adjoining parcel to the East.