

**AN ORDINANCE  
AMENDING THE KIAWAH RIVER PLANNED DEVELOPMENT ZONING  
DISTRICT (PD-143B), OF THE KIAWAH RIVER DEVELOPMENT  
AGREEMENT, JOHNS ISLAND, SOUTH CAROLINA BY AND AMONG  
KIAWAH RIVER INVESTMENT, LLC AND CHARLESTON COUNTY, SOUTH  
CAROLINA.**

WHEREAS, the properties included in the Kiawah River Development Agreement are zoned PD, Planned Development Zoning District ("PD-143B"); and

WHEREAS, the applicant seeks to amend PD-143B to allow for Limited and Extended Short-Term Rentals on designated properties and clarify Common Open Space highland acreage in conjunction with amendments to the Kiawah River Development Agreement, Johns Island, South Carolina Development Agreement, as amended by and among Kiawah River Investment, LLC and Charleston County, South Carolina (the "Development Agreement"); and WHEREAS, the applicant submitted a complete application for PD Development Plan amendment pursuant to Article 4.25 of the Charleston County Zoning and Land Development Regulations Ordinance ("ZLDR"); and

WHEREAS, the Charleston County Planning Commission ("Planning Commission") reviewed the proposed PD Development Plan amendments 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 4.25.8.J of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least two public hearings, and after close of the public hearings, County Council approved the proposed PD Development Plan amendments with conditions based on the Approval Criteria of Section 4.25.8.J of Article 4.25 of the ZLDR; and

WHEREAS, County Council has determined the PD Development Plan amendments meet the following criteria:

A. The PD Development Plan complies with the standards contained in Article 4.25 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 PROPERTY

A. Charleston County Council approves the amendments to the Kiawah River Planned Development Zoning District (PD-143B), rezoning the subject properties to the Kiawah River Planned Development Zoning District (PD-143C);

B. The PD Development Plan amendments submitted by the applicant and identified as "The Kiawah River Planned Development", submitted December 6, 2021, including the changes attached thereto as Exhibit "A" and made part of this Ordinance reference, approved by the County Council as Planned Development 143C or PD-143C, is incorporated therein by reference, and shall constitute the PD Development Plan for the parcels included in PD-143C; and

C. Any and all development of PD-143C must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for the properties included in the Kiawah River Planned Development Zoning District (PD-143B) is amended to PD-143C in accordance with Section 4.25.11 of Article 4.25 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 21<sup>st</sup> day of June 2022.

CHARLESTON COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_

Teddie E. Pryor, Sr.  
Chairman of Charleston County Council

ATTEST:

By: \_\_\_\_\_

Kristen L. Salisbury  
Clerk to Charleston County Council

First Reading: May 24, 2022  
Second Reading: June 7, 2022  
Third Reading: June 21, 2022

**EXHIBIT "A"**

**PLANNING COMMISSION RECOMMENDED CHANGES AND CONDITIONS TO PD-**

**143C APPROVED BY CHARLESTON COUNTY COUNCIL**

1. Special Exception approval by the Board of Zoning Appeals for Extended Home Rental properties (identified on Exhibit 4.4) pursuant to the requirements of ZLDR Sec. 6.8.2.C, *Special Exception*.