

AN ORDINANCE

REZONING THE REAL PROPERTIES LOCATED AT 3245 MILL STREET AND 355 DUNMEYER ROAD, PARCEL IDENTIFICATION NUMBERS 385-15-00-017 AND 385-15-00-031 FROM THE A LOW DENSITY RESIDENTIAL (R-4) ZONING DISTRICT TO THE MILL CROSSING ESTATES PLANNED DEVELOPMENT (PD-180) ZONING DISTRICT.

WHEREAS, the properties located at 3245 Mill Street and 355 Dunmeyer Road, identified as Parcel Identification Numbers 385-15-00-017 and 385-15-00-031, is currently zoned Low Density Residential (R-4) Zoning District; and

WHEREAS, the applicant seeks to rezone to Mills Crossing Estates Planned Development Zoning District (PD-180); 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 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 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 4.25.8.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 rezones the properties located at 3245 Mill Street and 355 Dunmeyer Hill Road Road, identified as Parcel Identification Numbers 385-15-00-017 and 385-15-00-031, from the Low Density Residential (R-4) Zoning District to the Mill Crossing Estates Planned Development (PD-180) Zoning District;
- B. The PD Development Plan submitted by the applicant and identified as “Mill Crossing Estates

Planned Development Guidelines”, submitted August 26, 2022, including the conditions of approval attached thereto as Exhibit “A” and made part of this Ordinance by reference, approved by the County Council as Planned Development 180 or PD-180, is incorporated therein by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of PD-180 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 385-15-00-017 and 385-15-00-031 is amended to PD-180 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 15th day of December, 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: November 17, 2022
Second Reading: December 6, 2022
Third Reading: December 15, 2022

EXHIBIT "A"

THE PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDED CHANGES AND CONDITIONS TO PD-180 APPROVED BY CHARLESTON COUNTY COUNCIL

- Sec. 3, Intent and Results
 - Revise the first sentence in the first paragraph to reference Art. 4.25 overall.
 - Revise the second sentence in the first paragraph to reference Sec. 4.25.8.J of the ZLDR.
- Sec. 8, Traffic Study
 - Add the language "A traffic impact study shall be submitted as part of the Site Plan Review and/or Subdivision application process. The study shall comply with the traffic impact study requirements of the ZLDR in effect at that time."
- Sec. 10, Common Open Space
 - Remove all language indicating that Charleston County will be conveyed open space. Open space must be conveyed to the property owner or manager, such as an HOA, or another legal entity willing to own and maintain the areas pursuant to ZLDR Sec. 4.25.6.C.2.
 - Remove reference to the S2 buffer and replace with current buffer type from Art. 9.4.
- Sec. 11, Compliance with the ZLDR
 - Revise Subsection 3 to reference Sec. 4.25.8.J of the ZLDR.
- Sec. 18, Signs
 - Revise the reference in this section to Art. 9.8 of the ZLDR.
- Sec. 20, Tree Protection
 - Revise the reference in this section to Art. 9.2 of the ZLDR.
- Sec. 21, Resource Areas
 - Revise the reference in this section to Sec.4.25.5.I of the ZLDR.
- Sec. 23, Additional Guidelines
 - In subsection 4, revise the reference to Art. 9.4 of the ZLDR.