

AN ORDINANCE

REZONING PROPERTIES LOCATED AT 9073 LOTTIE POPE ROAD; 8331, 8231 AND 8401 SIMMONS POND ROAD, EDISTO ISLAND, TO AMEND PLANNED DEVELOPMENT (PD-99) TO PLANNED DEVELOPMENT (PD-99A)

WHEREAS, the properties located at 9073 Lottie Pope Road; 8331, 8231, and 8401 Simons Pond Road, Edisto Island, identified as parcel identification numbers 027-00-00-034, -002, -004, -057 and are currently zoned Planned Development (PD-99); and

WHEREAS, the applicant requests an amendment to the approved PD Development Plan, PD-99, and has submitted a complete application for a PD Development Plan amendment pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed PD Development Plan amendment and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve with conditions the proposed development plan, which recommendation is based on the Approval Criteria of Section 4.27.9.C.6 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves with conditions the proposed PD Development Plan amendment based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR;

WHEREAS, County Council has determined the PD Development Plan and amendment meets the following criteria:

- A. The PD Development Plan and amendment comply with the standards contained in Article 4.27 of the ZLDR;

- B. The development is consistent with the intent of the Charleston County Comprehensive Plan and other adopted policy documents;
- 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 9073 Lottie Pope Road; 8331, 8231, and 8401 Simons Pond Road, Edisto Island, identified as parcel identification numbers 027-00-00-034, -002, -004, -057, to amend Planned Development (PD-99) to Planned Development (PD-99A); and

B. The PD Development Plan amendment submitted by the applicant and identified as the "Planned Development District Guidelines for PD-99A, Charleston County, South Carolina Dated April 14, 2009", including the changes and conditions approved by County Council that are attached hereto as Exhibit A and made part of this Ordinance by reference, and shall constitute the PD Development Plan for the parcels identified above; and

C. Any and all development of PD-99A 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 027-00-00-034, -002, -004,

-057 is amended to PD-99A in accordance with ZLDR Article 3.4, Section 3.4.7.

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 ____ day of _____, 2009.

CHARLESTON COUNTY COUNCIL

By: _____
Teddie E. Pryor, Sr.
Chairman

ATTEST:

By: _____
Beverly T. Craven
Clerk of Council

EXHIBIT "A"

PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDED CHANGES AND CONDITIONS TO PD-99A APPROVED BY COUNTY COUNCIL

1. Revise the accessory dwelling unit language to state, "Lots shall not be required to be a minimum of 50 percent larger than the minimum area required for a principal residential structure as required by the Charleston County Zoning and Land Development Regulations Ordinance, as amended on March 4, 2008."
2. Each lot is limited to one principal residence, one accessory dwelling unit and accessory buildings and structures as defined in the PD.
3. Road abandonment (segment of Lottie Pope Road between Lots 034 & 030) and the PD amendment request must be approved simultaneously by County Council (scheduled for the June 11, 2009 Planning and Public Works Committee meeting).
4. If Case ZREZ-4-09-3648 is disapproved, as recommended by staff, the following shall apply:
 - a. All language regarding deed restrictions and the proposed acreage/combination of land with Parcel 027-00-00-030 shall be removed from the PD document.
 - b. The 2004 approved conceptual plan shall remain in effect.
 - c. The 0.11 acres proposed to be included in the PD shall adhere to the locations shown on the proposed plat.
5. The applicant shall update the entire PD document to reflect all changes to the PD since June 23, 2004 including but not limited to: property boundary changes, use changes, and acreage changes.

ZONING CHANGE CASE ZPDA-4-09-3649 -C HISTORY
First Reading June 16, 2009

Second Reading: July 21, 2009

Third Reading: August 18, 2009

<p>Planning/Public Works Committee <i>(June 11, 2009)</i> <u>Recommendation: Approval with Staff's Conditions</u></p>	<p><u>CASE: ZPDA-4-09-3649</u> Parcel Identification: 027-00-00-034, -002, -004, and -057 Area: Edisto Island; 9073 Lottie Pope Rd; 8331, 8231, and 8401 Simmons Pond Rd Application: Request to amend Planned Development (PD-99)</p>
<p><u>Vote: 9 to 0</u> <u>Public Hearing</u> <i>June 2, 2009</i> Speakers in support: 1 Speakers in opposition: 1</p>	
<p><u>Planning Commission</u> <i>(May 11, 2009 Meeting)</i> <u>Recommendation: Approval with Staff's Conditions</u> (6-1) The Planning Commission voted to approve this request with staff's conditions because it does not create an increase or decrease in the number of units in the PD and the applicant is willing to privately restrict the number of dwelling units permitted on Parcel 030. Speakers in support: 1 Speakers in opposition: 0</p>	
<p><u>Municipalities Notified/Response</u> Edisto Island Interested Parties List - 2</p>	
<p><u>Staff Recommendation: Approval with Conditions</u> Map 3.1.4 (Future Land Use) of the 2008 Charleston County Comprehensive Plan recommends Parcel 034 for Agricultural Residential future land use while the remaining PD parcels are recommended for Agricultural Preservation future land use. However, the acreage addition to the PD is minimal, the number of permitted dwelling units will remain the same, and the additional amendments should not significantly alter the intent of the originally approved PD. Staff recommends approval of the request with the following conditions:</p> <ol style="list-style-type: none"> 1. Revise the accessory dwelling unit language to state, "Lots shall not be required to be a minimum of 50 percent larger than the minimum area required for a principal residential structure as required by the Charleston County 	

USA Farms LLC

Planned Development Application

PROJECT SUMMARY

The density of the Planned Development has been changed because of the property removed from the Planned Development but there will still be only Nine (9) principal residences in the Planned Development as set out in the PD 99 ordinance. A portion of the PD property containing approximately 1.93 acres has been removed from the Planned Development and additional tracts of land containing 0.11 acres has been added to TMS 027-00-00-034 in the Planned Development resulting in the Planned Development having 64.68 acres remaining. The Planned Development would continue to allow for nine residential home sites only of 1.0 acre or larger.

The Property — The 64.68 Acre site is located on Edisto Island in Charleston County. The property is accessed via SC HWY #174 and Chisholm Plantation Road. The property is bordered on the North, East, and West by private property, which is used primarily for agricultural purposes. The southern border of the property runs along Store Creek, a tributary of the Edisto River. Currently, approximately 32 acres of the land is cultivated for agricultural production by a local farmer. In the center of the property there is an irrigation pond and a freshwater wetland. The wetland is separated from Store Creek by an earthen dike, which is used to access the existing dock.

Proposed Planned Development — Existing zoning allows the landowners to subdivide the property into twenty-six (26) residential home sites. The landowners, in the spirit of conservation, have chosen not to exploit this development potential. The Planned Development would continue to allow for nine residential home sites which are 1.0 acres or larger with only 6 of the lots being water front. Also there will be a 50' buffer on both sides of the property line between the Planned Development and the portion of the property removed from the Planned Development (25' feet on each parcel). The access to the home sites may be via a new private 50' wide roadway easement connecting to the existing 50' R/W Access Easement and Chisholm Plantation Road. The owners have permitted the farmer to continue cultivation of the fields, preserving the existing agricultural use and rural character of the land. The Ponds, Earthen Dike, and new private roadway are designated easement areas, which are to be maintained by a property owners association (POA). Additionally, a 25' easement area is provided around the wetland and irrigation ponds. Within this easement area a 6-8' wide pervious path will be established to serve all USA Farms property owners with the ability to travel to, across, and over the existing dikes and dock located on Store Creek. This area is also to act as a buffer to which improves the filtration of storm water as it passes through. It is the intention of the landowners, through careful planning and environmental and cultural conservation, to preserve the rural character of the land.

USA Farms LLC

Planned Development Application

General Guidelines

Except as noted below, all rules and regulations regarding property development within Charleston County will apply. Permitted uses shall be the same as allowed in the AG-10 base zoning district as stated in the Charleston County Zoning and Land Development Regulations.

Each home within this Planned Development will be carefully located so that each will have a reasonable view and privacy. Consideration will be given to each site regarding the topography, the protection of existing trees and/or other aesthetic or environmental conditions.

Residential

1. PROPERTY OWNERS ASSOCIATION (POA)

The Property Owners Association shall consist of representatives for each home site. The POA will maintain and fund repairs within this Planned Development for all roadways, easements, water bodies, the earthen dike and all appurtenances, and the existing dock on Store Creek. Each lot owner is required to contribute equally to these costs unless otherwise agreed by them. The POA may, with the consent of all lot owners, be expanded to include additional properties adjacent to the Project.

2. SETBACK, OCCUPANCY, AND HEIGHT CRITERIA

The Property Owners Association (POA) will approve the location of each home site, in advance of construction. All front, side, rear yard, and critical line setbacks will be enforced throughout the development. All decks, patios, porches and entertainment structures will comply with these setback criteria. These are to be considered MINIMUM setbacks.

Minimum setback from	<u>Front/Street Side</u>	<u>Side</u>	<u>Rear</u>	<u>OCRM Critical Line</u>
	50'	20'	35'	50'

Building Coverage: Lots shall not be required to be a minimum of 50 percent larger than the minimum area required for a principal residential structure as required by the Charleston County Zoning and Land Development Regulations Ordinance, as amended on March 4, 2008.

Building Height: No building shall be constructed on the property that has a height exceeding 35' feet above base flood elevation. The building height is measured to the halfway between eave and ridge of the building.

Accessory Buildings: Each home site shall have the potential to build detached barn/garage/guesthouse and/or a guesthouse. Accessory dwelling units may not be more than 1800 square feet. Sheds and other buildings normal to farmland can be added to each home site. The Property Owners Association (POA) will approve the location of each accessory building, in advance of the construction. If approved by the POA for construction, these accessory buildings cannot be sold independent of the property or other structures on the property. One Accessory Building shall be permitted per lot and the size of each lot as established herein shall be one (1) acre or more. The standards set forth in the ZLDR of Charleston

County shall not be applicable to Accessory Buildings in the PD 99. Each lot is limited to one principal residence, one accessory dwelling unit and accessory buildings and structures as defined in the PD.

3. GENERAL LOT REQUIREMENTS

- **Lot Size** The minimum lot area per dwelling unit shall be **1.0** acres.
- **Placement of drives and parking areas.** No drive or parking area shall be located closer than **10** feet from any property line, except for shared driveways.
- **Lot Dept to Width Ratio.** Depth of residential lots shall not exceed 10 times the average width of the lot (a **1:10** ratio). The lot length includes pond and wetland areas.
- **Number of Lots.** The Planned Development allows for nine (**9**) lots.

4. LIGHTING PLAN

- The POA reserves the right to implement lighting at its discretion.

5. BUFFERS

- OCRM Critical Line buffer is 35'.

6. FENCES AND WALLS

- Fences and Walls must be permitted per ZLDR of Charleston County.

7. INGRESS/EGRESS EASEMENT

- A **50'** private easement, which connects to the existing **50'** R/W Access Easement provides ingress/egress to the proposed Planned Development.
- The POA will establish a **25'** easement, as shown on plans, around the ponds and wetlands. Within this easement area a 6-8' wide pervious path will be established to serve all USA Farms property owners with the ability to travel to, across, and over the existing dikes and dock located on Store Creek. This is also to act as a buffer to which improves the filtration of storm water as it passes through.

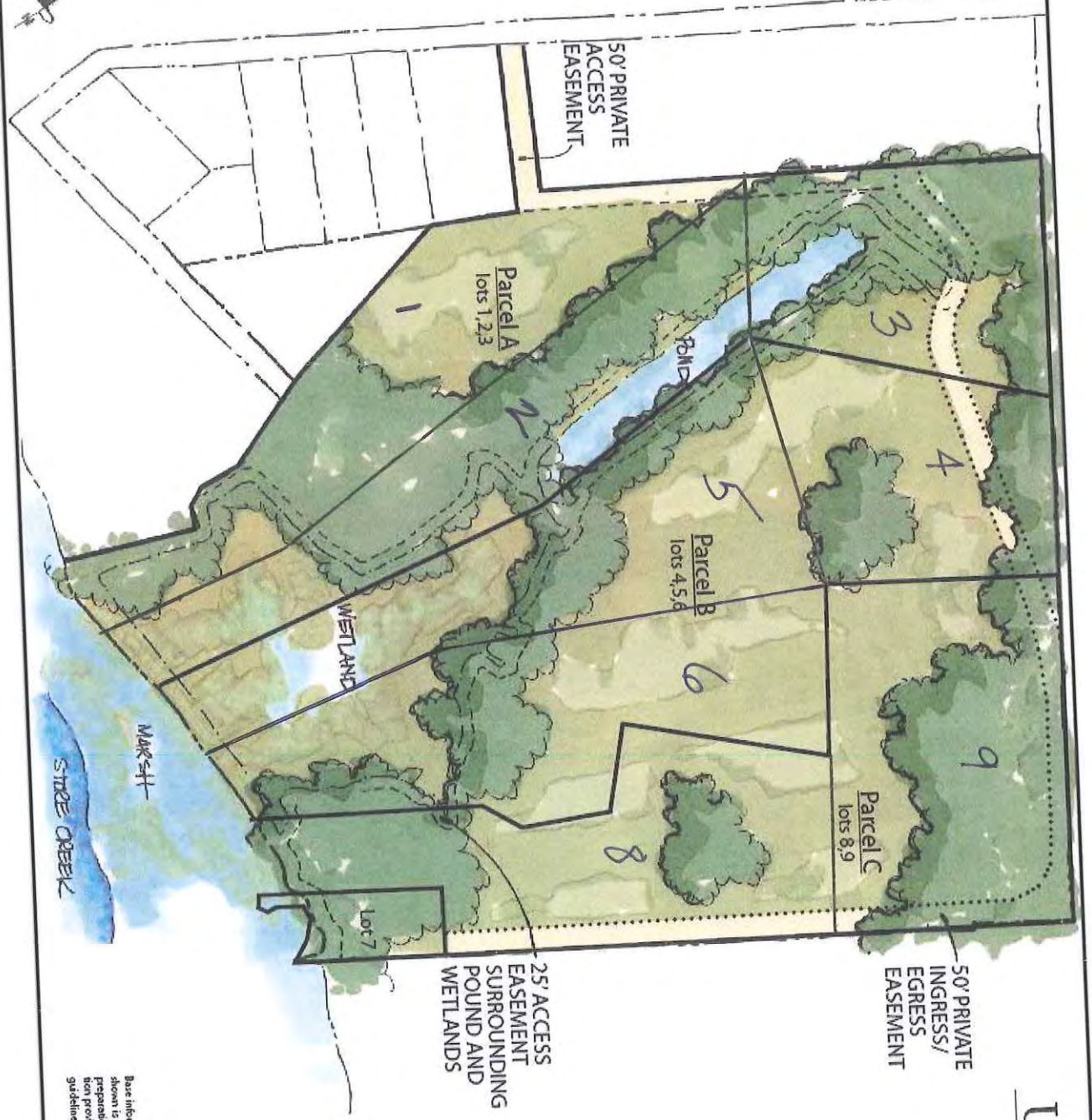
8. SIGNAGE

- The POA reserves the right to add signage.

9. WATERFRONT DEVELOPMENT STANDARDS

- The width of any lot along the OCRM critical line shall be no less than 150' wide.
- Each lot may have a dock if approved by OCRM and the POA, for nor more than a total of **6** docks.
- The building setback is 50' from the OCRM critical line.

1 ACRE



USA Farms

EDISTO, SC

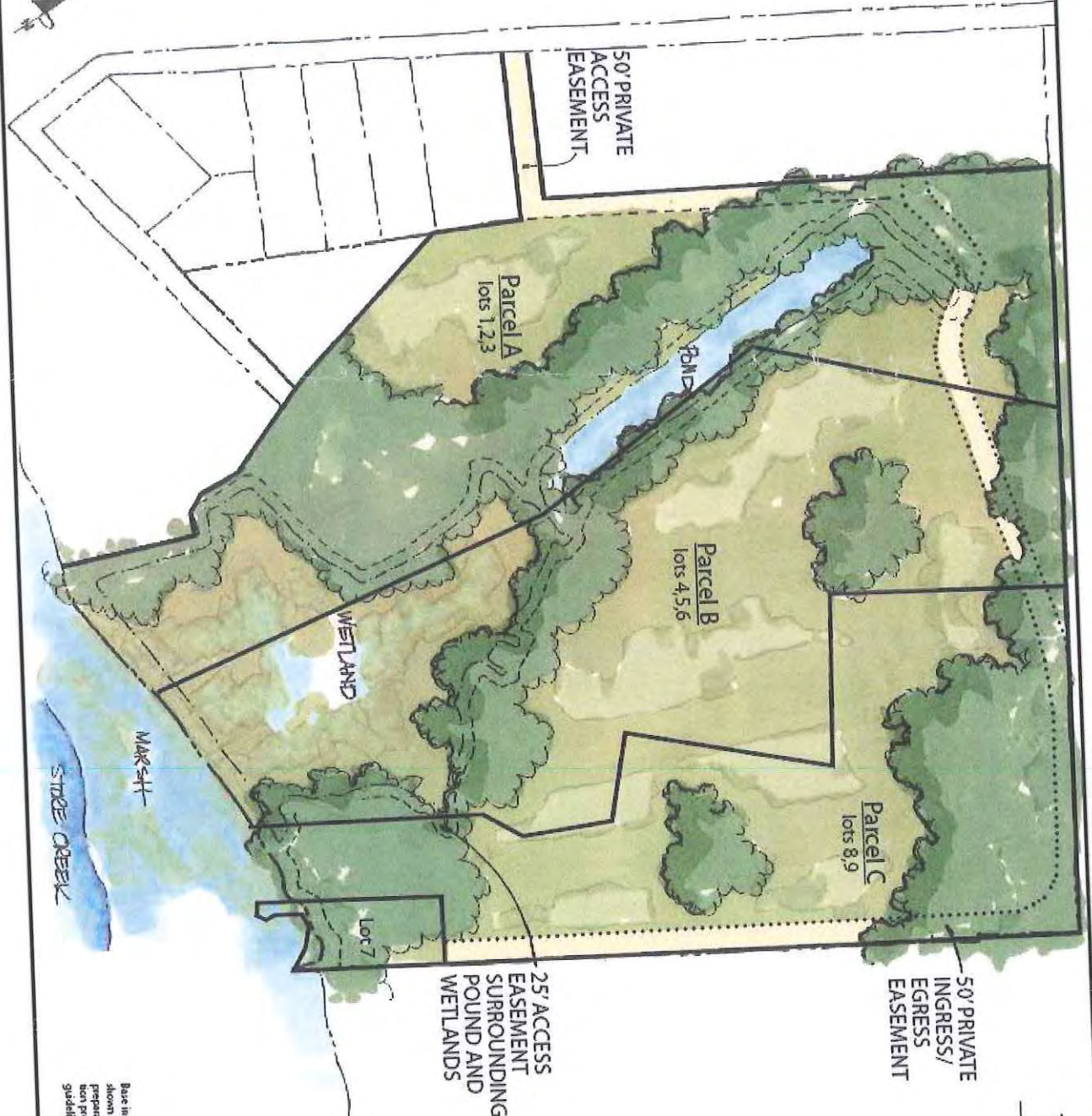
CONCEPTUAL
SKETCH PLAN
5 Dec 2008

prepared for:
CAPITAL ADVISORS
3111 Devine Street
Columbia, SC 29205

prepared by:
Design Works
50 George Street
Charleston, SC 29401
843.723.5525

Base information was partially obtained from Thomas & Hutton Engineering. The scale shown is approximate and based upon the information available at the time of the preparation. Design Works assumes no responsibility for the accuracy of this information provided here within. This drawing is a concept and subject to change within the guidelines of the USA Farms Planned Development.

1 ACRE



USA Farms

EDISTO, SC

CONCEPTUAL
SKETCH PLAN
5 Dec 2008

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Rezoning Case ZPDA-4-09-3649

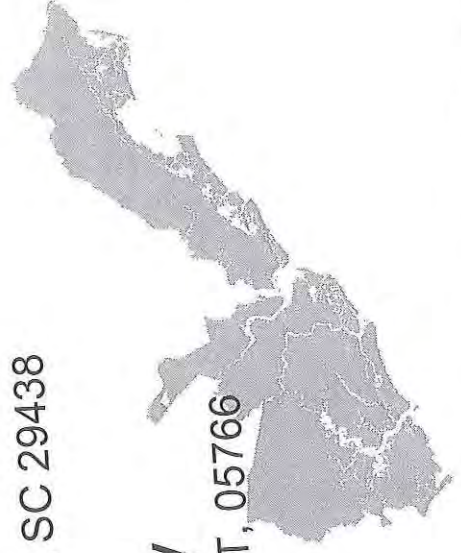
• Edisto Island; 9170, 9073 Lottie Pope Road; 8331, 8231, 8401 Simmons Pond Road

• Parcel I.D. – 027-00-00-030, -034, -002, -004, -057

• Request to amend Planned Development (PD-99)

• Applicants/Owners: **Richard Unger**
P.O. Box 787, Edisto Island, SC 29438

George Phinney
456 Maiden Lane, Ripton VT, 05766



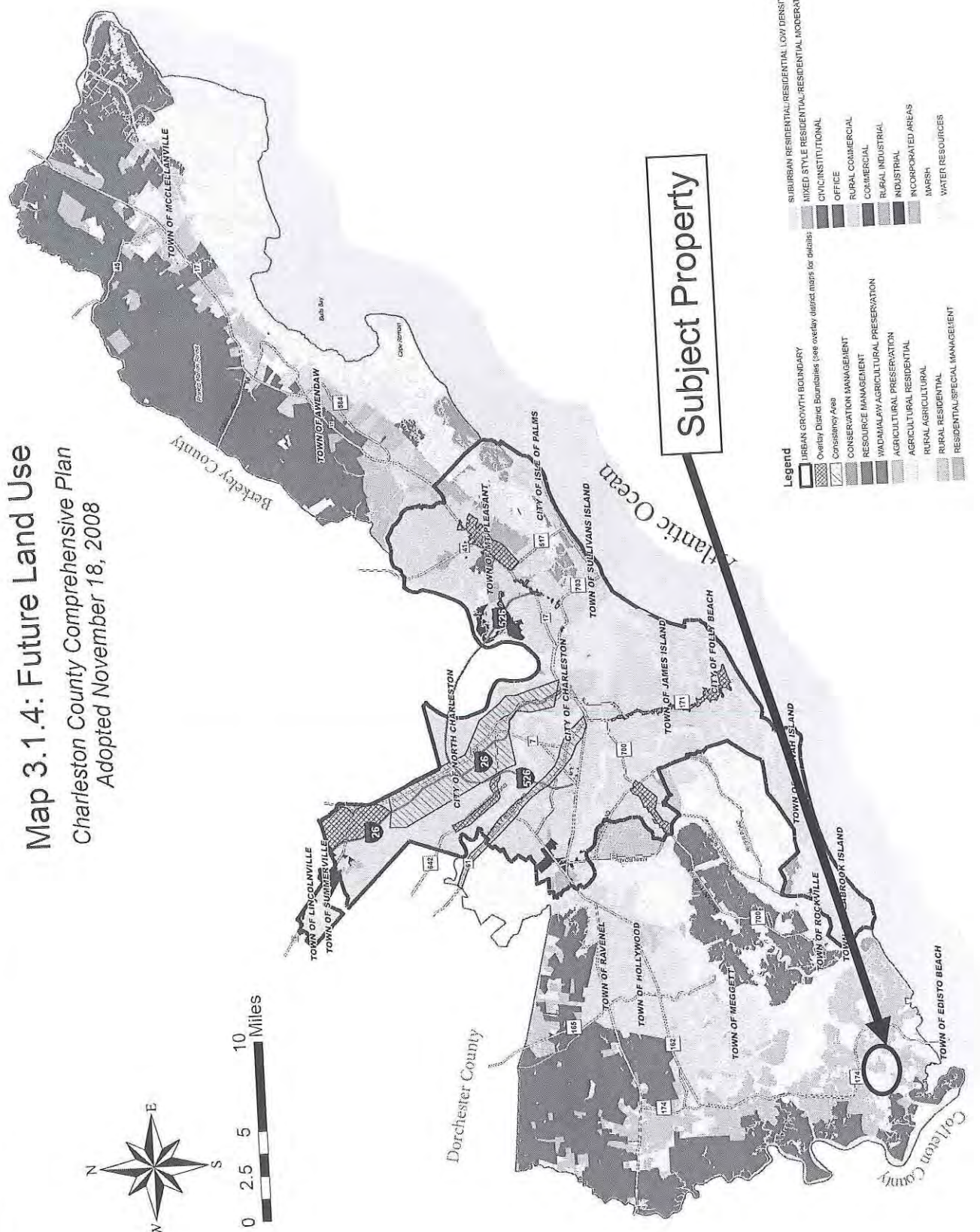
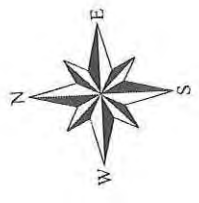
• Acreage: 66.5 acres

ZPDA-4-09-3649 Rezoning History

- June 2004: Parcels 027-00-00-002, 027-00-00-004, 027-00-00-034, & 027-00-00-057 were rezoned by County Council from Agricultural Residential (AGR) and Agricultural Preservation (AG-10) respectively, to Planned Development (PD-99).
- May 2006: Subject parcels were realigned through plat process
- Feb 2007: Parcel 027-00-00-057 created out of Parcel 027-00-00-002



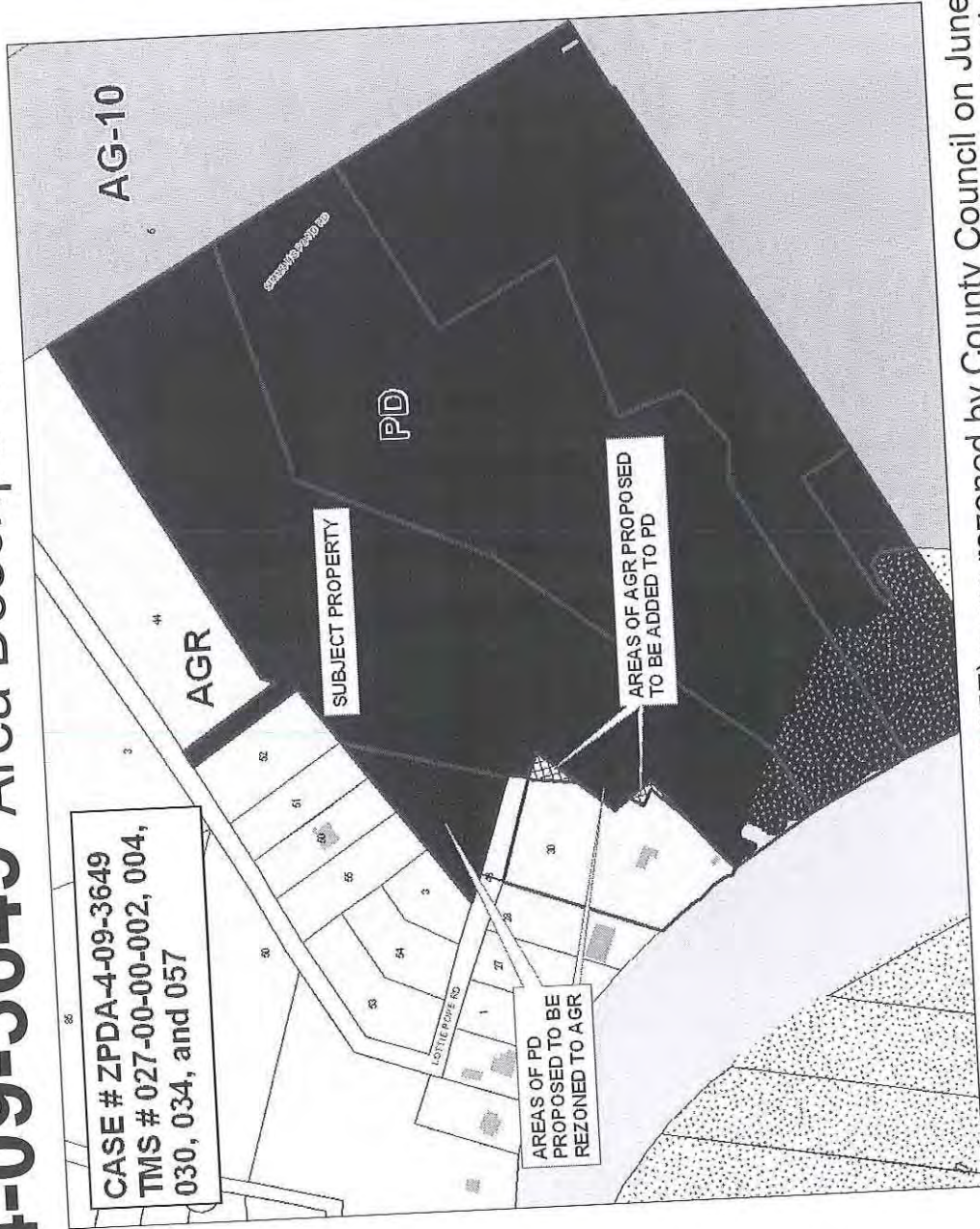
Map 3.1.4: Future Land Use
 Charleston County Comprehensive Plan
 Adopted November 18, 2008



Subject Property

- Legend**
- URBAN GROWTH BOUNDARY
 - Overlay District Boundaries (see overlay district maps for details)
 - Consistency Area
 - RESOURCE MANAGEMENT
 - WADSWORTH AGRICULTURAL PRESERVATION
 - AGRICULTURAL PRESERVATION
 - AGRICULTURAL RESIDENTIAL
 - RURAL AGRICULTURAL
 - RURAL RESIDENTIAL
 - RESIDENTIAL/SPECIAL MANAGEMENT
 - SUBURBAN RESIDENTIAL/RESIDENTIAL LOW DENSITY
 - MIXED STYLE RESIDENTIAL/RESIDENTIAL MODERATE DENSITY
 - CIVIC/INSTITUTIONAL
 - OFFICE
 - RURAL COMMERCIAL
 - COMMERCIAL
 - RURAL INDUSTRIAL
 - INDUSTRIAL
 - INCORPORATED AREAS
 - WATER RESOURCES

ZPDA-4-09-3649 Area Description



The PD properties (Lots 002, 004, 034, and 057) were rezoned by County Council on June 23, 2004 for the USA Farms Planned Development (PD-99), which allows a maximum of nine (9) residential lots, all allowed uses for the AG-10 zoning district, accessory buildings (and dwelling units), and a maximum of six (6) docks. Farms, fields, and/or ponds exist on the subject properties presently. Lots 002 & 004 each contain a single family residence. Lot 030 is zoned Agricultural Residential (AGR) and contains a residential use. The subject parcels are bounded to the south by Store Creek. Properties to the west are zoned Agricultural Residential (AGR) and are undeveloped or contain residential uses. The adjacent property to the north is located in the Agricultural Preservation (AG-10) Zoning District and is used for agricultural purposes.

ZPDA-4-09-3649 Information

- Lot Dimensions
 - 66.5 total acres
- Subject parcels include agricultural & residential uses
- Adjacent Parcels
 - AGR, AG-10
 - Residential & agricultural uses
- Access is from Lottie Pope Road

Subject Parcels to the South

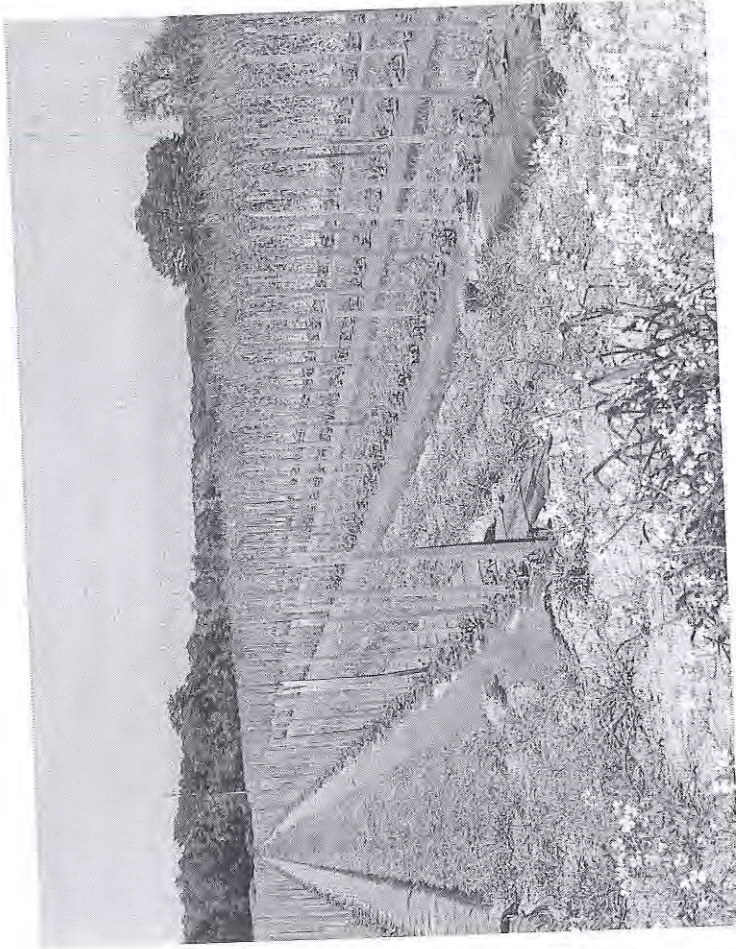


STATION 12+00.00

Subject Area



ZPDA-4-09-3649



1 – Subject Parcel (Lot 002)

2 – Subject Parcel (Lot 004)



ZPDA-4-09-3649



3 – Subject Parcel (Lot 034)

4 – Subject Parcel (Lot 030)

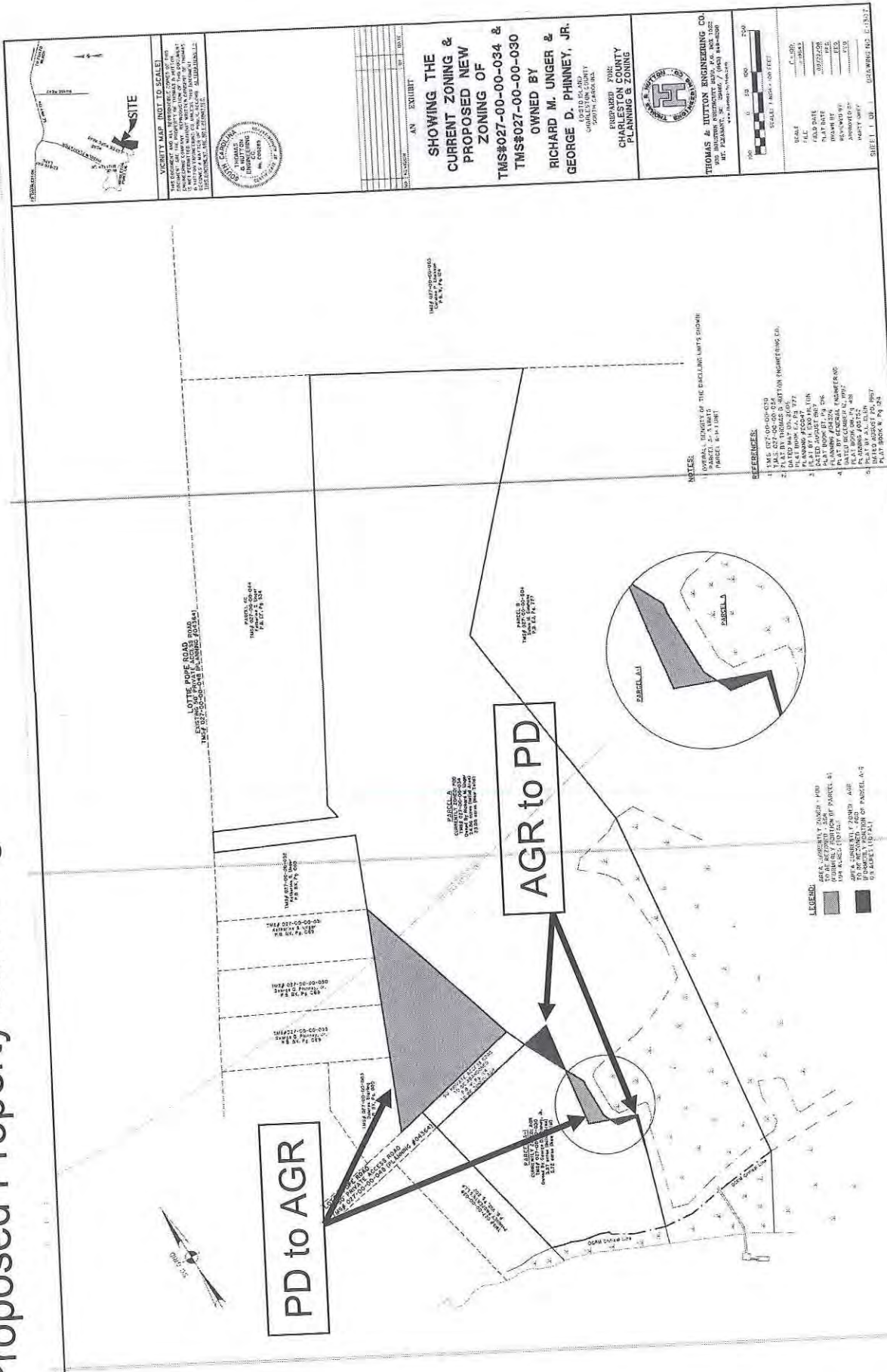


PD-99A Requested Guidelines

- Exchange of land with Parcel 027-00-00-030
 - Rezone ~ 1.93 acres to AGR & remove said acreage from Parcel 027-00-00-034 (Case ZREZ-4-09-3648)
 - Addition of 0.11 acres from Parcel 027-00-00-030 to Parcel 027-00-00-034
 - Property exchange \approx -1.8 acre net reduction in PD acreage
- Revised lot arrangement (maximum of 9 lots remains intact)



Proposed Property Exchange between Lots 034 & 030



VICINITY MAP (NOT TO SCALE)
 THE LOCATION OF THE PROPERTY IS INDICATED BY A STAR ON THE VICINITY MAP. THE VICINITY MAP IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THE PROPERTY BOUNDARIES OR ZONING. THE VICINITY MAP IS NOT TO BE USED AS A BASIS FOR ANY LEGAL ACTION.

AN EXHIBIT
 SHOWING THE
 CURRENT ZONING &
 PROPOSED NEW
 ZONING OF
 TMS#027-00-00-034 &
 TMS#027-00-00-030
 OWNED BY
 RICHARD M. UNGER &
 GEORGE D. PHINNEY, JR.

PREPARED FOR:
 CHARLESTON COUNTY
 PLANNING & ZONING

THOMAS & HUTTON ENGINEERING CO.
 1001 W. MARKET STREET, SUITE 100
 FLEMING, SOUTH CAROLINA 29525
 TEL: 843/782-1234 FAX: 843/782-1235

SCALE: 1 INCH = 50 FEET

LEGEND:
 AREA SUBJECT TO EXCH. PD
 CURRENTLY ZONED PD (PARCEL 030)
 AREA SUBJECT TO EXCH. AGR
 CURRENTLY ZONED AGR (PARCEL 034)
 TO BE REZONED AGR
 TO BE REZONED PD

NOTES:
 1. OVERALL DIMENSIONS OF THE ENCLINURE ARE SHOWN IN FEET.
 2. ALL DIMENSIONS ARE TO CENTER OF LOT.

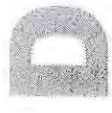
REFERENCES:
 1. TMS# 027-00-00-030
 2. TMS# 027-00-00-034
 3. TMS# 027-00-00-032
 4. TMS# 027-00-00-031
 5. TMS# 027-00-00-029
 6. TMS# 027-00-00-028
 7. TMS# 027-00-00-027
 8. TMS# 027-00-00-026
 9. TMS# 027-00-00-025
 10. TMS# 027-00-00-024
 11. TMS# 027-00-00-023
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 13. TMS# 027-00-00-021
 14. TMS# 027-00-00-020
 15. TMS# 027-00-00-019
 16. TMS# 027-00-00-018
 17. TMS# 027-00-00-017
 18. TMS# 027-00-00-016
 19. TMS# 027-00-00-015
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 21. TMS# 027-00-00-013
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 23. TMS# 027-00-00-011
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 25. TMS# 027-00-00-009
 26. TMS# 027-00-00-008
 27. TMS# 027-00-00-007
 28. TMS# 027-00-00-006
 29. TMS# 027-00-00-005
 30. TMS# 027-00-00-004
 31. TMS# 027-00-00-003
 32. TMS# 027-00-00-002
 33. TMS# 027-00-00-001

LEGEND:
 AREA SUBJECT TO EXCH. PD
 CURRENTLY ZONED PD (PARCEL 030)
 AREA SUBJECT TO EXCH. AGR
 CURRENTLY ZONED AGR (PARCEL 034)
 TO BE REZONED AGR
 TO BE REZONED PD

REFERENCES:
 1. TMS# 027-00-00-030
 2. TMS# 027-00-00-034
 3. TMS# 027-00-00-032
 4. TMS# 027-00-00-031
 5. TMS# 027-00-00-029
 6. TMS# 027-00-00-028
 7. TMS# 027-00-00-027
 8. TMS# 027-00-00-026
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 29. TMS# 027-00-00-005
 30. TMS# 027-00-00-004
 31. TMS# 027-00-00-003
 32. TMS# 027-00-00-002
 33. TMS# 027-00-00-001

PD-99A Approved Conceptual Plan (2004)

EXHIBIT 1
"Approved Conceptual Plan"



DesignWells
10000 10th Street
Suite 200
Denver, CO 80202
303.733.4347
www.designwells.com

PLANNERS

10000 10th Street
Suite 200
Denver, CO 80202



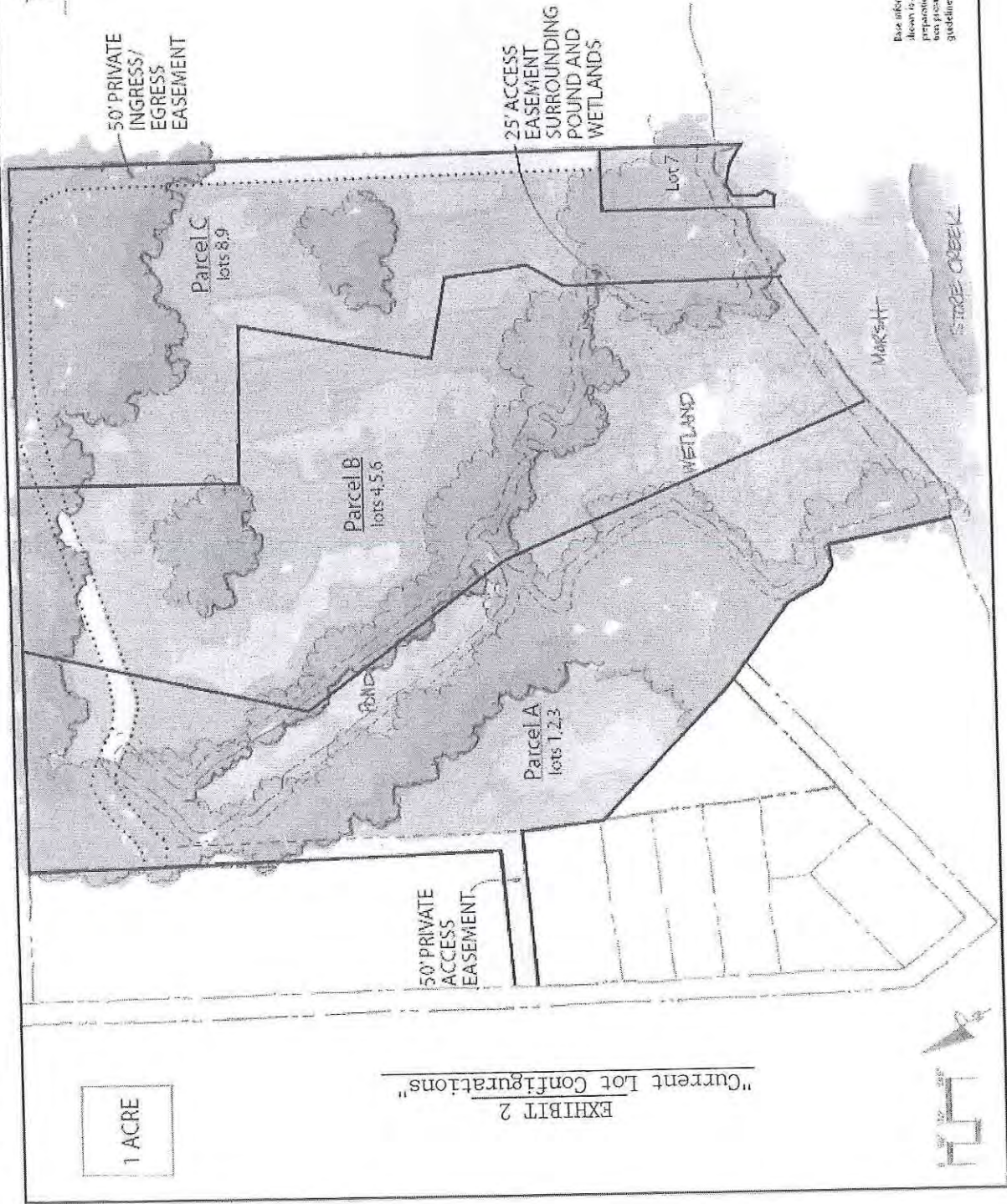
PD-99A Current Lot Configurations (2007)

USA Farms
EDISTO, SC

CONCEPTUAL
SKETCH PLAN
5 Dec 2008

prepared for:
CAPITAL ADVISORS
3111 Devine Street
Columbia, SC 29205

prepared by:
Design Works
50 George Street
Charleston, SC 29401
843.723.5525



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EXHIBIT 2
"Current Lot Configurations"

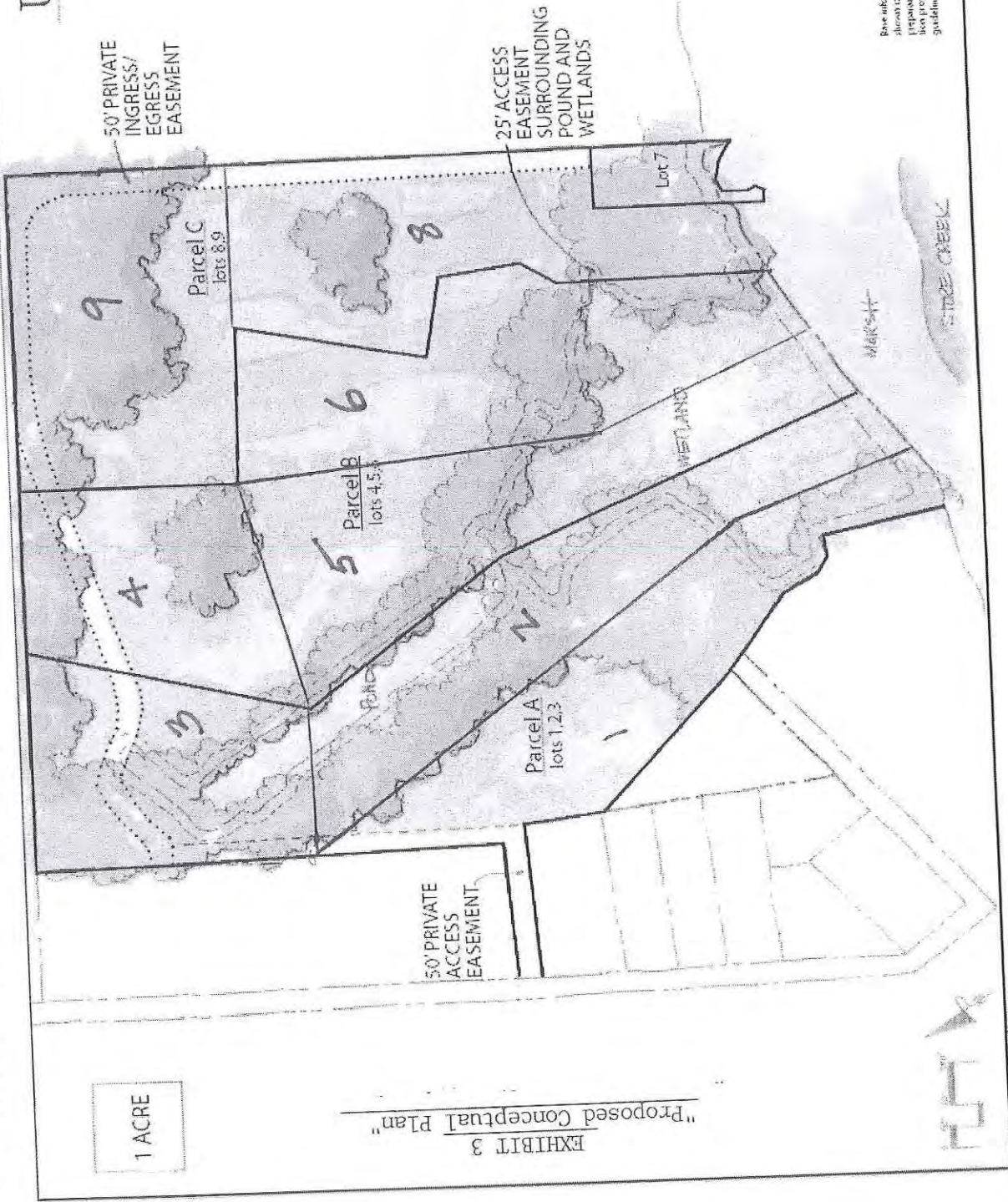
PD-99A Proposed Conceptual Plan (2009)

USA Farms
EDISTO, SC

CONCEPTUAL
SKETCH PLAN
5 Dec 2008

prepared for
CAPITAL ADVISORS
3111 Devine Street
Columbia, SC 29205

prepared by
DesignWorks
50 George Street
Charleston, SC 29401
843.723.5525



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PD-99A Development Review Procedure: Intent and Results

- A. A maximum choice in the types of environment available to the public by allowing a development that would not be possible under the strict application of the standards of this Ordinance that were designated primarily for development in individual lots; *(Because the subject properties are zoned Planned Development, any significant changes to the PD must be approved by County Council.)*
- B. A greater freedom in selecting the means to provide access, light, open space and design amenities; *(See Letter A)*
- C. Quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations and land use arrangements; *(The maximum number of residences (9) and the number of waterfront lots (6) will remain the same as approved by County Council in the original PD. The six allowed waterfront lots will adhere to County OCRM waterfront standards.)*
- D. A development pattern in harmony with the land use density, transportation facilities and community facilities objectives of the *Comprehensive Plan*; *(See Letter C; The exchange of land will not significantly affect the previously approved density of the development [~1du/7AC].)*

PD-99A Development Review Procedure: Intent and Results

- E.** The permanent preservation of common open space, recreation areas and facilities; *(At least half of the PD [\leq 32 acres] will still be used for crop production.)*
- F.** An efficient use of the land resulting in more economical networks of utilities, streets, schools, public grounds and buildings, and other facilities; (N/A)
- G.** A creative approach to the use of land and related physical facilities that results in better development and design and the construction of amenities; *(See Letters A & E)*
- H.** A development pattern that incorporates adequate public safety and transportation-related measures in its design and complements the developed properties in the vicinity and the natural features of the site. *(There is no requested change in the number of allowed residential dwelling units. Furthermore, the nine [9] allowed dwelling units are less than the potential 26 dwelling units which would have been allowed on Lot 034 under the previous AGR zoning prior to June 2004.)*

ZPDA-4-09-3649 Recommendation

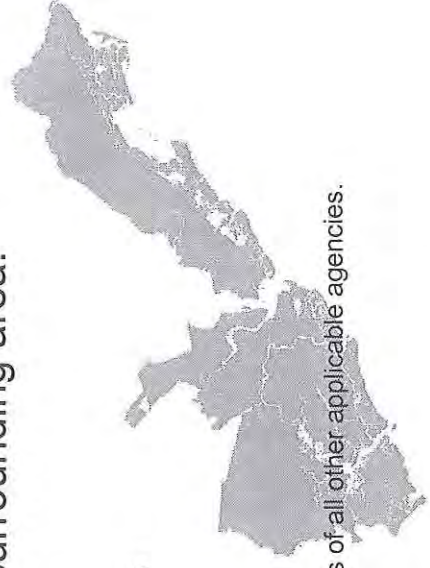
- The Charleston County *Comprehensive Plan*, as updated on November 18, 2008, has dual recommendations for the subject properties. Parcels 034 & 030 are recommended for Agricultural Residential future land use while the remaining PD parcels (Lots 002, 004, & 057) are recommended for Agricultural Preservation future land use.

- The request is consistent with the *Comprehensive Plan*.


- **STAFF RECOMMENDATION:** **Approval with conditions** because the proposed amendments have not been found to significantly alter the original intent of the PD or increase the impact of the PD on the surrounding area.

- **PC RECOMMENDATION:** **Approval w/ Conditions**

- If approved, the project must meet all requirements of the ZLDR. It also must meet the requirements of all other applicable agencies.



PD-99A Recommended Conditions of Approval

1. Revise the accessory dwelling unit language to state, "Lots shall not be required to be a minimum of 50 percent larger than the minimum area required for a principal residential structure as required by the Charleston County Zoning and Land Development Regulations Ordinance, as amended on June 17, 2008."
2. Each lot is limited to one principal residence and one accessory dwelling unit.
3. Road abandonment (segment of Lottie Pope Road between Lots 034 & 030) and the PD amendment request **must be approved simultaneously by County Council.**
4. If Case ZREZ-4-09-3648 is disapproved, as recommended by staff, the following shall apply:
 - All language regarding deed restrictions and the proposed acreage/combination of land with Parcel 027-00-00-030 shall be removed from the PD document.
 - The 2004 approved conceptual plan shall remain in effect.
 - The 0.11 acres proposed for inclusion into the PD shall adhere to the locations shown on  the proposed plat.
5. The applicant shall update the entire PD document to reflect all changes to the PD since June 23, 2004 including but not limited to: property boundary changes, use changes, and acreage changes.