

November 19, 2015  
Charleston, SC

A meeting of County Council of Charleston County was held on the 19<sup>th</sup> day of November, 2015, in the Council Committee Room, Second Floor of the Lonnie Hamilton, III Public Services Building, located at 4045 Bridge View Drive, North Charleston, South Carolina.

Present at the meeting were the following members of Council: Chairman J. Elliott Summey, who presided; Colleen T. Condon; Henry E. Darby; Anna B. Johnson; Teddie E. Pryor, Sr.; Joseph K. Qualey; A. Victor Rawl; Herbert R. Sass, III; and Dickie Schweers.

Also present were County Administrator Keith Bustraan and County Attorney Joseph Dawson.

The Clerk reported that in compliance with the Freedom of Information Act, notice of meetings and agendas were furnished to all news media and persons requesting notification.

Mr. Rawl moved approval of the Minutes of October 27, 2015, seconded by Ms. Condon, and carried.

The Chairman stated that the next item on the agenda was third reading of the Spring Grove Project ordinances.

Ms. Johnson requested that the ordinances be read and voted on separately.

Ms. Condon moved to accept all amendments which had been made to the ordinance since first reading. The motion was seconded by Chairman Summey.

Mr. Pryor asked how the negotiations regarding the developer contributing 1% to the Community Enhancement Fund instead of 0.5%.

Mr. Dawson stated that staff had reached out to the developer and the developer was unwilling to agree to the 1% donation, but that the developer had revised its estimate of the total donation to the Community Enhancement Fund and now believed the total donation would be around \$14 million instead of the original estimate of \$6-7 million. Mr. Dawson also shared that the other item Council had requested he negotiate on was the term of the development agreement and the term would stay at 50 years. The final point of negotiation Mr. Dawson discussed was the economic development component of the agreement.

Mr. Pryor asked if the numbers the developer presented were projections. Mr. Dawson stated they were, but they had always been projections.

Mr. Pryor asked how the value was determined. Mr. Dawson stated that originally he asked the developer the approximate value of the Community Enhancement Fund and that he did not know how the developer had determined the original estimate of \$6-7 million, but when the figure came back higher during the negotiations, Mr. Dawson

asked for some verification of the amount and had been provided documentation to support the new figure. Mr. Dawson also cautioned that no one knows what is going to happen over the next 50 years and these figures are merely projections.

Mr. Darby stated that he believed going along with this plan would be doing an injustice to the current residents in the area and he could not go along with it.

Ms. Condon stated that she supported the 50 year development agreement because the longer the development agreement was in place, the longer County Council would have control over the project. Ms. Condon also thanked the Council Members, staff, and developer who had been working on this project and development agreement for so many years. She stated that she believed this project would be the equivalent of Daniel Island, Park West, Dunes, West, and Rivertowne for the southern end of the County and that she appreciated the developer's willingness to participate in the process and make commitments for investment in the community that in unprecedented in Charleston County.

Ms. Johnson asked if Daniel Island was built out. Chairman Summey stated that it was not, that it had been under development for 20 years and was not anywhere near completion. Ms. Johnson stated that she still believed 50 years was too long of a term and that with all the unknowns in this project, she thought 50 years was a disservice to the people in the community.

Mr. Sass asked for a restatement of the motion. Ms. Condon stated that her motion was to approve the ordinances with the amendments made through negotiation as recently as today and that the current document was in the possession of Mr. Dawson and Mr. Bustraan.

Mr. Darby stated that in his perception, the negotiations had been largely unsuccessful.

Chairman Summey stated that he believed the negotiations had, in fact, been largely successful. He pointed out that the negotiations had been ongoing since 2008 and that at the beginning there was no community fund, no land for a school, no help for the fire district, but that through negotiation those things were agreed upon. He stated that there was truly middle ground reached in this agreement.

Mr. Darby stated that he believed the majority of Council wanted to see the 1% Community Enhancement Fund. Chairman Summey stated that when Council had last spoke about the fund, the belief was that \$6 million would not be enough, but that when the numbers were actually studied and the estimate was adjusted to \$14 million, that amount should be able to accomplish the community enhancements which were discussed.

Mr. Darby again asked how the \$14 million estimate was derived. Chairman Summey stated that Mr. Bustraan and Mr. Dawson had vetted the formula.

Ms. Johnson stated that she supports the project as a whole and she knows the people in District 8 support the project, as well, but she is not in total support of the development agreement.

The Chairman called for a vote on the motion to accept the amendments to the ordinances. The motion passed unanimously.

An ordinance approving the Developments of County Significance application for Spring Grove Development was given third reading by title only. The Chairman called for a roll call vote on the ordinance. The roll was called and votes were taken as follows:

Condon	- aye
Darby	- abstain
Johnson	- aye
Pryor	- nay
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye

The Chairman declared that the ordinance passed third reading with seven (7) ayes, one (1) nay, and one (1) abstention.

The ordinance is as follows:

**Ord. #1878**

Adopted 11/19/15

**AN ORDINANCE**

**APPROVING THE DEVELOPMENT OF COUNTY SIGNIFICANCE APPLICATION FOR THE FOLLOWING PARCEL IDENTIFICATION NUMBERS: 050-00-00-017, 5613 NEW ROAD; 099-00-00-012, 5610 HIGHWAY 174; 099-00-00-033, 7926 OLD JACKSONBORO ROAD; 099-00-00-089, 5670 HIGHWAY 174; 121-00-00-033, 7925 OLD JACKSONBORO ROAD; 121-00-00-035, 5640 OLD JACKSONBORO ROAD; 168-00-00-023, 6731 OLD JACKSONBORO ROAD; 175-00-00-009, 7117 HIGHWAY 165; 175-00-00-017, 7900 SAVANNAH HIGHWAY; AND 186-00-00-062, 6209 NEW ROAD IN CONJUNCTION WITH THE SPRING GROVE DEVELOPMENT AGREEMENT BY AND AMONG MWV-EAST EDISTO SPRING GROVE, LLC; AND CHARLESTON COUNTY, SOUTH CAROLINA.**

Charleston County Council, in a meeting duly assembled, hereby makes the following findings of fact:

WHEREAS, the Charleston County Comprehensive Plan 10-Year Update adopted on November 18, 2008 by Ordinance No. 1567 and amended on December 22, 2009 by Ordinance No. 1622; October 11, 2011 by Ordinance No. 1694; February 23, 2012 by Ordinance No. 1720; May 8, 2012 by Ordinance No. 1722; and January 6, 2015 by Ordinance No. 1835 includes a definition, application process, and criteria for Developments of County Significance; and,

WHEREAS, the Charleston County Zoning and Land Development Regulations

November 19, 2015

Ordinance (ZLDR), adopted November 20, 2001, and amendments thereto, implements the Developments of County Significance provisions of the Comprehensive Plan at Article 3.17, Developments of County Significance; and,

WHEREAS, the property owner of Parcel Identification Numbers 050-00-00-017, 099-00-00-012, 099-00-00-033, 099-00-00-089, 121-00-00-033, 121-00-00-035, 168-00-00-023, 175-00-00-009, 175-00-00-017, and 186-00-00-062 has submitted a Development of County Significance application for Parcel Identification Numbers 050-00-00-017, 099-00-00-012, 099-00-00-033, 099-00-00-089, 121-00-00-033, 121-00-00-035, 168-00-00-023, 175-00-00-009, 175-00-00-017, and 186-00-00-062, that includes a Comprehensive Plan Amendment application, Zoning Map Amendment application, and Development Agreement application, as required by Article 3.17, Developments of County Significance, of the ZLDR; and,

WHEREAS, the application has been reviewed by County staff and has been found to be complete and in proper form; and,

WHEREAS, the County Planning Commission has reviewed the application and adopted a resolution, by majority vote of the entire membership, recommending that Charleston County Council (the "County Council") approve the application based on the procedures established in State law and the Approval Criteria of Section 3.17.4 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 approved the Development of County Significance application.

NOW, THEREFORE, BE IT ORDAINED, by County Council of Charleston County, South Carolina, in meetings duly assembled, 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. APPROVAL OF THE APPLICATION FOR DEVELOPMENT OF COUNTY SIGNIFICANCE

The Development of County Significance application for Parcel Identification Numbers 050-00-00-017, 099-00-00-012, 099-00-00-033, 099-00-00-089, 121-00-00-033, 121-00-00-035, 168-00-00-023, 175-00-00-009, 175-00-00-017, and 186-00-00-062 is hereby approved in accordance with Article 3.17 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

November 19, 2015

This Ordinance shall become effective immediately upon its approval following third reading by the County Council.

ADOPTED and APPROVED in meeting duly assembled this 19th day of November, 2015.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

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

First Reading:       October 13, 2015  
Second Reading      October 27, 2015  
Third Reading:       November 19, 2015

An ordinance approving Comprehensive Plan Amendments pertaining to the Spring Grove Development was given third reading by title only. The Chairman called for a roll call vote on the ordinance. The roll was called and votes were taken as follows:

Condon	- aye
Darby	- abstain
Johnson	- aye
Pryor	- nay
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye

The Chairman declared that the ordinance passed third reading with seven (7) ayes, one (1) nay, and one (1) abstention.

The ordinance is as follows:

**Ord. #1879**

Adopted 11/19/15

**AN ORDINANCE**

**AMENDING THE CHARLESTON COUNTY COMPREHENSIVE PLAN AT THE FOLLOWING DOCUMENT LOCATION: MAP 3.1.4, FUTURE LAND USE, TO SHOW A FUTURE LAND USE DESIGNATION OF DEVELOPMENT OF COUNTY SIGNIFICANCE FOR THE FOLLOWING PARCEL IDENTIFICATION NUMBERS: 050-00-00-017, 5613 NEW ROAD; 099-00-00-012, 5610 HIGHWAY 174; 099-00-00-033,**

**7926 OLD JACKSONBORO ROAD; 099-00-00-089, 5670 HIGHWAY 174; 121-00-00-033, 7925 OLD JACKSONBORO ROAD; 121-00-00-035, 5640 OLD JACKSONBORO ROAD; 168-00-00-023, 6731 OLD JACKSONBORO ROAD; 175-00-00-009, 7117 HIGHWAY 165; 175-00-00-017, 7900 SAVANNAH HIGHWAY; AND 186-00-00-062, 6209 NEW ROAD IN CONJUNCTION WITH THE SPRING GROVE DEVELOPMENT AGREEMENT BY AND AMONG MWV-EAST EDISTO SPRING GROVE, LLC; AND CHARLESTON COUNTY, SOUTH CAROLINA.**

Charleston County Council, in a meeting duly assembled, hereby makes the following findings of fact:

WHEREAS, the Charleston County Comprehensive Plan 10-Year Update adopted on November 18, 2008 by Ordinance No. 1567 and amended on December 22, 2009 by Ordinance No. 1622; October 11, 2011 by Ordinance No. 1694; February 23, 2012 by Ordinance No. 1720; May 8, 2012 by Ordinance No. 1722; and January 6, 2015 by Ordinance No. 1835 includes a Future Land Use Designation of "Resource Management" for Parcel Identification Numbers 050-00-00-017, 121-00-00-033, 121-00-00-035, and 175-00-00-017; and,

WHEREAS, the Charleston County Comprehensive Plan 10-Year Update adopted on November 18, 2008 by Ordinance No. 1567 and amended on December 22, 2009 by Ordinance No. 1622; October 11, 2011 by Ordinance No. 1694; February 23, 2012 by Ordinance No. 1720; May 8, 2012 by Ordinance No. 1722; and January 6, 2015 by Ordinance No. 1835 includes Future Land Use Designations of "Resource Management" and "Rural Economic Development" for Parcel Identification Number 175-00-00-009; and,

WHEREAS, the Charleston County Comprehensive Plan 10-Year Update adopted on November 18, 2008 by Ordinance No. 1567 and amended on December 22, 2009 by Ordinance No. 1622; October 11, 2011 by Ordinance No. 1694; February 23, 2012 by Ordinance No. 1720; May 8, 2012 by Ordinance No. 1722; and January 6, 2015 by Ordinance No. 1835 includes a Future Land Use Designation of "Rural Cultural Community Protection" for Parcel Identification Numbers 099-00-00-012, 099-00-00-033, and 099-00-00-089; and,

WHEREAS, the Charleston County Comprehensive Plan 10-Year Update adopted on November 18, 2008 by Ordinance No. 1567 and amended on December 22, 2009 by Ordinance No. 1622; October 11, 2011 by Ordinance No. 1694; February 23, 2012 by Ordinance No. 1720; May 8, 2012 by Ordinance No. 1722; and January 6, 2015 by Ordinance No. 1835 includes a Future Land Use Designation of "Agricultural Residential" for Parcel Identification Numbers 168-00-00-023 and 186-00-00-062; and,

WHEREAS, the property owner of Parcel Identification Numbers 050-00-00-017, 099-00-00-012, 099-00-00-033, 099-00-00-089, 121-00-00-033, 121-00-00-035, 168-00-00-023, 175-00-00-009, 175-00-00-017, and 186-00-00-062 has made application to amend the Comprehensive Plan in order to indicate a Future Land Use designation of "Development of County Significance" for Parcel Identification Numbers 050-00-00-017, 099-00-00-012, 099-00-00-033, 099-00-00-089, 121-00-00-033, 121-00-00-035, 168-00-00-023, 175-00-00-009, 175-00-00-017, and 186-00-00-062; and,

November 19, 2015

WHEREAS, the application has been reviewed by County staff and has been found to be complete and in proper form; and,

WHEREAS, the County Planning Commission has reviewed the application and adopted a resolution, by majority vote of the entire membership, recommending that Charleston County Council (the "County Council") approve the application with conditions based on the procedures established in State law and the Approval Criteria of Article 3.2 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 approved with conditions the proposed amendments to the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED, by County Council of Charleston County, South Carolina, in meetings duly assembled, 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. MAP AMENDMENTS TO THE COMPREHENSIVE PLAN

The Charleston County Comprehensive Plan is hereby amended, including the changes attached hereto as Exhibit "A" and made part of this Ordinance by reference, at the following document location: Map 3.1.4, Future Land Use, to indicate a Future Land Use designation of "Development of County Significance" for Parcel Identification Numbers 050-00-00-017, 099-00-00-012, 099-00-00-033, 099-00-00-089, 121-00-00-033, 121-00-00-035, 168-00-00-023, 175-00-00-009, 175-00-00-017, and 186-00-00-062.

#### 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 its approval following third reading by the County Council.

ADOPTED and APPROVED in meeting duly assembled this 19th day of November, 2015.

CHARLESTON COUNTY, SOUTH CAROLINA

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

ATTEST:

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

First Reading: October 13, 2015  
Second Reading: October 27, 2015  
Third Reading: November 19, 2015

**EXHIBIT "A"**  
**PLANNING AND PUBLIC WORKS COMMITTEE**  
**RECOMMENDED CHANGES AND CONDITIONS TO THE COMPREHENSIVE PLAN**  
**AMENDMENT APPLICATION**

**APPROVED BY CHARLESTON COUNTY COUNCIL**

1. Include "Rural Cultural Community Protection" in the list of Future Land Use designations currently in effect for the subject properties.
2. Provide one updated paper copy and digital version of this application incorporating the change noted above.

An ordinance approving Zoning Map amendments for the Spring Grove Development was given third reading by title only. The Chairman called for a roll call vote on the ordinance. The roll was called and votes were taken as follows:

Condon	- aye
Darby	- abstain
Johnson	- aye
Pryor	- nay
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye

The Chairman declared that the ordinance passed third reading with seven (7) ayes, one (1) nay, and one (1) abstention.

The ordinance is as follows:

**Ord. #1880**

Adopted 11/19/15

**AN ORDINANCE**  
**REZONING 14,508 ACRES OF PROPERTY LOCATED AT 5613 NEW ROAD; 5610**  
**HIGHWAY 174; 7926 OLD JACKSONBORO ROAD; 5670 HIGHWAY 174; 7925 OLD**



**JACKSONBORO ROAD; 5640 OLD JACKSONBORO ROAD; 6731 OLD JACKSONBORO ROAD; 7117 HIGHWAY 165; 7900 SAVANNAH HIGHWAY; 6209 NEW ROAD, PARCEL IDENTIFICATION NUMBERS: 050-00-00-017; 099-00-00-012; 099-00-00-033; 099-00-00-089; 121-00-00-033; 121-00-00-035; 168-00-00-023; 175-00-00-009; 175-00-00-017; AND 186-00-00-062, FROM RESOURCE MANAGEMENT ZONING DISTRICT (RM) AND AGRICULTURAL/RESIDENTIAL ZONING DISTRICT (AGR) TO FORM-BASED ZONING DISTRICT (FBZD) IN CONJUNCTION WITH THE SPRING GROVE DEVELOPMENT AGREEMENT BY AND AMONG MWV-EAST EDISTO SPRING GROVE, LLC AND CHARLESTON COUNTY, SOUTH CAROLINA.**

WHEREAS, the properties located at 5613 New Road (PID 050-00-00-017); 7925 Old Jacksonboro Road (PID 121-00-00-033); 5640 Old Jacksonboro Road (PID 121-00-00-035); 7117 Highway 165 (PID 175-00-00-009); 7900 Savannah Highway (PID 175-00-00-017) are currently zoned Resource Management Zoning District (RM); and

WHEREAS, the properties located at 5610 Highway 174 (PID 099-00-00-012); 7926 Old Jacksonboro Road (PID 099-00-00-033); 5670 Highway 174 (PID 099-00-00-089); 6731 Old Jacksonboro Road (PID 168-00-00-023); and 6209 New Road (PID 186-00-00-062) are currently zoned Agricultural/Residential Zoning District (AGR); and

WHEREAS, the applicant requests the parcels be rezoned to the Form-Based Zoning District (FBZD-1) in conjunction with the Spring Grove Development Agreement by and among MWV-East Edisto Spring Grove, LLC and Charleston County, South Carolina; and

WHEREAS, the applicant has submitted a complete application for Form-Based Zoning District (FBZD-1) approval pursuant to Chapter 7 of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed Form-Based Zoning District application and adopted a resolution, by majority vote of the entire membership, and recommended that Charleston County Council (County Council) approve with conditions the application based on the Approval Criteria of Section 3.4.6 and Section 7.2.2.D.5.d 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 Form-Based Zoning District application based on the Approval Criteria of Section 3.4.6 and Section 7.2.2.D.5.d of the ZLDR; and

WHEREAS, County Council has determined the Form-Based Zoning District application meets the Application Criteria of Section 3.4.6 of the ZLDR and the following:

- A. The proposed amendment is in accordance with the purpose and intent of the Comprehensive Plan, its goals and policies, and the Rural Guidelines;
- B. The proposed amendment complies with the stated purposes and requirements of Chapter 7 of the Zoning and Land Development Regulations Ordinance;

- C. The proposed amendment complies with Article 3.17, Developments of County Significance;
- D. The proposed amendment complies with the County and BCDCOG 208 Water Quality Management Plans and facilitates established levels of service for water and sewer supply, stormwater facilities, waste disposal and other public facilities and services and ensures such public facilities and services will be available to serve development on the property concurrent with its impacts of such services and facilities;
- E. The applicant has provided documentation that the development proposed will not result in significant adverse impacts on other property in the vicinity of the subject property subject to the amendment;
- F. The applicant has provided documentation that the proposed amendment will not have an adverse impact on the environment, including air, water, noise, stormwater management, wildlife and natural resources; and
- G. The proposed amendment is suitable for the FBZD considering such things as parcel size, parcel configuration, road access, and the presence of cultural, historical, archaeological, and natural resources and amenities.

NOW, THEREFORE, be it ordained 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 5613 New Road; 5610 Highway 174; 7926 Old Jacksonboro Road; 5670 Highway 174; 7925 Old Jacksonboro Road; 5640 Old Jacksonboro Road; 6731 Old Jacksonboro Road; 7117 Highway 165; 7900 Savannah Highway; 6209 New Road, Parcel Identification Numbers: 050-00-00-017; 099-00-00-012; 099-00-00-033; 099-00-00-089; 121-00-00-033; 121-00-00-035; 168-00-00-023; 175-00-00-009; 175-00-00-017; and 186-00-00-062 from the Resource Management Zoning District (RM) and Agricultural/Residential Zoning District (AGR) to the Form-Based Zoning District (FBZD-1); and

B. The Form-Based Zoning District application and Form District Master Plan submitted by the applicant, including the changes attached thereto as Exhibit "A" and Exhibit "B" and made part of this Ordinance by reference, duly approved by County Council, are incorporated herein by reference and shall constitute the Form-Based Zoning District (FBZD-1) for the parcels identified above; and

- C. Any and all development of the Form-Based Zoning District must comply

with the Form District Master Plan, ZLDR, Development Agreement, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Tax Map Parcel Numbers 050-00-00-017; 099-00-00-012; 099-00-00-033; 099-00-00-089; 121-00-00-033; 121-00-00-035; 168-00-00-023; 175-00-00-009; 175-00-00-017; and 186-00-00-062 are amended to FBZD-1 in accordance with Section 7.2.2.D.5.e 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 19<sup>th</sup> day of November, 2015.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

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

First Reading: October 13, 2015  
Second Reading: October 27, 2015  
Third Reading: November 19, 2015

**EXHIBIT "A"**  
**PLANNING AND PUBLIC WORKS COMMITTEE**  
**RECOMMENDED CHANGES AND CONDITIONS TO FBZD-1**  
**APPROVED BY CHARLESTON COUNTY COUNCIL**

Form-Based Zoning District Zoning Map Amendment Application – Zoning Change Application and Checklist Documentation:

1. Tab XI: Revise the Phasing Map to include a note stating that all areas not assigned a timeframe for development will develop pursuant to the applicable section of the development agreement.
2. Provide one updated paper copy and one digital version of this application incorporating the changes noted above.

Form-Based Zoning District Application – Form District Master Plan:

1. Page VIII: Remove the reference to the "Illustration 6.5.4: Frontage

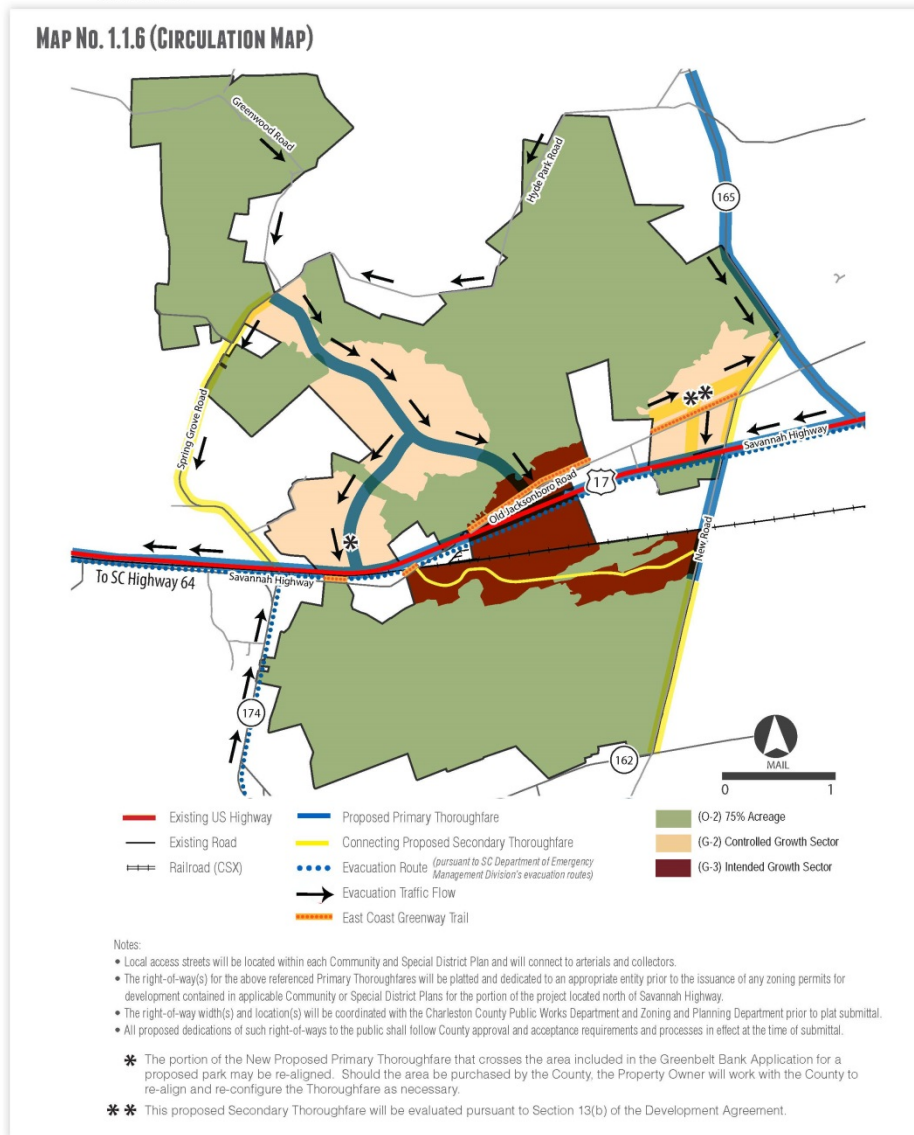
Buildout in T5-R District” from the Table of Contents.

2. Page 8, Map 1.1.6, Circulation Map, and other applicable sections:  
Revise as follows:
  - Incorporate the revised Circulation Map (Exhibit B) and correct the legend to state “Proposed Primary Thoroughfare.”
  - Include notes on Map 1.1.6 and text in FDMP Sec. 3.2.1 and in the Development Agreement stating:
    - The right-of-way(s) for the above referenced Primary Thoroughfares will be platted and dedicated to an appropriate entity prior to the issuance of any zoning permits for development contained in applicable Community or Special District Plans for the portion of the project located north of Savannah Highway.
    - The right-of-way width(s) and location(s) will be coordinated with the Charleston County Public Works Department and Zoning and Planning Department prior to plat submittal.
    - All proposed dedications of such right-of-ways to the public shall follow County approval and acceptance requirements and processes in effect at the time of submittal.
  - Adjust the proposed evacuation traffic flow accordingly and provide an updated letter from Charleston County Emergency Management regarding the new configuration of the evacuation route.
  - Amend Map 1.1.5, 75% Acreage and Trails Map accordingly.
  - Make the same changes to all other application documents, as applicable, including, but not limited to, Tab IX (Trails Map), Tab X (Phasing Map), and Tab XVI (Transportation Report) of the Zoning Change Application and Checklist Documentation).
3. Include language in FDMP Sec. 3.4.2 stating that updated traffic studies submitted with land development applications must address compliance with the Circulation Map including anticipated impacts of future developments within the project boundaries on existing and proposed infrastructure.
4. Include language in FDMP Sec. 3.4.2 stating that updated traffic studies submitted with land development applications shall demonstrate proposed infrastructure meets all requirements; and, in addition, the traffic circulation plan is designed to minimize traffic impacts and maintain the rural character for Old Jacksonboro Road, Hyde Park Road, and Greenwood Road.
5. Page 70, Table 5.6.3.B.9: Submit a letter from the applicable utility company stating that the streetlights listed in the table have been approved by the utility company pursuant to ZLDR Table 7.4.P requirements.
6. Provide three updated paper copies and one digital version of this application incorporating the changes noted above.

## EXHIBIT "B" REVISED CIRCULATION MAP

### 1.1.7 General

- 1.1.6 CIRCULATION MAP.** The existing and proposed highways, regional thoroughfares, primary thoroughfares, connecting secondary thoroughfares, railroads and evacuation routes are shown on MP Map No. 1.1.6 (Circulation Map). The Circulation Map shall have the effect provided in ZLDR § 7.4.4.B.2.b.



An ordinance approving the Development Agreement regarding Spring Grove

Development was given third reading by title only. The Chairman called for a roll call vote on the ordinance. The roll was called and votes were taken as follows:

Condon	- aye
Darby	- abstain
Johnson	- nay
Pryor	- nay
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye

The Chairman declared that the ordinance passed third reading with six (6) ayes, two (2) nays, and one (1) abstention.

The ordinance is as follows:

**Ord. #1881**

Adopted 11/19/15

**AN ORDINANCE  
APPROVING THE SPRING GROVE DEVELOPMENT AGREEMENT BY AND AMONG  
MWV-EAST EDISTO SPRING GROVE, LLC, AND CHARLESTON COUNTY, SOUTH  
CAROLINA.**

WHEREAS, Charleston County, South Carolina (the "County"), acting by and through the Charleston County Council (the "County Council"), is empowered under and pursuant to the provisions of the South Carolina Local Government Development Agreement Act, Title 6, Chapter 31, Code of Laws of South Carolina 1976, as amended (the "Act"), to enter into development agreements relating to property within the County; and

WHEREAS, the County Council has determined that the Development Agreement for Spring Grove Development in Charleston County, South Carolina by and among MWV-East Edisto Spring Grove, LLC, and Charleston County, South Carolina (the "Development Agreement") is consistent with the Charleston County Comprehensive Plan (the "Comprehensive Plan"), the Charleston County Zoning and Land Development Regulations (the "ZLDR"); and is a proper exercise of the police power and other authority granted to the County government; and benefits the general health, safety and welfare of the citizens of the County for the County to enter into the Development Agreement relating to the development of the property known as the Spring Grove Development in Charleston, South Carolina;

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Charleston County, South Carolina, in meetings duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

November 19, 2015

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance. In addition to the recitals set forth above, which the County Council hereby adopts as findings of fact, the County Council specifically finds that the Development Agreement attached hereto as Exhibit "A" complies with the Act, the Comprehensive Plan, and the ZLDR.

## SECTION II. DEVELOPMENT AGREEMENT

The terms of the Development Agreement are hereby approved in accordance with the Act and the County zoning and land development regulations. The Development Agreement shall be effective immediately upon approval of this Ordinance after third reading and execution by the parties.

## SECTION III. EXECUTION

The Chairman of the County Council is authorized to execute and deliver the Development Agreement on behalf of the County, and any and all other necessary documents or instruments incidental to the approval of this Ordinance and the Development Agreement.

## SECTION IV. 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 V. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its approval following third reading by the County Council and execution by the parties.

ADOPTED and APPROVED in meeting duly assembled this 19<sup>th</sup> day of November, 2015.

CHARLESTON COUNTY COUNCIL

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

J. Elliott Summey  
Chairman of Charleston County Council

ATTEST:

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

Kristen L. Salisbury  
Deputy Clerk of Charleston County Council

First Reading: October 20, 2015  
Second Reading November 5, 2015  
Third Reading: November 19, 2015

**EXHIBIT A**

**DEVELOPMENT AGREEMENT**

**Please see the Clerk of Council's Office for this document.**

An ordinance approving parking regulations for recreational vehicles was given second reading by title only. The Chairman called for a roll call vote on the ordinance. The roll was called and votes were taken as follows:

Condon	- aye
Darby	- aye
Johnson	- aye
Pryor	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye

The Chairman declared that the ordinance passed second reading with nine (9) ayes.

The ordinance title is as follows:

**AN ORDINANCE**

**AMENDING THE CHARLESTON COUNTY CODE OF ORDINANCES SO AS TO ADD A NEW SECTION 20-18, REGULATING PARKING OF CERTAIN TRAILERS, MOTOR HOMES, RECREATIONAL VEHICLES, AND THE LIKE.**

The ordinance in its entirety will appear in the Minutes of Charleston County Council at the time of third reading.

An ordinance approving two temporary easements to Charleston Water System at Bees Ferry Landfill was given second reading by title only. The Chairman called for a roll call vote on the ordinance. The roll was called and votes were taken as follows:

Condon	- aye
Darby	- aye
Johnson	- aye
Pryor	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye



The Chairman declared that the ordinance passed second reading with nine (9) ayes.

The ordinance title is as follows:

**AN ORDINANCE  
TO APPROVE AND AUTHORIZE THE GRANT OF TWO TEMPORARY EASEMENTS  
TO CHARLESTON WATER SYSTEM ON A PORTION OF COUNTY PROPERTY,  
LOCATED AT 1344 BEES FERRY ROAD, CHARLESTON, SOUTH CAROLINA,  
IDENTIFIED AS TAX MAP PARCEL NUMBER 301-00-00-026**

The ordinance in its entirety will appear in the Minutes of Charleston County Council at the time of third reading.

An ordinance approving an easement for Charleston Water System at Bees Ferry Landfill was given second reading by title only. The Chairman called for a roll call vote on the ordinance. The roll was called and votes were taken as follows:

Condon	- aye
Darby	- aye
Johnson	- aye
Pryor	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye

The Chairman declared that the ordinance passed second reading with nine (9) ayes.

The ordinance title is as follows:

**AN ORDINANCE  
TO APPROVE AND AUTHORIZE THE GRANT OF AN  
EASEMENT TO CHARLESTON WATER SYSTEM ON A  
PORTION OF COUNTY PROPERTY, LOCATED AT 1344 BEES  
FERRY ROAD, CHARLESTON, SOUTH CAROLINA, IDENTIFIED  
AS TAX MAP PARCEL NUMBER 301-00-00-026**

The ordinance in its entirety will appear in the Minutes of Charleston County Council at the time of third reading.

An ordinance approving an easement for South Carolina Electric & Gas Company (SCE&G) and acknowledging the abandonment of an easement by SCE&G at Bees Ferry Landfill was given second reading by title only. The Chairman called for a roll call vote on the ordinance. The roll was called and votes were taken as follows:

Condon	- aye
Darby	- aye

Johnson	- aye
Pryor	- aye
Qualey	- aye
Rawl	- aye
Sass	- aye
Schweers	- aye
Summey	- aye

The Chairman declared that the ordinance passed second reading with nine (9) ayes.

The ordinance title is as follows:

**AN ORDINANCE  
TO APPROVE AND AUTHORIZE THE GRANT OF AN  
EASEMENT TO SOUTH CAROLINA ELECTRIC AND GAS  
COMPANY ON A PORTION OF COUNTY PROPERTY,  
LOCATED AT 1344 BEES FERRY ROAD, CHARLESTON,  
SOUTH CAROLINA, IDENTIFIED AS TAX MAP PARCEL  
NUMBER 301-00-00-026, AND ACKNOWLEDGE SOUTH  
CAROLINA ELECTRIC AND GAS COMPANY'S ABANDONMENT  
OF A PORTION OF AN EASEMENT LOCATED ON THE SAME  
PROPERTY.**

The ordinance in its entirety will appear in the Minutes of Charleston County Council at the time of third reading.

The next item on the agenda was the Consent Agenda. Mr. Rawl moved approval of the Consent Agenda, seconded by Ms. Condon, and carried.

Consent Agenda items are as follows:

A report was furnished by the Finance Committee under date of November 19, 2015, that it considered the information furnished by County Administrator Keith Bustraan and Charleston County Sheriff J. Al Cannon, Jr., regarding the Sheriff's Office request to apply for and accept, if awarded, funding from the SC Department of Public Safety's (SCDPS) VOCA grant to support the provision of direct services to victims in Charleston County. It was stated that the Victims of Crime Act (VOCA) was signed into law on October 12, 1984. The purpose of the Act was to enhance and expand direct services to victims of crime. The Act established within the U.S. Treasury a separate account known as the Crime Victims Fund. The fund is not supported by tax dollars, but rather is generated entirely by fines, penalty assessments, and forfeited bonds collected by the federal government. The U.S. Department of Justice, Office for Victims of Crime, makes annual VOCA crime victim assistance grants to the states, from the Crime Victims Fund housed in the U.S. Treasury.

It was shown that in South Carolina, the primary purpose of the special solicitation VOCA grant is to support the provision of direct services to victims of violent crime throughout the state for projects that will provide, enhance, improve, and expand direct

services to victims of violent crime.

The Sheriff's Office is requesting permission to apply for and accept, if awarded, funding from the SC Department of Public Safety's (SCDPS) VOCA grant to support the provision of direct services to victims in Charleston County.

The purpose of these funds is to obtain four additional Law Enforcement Victim Advocates (LEVAs) within the Sheriff's Office. Two LEVAs will speak Spanish. One of the bilingual LEVAs will serve at the detention center and one will serve in law enforcement. The additional two LEVAs will be split between detention and law. The funds will cover four grant-funded FTEs, equipment, and office supplies; a vehicle for transporting victim with related expenses, publication of materials in Spanish and English, and equipment necessary for emergency temporary resting space for a total amount of \$496,432. There is an in-kind match of \$100,850. We are requesting \$395,922 from the grantor. The grant period is January 1, 2016 through September 30, 2016. It is understood that at the conclusion of the grant period, the FTEs will be dissolved if no further grant funding is available.

Committee recommended that Council allow the Sheriff's Office to apply for and accept, if awarded the Victims of Crime Act (VOCA) Special Solicitation grant in the amount of \$395,922 with the understanding that the in-kind match of \$100,850 will be covered by rent (General Fund), four FTEs will be requested,

- One FTE Bilingual Law Enforcement Victim Advocate (LEVA) at the Detention Center
- One FTE LEVA at the Detention Center
- One FTE Bilingual LEVA in Law Enforcement
- One FTE LEVA in Law Enforcement

at the conclusion of the grant period, the FTEs will be dissolved if no further grant funding is available, the funds will also cover equipment, office supplies and a vehicle for transporting victims, and the grant period is January 1, 2016 through September 30, 2016.

A report was furnished by the Finance Committee under date of November 19, 2015, that it considered the information furnished by County Administrator Keith Bustra and Charleston County Sheriff J. Al Cannon, Jr., regarding the 2016 MacArthur Safety Grant. It was stated that the John D. and Catherine T. MacArthur Foundation has issued a Safety + Justice Challenge funding opportunity to address the overuse of jails with regards to saving money, improving public safety, and promoting stronger, healthier communities through a collaborative effort to implement systemic criminal justice reform in Charleston County. The Charleston County Sheriff's Office's mission is to serve and protect the Citizens of Charleston County by maintaining secure jail operations and facilities, while preserving the rights and dignity of all who are incarcerated.

It was shown that the competition will unfold in two rounds. The first round grant period was May 2015 through December 2015. We were awarded \$150,000 in the first round. The second round grant period is January 2016 through December 2017 with grant awards ranging between \$500,000 up to \$2 million annually over two years, with an option to extend.

The Charleston County Sheriff's Office will request funding of \$4 million over a two-year period. If awarded, funds from the second round will be used to fund the implementation plan developed in round one. Grant award will be request 2 FTEs. It is understood that at the conclusion of the grant period, the FTEs will be dissolved if no further grant funding is available.

Committee recommended that Council allow the Sheriff's Office to apply for and accept, if awarded, the MacArthur Foundation's Safety + Justice Challenge grant for \$4,000,000, with the understanding that:

- No match required.
- Two FTEs will be requested. It is understood that at the conclusion of the grant period, the FTEs will be dissolved if no further grant funding is available.
- The grant period is May 1, 2015 through April 30, 2017.

A report was furnished by the Finance Committee under date of November 19, 2015, that it considered the information furnished by County Administrator Keith Bustraan regarding the need to commission Code Enforcement Officers for 2016. It was stated that in 1994, Charleston County Council adopted an ordinance authorizing the issuance of a uniform ordinance summons, which is used to enforce any County ordinance. The uniform ordinance summons is enforced by code enforcement officers commissioned by County Council. The commissions are on an annual basis and subject to renewal or rescission every year, and officers are commissioned as needed or when necessary.

Committee recommended that Council commission the following list of Code Enforcement Officers for 2016:

Sharon Wrona	Assessor
Christina White	Assessor
Meghan Evans	Assessor
James R. Houser	Building Services
Robert C. Meyers	Building Services
Calvin T. Phillips	Building Services
Cecil A. Rhudy	Building Services
Carl H. Simmons	Building Services
Karl A. Wichmann	Building Services
Sally Brooks	Planning
Joel Evans	Planning
Andrea Harris-Long	Planning
Stephen Risse	Planning
Andrea Pietras	Planning
Jennifer Werking	Planning
Lisa McCray	Planning
Luz Agudelo	Planning
Stephen Barnes	Public Works
Neil Desai	Public Works – Stormwater

James Neal	Public Works
Chris Wannamaker	Public Works
Paul Zloba	Public Works
Jeremy Mungin	Public Works
Denise Bessinger	Revenue Collections
Hillary Bowers	Revenue Collections
Dionne Brown	Revenue Collections
Jim Bunn	Revenue Collections
Byron Foster	Revenue Collections
Tami Fralick	Revenue Collections
Dan Gregory	Revenue Collections
Anthony Hazelton	Revenue Collections
Paula Mack	Revenue Collections
Britt Miller	Revenue Collections
Tom Tamblyn	Revenue Collections
Edrian Trakas	Revenue Collections
Colin Wieringa	Revenue Collections
Peter Wiggins	Revenue Collections

The previous item was the last item on the Consent Agenda.

A report was furnished by the Finance Committee under date of November 19, 2015, that it considered the information furnished by County Administrator Keith Bustraan and Human Resources Director Fagan Stackhouse regarding amendments to the Personnel Policies and Procedures. It was stated that the Charleston County Personnel Policies and Procedures are formulated for the efficient and effective operation of Charleston County Government. Changes to the policy are recommended in order to comply with updated legislation and to respond to changes affecting our day to day operations.

It was shown that an amendment to section 5.80 was recommended to clarify the Probate Judge can receive merit with an effective date of November 19, 2015.

Committee recommended that Council approve the recommended amendment to 5.80 in order to clarify that the Probate Judge can receive merit pay.

Mr. Pryor moved approval of the committee recommendation, seconded by Ms. Johnson, and carried. Mr. Rawl voted against the motion.

A report was furnished by the Finance Committee under date of November 19, 2015, that it considered the information furnished by County Administrator Keith Bustraan and Economic Development Director Steve Dykes regarding amendments to the Multi-County Park Ordinance. It was stated that since 1995, Charleston County has utilized an economic development tool known as the "multi-county industrial park" (MCIP) designation to leverage relocations or expansions of over 60 companies. These companies have invested in excess of \$3 Billion in Charleston County, while creating over 11,000 jobs within its borders. The MCIP agreement with "partner" Colleton County has been amended sixteen times since 1995, with the most recent amendment occurring in 2014.

The MCIP incentive is financially significant particularly to companies which declare a large share of their profits at their South Carolina-based facility, and are consequently subject to a substantial burden with regard to state corporate income taxes. The MCIP designation enables such companies to enhance the level of 'job tax credits' they claim from \$1,500 per net new employee to \$2,500 per net new employee in each of five years following their hiring. These credits can be used to offset up to one-half of state corporate income taxes during those years, with unused credits carried forward and utilized for an additional fifteen years.

It was shown that the MCIP amendment for 2015 adds 20 new properties representing several companies with recent relocations or expansions, including Mercedes Benz, SeaPac, Hubner Corporation and Senior Aerospace. All told, these companies represent an additional \$638 million in new capital investment and the creation of 3,038 new jobs within Charleston County.

Committee recommended that Council approve and give first reading to an ordinance amending Ordinance #972, adopted on September 19, 1995 (as previously amended) to add new properties, as reflected in the 2015 ordinance, to the Charleston-Colleton Multi-County Industrial Park (MCIP).

Mr. Pryor moved approval of the committee recommendation, seconded by Mr. Rawl, and carried.

An ordinance approving amendments to the Multi-County Park Ordinance was given first reading by title only.

**AN ORDINANCE  
TO FURTHER AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT  
COUNTY INDUSTRIAL PARK, BY AND BETWEEN CHARLESTON COUNTY, SOUTH  
CAROLINA AND COLLETON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE  
DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS  
PARK, SO AS TO INCLUDE ADDITIONAL PROPERTY IN CHARLESTON COUNTY  
AS PART OF THE JOINT COUNTY INDUSTRIAL PARK.**

The ordinance in its entirety will appear in the Minutes of Charleston County Council at the time of third reading.

The Chairman asked if any member of Council wished to bring a matter before the Body.

Mr. Pryor stated that he had been travelling on Johns Island earlier this week and observed standing water along Betsy Kerrison Parkway and Bohicket Road and asked that the Public Works Department look into a drainage study in the area.

Ms. Johnson echoed Mr. Pryor's comments and showed pictures of significant flooding in that same area.

Mr. Rawl stated that the Internal Auditor had furnished Council Members a report on the practices of the EMS Collection by an outside firm. Mr. Rawl pointed out that the outside

firm was no more successful at collecting than our in-house staff had been so he was of the opinion the contract should either be ended or not renewed at the appropriate time.

Chairman Summey stated that his thoughts and prayers were with the people of Paris and across the world whose communities were recently struck with tragedy. He also stated that he had received numerous phone calls from concerned citizens regarding refugees and he believed that our state and federal officers and representatives were doing a fine job addressing that issue.

There being no further business to come before the Body, the Chairman declared the meeting to be adjourned.

Kristen L. Salisbury  
Deputy Clerk  
Charleston County Council