

STATE OF SOUTH CAROLINA)	AN ORDINANCE TO AMEND SECTION
)	154.08, CHAPTER 154: MUNICIPAL IMPACT
COUNTY OF CHARLESTON)	FEES, OF THE TOWN OF MOUNT PLEASANT
)	CODE OF ORDINANCES
TOWN OF MOUNT PLEASANT)	

WHEREAS, Mount Pleasant Town Council desires to eliminate certain impact fee waivers, and

WHEREAS, the Mount Pleasant Planning Commission held a public hearing on April 28, 2015, pursuant to the Mount Pleasant Code of Ordinances, to consider the request referenced herein; and

WHEREAS, the Mount Pleasant Town Council is empowered with the authority to make amendments to the Mount Pleasant Code and now wishes to do so;

WHEREAS, Mount Pleasant Town Council wishes to amend code section 154.08(D)(8), by striking the entire provision as follows:

154.08 DETERMINATION OF FEES

(D) Park and Recreation Fees.

~~(8) Where private open space or facilities for park and recreational purposes is provided on private property for the use of its residents and remains in private ownership and maintenance, partial credit not to exceed 50% may be given against the requirement of land dedication or payment of fees in lieu thereof if the Board of Planning and Zoning finds it is in the public interest to do so and that all of the following standards are met:~~

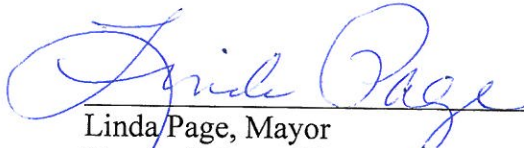
- ~~(a) The yards, buffer areas, setbacks, and other open areas required by the zoning and building regulations shall not be included in the computation of such private open space or facilities; and~~
- ~~(b) That the private ownership and maintenance of the open space or facilities is adequately provided for by recorded written agreement, conveyance or restrictions; and~~
- ~~(c) That the use of private open space or facilities is restricted for park and recreational purposes by recorded covenant which runs with the land in favor of the future owners of the property and cannot be defeated or eliminated without the consent of the town; and~~
- ~~(d) The proposed open space or facilities is reasonably adaptable for use as park recreational activities, considering such factors as size, shape, topography, geology, access, and location.~~

WHEREAS, the remaining provisions of code section 154.08 shall remain in full force and effect.

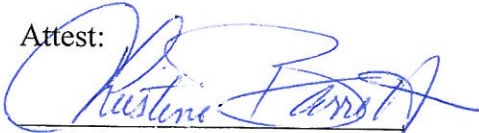
NOW, THEREFORE, BE IT ORDAINED by the Mayor and Councilmembers of the Municipality of Mount Pleasant, in Council assembled, that Mount Pleasant Code section 154.08 be amended as provided herein.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON FINAL READING.

SIGNED, SEALED AND DELIVERED THIS 16 DAY OF October, 2015.


Linda Page, Mayor
Town of Mount Pleasant

Attest:




Christine Barrett
Clerk of Council

October 16, 2015
Mount Pleasant, SC

Introduced: April 14, 2015
Final Reading: October 13, 2015

APPROVED AS TO FORM:


David G. Pagliarini
Corporation Council