

**AN ORDINANCE
AMENDING CHAPTER 7.5, ARTICLE IV, OF THE CHARLESTON COUNTY CODE OF
ORDINANCES, THE CHARLESTON COUNTY GREENBELT BANK ORDINANCE, NUMBER
1424, AS AMENDED**

WHEREAS, on December 20, 2005, County Council adopted Ordinance No. 1424 (the "Ordinance") establishing the Greenbelt Bank which is funded from revenues from the Greenbelt portions of the 2004 and 2016 sales tax programs; and

WHEREAS, in accordance with Ordinance No. 1343, the Charleston County Greenbelt Advisory Board conducted a 5-year review of the Comprehensive Greenbelt Plan; and

WHEREAS, on March 21, 2023, Charleston County Council approved the Recommendations for Greenbelt Program Changes as recommended by the Greenbelt Advisory Board; and

WHEREAS, in order to carry out these purposes, Charleston County Council hereby adopts the above-stated recitals as findings of fact and hereby enacts the following ordinance to implement the recommendation to amend the Comprehensive Greenbelt Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF CHARLESTON COUNTY 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. AMENDMENT TO CHARLESTON COUNTY CODE OF ORDINANCES, CHAPTER 7.5, ARTICLE IV, SECTIONS 7.5-128 and 7.5-129

The Charleston County Code of Ordinances, Chapter 7.5, Article IV, Sections 7.5-128 and 7.5-129 are hereby amended to include the text amendment attached hereto as Exhibit "A" and made part of this Ordinance by Reference.

SECTION III. EFFECTIVE DATE, SEVERABILITY

This Ordinance shall take effect immediately upon third reading. If any provision of this Ordinance or its application to any circumstances is held by a court of competent jurisdiction to be invalid for any reason, this holding does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end, the provisions of this Ordinance are severable.

ADOPTED and APPROVED in meeting duly assembled this 20th day of June 2023.

CHARLESTON COUNTY COUNCIL

By: _____
Herbert R. Sass, III
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen Salisbury
Clerk to Charleston County Council

Exhibit A

Charleston County Greenbelt Bank Ordinance

SECTION 7.5-128 – PROGRAM AND PROCEDURES

Table 1, Item 12, is hereby deleted and replaced with the following criteria:

12. Funding and Leveraging – 15 points (Only one category applies to scoring)

- ≥100% Match – 15 points
- 75% - 99% Match – 12 points
- 50% - 74% Match – 9 points
- 25% - 49% Match – 6 points
- 5% – 24% Match – 3 points
- <5% Match – 0 points

Table 1, Item 16, is hereby deleted and replaced with the following criteria:

16. Level of Public Support – 6 points (Score for all that apply)

- Support letters/emails from individuals/grassroots organizations – 3 points
- Favorable results of public meeting/survey – 2 points
- Support letters/emails from regional/national advocacy organizations – 1 point

SECTION 7.5-129 – REQUIREMENTS

Subsection G is hereby deleted and replaced with the following provisions:

Except as provided in subsection (F) of this section, no interest in land acquired by an Eligible Greenbelt Fund Recipient with Greenbelt Funds may be extinguished, sold, transferred, assigned, alienated, or converted to a purpose or use other than that set forth in the grant award, without securing: (1) a finding of fact by staff that the land no longer exhibits the characteristics that qualified it for acquisition with funds from the Greenbelt Fund; (2) an opportunity for the board to consider the request and make a recommendation by majority vote to Charleston County Council; and (3) majority vote of the Charleston County Council.

Subsection I is hereby deleted and replaced with the following provisions:

Interests in land acquired with Greenbelt Funds must be managed and maintained in order to perpetuate the conservation, natural, historical, open space, and recreational uses or values for which they were originally acquired. Uses which are potentially adverse to the original purposes for which the interests in land were acquired with Greenbelt Funds are not permitted without securing a: (1) a finding of fact by staff that the use is one that furthers the original purpose of this ordinance; (2) an opportunity for the board to consider the request and make a recommendation by majority vote to Charleston County Council; and (3) majority vote of the Charleston County Council.