

AGENDA

COUNTY COUNCIL

3/13/18

**AGENDA
COUNTY COUNCIL
MARCH 13, 2018
6:30 PM**

- | | |
|--|---|
| 1. FREEDOM OF INFORMATION ACT | - Report |
| 2. MINUTES OF FEBRUARY 13 & 27, 2018 | - Request to Approve |
| 3. RECOGNITIONS AND RESOLUTIONS | |
| A) Transportation Development Inaugural Bridge Building Competition | - Recognition |
| B) GFOA Distinguished Budget Presentation Award | - Recognition |
| 4. 1842 ELSEY DRIVE/DUWAP ZLDR TEXT AMENDMENT | - Ordinance 2nd Reading |
| 5. 807 & 809 LAMAR STREET/DUWAP ZLDR TEXT AMENDMENT | - Ordinance 2nd Reading |
| 6. ZREZ-08-17-00069, 2545 and 2547 ETIWAN AVENUE | - Ordinance 2nd Reading |
| 7. SOL LEGARE COMMUNITY PLAN/OVERLAY DISTRICT COMP PLAN AMENDMENT | - Ordinance 2nd Reading |
| 8. SOL LEGARE COMMUNITY PLAN/OVERLAY DISTRICT ZLDR AMENDMENT | - Ordinance 2nd Reading |
| 9. 4860 HIGHWAY 174/PARKERS FERRY ZLDR TEXT AMENDMENT | - Ordinance 2nd Reading |
| 10. ZREZ-10-17-00074, 928 SAVAGE ROAD | - Ordinance 2nd Reading |

The following items are added to this agenda, but are subject to action taken at committee meetings on March 13, 2018.

- | | |
|---|---------------------------------|
| 11. MRF UPDATE | - Recommendation, if any |
| 12. LANDFILL UPDATE | - Recommendation, if any |
| 13. 995 MORRISON DRIVE UPDATE | - Recommendation, if any |
| 14. EMS GRANT-IN-AID PROGRAM FY 2018 | - Request to Approve |
| 15. RECORDS CENTER RENOVATION | - Award of Contract |
| 16. FY 18 MID-YEAR BUDGET REVIEW | - Recommendation, if any |

RETURN TO AGENDA

1

IN COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT, NOTICE OF MEETINGS AND AGENDAS WERE FURNISHED TO NEWS MEDIA AND PERSONS REQUESTING NOTIFICATION.

RETURN TO AGENDA

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MINUTES OF FEBRUARY 13 & 27, 2018

RETURN TO AGENDA

3A

Charleston County Council is pleased to recognize the winners of the Inaugural Transportation Development Bridge Building Competition. The competition is part of the Transportation Development Department's STEM Community Outreach Program, which seeks to inspire, engage, and encourage students to pursue an education and career in the Engineering field.

Charleston County students were encouraged to submit projects for the 2018 Charleston County Bridge Building Competition. The projects were subjected to the following specifications:

- The bridge must be the student's original work. Students were permitted to work in teams.
- The bridge itself could only consist of:
 - Wooden craft sticks: 113 mm by 10 mm (4 ½ in by 3/8 in)
 - Carpenters wood glue
 - No other materials could be used

Projects were judged by Eric Adams, Megan Easterlin, and Cal Oyer based on Best Structural Design and Best Architectural Design

The winners of this year's event are:

First Place: IED Class Members Team from Burke H.S.

Aysha Bowens, Kaiasia Williams, Nandi Williams, Keyshon Green

Teacher: Mr. Roy Joe Kemp

Second Place: The PADesigners Team from Charleston Charter School for Math & Science

Louis Staggars, JaRon McPherson

Teacher: Meredith Temples

Third Place: Diversity Team from Charleston Charter School for Math & Science

Nikol Dimitrova, Carson Chen, Brendan Dake

Teacher: Meredith Temples

County Council is also pleased to recognize Dr. Timothy Wood, professor at The Citadel, who kindly provided the event space, equipment, and cadet volunteers to ensure the first bridge building competition was a success.

RETURN TO AGENDA

3B

Charleston County Council is pleased to recognize the Budget Office, which recently received the Distinguished Budget Presentation Award for its fiscal year 2018 budget from the Government Finance Officers Association of the United States and Canada (GFOA). According to the GFOA, the award reflects the commitment of Charleston County Government and its staff to meeting the highest principles of governmental budgeting. The award was given based not only on how well the County budgets its funds, but also on how well it communicates to the public how the money is spent. The County develops a Citizen's Guide to the budget each year so that residents can easily see where their tax dollars are going. The fiscal year 2018 budget was judged and awarded by financial peers from government organizations around the country, marking the 29th consecutive year that Charleston County government's Budget Office has won the honor. GFOA is a non-profit professional association serving over 16,000 government finance professionals throughout North America. The GFOA's Distinguished Budget Presentation Awards Program is the only national awards program in governmental budgeting.

RETURN TO AGENDA

4

**AN ORDINANCE
AMENDING THE CHARLESTON COUNTY ZONING AND LAND
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS
AMENDED: CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING
DISTRICTS TO AMEND THE DUPONT-WAPPOO DISTRICT MAP TO CHANGE
THE ZONING DESIGNATION FOR PROPERTY LOCATED AT 1842 ELSEY
DRIVE (PARCEL IDENTIFICATION NUMBER 350-01-00-029) FROM THE
OFFICE RESIDENTIAL DISTRICT TO THE JOB CENTER DISTRICT.**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed amendments of the text of various chapters of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in South Carolina law and the ZLDR and has recommended that the Charleston County Council (County Council) adopt the proposed amendments of the text of the ZLDR as set forth herein; 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 the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

WHEREAS, County Council has determined the proposed text amendments meet the following criteria:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition; and
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by the Charleston County Council of Charleston, in meeting 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. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments attached hereto as Exhibit "A" and made part of this Ordinance by reference.

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 following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 27th day of March, 2018.

CHARLESTON COUNTY COUNCIL

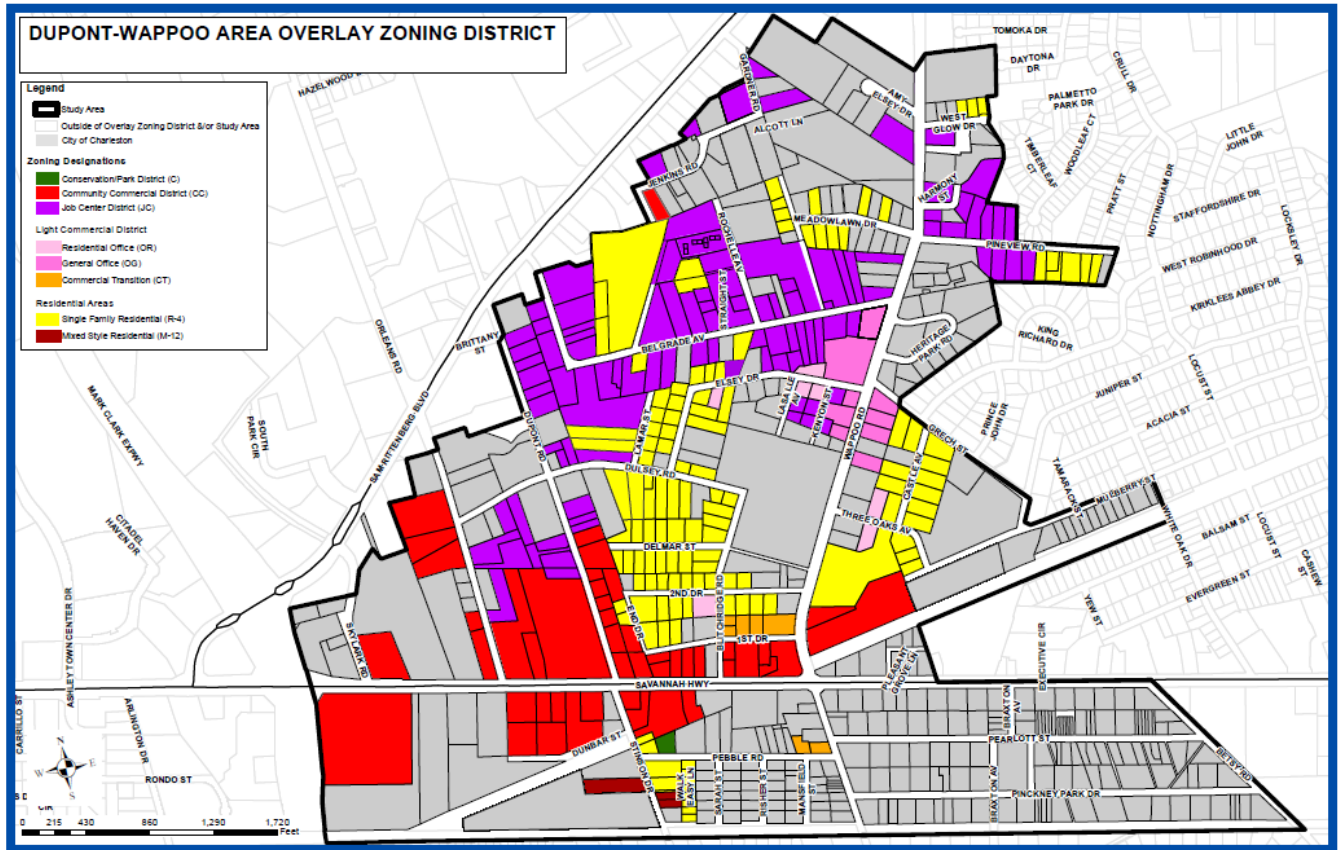
By: _____
A. Victor Rawl
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: February 27, 2018
Second Reading: March 13, 2018
Third Reading: March 27, 2018

EXHIBIT A



RETURN TO AGENDA

5

**AN ORDINANCE
AMENDING THE CHARLESTON COUNTY ZONING AND LAND
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS
AMENDED: CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING
DISTRICTS TO AMEND THE DUPONT-WAPPOO DISTRICT MAP TO CHANGE
THE ZONING DESIGNATION FOR PROPERTIES LOCATED AT 807 AND 809
LAMAR STREET (PARCEL IDENTIFICATION NUMBERS 350-01-00-047 AND -
046) FROM THE RESIDENTIAL DISTRICT TO THE JOB CENTER DISTRICT**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed amendments of the text of various chapters of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in South Carolina law and the ZLDR and has recommended that the Charleston County Council (County Council) adopt the proposed amendments of the text of the ZLDR as set forth herein; 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 the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

WHEREAS, County Council has determined the proposed text amendments meet the following criteria:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition; and
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by the Charleston County Council of Charleston, in meeting 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. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments attached hereto as Exhibit "A" and made part of this Ordinance by reference.

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 following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 27th day of March, 2018.

CHARLESTON COUNTY COUNCIL

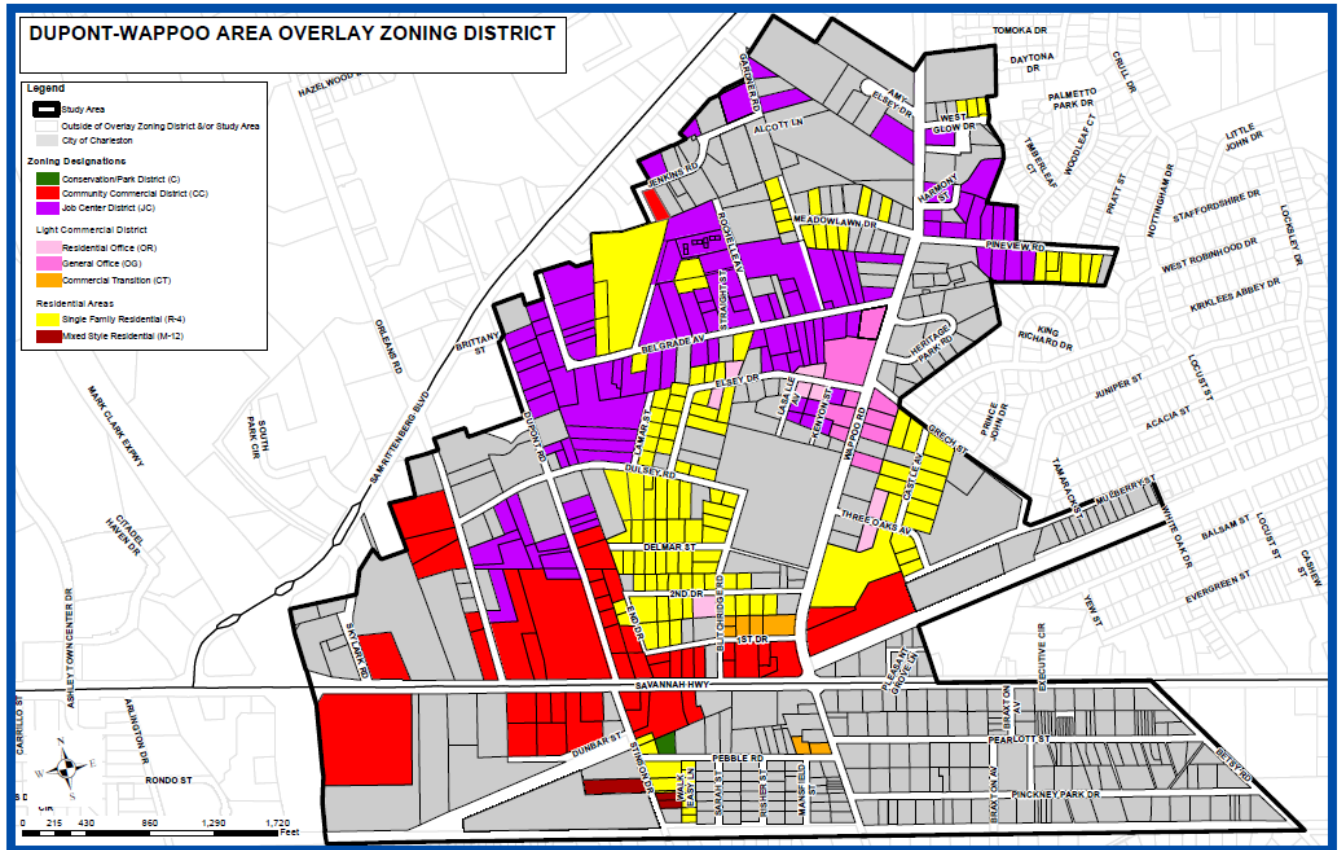
By: _____
A. Victor Rawl
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: February 27, 2018
Second Reading: March 13, 2018
Third Reading: March 27, 2018

EXHIBIT A



RETURN TO AGENDA

6

AN ORDINANCE

REZONING A 0.12-ACRE PORTION OF THE REAL PROPERTY LOCATED AT 2545 ETIWAN AVENUE AND A 0.24-ACRE PORTION OF THE REAL PROPERTY LOCATED AT 2547 ETIWAN AVENUE, PARCEL IDENTIFICATION NUMBERS 310-01-00-186 AND -187, FROM THE SINGLE FAMILY RESIDENTIAL 4 (R-4) ZONING DISTRICT TO THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.

WHEREAS, the properties identified as parcel identification numbers 310-01-00-186 and -187 are currently zoned Single Family Residential (R-4) District; and

WHEREAS, the current owner or agent thereof requests a rezoning of a 0.12-acre portion of the property located at 2545 Etiwan Avenue and a 0.24-acre portion of the property located at 2547 Etiwan Avenue, and a complete application for rezoning the properties was submitted to the Charleston County Zoning and Planning Department requesting, among other things, that a portion of the parcels be rezoned to the Community Commercial (CC) District, pursuant to Article 3.4 of the *Charleston County Zoning and Land Development Regulations* (ZLDR); and

WHEREAS, the Charleston County Planning Commission reviewed the application for rezoning and adopted a resolution, by majority vote of the entire membership, recommending that Charleston County Council (County Council) approve the application for rezoning based on the procedures established in South Carolina law and the Approval Criteria of Article 3.4 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, the County Council held at least one public hearing and after close of the public hearing, County Council has determined the rezonings meet the following criteria of Section 3.4.6 of Article 3.4 of the ZLDR:

- A. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance;
- B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;
- C. The proposed amendment corrects a zoning map error or inconsistency;
- D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.

NOW, THEREFORE, be ordained it by the 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 0.12-acre portion and a 0.24-acre portion of the properties identified as parcel identification numbers 310-01-00-186 and -187 are hereby rezoned from the Single Family Residential 4 (R-4) Zoning District to the Community Commercial (CC) Zoning District. The zoning map of Charleston County is hereby amended to conform to this change. Any development on the site must conform to all requirements of the *Charleston County Zoning and Land Development Regulations* and other applicable laws, rules and regulations.

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 following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 27th day of March, 2018.

CHARLESTON COUNTY COUNCIL

By: _____
A. Victor Rawl
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk of Charleston County Council

First Reading: February 27, 2018
Second Reading: March 13, 2018
Third Reading: March 27, 2018

RETURN TO AGENDA

7

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY COMPREHENSIVE PLAN AT THE FOLLOWING DOCUMENT LOCATIONS: MAP 3.1.4, FUTURE LAND USE; MAP 3.1.5, URBAN/SUBURBAN FUTURE LAND USE DETAIL; AND MAP 3.1.14, SOL LEGARE OVERLAY ZONING DISTRICT CHAPTER 3.9, AND CHAPTER 4.2, INDEX OF RESOURCES.

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, as amended, does not currently include the Sol Legare Area Overlay Zoning District Map or references to the Sol Legare Community Plan; and,

WHEREAS, the Sol Legare Community Plan and Overlay Zoning District were developed in coordination with area residents and adopted by Charleston County Council (the "County Council") on March 27, 2018; and,

WHEREAS, the County Planning Commission has reviewed the proposed amendments to the Comprehensive Plan and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve the proposed amendments to the Comprehensive Plan 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 one public hearing and after close of the public hearing, County Council approved 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. TEXT AND MAP AMENDMENTS TO THE COMPREHENSIVE PLAN

The Charleston County Comprehensive Plan is hereby amended and made part of this Ordinance by reference, at the following document locations: Chapter 4.2, Index of Resources, to include the Sol Legare Community Plan in the list of support and related documents; Map 3.1.4, Future Land Use, and Map 3.1.5, Urban/Suburban Future Land Use Detail, to incorporate the Sol Legare Overlay Zoning District; and to add Map 3.1.14, Sol Legare Overlay Zoning District.

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 27th day of March, 2018.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____
A. Victor Rawl
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen Salisbury
Clerk to Charleston County Council

First Reading: February 27, 2018
Second Reading: March 13, 2018
Third Reading: March 27, 2018

EXHIBIT "A"

**PLANNING AND PUBLIC WORKS COMMITTEE
RECOMMENDED CHANGES AND CONDITIONS TO
SOL LEGARE OVERLAY ZONING DISTRICT
APPROVED BY CHARLESTON COUNTY COUNCIL**

1. Revise the SL-O Development Option to only apply to lots of record with a maximum lot width of 110 feet and increase the interior side setback for this development option from five feet to 15 feet.
2. Allow Visitors Bureau as a conditional use, limited to 3,000 square feet, in the Commercial Areas.
3. Allow Bicycle Rentals as an allowed use in the Commercial Areas.

RETURN TO AGENDA

8

**AN ORDINANCE
AMENDING THE CHARLESTON COUNTY ZONING AND LAND
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS
AMENDED, CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING
DISTRICTS.**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310, et seq., 6-29-510 et seq., 6-29-710 et seq. and 6-29-110 et seq., of the Code of Laws of South Carolina, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed text and map amendments of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has recommended that the Charleston County Council adopt the proposed text amendments of the ZLDR as set forth herein; 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 approves the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR;

WHEREAS, County Council has determined the proposed text and map amendments meet the following criteria:

- A. The proposed amendments correct an error or inconsistency or meet the challenge of a changing condition; and
- B. The proposed amendments are consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendments are to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it, by the Charleston County Council in meeting 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. TEXT AND MAP AMENDMENTS OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text and map amendments of Chapter 5, Overlay and Special Purpose Zoning Districts, which are attached hereto as Exhibit "A" and made a part of this Ordinance by reference.

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 following third reading by the County Council.

ADOPTED and APPROVED in meeting duly assembled this 27th day of March 2018.

CHARLESTON COUNTY COUNCIL

By: _____
A. Victor Rawl
Chairman of County Council

ATTEST:

By: _____
Kristen Salisbury
Clerk of Charleston County Council

First Reading: February 27, 2018
Second Reading: March 13, 2018
Third Reading: March 27, 2018

EXHIBIT "A"

**TEXT AND MAP AMENDMENTS TO THE CHARLESTON COUNTY ZONING
AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202,
AS AMENDED, CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS**

DRAFT

ARTICLE 5.15 SOL LEGARE COMMUNITY OVERLAY ZONING DISTRICT (SL-O)

§5.15.1 STATEMENT OF FINDINGS

The SL-O, Sol Legare Community Overlay Zoning District, is located on the southern end of James Island in the Urban/Suburban Area of the County, just north of Folly Beach. The community is wholly located in unincorporated Charleston County and is bordered by Kings Flat Creek on the south; the Stone River on the west; and Holland Island Creek on the north. The sole access into the community is from Folly Road. The community was established during the Reconstruction Era and prospered in the twentieth century, becoming known as a prominent African-American community with roots in the Gullah Geechee culture. The land use development is unique in Sol Legare, due to the use of long-lot farm parcels which maximize the frontage along both the roadway and adjacent waterways. The historic value of the community and associated development patterns was documented in the *2016 Charleston County Historic Resources Survey Update*, and this overlay intends to preserve and enhance the historical development patterns.

Beginning in 2013, planning staff worked with community members to identify planning and zoning issues. This input helped form the *Urban/Suburban Cultural Community Protection* future land use designation, which is implemented by this overlay zoning district. Furthermore, the feedback gathered from community members at a series of public meetings from 2013 – 2017 led to the creation of the *Sol Legare Community Plan*, which is adopted concurrently with this overlay zoning district and supports the provisions of this Article, as Strategy 2.1 of the Plan states, “*Adopt amendments to the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), including but not limited to an overlay zoning district, as applicable.*” The Plan further explains the community planning process and needs assessment, and includes additional strategies to achieve the community’s vision for the future. The Plan also describes the planning and zoning issues addressed by this overlay in greater detail, including the inability to subdivide properties due to inflexible subdivision standards, the lack of flexibility in land uses traditionally seen in the community (such as commercial uses in the historic Mosquito Beach area, community-oriented uses such as farmers’ markets or community gardens, and home occupations), and the threat to community character as new development is often times inconsistent with the scale and design of existing structures.

§5.15.2 PURPOSE AND INTENT

The purpose and intent of the SL-O is to implement the Charleston County *Comprehensive Plan* by creating an overall vision for the future of the Sol Legare Community that protects and promotes the culture and unique development patterns of the existing historic community; preserves low density residential development and traditional commercial uses; and sustains the area’s strong sense of community by supporting community-oriented land uses. This vision is a reflection of the needs expressed by the residents of the Sol Legare Community, and the SL-O strives to preserve the existing character of the area while allowing additional flexibility to subdivide and develop property. The SL-O also provides for the re-establishment of commercial uses in locations traditionally known as commercial hubs in the community, while also expanding opportunities for home occupations.

§5.15.3 EFFECT OF THE OVERLAY ZONING DISTRICT

The Sol Legare Community Overlay Zoning District regulations of this Article apply in addition to the underlying (base) zoning district and all other applicable regulations of this Ordinance and impose different development rules for properties within the Overlay Zoning District. In case of conflict between the regulations of this Article and other regulations in this Ordinance, the regulations of this Article shall control except as otherwise noted.

DRAFT

§5.15.4 APPLICABILITY

The standards of this Article shall apply to all development within the SL-O as described in this Article and as shown on the map titled "Sol Legare Community Overlay Zoning District."

§5.15.5 USE REGULATIONS

A. Table 5.15-1, Sol Legare Community Overlay Zoning District Use Table

Table 6.1-1, Use Table, does not apply to properties in the SL-O. Table 5.15-1 lists the uses allowed in the areas as identified and described in this Overlay Zoning District. The following is a description of the codes used in the table:

1. "A" indicates uses allowed by right.
2. "C" indicates uses subject to conditions. A cross-reference to the applicable conditions can be found in the column entitled "Conditions."
3. "S" indicates uses allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance, subject to compliance with use-specific conditions. A cross-reference to the applicable conditions can be found in the column entitled "Conditions."
4. Blank cells indicate uses that are not permitted.

B. Prohibited Uses

The following uses are prohibited on all parcels in the SL-O include: Transitional Housing; Convention Center or Visitors Bureau; Consumer Goods Rental Centers; Auto Dealers, New and Used; Tattoo Facilities; Shooting Ranges; Gun Shops; Stable, Commercial; and Billboards.

C. New or Unlisted Uses and Use Interpretation

The Planning Director shall be authorized to make use determinations whenever there is a question regarding the category of use based on the definitions contained in Chapter 12 of this Ordinance or may require that the use be processed in accordance with the Planned Development (PD) procedures of this Ordinance.

DRAFT

TABLE 5.15-1: Sol Legare Community Overlay Use Table	RESIDENTIAL AREA	COMMERCIAL AREA	CONDITION
AGRICULTURAL USES			
ANIMAL PRODUCTION			
Animal Aquaculture, including Finfish Farming, Fish Hatcheries, or Shrimp or Shellfish Farming (in ponds)		C	§ 6.4.1
Apiculture (Bee Keeping)		A	
Horse or Other Animal Production	C	C	§ 6.4.1
CROP PRODUCTION			
Greenhouse Production or Food Crops Grown Under Cover	A	A	
Horticultural Production or Commercial Nursery Operations	A	A	
Hydroponics	A	A	
Crop Production	A	A	
Wineries		C	§ 6.4.60
FORESTRY AND LOGGING			
Bona Fide Forestry Operations	C	C	§ 6.4.23
STABLE			
Stable, Private	S	C	§ 6.4.20
SUPPORT ACTIVITIES FOR AGRICULTURE USES			
Roadside Stands, including the sale of Sweetgrass Baskets	C	C	§ 6.4.58
Community Garden	A	A	
RESIDENTIAL			
Congregate Living for the elderly (up to 15 residents)	S	S	
Duplex	C	C	§ 5.15.5.D.4
Dwelling Group	C	C	§ 5.15.5.D.5
Child Caring Institution (more than 20 children)	S	S	
Group Care Home, Residential (up to 20 children)	S	S	
Manufactured Housing Unit	S	S	§ 5.15.5.D.6
Manufactured Housing Unit, Replacement	S	S	§ 5.15.5.D.6
Retirement Housing	S	S	
Retirement Housing, Limited (up to 10 residents)	S	S	§ 6.4.8
Single Family Detached	A	A	
Affordable Dwelling Units	C	C	§ 6.4.19
Single family Detached/Manufactured Housing Unit (Joint) or Two Manufactured Housing Units (Joint)	C	C	§ 6.4.24
Short-Term Rental: Vacation Home Rental (VHR)	S	S	Art. 6.8
Mixed Use/Occupancy		A	
CIVIC / INSTITUTIONAL			

DRAFT

TABLE 5.15-1: Sol Legare Community Overlay Use Table	RESIDENTIAL AREA	COMMERCIAL AREA	CONDITION
COURTS AND PUBLIC SAFETY			
Court of Law	A	A	
Safety Services, including Emergency Medical or Ambulance Service, Fire Protection, or Police Protection	A	A	
DAY CARE SERVICES			
Adult Day Care Facilities	S	A	§ 6.4.29
Child Day Care Facilities, including Group Day Care Home or Child Care Center	S	A	§ 6.4.29
Family Day Care Home	A	A	
DEATH CARE SERVICES			
Cemeteries or Crematories	C	C	§ 6.4.53
Funeral Services, including Funeral Homes or Mortuaries		A	
EDUCATIONAL SERVICES			
Pre-school or Educational Nursery	S		§ 6.4.29
School, Primary	S	S	
School, Secondary	S	S	
College or University Facility	S	S	
Business or Trade School		S	
Personal Improvement Education, including Fine Arts Schools or Automobile Driving Schools		S	
HEALTH CARE SERVICES			
Medical Office or Outpatient Clinic, including Psychiatrist Offices, Abortion Clinics, Chiropractic Facilities, or Ambulatory Surgical Facilities	S	S	
Convalescent Services, including Nursing Homes	S	S	
Counseling Services, including Job Training or Placement Services		A	
Public or Community Health Care Centers		S	
Home Health Agencies		S	
Hospitals, including General Hospitals, Specialized Hospitals, Chronic Hospitals, Psychiatric or Substance Abuse Hospitals, or Hospices		S	
Rehabilitation Facilities		S	
Residential Treatment Facility for Children or Adolescents (mental health treatment)		S	
MUSEUMS, HISTORICAL SITES AND SIMILAR INSTITUTIONS			
Historical Sites (Open to the Public)	C	A	§ 6.4.27
Libraries or Archives	A	A	
Museums	A	A	
Nature Exhibition		A	§ 6.4.10
POSTAL SERVICE			

DRAFT

TABLE 5.15-1: Sol Legare Community Overlay Use Table			RESIDENTIAL AREA	COMMERCIAL AREA	CONDITION
	Postal Service, United States		C	A	§ 6.4.28
RECREATION AND ENTERTAINMENT					
	Community Recreation, including Recreation Centers		A	A	
	Fishing or Hunting Guide Service (Commercial)			A	
	Fishing or Hunting Lodge (Commercial)			A	
	Parks and Recreation		C	C	§ 6.4.11
	Special Events			C	§ 5.15.7.E
	Eco-Tourism		S	A	
RELIGIOUS, CIVIC, PROFESSIONAL AND SIMILAR ORGANIZATIONS					
	Business, Professional, Labor, or Political Organizations			A	
	Social or Civic Organizations, including Youth Organizations, Sororities, or Fraternities		S	A	
	Religious Assembly		C	C	§ 6.4.13
	Social Club or Lodge		S	A	
UTILITIES AND WASTE-RELATED USES					
	Utility Service, Major		S	S	§ 6.4.21 § 6.4.17
	Electric or Gas Power Generation Facilities		S	S	§ 6.4.21 § 6.4.17
	Utility Substation		S	S	§ 6.4.21
	Electrical or Telephone Switching Facility		S	S	§ 6.4.21
	Sewage Collector or Trunk Lines		S	S	§ 6.4.21
	Utility Pumping Station		S	S	§ 6.4.21
	Water Mains		S	S	§ 6.4.21
	Water Storage Tank		S	S	§ 6.4.21
	Utility Service, Minor		A	A	
	Electric or Gas Power Distribution		A	A	
	Sewage Collection Service Line		A	A	
	Water Service Line		A	A	
COMMERCIAL					
ACCOMMODATIONS					
	Short-Term Rental: Commercial Home Rental (CHR)			C	Art. 6.8
	Hotels or Motels			S	
	RV (Recreational Vehicle) Parks or Campgrounds			S	§ 6.4.12
ANIMAL SERVICES					
	Kennel			S	§ 6.4.54
	Small Animal Boarding (enclosed building)			C	§ 6.4.32

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TABLE 5.15-1: Sol Legare Community Overlay Use Table		RESIDENTIAL AREA	COMMERCIAL AREA	CONDITION
Veterinary Services			C	§ 6.4.32
FOOD SERVICES AND DRINKING PLACES				
Bar or Lounge (Alcoholic Beverages)			S	
Catering Service			C	§ 6.4.34
Restaurant, Fast Food, including Snack or Nonalcoholic Beverage Bars			C	§ 6.4.15
Restaurant, General, including Cafeterias, Diners, Delicatessens, or Full-Service Restaurants			C	§ 5.15.5.D.8 § 6.4.15
INFORMATION INDUSTRIES				
Communications Towers			S	§ 6.4.5
PROFESSIONAL SERVICES AND OFFICES				
Administrative or Business Office, including Bookkeeping Services, Couriers, Insurance Offices, Personnel Offices, Real Estate Services, Secretarial Services or Travel Arrangement Services			A	
Government Office			A	
Professional Office, including Accounting, Tax Preparation, Architectural, Engineering, or Legal Services			A	
Office/Warehouse Complex			S	
Special Trade Contractors (Offices/Storage)			S	§ 5.15.5.D.1
OTHER NONRESIDENTIAL DEVELOPMENT				
Parking Lot			S	§ 5.15.5.D.7
Charter Boat or other Recreational Watercraft Rental Services			C	Art. 5.3
Water-Dependent Commercial, including seafood-related Retail Sales; Restaurant, General; Charter Boat or other Recreational Watercraft Rental Services; Boat Ramps; Commercial Docks; and other accessory produce/roadside stands			A	
REPAIR AND MAINTENANCE SERVICES				
Repair Service, Consumer, including Appliance, Shoe, Watch, Furniture, Jewelry, or Musical Instrument Repair Shops			S	
RETAIL SALES				
Food Sales, including Grocery Stores, Meat Markets or Butchers, Retail Bakeries, or Candy Shops			A	
Retail Sales or Services, General			A	
Art, Hobby, Musical Instrument, Toy, Sporting Goods, or Related Products Store			A	
Clothing, Piece Goods, Shoes, Jewelry, Luggage, Leather Goods or Related Products Store			A	
Convenience Stores			A	
Florist			A	
Furniture, Cabinet, Home Furnishings, or Related Products Store			A	
Tobacconist			A	
Sweetgrass Basket Stands		C	C	§ 6.4.58

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TABLE 5.15-1: Sol Legare Community Overlay Use Table				RESIDENTIAL AREA	COMMERCIAL AREA	CONDITION
RETAIL OR PERSONAL SERVICES						
Consumer Convenience Service				A		
Locksmith				A		
Tailors or Seamstresses				A		
Hair, Nail, or Skin Care Services, including Barber Shops or Beauty Salons		C		A		§ 6.4.3
Personal Improvement Service, including Dance Studios, Health or Physical Fitness Studios, Photography Studios, or Reducing Studios				A		
Farmers Market, not including flea markets				A		
Artisans and Craftsman		C		C		§ 5.15.5.D.2
VEHICLE AND WATERCRAFT STORAGE						
Boat Ramps		C		C		Art. 5.3, § 5.3.4
Community Dock		S		S		Art. 5.3, § 5.3.3
Commercial Dock		S		S		Art. 5.3, § 5.3.6
MANUFACTURING AND PRODUCTION						
Clay or Related Products Manufacturing				C		§ 5.15.5.D.3
Computers or Electronic Products Manufacturing				C		§ 5.15.5.D.3
Electrical Equipment, Appliances or Components Manufacturing				C		§ 5.15.5.D.3
Furniture, Cabinets, or Related Products Manufacturing				C		§ 5.15.5.D.3
Glass or Related Products Manufacturing				C		§ 5.15.5.D.3
Toy or Artwork Manufacturing				C		§ 5.15.5.D.3
Wood Products Manufacturing				C		§ 5.15.5.D.3
Other Miscellaneous Manufacturing and Production				C		§ 5.15.5.D.3
OTHER USES						
RECYCLING SERVICES						
Recycling Collection, Drop-Off		C		C		§6.4.55
RESOURCE EXTRACTION/MINING						
Resource Extraction/Mining, including Borrow Pits, Mining, Oil or Gas Extraction, Quarries, or Sand or Gravel Operations		S		S		§ 6.4.14
TRANSPORTATION						
Sightseeing Transportation, Land or Water				S		Art. 5.3
Water Transportation, including Coastal or Inland Water Passenger Transportation				S		Art. 5.3

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D. Use Conditions

1. Special Trade Contractors (Offices/Storage)

- a. This use excludes any tractor trailer containers in outside storage areas;
- b. This use shall have a maximum floor area of 5,000 square feet including the building(s);
- c. Outdoor storage of vehicles, materials, and equipment shall be prohibited; and
- d. The hours of operation shall be limited from 7 am to 7 pm.

2. Artisan and Craftsman uses are permitted, provided that:

- a. Such uses shall not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards, radiation, or other conditions harmful or objectionable to adjacent or nearby properties.
- b. All truck parking or loading facilities are located to the side or rear of the building, outside required landscaped yards, and screened from public rights-of-way and/or adjacent property zoned or used for residential purposes.
- c. Outdoor storage of materials is prohibited.
- d. Operation of this use does not create noise in excess of 80 dB, as measured at the property boundary of the noise source using the fast meter response of a sound level meter, reduced to 70 dB maximum between the hours of 7 p.m. and 7 a.m.
- e. Artisan and Craftsman uses shall comply with the requirements listed above and shall be limited to a maximum floor area of 2,000 square feet and five (5) non-resident employees.
- f. All Artisan and Craftsman uses shall comply with the Site Plan Review requirements of this Ordinance.
- g. In Residential Areas, all of the requirements of this Section shall apply in addition to the following:
 - 1. All activities related to the Artisan and Craftsman use shall be confined to a structure that is entirely enclosed, and
 - 2. On-site retail sales are limited to articles of artistic quality or effect or handmade workmanship produced on the premises.

3. Manufacturing and Production

- a. In zoning districts subject to conditions (C), a structure or structures used for specialized manufacturing shall have a maximum floor area of 2,000 square feet and shall have no more than five (5) employees.
- b. All activities related to the manufacturing and production use shall be confined to a structure that is entirely enclosed.
- c. On-site retail sales are prohibited.
- d. All manufacturing and production uses shall comply with the Site Plan Review requirements of this Ordinance.



Figure 1 Example of Duplex maintaining residential character



Figure 2 Example of duplex that does not comply with architectural standards

4. Duplexes

- a. The zoning lot must have twice the minimum lot size required; however, this requirement does

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not apply to lots of record that existed prior to [date of adoption of SL-O].

- b. Duplexes must be designed to architecturally blend with the existing single-family dwelling units (see Figures 1 and 2).
- c. Duplexes may not exceed a total square footage (for both units) of 2,500 Square Feet.

5. Dwelling Groups

Where two (2) or more principal single family residential structures are located on the same zoning lot, the following criteria shall apply:

a. Density/Intensity and Dimensional Standards

Density/intensity and dimensional standards in Table 5.15-2 shall apply. In each case, the distance between structures shall not be less than the sum of the minimum interior setbacks required. The distance shall be measured from the closest protrusion of each structure. Where no building footprint is indicated, a maximum of a 100-foot by 100-foot area shall be shown for each dwelling to indicate the area where each dwelling is to be constructed.

b. Face of Dwelling Units

To maintain the traditional siting of residential structures on single parcels, dwelling units may be placed in rows, with the front of a dwelling facing the rear of an adjacent dwelling. Alternatively, dwelling units may face (front) either a street, courtyard, or living space.

c. Vehicle Access

Each dwelling group shall provide an access consistent with the Road Construction Standards in Appendix A of this Ordinance.

d. Other Zoning Requirements

Unless specifically modified by this Section, Dwelling Groups shall comply with all other requirements of this Ordinance, including Section 6.4.7, Dwelling Groups, for the S-3 Zoning District.

6. Manufactured Housing Units

Manufactured housing units shall be skirted by: manufactured skirting, or other materials suitable for exterior use, including corrosion-resistant metal, fiberglass/plastic, wood/wood siding (both must be protected from the elements by water resistant solution/substance), decay resistant wood/pressure treated lumber and masonry concrete. The enclosed crawl space under the manufactured housing unit must be ventilated. Skirting placed on manufactured housing units in any Federal Emergency Management Agency (FEMA) Flood Hazard Boundary Area must comply with any applicable FEMA requirements.

7. Parking Lots

- a. Parking garages are prohibited.
- b. A Parking Lot may only be the principal use on a property if it serves as parking for a business located within 1,000 feet of the property containing the Parking Lot.

8. Fast Food Restaurants

Drive-thru windows are prohibited.

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E. Accessory Uses and Structures

Accessory Uses and Structures shall be permitted in accordance with Section 6.5, unless otherwise stated below.

1. Accessory Dwelling Units

One accessory dwelling unit may be established on an existing zoning lot if the following standards are met:

- a. Proof of wastewater disposal is provided (by SCDHEC or public service provider) for the accessory dwelling unit and the lot does not abut or contain an OCRM Critical Line. The requirements of Section 4.22.2, Minimum Lot Standards for Accessory Dwelling Units on Parcels Which Contain or Abut an OCRM Critical Line, shall apply to Accessory Dwelling units on lots that abut or contain an OCRM Critical Line.
- b. Accessory Dwelling Units shall have a maximum of 800 square feet of heated gross floor area. The size may be increased to 1,500, if a Special Exception is granted by the Board of Zoning Appeals, in accordance with the procedures of this Ordinance.
- c. Accessory Dwelling Unit placement shall comply with all dimensional standards of this Article.
- d. Separate electrical meters are allowed for attached accessory dwellings.

2. Home Occupations

All requirements of Section 6.5.11, Home Occupations, of this Ordinance shall apply with the exception of the following:

a. Vehicle/Equipment Repair and Special Trade Contractors

Vehicle/Equipment Repair and Special Trade Contractors are allowed if they take place in an enclosed structure, pose no noise or safety concerns, and comply with all applicable regulations of this Ordinance. This excludes vehicle rental, leasing, and sales, which are prohibited as home occupations in this Overlay Zoning District.

b. Employees

The requirements of Section 6.5.11 of this Ordinance apply, provided, however, that up to five (5) nonresident employees may work at the home occupation if approved through Site Plan Review and Special Exception procedures contained in this Ordinance.

§5.15.6 RESIDENTIAL AREA

The Residential Area as shown on the map titled "Sol Legare Community Overlay Zoning District" is intended to protect and promote the culture and unique development patterns of the existing low density residential community. The following requirements apply to parcels in the Residential Area in addition to the applicable requirements of this Ordinance. For matters not addressed in this overlay zoning district, the requirements of the Special Management 3 (S-3) Zoning District shall apply.

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A. Density, Intensity and Dimensional Standards

The Density/Intensity and Dimensional Standards listed in Table 5.15-2 shall apply to all properties in the Residential Area:

**TABLE 5.15-2: RESIDENTIAL AREA
DENSITY/INTENSITY AND DIMENSIONAL STANDARDS ⁽¹⁾**

	S-3 Development Option	SL-O Development Option ⁽¹⁾
MAXIMUM DENSITY	3 dwelling units per acre	3 dwelling units per acre
MINIMUM LOT AREA	14,500 SF; 12,500 SF if public water and/or sewer is available	10,000 SF
MINIMUM LOT WIDTH	80 feet; 70 feet with public water and/or sewer is available	50 feet ⁽¹⁾
MINIMUM LOT WIDTH:DEPTH RATIO	None ⁽²⁾	None ⁽²⁾
MINIMUM SETBACKS		
Front/Street Side	25 feet	10 feet ⁽³⁾
Interior Side	15 feet	5 feet
Rear	25 feet	5 feet
OCRM Critical Line	30 feet	30 feet
MAXIMUM BUILDING COVER	30% of lot	30% of lot
MAXIMUM BUILDING HEIGHT	35 feet	35 feet
MAXIMUM BUILDING SIZE	None	2,500 SF

- (1) For lots that contain or abut an OCRM Critical Line, the Waterfront Development Standards of Article 4.22, as they apply to the S-3 Zoning District, shall apply, provided, however, that the Planning Director may allow a reduction in the minimum lot width and/or minimum lot width average required by Article 4.22 for the S-3 Zoning District when the following criteria are met:
- a. The plat of the property was approved and recorded on or before [date of the adoption of the SL-O];
 - b. The SL-O development option is being utilized;
 - c. The width of the property shown on the approved, recorded plat (recorded on or before [date of adoption of the SL-O]) is less than 100 feet; and
 - d. No more than one waterfront lot is proposed to be created.
- (2) The lot width: depth ratio of this Ordinance shall not apply.
- (3) The setback from a public right-of-way, private right-of-way, and/or private ingress/egress easement is 10 feet as measured from the property line. All accesses must comply with the requirements of the International Fire Code. On corner and double-frontage lots, the front setback standards shall apply to each lot line that borders a public right-of-way, private right-of-way, or private ingress/egress easement; the remaining lot lines shall be subject to the side setback standards and there is no rear lot line/setback.

B. One-time subdivision of nonconforming lot of record existing prior to April 21, 1999

A one-time subdivision creating one lot from a nonconforming lot of record (lot existing prior to April 21, 1999) shall be allowed, if each lot resulting from the subdivision meets the minimum lot area requirement of Table 5.14-2. An Ingress/Egress Easement may be utilized to access a proposed lot (singular) to the rear of the property. The setback from the edge of the easement will be the required side setback required for Zoning District. The side setback from the edge of the easement will only be utilized to create one (1) proposed lot from the provision of: ONE TIME SUBDIVISION OF A NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999.

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C. Gated Communities

Gated communities shall be prohibited.

D. Fences/Walls

The maximum height for residential fences is six feet. Open, transparent fencing is encouraged in the SL-O. Fences made of opaque materials and chain link fences shall not exceed four feet in height.

E. Temporary Special Events

Temporary Special Events shall be allowed in the Residential Areas of the SL-O subject to the requirements for Temporary Special Events Permits for Agricultural and Residential Zoning Districts as contained in Article 6.7, Special Events Use, of this Ordinance.

F. Other Regulations

Development in the Residential Area shall comply with all other applicable regulations of this Ordinance.

§5.15.7 COMMERCIAL AREAS

The Commercial Areas shown on the map titled "Sol Legare Community Overlay Zoning District" are intended to re-establish the proportion, location and scale of small neighborhood businesses that historically existed in the community. Some properties historically had commercial uses, but were zoned S-3, resulting in non-conforming structures and uses. These properties are now zoned "Commercial" in the SL-O, to allow the possible redevelopment of parcels. The requirements of the CN Zoning District shall apply for all matters not addressed in this overlay zoning district for the Commercial Areas. The following requirements apply to parcels in the Commercial Areas in addition to the applicable requirements of this Ordinance:

A. Density, Intensity and Dimensional Standards

- 1) All residential development in the Commercial Areas shall comply with the density, intensity and dimensional standards of the Residential Areas as contained in Section 5.15.6, provided, however, that the Commercial Area requirements shall apply when residential development is included as part of a mixed use development (located within a mixed use building).
- 2) All non-residential development in the Commercial Areas shall comply with the Density/Intensity and Dimensional Standards listed in Table 5.15-3, below.

**TABLE 5.15-3: COMMERCIAL AREAS
DENSITY/INTENSITY AND DIMENSIONAL STANDARDS ⁽¹⁾**

MINIMUM LOT AREA	10,000 square feet
MINIMUM LOT WIDTH	25 feet
MINIMUM SETBACKS	
Front/Street Side	Equivalent to required buffers
Interior Side	Equivalent to required buffers
Rear	Equivalent to required buffers
OCRM Critical Line	15 feet
MAXIMUM BUILDING HEIGHT	35 feet

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MAXIMUM NET RESIDENTIAL DENSITY – MIXED OCCUPANCY (Developments containing commercial/office and residential uses)	Three (3) dwelling units per acre
MAXIMUM BUILDING COVERAGE	30% of lot
MAXIMUM BUILDING SIZE	No single building shall exceed 5,000 square feet of gross floor area. ⁽²⁾

- (1) In instances where the SL-O standards conflict with Waterfront Development Standards, the SL-O standards shall apply. Where no specific standards are mentioned in the SL-O, the Waterfront Development Standards for the CN Zoning District in Chapter 9 of this Ordinance shall apply.
- (2) In instances where the building size requirements of this table are in conflict with those contained in Section 5.15.5.D, Use Conditions, and/or Article 6.4, Use Conditions, the most restrictive shall apply. Increases in building size may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures contained in this Ordinance.

B. Sign Regulations

In addition to the sign regulations contained in Article 9.11 of this Ordinance, the following regulations shall apply:

- 1) All signs shall be monument style.
- 2) Signs shall not exceed 6 feet in height and 40 square feet in size.
- 3) Internal illumination is prohibited.
- 4) Electronic message board signs are prohibited.

C. Special Stormwater Requirements

The Sol Legare Community Overlay Zoning District is located in the Sol Legare watershed and drainage basins, which are highly sensitive and reactive to coastal tidal and flooding conditions. Development within the Sol Legare watershed and drainage basins requires comprehensive stormwater analysis to minimize and mitigate any potential impacts. Construction activities within the Sol Legare watershed and drainage basins will be required to comply with current edition of the Charleston County Stormwater Program Permitting Standards and Procedures Manual in effect at the time of land development application submittal. Due to the watershed and drainage basin potential for flooding conditions, additional requirements may be established by the Public Works Director. The applicant shall meet with the Public Works Director to discuss specific design criteria pursuant to the requirements of the Charleston County Stormwater Program Permitting Standards Manual prior to submitting any subdivision or site plan review applications. Future stormwater studies of this area may require additional regulations.

D. Special Events

Temporary Special Events shall be allowed in the Commercial Areas of the SL-O subject to the requirements for Temporary Special Events Permits for Commercial Zoning Districts as contained in Article 6.7, Special Events Use, of this Ordinance.

Special Events established as Principal Uses in the Commercial Areas of the SL-O are subject to the requirements of Article 6.7, Special Events Use, of this Ordinance, and specifically sections 6.7.4, Special Events Established as Principal Uses in Commercial and Industrial Zoning Districts, and Section 6.7.5, Outdoor Special Events.

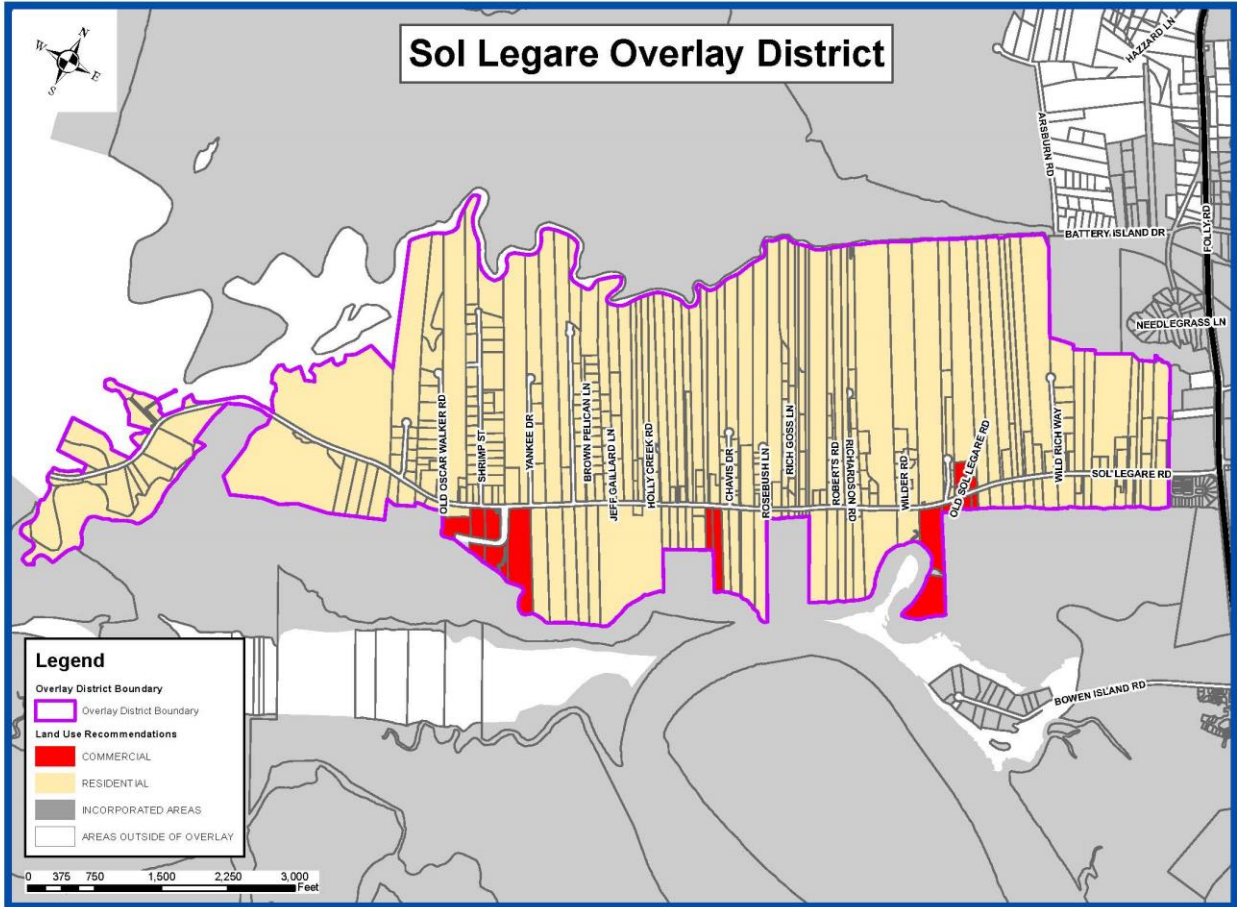
E. Other Regulations

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Development in the Commercial Areas shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

Add the following definition to Chapter 12, Definitions:

Community Garden	A private or public facility for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.
-------------------------	--



James Island, SC

DRAFT - November 2017

EXHIBIT "B"

**PLANNING AND PUBLIC WORKS COMMITTEE
RECOMMENDED CHANGES AND CONDITIONS TO
SOL LEGARE OVERLAY ZONING DISTRICT
APPROVED BY CHARLESTON COUNTY COUNCIL**

1. Revise the SL-O Development Option to only apply to lots of record with a maximum lot width of 110 feet and increase the interior side setback for this development option from five feet to 15 feet.
2. Allow Visitors Bureau as a conditional use, limited to 3,000 square feet, in the Commercial Areas.
3. Allow Bicycle Rentals as an allowed use in the Commercial Areas.

RETURN TO AGENDA

9

**AN ORDINANCE
AMENDING THE CHARLESTON COUNTY ZONING AND LAND
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS
AMENDED: CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING
DISTRICTS TO AMEND THE PARKERS FERRY OVERLAY DISTRICT MAP TO
CHANGE THE ZONING DESIGNATION FOR PROPERTY LOCATED AT 4860
HIGHWAY 174 (PARCEL IDENTIFICATION NUMBER 059-00-00-284) FROM
THE RESIDENTIAL DISTRICT TO BUSINESS/SERVICE DISTRICT.**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed amendments of the text of various chapters of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in South Carolina law and the ZLDR and has recommended that the Charleston County Council (County Council) adopt the proposed amendments of the text of the ZLDR as set forth herein; 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 the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

WHEREAS, County Council has determined the proposed text amendments meet the following criteria:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition; and
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by the Charleston County Council of Charleston, in meeting 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. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments attached hereto as Exhibit "A" and made part of this Ordinance by reference.

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 following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 27rd day of March, 2018.

CHARLESTON COUNTY COUNCIL

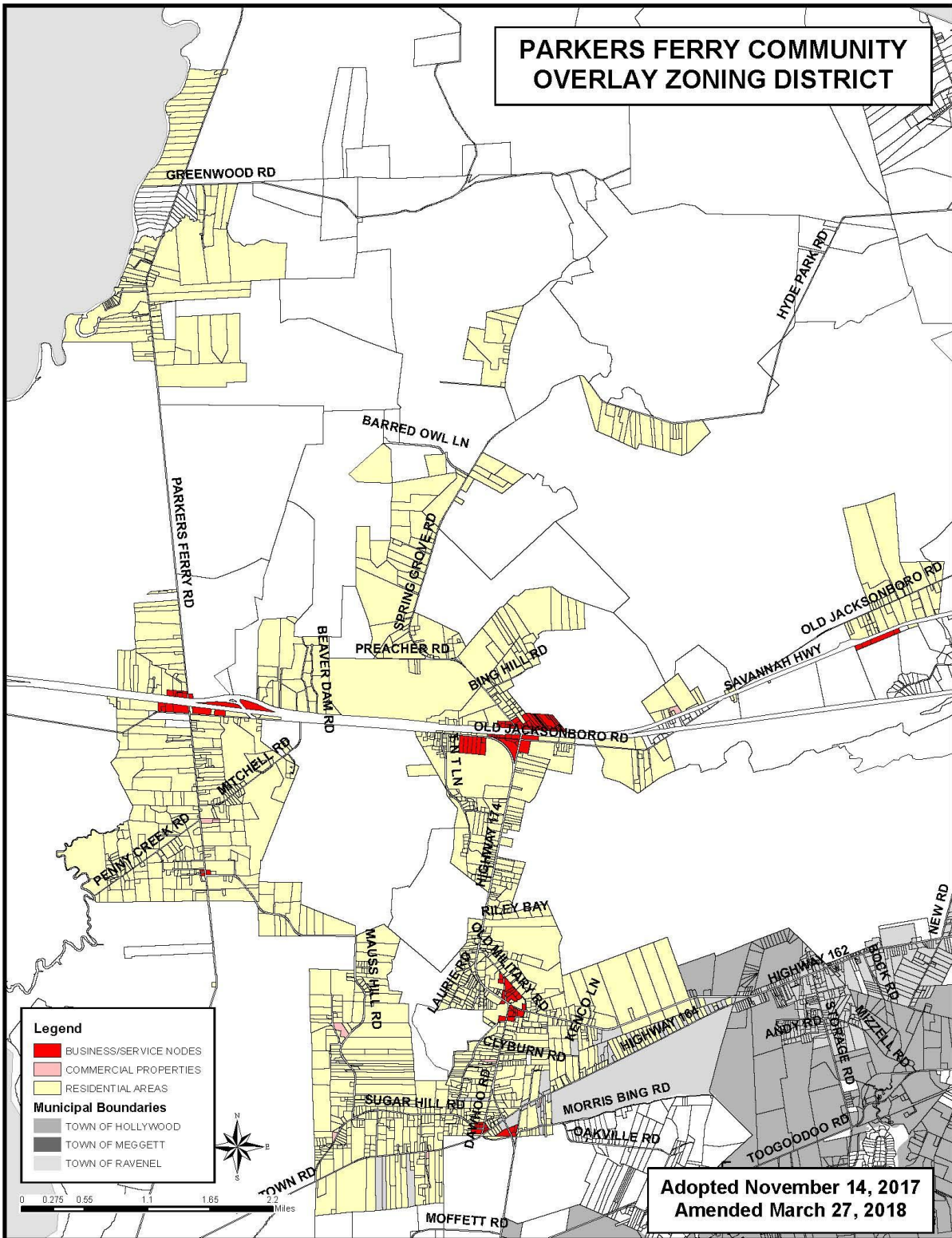
By: _____
A. Victor Rawl
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: February 27, 2018
Second Reading: March 13, 2018
Third Reading: March 27, 2018

EXHIBIT A



**AN ORDINANCE
REZONING THE REAL PROPERTY LOCATED AT 928 SAVAGE ROAD, PARCEL
IDENTIFICATION NUMBER 309-16-00-007, FROM THE SINGLE FAMILY
RESIDENTIAL 4 (R-4) ZONING DISTRICT TO THE RESIDENTIAL OFFICE (OR)
ZONING DISTRICT.**

WHEREAS, the property identified as parcel identification number 309-16-00-007 is currently zoned Single Family Residential 4 (R-4) District; and

WHEREAS, the current owner or agent thereof requests a rezoning of the property, and a complete application for rezoning the property was submitted to the Charleston County Zoning and Planning Department requesting, among other things, that the parcel be rezoned to the Residential Office (OR) District, pursuant to Article 3.4 of the *Charleston County Zoning and Land Development Regulations* (ZLDR); and

WHEREAS, the Charleston County Planning Commission reviewed the application for rezoning and adopted a resolution, by majority vote of the entire membership, recommending that Charleston County Council (County Council) approve the application for rezoning based on the procedures established in South Carolina law and the Approval Criteria of Article 3.4 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, the County Council held at least one public hearing and after close of the public hearing, County Council has determined the rezoning meets the following criteria of Section 3.4.6 of Article 3.4 of the ZLDR:

- E. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance;
- F. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;
- G. The proposed amendment corrects a zoning map error or inconsistency;
- H. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.

NOW, THEREFORE, be ordained it by the 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

The property identified as parcel identification number 309-16-00-007 is hereby rezoned from the Single Family Residential 4 (R-4) Zoning District to the Residential Office (OR) Zoning District. The zoning map of Charleston County is hereby amended to conform to this change. Any development on the site must conform to all requirements of the *Charleston County Zoning and Land Development Regulations* and other applicable laws, rules and regulations.

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 following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 27th day of March, 2018.

CHARLESTON COUNTY COUNCIL

By: _____
A. Victor Rawl
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk of Charleston County Council

First Reading: February 27, 2018
Second Reading: March 13, 2018
Third Reading: March 27, 2018

RETURN TO AGENDA

Items 11 – 16 will be recommendations from County Council committees held on March 13, 2018.