



CHAPTER 4 | BASE ZONING DISTRICTS

ARTICLE 4.1 GENERAL

§ 4.1.1 Establishment of Zoning Districts

The following base Zoning Districts are hereby established:

<i>Table 4.1.1, Establishment of Zoning Districts</i>		
	<i>District Name</i>	<i>Comprehensive Plan Land Use Designation</i>
NR	Natural Resource Management	Conservation Management
OS	Parks, Recreation, and Open Space	Parks, Recreation, and Open Space
RM	Resource Management	Resource Management (Rural)
AG-15	Agricultural Preservation	Wadmalaw Agricultural Preservation (Rural)
AG-10	Agricultural Preservation	Agricultural Preservation (Rural)
AG-8	Rural Agricultural Preservation	Agricultural Preservation and Rural Agriculture (Rural)
AGR	Agricultural/ Residential	Agricultural Residential (Rural)
RR-3	Rural Residential	Rural Residential (Rural)
S-3	Special Management 3	Residential/Special Management (Urban/Suburban) Cultural Community Protection
R-4	Low Density Single Family Residential 4	Suburban Residential/Residential Low Density (Urban/Suburban) Mixed Use
M-8	Mixed Style Residential 8	Mixed Style Residential/Residential Moderate Density (Urban/Suburban)
M-12-UR	Urban Mixed Style Residential 12	Mixed Style Residential/Residential Moderate Density (Urban/Suburban) Mixed Use
MHS	Low-Density Manufactured Housing Subdivision	(Urban/Suburban) Mixed Use
MHP	Manufactured Housing Park	Mixed Style Residential/Residential Moderate Density Urban/Suburban Mixed Use
RO OR	Residential Office	Commercial (Urban/Suburban) Mixed Use and Office
CI	Civic / Institutional	Civic / Institutional
GO OG	General Office	Commercial (Urban/Suburban) Mixed Use and Office
NC CN	Neighborhood Commercial	Urban/Suburban Mixed Use and Commercial (Urban/Suburban)
CT	Commercial Transition	Commercial (Urban/Suburban)
RC CR	Rural Commercial	Rural Commercial (Rural)
CC	Community Commercial	Commercial (Urban/Suburban)
RI	Rural Industrial	Rural Industrial and Rural Economic Development Area
IN	Industrial	Industrial (Urban/Suburban)
PD	Planned Development	Planned Development (All areas of Plan)



§ 4.1.2 Zoning District References

- A. References in this Ordinance to "nonresidential", "*office*," "*residential*," and "*agricultural*" Zoning
- B. ~~Districts shall be construed as follows: references to all base zoning districts beginning with the letters "O" (Office), "C" (Commercial) or "I" (Industrial). References to "residential" zoning districts shall be construed as references to all base zoning districts beginning with the letter "S", "R" and "M". References to "agricultural" zoning districts shall be construed as references to all base zoning districts beginning with the letter "A."~~

1. *Nonresidential.*

- a. *CI, Civic / Institutional;*
- b. *NC, Neighborhood Commercial;*
- c. *RC, Rural Commercial;*
- d. *CC, Community Commercial;*
- e. *RI, Rural Industrial; and*
- f. *IN, Industrial.*

2. *Office.*

- a. *GO, General Office; and*
- b. *RO, Residential Office.*

3. *Residential.*

- a. *RR, Rural Residential;*
- b. *S-3, Special Management;*
- c. *R-4, Low Density Residential;*
- d. *MHS, Mobile Home Subdivision;*
- e. *MHP, Manufactured Housing Park; and*
- f. *UR, Urban Residential.*

4. *Agricultural.*

- a. *NR, Natural Resource Management;*
- b. *OS, Parks, Recreation and Open Space;*
- c. *RM, Resource Management;*
- d. *AG-15, Wadmalaw Agricultural Preservation;*
- e. *AG-10, Agricultural Preservation;*
- f. *AG-8, Rural Agricultural; and*
- g. *AGR, Agricultural Residential.*

~~[Commentary—RM, Resource Management District, AGR, Agricultural/Residential District and RR-3, Rural Residential District are agricultural zoning districts.]~~

§ 4.1.3 Zoning District Hierarchy

Under the hierarchy established by this Ordinance, the *NR, Natural Resource Management* ~~RM~~ *D*istrict is the most restrictive base *Z*oning *D*istrict, while the *IN, Industrial* *D*istrict is the least restrictive base *Z*oning *D*istrict. The ~~T~~ *Table of § 4.1.1, Establishment of Zoning Districts*, presents the *D*istricts in order, from most to least restrictive. The Planned Development, Overlay and Special Purpose *Z*oning *D*istricts are not included in the *Z*oning *D*istrict hierarchy (*see Chapter 5, Overlay and*



Special Purpose Zoning Districts).

§ 4.1.4 Existing and Proposed Parcels Containing Split Zoning Districts

A. Existing Lots of Record with Split Zoning Districts.

1. Uses and development standards for existing **L**ots of record with split **Z**oning **D**istricts shall be limited to the most restrictive **Z**oning **D**istrict within the parcel per Article 1.9, *Conflicting Provisions*, and Article 4.1.3, *Zoning District Hierarchy*.
2. No new parcels with split **Z**oning **D**istricts shall be created. A property boundary line may be created to eliminate the existing split **Z**oning **D**istricts, provided the proposed parcels meet the minimum **L**ot **A**rea requirements for the **Z**oning **D**istrict each parcel is to be located.
3. This Section does not apply to mixed use developments such as parcels zoned ~~M-8, M-12~~ **UR**, or PD, or the Overlay and Special Purpose **Z**oning **D**istricts.

[Commentary—Planning Staff recommends that property owner(s) with existing split **Zoning **D**istricts apply for a Zoning Map Amendment (Rezoning) in order to eliminate split **Z**oning **D**istricts if the *Comprehensive Plan* supports the proposed future land use or file a *Comprehensive Plan* Amendment.]**

ARTICLE 4.2 MEASUREMENTS, COMPUTATIONS AND EXCEPTIONS

§ 4.2.1 Density

Density refers to the number of **P**rincipal **D**welling **U**nits per unit of land area. Density is calculated by dividing the number of **P**rincipal **D**welling **U**nits on a site by the gross area (in acres) of highland ~~(including freshwater wetlands)~~ of the site on which the **D**welling **U**nits are located. **Freshwater wetlands and OCRM Critical Line Area shall not be used to calculate density.** The number of **P**rincipal **D**welling **U**nits allowed on a site is based on the presumption that all other applicable standards of this Ordinance shall be met. The maximum **D**ensity established for a **D**istrict is not a guarantee that such densities may be obtained, nor shall the inability of a development to achieve the stated maximum **D**ensity be considered sufficient justification for varying or otherwise adjusting other **D**ensity, **I**ntensity, or **D**imensional **S**tandards of this Ordinance.

In the Rural Area, as defined in the Charleston County Comprehensive Plan, Density is calculated from the acreage of the parent tract as it existed on or prior to April 21, 1999.

§ 4.2.2 Lot Area

- A. **Measurement.** Lot **A**rea refers to the horizontal land area within **L**ot **L**ines, ~~including freshwater wetlands,~~ **unless otherwise stated.**
- B. **Exceptions.** No **Z**oning **P**ermit, **B**uilding **P**ermit or development approval may be issued for a **L**ot that does not meet the minimum **L**ot **A**rea requirements of this Ordinance except in the following cases:
 1. Nonconforming **L**ots may be used in accordance with the provisions contained in **Chapter 10, Nonconformities**, of this Ordinance.
 2. Utilities using land or an unoccupied building covering less than 1,000 square feet of site area shall be exempt from minimum **L**ot **A**rea standards.
- C. **Absence of Sewer or Water.** In the absence of public water or public sewer, no **Z**oning **P**ermit or **B**uilding **P**ermit shall be issued until the **L**ot meets all applicable requirements of this Ordinance and the South Carolina Department of Health and Environmental Control (DHEC).

§ 4.2.3 Setbacks

Setbacks refer to the unobstructed, unoccupied open area between the furthestmost projection of a structure and the property line of the **L**ot on which the structure is located, except as modified by the standards of this Section. **The terms "unobstructed" and "unoccupied open area" in this section shall refer to anything that is constructed or erected within the setback that is**



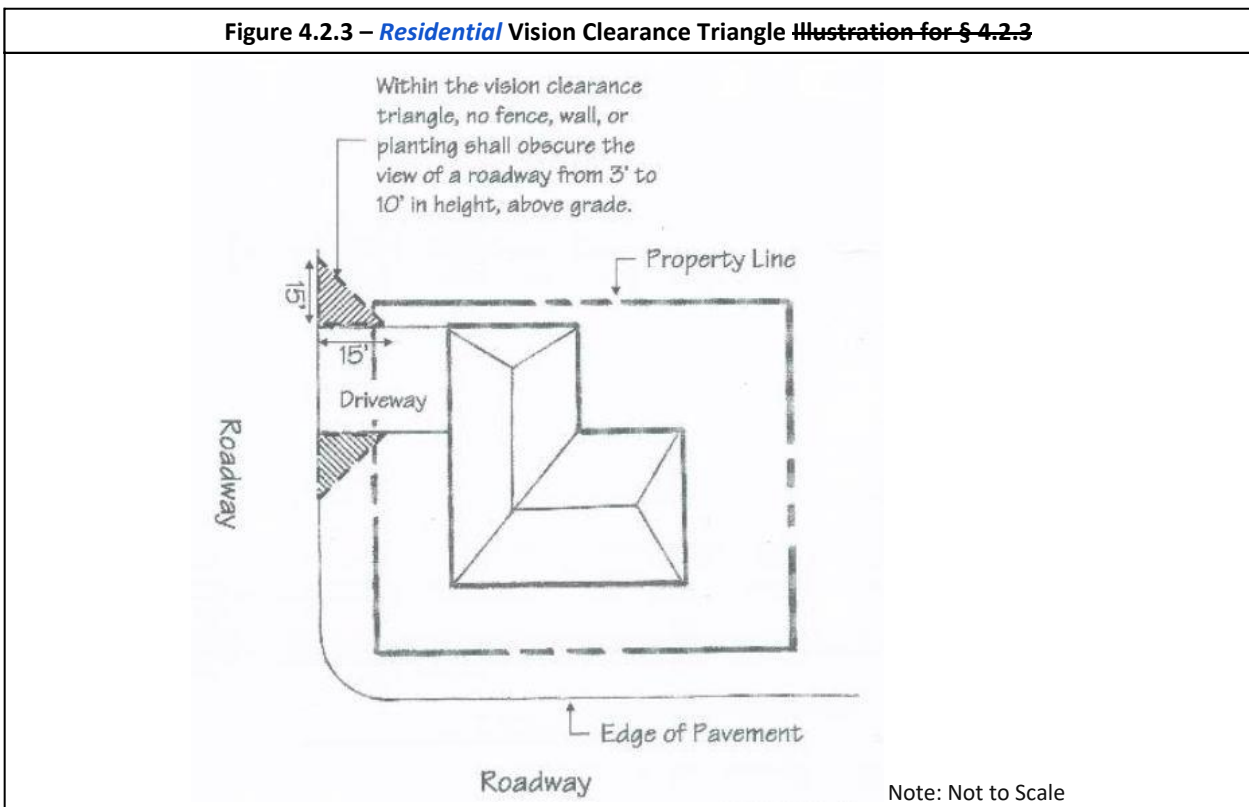
determined to have a permanent location on the ground.

Exceptions to Setbacks. Every part of a required setback must be open and unobstructed from the ground to the sky

A except as set out in this ~~sub~~Section.

1. Trees, shrubbery or other landscape features may be located within any required setback; however, they shall be selected for site specific conditions. Plant material to be located adjacent to public drainage **E**asements and **R**ights-of-**W**ay shall be selected and placed not to impede future access. Additionally, vegetation planted within utility **E**asements shall be selected and sited to minimize pruning for future maintenance and clearance of such utilities. The **Zoning and Planning Director** may require modifications (substitutions and relocation) of plant material on proposed landscape plans when necessary to assure access and ease of maintenance to any **E**asements and **R**ights-of-**W**ays and to preserve the public health, safety and welfare.
2. In all **Z**oning **D**istricts, fences, hedges and walls may be located within any required setback, provided that no fence, wall or hedge shall obstruct the view of vehicular access to any **R**oadway between three (3) and ten (10) feet in height above grade. For the safety of pedestrian and vehicular traffic, in residential **Z**oning **D**istricts, an unobstructed vision clearance triangle shall be maintained along intersections of residential driveways with adjacent **R**oadways. The vision clearance triangle shall be formed by the connection of a perpendicular line measuring fifteen (15) feet from the point of intersection at the edge of the travelway into the driveway and a fifteen (15) foot parallel line away from the point of intersection along the **R**oadway (see Figure 4.2.3, **Residential Vision Clearance Triangle**). Residential driveways along **R**oadways with a classification of collector or higher may be subject to a greater distance of measurement.
3. In all **Z**oning **D**istricts, elements that are not designed or intended to have a permanent location on the ground as determined by the **Zoning and Planning Director** including, but not limited to, vehicles, boats, RV's, lawn and garden furniture and equipment and similar items.

Figure 4.2.3 – Residential Vision Clearance Triangle Illustration for S 4.2.3



4. Driveways may be located in front and street side setbacks.
5. Sidewalks may be located within any required setback.
6. Utility lines, wires and associated structures, such as power poles, may be located within any required setback.



7. Uncovered porches, uncovered steps to building entrances, uncovered patio decks and uncovered balconies may extend up to five feet into any required front, rear or street side setback.
8. Openwork fire balconies and fire escapes may extend up to five feet into any required side setback.
9. Sills, belt courses, cornices, buttresses, eaves and other architectural features may extend up to two feet into any required setback.
10. Chimneys and flues may extend up to two feet into any required setback.
11. Satellite dish antennas may be placed in required rear setbacks.
12. Mechanical equipment, including Heating Ventilation and Air Conditioning (HVAC) equipment, may be extended up to five feet into required side or rear setbacks in all **Z**oning **D**istricts.
- 13. A Variance may not be required when a structure encroaches less than 12 inches into any required setback as shown on an as-built survey or site plan drawn to an engineer's scale. Such administrative setback reductions shall be determined by the Zoning and Planning Director on a case by case basis.**

B. Contextual Setbacks. Notwithstanding the front setback requirements of the **applicable** underlying **Z**oning **D**istrict, the front building line of any structure or addition to a structure may be as close to the street as the front building line of a structure located on any **L**ot that is immediately adjacent to the subject **L**ot. If the subject **L**ot is located between two developed **L**ots, the front building line of the structure that is set back further from the street shall apply to the subject **L**ot.

C. Setback Reductions. Where the front, interior side and rear setbacks of the **applicable** underlying **Z**oning **D**istrict reduces the buildable width of a **L**ot to less than 40 feet, the **Zoning and Planning Director** shall be authorized to reduce the required setbacks as much as necessary **up to a 15-foot setback**. ~~However, no setback reduction granted by the Planning Department shall be for more than 15 feet.~~

D. Front Setbacks on Narrow *Right-of-Way* Streets. Where a **L**ot abuts a **Right-of-Way** dedicated street ~~(that has been accepted for street maintenance)~~ with a **right-of-way** width of less than 50 feet, the required front setback shall be measured from the centerline of the **Right-of-Way**, provided all building code and fire/safety requirements are met.

E. Front Setbacks on Narrow Ingress/Egress Easements. Where a **L**ot abuts an ingress/egress **E**asement ~~(that has not been accepted for street maintenance)~~ with a width of less than ~~fifty (50)~~ feet, and is used as a primary access point to the **L**ot as indicated on an approved plat recorded prior to April 21, 1999 ~~(with dashed or solid lines)~~, the required front setback shall be measured from the centerline of the **E**asement, provided all building code and fire/safety requirements are met. There shall be a minimum ~~twenty-five (25)~~ foot setback between the edge of the **E**asement to the front of any structure.

F. Setbacks on Corner and Double-Frontage Lots. On **C**orner and **D**ouble-**F**rontage **L**ots, front setback standards will apply to each **L**ot **L**ine that borders a street. The remaining **L**ot **L**ines will be subject to side setback standards. There is no rear **L**ot **L**ine

G. Reduction for Public Purpose. When an existing setback is reduced because of conveyance to a federal, state or local government for a public purpose and the remaining setback is at least 50 percent of the required minimum setback for the district in which it is located, then that remaining setback will be deemed to satisfy the minimum setback standards of this Ordinance.

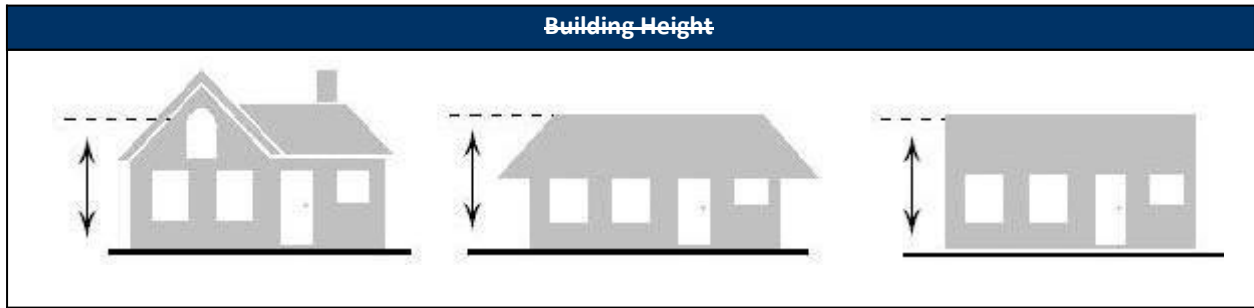
H. One Time Subdivision of a Nonconforming Lot of Record Existing Prior to April 21, 1999. A one time subdivision creating one **L**ot from a nonconforming **L**ot of record (**L**ot existing prior to April 21, 1999) shall be allowed if each **L**ot resulting from the subdivision meets the minimum **L**ot **A**rea of the **Z**oning **D**istrict. An **i**ngress/**e**gress **E**asement may be utilized to access a proposed **L**ot (singular) to the rear of the property. The setback from the edge of the **E**asement will be the side setback required for the **Z**oning **D**istrict. The side setback from the edge of the **E**asement will only be utilized to create one (1) proposed **L**ot from the provision of: **a One Time Subdivision of a Nonconforming Lot of Record Existing Prior to April 21, 1999.**

I. Setbacks for Waterfront Lots shall be in accordance with the standards contained in Article 4.24, Waterfront Development Standards, of this Ordinance.



§ 4.2.4 Building Height and Structure Height

Building height refers to the vertical distance between the base flood elevation and: (1) the average height level between the eaves and ridge line of a gable, hip or gambrel roof; (2) the highest point of a mansard roof; or (3) the highest point of the coping of a flat roof.



A. Fences or Walls.

1. In the case of fences or walls, height shall be measured from ground level on the higher side of the fence or wall.
2. **Fences and Walls shall not limit or obstruct the flow of water in natural drainage courses or Drainage Easements. Fences built within an Easement may be removed for Utility purposes with all costs for removal and restoration borne by the Property Owner. Fences across or through overland drainage areas shall not inhibit the flow of overland surface water.**

B. Exceptions to Height Limits. Unless otherwise expressly stated, the height limitations of this Ordinance shall not apply to any of the following:

1. Farm buildings in any Agricultural Zoning (A) District (**see § 4.1.3, Zoning District Hierarchy**);
2. Electrical power transmission lines;
3. **Roof-mounted Solar Collectors;**
4. Belfries, cupolas, spires, domes, monuments, flagpoles, chimneys, radio/television receiving antennas or chimney flues; or
5. Bulkhead, elevator, water tank, or any other similar structure or necessary mechanical appurtenance extending above the roof of any building, if such structure does not occupy more than 33 1/3 percent of the area of the roof.

§ 4.2.5 Building Coverage

Building coverage **is the proportion, expressed as a percentage,** refers to the area of a Lot covered by Buildings (Principal and Accessory) or roofed areas, as measured along the outside wall at ground level, and including all projections, other than fire escapes, canopies and the first two feet of a roof overhang. Swimming pools (excluding the pool decking) shall be included in Building Coverage.

§ 4.2.6 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 the applicable RM, AG-15, AG-10, AG-8, AGR, RR, S-3, R-4, or MHS Zoning District. 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 the Zoning District. The side setback from the edge of the Easement will only be utilized to create one proposed Lot from the provision of a One Time Subdivision of a Non-Conforming Lot of Record Existing Prior to April 21, 1999.



ARTICLE 4.3 NR, NATURAL RESOURCE MANAGEMENT DISTRICT

§ 4.3.1 Purpose and Intent

The NR, Natural Resource Management Zoning District implements the Conservation Management policies of the Comprehensive Plan.

§ 4.3.2 Use Regulations

Uses are allowed in the NR Zoning District in accordance with the Use Regulations of Chapter 6.

§ 4.3.3 Development Standards

Unless otherwise expressly allowed in this Article, all development within the NR district shall require review and approval of a Planned Development, in accordance with procedures contained within this Ordinance. Development standards shall be established as a part of the Planned Development approval procedures, taking into account all applicable Comprehensive Plan policies, FEMA designations, erosion patterns, wildlife and plant habitat, soils, wetlands and other natural resource constraints.

§ 4.3.4 Exceptions

- A. RM District Standards. For islands within the NR Zoning District, the Zoning and Planning Director shall be expressly authorized to issue permits for development that complies with the RM Zoning District standards, provided that only one Principal Dwelling Unit shall be allowed per Lot.*
- B. Dewees Island. For property located on Dewees Island, the Zoning and Planning Director shall be expressly authorized to issue permits for development that complies with Dewees Island Architectural and Environmental Design Guidelines (dated October 25, 1996) and other applicable standards of this Ordinance.*
- 1. Short-Term Rental use of the Huyler House shall be allowed as described below. The requirements of Art. 6.8, Short-Term Rentals, of this Ordinance shall not apply; however, the use shall comply with all other applicable sections of this Ordinance and other County Ordinances.*
 - 2. For the purposes of this Section, Short-Term Rental use shall mean rentals for intervals of 29 days or less regardless of: (1) the occupancy status of the property; and (2) whether rental fees are charged or other forms of compensation are offered or required.*
 - a. The Huyler House shall only be rented to Dewees Island property owners and their guests and guests of the Dewees Island Property Owners Association (POA);*
 - b. Rental of the Huyler House shall only be advertised through the POA intranet site and shall not be marketed or advertised through any other means including, but not limited to, online advertisements or advertisements through rental agencies, realtors, brokers, or other third party entities;*
 - c. There is no cap on the number of days the Huyler House can be rented per calendar year;*
 - d. A STRP Zoning Permit shall be required to establish the Short-Term Rental use of the property. Administrative review shall be required to establish the use and the following requirements apply:*
 - i. The Building Inspection Services Department may require a building safety inspection and/or Building Permit;*
 - ii. A minimum of four parking spaces are required. The location of the required parking shall be indicated and parking agreements necessary to facilitate off-site parking shall be submitted with the STRP Zoning Permit application; and*
 - iii. Each room where tenants may lodge shall contain a notice providing the following information:*
 - a. Contact information for the owner of the property;*
 - b. Zoning Permit Number and Business License Number for the Short-Term Rental use of the*



property for the current year;

c. Trash collection location and schedule; and

d. Fire and emergency evacuation routes.

e. Once the STRP Zoning Permit is issued, a Business License must be obtained;

f. The STRP Zoning Permit must be renewed by December 31st of each year or the existing STRP Zoning Permit will expire. The STRP Zoning Permit will terminate on December 31st of each year regardless of whether or not the applicant receives notice from the Zoning and Planning Director. The STRP Zoning Permit annual renewal application must include:

i. The STRP Zoning Permit renewal application fee; and

ii. A notarized affidavit signed by the property owner stating that the STRP use and the information submitted as part of the application for the previous year's STRP Zoning Permit has not changed in any manner whatsoever and that the STRP use complies with the requirements of this Section.

g. A new STRP Zoning Permit application must be filed if the aforementioned requirements are not met.

h. Notwithstanding the provisions of Chapter 11 of this Ordinance, the STRP Zoning Permit may be administratively revoked by the Zoning and Planning Director or his designee if the STRP has violated the provisions of this Article on three or more occasions within a 12-month period. Provided however, the STRP Zoning Permit may be immediately revoked if the Zoning and Planning Director determines the STRP has Building Code violations, there is no Business License for the property, the STRP is being advertised or marketed on the POA intranet site in a manner not consistent with this Section, the advertisement of the STRP does not include the County issued Zoning Permit Number and Business License Number, the STRP is being advertised on a platform other than the POA intranet site, or the property is being used in a manner not consistent with the Zoning Permit issued for the STRP use.

i. If the STRP Zoning Permit is administratively revoked, the STRP owner (or authorized agent) may appeal the Zoning and Planning Department Director's administrative decision revoking the STRP Zoning Permit to the Board of Zoning Appeals within 30 calendar days from the date of the denial or revocation. All appeals shall be addressed in accordance with the appeal procedures of Chapter 3, Article 3.13, of this Ordinance.

j. Once the STRP Zoning Permit and/or Business License has been revoked, no new STRP Zoning Permit and/or Business License shall be issued to the applicant for the same property for a period of one year from the date of revocation. Upon expiration of the revocation period, a new STRP Zoning Permit application must be submitted in accordance with this Section.

C. Goat Island. *For property located on Goat Island, the Zoning and Planning Director shall be expressly authorized to issue permits for development that complies with the R-4 Zoning District standards, provided that only one Principal Dwelling Unit shall be allowed per Lot and the following requirements shall apply:*

1. *The dimensional standards listed in Table 4.3.4, Dimensional Standards, below shall be met:*

<i>Table 4.3.4, Dimensional Standards</i>	
<i>Minimum Lot Area</i>	<i>18,000 square feet</i>
<i>Minimum Front/Street Side Setback</i>	<i>10 feet</i>
<i>Minimum Interior Side Setback</i>	<i>15 feet</i>

2. *One Accessory Dwelling Unit shall be allowed per Zoning Lot;*

3. *The combined heated square footage of the Principal Dwelling Unit and the Accessory Dwelling Unit shall not exceed 3,300 square feet; and*

4. *The combined square footage dedicated to unheated areas (decks, porches, steps) of the Principal Dwelling Unit and the Accessory Dwelling Unit shall not exceed 2,000 square feet.*



ARTICLE 4.4 OS, PARKS, RECREATION, AND OPEN SPACE DISTRICT

§ 4.4.1 Purpose and Intent

The OS, Parks, Recreation, and Open Space Zoning District implements the Parks, Recreation and Open Space policies of the Comprehensive Plan.

§4.4.2 Use Regulations

Uses are allowed in the OS district in accordance with the Use Regulations of Chapter 6.

§4.4.3 Density/Intensity and Dimensional Standards

All development in the OS Zoning District shall be subject to the following Density/Intensity and Dimensional Standards:

<i>Table 4.4.3, OS Density/Intensity and Dimensional Standards</i>		
	<i>Non Waterfront Development Standards</i>	<i>Waterfront Development Standards</i>
MAXIMUM DENSITY	1 Principal Dwelling Units per 25 acres	
MINIMUM LOT AREA	1 acre	
MINIMUM LOT WIDTH	135 feet	200 feet
MINIMUM LOT WIDTH AVERAGE	N/A	250 feet
MINIMUM SETBACKS		
Front/Street Side	50 feet	
Interior Side	15 feet	
Rear	30 feet	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK	N/A	50 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	35 feet
MAXIMUM BUILDING COVER	30% of the Lot	
MAXIMUM HEIGHT	35 feet	

§ 4.4.4 Other Regulations

Development in the OS Zoning District shall comply with all other applicable regulations of this Ordinance, including the standards of Chapter 9, Development Standards.

ARTICLE 4.35 RM, RESOURCE MANAGEMENT DISTRICT

§ 4.35.1 Purpose and Intent

The RM, Resource Management **Zoning District** implements the Resource Management (~~Rural Area~~) policies of the Comprehensive Plan.



§ 4.35.2 Use Regulations

Uses are allowed in the RM *D* district in accordance with the Use Regulations of *Chapter* CHAPTER 6.

§ 4.35.3 Density/Intensity and Dimensional Standards

All residential and nonresidential development in the RM *D* district shall be subject to the following *D*ensity/*I*ntensity *and* *D*imensional *S*tandards:

Table 4.35.3, RM Density/Intensity and Dimensional Standards		
	RM DENSITY/INTENSITY AND DIMENSIONAL STANDARDS <i>Non Waterfront Development Standards</i>	<i>Waterfront Development Standards</i>
MAXIMUM DENSITY [1]	1 <i>Principal Dwelling Unit</i> per 25 acres	
MINIMUM LOT AREA	1 acre	
MINIMUM LOT WIDTH	135 feet	<i>200 feet</i>
<i>MINIMUM LOT WIDTH AVERAGE</i>	<i>N/A</i>	<i>250 feet</i>
MINIMUM SETBACKS		
Front/Street Side	50 feet	
Interior Side	15 feet	
Rear	30 feet	
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK</i> Critical Line	<i>N/A</i>	50 feet
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER</i>	<i>N/A</i>	<i>35 feet</i>
MAXIMUM BUILDING COVER	30% of <i>L</i> lot	
MAXIMUM HEIGHT	35 feet	
[1] On tracts of 100 or more acres, where lots ranging from one to three acres are created, a bonus of one <i>Principal Dwelling Unit</i> dwelling shall be allowed on the residual area of the parent tract.		

§ 4.35.4 Other Regulations

Development in the RM *D* district shall comply with all other applicable regulations of this ordinance, including the development standards of *Chapter* CHAPTER 9. All waterfront property subdivided after April 21, 1999, shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter. Existing lots of record on the waterfront shall be subject to the provisions of Wetlands, Waterways and OCRM Critical Line contained in Article 9.7.

~~**§ 4.3.5 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 the applicable RM, AG-15, AG-10, AG-8, AGR, RR, S-3, R-4, or MHS Zoning District. 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 the Zoning District. The side setback from the edge of the Easement will only be utilized to create one proposed Lot from the provision of a One Time Subdivision of a Non-Conforming Lot of Record Existing Prior to April 21, 1999.~~



ARTICLE 4.46 AG-15, AGRICULTURAL PRESERVATION DISTRICT

§ 4.46.1 Purpose and Intent

The AG-15, Agricultural Preservation **Zoning District** implements the **Wadmalaw** Agricultural Preservation (~~Rural Area~~) policies of the *Comprehensive Plan*.

§ 4.46.2 Use Regulations

Uses are allowed in the AG-15 **District** in accordance with the Use Regulations of ~~Chapter~~ **HAPTER 6**.

§ 4.46.3 Density/Intensity and Dimensional Standards

A. **Density/Intensity and Dimensional Standards Table.** All ~~residential and nonresidential~~ development in the AG-15 **District** shall be subject to the following ~~Density-/Intensity and or Dimensional Standards~~:

Table 4.46.3, AG-15 Density/Intensity and Dimensional Standards		
	AG-15 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS Non Waterfront Development Standards	Waterfront Development Standards
MAXIMUM DENSITY	1 Principal Dwelling Unit per 15 acres	
MINIMUM LOT AREA	3 acres	
MINIMUM LOT WIDTH	135 feet	200 feet
MINIMUM LOT WIDTH AVERAGE	N/A	250 feet
MINIMUM SETBACKS		
Front/Street Side	50 feet	
Interior Side	15 feet	
Rear	30 feet	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK Critical Line	N/A	50 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	35 feet
MAXIMUM BUILDING COVER	30% of L lot	
MAXIMUM HEIGHT	35 feet	

B. **Development Along Critical Line.** The area of a parcel in the AG-15 **District** within 1,000 feet of the OCRM Critical Line has a Maximum Density of one ~~Principal Dwelling Unit~~ per three acres with a minimum ~~L~~lot ~~A~~area of three acres. The remaining acreage of the parcel (more than 1,000 feet from the OCRM Critical Line) maintains a ~~D~~ensity of one ~~Principal Dwelling Unit~~ per 15 acres.

§ 4.46.4 Other Regulations

Development in the AG-15 **District** shall comply with all other applicable regulations of this Ordinance, including the ~~development~~ standards of ~~Chapter~~ **HAPTER 9, Development Standards**. All ~~waterfront~~ property subdivided after April 21, 1999, shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter. Existing lots of record on the waterfront shall be subject to the provisions of Wetlands, Waterways and OCRM Critical Line contained in Article 9.7.



§ 4.4.5 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 the applicable RM, AG-15, AG-10, AG-8, AGR, RR, S-3, R-4, or MHS Zoning District. 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 the Zoning District. The side setback from the edge of the Easement will only be utilized to create one proposed Lot from the provision of a One Time Subdivision of a Non-Conforming Lot of Record Existing Prior to April 21, 1999.

ARTICLE 4.57 AG-10, AGRICULTURAL PRESERVATION DISTRICT

§ 4.57.1 Purpose and Intent

The AG-10, Agricultural Preservation *Zoning District* implements the Agricultural Preservation (~~Rural Area~~) policies of the *Comprehensive Plan*.

§ 4.57.2 Use Regulations

Uses are allowed in the AG-10 *District* in accordance with the Use Regulations of *Chapter* CHAPTER 6.

§ 4.57.3 Density/Intensity and Dimensional Standards

All residential and nonresidential development in the AG-10 *District* shall be subject to the following *Density*, *Intensity* and *Dimensional Standards*:

Table 4.57.3, AG-10 Density/Intensity and Dimensional Standards		
	AG-10 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS <i>Non Waterfront Development Standards</i>	<i>Waterfront Development Standards</i>
MAXIMUM DENSITY	1 <i>Principal Dwelling Unit</i> per 10 acres	
MINIMUM LOT AREA	1 acre	
MINIMUM LOT WIDTH	135 feet	<i>175 feet</i>
<i>MINIMUM LOT WIDTH AVERAGE</i>	<i>N/A</i>	<i>200 feet</i>
MINIMUM SETBACKS		
Front/Street Side	50 feet	
Interior Side	15 feet	
Rear	30 feet	
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK</i> Critical Line	<i>N/A</i>	50 feet
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER</i>	<i>N/A</i>	<i>35 feet</i>
MAXIMUM BUILDING COVER	30% of <i>L</i> lot	
MAXIMUM HEIGHT	35 feet	

§ 4.57.4 Other Regulations

Development in the AG-10 *District* shall comply with all other applicable regulations of this Ordinance, including the



development standards of ~~Chapter~~HAPTER 9. All waterfront property subdivided after April 21, 1999, shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter. Existing lots of record on the waterfront shall be subject to the provisions of Wetlands, Waterways and OCRM Critical Line contained in Article 9.7.

~~§ 4.5.5 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 the applicable RM, AG-15, AG-10, AG-8, AGR, RR, S-3, R-4, or MHS Zoning District. 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 the Zoning District. The side setback from the edge of the Easement will only be utilized to create one proposed Lot from the provision of a One Time Subdivision of a Non-Conforming Lot of Record Existing Prior to April 21, 1999.~~

ARTICLE 4.68 AG-8, RURAL AGRICULTURAL DISTRICT

§ 4.68.1 Purpose and Intent

The AG-8, **Rural Agricultural Zoning** Agricultural Preservation **D**istrict implements the Agricultural Preservation and Rural Agriculture (~~Rural Area~~) policies of the *Comprehensive Plan*.

§ 4.68.2 Use Regulations

Uses are allowed in the AG-8 **D**istrict in accordance with the Use Regulations of ~~Chapter~~HAPTER 6.

§ 4.68.3 Density/Intensity and Dimensional Standards

All residential and nonresidential development in the AG-8 **D**istrict shall be subject to the following **D**ensity, **I**ntensity **and** **D**imensional **S**tandards:



Table 4.68.3, AG-8 Density/Intensity and Dimensional Standards

	AG-8 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS <i>Non Waterfront Development Standards</i>	<i>Waterfront Development Standards</i>
MAXIMUM DENSITY	1 <i>Principal Dwelling Unit</i> per 8 acres	
MINIMUM LOT AREA	1 acre	
MINIMUM LOT WIDTH	135 feet	<i>175 feet</i>
<i>MINIMUM LOT WIDTH AVERAGE</i>	<i>N/A</i>	<i>200 feet</i>
MINIMUM SETBACKS		
Front/Street Side	50 feet	
Interior Side	15 feet	
Rear	30 feet	
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK</i>	<i>N/A</i>	50 feet
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER</i>	<i>N/A</i>	<i>35 feet</i>
MAXIMUM BUILDING COVER	30% of Lot	
MAXIMUM HEIGHT	35 feet	
<i>Note: Refer to Article 8.14, Conservation Subdivisions, for alternative Development standards, where applicable.</i>		

§ 4.68.4 Other Regulations

Development in the AG-8 ~~District~~ shall comply with all other applicable regulations of this Ordinance, including the development standards of ~~Chapter~~ **HAPTER 9, *Development Standards***. All waterfront property subdivided after April 21, 1999, shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter. Existing lots of record on the waterfront shall be subject to the provisions of Wetlands, Waterways and OCRM Critical Line contained in Article 9.7.

~~§ 4.6.5 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 the applicable RM, AG-15, AG-10, AG-8, AGR, RR, S-3, R-4, or MHS Zoning District. 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 the Zoning District. The side setback from the edge of the Easement will only be utilized to create one proposed Lot from the provision of a One-Time Subdivision of a Non-Conforming Lot of Record Existing Prior to April 21, 1999.~~

ARTICLE 4.79 AGR, AGRICULTURAL /RESIDENTIAL DISTRICT

§ 4.79.1 Purpose and intent

The AGR, Agricultural /Residential **Zoning District** implements the Agricultural Residential (~~Rural Area~~) policies of the *Comprehensive Plan*. The district is intended for application in all settlement areas.

§ 4.79.2 Use Regulations

Uses are allowed in the AGR ~~District~~ in accordance with the Use Regulations of ~~Chapter~~ **HAPTER 6**.



§ 4.79.3 Density/Intensity and Dimensional Standards

All residential and nonresidential development in the AGR district shall be subject to the following **D**ensity/**I**ntensity **and** or **D**imensional **S**tandards:

Table 4.79.3, AGR Density/Intensity and Dimensional Standards		
	AGR DENSITY/INTENSITY AND-DIMENSIONAL STANDARDS Non Waterfront Development Standards	Waterfront Development Standards
MAXIMUM DENSITY	1 Principal Dwelling Unit per a Acre	
MINIMUM LOT AREA	30,000 square feet	1 acre
MINIMUM LOT WIDTH	100 feet	125 feet
MINIMUM LOT WIDTH AVERAGE	N/A	150 feet
MINIMUM SETBACKS		
Front/Street Side	50 feet	
Interior Side	15 feet	
Rear	30 feet	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK Critical Line	N/A	50 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	35 feet
MAXIMUM BUILDING COVER	30% of L ot	
MAXIMUM HEIGHT	35 feet	

§ 4.79.4 Other Regulations

Development in the AGR **D**istrict shall comply with all other applicable regulations of this Ordinance, including the development standards of **Chapter**HAPTER 9, **Development Standards**. All waterfront property subdivided after April 21, 1999, shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter. Existing lots of record on the waterfront shall be subject to the provisions of Wetlands, Waterways and OCRM Critical Line contained in Article 9.7.

~~**§ 4.7.5 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 the applicable RM, AG-15, AG-10, AG-8, AGR, RR, S-3, R-4, or MHS Zoning District. 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 the Zoning District. The side setback from the edge of the Easement will only be utilized to create one proposed Lot from the provision of a One Time Subdivision of a Non-Conforming Lot of Record Existing Prior to April 21, 1999.~~

§ 4.79.6 Settlement Areas

Settlement areas include small older crossroads communities, family lands, typical suburban-style subdivisions, frontage **L**ots along local roads, waterfront developments, and vacant land that has been subdivided for residential use but not yet built upon. The criteria for additional parcels to qualify for inclusion into a "Settlement Area" are as follows:

- A.** Parcel size of 30 acres or less (including highland areas and freshwater wetlands) on parcels existing prior to April 21,



1999; and

- B. Parcel must be located in an AG-8, AG-10, or RM Zoning Districts or adjacent to lands currently zoned AGR; and
- C. Parcel must be either within 1,000 feet of an existing AGR Zoning District or show the same obvious spatial characteristics of other existing AGR Zoning Districts in the agricultural area; and
- D. Tax parcels are not located on Wadmalaw Island or Edisto Island.

ARTICLE 4.810 RR-3, RURAL RESIDENTIAL DISTRICT

§ 4.810.1 Purpose and Intent

The RR-3, Rural Residential *Zoning District* implements the Rural Residential (~~Rural Area~~) policies of the *Comprehensive Plan*.

§ 4.810.2 Use Regulations

Uses are allowed in the RR-3 *District* in accordance with the Use Regulations of *Chapter* CHAPTER 6.

§ 4.810.3 Density/Intensity and Dimensional Standards

All residential and nonresidential development in the RR-3 *District* shall be subject to the following *Density*, *Intensity* and *Dimensional Standards*:

Table 4.810.3, RR-3 Density/Intensity and Dimensional Standards		
	RR-3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS <i>Non Waterfront Development Standards</i>	<i>Waterfront Development Standards</i>
MAXIMUM DENSITY	1 <i>Principal Dwelling Unit</i> per 3 acres	
MINIMUM LOT AREA	30,000 sq. ft.	1 acre
MINIMUM LOT WIDTH	100 feet	125 feet
<i>MINIMUM LOT WIDTH AVERAGE</i>	N/A	135 feet
MINIMUM SETBACKS		
Front/Street Side	50 feet	
Interior Side	15 feet	
Rear	30 feet	
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK</i> <small>Critical Line</small>	N/A	50 feet
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER</i>	N/A	35 feet
MAXIMUM BUILDING COVER	30% of <i>L</i> lot	
MAXIMUM HEIGHT	35 feet	
<i>Note: Refer to Article 8.14, Conservation Subdivisions, for alternative development standards, where applicable.</i>		

§ 4.810.4 Other Regulations

Development in the RR-3 *District* shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9, *Development Standards*. All waterfront property subdivided after April 21, 1999, shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter. Existing lots of record on the waterfront shall be subject to the provisions of Wetlands, Waterways and OCRM Critical Line contained in Article



9.7.

~~§ 4.8.5 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 the applicable RM, AG-15, AG-10, AG-8, AGR, RR, S-3, R-4, or MHS Zoning District. 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 the Zoning District. The side setback from the edge of the Easement will only be utilized to create one proposed Lot from the provision of a One Time Subdivision of a Non-Conforming Lot of Record Existing Prior to April 21, 1999.~~

ARTICLE 4.911 S-3, SPECIAL MANAGEMENT DISTRICT

§ 4.911.1 Purpose and Intent

The S-3, Special Management Residential **Zoning** District implements the **Urban/Suburban Cultural Community Protection Residential/Special Management (Urban/Suburban Area)** policies of the *Comprehensive Plan*.

§ 4.911.2 Use Regulations

Uses are allowed in the S-3 **D**istrict in accordance with the Use Regulations of **Chapter**HAPTER 6.

§ 4.911.3 Density/Intensity and Dimensional Standards

All residential and nonresidential **D**evelopment in the S-3 **D**istrict shall be subject to the following **D**ensity, **I**ntensity **and** **D**imensional **S**tandards:



Table 4.911.3, S-3 Density/Intensity and Dimensional Standards

	S-3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS Non-Waterfront Development Standards	Waterfront Development Standards
MAXIMUM DENSITY	3 <i>Principal Dwelling Units</i> per acre	
MINIMUM LOT AREA	14,500 square feet <i>if no water or sewer is available</i> [1] <i>12,500 square feet if water or sewer is available</i>	<i>0.5 acre</i>
MINIMUM LOT WIDTH	70 feet <i>with public water and public sewer</i> [2] <i>80 feet without public water and/or public sewer</i>	<i>100 feet</i>
MINIMUM LOT WIDTH AVERAGE	<i>N/A</i>	<i>125 feet</i>
MINIMUM SETBACKS		
Front/Street Side	25 feet	
Interior Side	15 feet	
Rear	25 feet	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK Critical Line	<i>N/A</i>	35 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	<i>N/A</i>	<i>15 feet</i>
MAXIMUM BUILDING COVER	30% of <i>Lot</i>	
MAXIMUM HEIGHT	35 feet	
[1] Minimum lot area of 12,500 sq. ft. if water or sewer is available.		
[2] 80 feet without public water and/or public sewer.		

§ 4.911.4 Other Regulations

Development in the S-3 *District* shall comply with all other applicable regulations of this Ordinance, including the development standards of *Chapter* CHAPTER 9, *Development Standards*. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter. Existing lots of record on the waterfront shall be subject to the provisions of Wetlands, Waterways and OCRM Critical Line contained in Article 9.7.

§ 4.9.5 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 the applicable RM, AG-15, AG-10, AG-8, AGR, RR, S-3, R-4, or MHS Zoning District. 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 the Zoning District. The side setback from the edge of the Easement will only be utilized to create one proposed Lot from the provision of a One Time Subdivision of a Non-Conforming Lot of Record Existing Prior to April 21, 1999.

ARTICLE 4.102 R-4, SINGLE FAMILY RESIDENTIAL 4 DISTRICT



§ 4.102.1 Purpose and intent

The R-4, Single Family Residential district implements the **Urban/Suburban Mixed Use** Suburban Residential/Residential Low Density (Urban/Suburban Area) policies of the *Comprehensive Plan*.

§ 4.102.2 Use Regulations

Uses are allowed in the R-4 **Zoning District** in accordance with the Use Regulations of **Chapter** CHAPTER 6.

§ 4.102.3 Density/Intensity and Dimensional Standards

All residential and nonresidential development in the R-4 district shall be subject to the following density, intensity and dimensional standards:

Table 4.102.3, R-4 Density/Intensity and Dimensional Standards		
	<i>Non-Waterfront Development Standards</i>	<i>Waterfront Development Standards</i>
MAXIMUM DENSITY	4 <i>Principal</i> Dwelling Units per acre	
MINIMUM LOT AREA	7,250 5,000 square feet with public water and sewer 10,000 square feet with public water OR sewer 14,500 square feet without public water AND sewer	12,000 square feet
MINIMUM LOT WIDTH	60 50 feet	90 feet
MINIMUM LOT WIDTH AVERAGE	N/A	100 feet
MINIMUM SETBACKS		
Front/Street Side	25 20 feet	
Interior Side	5 feet	
Rear	15 10 feet	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK	N/A	35 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	15 feet
MAXIMUM BUILDING COVER	30% of Lot	
MAXIMUM HEIGHT	35 feet	

§ 4.102.4 Other Regulations

Development in the R-4 District shall comply with all other applicable regulations of this Ordinance, including the development standards of **Chapter** CHAPTER 9, *Development Standards*. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in ARTICLE 4.22 of this Chapter. Existing lots of record on the waterfront shall be subject to the provisions of Wetlands, Waterways and OCRM Critical Line contained in ARTICLE 9.7.

~~**§ 4.12.6 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 the applicable RM, AG-15, AG-10, AG-8, AGR, RR, S-3, R-4, or MHS Zoning District. 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~~



the Zoning District. The side setback from the edge of the Easement will only be utilized to create one proposed Lot from the provision of a One Time Subdivision of a Non-Conforming Lot of Record Existing Prior to April 21, 1999.

ARTICLE 4.13 MHS, LOW-DENSITY MANUFACTURED HOUSING SUBDIVISION DISTRICT

§ 4.13.1 Purpose and intent

The MHS, Low-Density Manufactured Home Subdivision district implements the ~~Mixed Style Residential/Residential Moderate Density~~ (Urban/Suburban **Mixed Use Area**) policies and the housing policies of the *Comprehensive Plan*.

Effective on: 11/20/2001, as amended.

§ 4.13.2 Use Regulations

Uses are allowed in the MHS district in accordance with the Use Regulations of CHAPTER 6.

Effective on: 11/20/2001, as amended.

§ 4.13.3 Density/Intensity and Dimensional Standards

	<i>Non Waterfront Development Standards</i>	<i>Waterfront Development Standards</i>
MAXIMUM DENSITY	6 <i>Principal Dwelling Units</i> per acre	
MINIMUM LOT AREA	5,000 square feet	<i>12,000 square feet</i>
MINIMUM LOT WIDTH	50 feet	<i>90 feet</i>
<i>MINIMUM LOT WIDTH AVERAGE</i>	<i>N/A</i>	<i>100 feet</i>
MINIMUM SETBACKS ¹		
Front/Street Side	25 feet	
Interior Side	5 feet	
Rear	15 feet	
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK</i>	<i>N/A</i>	35 feet
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER</i>	<i>N/A</i>	<i>15 feet</i>
MAXIMUM BUILDING COVER	30% of L lot	
MAXIMUM HEIGHT	35 feet	

§ 4.13.4 Other Regulations

Development in the MHS District shall comply with all other applicable regulations of this Ordinance, including the ~~development~~ standards of ~~chapter~~ CHAPTER 9, *Development Standards*. For properties abutting an OCRM Critical Line, all applicable Waterfront Development Standards of the R-4 Zoning District shall apply, with the following exception:

- A. Where a current ~~L~~lot of record (existing prior to April 21, 1999) zoned MHS has resulted from the combination of two ~~(2)~~ previously platted and recorded ~~L~~lots, the current ~~L~~lot of record may be subdivided into the configuration of the originally platted ~~L~~lots as shown on the corresponding approved, recorded ~~P~~plat of record. The ~~S~~subdivision resulting in the original configuration of the previously recorded ~~L~~lots may occur even if the originally platted ~~L~~lots do not meet the minimum ~~L~~lot width requirement of this Section and/or the minimum lot area, minimum lot width and minimum



lot width average requirements of ARTICLE 4.22, *Waterfront Development Standards*, provided that the ~~S~~subdivision meets all other requirements of this Ordinance.

~~§ 4.13.5 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 the applicable RM, AG-15, AG-10, AG-8, AGR, RR, S-3, R-4, or MHS Zoning District. 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 the Zoning District. The side setback from the edge of the Easement will only be utilized to create one proposed Lot from the provision of a One-Time Subdivision of a Non-Conforming Lot of Record Existing Prior to April 21, 1999.~~

ARTICLE 4.11 M-8, MIXED-STYLE RESIDENTIAL 8 DISTRICT

§ 4.11.1 Purpose and Intent

The M-8, Mixed Style Residential district implements the Mixed Style Residential/Residential Moderate Density (Urban/Suburban Area) policies of the *Comprehensive Plan*.

Effective on: 11/20/2001, as amended

§ 4.11.2 Use Regulations

Uses are allowed in the M-8 district in accordance with the Use Regulations of CHAPTER 6.

Effective on: 11/20/2001, as amended

§ 4.11.3 Density/Intensity and Dimensional Standards

All residential and nonresidential development in the M-8 district shall be subject to the following density, intensity and dimensional standards and shall provide proof to the Planning Director that the property will be served by public water and sewer:

Table 4.11.3, M-8 Density/Intensity and Dimensional Standards	
M-8, DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
M AXIMUM DENSITY	8 dwelling units per acre
M INIMUM LOT WIDTH	12 feet
M INIMUM SETBACKS	
-Front/Street Side	15 feet
-Interior Side	0/5 feet [1]
-Rear	10 feet
O CRM Critical Line	35 feet
M AXIMUM BUILDING COVER	50% of lot
M AXIMUM HEIGHT	4 stories/50 feet
[1] Zero lot line homes may be built with no setback on one side of the property, but must have at least 10 feet of separation between buildings.	

Effective on: 11/20/2001, as amended



§ 4.11.4 Other Regulations

Development in the M-8 district shall comply with all other applicable regulations of this Ordinance, including the development standards of CHAPTER 9.

ARTICLE 4.124 ~~UR M-12~~, URBAN MIXED-STYLE RESIDENTIAL DISTRICT

§ 4.124.1 Purpose and intent

The ~~UR, M-12, Urban~~ Mixed-Style Residential Zoning ~~D~~district implements the ~~Urban/Suburban Mixed Use~~ Mixed-Style Residential/Residential Moderate Density (Urban/Suburban Area) policies of the *Comprehensive Plan*.

§ 4.124.2 Use Regulations

Uses are allowed in the ~~M-12~~ ~~UR D~~district in accordance with the Use Regulations of ~~Chapter~~ CHAPTER 6.

§ 4.124.3 Density/Intensity and Dimensional Standards

All residential and nonresidential development in the ~~M-12~~ ~~UR D~~district shall be subject to the following ~~D~~density, ~~I~~intensity ~~and~~ or ~~D~~dimensional ~~S~~standards and shall provide proof to the ~~Zoning and~~ Planning Director that the property will be served by public water and sewer:

Table 4.124.3, M-12 UR Density/Intensity and Dimensional Standards		
	M-12 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS Non Waterfront Development Standards	Waterfront Development Standards
MAXIMUM DENSITY		16 12 Principal Dwelling U nits per acre
MINIMUM LOT WIDTH		12 feet
MINIMUM SETBACKS ¹		
Front/Street Side		15 feet
Interior Side		0/5 feet [1]
Rear		10 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK Critical Line	N/A	35 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	15 feet
MAXIMUM BUILDING COVER		50% of L lot
MAXIMUM HEIGHT		50 feet/4 stories, whichever is less
[1] Zero L lot L line homes may be built with no setback on one side of the property, but must have at least 10 feet of separation between buildings.		

§ 4.124.4 Other Regulations

Development in the ~~URM-12~~ ~~D~~district shall comply with all other applicable regulations of this Ordinance, including the development standards of ~~Chapter~~ CHAPTER 9.

ARTICLE 4.15 ~~ORO~~, RESIDENTIAL OFFICE DISTRICT



§ 4.15.1 Purpose and Intent

The **ORO**, Residential Office **Zoning District** implements the **Urban/Suburban Mixed Use and Office Commercial** (Urban/Suburban Area) policies of the *Comprehensive Plan*.

§ 4.15.2 Use Regulations

Uses are allowed in the **ORO District** in accordance with the Use Regulations of **Chapter** ~~HAPTER~~ 6.

§ 4.15.3 Density/Intensity and Dimensional Standards

All **D**evelopment in the **ORO District** shall be subject to the following **D**ensity, **I**ntensity **and** **D**imensional **S**tandards:

Table 4.15.3, ORO Density/Intensity and Dimensional Standards		
	OR DENSITY/INTENSITY AND DIMENSIONAL STANDARDS-Non Waterfront Development Standards	Waterfront Development Standards
MINIMUM LOT AREA	6,000 square feet	
MINIMUM LOT WIDTH	50 feet	
MINIMUM SETBACKS		
Front/Street Side	205 feet	
Interior Side	5 feet	
Rear	5 feet	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK OCRM Critical Line	N/A	50 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	35 feet
MAXIMUM BUILDING COVER	35% of Lot	
MAXIMUM HEIGHT	35 feet	

§ 4.15.4 Other Regulations

Development in the **ORO District** shall comply with all other applicable regulations of this Ordinance, including the **D**evelopment standards of **Chapter** ~~HAPTER~~ 9.

§ 4.15.5 Supplemental District Standards

In addition to all other applicable provisions of this Ordinance, structures within the **ORO District** shall be subject to the following standards:

- A. **Architectural Character.** Structures in the **ORO District** shall be compatible with the established architectural character of the neighborhood in which they are located by using a design that is complementary in terms of:
 1. Consistency of roof lines, roof materials and roof colors;
 2. Use of similar proportions in building mass and outdoor spaces;
 3. Similar relationships to the street;
 4. Similar window and door patterns; and
 5. Similar streetscapes including landscaping, light fixtures and other site amenities.
- B. **Building Orientation.** Primary facades and entries shall face the adjacent street.



- C. **Building Materials.** Building materials shall either be similar to the materials already being used in the neighborhood or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form architectural detailing, and color and texture shall be utilized to ensure that enough similarity exists for the building to be compatible despite the differences in materials.
- D. **Building Colors.** Color shades shall be used to facilitate blending into the neighborhood and unifying the **D**evelopment with its surroundings. The color shades of building materials shall draw from the range of color shades found in structures in the immediate area.

§ 4.15.6 Residential Uses

Residential uses *Single-Family Detached Dwellings* in the **OR O** District shall be subject to **§ 6.4.25, Single-Family Detached Dwelling Units, of this Ordinance.** the density/intensity and dimensional standards of the R-4 district

ARTICLE 4.146 MHP, MANUFACTURED HOUSING PARK DISTRICT

§ 4.146.1 Purpose and intent

The MHP, Manufactured Housing Park **Zoning D**istrict implements the **Mixed Style Residential/Residential Moderate Density** (Urban/Suburban **Mixed Use** Area) policies of the *Comprehensive Plan*. It is primarily intended to accommodate manufactured housing park **D**evelopments.

§ 4. 146.2 Use Regulations

Uses are allowed in the MHP **D**istrict in accordance with the Use Regulations of **Chapter** CHAPTER 6.

§ 4.146.3 Density/Intensity and Dimensional Standards

Table 4.146.3, MHP Density/Intensity and Dimensional Standards		
	MHP NSITY/INTENSITY AND- DIMENSIONAL STANDARDS Non Waterfront Development Standards	Waterfront Development Standards
MAXIMUM DENSITY	10 Principal D welling U nits per acre	
MINIMUM PARK AREA	1 acre	
MINIMUM SETBACKS		
Front/Street Side	25 feet	
Interior Side	5 feet	
Rear	10 feet	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK Critical Line	N/A	35 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	15 feet
MAXIMUM BUILDING COVER	35% of L ot	
MAXIMUM HEIGHT	35 feet	

§ 4.146.4 Other Regulations

Development in the MHP **D**istrict shall comply with all other applicable regulations of this Ordinance, including the **D**evelopment standards of **Chapter** CHAPTER 9.



§ 4.146.5 Supplemental District Standards

In addition to all other applicable provisions of this ordinance, manufactured housing parks within the MHP ~~D~~istrict shall be subject to the following standards.

- A. Area per Manufactured Housing Unit Space. ~~The Manufactured Housing Unit space~~ There shall be no less than 4,000 square feet ~~and shall require provision of the required parking space for the Manufactured Housing Unit.~~ ~~of zoning lot area per manufactured housing unit space.~~
- B. Separation of ~~Accessory Structures.~~ Service Buildings
 - 1. Every ~~Accessory S~~structure in a manufactured housing park shall be at least 25 feet from the boundary of any other property in any ~~R~~esidential or ~~O~~ffice ~~Z~~oning ~~D~~istrict. ~~When a property line is on a natural waterway, a property line setback shall not be required.~~
 - 2. ***There shall be a separation of at least 10 feet between each Manufactured Housing Unit and Manufactured Housing Units and other buildings.***
- C. **Access Road.** Each manufactured housing unit space shall abut an access road that is constructed under the Charleston County Road Construction Standards and is not less than 20 feet wide.
- D. **Drainage Plan.** A drainage plan shall be approved by the Public Works Department prior to the processing of a manufactured housing park ~~D~~evelopment.
- E. **Temporary, Accessory Manufactured Housing Park.** A temporary, accessory manufactured housing park shall be established only in connection with a construction project and shall be discontinued within 60 days after such project is completed. Written approval from the South Carolina Department of Health and Environmental Control (DHEC) shall be obtained prior to the issuance of a Zoning Permit.

ARTICLE 4.17 CI, CIVIC / INSTITUTIONAL DISTRICT

§ 4.17.1 Purpose and Intent

The CI, Civic/Institutional Zoning District, implements the Civic/Institutional policies of the Comprehensive Plan.

§ 4.17.2 Use Regulations

Uses are allowed in the CI District in accordance with the Use Regulations of Chapter 6.

§ 4.17.3 Density/Intensity and Dimensional Standards

All Development in the CI District shall be subject to the following Density/Intensity and Dimensional Standards:

<i>Table 4.17.3 , CI Density/Intensity and Dimensional Standards</i>		
	<i>Non Waterfront Development Standards</i>	<i>Waterfront Development Standards</i>
MINIMUM LOT AREA	6,000 square feet	
MINIMUM LOT WIDTH	50 feet	
MINIMUM SETBACKS	Minimum setbacks shall be the vegetated buffers as required in Chapter 9 of this Ordinance.	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK	N/A	50 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	35 feet
MAXIMUM BUILDING COVER	30% of Lot	
MAXIMUM HEIGHT	35 feet/2.5 stories, whichever is less	



§ 4.17.4 Other Regulations

Development in the CI District shall comply with all other applicable regulations of this Ordinance, including the Development standards of Chapter 9.

ARTICLE 4.18 OGO, GENERAL OFFICE DISTRICT

§ 4.18.1 Purpose and intent

The OGO, General Office Zoning District implements the *Urban/Suburban Mixed Use and Office Commercial* (Urban/Suburban Area) policies of the *Comprehensive Plan*.

§ 4.18.2 Use Regulations

Uses are allowed in the OGO District in accordance with the Use Regulations of *Chapter* CHAPTER 6.

§ 4.18.3 Density/Intensity and Dimensional Standards

All development in the OGO District shall be subject to the following density, /intensity *and* or Dimensional Standards:

Table 4.168.3 OGO Density/Intensity and Dimensional Standards		
	OGO DENSITY/INTENSITY AND DIMENSIONAL STANDARDS <i>Non Waterfront Development Standards</i>	<i>Waterfront Development Standards</i>
MINIMUM LOT AREA	2,000 square feet	
MINIMUM LOT WIDTH	50 feet	
MINIMUM SETBACKS	<i>Minimum setbacks shall be the vegetated buffers as required in Chapter 9 of this Ordinance.</i>	
-Front/Street Side	25 feet	
-Interior Side	5 feet	
-Rear	5 feet	
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK</i> Critical Line	N/A	50 feet
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER</i>	N/A	35 feet
MAXIMUM BUILDING COVER	40% of Llot	
MAXIMUM HEIGHT	35 feet/ <i>2.5 stories, whichever is less</i>	

§ 4.168.4 Other Regulations

Development in the OGO District shall comply with all other applicable regulations of this Ordinance, including the development standards of *Chapter* CHAPTER 9.

§ 4.18.5 Residential Uses

Single-Family Detached Dwellings in the GO District shall be subject to § 6.4.25, Single-Family Detached Dwelling Units, of this Ordinance.



ARTICLE 4.179 ~~CNC~~, NEIGHBORHOOD COMMERCIAL DISTRICT

§ 4.179.1 Purpose and intent

The ~~CNC~~, Neighborhood Commercial *Zoning District* implements the *Urban/Suburban Mixed Use and Commercial (Urban/Suburban Area)* policies of the *Comprehensive Plan*.

§ 4.179.2 Use Regulations

Uses are allowed in the ~~CNC D~~ district in accordance with the Use Regulations of ~~Chapter~~HAPTER 6.

§ 4.179.3 Density/Intensity and Dimensional Standards

All ~~D~~development in the ~~CNC~~ district shall be subject to the following ~~D~~ensity, ~~I~~ntensity ~~and~~ ~~or~~ ~~D~~imensional ~~S~~tandards:

Table 4.179.3, CNC Density/Intensity and Dimensional Standards		
	CN DENSITY/INTENSITY AND DIMENSIONAL STANDARDS <i>Non Waterfront Development Standards</i>	<i>Waterfront Development Standards</i>
MINIMUM LOT AREA	4,000 square feet	
MINIMUM LOT WIDTH	15 feet	
MINIMUM SETBACKS	<i>Minimum setbacks shall be the vegetated buffers as required in Chapter 9 of this Ordinance.</i>	
-Front/Street Side	25 feet	
-Interior Side	10 feet	
-Rear	10 feet	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK Critical Line	N/A	50 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	<i>35 feet</i>
MAXIMUM BUILDING COVER	25% of L lot	
MAXIMUM HEIGHT	35 feet/ <i>2.5 stories, whichever is less</i>	

§ 4.179.4 Other Regulations

Development in the ~~CNC D~~ district shall comply with all other applicable regulations of this Ordinance, including the ~~D~~development standards of ~~Chapter~~HAPTER 9.

§ 4.17.5 Supplemental District Standards

In addition to any other applicable provisions of this ordinance, structures in the ~~C N~~ district shall be subject to the following performance standards:

A. Floor Area

All structures, including accessory structures, shall be limited to a maximum of 5,000 square feet gross floor area, provided that structures between 5,000 and 10,000 square feet gross floor area may be approved in accordance with the Special Exception procedures of Article 3.6. In no case shall the total, combined gross floor area of all principal and accessory structures exceed 10,000 square feet.



B. Enclosed Buildings

All commercial activities, excluding accessory gasoline outlets and restaurants, shall be operated entirely within enclosed buildings.

C. Gasoline Pump Nozzles

Accessory gasoline pumps shall be limited to a maximum of four nozzles, provided that five to eight nozzles may be approved in accordance with the Special Exception procedures of Article 3 .6. In no case s hall the number of gasoline nozzles exceed eight.

§ 4.19.5 Residential Uses

Single-Family Detached Dwellings in the NC District shall be subject to § 6.4.25, Single-Family Detached Dwelling Units, of this Ordinance.

ARTICLE 4.18 CT, COMMERCIAL TRANSITION DISTRICT

§ 4.18.1 Purpose and intent

The CT, Commercial Transition district implements the Commercial (Urban/Suburban Area) policies of the *Comprehensive Plan*.
Effective on: 11/20/2001, as amended

§ 4.18.2 Use Regulations

Uses are allowed in the CT district in accordance with the Use Regulations of CHAPTER 6.
Effective on: 11/20/2001, as amended

§ 4.18.3 Density/Intensity and Dimensional Standards

Table 4.18.3, CT Density/Intensity and Dimensional Standards	
CT DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	not designated
MINIMUM LOT WIDTH	
Without shared access	200 feet
With shared access	100 feet
MAXIMUM BUILDING COVER	
1-199 feet road frontage	3 ,000 gross sq. ft.
200+ feet road frontage	5 ,000 gross sq. ft.
MAXIMUM HEIGHT	35 feet

Effective on: 11/20/2001, as amended



§ 4.18.4 Signs

Signs within the CT district shall comply with the following standards:

Table 4.18.4, CT Sign Standards	
CT SIGN STANDARD	
Maximum Sign Face Area [square feet]	20
Maximum Sign Height [feet] [1]	6
Maximum Number of Signs per Major Road Frontage [2]	1
Internal Illumination Allowed	No
[1] Freestanding signs shall be monument or pedestal type.	
[2] When a parcel abuts more than one road classification, signs will be allowed on the road with the higher classification only.	

Effective on: 11/20/2001, as amended

§ 4.18.5 Operating Hours

All uses within the CT district shall be limited to operating hours between 6:00 a.m. to 11:00 p.m.

Effective on: 11/20/2001, as amended

§ 4.18.6 Residential Uses

Residential uses in the CT district shall be subject to the density/intensity and dimensional standards of the R-4 district (ARTICLE 4.10).

ARTICLE 4.1920 CRC, RURAL COMMERCIAL DISTRICT

§ 4.1920.1 Purpose and intent

The CRC, Rural Commercial Zoning District implements the Rural Commercial (Rural Area) policies of the Comprehensive Plan.

§ 4.1920.2 Use Regulations

Uses are allowed in the CRC District in accordance with the Use Regulations of Chapter CHAPTER 6.

§ 4.1920.3 Density/Intensity and Dimensional Standards

All Ddevelopment in the CRC District shall be subject to the following Ddensity, IIntensity and or Ddimensional Sstandards:



Table 4.1920.3 CRC Density/Intensity and Dimensional Standards

	CR DENSITY/INTENSITY AND DIMENSIONAL STANDARDS <i>Non Waterfront Development Standards</i>	<i>Waterfront Development Standards</i>
MINIMUM LOT AREA	40,000 square feet	
MINIMUM LOT WIDTH	125 feet	
MINIMUM SETBACKS	<i>Minimum setbacks shall be the vegetated buffers as required in Chapter 9, Development Standards, of this Ordinance.</i>	
Front/Street Side	25 feet	
Interior Side	15 feet	
Rear	25 feet	
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK</i> Critical Line	N/A	50 feet
<i>WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER</i>	N/A	35 feet
MAXIMUM BUILDING COVER	40% of Llot	
MAXIMUM HEIGHT	35 feet	

§ 4.1920.4 Other Regulations

Development in the CRC District shall comply with all other applicable regulations of this Ordinance, including the development standards of ~~Chapter~~ CHAPTER 9.

§ 4.20.5 Residential Uses

Single-Family Detached Dwellings in the RC District shall be subject to § 6.4.25, Single-Family Detached Dwelling Units, of this Ordinance.

ARTICLE 4.201 CC, COMMUNITY COMMERCIAL DISTRICT

§ 4.201.1 Purpose and intent

The CC, Community Commercial ~~Zoning~~ District implements the Commercial ~~(Urban/Suburban Area)~~ policies of the Comprehensive Plan.

§ 4.201.2 Use Regulations

Uses are allowed in the CC District in accordance with the Use Regulations of ~~Chapter~~ CHAPTER 6.

§ 4.201.3 Density/Intensity and Dimensional Standards

All development in the CC District shall be subject to the following ~~Density, Intensity and~~ *Density, Intensity and* ~~or~~ *Dimensional Standards*



Table 4.201.3, CC Density/Intensity and Dimensional Standards

	CC DENSITY/INTENSITY AND- DIMENSIONAL STANDARDS Non Waterfront Development Standards	Waterfront Development Standards
MINIMUM LOT AREA	4,000 square feet	
MINIMUM LOT WIDTH	15 feet	
MINIMUM SETBACKS ¹	<i>Minimum setbacks shall be the vegetated buffers as required in Chapter 9, Development Standards, of this Ordinance.</i>	
-Front/Street Side	None	
-Interior Side	None	
-Rear	None	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK OCRM Critical Line	N/A	50 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	35 feet
MAXIMUM BUILDING COVER	35% of Lot	
MAXIMUM HEIGHT	No Maximum <i>55 feet/3.5 stories, whichever is less, in the Urban/Suburban Area as defined in the Charleston County Comprehensive Plan</i> <i>35 feet in the Rural Area as defined by the Charleston County Comprehensive Plan</i>	

§ 4.201.4 Other Regulations

Development in the CC **D** district shall comply with all other applicable regulations of this Ordinance, including the **D** development standards of ~~Chapter~~ CHAPTER 9.

§ 4.201.5 Residential Uses

Residential uses **Single-Family Detached Dwellings** in the CC **D** district shall be subject to **§ 6.4.25, Single-Family Detached Dwelling Units, of this Ordinance.** ~~the density/intensity and dimensional standards of the M-12 district (Article 4.15).~~

ARTICLE 4.22 RI, RURAL INDUSTRIAL DISTRICT

§ 4.22.1 Purpose and Intent

The RI, Rural Industrial Zoning District, implements the Rural Industrial and Rural Economic Development Area policies of the Comprehensive Plan.

§ 4.22.2 Use Regulations

Uses are allowed in the RI District in accordance with the Use Regulations of Chapter 6.

§ 4.22.3 Density/Intensity and Dimensional Standards

All Development in the RI District shall be subject to the following Density/Intensity and Dimensional Standards:



Table 4.22.3 RI Density/Intensity and Dimensional Standards

	Non Waterfront Development Standards	Waterfront Development Standards
MINIMUM LOT AREA	40,000 square feet	
MINIMUM LOT WIDTH	125 feet	
MINIMUM SETBACKS	Minimum setbacks shall be the vegetated buffers as required in Chapter 9, Development Standards, of this Ordinance	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK	N/A	50 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	35 feet
MAXIMUM BUILDING COVER	30% of Lot	
MAXIMUM HEIGHT	35 feet	

§ 4.22.4 Other Regulations

Development in the RI District shall comply with all other applicable regulations of this Ordinance, including the Development standards of Chapter 9.

§ 4.22.5 Residential Uses

Single-Family Detached Dwellings in the RI District shall be subject to § 6.4.25, Single-Family Detached Dwelling Units, of this Ordinance.

ARTICLE 4.213 IN, INDUSTRIAL DISTRICT

§ 4.213.1 Purpose and Intent

The **IN**, Industrial **Zoning D**istrict implements the Industrial (Urban/Suburban Area) policies of the *Comprehensive Plan*.

§ 4.213.2 Use Regulations

Uses are allowed in the **IN D**istrict in accordance with the Use Regulations of **Chapter** ~~HAPTER~~ 6.

§ 4.213.3 Density/Intensity and Dimensional Standards

All **D**evelopment in the **IN D**istrict shall be subject to the following **D**ensity, **I**ntensity **and** **or** **D**imensional **S**tandards:



Table 4.21.3.3, IN Density/Intensity and Dimensional Standards

	I DENSITY/INTENSITY AND DIMENSIONAL STANDARDS Non Waterfront Development Standards	Waterfront Development Standards
MINIMUM LOT AREA	15,000 square feet	
MINIMUM LOT WIDTH	70 feet	
MINIMUM SETBACKS	<i>Minimum setbacks shall be the vegetated buffers as required in Chapter 9, Development Standards, of this Ordinance.</i>	
Front/Street Side	50 feet	
Interior Side	None	
Rear	None	
WETLAND, WATERWAY and OCRM CRITICAL LINE SETBACK Critical Line	N/A	50 feet
WETLAND, WATERWAY and OCRM CRITICAL LINE BUFFER	N/A	35 feet
MAXIMUM BUILDING COVER	No Maximum	
MAXIMUM HEIGHT	No Maximum <i>55 feet/3.5 stories, whichever is less, in the Urban/Suburban Area as defined in the Charleston County Comprehensive Plan</i> <i>35 feet in the Rural Area as defined by the Charleston County Comprehensive Plan</i>	

§ 4.213.4 Other Regulations

Development in the **IN District** shall comply with all other applicable regulations of this Ordinance, including the **D** development standards of **Chapter** CHAPTER 9.

§ 4.23.5 Residential Uses

Single-Family Detached Dwellings in the IN District shall be subject to § 6.4.25, Single-Family Detached Dwelling Units, of this Ordinance.

ARTICLE 4.224 WATERFRONT DEVELOPMENT STANDARDS

The following dimensions have precedence over Base Zoning District standards for subdivision on properties which contain or abut an OCRM Critical Line:

Table 4.22, Waterfront Development Standards

Standard- {1}	RM	AG-15	AG-10	AG-8	AGR	RR-3	S-3	R-4
Min. Lot Area	1 Ac	3 Acs	1 Ac	1 Ac	1 Ac	1 Ac	½ Ac	12,000- sq ft
Min. Lot Width (ft)	200	200	175	175	125	125	10 0	90
Min Lot Width Average (ft)	250	250	200	200	150	135	12 5	100
Minimum Buffers/Setbacks (ft)								
OCRM Critical Line Buffer (ft)	35	35	35	35	35	35	15	15
Building Setback from OCRM Critical Line (ft)	50	50	50	50	50	50	35	35
Notes: Ac=Acre Min=Minimum Landscape buffer standards specified in Chapter 9 may require greater setbacks.								



§ 4.224.1 Minimum Lot Width (ft)

The minimum **L**ot **W**idth (ft) is measured and maintained from the front **L**ot **L**ine through the entire parcel to the OCRM Critical Line. All **L**ots within a subdivision must meet the minimum **L**ot **W**idth average. (Exception: Flag **L**ots and **L**ots served by cul-de-sacs). Lots fronting on cul-de-sacs shall meet the minimum **L**ot **W**idth at the required minimum front setback. Flag **L**ots are designed with a “flag pole” area with a minimum width of 20’. The flag pole area is not required to meet the minimum **L**ot **W**idth nor does this area count towards the minimum **L**ot size or area. Flag **L**ots must meet the minimum **L**ot **W**idth at the end of the flag pole area/base of **L**ot. All lots within a subdivision must meet the required minimum **L**ot **W**idth average for the **applicable Z**oning **D**istrict within Article 4.22, Waterfront Development Standards.

Reductions from minimum **L**ot **W**idth average requirements for parcels which contain or abut an OCRM Critical Line may be permitted if the **Zoning and Planning Director** determines that one of the following criteria has been met:

- A. No more than three (3) waterfront **L**ots are being created from the original parcel and that a reduction of no more than ~~percent~~ (10 **percent** %) of **L**ot **W**idth average is required for any resulting **L**ot; or
- B. Where two **L**ots of record (**L**ots existing prior to April 21, 1999) have been combined, the resulting **L**ot may be subdivided into the original configuration shown on the previously approved, recorded plat of record, even if the original **L**ots do not meet the minimum **L**ot **W**idth requirement of this Section, provided that the subdivision meets all other requirements of this Ordinance.

§ 4.224.2 Minimum Lot Standards for Accessory Dwelling Units on Parcels Which Contain or Abut an OCRM Critical Line

In order to establish an **A**ccessory **D**welling **U**nit on a parcel that contains or abuts an OCRM Critical Line the following standards shall apply:

- A. When an **A**ccessory **D**welling **U**nit is to be located in front of the Principal **D**welling **U**nit (between the street and the front of Principal **D**welling **U**nit) the minimum **L**ot **A**rea shall be 50% larger than the minimum **L**ot **A**rea requirement **for waterfront Lots** of the **base Z**oning **D**istrict.
- B. When the **A**ccessory **D**welling **U**nit is to be located to the side or rear of the Principal **D**welling **U**nit (between the OCRM critical line and the Principal **D**welling **U**nit) the minimum **L**ot **W**idth shall be two times the minimum **L**ot **W**idth **required for waterfront Lots in** the applicable **base Z**oning **D**istrict. ~~contained in Article 4.22 Waterfront Development Standards, of this Ordinance.~~
- C. The **A**ccessory **D**welling **U**nit shall meet the minimum setbacks of the **Z**oning **D**istrict where it will be located, and:
 - 1. The distance between the **A**ccessory **D**welling **U**nit and the Principal **D**welling **U**nit shall not be less than the sum of the minimum setbacks as required for the **Z**oning **D**istrict.
- D. The **Z**oning **L**ot and **A**ccessory **D**welling **U**nit shall comply with all other requirements of this Ordinance, including but not limited to the requirements of § 6.5.9, *Accessory Dwelling Units*.

§ 4.224.3 Minimum Lot Standards for Dwelling Groups on Parcels Which Contain or Abut an OCRM Critical Line

The number of **D**welling **U**nits shall not exceed the maximum number permitted by the **D**ensity, **I**ntensity or **D**imensional **S**tandards of the underlying base **Z**oning **D**istrict. In addition, the Dwelling Groups shall comply with the requirements of Article 4.224, Waterfront Development Standards, of this Ordinance, **and shall comply with the** ~~including~~ the minimum **L**ot **A**rea and **L**ot **W**idth requirements **of waterfront Lots in the applicable Zoning District**.

§ 4.24.4 Reduction of OCRM Critical Line Setbacks and Buffers

- A. *The Zoning and Planning Director shall be authorized to reduce OCRM Critical Line setbacks to a distance not less than the buffer depth, when deemed necessary by the Director to accommodate reasonable Development of the parcel and when it is determined by the Director that the setback reduction will not have a significant adverse impact on public health or safety.*



- B. The Zoning and Planning Director shall be authorized to modify the OCRM Critical Line setbacks and buffers when DHEC-OCRM has granted approval to modify or alter OCRM jurisdictional wetlands within public or private Rights-of-Way.*

§ 4.24.5 Reduction of Buffers and Setbacks on Parcels Created Prior to April 21, 1999

When the application of buffer/setback requirements contained within this Ordinance render a parcel that existed prior to April 21, 1999, unbuildable, the Zoning and Planning Director shall be authorized to reduce front, side and rear yard buffers/setbacks as necessary to make a parcel buildable. The Zoning and Planning Director cannot reduce any front and/or rear yard buffer in an amount which would result in the placement of a structure closer to either the front or rear property line than any structure on an adjacent property. Any further reduction in any required buffer shall be made by appeal to the Board of Zoning Appeals.

§ 4.24.6 Measurement

Required OCRM critical line buffers and setbacks shall be measured from the OCRM critical line, whether the critical line or wetland/waterway is located on, adjacent to, or near the subject parcel.

§ 4.24.7 Prohibited Activities

The following activities are specifically prohibited in a buffer area:

- A. Removal, excavation, or disturbance of the soil, except for minimal disturbance associated with the planting of shrubs or trees for landscaping;*
- B. Grassed lawns requiring regular maintenance such as herbicides, pesticides, fertilizers and frequent mowing;*
- C. Gardens, fences, or structures, except for permitted crossings*
- D. Paved or other impervious surfaces; and*
- E. Destruction or addition of plant life that would alter the existing pattern of vegetation.*

ARTICLE 4.25 PD, PLANNED DEVELOPMENT ZONING DISTRICT

§ 4.25.1 Authority

The South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended (Planning Act) authorizes local governments to utilize zoning and planning techniques (not limited to those found in the Planning Act) for implementation of the goals specified in S.C. Code Ann. § 6-29-720 (2007). Charleston County Council hereby establishes a zoning and planning technique called a “Planned Development” Zoning District. The “Planned Development” Zoning District incorporates provisions of the planning technique called “Planned Development district” referred to in the Planning Act and identified in this ordinance and the additional provisions found in this Article that expands, varies and/or differs from the provisions found in the references to Planned Development districts in the Planning Act. A “Planned Development,” as applied herein, is a type of zoning district (PD) and a type of Development plan. PD Zoning Districts are inextricably linked to Planned Development plans, in that no rights of Development apply to a PD zoning designation other than those of the approved Planned Development plan.

Planned Development provisions are intended to encourage innovative site planning for residential, commercial, institutional, and/or industrial developments within Planned Developments. Planned Developments may provide for variations from other ordinances and the regulations of other established zoning districts concerning use, Setbacks, Lot size, Density, bulk, and other requirements to accommodate flexibility in the arrangement of uses for the general purpose of promoting and protecting the public health, safety, and general welfare. A Planned Development as used in this ordinance is intended to apply the flexibility and variation provisions of the Planning Act provided in the Planned Development Zoning District provision, along with the additional regulatory and procedural provisions of this Article.



§ 4.235.2 Purpose and Intent

The purpose of the Planned Development Zoning District is to allow flexible Development standards that implement the Comprehensive Plan strategies. The County finds and determines that this Article is consistent with the following objectives of the *Comprehensive Plan*:

- A. ~~Implement a farm and forest land and open space protection program (Objective FFL1);~~
- B. ~~Provide families and youth with access to parks, recreation areas and facilities (Objective CD5);~~
- C. ~~Encourage site design that will maintain as much of the development site as possible in natural open space where new development is proposed in rural and agricultural areas outside of existing settlements (Objective WR3, Policy 1);~~
- D. ~~Implement a system of incentives that will encourage environmentally sensitive site planning that is responsive to the natural characteristics of the land. New development should be encouraged that will retain buffers along rural and urban waterways, retain natural open space, and reduce impervious surfaces (Objective WR4, Policy 1);~~
- E. ~~Promote a sufficient supply of a variety of housing units with access to facilities and services (Objective H 1);~~
- F. ~~Increase ownership of affordable housing through new construction, acquisition, and/or rehabilitation (Objective H5);~~
- G. ~~Increase the housing alternatives for low and moderate income households (Objective H6); and~~
- H. ~~Increase and preserve affordable housing development and reduce the number of households below the poverty level (Objective CD10).~~

§4.23.3 Definitions

In this Chapter, the following term shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

- A. ~~Studio Unit: A dwelling unit that:
 - 1. ~~Has only one combined living and sleeping room; or~~
 - 2. ~~A living and sleeping room, along with a separate room that contains only kitchen facilities and also a separate room that contains only sanitary facilities.~~~~

§ 4.235.43 Intent and Results

The PD, Planned Development, ~~Z~~zoning ~~D~~district regulations of this Article are intended to encourage achievement of the goals of the Charleston County Comprehensive Plan and to allow flexibility in ~~D~~development of property that proposes a single or multiple use(s) that will result in improved design, character, and quality of new or redesigned ~~D~~developments and preserve natural and scenic features of open spaces. The following objectives may be attained through the use of the planned development process:

- A. ~~A maximum choice in the types of environment available to the public by allowing a development that would not be possible under the strict application of the standards of this Ordinance that were designated primarily for development on individual lots;~~
- B. ~~A greater freedom in selecting the means to provide access, light, open space and design amenities;~~
- C. ~~Quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations, and land use arrangements;~~
- D. ~~A development pattern in harmony with the applicable goals and strategies of the Comprehensive Plan;~~
- E. ~~The permanent preservation of common open space, recreation areas and facilities;~~
- F. ~~An efficient use of the land resulting in more economical networks of utilities, streets, schools, public grounds and buildings and other facilities;~~
- G. ~~A creative approach to the use of land and related physical facilities that results in better development and design and the construction of amenities; and~~



H. A development pattern that incorporates adequate public safety and transportation-related measures in its design and complements the developed properties in the vicinity and the natural features of the site.

§ 4.235.54 Applicability and Terminology

There ~~is shall be~~ no minimum site area requirement **to qualify** for a Planned Development as long as the Planned Development meets all requirements of Article 4.25, **Planned Development Zoning District (PD)**, of this Ordinance.

Planned Development (PD) applications are comprised of PD Guidelines and Sketch Plans, collectively referred to as the PD Development Plan. Approval of the PD Development Plan creates a new Planned Development Zoning District (Planned Development).

§ 4.235.65 Development Standards

The development standards listed in this Section, those in the approved PD Guidelines, and any in the approved PD Sketch Plan(s) apply.

Development standards of the underlying zoning district pertaining to density, lot size, location, and arrangement of buildings and structures, lot dimensions, and landscaping may be altered in Planned Developments. The underlying standards of the zoning district may be altered only if County Council determines that the development will serve an overriding public interest and/or public safety concern. If the proposed development is zoned R-4, does not comply with the provisions of § 4.253.6(A)(2) through 4.253.6(A)(5) below, and would exceed the maximum density of the Residential Low Density Future Land Use Designation in the *Comprehensive Plan*, a *Comprehensive Plan Amendment* must be approved concurrently with a Planned Development application (see Article 3.2, *Comprehensive Plan Amendment*). The development standards listed below, those in the approved Planned Development Stipulations and any in the approved Planned Development Sketch Plan(s) shall apply.

A. Maximum Density.

1. The maximum allowed ~~D~~density increase in a planned development **Planned Development Zoning District** may not exceed the maximum density as stated in Table 3.1.1 of the *Charleston County Comprehensive Plan*, except as provided for in Chapter 3.1.7(G) of the *Comprehensive Plan*, as amended, and this Article. Density and lot area calculations shall comply with the requirements contained in Article 4.2, *Measurements, Computations and Exception*.
2. In order to achieve the maximum density, the following minimum amounts of common open space, as defined in this Ordinance, shall apply where applicable:
 - a. Provide 0.2 acres of ~~C~~common ~~O~~open ~~S~~space per **Principal Dwelling Unit** ~~dwelling unit~~ plus ten percent ~~(10%)~~ of the land area designated for office, commercial, and/or industrial uses is required for parcels located in the Rural and Agricultural Areas. The maximum density permitted in the Agricultural Preservation Future Land Use Designation on Edisto Island, as identified in the *Comprehensive Plan*, shall not exceed one ~~D~~dwelling ~~U~~unit per ten acres;
 - b. If the parcel is located in the **Urban/Suburban Area**, the following standards shall apply:
 - i. Where the underlying ~~Z~~zoning ~~D~~district is **Low Density Single Family Residential (R-4)** and all requirements of this Ordinance are met, a maximum density **of eight Principal Dwelling Units per acre** ~~not more than two times the maximum allowable density in the underlying zoning district~~ may be permitted when 0.05 acres of common open space per dwelling unit plus ten percent ~~(10%)~~ of the land area designated for office, commercial, and/or industrial uses is provided; and
 - ii. Where the underlying ~~Z~~zoning ~~D~~district is **UR, Urban Residential Mixed Style Residential (M-8 or M-12)** and all requirements of this Ordinance are met, a maximum density of not more than **24 Principal Dwelling Units per acre** ~~two times the maximum allowable density in the underlying zoning district~~ may be permitted when 0.05 acres of common open space per **Principal D**dwelling **U**unit plus ten percent ~~(10%)~~ of the land area designated for office, commercial, and/or industrial uses is provided.
3. Planned ~~D~~developments that include a parcel or parcels of land that have varying future land use designations and/or varying zoning classifications may be deemed consistent with the *Comprehensive Plan* if the total density proposed does not exceed the maximum combined density permitted in the future land use designations **pursuant to the Comprehensive Plan** and/or ~~Z~~zoning ~~D~~districts **pursuant to this Ordinance**.



- a. The maximum densities listed in sub-sections “a” and “b” below may be permitted in planned developments that include at least fifty percent (50%) permanently protected Common Open Space and comply with all other requirements of this Ordinance. These density bonuses shall not be applicable to areas in (1) the Conservation Management and Resource Management Future Land Use designations, as identified in the *Comprehensive Plan*; and (2) the Agricultural Preservation Future Land Use designation on Edisto Island, as identified in the *Comprehensive Plan*.
- i. An increase of up to 20% more than the number of dwelling units permitted under the maximum density identified in the *Comprehensive Plan* for the Rural Residential and Agricultural Residential Future Land Use designations (example calculation: number of dwelling units permitted under the maximum density times 1.2). The following table illustrates a detailed example of this calculation.

Table 4.25.5-3, Detailed Example of Density Calculation #1	
Parcel Size	10 acres
Future Land Use Designation	Agricultural Residential
Maximum Density of the Future Land Use Designation	1 dwelling unit / acre
# of Dwelling Units Permitted (Maximum Density)	10 dwelling units
# of Dwelling Units Permitted with 50% Permanently Protected Common Open Space: [# of Dwelling Units Permitted Under Maximum Density x 20%]	{10 dwelling units X 1.2} = 12 dwelling units

- b. An increase of up to 220% more than the number of dwelling units permitted under the base density of the Future Land Use designation identified in the *Comprehensive Plan* for all other applicable *Comprehensive Plan* Future Land Use designations (excludes (1) “a” above; (2) the Conservation Management and Resource Management Future Land Use designations; and (3) the Agricultural Preservation Future Land Use designation on Edisto Island) (example calculation: number of dwelling units permitted under the base density times 2.2). The following table illustrates a detailed example of this calculation:

Table 4.25.5-4, Detailed Example of Density Calculation #2	
Parcel Size	80 acres
Future Land Use Designation	Rural Agriculture
Base Density of the Future Land Use Designation	1 dwelling unit / 8 acres
# of Dwelling Units Permitted (Base Density)	{80 acres / 8} = 10 dwelling units
# of Dwelling Units Permitted (PD Maximum Density)	{80 acres / 4} = 20 dwelling units
# of Dwelling Units Permitted with 50% Permanently Protected Common Open Space: [# of Dwelling Units Permitted Under Base Density x 220%]	{10 dwelling units x 2.2} = 22 dwelling units

4. Density bonuses beyond the maximum density of the Comprehensive Plan Future Land Use designation may be approved when affordable dwelling units are included, provided that the planned development complies with all other requirements of this ordinance and all affordable dwelling units comply with § 4.25.8, Affordable Dwelling Units, and CHAPTER 12, Definitions. The maximum density permitted in the Agricultural Preservation Future Land Use Designation on Edisto Island, as identified in the *Comprehensive Plan*, shall not exceed one dwelling unit per ten acres;
5. Planned developments that include a parcel or parcels of land that have varying future land use designations and/or varying zoning classifications may be deemed consistent with the *Comprehensive Plan* if the total density proposed does not exceed the maximum combined density permitted in the future land use designations and/or zoning districts.
- D. ***Development standards*** of the underlying zoning district ***pertaining to density, lot size, location, and arrangement of buildings and structures, lot dimensions, and landscaping*** may be altered ***shall be defined in the PD Development Plan, pursuant to this Article*** in Planned Development. The underlying ***development standards of the Zoning District in***



which the subject property(ies) was located at the time of submission of the application to rezone to the PD may be altered, pursuant to this Article, only if County Council determines that the development will serve an overriding public interest and/or public safety concern. Applicants shall not propose alteration of the following standards:

- 1. Chapters 1, 2, 3, 10, 11, 12, and Appendix A of this Ordinance;*
- 2. Waterfront Development Standards of the Zoning District in which the Subject Property(ies) was located at the time of submission, as set forth in Article 4.24;*
- 3. Architectural Design Guidelines of Article 9.5, Landscaping, Screening, and Buffers, except where the Zoning and Planning Director determines that the architectural design of the proposed development is compatible with the architectural design of development on adjacent properties;*
- 4. Sign regulations of Article 9.11, Signs, provided, however, that the minimum distance from a Billboard/Digital or Electronic Billboard proposed as part of a Planned Development to the nearest on-premises sign(s) may be less restrictive than the standards set forth in this Ordinance;*
- 5. The Dimensional Standards for the S-3 Zoning District, as stated in Ch. 4, Base Zoning Districts; and*
- 6. Parking standards of Article 9.3, Off-Street Parking and Loading, except where the Zoning and Planning Director determines that the amount of parking requested and its location is sufficient, based on a generally-accepted planning source or authority, for the use proposed.*

E. ~~Dimensional Standards.~~

- ~~1. The Waterfront Development Standards of the base zoning district, as set forth in Article 4.24, of this Ordinance, shall be applied to all waterfront lots within the planned development.~~
- ~~2. Each lot located on the perimeter of the planned development shall maintain the rear yard setback requirements and any buffer requirements of the adjacent zoning district.~~

F. ~~Architectural Standards.~~

- ~~1. The Architectural Design Guidelines of Article 9.5 shall apply to all proposed planned developments.~~
- ~~2. Modifications to the Architectural Design Guidelines may be proposed in a planned development request where the Planning Director determines that the architectural design of the proposed development is compatible with the architectural design of development on adjacent properties.~~

E. *There shall be a minimum Type A, 10-foot vegetated buffer, around the perimeter of the property, which may be located on private Lots. In cases of conflict between the perimeter buffer requirement and other buffer and/or setback requirements stated in this Ordinance or the Planned Development Guidelines, the more restrictive will apply.*

F. **Lots to Abut Upon Common Open Space.** Residential parcels shall maximize orientation towards common open space or similar areas.

G. **Access.**

- Streets within ~~P~~planned ~~D~~developments ~~shall~~ **should** connect to adjoining neighborhoods/developments. ***In cases where adjoining properties are not developed, Planned Developments shall include stub outs for connections to future development on adjacent parcels.*** Cul-de-sacs, T-turnarounds, and dead-end streets ***shall only be allowed at the discretion of the Zoning and Planning Director*** ~~are discouraged.~~
- Areas between structures shall be covered by easements where necessary for access and to provide for maintenance and utility service.
- Primary vehicular access to office, commercial, or industrial development shall be through limited access roads.
- Sidewalks and/or multi-use paths shall be provided as required by this Ordinance.***

H. **Commercial Areas.**

- Commercial areas and adjacent residential, office, and industrial areas shall be directly connected through paved sidewalks, trails, or other pedestrian infrastructure.



2. Commercial areas shall be planned as groups having common parking areas and common ingress and egress points.
- I. **Industrial areas.** *A minimum 40-foot Type D vegetated buffer shall be required where industrial uses abut residential uses within the development.*
 1. ~~A minimum vegetated buffer of forty (40) feet shall be required where industrial uses abut residential uses.~~
 2. ~~All intervening spaces between the right of way line and project building line and intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped with trees and plantings and properly maintained at all times.~~
- J. **Areas Designated for Future Use.** *A statement specifying that* all areas designated for future expansion or not intended for immediate improvement or development shall remain in a natural state until such time as development permits are approved *must be included in the PD Guidelines.*
- K. ~~**Signs.** Specifications of size, type, height, setback, location, design, illumination, and number of signs shall be included in the planned development guidelines. Specifications shall be as restrictive, or more restrictive than the standards set forth in this Ordinance; provided, however, that the minimum distance from a Billboard/Digital Billboard proposed as part of a planned development to the nearest on-premises sign(s) may be less restrictive than the standards set forth in this Ordinance.~~
- L. ~~**Parking.** Parking shall be provided in accordance with the standards set forth in Article 9.2 of this Ordinance. Modifications to the parking standards of Article 9.3 may be proposed in a planned development request where the Planning Director determines that the amount of parking requested and its location is sufficient for the use proposed.~~
- M. **Resource Areas.**
 1. Planned ~~D~~developments shall protect any resources determined significant by the *Zoning and* Planning Director including, but not limited to: agricultural soils and active farmland, buffer areas between active farmland and existing/planned future non-farm development, wetlands, mature trees, land adjacent to preserved farmland on neighboring properties, scenic views, water access and shoreline buffers, and habitat of species designated as of federal, state and local concern.
 2. Planned ~~D~~developments shall comply with all provisions of Article 9.3~~4~~, Tree Protection and Preservation, of this Ordinance.

§ 4.235.76 Common Open Space

A. Purpose.

1. *The purpose of Common Open Space is to permit areas that could otherwise be developed into buildable Lots or otherwise sold individually to provide a significant amenity to the residents who will interact with the open space on a daily basis.*
2. *It is not the purpose of common open space to permit open space for land that is otherwise unusable on a daily basis by residents.*

B. Where Common Open Space is designated, the following standards shall apply:

1. Common Open Space ~~open space~~ areas shall be:
 - a. *Located so as* to preserve any significant resources;
 - b. *Appropriate to the size of the development; and*
 - c. *Usable by the residents of the Planned Development.*
2. ~~The common open space area shall be detailed on each Sketch Plan and recorded with the Final Plat (as approved under Article 8.5 of this Ordinance) or separate instrument.~~
3. ~~The proposed common open space shall be usable and appropriate to the size of the development and to the new residents of the planned development. The purpose of common open space is to permit areas, which could otherwise be developed into buildable lots or otherwise sold individually, to provide a significant amenity to the residents who will interact with the open space on a daily basis. It is not the purpose of common open space to permit open space~~



for land that is otherwise unusable on a daily basis by residents.

2. **Common Open Space may include, but is not limited to:**

- a. ~~Un~~improved land,
- b. ~~Land~~scaped areas,
- c. ~~Im~~proved recreation areas,
- d. ~~Re~~creational buildings, and structures that are totally accessory to recreational uses, and ~~as well as:~~
- e. ~~F~~reshwater wetland areas and water surfaces, all located within the development. Natural landscapes, such as wetlands, may also be considered as open space if preserved and meet the requirements of this Section ~~subsection C below~~. "Usable" means that the open space includes uses or facilities that are adaptable to recreational or leisure use and are accessible to the residents of the proposed development or the general public, such as seating areas, picnic shelter, community garden, pedestrian and bicycle trail access to a designated greenway, public square, swimming pools, playing fields, or a new playground. The use or facility must be approved by County Council in accordance with the approval and conveyance procedures below.
- f. The total combined acreage of freshwater wetlands, detention ponds, and buffers to be used as open space shall not comprise more than ~~forty percent (40%)~~ **34%** of the open space requirement as stated in this Section.

3. Land designated as **Common Open Space shall not** be occupied by **include:**

- a. ~~S~~treets,;
- b. ~~D~~rives,;
- c. ~~P~~arking areas,; or
- d. ~~S~~tructures, other than recreational structures.

4. All property owners in the ~~P~~lanned ~~D~~evelopment shall have access to the open space by means of a public or private street or **a** walkway in an easement **with** a minimum **width** of 20 feet ~~in width~~.

5. Common ~~O~~pen ~~S~~pace shall be provided within each phase of the ~~P~~lanned ~~D~~evelopment in sufficient amounts to serve the expected population of that phase.

C. The approval and conveyance procedures listed below apply to Common Open Space:

1. **The Common Open Space area shall be detailed on each PD Sketch Plan and recorded with the Final Plat (as approved under Article 8.5, Final Plat, of this Ordinance).**

2. The ~~C~~ommon ~~O~~pen ~~S~~pace shall be conveyed prior to recording the final ~~P~~lat, in accordance with one of the methods listed below. The applicant must have proof of commitment from the entity that will be responsible for the ~~C~~ommon ~~O~~pen ~~S~~pace prior to the Planning Commission Meeting for which the case is scheduled.

- a. By dedication to the County as publicly-owned ~~O~~pen ~~S~~pace. Parks, open space, and recreation facilities proposed for dedication to the County must be acceptable to the Parks and Recreation Commission, Planning Commission, County Council, and other governmental entities with regard to the size, shape, location, improvement, environmental condition (i.e., the applicant may be required to provide an environmental assessment), and budgetary and maintenance terms; or
- b. By leasing, conveying, or retaining title (including beneficial ownership) to a corporation, homeowner's association or other legal entity. The terms of such lease ~~or~~ of other instrument of conveyance must restrict the use of the area to ~~O~~pen ~~S~~pace /recreational uses.

§ 4.235.87 Affordable and Workforce Dwelling Units

Pursuant to Section 3.1.7 (C), **Future Land Use Recommendations**, of the Charleston County *Comprehensive Plan*, as amended, County Council may approve **Planned Developments with** a density bonuses above the maximum allowable densities provided for in **Chapter 4, Base Zoning Districts** Section 4.23.6(A), of this Ordinance and Table 3.1.1, ~~future Land Use Residential Densities, of the Charleston County Comprehensive Plan, as amended, as an incentive to provide affordable dwelling units in~~



~~planned developments. **for developments that are located in the Urban/Suburban Area, as defined by Map 3.1.2, Growth Management Areas, of the Charleston County Comprehensive Plan, as amended, and in which at least 30 percent of the total number of Dwelling Units qualify as Affordable and/or Workforce Dwelling Units, as defined in this Ordinance.** This density bonus is only applicable to planned developments that include affordable dwelling units that meet the definition of "Affordable Housing", as contained in CHAPTER 12 of this Ordinance.~~

~~**Applicants wishing to utilize such density bonuses shall submit a Planned Development Zoning District application that complies with the requirements of this Article, in addition to the requirements of § 6.4.19 of this Ordinance, with the exception of the minimum percentages of Affordable and Workforce Dwelling Units required and maximum densities contained in Table 6.4.19.D.2, Density, Intensity, and Dimensional Standards: Urban/Suburban Area, of § 6.4.19.**~~

~~B. Zoning permit fees for affordable dwelling units shall be reimbursed upon the request of the developer and certification that the dwelling units are affordable, as required by this Section.~~

~~C. Development Requirements:~~

- ~~1. The planned development must contain residential uses, of which at least thirty percent (30%) of the total number of dwelling units shall qualify as affordable dwelling units pursuant to this Ordinance. A mixture of housing types as well as uses is encouraged, though not required.~~
- ~~2. Affordable dwelling units must be of the same type as the market rate units in the development. In the case of a development with two or more housing types, the type of affordable dwelling units must be in the same proportion as the market rate units.~~
- ~~3. Affordable dwelling units shall be provided within each phase of the planned development in sufficient amounts to serve the expected population of that phase;~~
- ~~4. Affordable dwelling units shall be integrated throughout the development and not located in a single area of the development;~~
- ~~5. Any studio dwelling unit provided under this Section must be a minimum of 500 square feet in floor area; and~~
- ~~6. In no instance shall more than fifty percent (50%) of the affordable dwelling units be provided in the form of studio units.~~
- ~~7. The permitted uses and development standards must be specifically enumerated in the planned development application.~~
- ~~8. The planned development application shall include the following information:
 - ~~a. A general description of the development, including whether the development will contain owner occupied or rental units, or both.~~
 - ~~b. The total number and type of market rate units and affordable dwelling units in the development.~~~~
- ~~9. Prior to the issuance of building permits for any portion of the development, an affordable dwelling unit plan must be submitted to the County that contains, at a minimum, the following information:
 - ~~a. The number of bedrooms in each market rate unit and each affordable dwelling unit.~~
 - ~~b. The square footage of each market rate unit and each affordable dwelling unit.~~
 - ~~c. The location of each affordable dwelling unit within any multi family residential structure and any single family (attached and/or detached) residential development. The location of each affordable and market rate dwelling unit above any non-residential use shall also be identified.~~~~
- ~~10. The Planned Development must comply with the Common Open Space requirements set forth in Section 4.23.6(A) and 4.23.7 of this Ordinance, provided however, that not less than five percent (5%) of the total land area of the Planned Development must be reserved for Common Open Space.~~
- ~~11. To the extent not specifically modified by the Planned Development ordinance, all other provisions of this Ordinance shall apply to the development and use of the property.~~

~~D. Design Requirements~~



1. ~~In terms of exterior appearance, affordable dwelling units shall be indistinguishable from market rate units. External building materials and finishes for affordable dwelling units shall be the same in type and quality as the market rate units.~~
2. ~~Interior features of affordable dwelling units shall be functionally equivalent to the market rate units, though the finishes and materials need not be identical.~~
3. ~~Affordable dwelling units shall be comparable to the market rate units in terms of improvements related to energy efficiency, which include but are not limited to mechanical equipment and plumbing, insulation, windows, and heating and cooling systems.~~

~~E. Owner-Occupied Affordable Dwelling Units.~~

~~1. Eligibility Determination Process.~~

~~Prospective buyers of new affordable dwelling units shall be screened and determined eligible by the developer, or his/her designee, prior to occupancy. Prior to closing on a new affordable dwelling unit, the developer shall submit the following to the County:~~

- a. ~~An affidavit that sets forth the sale price and verifies the unit will be occupied by persons qualified pursuant to the requirements of this Ordinance; and~~
- b. ~~A copy of the current owner's Form 4506 (or other acceptable documentation of income) for the current tax year.~~

~~This affidavit and copies of the current owner's Form 4506 (or other acceptable documentation of income) shall also be submitted to the County on an annual basis and upon resale of the affordable dwelling unit.~~

~~2. Term of Affordability.~~

~~Resale of affordable dwelling units shall be limited by deed restriction to the original sales price, adjusted for inflation, and to a purchaser eligible, as described in this Article, for a period of not less than ten (10) years after issuance of the certificate of occupancy. Funding sources and other factors may require a longer term of affordability. The increase permitted for inflation shall be based upon the increase in the Consumer Price Index (CPI).~~

- a. ~~A copy of such executed deed restrictions shall be submitted to the County for approval prior to issuance of a certificate of occupancy for any portion of the development.~~
- b. ~~The deed restrictions shall require notice to the County of any conveyance of the affordable dwelling unit, and verification that the purchaser is qualified pursuant to the requirements of this Ordinance.~~
3. ~~If, while occupying an affordable dwelling unit, a household's income increases to an amount beyond that permitted in the definition of "Affordable Housing" as contained in this Ordinance, the household shall not be required to vacate the unit. Upon vacating the premises, the unit shall be sold to a qualifying household pursuant to the requirements of this Ordinance for the period the unit is deed restricted as an affordable dwelling unit.~~

~~F. Renter-Occupied Affordable Dwelling Units.~~

~~1. Eligibility Determination Process.~~

~~Prospective renters of affordable dwelling units shall be screened and determined eligible by the developer, or his/her designee, prior to occupancy. All of the following requirements are applicable and subject to final approval by the County:~~

- a. ~~Upon initial occupancy, the owner shall submit to the County a copy of the current tenant's Form (or other acceptable documentation of income) for the current tax year and an affidavit stating that the current tenant meets the necessary qualifications. This affidavit and copies of the current tenant's Form (or other acceptable documentation of income) shall also be submitted to the County on an annual basis and anytime the lease is renewed or a new tenant occupies an affordable dwelling unit.~~
- b. ~~Any time a new tenant occupies an affordable dwelling unit, the owner must provide an affidavit to the County assuring compliance with Fair Market Rents, as described below.~~
- c. ~~The owner shall annually provide affidavits to the County assuring compliance with Fair Market Rents, as described below.~~



~~2. Rent Levels/Fair Market Rents.~~

- ~~a. The maximum rent level for affordable dwelling units shall be based on the schedule of Fair Market Rents for the Charleston North Charleston MSA, as published annually by the U.S. Department of Housing and Urban Development. Fair Market Rents include a utility allowance for electricity, gas, water, and sewer, based on a schedule published by the Charleston County Housing and Redevelopment Authority.~~

~~3. Lease Terms.~~

~~A minimum lease term of six (6) months is required for all affordable dwelling units so as to avoid short term (i.e., weekly) rentals.~~

~~4. Term of Affordability.~~

~~Rental affordable dwelling units shall be limited by deed restriction to remain affordable, as defined in this Article, for a period of not less than ten (10) years after the issuance of the certificate of occupancy. Funding sources and other factors may require a longer term of affordability.~~

- ~~a. A copy of such executed deed restrictions shall be submitted to the County for approval prior to issuance of a certificate of occupancy for any portion of the development.~~
- ~~b. The deed restrictions shall require notice to the County of any lease renewal or new rental contract for the affordable dwelling unit, and verification in the form of an affidavit that the tenant is qualified pursuant to the requirements of this Ordinance.~~

- ~~5. If, while occupying an affordable dwelling unit, a household's income increases to an amount beyond that permitted in the definition of "Affordable Housing" as contained in this Ordinance, the household shall not be required to vacate the unit. Upon vacating the premises, the unit shall be rented to a qualifying household pursuant to the requirements of this Ordinance for the period the unit is deed restricted as an affordable dwelling unit.~~

~~G. Deed Restrictions Required.~~

- ~~1. Standard deed restrictions for all affordable dwelling units produced pursuant to the requirements of this Ordinance are required and subject to approval by the County.~~
- ~~2. Such restrictions shall include, at a minimum, the following elements:
 - ~~a. Duration;~~
 - ~~b. Occupancy requirements and restrictions against leasing/sub-leasing;~~
 - ~~c. Restriction on resale;~~
 - ~~d. Requirement to notify the County in the case of conveyance (for owner-occupied units), lease renewal (for rental units), or establishment of a new rental contract (for rental units);~~
 - ~~e. Right of first refusal, if applicable;~~
 - ~~f. Distribution of gross sales proceeds, if applicable; and~~
 - ~~g. Procedure in the case of foreclosure (for owner-occupied units only).~~~~

~~H. Violations.~~

~~Any sale or rental of affordable dwelling units during the term of affordability to persons that do not meet the eligibility requirements described in this Ordinance shall constitute a violation and the provisions of Chapter 11, *Violations, Penalties, and Enforcement* shall apply.~~

§ 4.235.98 Planned Development Procedure

The procedure and criteria for **PD** Planned Development applications **are** outlined below. Planned Development applications are comprised of Planned Development Stipulations and Sketch Plans, referred to herein as the PD Development Plan. All Sketch Plan(s) shall be drawn to scale.

A. Pre-Application Conference. Before submitting a PD Development Plan for a Planned Development, the applicant shall



confer with the **Zoning and** Planning Director and any other officials designated by the **Zoning and** Planning Director. The purpose of this pre-application conference is to discuss the proposal and the applicable development review and approval procedures.

B. Conceptual PD Development Plan Presentation.

1. At least one time prior to submitting a formal application, Planned Development applicants shall present their Conceptual PD Development Plan to the Charleston County Planning Commission at a Planning Commission workshop. This presentation shall be for discussion and feedback purposes only and no action shall be taken on the Conceptual PD Development Plan at the workshop. **At least 20 days prior to the Planning Commission workshop, the applicant shall submit a memo and presentation describing the proposed PD Development Plan.**
2. This requirement applies to Planned Developments that contain 50 or more dwelling units **and/or** 5 or more acres of nonresidential development.
3. The Planning Commission or **Zoning and** Planning Director may require applicants for Planned Developments that do not meet **the thresholds in** sub-section 2, above, to present the proposed development at a Planning Commission workshop prior to submitting a formal application.

C. Community Workshop.

1. After the pre-application conference, it is recommended that the applicant hold one ~~(1)~~ or more community workshops.
2. The purpose of a community workshop is to:
 1. **E**nsure early citizen participation in an informal forum, in conjunction with the development applications; ~~and to~~
 2. **P**rovide an applicant the opportunity to understand and try to mitigate any impacts an application may have on an affected community.
3. A community workshop is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors.
4. **It shall be the responsibility of the applicant to provide Neighbor and Parties in Interest Notice of the community workshop in accordance with § 3.1.6 of this Ordinance.**

D. Draft PD Development Plan Submittal.

1. After the required pre-application conference, and prior to submitting a formal application, the applicant shall submit **one digital version** ~~at least five (5) copies~~ of a draft of the requested PD Development Plan **that includes all required information** for staff review. **Staff will not review the proposed PD Development Plan until all required information has been submitted.**
2. The draft PD Development Plan must comply with all requirements of this Ordinance and all other applicable regulations.
3. Additionally, the Article 4.25, PD Checklist, available in the **Zoning and** Planning Department, must be filled out and **submitted** ~~turned in~~ with the draft PD Development Plan, **indicating the page number and section of the PD where each requirement is addressed.**

E. PD Development Plan Application. Complete applications for Planned Developments ~~(PD Development Plans)~~ may be submitted on forms available in the **Zoning and** Planning Department once the **Zoning and** Planning Director has determined that the requested PD Development Plan complies with the requirements of this Ordinance and all other applicable regulations.

1. No application for a PD Development Plan shall be accepted as complete unless it includes ~~the one (1)~~ required paper copy and one ~~(1)~~ digital copy of the PD Development Plan, the required fee, and the following information:
 - a. One completed Zoning Map Amendment application signed by the current property owner(s), **and, for property(ies) owned by corporations or partnerships, a resolution of the corporation or partnership authorizing and granting the applicant signing and authority to act and conduct business on behalf of and bind the corporation or partnership must be submitted;**
 - b. One copy of a legible approved and recorded **P**lat showing the current property lines of the property **(ies)**



~~/properties~~ to be included in the ~~P~~lanned ~~D~~evelopment;

- c. One copy of the current, recorded deed;
- d. One Restrictive Covenants Affidavit(s) signed by the applicant or current ~~P~~roperty ~~O~~wner(s) in compliance with state law;
- e. One copy of the completed Article ~~4.25~~ 4-23 PD Checklist;
- f. Documentation of any community workshops held **and outreach made** regarding the proposed PD Development Plan application;
- g. A digital version of all text, charts, tables, exhibits, and graphics used in the PD;
- h. A current aerial overlaid with the proposed Sketch Plan; and
- i. Any other information that the Planning Commission determines is reasonably necessary to make an informed decision as to whether the application complies with the standards of this Article.

2. Applications for PD Development Plans shall comply with ~~Sec.~~§ 3.1.4, *Application Completeness and Submission Deadlines*, of this Ordinance.

3. County Council may waive the fees at ~~its~~ their discretion.

F. Newspaper, Neighbor, Parties in Interest, and Posted notice of the County Council's public hearing shall be provided in accordance with the requirements of § 3.1.6 of this Ordinance.

G. Zoning and Planning Director Review and Report.

1. **Once an application is deemed complete and to contain all information required herein by the Zoning and Planning Director, the application will be scheduled for a Planning Commission meeting and the applicant and other interested parties will be notified in accordance with this Ordinance.**

2. **The Zoning and Planning Director shall prepare a staff report that reviews the PD Development Plan application.**

H. The Planning Commission shall:

1. **Review the proposed PD Development Plan and adopt a resolution, by majority vote of the entire membership, recommending that the County Council approve, approve with conditions, or deny the proposed development plan;**

2. **Base its** ~~The Planning Commission's recommendation shall be based~~ **on the Approval Criteria set forth in of § 4.25.8(J); and 4.23.9.E.9.**

3. **The Planning Commission shall submit its recommendation to the County Council within 30 calendar days of the Planning Commission meeting at which the PD Development Plan was introduced. Deferrals approved by the Planning Commission, whether requested by the Planning Commission or the property owner, and delays in action due to an official declaration of a state of emergency, shall not be subject to this requirement.**

4. ~~At any time prior to action by the Planning Commission, the applicant may request that the Planning Commission enter mediation. When mediation is requested, the Planning Commission shall assign one of its members as a representative in mediation proceedings and the Planning Director shall represent the Planning Staff. A majority vote of the entire Planning Commission membership in a public meeting shall be required to accept any mediated settlement. An accepted mediated settlement cannot waive the standards of this Ordinance. Prior to beginning talks, applicable time limits for review and action on complete applications must be extended by mutual agreement of the applicant and Planning Commission.~~

I. County Council Hearing and Decision.

1. **After receiving the recommendation of the Planning Commission, the County Council shall:**

a. **Hold a Public Hearing prior to giving second reading to the Planned Development/zoning map amendment application; and**

b. **Take action to approve, approve with conditions, or deny the proposed PD Development Plan based on the Approval Criteria set forth in of § 4.25.8(J) 4.23.9.C.6. County Council s hall hold a public hearing prior to giving second reading to Planned Development/zoning map amendment applications.**



2. *If the County Council takes action to approve the PD Development Plan, it may require time-frames for development of the entire Planned Development and its individual phases, if any.*
3. *The approval of a Planned Development shall deem it to be a new Zoning District with its own zoning designation.*
4. *Within ten (10) working days of approval by County Council of a Planned Development Zoning District planned development, the applicant shall submit each of the following to the Zoning and Planning Department one (1) paper copy and one (1) digital copy of:*
 - a. *One digital copy of the approved Planned Development Guidelines and Sketch Plan, clearly showing to the Planning Department. This plan shall contain all changes and conditions approved by Council as redlines for staff review; and*
 - b. *One digital copy of the approved Planned Development Guidelines and Sketch Plan, incorporating all changes and conditions approved by Council.*

~~The approval of a planned development shall deem it to be a new zoning district with its own zoning designation.~~

- J. *Applications for Planned Developments PD Development Plan may be approved only if the County Council determines that the following criteria are met:*
1. *The PD Development Plan complies with the standards contained in this Article;*
 2. *The development is consistent with the intent of the Comprehensive Plan and other adopted policy documents; and*
 3. *The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.*

§ 4.25.9 Planned Development Guidelines and Sketch Plan Requirements

- A. The following shall be included in the **proposed** requested **PD Guidelines** Planned Development Stipulations:
1. ~~The following shall be included in the requested Planned Development Stipulations:~~
 2. The name of the **P**lanned **D**evelopment, not duplicating the name of any other **P**lanned **D**evelopment or subdivision, the final **P**lat of which has been recorded in Charleston County, South Carolina;
 3. A statement of objectives of the proposed development;
 4. ~~A description of how the proposed development meets the objectives contained in § 4, *Intent and Results*, addressing each objective separately;~~
 5. The total acreage of the **P**lanned **D**evelopment, broken down into total acreage, total highland acreage, total freshwater wetland acreage, and total Critical Line wetland, or marsh, acreage;
 6. A table of proposed land uses including:
 - a. A table of proposed maximum and average residential densities for each residential use (~~t~~The applicant **shall** may refer to the density ranges listed in the Charleston County *Comprehensive Plan* for residential densities);
 - b. The maximum total acreage of each residential use, including affordable dwelling units, if applicable;
 - c. The maximum allowable number of each type of residential **Dwelling U**nit requested (**Single-Family Detached, Single-Family Attached, etc.**);
 - d. **Planned Developments that request increased density for the inclusion of Affordable and Workforce Dwelling Units shall include the Affordable/Workforce Dwelling Unit Plan that complies with the requirements of § 6.4.19.G.3 of this Ordinance.** including affordable dwelling units, if applicable;
 7. A statement that the requirements of the Zoning District in which the property is located prior to rezoning will apply, if the property is not developed in accordance with the approved PD Development Plan;



8. The maximum proposed floor area ratios (% of lot in relation to building floor area), **maximum number of buildings, maximum size of each building**, and the maximum building/lot coverage for each non-residential use; and
9. All dimensional and lot standards **proposed** requested, for each land use type designated.
10. ~~All information required for Planned Developments that include affordable dwelling units, as contained in § 4.23.8 of this Ordinance.~~ **For Planned Developments that are requesting Density bonuses pursuant to § 4.25.7, Affordable and Workforce Dwelling Units, all information required by § 6.4.19 of this Ordinance shall be submitted as part of the PD Development Plan;**
11. An analysis of the impact of the proposed development on existing public facilities and services (e.g. roads and streets, water, sewer, **stormwater**, etc.). Any proposed future improvements to these facilities and services to be made as part of the ~~Planned D~~development shall also be included;
12. A traffic study **as required by** that meets the requirements of Article **9.6, Traffic Impact Studies**, ~~9.9~~ of this Ordinance. **On-site improvements recommended by the traffic study shall be included in the PD Development Plan** for planned developments that contain (1) 50 or more dwelling units or (2) 5 or more acres of nonresidential development;
13. A development schedule with a generalized phasing schedule, if appropriate. The phasing schedule shall include the number of ~~D~~dwelling Units, total acreage of each residential use, total gross floor area of each non-residential use, **and** percentage and acreage of ~~C~~ommon ~~O~~pen ~~S~~space to be included in each phase ~~and percentage, number and acreage of affordable dwelling units to be included in each phase (if applicable);~~
14. A statement indicating how any ~~C~~ommon ~~O~~pen ~~S~~space/recreation areas will be owned or managed;
15. A statement indicating how all roads and alleys will be owned and maintained;
16. **A narrative statement defining proposed Stormwater system design approach and system integration within proposed plan. Statement should include conceptual stormwater system design configuration including: site specific natural and man-made features (e.g. wetland, ditches, canals, rivers, water bodies) incorporated within the Stormwater management system; system components; component purpose/function; stormwater system ownership; party(ies) responsible for maintenance. A compliance statement is required referencing applicable South Carolina Department of Health and Environmental Control (SCDHEC) and Charleston County Stormwater Program criteria;**
17. A statement of inclusion and compliance with processes included in the Charleston County Zoning and Land Development Regulations that are not mentioned in the ~~P~~lanned ~~D~~development **Guidelines** stipulations;
18. A statement of agreement to proceed with proposed development in accordance with the provisions of these zoning regulations, applicable provisions of the Charleston County *Comprehensive Plan*, and with such conditions as may be attached to any rezoning to the applicable PD district;
19. A statement that **proposed modifications to the approved PD Development Plan shall be processed in accordance with Section 4.25.10;** ~~the provisions of Article 3.10 of this Ordinance shall not apply to the planned development and that all major changes to the planned development must be approved by County Council. Tree variances may be granted in accordance with this Article and all other sections of this Ordinance;~~
20. A description of how the proposed development complies with the approval criteria contained in **§ 4.25.8(J)** ~~4.23.9(E)(9)~~, **in a list format**, addressing each criterion separately;
21. A historic and archaeological survey identifying all historic and cultural sites, structures and landscapes on the subject property, consistent with Article 9.8, **Historic Preservation**, of this Ordinance. **If there are no resources, a map from SCDAH indicating such must be included.** Any required ~~d~~ on-site mitigation must be detailed in the Planned Development **Guidelines** Stipulations and proof of coordination with OCRM and/or the South Carolina State Historic Preservation Office must be included;
22. Letters of coordination from all agencies from which the applicant must ~~either~~:
 - a. Obtain permits; or
 - b. Obtain services and/or facilities; and
 - c. Any other information that the **Zoning and** Planning Director determines is necessary to determine



whether or not an application complies with the standards established in this Article.

- B. The following shall be included on the ~~proposed~~ **requested** Sketch Plan. Multiple Sketch Plans may be submitted. Sketch Plans shall be drawn to scale.
1. The general location and amount of land proposed for each land use including single family residential, multi-family residential, institutional, office, commercial, industrial, common open space/recreation, street use, etc.;
 2. Conceptual ~~Lot~~ **Hot** lines;
 3. Pedestrian and motor traffic circulation;
 4. Location, acreage, and type (freshwater or Critical Line/marsh) of all wetlands as they exist prior to development. The location and acreage of all freshwater wetlands to be developed upon shall be indicated;
 5. A tree survey to include all Grand trees (24 inches or greater) on residential ~~L~~ **lots** of one acre or less and in road rights-of-way and easements. ~~Significant trees shall be shown on residential lots greater than one acre.~~ Tree surveys for non-residential uses shall conform with the standards of § 9.3.3, of this Ordinance;
 6. Architectural elevations for each type of residential and nonresidential unit;
 7. The general location, size, and capacity of all existing and proposed water and sewer lines;
 8. Areas to be included in each phase of development, including the location of all common open space areas and/or ~~Aaffordable/Workforce housing~~ **Dwelling U**nits to be included in each phase;
 9. The location of all construction entrances;
 10. A Landscaping Sketch Plan including the location and composition of all screening and buffering materials;
 - 11. Stormwater Sketch Plan to provide a graphic representation of existing and proposed stormwater system components as defined within Planned Development Guidelines Stormwater narrative;**
 12. A Utility Sketch Plan with the location of any on-site natural areas, buffers, trees, and sidewalks that may be impacted by utility facilities including existing and proposed location of any easements or rights-of-way; and
 13. Any other information that the **Zoning and** Planning Director determines is necessary to determine whether the application complies with the standards established in this Article.

~~C. Public Hearing Notice.~~

~~Newspaper, Neighbor, Parties in Interest, and Posted notice of the County Council's public hearing shall be provided in accordance with the requirements of § 3.1.6 of this Ordinance.~~

~~D. Planning Director Review and Report~~

~~Once an application is deemed complete and to contain all information required herein by the Planning Director, the application will be scheduled for a Planning Commission meeting and the applicant and other interested parties will be notified in accordance with this Ordinance. The Planning Director shall prepare a staff report that reviews the PD Development Plan application.~~

~~E. Planning Commission Review and Recommendation.~~

~~The Planning Commission shall review the proposed PD Development Plan and adopt a resolution, by majority vote of the entire membership, recommending that the County Council approve, approve with conditions, or deny the proposed development plan. The Planning Commission's recommendation shall be based on the Approval Criteria of § 4.23.9 .E.9. The Planning Commission shall submit its recommendation to the County Council within 30 calendar days of the Planning Commission meeting at which the PD Development Plan was introduced. At any time prior to action by the Planning Commission, the applicant may request that the Planning Commission enter mediation. When mediation is requested, the Planning Commission shall assign one of its members as a representative in mediation proceedings and the Planning Director shall represent the Planning Staff. A majority vote of the entire Planning Commission membership in a public meeting shall be required to accept any mediated settlement. An accepted mediated settlement cannot waive the standards of this Ordinance. Prior to beginning talks, applicable time limits for review and action on complete applications must be extended by mutual agreement of the applicant and Planning Commission.~~

~~F. County Council Hearing and Decision~~



~~After receiving the recommendation of the Planning Commission, the County Council shall take action to approve, approve with conditions, or deny the proposed PD Development Plan based on the Approval Criteria of § 4.23.9.C.6. County Council shall hold a public hearing prior to giving second reading to Planned Development/zoning map amendment applications. If the County Council takes action to approve the PD Development Plan, it may require timeframes for development of the entire Planned Development and its individual phases, if any. Within ten (10) working days of approval by County Council of a planned development, the applicant shall submit one (1) paper copy and one (1) digital copy of the approved Planned Development Guidelines and Sketch Plan to the Planning Department. This plan shall contain all changes and conditions approved by Council for staff review; and the approval of a planned development shall deem it to be a new zoning district with its own zoning designation.~~

G. Approval Criteria-

~~Applications for PD Development Plan approval may be approved only if the County Council determines that the following criteria are met-~~

- ~~a. The PD Development Plan complies with the standards contained in this Article;~~
- ~~b. The development is consistent with the intent of the *Comprehensive Plan* and other adopted policy documents; and~~
- ~~c. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.~~

§ 4.25.10 Variances and Other Modifications to Approved PD Development Plans

The Zoning and Planning Director shall determine whether a proposed modification affecting one or more parcels in a previously approved PD Development Plan is considered a minor or major modification, or requires a Variance, pursuant to the criteria in this section. Modifications of approved PD Development Plans are categorized as major or minor depending on the type and extent of proposed changes, as described below:

A. Minor Modifications.

- 1. Increase in Common Open Space area;**
- 2. Decrease in residential Density or number of Dwelling Units;**
- 3. Increase in setbacks;**
- 4. Increase in the area, dimensions, and/or density of landscape buffers;**
- 5. Decrease in building floor area;**
- 6. Decrease in the number or size of signs;**
- 7. Minor shifts in the layout of the land uses in the Sketch Plan; and**
- 8. Minor shifts in the location of access points or internal roadways necessary to resolve regulatory (e.g., SCDOT) permitting issues.**

The Zoning and Planning Director is authorized to approve minor modifications to an approved PD Development Plan.

B. Major Modifications.

- 1. Any modification not considered "minor" pursuant to paragraph A, above, is considered a major modification.**
- 2. Major modifications require an amendment to the PD Development Plan, in accordance with the procedure specified in this Article.**
- 3. Any PD Amendment must comply with all requirements of this Article.**

C. Variances.

- 1. Upon adoption of this Ordinance, the provisions of Article 3.10 of the ZLDR, relating to Variances, shall apply to all approved PD Development Plans with respect to zoning-related dimensional, design, or performance standards on individual Lots. Variance applications for trees, setbacks, buffers, height, and maximum Lot/building coverage for individual Lots shall be processed pursuant to Article 3.10, Zoning Variances, of this Ordinance. All other proposed modifications, except minor modifications as described above, require an**



amendment to the PD Development Plan, in accordance with the procedure specified in this Article.

2. The Director's determination does not bind the Board of Zoning Appeals to a particular decision.

§ 4.235.911 Identification on Zoning Maps

Approved PDs shall be indicated on the official Zoning Map.

§ 4.235.120-Compliance with Other Regulations

- A. Unless expressly stated in this Section or approved at the time of a *PD Development Plan* Planned Development approval, all applicable standards of this Ordinance and other law shall apply to *Development* within a Planned Development *Zoning District*.
- B. *As described in this Article*, Planned Developments *Zoning Districts* may provide for variations from this Ordinance or other ordinances and the regulations of established zoning districts concerning use, setbacks, *Lot* area, density, bulk and other requirements to accommodate flexibility in the arrangement of uses for the general purpose of promoting and protecting the public health, safety, and general welfare.
- C. All development, other than *Single Family Detached Dwelling Units* residential, shall comply with *Article 3.7*, the *Site Plan Review* Requirements of this Ordinance.

~~§ 4.25.11 Subdivision of Land Located within Approved Planned Developments~~

~~All subdivision of land located within approved planned developments shall be deemed a Major Subdivision, as defined in § 8.3.3 of this Ordinance.~~