

**AN ORDINANCE**

**AMENDING SECTION 6.4.52, CONTAINER STORAGE FACILITIES, IN THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS.**

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

**WHEREAS**, the Container Storage Facilities Section as articulated in the Charleston County Zoning and Land Development Regulations (ZLDR) currently requires the installation of a wall or an earthen berm to separate such facilities from surrounding uses; and

**WHEREAS**, the South Carolina State Ports Authority has applied to amend the description of allowances in the ZLDR to accommodate additional buffer, setback, and lighting options for the separation of container storage facilities and surrounding properties; and

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

**WHEREAS**, the County Planning Commission has reviewed the application in accordance with the procedures established in state law and the County Zoning and Land Development Regulations; and

**WHEREAS**, the request to amend complies in all respects with Article 3.3 of the Charleston County Zoning and Land Development Regulations;

**NOW, THEREFORE BE IT ORDAINED BY CHARLESTON COUNTY COUNCIL THAT SECTION 6.4.52 OF THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS IS HEREBY AMENDED TO READ AS FOLLOWS:**

**§6.4.52 CONTAINER STORAGE FACILITIES**

A. Facilities for or including container storage (whether temporary or permanent), shall be subject to the following additional standards:

1. Uses shall be separated from any adjoining uses or public or private rights-of-way, excluding points of ingress or egress, by way of one of the following:
  - a. A suitably landscaped earthen berm sufficient to screen neighboring or nearby property from the facility; and in no event less than eight (8) feet in height above finished grade; or
  - b. A solid concrete, brick or masonry wall of not less than ten (10) feet in height above finished grade and completely screened from view from public-rights-of-way by way of a vegetative buffer; or
  - c. A minimum vegetative buffer depth of two-hundred (200) feet along the boundaries adjacent to any property zoned Residential (R) and a minimum vegetative buffer depth of fifty (50) feet otherwise. This buffer shall be located within the required setback as described in Section 6.4.52.3.b.

2. Container yard light fixtures installed after January 1, 2005, shall be a type that minimizes fugitive light scatter and shall be directed into the container yard away from neighborhoods. In addition, yard light fixtures installed after January 1, 2005, shall not be visible above the tree line from adjacent residential neighborhoods.
3. Storage within a container yard shall be restricted by the following:
  - a. Container stacking may be permitted, where appropriate, pursuant to an approved container stacking plan. Such plan shall, at a minimum, include a site plan showing the location of all abutting streets and sidewalks, all internal travel-ways, a stagger stacking schedule, and the proposed maximum stacking height. A suitable stacking plan shall feature a slope not exceeding a rise/run of  $\frac{1}{2}$ , shall include a perimeter setback of not less than thirty (30) feet from the nearest stored container, the nearest sidewalk edge, or right-of-way edge, and shall indicate how the stacking plan meets all other requirements of this Ordinance; and
  - b. Container and chassis storage is not permitted within three-hundred fifty (350) feet of the boundary adjacent to any property zoned Residential (R) and within fifty (50) feet otherwise. In addition, containers stacked in the yard shall not be visible above the tree line from adjacent residential neighborhoods. Structures may be allowed in the area beyond the required buffer where container and chassis storage is prohibited, provided that the proposed structures meet all requirements of this Ordinance and receive Site Plan Review Approval.
4. In those instances which proposed container storage facilities are viewed by the Planning Director as having a substantially negative impact on a surrounding area(s) or adjoining property(ies), based on the facility's location, proposed use, permitted use, or actual use of the property, the Planning Director shall bring the matter to the next available meeting of the Board of Zoning Appeals for hearing and decision, pursuant to Article 3.13.

**B. Amortization Provided**

Any facility involved in, or location used for, the purposes provided within Section 6.4.52 and not zoned Industrial (I) as of November 20, 2001, shall cease operations no later than November 20, 2004. Any facilities engaged in stacked storage as of November 20, 2001, shall come into compliance with Section 6.4.52 by November 20, 2004, and shall be bound by the three (3) year general amortization schedule provided for herein above.

THE WITHIN ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON APPROVAL FOLLOWING THIRD READING.