

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 3, DEVELOPMENT REVIEW PROCEDURES; CHAPTER 4, BASE ZONING DISTRICTS; CHAPTER 6, USE REGULATIONS; AND CHAPTER 12, DEFINITIONS.

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

WHEREAS, the Charleston County Planning Commission has reviewed the proposed amendments of the text of various chapters of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has recommended that the Charleston County Council adopt the proposed amendments of the text of the ZLDR as set forth herein; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least one public hearing, and after close of the public hearing, County Council approves the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

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

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition; and

- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by County Council of Charleston County, South Carolina, in meeting duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

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

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading.

ADOPTED and APPROVED in meeting duly assembled this 17TH day of June, 2014.

CHARLESTON COUNTY COUNCIL

By: _____
Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:

By: _____
Beverly T. Craven
Clerk to Charleston County Council

First Reading: May 20, 2014
Second Reading: June 3, 2014
Third Reading: June 17, 2014

EXHIBIT "A"

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 3, DEVELOPMENT REVIEW PROCEDURES; CHAPTER 4, BASE ZONING DISTRICTS; CHAPTER 6, USE REGULATIONS; AND CHAPTER 12, DEFINITIONS.

PROPOSED AMENDMENTS:

§3.2.1

- C. No application for a *Comprehensive Plan* Amendment shall be accepted as complete unless it includes the required fee and the following information:
1. Completed *Comprehensive Plan* Amendment application signed by the current property owner(s) or applicant(s).
 2. One (1) paper copy and one (1) digital copy of the applicant's letter of intent explaining the objective of the proposed amendment(s) and how the criteria listed in Section 3.2.9(B) are met;
 3. One (1) paper copy and one (1) digital copy of the proposed changes to the *Comprehensive Plan* based on the current *Comprehensive Plan* in effect and showing proposed text deletions as strike-through text and proposed text additions in bold, italic text. Proposed changes to any *Comprehensive Plan* map shall be illustrated in a map format similar to the existing *Comprehensive Plan* maps and shall be labeled as "proposed amendment"; and

PROPOSED AMENDMENTS:

§3.3.1

- B. No application for a Zoning and Land Development Regulations Text Amendment shall be accepted as complete unless it includes the required fee and the following information:
1. Completed Zoning and Land Development Regulations Text Amendment application signed by the current property owner(s) or applicant(s);
 2. (1) paper copy and one (1) digital copy of the applicant's letter of intent explaining the proposed amendment(s) and how it meets the criteria listed in Section 3.3.6;
 3. One (1) paper copy and one (1) digital copy of the proposed text amendment based on the current Ordinance in effect and showing proposed deletions as strike-through text and proposed additions in bold, italic text;

PROPOSED AMENDMENTS:

§4.2.5 BUILDING COVER

Building coverage refers to the area of a lot covered by buildings (principle and accessory) or roofed areas as measured along the outside wall at ground level, and including all projections, other than fire escapes, canopies and first two feet of a roof overhang. Swimming pools (excluding the pool decking) shall be included in building coverage.

Chapter 12. Definitions:

Building Cover	The proportion, expressed as a percentage, of the area of a Zoning lot covered by all buildings located thereon, including the area covered by all overhanging roofs and swimming pools (excluding the pool decking).
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Swimming Pool	A structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools.
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PROPOSED AMENDMENTS:

§4.23.9

E. PD Development Plan Application

Complete applications for Planned Developments (PD Development Plans) may be submitted on forms available in the Planning Department once the 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: (rest of section as currently adopted)

(numbers 2 – 7 as currently adopted)

8. **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 Section 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 time-frames 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. The approval of a planned development shall deem it to be a new zoning district with its own zoning designation.

PROPOSED AMENDMENTS:

TABLE 6.1-1	ZONING DISTRICTS																	Cond.		
	RM	AG 15	AG 10	AG 8	AG R	RR3	S3	R4	M8	M 12	MHS	MHP	OR	OG	CN	CR	CT		CC	I
AGRICULTURAL USES																				
STABLE																				
Commercial Stable	C	C	C	C	C															§ 6.4.20
Private Stable	A	A	A	A	C	C	S	S												§ 6.4.20

§6.4.20 STABLE

Boarding or riding stables (commercial or private) may be established as primary or accessory uses provided they meet all applicable standards of this Ordinance and the following requirements.

- A. The following requirements shall apply to commercial stables as defined in this Ordinance:
 1. A minimum lot area of five (5) acres shall be required; otherwise, this use shall comply with the Special Exception procedures contained in this Ordinance.
 2. Riding areas and trails shall be limited to the subject parcel upon which the stable is located unless documentation is provided granting access onto other lands. Such documentation shall be provided through written and recorded documents.

- B. Private stables in the AGR and RR-3 zoning districts shall require a minimum lot area of one (1) acre and allow a maximum of one (1) horse; otherwise, this use shall comply with the Special Exception procedures contained in this Ordinance.

Chapter 12, Definitions:

Commercial Stable	A building or land where horses are kept for commercial use including boarding, sale, rental, breeding or raising of horses.
Private Stable	A building or land where horse(s) are kept for private use.

PROPOSED AMENDMENTS:

§6.7.3 TEMPORARY SPECIAL EVENTS

Temporary public assembly use and special events, such as cultural events, circuses, outdoor concerts and parking for special events, shall require a Temporary Administrative Permit from the Planning Director. Such permit shall not be issued for periods in excess of ten (10) consecutive days, and no more than five such permits may be issued per lot, per calendar year. Temporary permits shall be issued only if adequate parking and sanitary facilities are provided to serve the proposed use or activity. Any temporary event utilizing 25 acres of land area or more shall require Special Exception approval in accordance with the procedures contained in Chapter 3 of this Ordinance. In order to assure the site can safely support the proposed activity, the Planning Department may require one or more of the following items prior to issuing a zoning permit for a Temporary Special Event (in addition to the required fee):

- A. A detailed Letter of Intent describing the purpose of the event indicating date(s) and time(s), anticipated number of participants, and whether alcohol will be served and if amplified sound (music or other amplified noise) will be utilized;
- B. A legible site plan drawn to scale indicating vehicular traffic areas (parking, driveways, circulation etc.), gathering areas, restroom and vendor locations, and locations of existing and planned structures to be used as part of the event;
- C. Letters of coordination from Fire, Police, and Emergency Medical Services and Building Inspection Services if applicable;
- D. Documentation of Charleston County Business license issuance for the host and participating vendors and copy of valid Department of Revenue license if alcohol will be sold;
- E. Documentation from pertinent service providers for restroom facilities and garbage collection; and
- F. Other pertinent information as deemed necessary by the Planning Director.