

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

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

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

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

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

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

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

**SECTION I. FINDINGS INCORPORATED**

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

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

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

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 10th day of March, 2015.

CHARLESTON COUNTY COUNCIL

By:

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J. Elliott Summey  
Chairman of Charleston County Council

ATTEST:

By: \_\_\_\_\_  
Beverly T. Craven  
Clerk to Charleston County Council

First Reading: February 3, 2015  
Second Reading February 26, 2015  
Third Reading: March 10, 2015

**EXHIBIT "A"**

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

**ARTICLE 5.6 FRC-O, FOLLY ROAD CORRIDOR OVERLAY ZONING DISTRICT**

**§5.6.7 NORTH VILLAGE AREA  
(City of Charleston and Charleston County)**

The North Village Area extends from Crosscreek/Tatum Street to Oakpoint Road (Ellis Creek area) as illustrated on the FRC-O map entitled “North Village Area.” Parcels in this area are within the jurisdiction of the City of Charleston and unincorporated Charleston County. This area currently consists of mixed medium and low intensity commercial uses such as shopping centers, professional offices, and vehicle services. Higher intensity residential uses, such as apartment complexes, also exist in this Area. This Area is intended to have commercial uses that are less intense than those found in the Commercial Core Area, particularly along the north side of Central Park Road and west side of Folly Road. This Area is not intended for large scale commercial development such as big box stores or mega-shopping centers. Future development in this area is to be a mix of medium to lower intensity commercial, office, and residential uses with increased buffers along Folly Road for more intensive commercial uses. The following regulations apply in addition to the requirements of Section 5.6.6 of this Article to unincorporated parcels along Folly Road as indicated on the map titled “North Village Area”:

**A. Permitted uses**

Permitted uses shall include those uses allowed in the zoning district that corresponds with the “OR,” “OG,” “CN,” and “CC” future land use designation as shown on the overlay zoning district map and as described in Table 6.1.1, Use Table.

**B. Prohibited uses**

Auto Dealers (New and Used), Billboards, Indoor/Outdoor Shooting Ranges, Liquor, Hotels or Motels (greater than ten rooms), and Tattoo parlors shall be prohibited in this Area.

**C. Uses Requiring Special Exception**

Vehicle Storage, Boat/RV Storage, Bar or Lounge, Consumer Vehicle Repair, Fast Food Restaurant, Gasoline Service Stations (with or without convenience stores), Indoor Recreation and Entertainment, and Consumer Vehicle Repair uses shall require Special Exception approval in compliance with the procedures contained in this Ordinance.

**D. Buffers**

1. A minimum 25-foot vegetated right-of-way buffer shall be required for parcels along Folly Road with a future land use designation of CC, CN and OG;
2. A minimum 15-foot vegetated right of way buffer shall be required for parcels along Folly Road with a future land use designation of OR;
3. Properties with a future land use designation of CC, CN and OG shall be required to have a minimum 20-foot rear vegetated buffer adjacent to

residential uses;

4. Properties with a future land use designation of OR shall be required to have a minimum 15-foot vegetated rear buffer adjacent to residential uses; and
5. Where appropriate, fencing may be required to screen adjacent or surrounding residential uses. When a minimum 6-foot high opaque fence or wall is utilized, the Planning Director may reduce the land use buffer by up to one-half (½) its required depth when deemed appropriate; however, no required vegetated buffer shall be less than 10 feet in depth.

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**§5.6.10 NEIGHBORHOOD PRESERVATION AREA  
(Charleston County and City of Charleston)**

The Neighborhood Preservation Area extends from Rafael Lane to Battery Island Drive as illustrated on the FRC-O map entitled “Neighborhood Preservation Area.” This area consists primarily of low-intensity residential uses with some commercial development primarily along the northwest area of Folly Road. This portion of the overlay zoning district is intended to provide an appropriate transition from the more intense commercial development in the North Village, Commercial Core, and South Village Areas before entering the Conservation Area and the City of Folly Beach. The following regulations apply in addition to the requirements of Section 5.6.6 of this Article to unincorporated parcels along Folly Road as indicated on the map titled “Neighborhood Preservation Area”:

**A. Permitted uses**

Permitted uses shall include those uses allowed in the zoning district that corresponds with the “CN” and “CC” future land use designation as shown on the overlay zoning district map and as described in Table 6.1.1, Use Table, provided, however that hotel and motel uses shall be allowed with a maximum of ten (10) guest rooms.

**B. Prohibited uses**

Auto Dealers (New and Used), Vehicle Storage, Boat/RV Storage, Billboards, Shooting Ranges, Fast Food Restaurant, Gasoline Service Stations (with or without convenience stores), Indoor Recreation and Entertainment, Consumer Vehicle Repair, and Tattoo parlors shall be prohibited in this Area.

**C. Uses Requiring Special Exception in the Commercial Area**

Liquor, Beer, or Wine Sales (as defined in this Ordinance), and Bar or Lounge uses shall require Special Exception approval in compliance with the procedures contained in this Ordinance.

**D. Building Size**

No single building structure shall exceed 5,000 square feet in size.

**E. Buffers**

1. A minimum of a 25-foot vegetated right-of-way buffer shall be required

along Folly Road in the commercial area. This buffer may be reduced to 15 feet when there is no parking or vehicular use area between buildings and right-of-way.

2. A minimum of a 20-foot vegetated rear buffer shall be required adjacent to residential uses.
3. Fencing may be required to screen adjacent or surrounding residential uses. When a minimum 6 foot high opaque fence or wall is utilized, the Planning Director may reduce the land use buffer by up to one-half (1/2) its required depth when deemed appropriate; however, no required vegetated buffer shall be less than 10 feet in depth.