

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 6, USE REGULATIONS TO CLARIFY THE REQUIREMENTS FOR LANDSCAPING AND HORTICULTURAL SERVICES.

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 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 18th day of July, 2017.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

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

First Reading: June 6, 2017
Second Reading: June 20, 2017
Third Reading: July 18, 2017

EXHIBIT "A"

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 6, USE REGULATIONS.

§6.4.48 SERVICES TO BUILDING OR DWELLINGS

B. Landscaping and Horticultural Services

1. Landscaping and Horticultural Services located in the CN and CT Zoning Districts shall, in addition to the requirement to comply with the Special Exception (S) provisions contained in the Ordinance, comply with the following conditions:
 - a. Any structure or structures used for landscaping services shall have a maximum floor area of 5,000 square feet;
 - b. All landscaping service uses shall comply with the Site Plan Review requirements of this Ordinance;
 - c. The maximum number of employees shall be limited to 15, including employees dispatched from the site and seasonal employees;
 - d. The hours of operation shall not exceed Monday through Friday, 7:00am to 7:00pm;
 - e. The subject property shall be a minimum of 3 acres in size;
 - f. There shall be direct access to a public arterial street;
 - g. A minimum twenty-five (25) foot landscape buffer and a minimum six (6) foot high opaque wooden fence within the landscape buffer shall be required adjacent to residential uses and Zoning Districts; and
 - h. The number of parking spaces required shall include the number of employees and the number of company vehicles and trailers to be utilized in conjunction with this use.
2. Landscaping and Horticultural Services located in the RM, AG-15, AG-10, AG-8, and CR Zoning Districts shall comply with the following conditions:
 - a. Any structure or structures used for landscaping services shall have a maximum floor area of 5,000 square feet; otherwise, this use shall fall under the Special Exception provisions of this Ordinance;
 - b. All landscaping service uses shall comply with the Site Plan Review requirements of this Ordinance;
 - c. The subject property shall be a minimum of 5 acres in size if zoned RM, AG-15, AG-10, or AG-8 or a minimum of 3 acres in size if zoned CR;
 - d. There shall be direct access to a public arterial street;
 - e. A minimum twenty-five (25) foot landscape buffer and a minimum six (6) foot high opaque wooden fence within the landscape buffer shall be required adjacent to residential uses and Zoning Districts; and
 - f. The number of parking spaces required shall include the number of employees and the number of company vehicles and trailers to be utilized in conjunction with this use.

TABLE 6.1-1	ZONING DISTRICTS																Condition			
	RM	AG 15	AG 10	AG 8	AGR	RR3	S3	R4	M8	M 12	MH S	MH P	O R	OG	C N	CR		C T	CC	I
AGRICULTURAL USES																				
RETAIL OR PERSONAL SERVICES																				
Landscaping and Horticultural Services to commercial, industrial, or institutional buildings, and residences	C	C	C	C											S	C	S	A	A	§ 6.4.48