

**Adopted: 7/24/18**

**Ord#: 2022**

**AN ORDINANCE  
AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT  
REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 9,  
DEVELOPMENT STANDARDS TO ALLOW THE MODIFICATION OF OCRM  
CRITICAL LINE SETBACK AND BUFFER REQUIREMENTS.**

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 Section 9.7.1 of Article 9.7 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;
- 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 24th day of July, 2018.

CHARLESTON COUNTY COUNCIL

By: \_\_\_\_\_  
A. Victor Rawl  
Chairman of Charleston County Council

ATTEST:

By: \_\_\_\_\_  
Kristen L. Salisbury  
Clerk to Charleston County Council

First Reading: June 5, 2018  
Second Reading: June 19, 2018  
Third Reading: July 24, 2018

**EXHIBIT "A"**  
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**ARTICLE 9.7 WETLANDS, WATERWAYS AND OCRM CRITICAL LINE**

**§9.7.1 WETLAND BUFFERS AND SETBACKS**

**B. Wetland, Waterway and OCRM Critical Line Buffer Depth and Setbacks**

**2. Reduction of OCRM Critical Line Setbacks and Buffers**

- a. The 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 Department 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.