

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 5, OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS, TO AMEND TEXT IN ARTICLE 5.12, ASHLEY RIVER ROAD CORRIDOR OVERLAY ZONING DISTRICT, SECTION 5.12.9(B) TO PROHIBIT AUTO DEALERS (NEW AND USED) ON PROPERTY GREATER THAN 0.75 ACRES IN AREA, AND SECTION 5.12.9(C) TO ALLOW AUTO DEALERS (NEW AND USED) ON PROPERTY EQUAL TO OR LESS THAN 0.75 ACRES IN AREA VIA SPECIAL EXCEPTION.

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 Chapter 5, Article 5.12, Section 5.12.9(B) and 5.12.9(C) 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) approve 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 21st day of March, 2019.

CHARLESTON COUNTY COUNCIL

By: _____
J. Elliot Summey
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: February 26, 2019
Second Reading: March 12, 2019
Third Reading: March 21, 2019

EXHIBIT A

Chapter 5, Overlay and Special Purpose Zoning Districts: Article 5.12, Ashley River Road Corridor, ARRC-O, Overlay Zoning District

§5.12.9 Village Commercial Area (William Kennerty Drive to Church Creek)

- B. Prohibited uses
Multi-family development not part of a mixed use development; Tow Facilities; Auto Dealers (New and Used) on property greater than 0.75 acres; Exterior Display of Goods; Shooting Ranges; Fire Works Stands (permanent and temporary); Self-Storage Facilities; and Tattoo parlors shall be prohibited uses.
- C. Uses Requiring Special Exception
Vehicle Storage; Boat/RV Storage; Auto Dealers (New and Used) on property equal to or less than 0.75 acres; Bars or Lounges; Consumer Vehicle Repair; Fast Food Restaurants Gasoline Service Stations (with or without convenience stores); Indoor Recreation and Entertainment; Consumer Vehicle Repair; and Liquor, Beer, or Wine Sales (as defined in this Ordinance) require Special Exception approval pursuant to the requirements of this Ordinance.