

**AN ORDINANCE
AMENDING THE CHARLESTON COUNTY ZONING AND LAND
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED
AT THE FOLLOWING DOCUMENT LOCATIONS: CHAPTER 5, OVERLAY AND
SPECIAL PURPOSE ZONING DISTRICTS, EXPLICITLY EXCLUDING PARCEL
IDENTIFICATION NUMBERS 283-00-00-024, 283-00-00-028, 283-00-00-072,
283-00-00-229 WHICH REMAIN OUTSIDE OF THE OVERLAY ZONING
DISTRICT BOUNDARY; CHAPTER 8, SUBDIVISION REGULATIONS, AND
CHAPTER 9, LAND DEVELOPMENT REGULATIONS.**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310, et seq., 6-29-510 et seq., 6-29-710 et seq. and 6-29-110 et seq., of the Code of Laws of South Carolina, 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 text of Section 5.17, MRC-O, Main Road Corridor Overlay Zoning District; Section 8.4.2.A.4.j and Section 8.5.2.B.9, of Article 8; and Section 9.5.4, Table 9.5.4.A.3, of Article 9; and related map amendments 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 text and map amendments 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;

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

- A. The proposed amendments correct an error or inconsistency or meet the challenge of a changing condition; and

- B. The proposed amendments are consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendments are 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. TEXT AND MAP AMENDMENTS OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the text and map amendments of Chapter 5, Overlay and Special Purpose Zoning Districts, and related ZLDR amendments, which are attached hereto as Exhibit "A" and made a part of this Ordinance by reference, and which explicitly exclude Parcel Identification Numbers 283-00-00-024, 283-00-00-028, 283-00-00-072, 283-00-00-229 to remain outside of the Overlay Zoning District boundary.

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 the County Council.

ADOPTED and APPROVED in meeting duly assembled this 17th day of December, 2020.

CHARLESTON COUNTY COUNCIL

By: _____

J. Elliott Summey
Chairman of Charleston County Council

ATTEST:

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

First Reading: November 19, 2020
Second Reading: December 8, 2020
Third Reading: December 17, 2020

EXHIBIT "A"

ARTICLE 5.17 MRC-O, MAIN ROAD CORRIDOR OVERLAY ZONING DISTRICT

Sec. 5.17.1 Statement of Findings

Main Road is a major thoroughfare on Johns Island and carries a large number of vehicles each day. Development along Main Road lacks a cohesive land use pattern, varying from rural and agricultural residential uses to intensive commercial and industrial development. Moreover, the corridor has minimal infrastructure supporting safe bicycle and pedestrian circulation. In 2015, as part of the adoption of the Comprehensive Plan Five-Year Review, County Council included the priority recommendation to work with the public and the City of Charleston to create an overlay zoning district along Main Road from its intersection with River Road southward to Maybank Highway, including Kitford Road. The MRC-O, Main Road Corridor Overlay Zoning District implements that recommendation. While some of the properties within the Main Road corridor are located within the jurisdictional limits of the City of Charleston, the MRC-O Overlay Zoning District regulations only apply to unincorporated parcels that either front on, or are in close proximity to, Main Road from the Stono River southward to the intersection of Main Road and Humbert Road, and parcels fronting on Kitford Road, as shown on the map titled "Main Road Corridor Overlay Zoning District."

The MRC-O is comprised of four districts: the Belvedere-Main Commercial (BMC) District, the Rural Commercial (RC) District, the Kitford Community Industrial (KCI) District, and the Kitford Community Residential (KCR) District. The BMC and RC Districts have been established to strike a balance between the ongoing development pressure that exists along the corridor and the need for future development and redevelopment to remain compatible with the existing community. The KCI and KCR Districts have been established to preserve and protect the Kitford Road rural residential community. The KCI District both acknowledges the few existing industrial developments and prohibits an expansion in use that would be incompatible with the community. The remaining Kitford Road properties are within the KCR District and subject to rural residential densities, and limited to uses compatible with the rural residential community.

Sec. 5.17.2 Purpose and Intent

The primary purpose of the MRC-O is to create a corridor that is well-planned, attractive, and preserves and improves existing development patterns where appropriate through the implementation of traffic safety measures and land use and design standards. A secondary purpose of the MRC-O is to preserve and protect the unique residential area identified as the Kitford Road Community.

A separate regional planning effort involving numerous public and private stakeholders was conducted concurrent with the preparation of this Overlay Zoning District. This planning effort, named *Dutch Dialogues*

Charleston, culminated in a final report released in September 2019. The report addresses “long-term planning to manage the risks and the opportunities provided by the Lowcountry’s dynamic water systems.” It should be noted that implementation of recommendations included in the *Dutch Dialogues Charleston Final Report* may result in future amendments to the MRC-O.

Sec. 5.17.3 Applicability of the Overlay Zoning District

A. Standards.

The standards of this Article shall apply to all development of unincorporated properties within the MRC-O Overlay Zoning District, as shown on the map titled “Main Road Corridor Overlay Zoning District,” except Single-Family Detached Dwellings. In case of conflict between the regulations of this Article and other regulations in this Ordinance, the regulations of this Article shall control.

B. Variances.

The following requirements are ineligible for Zoning Variances in addition to those listed in Sec. 3.10.1, Applicability; Limitations, of this Ordinance:

1. Sec. 5.17.7.B, Vehicle Access;
2. Sec. 5.17.7.D, Pedestrian Access and Multi-Use Path; and
3. Sec. 5.17.8.A.2, Right-of-Way Buffers;

Sec. 5.17.4 COORDINATION WITH ADJACENT JURISDICTIONS

A letter of coordination from the City of Charleston shall be required as part of all land development applications in the MRC-O that are located adjacent to properties in the City of Charleston. Applications for single-family detached residential uses are exempt from this requirement.

Sec. 5.17.5 USE REGULATIONS

A. Use Table. Table 5.17.5. Main Road Corridor Overlay Zoning District Use Table, lists the Principal Uses permitted in the four districts included in this Overlay Zoning District and as shown in the map entitled “Main Road Corridor Overlay Zoning District.” The following is a description of the codes used in the table:

1. **Uses Allowed by Right.** “A” indicates uses allowed by right.
2. **Uses Subject to Conditions.** “C” indicates uses subject to conditions. A cross-reference to the applicable conditions can be found in the column entitled “Conditions.”
3. **Uses Subject to Special Exception.** “S” indicates uses allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance, subject to compliance with use-specific conditions. A cross-reference to the applicable conditions can be found in the column entitled “Conditions.”
4. **Prohibited Uses.** Blank cells indicate uses that are not permitted.

B. New or Unlisted Uses and Interpretation. The Zoning and Planning Director shall be authorized to make use determinations whenever there is a question regarding the category of use based on the definitions contained in Chapter 12, Definitions.

C. Nonconforming Uses. The requirements of Article 10.2, Nonconforming Uses, of this Ordinance apply to all development subject to the MRC-O, provided, however, that the following requirements shall apply in place of those contained in Sec. 10.2.4, Loss of Legal Nonconformity Status, subsection A:

1. **Abandonment.** If a Nonconforming Use is replaced with another use or is discontinued for any reason for a period of more than 36 consecutive months, the use shall be considered abandoned. Once abandoned, the legal nonconforming status of the use shall be lost and re-establishment of a

Nonconforming Use shall be prohibited. Any subsequent use of the property shall comply with the regulations of the MRC-O.

D. **Accessory Uses.** Accessory Uses shall be allowed pursuant to Art. 6.5, Accessory Uses, of this Ordinance.

Table 5.17.5, Main Road Corridor Overlay Zoning District Use Table					
Uses	Belvedere-Main Commercial (BMC) District	Rural Commercial (RC) District	Kitford Community Industrial (KCI) District	Kitford Community Residential (KCR) District	Conditions
AGRICULTURAL					
AGRICULTURAL AND ANIMAL PRODUCTION, PROCESSING AND SUPPORT					
Aquaculture					
Mariculture					
Apiculture (Bee Keeping)					
Animal and Insect Production					
Concentrated Animal Feeding Operations					
Horticultural, Greenhouse, Nursery, Crop and Floriculture Production	A	A		A	
Hemp Crop Production and/or Processing	C	C	C		§5.17.6.A
Winery					
Agricultural Processing	A	S	S		
Agricultural Sales or Service	C	C	C		§5.17.6.B
Roadside Stand	A	A	A		
Farmers Market	A	A	A		
Sweetgrass Basket Stand	A	A	A	A	
Community Garden	A	A	A	A	
FORESTRY AND LOGGING					
Bona Fide Forestry Operation				C	§5.17.6.C
Lumber Mill, Planing, or Saw Mill					
RESIDENTIAL					
ASSISTED LIVING					
Assisted Living	S				
MANUFACTURED HOUSING					
Manufactured Housing Unit	C	C	C	C	§5.17.6.D
Manufactured Housing Park					
MULTI-FAMILY DWELLING					
Dwelling, Multi-Family					
Triplex and Fourplex					
Duplex					

Table 5.17.5, Main Road Corridor Overlay Zoning District Use Table

Uses	Belvedere-Main Commercial (BMC) District	Rural Commercial (RC) District	Kitford Community Industrial (KCI) District	Kitford Community Residential (KCR) District	Conditions
Dwelling Group					
Dwelling, Single-Family, Attached					
SHORT-TERM RENTAL					
Short-Term Rental Property, Limited Home Rental (LHR)	C	C	C	C	Art. 6.8
Short-Term Rental Property, Extended Home Rental (EHR)	S	S	S		Art. 6.8
SINGLE-FAMILY DWELLING					
Dwelling, Single-Family Detached	A	A	A	A	
OTHER RESIDENTIAL USES					
Transitional Housing					
Child Caring Institution					
Emergency Shelter	A	A	A		
Affordable Dwelling Unit	C	C	C	C	§5.17.6.E
Group Residential					
Farm Labor Housing					
CIVIC / INSTITUTIONAL					
COURTS AND PUBLIC SAFETY					
Court of Law	A	A	A		
Correctional Institutions					
Parole Office or Probation Office					
Safety Service	A	A	A	A	
DAY CARE SERVICES					
Adult Day Care Service	A	A	A	A	
Family Home	C	C	C	C	§5.17.6.F
Group Home	A				
Child Care Center	A	A	A		
Day Camp	A	A	A		
DEATH CARE SERVICES					
Cemetery	A	A			
Funeral Services	A				
EDUCATIONAL SERVICES					
Pre-school or Educational Nursery	A	A	A		
School, Primary	A	A	A		
School, Secondary	A	A	A		

Table 5.17.5, Main Road Corridor Overlay Zoning District Use Table

Uses	Belvedere-Main Commercial (BMC) District	Rural Commercial (RC) District	Kitford Community Industrial (KCI) District	Kitford Community Residential (KCR) District	Conditions
Higher Education Facility	S	S	S		
Personal Improvement Education	A	A	A		
HEALTH CARE SERVICES					
Medical Office	A	S	S		
Community Residential Care Facility	S	S	S		§5.17.6.G
Counseling Service	A	S	S		
Intermediate Care Facility for Individuals with Intellectual Disabilities	S	S	S		
Health Care Laboratory	A	A	A		
Home Health Agency	A	S	S		
Hospital; Hospice Facility	S	S	S		
Outpatient Facility for Chemically Dependent or Addicted Persons	S				
Rehabilitation Facility	A				
Residential Treatment Facility for Children or Adolescents (mental health treatment)	S	S	S		
MUSEUM, HISTORIC SITE AND SIMILAR INSTITUTIONS					
Historic Site	A	A			
Library or Archives	A	A			
Museum	A	A			
Nature Exhibition	A	A			
Botanical Garden	A	A			
Zoo					
POSTAL SERVICE					
Postal Service, United States	A	A			
RECREATION AND ENTERTAINMENT					
Community Recreation	A	A	A	A	
Fishing, Hunting or Recreational Guide Service	A	A	A		
Golf Courses or Country Club					
Parks and Recreation	A	A	A	A	
Recreation and Entertainment, Indoor	A				
Recreation and Entertainment, Outdoor	C	C	C		§5.17.6.H
Drive-In Theater					

Table 5.17.5, Main Road Corridor Overlay Zoning District Use Table

Uses	Belvedere-Main Commercial (BMC) District	Rural Commercial (RC) District	Kitford Community Industrial (KCI) District	Kitford Community Residential (KCR) District	Conditions
Golf Driving Range					
Outdoor Shooting Range					
Special Events	C	C	C		§5.17.6.I
RELIGIOUS, CIVIC, PROFESSIONAL AND SIMILAR ORGANIZATIONS					
Business, Professional, Labor, Political Organizations; Social or Civic Organization; Social Club or Lodge	A	A			
Religious Assembly	A	A		A	
UTILITIES AND WASTE-RELATED USE					
Utility Service, Major	C	C	C		§5.17.6.J
Utility Service, Minor	A	A	A	A	
Waste-Related Use					
Septic Tank Installation, Cleaning, or Related Services					
Solid Waste Disposal Facility (Public or Private)					
COMMERCIAL					
ACCOMMODATIONS					
Short-Term Rental Property, Commercial Guest House (CGH)					
Hotels or Motels					
RV (Recreational Vehicle) Park					
Campground					
ANIMAL SERVICES					
Stable, Commercial	A	C	C		§5.17.6.K
Stable, Private	A	A	A		
Kennel	A	C	C		§5.17.6.L
Pet Store or Grooming Salon	A	A	A		
Small Animal Boarding	A	A	A		
Veterinary Service	A	A	A		
FINANCIAL SERVICES					
Banks or Financial Services	A				
Short-term Lender					
FOOD SERVICES AND DRINKING PLACES					
Bar or Lounge	S				
Catering Service	A	A	A		
Restaurant, Fast Food					

Table 5.17.5, Main Road Corridor Overlay Zoning District Use Table

Uses	Belvedere-Main Commercial (BMC) District	Rural Commercial (RC) District	Kitford Community Industrial (KCI) District	Kitford Community Residential (KCR) District	Conditions
Restaurant, General	C	C			§5.17.6.M
Sexually Oriented Business					
INFORMATION INDUSTRIES					
Communication Service; Data Processing Service; and Publishing Industry	A				
Communications Tower	C	C			§6.4.5
OFFICES					
Administrative or Business Office; Government Office; Professional Office	A	A	A		
OTHER NONRESIDENTIAL DEVELOPMENT					
Convention Center or Visitors Bureau	A				
Heavy Construction Service or General Contractor	A	C	C		§5.17.6.N
Billboard					
Special Trade Contractor (Offices/Storage)	A	C	C		§5.17.6.N
PARKING, COMMERCIAL					
Parking Lot	A				
Parking Garage					
RENTAL AND LEASING SERVICES					
Charter Boat or other Recreational Watercraft Rental Service					
Commercial or Industrial Machinery or Equipment, Construction Tools or Equipment, Heavy Duty Truck or Commercial Vehicle Rental or Leasing	A				
Consumer Goods Rental Center	A	A	A		
Self-Service Storage	C	C	C		§5.17.6.O
Vehicle Rental or Leasing	A				
REPAIR AND MAINTENANCE SERVICES					
Boat Yard	A				
Repair Service, Consumer	A	C	C		§5.17.6.N
Repair Service, Commercial	A				
Vehicle Repair or Service	A	S	S		§5.17.6.N
RETAIL SALES					

Table 5.17.5, Main Road Corridor Overlay Zoning District Use Table

Uses	Belvedere-Main Commercial (BMC) District	Rural Commercial (RC) District	Kitford Community Industrial (KCI) District	Kitford Community Residential (KCR) District	Conditions
Nonstore Retailer	A				
Fuel Dealer; Heating Oil Dealer; Liquefied Petroleum Gas (Bottled Gas) Dealer	A				
Home Improvement Center					
Food Sales	A	A	A		
Food Truck	A	A	A		
Liquor, Beer, or Wine Sales	S				
Building Materials or Garden Equipment and Supplies Retailer	A				
Retail Sales or Services, General	A	A	A		
Convenience Store	A				
Duplicating or Quick Printing Service; Private Postal or Mailing Service	A	A	A		
Pawn Shop					
Warehouse Clubs or Superstores					
Service Station, Gasoline	C				§5.17.6.Q
Truck Stop					
Vehicle Sales	A				
Heavy Duty Truck or Commercial Vehicle Dealer; Manufactured Home Dealer					
Vehicle Parts, Accessories or Tire Store	A	A	A		
RETAIL OR PERSONAL SERVICES					
Consumer Convenience Service	A				
Hair, Nail, or Skin Care Service	A	A	A	C	Sec. 6.4.3
Job Training or Placement Service	A	A	A		
Personal Improvement Service	A	A	A		
Physical Fitness or Health Club	A	A	A		
Tattoo Facility					
Services to Buildings or Dwellings	A				
Landscaping and Horticultural Service	A	A	A		
VEHICLE AND WATERCRAFT STORAGE					
Vehicle Storage	A	C	C		§5.17.6.P

Table 5.17.5, Main Road Corridor Overlay Zoning District Use Table

Uses	Belvedere-Main Commercial (BMC) District	Rural Commercial (RC) District	Kitford Community Industrial (KCI) District	Kitford Community Residential (KCR) District	Conditions
Impound Yard					
Towing Facility					
Boat Ramp		A			Art. 5.3
Community Dock		A			Art. 5.3
Commercial Dock					
Marina					
WHOLESALE SALES					
Wholesale Sales	A		A		
Clay or Related Products, Construction Material Wholesaler	A		A		
Flower, Nursery Stock or Florists' Supplies Wholesaler	A		A		
Petroleum Wholesalers					
INDUSTRIAL					
INDUSTRIAL SERVICES					
Laundry, Dry Cleaning, or Carpet Cleaning Plant	A				
Photo Finishing Laboratory	A				
Research and Development Laboratory	A	A	A		
Scrap and Salvage Service					
MANUFACTURING AND PRODUCTION, GENERAL					
Artisan and Craftsman	A	A	A		
Manufacturing and Production	A		A		
Aircraft Manufacturing and Production, including Related Parts					
Chemical Manufacturing and Production					
Clay or Related Products, Furniture, Cabinets or Related Products, Toy or Artwork, or Wood Products Manufacturing and Production	A	A	A		
Microbrewery	S	S	S		
Pulp Mill or Paper Mill, Rendering Plant					
Slaughter House and Meat Packing					

Table 5.17.5, Main Road Corridor Overlay Zoning District Use Table

Uses	Belvedere-Main Commercial (BMC) District	Rural Commercial (RC) District	Kitford Community Industrial (KCI) District	Kitford Community Residential (KCR) District	Conditions
Stone or Shell Products Manufacturing and Production					
WAREHOUSE AND FREIGHT MOVEMENT					
Warehouse and Distribution Facility	A				
Container Storage Facility					
Freight Forwarding Facility	A				
Fuel Storage Facility					
Grain Terminals and Elevators	A				
Stockpiling of Sand, Gravel, or other Aggregate Materials	A				
Storage or Manufacturing of Weapons or Ammunition					
OTHER USES					
RECYCLING SERVICES					
Recycling Center					
Recycling Collection Facility	A	A			
RESOURCE EXTRACTION/MINING					
Resource Extraction/Mining					
TRANSPORTATION					
Aviation					
Private Air Strip					
Railroad Facility					
Sightseeing Transportation, Land or Water	A				
Taxi or Limousine Service	A				
Urban Transit Systems	A				
Water Transportation					

Sec. 5.17.6 Use Conditions

A. Hemp Production and Processing

- Industrial Hemp License.** Evidence of the appropriate South Carolina Department of Agriculture Industrial Hemp License (Grower or Processor) shall be submitted with all Site Plan Review applications.
- Approval from South Carolina Department of Agriculture.** Evidence of the appropriate South Carolina Department of Agriculture Hemp Grower or Processor application approval shall be submitted with all Site Plan Review applications.

B. Agricultural Sales or Service, Retail Sales or Service, General, and Building Materials or Garden Equipment and Supplies Retailer

Tractor-trailer containers are prohibited in outside storage areas.

C. Bona Fide Forestry Operations

Charleston County hereby adopts the processes and procedures outlined in S.C Code Sec. 48-23-205 et. seq. (1976, as amended).

D. Manufactured Housing Units

A Manufactured Housing Unit placed in the BMC, RC, KCI and KCR Districts shall be skirted by: manufactured skirting, or other materials suitable for exterior use, including corrosion-resistant metal, fiberglass/plastic, wood/wood siding (both must be protected from the elements by water resistant solution/substance), decay resistant wood/pressure treated lumber, and masonry concrete. The enclosed crawl space under the manufactured housing unit must be ventilated. Skirting placed on manufactured housing units in any Federal Emergency Management Agency (FEMA) Flood Hazard Boundary Area must comply with any applicable FEMA requirements.

E. Affordable Dwelling Units

Affordable Dwelling Units in the BMC, RC, KCI and KCR Districts shall comply with the requirements of Article 6.4.19 of this Ordinance as regulated for the Agriculture/Residential (AGR) Zoning District.

F. Family Home

A Family Home, as defined in this Ordinance, does not require compliance with the Site Plan Review procedures contained within this Ordinance.

G. Community Residential Care Facility

A Community Residential Care Facility that provides care for nine or less persons shall be considered a Family, and is an allowed use in all Zoning Districts pursuant to the Fair Housing Act, Sec. 800. [42 U.S.C. 3601].

H. Outdoor Recreation and Entertainment

Any structure or activity use area established in connection with Outdoor Recreation and Entertainment uses shall have a vegetated land use buffer of not less than 50 feet from any property that contains a residential use and any property in an agricultural, residential or office Zoning District, except where such property line abuts a street, in which case the front setback established for the Zoning District shall apply.

I. Special Events

Special Events established as a principle use in the Belvedere-Main Commercial (BMC) and Rural Commercial (RC) Districts shall comply with the requirements of Article 6.7 of this Ordinance as regulated for the Rural Commercial (CR) Zoning District.

J. Utility Service, Major

1. Sewage Disposal Facility, Water and Sewage Treatment Facility, Water Storage Tank, and Electric or Gas Power Generation Facility.

Vegetated Buffers. Any structure established in connection with a Water Storage Tank, Water and Sewage Treatment Facility, Sewage Disposal Facility, or Electric or Gas Power Generation Facility shall have a vegetated buffer of not less than 50 feet from any property line, in compliance with the Chapter 9 buffer standards of this Ordinance.

2. Utility Substation, Electrical or Telephone Switching Facility, Sewage Collector or Trunk Line, Utility Pumping Station, and Water Main.

- a. *Vegetated Buffers for Structures Less than 120 Square Feet.* Above ground structures that have a cumulative area of 120 square feet or less, associated with underground utilities such as meters, which are necessary for maintenance and monitoring, shall have a vegetated buffer of 10 feet from all property boundaries, in compliance with Chapter 9 buffer standards of this Ordinance;
- b. *Vegetated Buffers for Structures Greater than 120 Square Feet.* Above ground structures that have a cumulative area of greater than 120 square feet established in connection with a Utility Substation, Electrical or Telephone Switching Facility, Sewage Collector or Trunk Line, or Utility Pumping Station shall have a vegetated buffer of 25 feet from all property boundaries, or the minimum setback of the overlay district, whichever is greater.
- c. *Storage of Vehicles and Equipment.* The accessory storage of vehicles and equipment on the premises shall be prohibited in the RC District.

K. Stable, Commercial

Commercial Stables may be established as primary or accessory uses provided they meet all applicable standards of this Ordinance and the following requirements.

1. Riding Areas and Trails.

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.

2. Vegetated Buffers for Lots Less than Five Acres.

If the subject site is less than five acres, a 25-foot vegetated buffer from any equestrian activity areas is required to adjoining parcels. In lieu of a 25-foot vegetated buffer, a 75-foot setback to equestrian activity areas from the side and rear property boundaries shall be provided.

3. Vegetated Buffers for Lots Five Acres or Greater.

If the subject site is five acres or greater, a 50-foot vegetated buffer from any equestrian activity areas is required to adjoining parcels. In lieu of a 50-foot vegetated buffer, a 150-foot setback to equestrian activity areas from the side and rear property boundaries shall be provided.

L. Kennel

Kennels shall be subject to the following standards:

1. Required Screening and Landscape Buffer

- a. **Vegetated Buffer.** A minimum 100-foot landscaped buffer is required from all adjacent properties in agricultural, residential or office Zoning Districts, and from adjacent properties containing residential uses.
- b. **Outdoor Activities.** Outdoor activities shall not be located within or have access to the required landscaped buffers.

M. Restaurants

All proposed Restaurants serving beer or alcoholic beverages located within 500 feet of the property line of a lot in a residential Zoning District or a lot containing a residential use shall require review and approval in accordance with the Special Exception procedures of this Ordinance. Distances shall be measured from the nearest property line of the subject parcel to the nearest property line of a lot containing a residential use or located in a residential Zoning District.

N. Heavy Construction Service or General Contractor, Special Trade Contractor, Consumer and Commercial Repair Service

All materials and equipment shall be entirely screened from view of adjacent properties, and public or private right-of-ways, by the use of solid fencing or appropriate landscaping.

O. Self-Service Storage Facility

1. Performance Standards

a. Front Setback

All structures, including the accessory manager's office/residence shall be set back a minimum of 75 feet in compliance with the Main Road right-of-way buffer requirement contained in this Article.

b. Side and Rear Buffers/Screening

- i. Where projects abut lots in office, commercial, or industrial Zoning Districts, no side or rear setbacks are required.
- ii. Where sites abut lots containing residential uses or are located in residential or agricultural Zoning Districts, buildings adjacent to the perimeter must face inward with their doors away from such areas.

c. Building Lengths and Access

To ensure ease of access for emergency vehicles, no building shall exceed 300 feet in length. Spaces between ends of buildings shall be at least 30 feet.

d. Accessory Office/Apartment

One management office and/or accessory residence shall be permitted.

e. Parking and Circulation

- i. **Entrance.** Project entrances shall be 30 feet in width.

- ii. *Roadway Widths.* Roadway widths on interior drives shall be at least 24 feet in width where buildings face and open onto such drives on only one side. Where buildings face and open onto drives on both sides, widths of such drives shall be at least 34 feet.
- iii. *Turning Radii.* Turning radii, whether provided at the terminus of interior drives or at points between buildings, shall be at least 30 feet to provide for the maneuverability of emergency vehicles.

f. Signs

Signs shall comply with the requirements contained in this Article and Chapter 9 of this Ordinance.

2. Operating Conditions

a. Commercial Activities

The manufacture or sale of any commercial commodity or the provision of any service from the premises is prohibited.

b. Commercial Repair Activities

Commercial repairs of vehicles autos, boats, motors, furniture, or other items on the premises are prohibited.

c. Storage of Flammable Substances

Storage of flammable chemical substances within the complex is prohibited.

d. Open Storage

Open storage of vehicles and boats is permitted only where such areas are screened to comply with Landscaping, Screening and Buffer requirements contained in Chapter 9 of this Ordinance.

P. Vehicle Storage

Open storage of vehicles and boats shall be entirely screened from view of adjacent properties, and public or private right-of-ways, by the use of solid fencing or appropriate landscaping.

Q. Gasoline Service Stations

Gasoline Service Stations shall have a maximum of four fuel dispensing stations and a maximum of eight vehicle fueling positions (VFP). VFP's are the number of vehicles that can be fueled simultaneously at a gasoline service station.

Sec. 5.17.7 GENERAL DEVELOPMENT STANDARDS AND REQUIREMENTS (ALL DISTRICTS)

A. Residential Density

1. *Maximum Residential Density.*

- a. The Density/Intensity and Dimensional Standards listed in Table 5.17-2 of this Article shall apply to all properties in the BMC and RC Districts.
- b. The Kitford Community Industrial (KCI) District shall be subject to the Density/Intensity and Dimensional Standards of the Industrial (I) Zoning District; and
- c. The Kitford Community Residential (KCR) District shall be subject to the Density/Intensity and Dimensional Standards of the Rural Residential (RR-3) Zoning District.

2. *Calculation of Residential Density.* Residential density shall be calculated by dividing the number of Lots/Dwelling Units on a site by the net area (in acres) of highland of the site on which the Lots/Dwelling Units are located. Net highland acres includes all acreage that is not below the Office of Coastal Resource Management Critical Line or identified as freshwater wetlands. Site Plan Review and Subdivision applications shall include all freshwater wetland metes and bounds, and total freshwater wetland acreage based on a United States Army Corps of Engineers (USACE) Approved Jurisdiction Determination (AJD). Accessory Dwelling Units (ADUs) are not included in the calculation of residential density.

B. Vehicle Access. All Site Plan Review and Subdivision applications shall include suitable access management plans demonstrating compliance with the driveway separation requirements described below:

1. *Driveway Width.* Vehicular access from Main Road and side (secondary) streets to properties shall be confined to access drives not exceeding 30 feet in width at the street line. Driveways which include a

median strip to separate traffic flow in opposite directions shall not exceed 60 feet in width at the street line.

2. *Driveway Separation.* Driveway separation shall be a minimum distance of 150 feet from the intersection of the right-of-way lines to the closest edge of driveways.
3. *Distance between Driveways.* The distance between the proposed driveway and an existing adjacent driveway shall be the greatest distance feasible.
4. *Limitation to Number of Driveways.* For parcels with a right-of-way frontage equal to or less than 150 feet in length, the development is limited to one driveway, unless single lane driveways are provided in accordance with Sec. 5.17.7.B.6; for parcels with a frontage greater than 150 feet and less than 300 feet in length, the development is limited to two driveways; for parcels with a frontage equal to or greater than 300 feet, the development may have up to three driveways.
5. *Single Lane Driveways.* For parcels with a right-of-way frontage equal to or less than 150 feet in length, two single lane driveways may be allowed. Each single lane drive shall not exceed 15 feet in width at the street line and the single lane driveway separation shall be a minimum distance of 100 feet from the intersection of the right-of-way lines to the closest edge of driveways.
6. *Corner Lots.* Notwithstanding the above stated requirements, access drives on corner lots shall be located only on the side (secondary) street and such driveways shall be a minimum distance of 50 feet from the street intersection as measured from the edge of the intersecting roadway to the beginning of the driveway radius. However, the Zoning and Planning Director may require the access to be located on the primary street to avoid undue interference with, or hazard to, traffic on the roadways.
7. *Shared Access Requirements.* Shared access is encouraged between adjoining parcels. Driveways for all uses except Single-Family Detached Dwellings shall be located in a manner where they can be shared between adjacent parcels as described below:
 - a. The applicant must request a shared access with the adjacent property if the adjacent property does not contain a Single-Family Detached Dwelling.
 - b. Shared access should be located along a common property boundary, if feasible.
 - c. If the owner of the adjacent parcel does not agree to share access, the applicant shall provide one of the following to the Zoning and Planning Department:
 - i. A letter from the adjacent property owner denying access; or
 - ii. If the adjacent property owner refuses to provide a letter, an affidavit that documents attempts that the applicant made to request shared access and that the neighboring property owner refused to provide a letter. If this subsection applies, a new curb cut is permitted on the subject parcel only with a recorded agreement that the property owner will allow adjacent properties to share access when developed and/or redeveloped.
 - d. Shared access agreements shall be recorded with the Register of Deeds (ROD) Office.
 - e. Each parcel involved in a shared access shall be allowed an increase in building cover up to a maximum of 40 percent of the lot.
8. *Transportation Coordination.* Prior to the issuance of a Certificate of Occupancy, the applicant must show conformance with all requirements included in Letters of Coordination from South Carolina Department of Transportation (SCDOT), Charleston County Public Works Department, and the Charleston Area Regional Transportation Authority (CARTA).

C. Traffic Impact Analysis

All development applications requiring Site Plan Review shall be subject to the requirements of Article 9.9, Traffic Impact Studies.

D. Pedestrian Access and Multi-Use Path

1. *On-Site Pedestrian Access.* On-site pedestrian access shall comply with the requirements of this Ordinance and shall be included in site design illustrating access linkage to existing sidewalks, adjacent parcels, and within the development area. At-grade and grade-separated pedestrian walkways shall provide direct connections from the street to the main entrance and to abutting properties. Pedestrian

walkways shall be designed and located in a manner that does not require pedestrians to walk through parking lots or within driveways.

2. *Main Road Multi-Use Path Requirements.* When properties are developed or redeveloped in accordance with Section 3.7.1 of this Ordinance, a multi-use path shall be constructed in accordance with the right-of-way buffer requirements of this Article. The following shall apply:
 - a. A minimum 10-foot wide concrete multi-use path, located as shown in Figure 1, shall extend the length of the entire property frontage;
 - b. Where applicable as determined by the Zoning and Planning Director, asphalt surface material may be used in place of concrete to mitigate damage to existing trees that are to remain;
 - c. The multi-use path shall have a minimum width of at least 10 feet;
 - d. The property owner shall obtain and submit all required encroachment permits as part of the Site Plan Review application;
 - e. The property owner shall record an easement for the safe movement of pedestrians;
 - f. The property owner shall be responsible for the maintenance of the multi-use path; and
 - g. The multi-use path shall be installed and inspected prior to issuance of Certificate(s) of Occupancy.

E. Signs

All signage must comply with the requirements of this Section in addition to the applicable requirements of Art. 9.11, Signs, of this Ordinance.

1. Free standing Signs
 - a. All new freestanding signs must be designed as monument signs.
 - i. Signs shall have a maximum height of 8 feet and a maximum size of 40 square feet.
 - ii. Shared free standing signs shall be allowed with a maximum height of 10 feet and a maximum size of 60 square feet.
 - b. All sign illumination:
 - i. Illuminated signs located adjacent to any residential area shall be controlled so as not to create excessive glare to properties within adjacent residential areas.
 - ii. Electronic Copy Readerboard signs and Billboards are prohibited.
 - iii. No illumination that simulates traffic control devices or emergency vehicles shall be used.
 - iv. All illumination must be from a steady, stationary light source.
 - v. Internally Illuminated signs are prohibited.
 - vi. External Illumination:
 1. Illumination shall be from a steady stationary light source, shielded and directed solely at the sign.
 2. Light sources to illuminate signs shall be shielded as to not cause glare hazardous to pedestrians or vehicle drivers or so as to create a nuisance to adjacent properties.
 3. The intensity of light shall not exceed twenty (20) footcandles at any point on the sign face.
 4. The color of light sources to illuminate signs shall be white.
 5. Signs shall not have light-reflecting backgrounds or letters.
 - c. Nonconforming Signs.
 - i. All signs made nonconforming by the adoption of this Article on **[Date of Adoption]** pursuant to Art. 10.5, Nonconforming Signs, of this Ordinance must come into compliance with the requirements of this Article prior to the issuance of a Zoning Permit for: (1) a new business on the property; and/or (2) all changes other than re-facing and/or the required addition of pole covers as described in subsection ii below.
 - ii. A Nonconforming Sign may be re-faced without complying with the sign requirements of this Article provided a pole cover is added to the existing poles in compliance with the following requirements:
 - a) The pole cover shall be at least one-third the width of the sign cabinet; and
 - b) The pole cover shall be at least one-third the overall height of the pole sign, provided the pole cover shall not exceed 8 feet in height.
2. Wall Signs.
 - a. The maximum size of a wall sign shall be in accordance with Table 9.11.4, Wall/Façade Signs, of this Ordinance.

- b. In new multi-tenant developments, such as shopping centers and office parks, all tenant signs are to be similar in type, color, font size, font style, and method of illumination.
- c. New tenant signs in existing multi-tenant developments shall be consistent with the type and method of illumination of existing tenant signs.

F. Special Stormwater Requirements

All construction activities occurring on properties within the MRC-O may be subject to Special Protection Area stormwater design criteria as described in the most recent edition of the Charleston County Stormwater Program Permitting Standards and Procedures Manual.

Sec. 5.17.8 BELVEDERE-MAIN COMMERCIAL (BMC) and RURAL COMMERCIAL (RC) DISTRICTS

The BMC and RC Districts primarily consist of properties with frontage on, or within close proximity to, Main Road north of Herbert Road, as shown on the map titled “Main Road Corridor Overlay Zoning District.” All of these properties are within the Rural Area, defined by the Charleston County Comprehensive Plan as the area located outside of Charleston County’s Urban Growth Boundary. The Comprehensive Plan states that the Rural Area is characterized by low levels of infrastructure and services and low intensity development. Strategies in the Comprehensive Plan designed to foster the character of Rural Areas include encouraging the continuation of low-density development, and maintaining rural and agriculturally-oriented commercial uses in a dispersed pattern to support and contribute to the rural quality of life.

The BMC and RC Districts are intended to provide opportunities for rural economic development through the designation of limited areas of more intense development where infill development, expansion, or redevelopment of existing commercial and industrial uses may occur. New commercial businesses, or the expansion of existing commercial businesses, can occur within the BMC and RC Districts if the uses are compatible with the existing community, can be served by existing infrastructure, and are principally designed to serve the surrounding rural area. The following regulations apply in addition to the requirements of Sec. 5.17.7, General Development Standards and Requirements (All Areas), of this Article to unincorporated parcels within the BMC and RC Districts as indicated on the map titled “Main Road Corridor Overlay Zoning District”:

a. Buffers.

- 1. Land Use Buffer. The land use buffer and landscape requirements of Chapter 9 shall apply.
- 2. Right-of-Way Buffer.
 - a. Main Road Right-of-Way Buffer.
 - i. *Buffer Requirement.* For properties with frontage on Main Road, the right-of-way buffer shown in Figure 1 shall be required when such properties are developed or redeveloped in accordance with Section 3.7.1 of this Ordinance.
 - ii. *Buffer Description.* The Main Road right-of-way buffer shall be 75 feet in depth and include the following
 - 0 – 25 feet from the property line at the right-of-way: A minimum 10-foot multi-use path meeting the requirements of Sec. 5.17.7.D.2. This area is also reserved for future road widening.
 - 25 – 75 feet from the property line at the right-of-way: Street trees and additional required plantings per Table 5.17-2. All required trees and plantings shall be installed and inspected prior to the issuance of Certificate(s) of Occupancy.
 - iii. Property owners shall be responsible for the long-term maintenance of all buffer requirements.

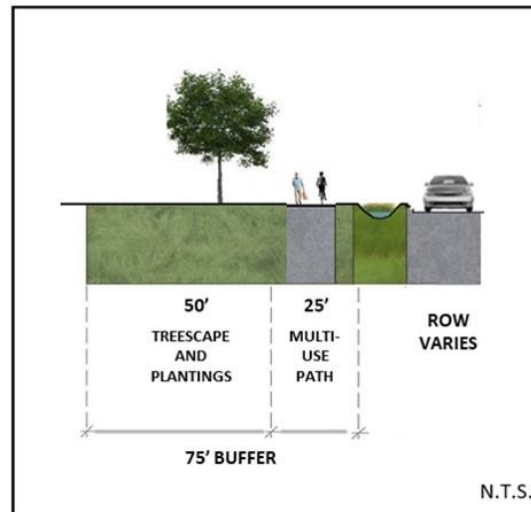


FIGURE 1
RIGHT-OF-WAY BUFFER, MAYBANK HIGHWAY

iv. Right-of-way Buffers shall be provided in accordance with the following minimum standards:

Table 5.17-2, Main Road ROW Buffer Depth and Planting Schedule [1]	
STANDARD	MAIN ROAD
MIN. BUFFER DEPTH [2]	75 feet [3]
MINIMUM BUFFER LANDSCAPING (Plants per 100 linear feet)[4]	
Canopy Trees[5] [6]	6
Understory Trees (at least 50 percent evergreen)	9
Shrubs	50
Street Trees (may be counted toward canopy tree req.)	2
<p>All trees with a diameter breast height (DBH) of 6 inches or greater within buffers shall be preserved.</p> <p>[1] All landscape and plant material shall comply with the minimum standards of Section 9.5.6 of this Ordinance.</p> <p>[2] Buffers may be traversed by permitted driveways and pedestrian ways.</p> <p>[3] Consisting of a minimum ten-foot multi-use path as illustrated in Figure 1.</p> <p>[4] The Zoning and Planning Director may waive/modify minimum buffer planting requirements when an undisturbed natural buffer exists that is the same depth and amount of plant material as that which is required.</p> <p>[5] Bradford Pears cannot be used to fulfill any of the tree requirements of this Ordinance. Any exotic species which are proposed by the designer are subject to approval of the Planning Director.</p> <p>[6] Only Live Oak trees may be used to fulfill the canopy tree requirements.</p>	

b. Right-of-way buffer requirements for all roads in the BMC and RC Districts other than Main Road shall comply with the requirements of Chapter 9 of this Ordinance.

b. **Density, Intensity, Dimensional, and Design Standards.** The following Density/Intensity and Dimensional Standards shall apply to properties in the BMC and RC Districts:

Table 5.17-2 Density/Intensity and Dimensional Standards	
MAXIMUM RESIDENTIAL DENSITY	1 dwelling unit per acre [1]
MINIMUM LOT AREA	40,000 square feet
MINIMUM LOT WIDTH	125 feet
MINIMUM SETBACKS	Equivalent to required buffers [2]
OCRM CRITICAL LINE	50 feet
MAXIMUM BUILDING COVER	30% [3]
MAXIMUM BUILDING HEIGHT	35 feet and 2-1/2 stories [4]
<p>[1] To promote ownership or occupancy of affordable, quality housing, increased densities may be allowed pursuant to Sec. 5.17.6.F.</p> <p>[2] No building setback shall be less than 8 feet.</p> <p>[3] Parcels involved in a shared access agreement are allowed a maximum building cover of 40 percent, per Sec. 5.17.7.B, <i>Vehicle Access</i>.</p> <p>[4] Building height may be a maximum of 50 feet and 3 stories when the building meets all applicable setback and buffer requirements, and the following conditions:</p> <ol style="list-style-type: none"> The entire building, or the portion of the building exceeding 35 feet in height, is set back at least 300 feet from the Main Road Right-of-way; and The entire building, or the portion of the building exceeding 35 feet in height is set back at least 50 feet from any adjacent parcel which contains or is zoned for Single-Family Detached Dwellings. 	

Sec. 5.17.9 KITFORD COMMUNITY (KC) DISTRICTS

The Kitford Community consists of properties on or adjacent to Kitford Road as shown on the map titled “Main Road Corridor Overlay Zoning District.” When County Council adopted the first zoning map on January 19,

1970, many of these properties were placed in the Light Industrial Zoning District due to the mixture of commercial and industrial uses occurring nearby along Main Road and the potential for tomato packing sheds to expand in the area. While the expansion of tomato packing sheds did not occur over time, the industrial zoning remained, resulting in land uses that conflicted with the existing rural residential community. The MRC-O creates two Kitford Community Districts to address issues related to expansion of incompatible land uses and the resulting negative impacts of traffic and noise.

The KCI District is designated for the properties that were in the Industrial Zoning District at the time of adoption of this Article, with the exception of split-zoned properties. Table 5.17.5, Main Road Corridor Overlay Zoning District Use Table, identifies the permitted uses within the KCI District, allowing Rural Commercial District uses instead of Industrial uses along with some manufacturing/production and wholesale sales uses on these properties.

The KCR District is designated for the remaining Kitford Community properties identified in the MRC-O, the majority of which were previously located in the RR-3 Zoning District. These properties contain Single-Family Detached Dwellings or are vacant. Two of the properties contain commercial developments. Table 5.17.5, Main Road Corridor Overlay Zoning District Use Table, identifies the permitted uses within the KCR District. These uses are compatible with the intent of the MRC-O to preserve and protect this rural residential community.

The following regulations apply in addition to the requirements of Sec. 5.17.7, General Development Standards and Requirements (All Areas), of this Article to parcels within the KCI and KCR Districts as indicated on the map titled "Main Road Corridor Overlay Zoning District":

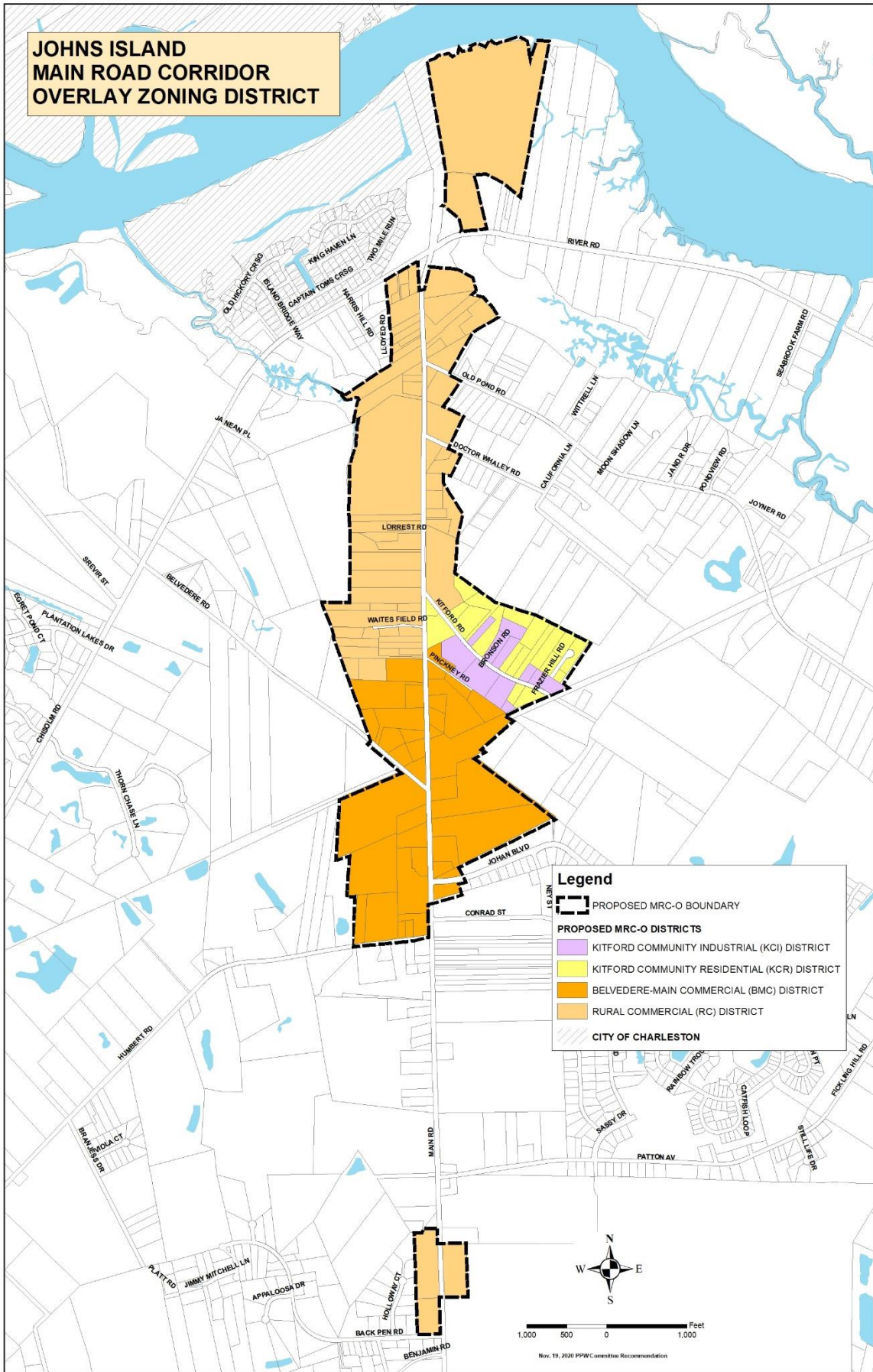
A. Buffers.

1. Land Use Buffers. The land use buffer and landscape material requirements of Chapter 9 shall apply.
2. Right-of-Way Buffer Requirements.
 - a. *Main Road Right-of-way Buffer Requirements.* Right-of-way buffer requirements for all properties with frontage on Main Road in the KCI and KCR Districts shall be subject to the requirements of Sec. 5.17.8.A.2.a of this Article.
 - b. *Other Right-of-way Buffer Requirements.* Right-of-way buffer requirements for all roads in the KCI and KCR Districts other than Main Road shall comply with the requirements of Chapter 9 of this Ordinance

B. Density, Intensity, Dimensional, and Design Standards.

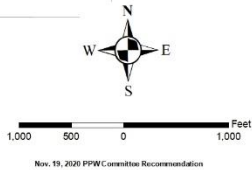
1. All properties within the KCI District shall be subject to the Density/Intensity and Dimensional Standards of the Industrial (I) Zoning District.
2. All properties within the KCR District shall be subject to the Density/Intensity and Dimensional Standards of the RR-3 Zoning District.

**JOHNS ISLAND
MAIN ROAD CORRIDOR
OVERLAY ZONING DISTRICT**



Legend

- PROPOSED MRC-O BOUNDARY
- PROPOSED MRC-O DISTRICTS**
- KITFORD COMMUNITY INDUSTRIAL (KCI) DISTRICT
- KITFORD COMMUNITY RESIDENTIAL (KCR) DISTRICT
- BELVEDERE-MAIN COMMERCIAL (BMC) DISTRICT
- RURAL COMMERCIAL (RC) DISTRICT
- CITY OF CHARLESTON**



Related ZLDR Amendments: Chapters 8 and 9

CHAPTER 8 | SUBDIVISION REGULATIONS

ARTICLE 8.4 PRELIMINARY PLAT

§8.4.2.A.4 Application; Requirements

A. Requirements

The following shall be submitted:

4. The following information shall be required on each plat:
 - j. United States Army Corps of Engineers Jurisdictional Determination. A United States Army Corps of Engineers (USACE) jurisdictional determination is not required for approval of a subdivision plat application except: (1) as required for the Main Road Corridor Overlay Zoning District, James Island Maybank Highway Corridor Overlay Zoning District, and Johns Island Maybank Highway Overlay Zoning District; and (2) that an Accurate-Approved jurisdictional determination is required for areas located within proposed publicly dedicated rights-of-way and/or easements prior to Preliminary Plat approval. (...)

CHAPTER 8 | SUBDIVISION REGULATIONS

ARTICLE 8.5 FINAL PLATS

§8.5.2.B Application;

B. The Final Plat Shall Show the Following:

9. United States Army Corps of Engineers Jurisdictional Determination. A United States Army Corps of Engineers (USACE) jurisdictional determination is not required for approval of a subdivision plat application except: (1) as required for the Main Road Corridor Overlay Zoning District, James Island Maybank Highway Corridor Overlay Zoning District, and Johns Island Maybank Highway Overlay Zoning District; and (2) that an Accurate-Approved jurisdictional determination is required for areas located within proposed publicly dedicated rights-of-way and/or easements prior to Final Plat approval. (...)

Amend Sec. 9.5.4, Table 9.5.4.A.3, Buffer Types by Roadway, as follows:

Table 9.5.4.A.3, Buffer Types by Roadway		
ROADWAY	BUFFER TYPE	ROADWAY

Table 9.5.4.A.3, Buffer Types by Roadway

ROADWAY	BUFFER TYPE	ROADWAY	
Abbapoola Road	S4	Magwood Road	S3
Ashley Hall Road	S1	Main Road (Humbert Road to Maybank Hwy.) Main Road Corridor Overlay District	S5 [2]
Hwy. 61/Ashley River Road (Saint Andrews Boulevard to Sam Rittenberg Boulevard)	S1	Main Road (Bees Ferry Road to Limehouse <u>Bridge</u>)	S4
Hwy. 61/Ashley River Road (Sam Rittenberg Boulevard to Mark Clark Expressway)	S2	Manse Road	S4
Hwy. 61/Ashley River Road (Church Creek to Muirfield Parkway/MacLaura Hall Ave.) [1]	S5	Mary Ann Point Road	S3
Hwy. 61/Ashley River Road (Muirfield Parkway/ MacLaura Hall Avenue intersection to Charleston County Line)[1]	S6	Mathis Ferry Road [1]	S4
Bears Bluff Road	S5	Maybank Highway Corridor Overlay District [Johns Island]	[2]
Bees Ferry Road	S4	Maybank Highway Corridor Overlay Zoning District [James Island]	[4]
Belvedere Road	S4	Maybank Hwy (Main Road to Rockville)	S5
Betsy Kerrison Parkway [1]	S5	Meeting Street	S1
Bohicket Road [1]	S5	Murraywood Road	S4
Botany Bay Road	S4	Old Georgetown Road	S4

4. Buffer type as described in the Main Road Corridor Overlay District