

#2217

Adopted: 9/20/2022

**AN ORDINANCE
AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT
REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED, TO AMEND THE BUILDING
HEIGHT DEFINITION AT THE FOLLOWING DOCUMENT LOCATION: CHAPTER 12,
DEFINITIONS**

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 (“Planning Commission”) has reviewed the proposed amendment to Chapter 12, Development Definitions, 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 amendment 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 amendment 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 ZLDR amendment meets 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. AMENDMENT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the amendment 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 20th day of September 2022.

CHARLESTON COUNTY COUNCIL

By: _____
Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:

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

First Reading: July 12, 2022
Second Reading: September 6, 2022
Third Reading: September 20, 2022

EXHIBIT "A"

CHAPTER 12 | DEFINITIONS

ARTICLE 12.1 TERMS AND USES DEFINED

TERM DEFINITION

B

Base Flood Elevation (BFE) The elevation of surface water resulting from a flood having a one percent chance of being equaled or exceeded in any given year, as determined by the Charleston County Building Inspections Services Department.

Building Height The vertical distance between the Design Flood Elevation (DFE), or ground level if the Structure is not in a Flood Hazard Area as defined by the Federal Emergency Management Agency (FEMA), and:

1. The average height level between the eaves and ridge line of a gable, hip or gambrel roof; or
2. The highest point of a mansard roof; or
3. The highest point of the coping of a flat roof.

D

Design Flood Elevation (DFE) The Base Flood Elevation (BFE) plus Freeboard, as determined by the Charleston County Building Inspections Services Department.

F

Freeboard A factor of safety usually expressed in feet above a mandatory Base Flood Elevation (BFE) for purposes of floodplain management, as determined by the Charleston County Building Inspections Services Department.