

**AN ORDINANCE  
AMENDING THE CHARLESTON COUNTY ZONING AND LAND  
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS  
AMENDED, TO INCENTIVIZE PARKING UNDER BUILDINGS AT THE  
FOLLOWING DOCUMENT LOCATIONS: CHAPTER 4, BASE ZONING  
DISTRICTS; CHAPTER 9, DEVELOPMENT STANDARDS; AND 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 4, Base Zoning Districts; Chapter 9, Development Standards; and 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 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 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"

**ARTICLE 4.2 MEASUREMENTS, COMPUTATIONS AND EXCEPTIONS**

**Sec. 4.2.4 Building Height and Structure Height**

B. **Exceptions to Height Limits.** Unless otherwise expressly stated, the height limitations of this Ordinance shall not apply to any of the following:

1. Farm Buildings in any Agricultural Zoning District (see Sec. 4.1.3, Zoning District Hierarchy);
2. Electrical power transmission lines;
3. Roof-mounted Solar Collectors;
4. Belfries, cupolas, spires, domes, monuments, flagpoles, chimneys, radio/television receiving antennas, or chimney flues; or
5. Bulkhead, elevator, water tank, or any other similar Structure or necessary mechanical appurtenance extending above the roof of any building, if such structure does not occupy more than 33 1/3 percent of the area of the roof.

The area under Buildings that is used for parking is exempt from maximum Building Height calculations, up to one Story, if the area dedicated to parking under the building equals 51 percent or more of the building footprint.

**ARTICLE 9.3 OFF-STREET PARKING AND LOADING**

**Sec. 9.3.5 Location**

A. **On-Site Parking.**

1. Except as expressly stated, all required off-street parking spaces must be located on the same Lot as the Principal Use and shall be arranged and laid out so as to ensure that no parked or maneuvering vehicle will encroach upon a sidewalk, public Right-of-Way, or property line.
2. Parking Lots in Office (O) and Commercial (C) districts containing more than ten parking spaces shall be located to the side or rear of the Principal Structure's front Facade or within a courtyard surrounded by a Structure on at least three sides.
3. The area under Buildings that is used for parking is exempt from maximum Building Height calculations, up to one Story, if the area dedicated to parking under the building equals 51 percent or more of the building footprint.

**ARTICLE 12.1 TERMS AND USES DEFINED**

**TERM DEFINITION**

**S**

**Story.** That portion of a building included between the surface of any floor and the surface of the next floor above, or if there be no floor above it, then the space between such and the ceiling next above it.